

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 23 JANUARY 2019**

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), Achilleas Georgiou (Cabinet Member for Children's Services), Nneka Keazor (Cabinet Member for Community Safety and Cohesion) and Ahmet Oykener (Cabinet Member for Property and Assets)

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

ABSENT Guney Dogan (Cabinet Member for Environment), Dino Lemonides (Cabinet Member for Housing) and Mary Maguire (Cabinet Member for Finance and Procurement), Ahmet Hasan (Associate Cabinet Member – Enfield North)

OFFICERS: Ian Davis (Chief Executive), Sarah Cary (Executive Director Place), Tony Theodoulou (Executive Director People), Fay Hammond (Director of Finance), Jeremy Chambers (Director of Law and Governance), Doug Wilkinson (Director of Environment & Operational Service), Mark Bradbury (Director of Property & Economy), Geoff Waterton (Head of Collection Services), Ian Russell (Principal Engineer), Keith Rowley (School Expansions and Asset Management) and Andrea De Lucy (Press and New Media Officer) Jacqui Hurst (Secretary)

Also Attending: Councillors Derek Levy, Lindsay Rawlings, Clare De Silva and Charith Gunawardena
Press representative

**1
APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mary Maguire (Cabinet Member for Finance and Procurement), Councillor Guney Dogan (Cabinet Member for Environment) and Councillor Dino Lemonides (Cabinet Member for Housing).

**2
DECLARATION OF INTERESTS**

There were no declarations of interest in respect of any items listed on the agenda.

3 DEPUTATIONS

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

4 CAPITAL PROGRAMME MONITOR MONTH 8 (NOVEMBER) 2018

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Director of Finance (No.130) setting out the Council's Capital Programme (2018/19-2021/22) as at November 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, at year end was projected to be £189m. This consisted of General Fund £108m, HRA £76m and Enfield Companies £5m, for 2018/19.
2. That the approved capital budget for the current financial year 2018/19 was summarised in Table 1 of the report.
3. Section 6 of the report setting out the key forecast outcomes to year-end.
4. the detailed financing of capital expenditure as set out in the report.
5. That a report was due to be considered at the next Cabinet meeting on the Council's "Capital Strategy and Capital Programme 2019-20 to 2023-24". The Director of Finance advised that consideration would also be given in the future to a longer-term programme covering a ten-year period.
6. In response to paragraph 6.1 of the report regarding ICT, Members asked that a more detailed report on the funding for ICT over recent years be provided to Members.
7. The Council's policy of reducing the number of external consultants and agency staff. The Cabinet requested that Overview and Scrutiny be asked to monitor the progress of this over the coming year.

Alternative Options Considered: NOTED, that this was a monitoring report and therefore no alternative options had been considered.

DECISION: The Cabinet agreed to note:

1. The revised four-year approved programme totalling £533m as set out in Appendix A of the report.
2. The addition of £44.9m to the capital programme, as itemised in Table 3 of the report, of which £1.4m was grant.

Reason: To inform the Cabinet of the current position of the Council's Capital Programme.

(Key decision – reference number 4788)

5 COUNCIL TAX SUPPORT AND COLLECTION FUND

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Director of Finance (No.131) on the Council Tax Support and Collection Fund.

NOTED

1. That Appendix E to the report had been circulated as a “to follow” document.
2. That the report recommended the Council Tax Support Scheme for 2019/20 remained unchanged from the 2018/19 scheme.
3. That paragraph 3.4 of the report addressed the impact of the roll out of Universal Credit.
4. The proposed statutory/administrative amendment to the scheme for 2019/20 as set out in section 5 of the report.
5. That section 6 and Appendix C of the report outlined a change in legislation which allowed the current Empty Homes Premium to be amended for council tax and recommended an increase to 100%. This would further encourage these properties to be brought back into use.
6. That the report recommended that the Council agree its Council Tax Base for 2019/20 at 97,074, as set out in Appendix D of the report. It was recommended that the overall collection percentage for 2019/20 be increased to 98% reflecting the higher overall collection rate. Members praised the high collection rates and acknowledged the excellent work of Geoff Waterton and his team.

