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OVERVIEW & SCRUTINY COMMITTEE

Thursday, 9 July 2020 at 6.00 pm

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PLEASE NOTE THAT THIS WILL BE A VIRTUAL MEETING

Councillors: Susan Erbil (Chair), Margaret Greer (Vice-Chair), Lee David-Sanders, Birsen Demirel, Elif Erbil, Achilleas Georgiou, Edward Smith, Hass Yusuf,

Please copy and paste the below link into your web browser to view the meeting

https://teams.microsoft.com/l/meetup-

join/19%3ameeting_NzI5ZTkwMmQtMGY4OC00ZjJhLThhMzctNjM2NmY5MzQxZmQw%40thread.v2/0?context=%7b%22Tid%22%3a%22cc18b91d-1bb2-4d9b-ac76-7a4447488d49%22%2c%22Oid%22%3a%225afef035-34d7-45d9-bfbc-b60f8614eab4%22%2c%22IsBroadcastMeeting%22%3atrue%7d

1. WELCOME & APOLOGIES

2. DECLARATIONS OF INTEREST

Members of the Council are invited to identify any disclosable pecuniary, other pecuniary or non-pecuniary interests relevant to the items on the agenda.

3. MINUTES OF THE MEETINGS 21 MAY, 28 MAY AND 4 JUNE (Pages 1 - 28)

To receive the minutes of the meetings held on the

- 21 May 2020
- 28 May 2020 and
- 4 June 2020.

4. CALL IN: TRADING COMPANY BUSINESS PLANS (Pages 29 - 46)

To review the decision taken at Cabinet on the 10 June 2020 as a result of the matter having been Called-in.

5. DATES OF FUTURE MEETINGS

To note the date of the next meeting Thursday 30 July 2020

6. EXCLUSION OF THE PRESS AND PUBLIC

To consider, if necessary, passing a resolution under Section 100A (4) of the Local Government Act 1972 excluding the press and public from the meeting for the item of business listed in Part 2 of the agenda on the grounds that it will involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006

PART TWO ITEM - CONTAINING EXEMPT INFORMATION

7. TRADING COMPANIES BUSINESS PLANS (Pages 47 - 110)

To receive a report from the Executive Director – Resources (Report no 258 above also refers) attached for consideration as part of the Call-in on this item, is the Part 2 report.

The report should be read in conjunction with the report attached at Appendix 1 to the Call-In report on the Part 1 agenda.

To receive the Part 2 reasons for Call-in.

This item contains 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 Schedule 12A to the Local Government Act 1972, as amended).

Part 2 Response to reasons for Call-in will be 'To follow'

MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE HELD ON THURSDAY, 21 MAY 2020

COUNCILLORS

PRESENT Susan Erbil (Chair), Tolga Aramaz, Guner Aydin, Sinan

Boztas, Achilleas Georgiou (Vice-Chair), Doug Taylor,

Edward Smith and Lee David-Sanders

ABSENT Bernadette Lappage

STATUTORY 1 vacancy (Church of England diocese representative), Mr **CO-OPTEES**: Simon Goulden (other faiths/denominations representative),

Mr Tony Murphy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor representative) - Italics

Denotes absence

OFFICERS: Fay Hammond (Acting Executive Director, Resources)

Matt Bowmer (Interim Director of Finance)
Sue Nelson (Director of Customer Experience)
Claire Johnson (Head of Governance & Scrutiny)
Susan O'Connell (Governance & Scrutiny Officer)
Stacey Gilmour (Governance & Scrutiny Secretary)
Andy Ellis (Governance & Scrutiny Officer-Observing)

Elaine Huckell (Governance & Scrutiny Secretary-Observing)
Clare Bryant (Senior Governance Officer- (Producer of virtual

meeting)

Also Attending: Councillor Nesil Caliskan (Leader of the Council)

Councillor Mary Maguire (Cabinet Member, Finance &

Procurement)

Ian Davis - (Chief Executive - Observing)

