

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 13 NOVEMBER 2019**

COUNCILLORS

PRESENT Nesil Caliskan (Leader of the Council), Ian Barnes (Deputy Leader), Alev Cazimoglu (Cabinet Member for Health and Social Care), Guney Dogan (Cabinet Member for Environment and Sustainability), Rick Jewell (Cabinet Member for Children's Services), Mary Maguire (Cabinet Member for Finance and Procurement), Gina Needs (Cabinet Member for Social Housing), George Savva MBE (Cabinet Member for Licensing and Regulatory Services) and Mahtab Uddin (Cabinet Member for Public Health)

Associate Cabinet Members (Non-Executive and Non-Voting): Mustafa Cetinkaya (Enfield South East), Ahmet Hasan (Enfield North) and Claire Stewart (Enfield West)

ABSENT Nneka Keazor (Cabinet Member for Community Safety and Cohesion),

OFFICERS: Ian Davis (Chief Executive), Tony Theodoulou (Executive Director People), Fay Hammond (Acting Executive Director Resources), Sarah Cary (Executive Director Place), Jeremy Chambers (Director of Law and Governance), Matt Bowmer (Interim Director of Finance), Anne Stoker (Director of Children's Services), Doug Wilkinson (Director of Environment & Operational Services), Mark Tickner (Health and Wellbeing Board Partnership Manager), Dudu Sher-Arami (Consultant in Public Health), Niel Niehorster (Interim Head of Service, Learning Difficulties), Dominic Millen (Group Leader Transportation) and Andrea De Lucy (Press and New Media Officer) Jane Creer (Secretary)

Also Attending: Councillor Edward Smith
5 members of the public
Press representative

1

WELCOME AND APOLOGIES FOR ABSENCE

NOTED

1. An apology for absence was received from Councillor Nneka Keazor (Cabinet Member for Community Safety and Cohesion).

2. The normal venue was unavailable as the Council was preparing for the general election.
3. During the pre-election period there were a number of restrictions in place regarding communication about political matters in the context of Council resources and Members should be mindful in discussions during the meeting.

2 DECLARATIONS OF INTEREST

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

3 QUARTERLY REVENUE MONITORING (INCLUDING HRA) 2019/20 QUARTER 2

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Executive Director – Resources (No.125) setting out the Council's revenue budget monitoring position based on information to the end of September 2019.

NOTED

1. The forecast overspend was £8.9m. Using capital receipts of £3.2m, the revenue budget forecast reflected an outturn position of £5.7m overspend for 2019/20 which would be funded using the Council's reserves, as detailed in the report. This was an increase of £1.8m on the £3.9m reported as at Quarter 1.
2. Savings since 2010 were highlighted, and further savings in the current financial year and income were agreed and savings agreed from prior years. Delivering the savings and additional income generation was challenging and work continued on budget setting.
3. Enfield continued to experience rising cost pressures, especially from adult and children's social services, and continued increases in child numbers on SEN transport, and ongoing risk associated with Temporary Accommodation.
4. The forecast position for the Dedicated Schools Grant was detailed in the report.
5. The Housing Revenue Account was forecasting an overspend position of £0.1m for 2019/20 outturn.
6. The departmental monitoring information, budget pressures and mitigating actions were set out in the report and its appendices.

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7. Attention was drawn to paragraph 3.11 of the report in respect of one-off funding announcements, which were welcomed, but there was a lack of multi year settlement.
8. Enfield continued to lobby for fairer funding.
9. The Council's revenue expenditure against budget continued to be monitored closely, with regular reports, and realistic savings in a robust process.
10. Management action taken to reduce costs included reconvening the Pressures Challenge Board to review the most significant pressures.
11. Members noted the budget pressure in the Council company Independence & Well Being Ltd, and the company's responsibilities as the Council's provider of last resort and the need to continue to look after people.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed to:

1. Note the financial backdrop to the Council's budget position (described in paragraphs 3.1 to 3.11 of the report).
2. Note the £5.7m overspend revenue outturn projection and the use of £3.2m of capital receipts to support organisation transformation.
3. Note that Cabinet Members would continue to work with Executive Directors to implement action plans to reduce the forecast overspend in 2019/20 and implement savings.
4. Note £1.5m of the overspend in respect of IWE being met from Contingency as set out in paragraph 5.9 of the report.
5. Note the position of the Dedicated Schools Grant (DSG) as set out in section 5.53 of the report.
6. Note the position of the Housing Revenue Account (HRA) as set out in section 7 of the report.
7. **RECOMMENDED THAT COUNCIL** approve the update to the planned flexible use of capital receipts for 2019/20 (paragraph 5.46 and Appendix I of the report).