7. That section 8 and Appendix E of the report recommended that the Council agreed the Business Rate estimated income for 2019/20 and amendments to the Discretionary Rate Relief Policy.
8. In discussion, Members welcomed the increase in the empty homes premium; noted the potential impact of the roll out of Universal Credit; and, valued the Council's discretionary hardship scheme and its sensitive and appropriate implementation by officers. Members asked that consideration be given to how the Council could advertise, particularly to certain community groups, the empty homes premium to encourage a greater number of properties being brought back into use.
9. That Appendix A to the report provided a summary of the Council Tax Reduction Scheme for 2019/20. A discussion followed on the increasing levels of poverty and the thresholds to be met in terms of affordability. The work currently being undertaken by the Council in the development of a housing growth strategy for the Borough and its aspirations were noted.

Alternative Options Considered: The Council had to agree a Local Council Tax Support Scheme each year. Next year's scheme had to be agreed by 11 March 2019 or the Government's default scheme would be applied which was likely to cost the Council over £10m per year.

RECOMMENDED TO COUNCIL:

1. That Council agrees the Local Council Tax Support Scheme for 2019/20 as summarised in Appendix A of the report to provide financial support for households on low incomes in paying their Council Tax taking into account the Equality Impact Assessment (Appendix B of the report). The 2019/20 scheme was based on the 2018/19 scheme, updated for legislative amendments, income uprating and administrative changes.
2. For the 2019/20 scheme:
 - 2.1 the minimum contribution for working age households not in a protected group would be maintained at 26.5%.
 - 2.2 The maximum earned income for Universal Credit claimants to receive council tax support would be £1,264.99 net per month for 2019/20.
 - 2.3 Administrative changes set out in paragraph 5.1 of the report be incorporated into the scheme to improve service delivery.
 - 2.4 Agree the higher amount to be charged for council tax in respect of long-term empty dwellings (Appendix C to the report referred).
 - 2.5 Pursuant to this report (Appendix D of the report) and in accordance with the Local Authorities (Calculation of the Tax Base) (England) Regulations 2012, the amount calculated by the London Borough of Enfield as its Council Tax Base for 2018/19 shall be 97,074 Band D equivalents.

- 2.6 Agree the Ministry of Housing, Communities and Local Government NNDR1 Business Rate base return for 2019/20 (Appendix E of the report).
- 2.7 Agree the amendment to the discretionary rate relief scheme as set out at paragraph 2.2 of Appendix E of the report.

Reason: The recommendations contained in the report followed an assessment of options, experience of operating the scheme to date and the Equality Impact Assessment. The recommended changes introduced in 2014 for defined protected groups and the further extension of care leavers under the Equality Impact Assessment supported the Council's aims to build strong, stabled communities and were recommended to be continued next year.

(Key decision – reference number 4762)

6

ALBANY PARK RIVER RESTORATION AND FLOOD ALLEVIATION SCHEME

Councillor Daniel Anderson (Deputy Leader of the Council) introduced the report of the Executive Director – Place (No.132) proposing to restore up to 350 metres of Turkey Brook within Albany Park and create a flood storage area that would reduce flood risk to over 200 local properties.

NOTED

1. That this was a significant and worthwhile project which would have wide-ranging benefits for the local area and its residents, as set out in detail in the report. Members praised the work of Ian Russell and his team in developing such projects.
2. Members welcomed and praised the project and noted the positive transformation that such schemes could achieve.
3. The proposed funding for the scheme as set out in the report.

Alternative Options Considered: Do nothing. This scheme was part of a series of improvements to reduce the risk of flooding in the Enfield Highway area. To do nothing would lose an opportunity to attract significant funding to the London Borough of Enfield, improve the environment, for both people and wildlife, and reduce flood risk to local residents and infrastructure. Furthermore, it would mean the loss of an opportunity to comply with one of actions identified in the Local Flood Risk Management Strategy.

DECISION: The Cabinet agreed to:

1. Approve the works to restore Turkey Brook and create a new flood storage area in Albany Park.

2. Approve capital funding of £250k for 2019/20 to ensure that the project was adequately funded and that the match-funding requirements related to the external funding were met.
3. Delegate authority to the Director of Environment and Operational Services to authorise the placing of orders through any of the Council's existing relevant term contracts or to invite and evaluate tenders/quotations and, where suitable tenders/quotations were received, to authorise the award of contracts for the works in compliance with the Council's procurement rules.