4 Members of the Public

572 WELCOME & APOLOGIES

NOTED

- 1. The Chair, Councillor Erbil welcomed all attendees to the first OSC virtual meeting which was also being broadcast live online. Committee members confirmed their presence and that they were able to see and hear the proceedings.
- 2. Apologies for absence had been received from Councillor Lappage. Councillor Taylor was substituting for Councillor Lappage.
- 3. Apologies for slight lateness were received from Councillor Taylor. This was due to IT difficulties as his Council iPad did not support Microsoft Team meetings and unfortunately, he had not been provided with a Council laptop to enable him to access online meetings. Fay Hammond confirmed that all Councillors who were members of the Committee

had been contacted by the IT Department in advance to arrange the necessary IT support, but because Councillor Taylor was substituting at the meeting and this had not been announced in advance, IT support had not been arranged. Officers confirmed that IT issues would be resolved to ensure access to future meetings.

4. Council Officers involved in the meeting introduced themselves.

573 DECLARATIONS OF INTEREST

There were no declarations of interest.

574 COVID 19 - INITIAL ASSESSMENT OF THE FINANCIAL IMPACT REFERRAL FROM CABINET

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Executive Director – Resources (No.249) outlining the initial assessment of the financial impact of dealing with the COVID-19 pandemic across both the General Fund and the Housing Revenue Account (HRA). Further information was also provided by Fay Hammond, Acting Executive Director Resources.

NOTED

- 1. That these were unprecedented and sombre times with many lives having been lost daily. It must be recognised that the Covid-19 pandemic was not only having a significant financial impact but a significant human cost as well. The Council's response had been immediate and comprehensive providing all the support required to the Borough's residents and to protect and help the most vulnerable. The response had been excellent from both Councillors and Officers. Local businesses had been supportive and generous donations received in seeking to support those in need.
- 2. That this report provided an initial assessment of the financial impact of dealing with the Covid-19 pandemic across both the General Fund and the Housing Revenue Account (HRA) and considered three areas: additional expenditure incurred; loss of income; and, the impact on 2020/21 savings. Prior to this crisis, in February 2020, the Council had agreed a balanced budget, as detailed in the report. As a direct result of the Covid-19 crisis the Council was forecasting financial pressures of £68.086m.
- 3. That there were uncertainties at this stage and some major financial consequences would take some time to filter through, as detailed in the report.
- 4. That as an initial measure the Council had set aside £3m of its reserves to create a Covid-19 Fund. At this time the total funding

Page 3

OVERVIEW & SCRUTINY COMMITTEE - 21.5.2020

received from the Government had been £17.9m. The Government had assured local government that funding would be forthcoming to meet the challenge of Covid-19; the Council would continue to seek further Government funding, alongside other local authorities, to meet the additional costs incurred; currently predicted at £68.086m, as detailed in the report.

- 5. That the work that had been undertaken in previous years to set a balanced budget had ensured that the Council's finances had been in a sustainable position. Rigorous processes had been undertaken and difficult decisions taken to achieve a strong, resilient and sustainable budget. This resulted in a good financial foundation, but all that work was now at risk due to the costs of dealing with Covid-19.
- 6. The huge financial pressures that had now arisen. A number of the most significant cost implications were highlighted including: Adult Social Care pressures and support; the implications and support for the Borough's care homes both the staff and residents; the impact and cost of additional support to children and families social care; support of the Borough's homeless; and, the setting up of the Council's community support hub. In addition, the impact of the loss of projected income was significant including: parking fees; tax collection rates; business rates.
- 7. That the appendices to the report set out the financial pressures for each Council Department; an update on the impact on 2020/21 savings and income proposals; the funding allocation details for London Boroughs; and the impact on the Housing Revenue Account (HRA).
- 8. That section 5 of the report provided an update on 2020/21 savings and income proposals.
- 9. That section 6 of the report set out the anticipated impact on the Council's capital programme; and, section 7, the situation to date regarding Government funding.
- 10. The impact on the Housing Revenue Account (HRA) as set out in detail in section 10 of the report.
- 11. This was a developing situation that would continue to be closely monitored and reviewed, and necessary actions taken. It was crucial to remember that we are only six weeks in and by the Government's own admission this situation could go on for months therefore the scale of the financial pressure is unclear.
- 12. That the Council was undertaking scenario planning should the Government not meet the full costs incurred. The Leader of the Council had written to the Prime Minister to honour his commitments to local government to enable Council's to achieve financial resilience during and post the Covid-19 crisis. Stable and resilient local government