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 5016)

4

QUARTERLY CAPITAL MONITORING 2019/20 QUARTER 2

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Executive Director – Resources (No.126) setting

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out the Council's Capital Programme (2019/20 to 2022/23). The report included the latest information for all capital schemes including the funding arrangements.

NOTED

1. The report set out where investment was taking place and reported the position at the end of the second quarter.
2. The Capital Programme projections were provided with estimated capital spending plans for 2019/20 to 2022/23 including the proposed arrangements for funding provided for within current budgets.
3. The overall expenditure for the approved programme was projected to be £111m for the General Fund, £96m for Housing Revenue Account (HRA) and £17m for Enfield Companies for 2019/20.
4. Expenditure continued to be monitored and the Council continued to aim to maximise external grants and contributions to fund projects and reduce the need to borrow.
5. Details of the 2019/20 Capital Programme budget were set out in Tables 1 to 5 in the report, including budget reprofiling. Table 3 included additional items which Cabinet was asked to approve. Table 4 detailed items to be removed from the Capital Programme: Cabinet were asked to agree to include Bury Street West Depot.
6. The HRA Capital Programme was set out in Table 6 in the report, detailing major and minor works and estate renewals.
7. The full approved Capital Programme was set out in Appendix A of the report.
8. Receipt of grants for flood alleviation were clarified and that this referred to Albany Park work. The Environment Agency supported the work done in the borough and would be working further with the Council on flood alleviation and other environmental projects.
9. The Council had ambitious plans for estate renewal and other long term projects, with commitments around major works to reflect the priorities of the Administration and investment of capital that would have a positive impact on people.
10. The detailed business plan for Energetik had been discussed: Cabinet had asked for this to be re-looked at to reflect the Council's commitment in respect of fuel poverty, and there was confidence the investment would have a positive impact. Home building at Meridian Water would also have a positive impact on the viability of Energetik.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed:

RECOMMENDED THAT COUNCIL:

1. Notes the additions to the Capital Programme set out in Table 3 in paragraph 4.18 of the report and approves the addition of the following to the approved Capital Programme:
 - i. A further investment of £30m to fund Phase 2A of the Energetik business plan to 2024.
 - ii. This is made up of a £5m grant and £9.761m loan from the Heat Network Investment Project.
 - iii. £0.239m further borrowing by the Council.
 - iv. Match funding requirement of £15m to be sought through Mayor's Energy Efficiency Fund (MEEF).
2. Agrees the proposed reductions set out in Table 4 in paragraph 4.20 of the report.
3. Agrees the revised five-year approved programme totalling £964m as set out in Appendix A of the report.

Reason: To update the programme for carry forwards from 2018/19 along with amendments to the Programme for additions and deletions since Council approval in February and also to inform Members of the current forecast position at the end of the first quarter of the financial year. Additionally, to bring to the attention of Members the significant award of the £156m of HIF grant.

(Key decision – reference number 5015)

5

ANNUAL TREASURY MANAGEMENT - MID YEAR REVIEW 2019/20

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Executive Director – Resources (No.127) reviewing the activities of the Council's Treasury Management function over the half year period ended 30 September 2019.

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 economic background outlined in section 4 of the report.
3. In line with other local authorities, Enfield had to borrow money for large scale capital programmes. The Council complied with treasury management indicators as set out in section 7 of the report.

4. Outstanding loans were summarised in Table 1 in the report. Table 2 summarised loans made to LBE companies. Table 3 showed the investments held by the Council.
5. The Council complied with the CIPFA Code of Practice and operated its activities within well-defined limits.
6. There was no rescheduling of debt during the year, but the Council would continue to seek opportunities to re-structure debt, if viable.
7. With other London Councils, Enfield had written to the government requesting restoration of the lower loan rate for housing and regeneration projects.

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 2019/20 Mid-Year Treasury position.

Reason: To inform the Council of Treasury Management performance in the financial year 2019/20.

(Key decision – reference number 4992)

6

SUCCESSOR JOINT HEALTH AND WELLBEING STRATEGY

Councillor Nesil Caliskan (Leader of the Council) and Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Executive Director - People (No.128) setting out the new Joint Health and Wellbeing Strategy.