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

(Key decision – reference number 4807)

7

STRATEGIC PROPERTY - CORPORATE PROPERTY INVESTMENT PROGRAMME

Councillor Ahmet Oykenar (Cabinet Member for Property and Assets) introduced the report of the Executive Director – Place (No.133) setting out proposals for early projects to address urgent needs.

NOTED

1. That Report No.137 also referred, as detailed in Minute No.14 below.
2. That a new Strategic Property Framework including a Strategic Asset Management Plan was currently being formulated with a view to presenting it to a future Cabinet meeting, as set out in the report.
3. That this report addressed some immediate property issues: the relocation of the Integrated Learning Disabilities Service from St. Andrew's Court to Enfield Highway Carnegie Building; and, the refurbishment of John Wilkes House.
4. Members noted the background to the proposals as set out in the report including the consultation that had taken place on the future use of the Enfield Highway Library, as detailed in Appendix 1 of the report. The use of the building for health and wellbeing facilities was the most popular option. The proposals would support the aspiration for a health-related service at this building whilst also ensuring that the property was retained by the Council.

Alternative Options Considered: NOTED, the alternative options which had been considered with regard to St. Andrews Court and John Wilkes House as set out in section 4 of the report.

DECISION: The Cabinet agreed

1. To establish a capital “Corporate Property Investment Programme” (CPIP) and gave approval for that to be incorporated into the Medium Term Financial Plan (MTFP) for 2019/20 onwards.
2. To note that this was a first step towards the emerging Strategic Property Framework that included the Strategic Asset Management Plan (SAMP) and that ongoing action was required to ensure Council services were not disrupted. In future, an annual CPIP update report would be submitted to Cabinet.
3. To the relocation of the Integrated Learning Disabilities Services (ILDS) from St. Andrew’s Court, River Front, Enfield into a refurbished Enfield Highway Carnegie Building, 258 Hertford Road, Enfield, EN3 5BN.
4. To the additional capital funding required from Council resources for the 2019/20 “Corporate Property Investment Programme” (CPIP) which would be taken forward for Council approval as part of the MTFP budget setting process. This included the initial projects to relocate the ILDS, refurbishment of John Wilkes House plus additional pre-construction services for other future (CPIP) schemes. (Report No.137, also referred, as detailed in Minute No.14 below).
5. To support delegated authority to the Executive Director – Place in consultation with the Director of Finance:
 - 5.1 Approval for the 2019/20 CPIP within the capital block budget allocation, including programme arrangements and operational resourcing including feasibility studies, planning pre-applications, submission of planning applications, cost estimates, budgets and spend for projects in advance of updates to the Capital programme.
 - 5.2 Approval of the final proposals for relocation of the ILDS and integration of other health related facilities where appropriate into Enfield Highway Carnegie Building and improvements to John Wilkes House or other schemes identified in 2019/20.
 - 5.3 Conducting suitable procurement exercises and awarding contracts to successful consultants/contractors for any capital services/works required for the CPIP projects.
 - 5.4 The appropriate procurement routes for technical services and construction works for individual schemes.
 - 5.5 Approval of alternative schemes within the CPIP programme if schemes cannot be progressed subject to the available resources within the capital block budget allocation.

Reason: The detailed reasons for the recommendations were set out in section 5 of the report. The Council had a statutory duty to provide the services affected by these property projects.

(Key decision – reference number 4792)

8

**UPDATED SCHOOL CONDITION AND FIRE SAFETY PROGRAMME
2018/19 TO 2020/21 (SCHOOLS CAPITAL PROGRAMME)**

Councillor Achilleas Georgiou (Cabinet Member for Children's Services) introduced the report of the Executive Director – People (No.134) providing an updated School Condition and Fire Safety Programme 2018/19 to 2020/21.

NOTED

1. That Appendix A to the report, setting out the financial details of the projects, contained exempt information and was referred to in Minute No.15 below.
2. That a programme of projects for community and foundation schools, had been collated for consideration in 2018/19, 2019/20 and indicative allocations for 2020/21 as set out in the report. The funding sources for the programme were noted as detailed in the report.
3. The priorities used for formulating the programme of works as detailed in section 3.4 of the report.
4. The proposals for Special School Expansions and other works set out in paragraph 3.11 of the report.
5. Members noted the proposals for a whole school rebuild for Walker Primary School as detailed in paragraph 3.10 of the report. Members expressed their concern at the recent developments in Walker Primary School becoming an academy despite the concerns of parents and residents.
6. Current issues were highlighted, and the example of Galliard School was noted. Members were concerned at the academisation of schools against the wishes of parents, residents, school staff and Members. Examples were also given of issues experienced in other local authorities. The actions that could be taken were limited.