would be necessary for the long-term recovery of this Borough and nationwide. Section 12 of the report set out in detail the next steps for the Council. At present, the current estimated shortfall in funding was £45.186m.

- 13. That the Council would continue to actively review the financial impact and identify mitigating actions. Members paid tribute to Council officers who had responded quickly to the crisis. Financial pressures in relation to dealing with Covid-19 would continue to be assessed. The Government had made a clear commitment to fund the expenditure incurred by local government and the Council would continue to seek the financial support required, as set out in the report.
 - 14. The Executive Director of Resources reiterated that the Council had a good financial base to work from with a 5-year medium term financial plan and 10-year capital programme. There were significant challenges and pressures to be met and the full costs of responding to the Covid-19 crisis would continue to be assessed and recorded. The Council would continue to work with other London Councils to lobby the Government for full recompense of the additional costs incurred by local government.
 - 15. Cllr Caliskan informed OCS that she has written to the SoS outlining concerns regarding funding and the fact the government have rowed back from their initial commitment. Cllr Caliskan had invited the leader of the opposition to sign the letter, which Cllr Laban declined.
 - Questions were invited from the OSC Members and responses provided including the following points set out below.
- 16. Members expressed their support and appreciation to Council's officers for their response and significant work in meeting the challenges faced.
- 17. Information was provided on the £17.9m Government funding and how this had been allocated was detailed in the Cabinet report. Fay advised that all financial decisions in terms of recommendations had been part of the Gold Decision Process. All future financial recommendations (if over £250k) would now go through Cabinet as the Council had now moved away from the Gold Decision Process.
- 18. Accounting arrangements had been amended accordingly to accurately track Covid-19 related expenditure to ensure a clear financial trail. Auditing will also be undertaken by the Council's external auditors BDO to provide extra assurance.
- 19. The Council had been particularly quick to provide much needed support to local businesses by paying Business Grants into accounts at the earliest opportunity. Further details were provided on how many businesses had been helped to date. Some businesses however had not qualified for the grants due to Government rules and had therefore

Page 5

OVERVIEW & SCRUTINY COMMITTEE - 21.5.2020

fallen through the net. Enfield continue to lobby for extra funding, and it was hoped that more support would be forthcoming in the next round.

- 20. Discussions took place regarding the £5.9m Hardship Grant and information was provided on how this had been allocated to residents/households in the borough. Again, this money had quickly been paid into residents' accounts to provide financial support as soon as possible.
- 21. That the financial pressures on Adult Social Care provision had been at breaking point for several years. Members sought clarification on the Government funding provision for this sector. The financial pressures were recognised both in the short and long-term. The Council's support for this sector was outlined, as detailed in the report.
- 22. Members reiterated the need for full Government funding to meet the additional financial pressures on local government. The financial detail set out in the report was highlighted together with the continuing work that was being undertaken. It was noted that through benchmarking information, Enfield's projections were comparable with other similar Councils. Enfield was working alongside other local authorities across London as set out in the report. Finance Directors of the North London Councils were meeting on a regular basis to assess the full financial impact on their Boroughs. Work would continue to review projections against expenditure incurred.
- 23. That the Leaders of London Councils were communicating on a regular basis and would continue to lobby Government for sufficient funding to meet the costs being incurred. The robustness of the Council's budget and processes in place, provided a sound foundation on which to work going forward.
- 24. In considering the financial impact of the crisis, Members reiterated the significant human cost.
- 25. With regards to the Meridian Water Project there had been no report to date to any major delay in delivering Phase 1 of the project and this would continue to be closely monitored. In terms of all Capital Funding Programmes again, these were being closely monitored by Officers and if any changes/delays were noted these would be reported as soon as possible.
- 26. In response to a question regarding the approaches taken by different authorities in responding to the Covid-19 situation, for example; the distribution of food parcels the Leader, Councillor Caliskan said we should feel collectively proud that as a Council Enfield has enabled thousands of residents to stay safe at home when they may have otherwise been out and about . To date the Council had delivered 20,000 food packages. She therefore felt that every penny spent in