NOTED

1. Chairing of Enfield's Health and Wellbeing Board had recently been taken over by the Leader of the Council, reflecting the Council's corporate and political commitment, and input from every department.
2. Councillor Cazimoglu welcomed the Council Leader taking over as chair of Health and Wellbeing Board, as was increasingly the case across London.
3. The new strategy would inform the work of Health and Wellbeing Board for the next four years and was designed to be clear and simple with tangible objectives and measurable outcomes. This would deliver improved health and wellbeing for residents and tackle health inequalities.
4. Members' attention was drawn to Equalities Impact Implications at paragraph 9 of the report and the wide variation in life expectancy within

the borough and variation in the number of years lived in poor health by residents in different areas.

5. Thanks were recorded to officers for all their work on the strategy, which was well thought out and well consulted on.
6. Loneliness and social isolation had been added into the strategy. The importance of partnership working opportunities was raised, and officers thinking differently about service areas, such as provision of allotments to people to increase social interaction and exercise.
7. There would be examples collected of how the Council was meeting the priority areas. The strategy included action plans, and progress would be measured and reported back to Health and Wellbeing Board.
8. The strategy would also be submitted to the local Clinical Commissioning Group governing body for approval.

Alternative Options Considered:

An alternative option would be to continue with the approach set out in the 2014-2019 strategy. However, the Health and Wellbeing Board wanted to have a stronger, simpler narrative, which allowed them to ensure a preventative approach was achieved through an ambitious strategy which facilitates collective action. The priorities set out in the previous strategy were all outcomes the new strategy aims to achieve, but by focussing our priority actions on behaviours which the evidence shows make the biggest impact on health outcomes.

DECISION: The Cabinet agreed to approve and authorise the Successor Joint Health and Wellbeing Strategy.

Reason:

The new strategy would help the Council deliver its corporate plan, and health commissioners and providers to deliver on their priorities, while facilitating all members of the Health and Wellbeing Board to work collectively to tackle the borough's health and wellbeing challenges.

(Key decision – reference number 4852)

7

CHILDREN'S SOCIAL CARE INCREASING DEMAND AND PRESSURES

Councillor Rick Jewell (Cabinet Member for Children's Services) introduced the report of the Executive Director – People (No.129) addressing children's social care demand and pressures.

NOTED

1. Following the inspection by Ofsted in March 2019, the Council had continued to work to strengthen and improve service provision, and

Cabinet agreed in July 2019 to invest £375k to deliver on the Ofsted improvement plan.

2. Children's social care continued to see an increase in demand, and extra investment was sought to create a new social work team to bring caseloads down to under the Pan London standards. Seven new social workers would be recruited.
3. Children's social care was a priority for the Council. There continued to be pressures, and the needs had to be responded to. In particular the increase in demand due to the increase in unaccompanied asylum-seeking children and the national transfer scheme not working was highlighted, along with exploitation of children and levels of domestic abuse. The presence of a consistent professional was important, as was quality and retention of social workers.
4. Enfield had received an Ofsted rating of good in every category for the first time ever in 2019, and should always be aiming for a good rating.

Alternative Options Considered:

The Council had recently commissioned a social care agency to deliver some children in need services to meet statutory duties within set timescales however maintaining agency staff was not cost effective in the long term. The investment requested from Cabinet would increase permanent recruitment, strengthen further the stability of the workforce and reduce staff turnover.

DECISION: The Cabinet agreed to note the good work of frontline staff and the rise in practice improvement against a backdrop of increasing caseloads. To ensure caseloads were at a reasonable level and that practice improvements were sustained, Cabinet agreed to invest in a new social work team in the child protection service and approve a further:

- £125k investment this year would be funded through risk reserves while the permanent investment of £365k in 2020/21 would be managed through the medium-term financial plan process.

Reason:

An annual conversation was planned with Ofsted for November 2019 to track progress following the full inspection (March 2019). This was likely to be followed in quick succession by a 2-day focussed visit. Through additional investment, the service would be able to maintain reasonable caseloads, firm up the strong foundations in social care and further hone our trajectory of continuous improvement, ensuring that Enfield Council delivers a high quality, safe service to children and families that meets regulatory expectations.