Alternative Options Considered: NOTED, that in considering potential bids, the Schools and Children's Services Asset Management Unit reviewed all un-resourced Technical Priority 2 schemes identified in condition surveys. Because the value of schemes exceeded the resources available, it had been necessary to prioritise certain categories of schemes and defer proposals having lesser technical priority.

DECISION: The Cabinet agreed that approval be given to:

CABINET - 23.1.2019

1. The proposed programme of works including professional and technical expenses detailed in the restricted Appendix A to the report (Minute No.15 below refers) or any other emergency schemes proceeding up to the total three-year indicative programme value of £60 million.
2. The Executive Director – People to:
 - 2.1 approve tenders for individual schemes or schemes of aggregated value up to a maximum of £500,000 including professional and technical expenses.
 - 2.2 Manage the programme in a flexible way within the overall budget available, to take account of variations between estimates and tender costs and the need to substitute schemes having a greater technical priority if the need arises using the tender acceptance report pro forma; and
 - 2.3 Allocate any contingency provision (up to a maximum of £250,000 including professional and technical expenses) to emergency projects and/or to schemes identified as priority but not yet programmed.
3. To note that this report combined Schools' condition and expansion projects into one capital programme.
4. To note that a portfolio decision by the Cabinet Member for Children's Services would be sought in relation to the approval of tenders for any proposals exceeding £500,000 in value including professional and technical expenses.

Reason: The recommendations had been made to enable work to be commissioned on condition works of an urgent nature in schools for 2018/19.
(Key decision – reference number 4755)

9

SMALL SITES HOUSING DEVELOPMENT UPDATE 2019

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Executive Director – Place (No.135) providing an update on the small sites housing development.

NOTED

1. That Report No.139 also referred as detailed in Minute No.16 below.
2. That in 2017 the Council had renegotiated the Small Sites Phase 1 contractual arrangements, as noted in paragraph 1.6 of the report. Approval was now being sought to the additional budget set out in Report No.139 (Minute No.16 below referred) to bring the scheme to a

conclusion. The small sites programme continued to return a positive net present value to the Housing Revenue Account.

3. The Council's commitment to the delivery of affordable homes. Phase 2 of small sites comprised 13 homes for private sale (paragraph 1.4 of the report referred). Phase 1 of small sites comprised 94 homes across seven sites (paragraph 1.5 of the report referred). The programme was due to complete this year.
4. The background to the small sites programme as set out in detail in the report. Members noted that officers would continue to pursue the contractor for liabilities for which they were potentially liable.

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

DECISION: The Cabinet agreed to

1. Approve the additional budget as set out in Report No.139, Minute No.16 below refers, to complete the remaining sites. This would not require any additional HRA borrowing.
2. Delegate to the Executive Director – Place authorisation to spend the additional budget to complete the six remaining small sites set out in Report No.139, Minute No.16 below refers.
3. Delegate authority to renegotiate if necessary the loan agreement between Enfield Innovations Ltd. and Enfield Council to the Executive Director – Resources.
4. Note that the “Small Sites Phase 1” continued to positively contribute to the Housing Revenue Account.
5. Note that officers continue to negotiate on claimed costs with the two contractors, and that final costs would not be agreed with the contractors until after the homes were completed, as is standard practice.
6. Note that the Small Sites 1 programme would provide 94 homes for local people. 37 homes were for Enfield affordable rent, 16 homes were shared ownership/shared equity and 41 homes were for outright sale.
7. Instruct officers to carry out a comprehensive “lessons learnt evaluation” to take forward to future small sites schemes and report to Scrutiny by April 2019.

Reason: To continue with construction, recover costs to date where possible and build much needed homes for Enfield residents.

(Key decision – reference number 4789)

10

CABINET AGENDA PLANNING - FUTURE ITEMS

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

11

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 12 December 2018 be confirmed and signed by the Chair as a correct record.

12

DATE OF NEXT MEETING

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 13 February 2019 at 7.15pm.

13

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).