providing food and essential items to residents in the borough that can't go out has been money well spent.

- 27. Clarification was sought on the estimated shortfall figure; what scenario had this been based on, what projects and policies will be reviewed and what are the priorities? Matt Bowmer, Interim Director, Finance & Commercial said that this was a very challenging question as it was massively difficult to forecast how long this crisis will go on for, A wide range of timescales had been included in the forecast and these were indicated across the report. However, many of the ongoing financial impacts are going to take months to unwind.
- 28. An Enfield Recovery Board has been set up to support residents and help get people back into work as well as supporting local businesses in their recovery. The longer-term focus will be on recovering from this situation to put Enfield in the best place it can be.
- 29. In terms of the Covid-19 Risk Register Members were advised that this would be an agenda item at the next meeting of the Audit & Risk Committee and timings were currently being discussed for this committee to meet virtually in the very near future.
- 30. Councillor Georgiou requested responses to some questions that he had submitted to Officers prior to this meeting regarding Waste Management and Barrowell Green Recycling Centre. Fay Hammond advised that she was currently collating responses to the questions raised and these would be circulated to OSC Members as soon as possible.

Action: Fay Hammond

The Chair thanked everyone for attending and for the in-depth information provided. She said that as a Committee it was important to address areas that are of concern to Enfield residents and therefore encouraged any further questions for future meetings.

575 DATES OF FUTURE MEETINGS

NOTED the dates of future meetings and agenda items to be discussed as follows:

Virtual Meetings

Thursday 28 May 2020

- Call-In Sourcing of the Road Gully Cleaning Services
- Update on Community Resilience Work Undertaken During Covid-19

Thursday 4 June 2020

The Re-Opening of Primary Schools in Enfield

Page 7

OVERVIEW & SCRUTINY COMMITTEE - 21.5.2020

Thursday 2 July 2020

• Update from Public Health on Covid-19

Thursday 30 July 2020

Agenda items to be confirmed.

It was agreed that all future virtual Overview & Scrutiny meetings will commence at 6:00pm.

Members made the following comments:

- (i) Councillor Aramaz felt that presentations for future OSC virtual meetings should be limited to 10 minutes to allow Members adequate time to scrutinise the reports discussed. He said it was important to adapt to this new 'normal' to ensure that every decision the Council makes is scrutinised properly and effectively. He also sought assurances that other Committees were intending to hold regular meetings in order to uphold democracy and accountability.
- (ii) Councillor Georgiou referred to earlier discussions and felt that it was important that the workstream on Meridian Water should go ahead so that scrutiny on this project could continue. He asked that a date for this be agreed as soon as possible to look at the issue of Covid-19 in relation to this project and how this might affect the project timescales.
- (iii) Councillor Smith agreed that the Meridian Water workstream should go ahead but also felt that there should be a timescale for all other major panels including Health Scrutiny and Crime Scrutiny. He also asked for an update at a future OSC meeting on the Food Distribution Hub that had been set up in the Borough to ensure vulnerable people had access to food and other essential goods during the Coronavirus outbreak.
- (iv) Councillor Georgiou suggested Members should plan how to re-open some of the workstreams and other panels and have discussions with officers about how to take this forward.
- (v) The Chair, Councillor Erbil noted the above comments and advised that with regards to the re-starting of workstreams it was important to look at officer resources to see if this could be achieved as many Council staff had been moved to other key areas to deal with the Covid-19 situation. In view of this the Chair felt it might be necessary to prioritise the importance of each workstream as to when they should re-start.
- (vi) Councillor Georgiou felt that it was up to the Overview & Scrutiny Members to decide when and what workstreams re-start as OSC should decide what it scrutinises.
- (vii) Councillor Taylor stated that if it is dependent on officer resources then there needed to be a demonstrative reason if workstreams did not continue. He felt that if Members are available and willing as well as officers being available then the workstreams should go ahead.