(Key decision – reference number 5014)

8

UPDATE STRATEGY AND APPROACH TO DELIVERING PUPIL PLACES

Councillor Rick Jewell (Cabinet Member for Children's Services) introduced the report of the Executive Director – Resources and Executive Director -

People (No.130) updating the strategy for the provision of school places up to the financial year 2022/23.

NOTED

1. Demand for primary school places 2019 to 2023 was lower than previously projected, but there was some local demand in the Town, West and South West.
2. Demand for high support provision for children with certain categories of special education need continued to increase. The current special school expansions were set out in paragraph 3.9 of the report. These would create a total of additional 322 special school places. Thanks was recorded to all the officers involved, and particularly to Gary Barnes for bringing forward the former Minchenden Secondary School site. There would be an estimated saving of £31.4m return from the investment, including a significant transport cost saving.
3. As successive larger cohorts transferred there would inevitably be pressure on the secondary school sector, and dependence on planned new Free Schools as set out in paragraph 3.1 of the report.
4. The Council's approach to special need provision was clarified and that the work officers were doing in respect of provision in mainstream schools was welcomed, and that the trend to segregate should be resisted, while acknowledging that some children could not be catered for in mainstream schools.

Alternative Options Considered:

1. Enfield Council has a statutory responsibility to provide the necessary school places. The School Places Delivery Programme (SSPP) created a mechanism to assist with the delivery of extra capacity required. Failure to provide enough school places was not an option.
2. The following proposal had been considered but rejected:
 - Complete reliance on additional capacity from new free schools or existing free school / academy expansions. There was no guarantee that high quality providers would come forward with proposals for new schools that the Education and Schools Funding Agency (ESFA) would then accept and then deliver, this was particularly true for special schools. The Council would continue to work with the ESFA and current providers that provide high quality services and contribute to the wider education community in the borough to assess potential expansion opportunities.

DECISION: The Cabinet agreed:

1. The strategy of increasing capacity in special schools and establishments that provide education services for some of the most acute special need categories.
2. To support delegated authority to the Cabinet Member for Children's Services to:

- Approve the adding of individual school projects and budgets to the capital programme in support of the strategy of providing additional special school places up to 2022/23;
 - Annually review school roll projections reports to ensure the Cabinet approved strategy is still valid. Should variations to the strategy to be required Officers are to provide a separate report to Cabinet detailing the changes.
3. To support continued delegated authority to the Executive Director - People
- Commencing feasibility or initial design to inform pre-application discussions with planning and procurement of resources for this activity.
 - Cost estimates, budgets and spend for projects in advance of updates to the Capital Programme.

Reason:

1. The Council has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand. The report set out the proposed strategy and delivery arrangements to oversee delivery arrangements for schools with funding secured for expansion, to further develop options for expansion by conducting feasibility studies and consultation with the schools identified and to secure funding through opportunities that become available.
2. These strategy and delivery arrangements will deliver the additional reception places required in the areas of highest demand up to 2020. The expanded capacity aims to provide a higher level of flexibility built in to counter sudden increases in demand.

(Key decision – reference number 4893)

9

LOCAL IMPLEMENTATION PLAN ANNUAL SPENDING SUBMISSION 2020/21

Councillor Guney Dogan (Cabinet Member for Environment and Sustainability) introduced the report of the Executive Director – Place (No.131) outlining Enfield’s proposals for spending the grant funding to be provided by Transport for London (TfL) to help implement the Mayor’s Transport Strategy.

NOTED

1. Enfield’s Local Implementation Plan (LIP) funding allocation for 2020/21 as set out in the report.
2. It was proposed to utilise the funding for regional and local priorities, including Healthy Streets and Cycle Enfield, and to make transport in Enfield much more health promoting.

Alternative Options Considered: NOTED, the alternative options considered as set out in section 5 of the report in relation to constraints on proposals and consultation.

DECISION: The Cabinet agreed to approve:

1. Submission of the expenditure proposals for 2020/21 as set out in paragraph 3.4 of the report to Transport for London and for these proposals to be implemented, subject to the completion of all necessary statutory procedures.
2. Delegation of authority to the Cabinet Member for Environment and Sustainability to make any changes necessary to the programme should there be any change to the allocation from Transport for London or for any other operational reason.

Reason: To seek the necessary approvals that would enable Enfield's Local Implementation Plan (LIP) funding proposals for 2020/21 to be submitted to Transport for London (TfL). The submission of the proposals to TfL was essential in order to obtain release of the allocated funds ready for expenditure in the Financial Year 2020/21.