14

STRATEGIC PROPERTY - CORPORATE PROPERTY INVESTMENT PROGRAMME

Councillor Ahmet Oykenner (Cabinet Member for Property and Assets) introduced the report of the Executive Director – Place (No.137).

NOTED

1. That Report No.133 also referred as detailed in Minute No.7 above.

CABINET - 23.1.2019

2. The proposed investment, for the first time in many years, for the benefit of staff, service users and residents.
3. The current negotiations that were taking place as detailed in the report. Officers present responded to the detailed issues raised by Members in discussion of the proposed way forward.
4. That the Integrated Learning Disabilities Service staff were aware of the proposals and would be fully engaged in the proposals for their new premises. This was a bespoke service and the Council would ensure that the new premises for the service were fit for purpose and replicated all the current safeguards that were in place.
5. Members highlighted paragraph 3.4.11 of the report and noted the Council's expectations and terms currently under negotiation. Members further noted the key risks outlined in section 7 of the report.
6. The proposals for John Wilkes House as set out in section 3.6 of the report. The proposed works would have a positive impact for both staff and service users.

Alternative Options Considered: As detailed in Report No.133, Minute No.7 above referred.

DECISION: The Cabinet agreed, further to the recommendations contained in the part one report (Report No.133, Minute No.7 above referred):

1. To support delegated authority to the Executive Director – Place in consultation with the Director of Finance and the Cabinet Members for Property and Assets and, for Finance and Procurement:
 - 1.1 Conducting any necessary land transactions, including acquisitions by way of freehold or leasehold up to the value set out in recommendation 2.5.6 of the report, as individual schemes were developed, including the negotiated short-term extension to the lease at St. Andrew's Court.
 - 1.2 Should the Council be unable to extend the lease and Integrated Learning Difficulties Services have to vacate in June 2019, then authority be delegated to the Executive Director – Place to conduct simplified and speedier procurement exercises and award contracts as necessary in order to deliver the basic minimum alterations to Enfield Highway Carnegie Building that minimises disruption to service delivery.

Reason: As detailed in Report No.133, Minute No.7 above referred.
(Key decision – reference number 4792)

15

**UPDATED SCHOOL CONDITION AND FIRE SAFETY PROGRAMME
2018/19 TO 2020/21 (SCHOOLS CAPITAL PROGRAMME)**

Councillor Achilleas Georgiou (Cabinet Member for Children's Services) outlined the restricted Appendix A to Report No.134, as detailed in Minute No.8 above.

NOTED, the information contained within the Appendix in support of the recommendations set out in the part one report.

16

SMALL SITES HOUSING DEVELOPMENT UPDATE 2019

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Executive Director – Place (No.139).

NOTED

1. That Report No.135 also referred as detailed in Minute No.9 above.
2. The detailed financial implications set out in section 6 of the report and, in particular, paragraph 6.1.10 of the report. Members were advised of the monitoring that was being undertaken and, the mitigating measures to minimise any risks to the proposals as set out in the report. Brexit planning was also taking place within the Council and contingency plans being put in place. This was a challenging time within a period of significant uncertainty.
3. The proposals for the greater involvement of local supply companies in the future.
4. Members discussed the Council's aspirations for sustainable development and a discussion took place on specific environmental and climate change issues. The Executive Director – Place agreed to discuss specific issues further with Councillor Brett. Members noted the environmental issues particularly in relation to energy that had been addressed in earlier developments in the Borough.

Alternative Options Considered: As detailed in Report No.135, Minute No.9 above referred.

DECISION: The Cabinet agreed to

1. Approve the additional budget, as set out in recommendation 2.1 of the report, to fund additional costs (which included the contingency detailed in the report) to be funded from the existing HRA capital programme.

CABINET - 23.1.2019

The specified sum would be funded from 2018/20 and the remaining specified sum would be in 2019/20. This would not require any additional HRA borrowing.

2. Delegate authority to the Executive Director – Place authorisation to spend up to the sum detailed in recommendation 2.2 of the report to complete the six remaining small sites, being the specified sum of known cost liabilities and a further prudent cost contingency of the sum specified in the recommendation.
3. As set out in the part one report (Report No.135, Minute No.9 above referred).

Reason: As detailed in Report No.135, Minute No.9 above referred.
(Key decision – reference number 4789)