Page 8

OVERVIEW & SCRUTINY COMMITTEE - 21.5.2020

(viii) Claire Johnson, Head of Governance & Scrutiny agreed to refer this matter to the Monitoring Officer for further clarification and update Members at the next meeting of OSC.

Action: Claire Johnson, Head of Governance & Scrutiny

MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE HELD ON THURSDAY, 28 MAY 2020

COUNCILLORS

PRESENT Susan Erbil (Chair), Achilleas Georgiou, Tolga Aramaz, Sinan

Boztas, Doug Taylor, Hass Yusuf, Lee- David Sanders and

Edward Smith.

OFFICERS: Fay Hammond (Acting Executive Director Resources,

Financial Management Services)

Doug Wilkinson (Director of Environment & Operational

Services)

Stephen Skinner (Head of Highway Services)

Jon Sharkey (Head of Public Realm) John Grimes (Group Engineer Highways)

Susan O'Connell (Scrutiny Officer) Elaine Huckell (Scrutiny Secretary)

Also Attending: Councillor Nesil Caliskan (Leader of the Council),

Councillor Guney Dogan (Cabinet Member Environment & Sustainability), Joanne Laban (Leader of the Opposition).

566 WELCOME & APOLOGIES

Councillor Susan Erbil welcomed everyone to the virtual meeting of Overview & Scrutiny Committee. She said Councillor Achilleas Georgiou would chair the first part of the meeting when the call-in would be considered, and she would then chair the remainder of the meeting. Councillor Yusuf would substitute for her for the call-in.

Apologies had been received from Councillor Lappage and Councillor Doug Taylor would be substituting for her. Councillor Aydin was absent.

567 DECLARATIONS OF INTEREST

Councillor Susan Erbil declared a non-pecuniary interest for the call-in item of the agenda. There were no other declarations of interest.

568 CALL-IN- IN-SOURCING OF THE ROAD GULLY CLEANING SERVICE

The Committee received a report from the Director of Law and Governance outlining details of a call-in received on the decision taken by Cabinet on-'In-Sourcing of Road Gully Cleaning Service'.

Councillor Georgiou invited Councillor Laban to give an outline of the reasons for call-in. Councillor Dogan, as Cabinet Member for Environment & Sustainability would answer the points raised.

Councillor Laban stated that the main reason for calling in this decision was the lack of information provided in the original report.

NOTED

Councillor Laban set out the reasons for calling in the decision:

- The report stated that 20,000 gullies would be cleaned with an in-house team in comparison with the 15,000 that the current contractor carries out. However, there was no evidence given in the report of how many extra gullies could be cleaned by the existing contractor if they were paid the additional sum of £11,000 mentioned.
- 2. The report states that there would be better performance management achieved by having an in-house team, however as we contract manage Ringway Jacobs for this work, it could be said that some of the problems are our responsibility.
- 3. The report provides no details of competition for the gully cleaning service. If this was more comprehensive, we should be able to benchmark with other outside providers to see whether having an inhouse team would be more cost effective.
- 4. It has been stated that additional funding required for the service could be contained within our existing budget, however our finances are uncertain at present as a result of Covid 19 and with the possibility of a second wave in future.
- 5. It is likely that staff would TUPE over from Ringway Jacobs to our inhouse team although it has been considered that a poor service had been provided by them. The report does not say how we would ensure that an improved service would be achieved.
- 6. The report does not explain how bringing the gully cleaning service in house delivers healthier communities, which is a council priority.
- 7. The council's priority is to build our local economy however, by bringing the service in house it has discounted using local businesses to deliver a service which would support and build the local economy.