(Key decision – reference number 5001)

10

DOCKLESS BIKE BYELAW - DELEGATION OF POWERS TO LONDON COUNCILS

Councillor Guney Dogan (Cabinet Member for Environment and Sustainability) introduced the report of the Executive Director – Place (No.132) outlining a proposal to amend the London Councils Transport and Environment Governing Agreement specifically to enable London Councils to make a London wide byelaw to regulate dockless bikes on the highway and other public spaces.

NOTED

1. Active travel should be supported, but dockless bike hire had been unregulated in London and the bikes had caused some problems.
2. The proposal required the support of all 33 London local authorities who, along with Transport for London (TfL), would then have powers consistent with neighbouring authorities in respect of dockless bikes, including to enforce against operators where bikes were left inappropriately.
3. The recommendation would be submitted to Council for approval in January 2020.

Alternative Options Considered: Not delegating authority to London Councils TEC – this would prevent a consistent London-wide byelaw being made as all 33 boroughs need to agree to the delegation of additional functions to London Councils. It would also mean that the Council's powers for addressing issues with dockless bike provision would remain limited.

DECISION: The Cabinet approved:

RECOMMENDED TO COUNCIL to delegate powers provided by s235 of the Local Government Act 1972 so that London Councils can make a London-wide byelaw regulating dockless cycles across the Capital.

Reason: The provision of a London-wide byelaw would provide additional powers to enable the use and parking of dockless bikes to be better regulated. (Non key)

11

MERIDIAN WATER LAND ACQUISITION

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Executive Director – Place (No.133) seeking approval of the acquisition of Anthony Way and units 5,11, 11a.

NOTED

1. That Report No.135 also referred, as detailed in Minute No.15 below.
2. Enfield Council had been successful in its bid to secure £156m for key infrastructure from Central Government's Housing Infrastructure Fund (HIF) and needed to purchase a number of parcels of land in order to deliver the proposed infrastructure works as part of the strategy for Meridian Water.
3. Anthony Way was required to deliver the HIF works. The Council had negotiated with the owner of Anthony Way and adjoining industrial units and had reached an agreement on price. The price was in line with an independent Red Book valuation.

Alternative Options Considered: Not to purchase the land. This was not recommended as Anthony Way was required for the completion of the Strategic Infrastructure Works (SIW). Purchasing this site through private treaty would allow for works to commence earlier, reducing costs from delays. If the land was not purchased via private treaty the acquisition would require a CPO. This would incur delays which would impact on programme and cost of delivering the SIW.

DECISION: The Cabinet agreed to:

1. Approve the acquisition of the site as detailed in the report.
2. Delegate authority to the Meridian Water Programme Director, in consultation with the relevant legal officer to finalise the documentation for exchange and completion of the acquisition.
3. Approve the recommendations set out in the Part 2 report.

Reason:

1. It was vital that the Council acquired Anthony Way in order to complete the SIW, to unlock the development of homes at Meridian Water. In order to acquire the land in a timely manner and to avoid delays with associated

consequences it was recommended to acquire the site by private treaty as detailed in the Part 1 and Part 2 reports.

2. An independent red book valuation of the site undertaken by BNP Paribas showed that the agreed price demonstrated good value for money.

Furthermore, acquiring the site by private treaty avoided costs associated with CPO and costs incurred by delay, increasing the attractiveness of the deal for the Council.

(Key decision – reference number 4984)

12

CABINET AGENDA PLANNING - FUTURE ITEMS

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

13

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet was scheduled to take place on Wednesday 4 December 2019 at 7:15pm.

14

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 items of business listed on part two of the agenda on the grounds that they involve 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).

15

MERIDIAN WATER LAND ACQUISITION

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Executive Director – Place (No.135).

NOTED

1. That Report No.133 also referred, as detailed in Minute No.11 above.
2. The purchase price, valuation, and financial information as set out in section 3 of the report, including the full cost of acquisition. The name of the owner would be removed from paragraph 3.13.

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

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DECISION: The Cabinet in addition to the decisions set out in Minute No.11 above, agreed to:

1. Approve the purchase price and spend of the figure detailed in recommendation 2.2 of the report for the acquisition of the site.
2. Approve the associated fees as detailed in the report for acquisition.

Reason: NOTED the reasons as set out in section 5 of the report.
(Key decision – reference number 4984)