Councillor Laban stated that the report was light on detail. She said as members we must ensure that the most cost effective and best value services are delivered.

The proposed alternative action requested by the Councillors calling-in the decision was to refer the report back to Cabinet to review the decision.

Councillor Dogan, Cabinet Member for Environment & Sustainability and officers- Doug Wilkinson (Director of Environment & Operational Services), Stephen Skinner (Head of Highway Services), Jon Sharkey (Head of Public Realm) and John Grimes (Group Engineer Highways) provided information in support of the decision as follows:

- 1. The report recommends the in-sourcing of the road gully cleaning service and to deliver the service from within Public Realm Services based at Morson Road Depot. There are approximately 25,000 road gullies in the borough with road gullies on principal roads cleaned twice each year and those on borough roads cleaned once every 3 years.
- 2. Costs for the in-house team would be met from the wider Highways Services budget and would benefit the council as it would allow us greater flexibility in providing the service.
- 3. An in-house team can work more urgently in those areas that we consider to be a priority and in future would hopefully be able to provide an additional service for some public/ council buildings and in other areas such as for hospitals.
- 4. Councillor Dogan said this Council supports in-sourcing as a beneficial way to deliver services.

Issues raised by members and responded to by Councillor Dogan and officers as follows:

Q1. Why was it considered that Ringway Jacobs were not performing?

A gully cleaning service that is managed in house will ensure that all of Enfield's highway gully network and associated highway drainage is cleaned appropriately and any flooding responded to promptly. It will give us greater flexibility. In the past we carried out some work for industrial areas and we are looking at possibility of doing this in future more on a commercial basis to bring additional income into the Council.

The contract with Ringway Jacobs for highway services has had mixed performance overall over the years, as with all contracts it can be varied.

Q2. You mention that extra gullies could be cleaned but working on a 'per gully' basis it looks like this would be cheaper if done by Ringway Jacobs?

The cost per gully clean would come down when service is in house – at present we pay for each gully clean. Some cleans are more involved with more time spent on gullies which are problematic.

Ringway Jacobs also carries out work for other authorities such as LB Haringey and TfL and priorities determined by them, so the reality is, there are times when the service is not available or working on Enfield roads. Under our control we would be able to provide an immediate service for Enfield when necessary for example during a flash flood.

Q3. What are the costs to bring this service 'in house'? A cost has been given for the IT system which had been allowed for in the cost model. It has been mentioned that there would be extra benefits to having an inhouse team which would be able to provide additional services, do we know how much income could be made or saved? Has this been calculated? Is there a business plan for taking this forward?

The opportunities for expansion have not been fully costed yet as we would want to deliver a response to the 20,000 gully cleans a year first. The purpose

of this report is to bring the service back in-house. The report sets out that by doing this there will be further opportunities to commercialize the service and any business case will be produced on a case by case basis to test viability. This would enable us to have an 'outcome specification' where intelligence can be fed back from site. This will allow for better management and better value for money however this is difficult to benchmark with other local authorities, it is commercially sensitive and other authorities would not provide this information

Q4. Para 3.7 of the report states that 'At times Highway Inspectors may still need to employ a contractor to undertake more extensive investigatory and repair work...' what is this and why would we be unable to do this? and Para 5.1 of the report refers to 'opportunities for the gully service to operate more commercially......develop a drainage service on housing land, educational premises, private developments and privately managed industrial estates' have there been consultations with Housing Services?

Councillor Dogan said early intervention of gully problems is essential and investigatory work is needed to do this. He referred to a discussion with residents in Edmonton about a flooding problem which caused great distress and said that was why it was necessary for the team to react to problems promptly by sending down more complex cameras or specialist equipment where necessary to avert these problems. This happens now and is not unusual for this service.

It was noted that the proposal had been developed in consultation with Public Realm Services and Housing Services which were agreeable..

Q5. There does not appear to be clear comparisons showing competition, also information about income generation is lacking. During this time (Covid 19), I think an extra look is needed re this proposal? Is there a Business Plan for income generation?

Regarding commercial opportunities as set out in a previous response - this will be in two stages. The first is this report which is to bring the service 'in house' and then to explore future opportunities. We will need to ensure there is a solid foundation first for the service carrying out gully cleans for highways, before the second stage when we would look at opportunities for example for private estates and Housing Services grounds. The service will need to be embedded first.

With reference to the Covid 19 situation regarding financial uncertainties – by bringing the gully cleaning service in house this will provide for greater stability and resilience.. Initially it will comprise two people and a truck – the whole service would be more resilient because we have more drivers who could be used when needed. It should also lead to a more joined up approach as gullies may need extensive work rather than just a scheduled clean, being under the Public Realm service we would be able to use intelligence to undertake a better risk- based approach.

Q6. Future business opportunities are mentioned in the report. Is it realistic to expect the number of gullies to be cleaned to increase from 60 to 75 per day under new arrangements?

Expansion opportunities are mentioned in the report and it is thought there are good opportunities for example in schools and Housing Services when we had this service in- house we were exceeding 100 gully cleans a day. It helped that we had local knowledge there should be no problems in carrying out the 70 to 80 gully cleans a day stated and there should be potential for extra time to work in other areas as the teams would not be off doing TfL roads and others as can be the case currently under the current contractor.

Q7. Can we ensure that any equipment/ vehicles that are purchased follow climate change guidelines and are energy efficient?

We have a commitment that any replacement vehicles would be the most energy efficient and affordable would explore the use of electric vehicles. Although it must be noted that the large vehicle market for electric vehicles is only starting to mature so those vehicles are very expensive. The small size vehicles are more available and we will explore these as we need to replace.

Q8. If we are saying that we are not getting good value from the existing gully cleansing contract does this raise questions about Ringway Jacobs?

We have worked with Ringway Jacobs over many years and there has been a mixed performance from them with some service areas performing better than others at different times. We are constantly challenging and managing their performance across many areas of the contract, gully cleaning is only one small part.

Q9. The costs reported for bringing this work in-house- does this include callout charges which are more expensive? It seems strange that you are proposing bringing over this one area of work from Ringway Jacobs now when the whole contract comes to an end next year. Would it not be better to wait until next year? Will there be any financial penalties incurred as a result of this? Would the contract enable whole streets to be cleared of cars before cleaning commences?

This model does include call outs. Many are simple cleans but we would also be able to accommodate call outs. We are looking at possibility of in-sourcing other contracts, following the end of the contract with Ringway-Jacobs next year. This in-house contract for gully cleaning would be a pilot. We do have a problem with parked cars when carrying out this service, but it is expected that that it will be easier for us to do this work when it is 'in-house'. There are no financial penalties for coming out of the contract.

Councillor Dogan referred to the IT system for this area of work which he said would be beneficial as it would provide better information for us to allocate staff and ensure an improved quality of service.

The summing up by Councillor Laban who thanked officers for their responses She referred to

- A lack of detail in the report.
- There was no business plan regarding future opportunities for the service and she did not have any confidence in this going forward.
- There were no comparators to determine whether this was the best way to provide the service. Councillor Laban said there was no reference to who other local authorities used to carry out a gully cleaning service in their boroughs.

Councillor Dogan said LB Newham provides an in-house gully cleaning service which he understands to be doing well. He said by bringing this work 'in-house' it will enable us to carry out early interventions which will have many advantages, and which may also lead to fewer accidents.

Overview & Scrutiny Committee considered the reasons provided for the callin and responses provided Having considered the information the Committee agreed to confirm the original Cabinet decision:

- To approve the in-sourcing of the road gully cleaning service and deliver the service from within Public Realm Services based at Morson Road with effect from 1st July 2020, or as soon as practicable after this date.
- 2. To develop the business as set out in this report to be the provider for gully and drainage services to Housing Services.

Councillors Aramaz, Boztas, Georgiou, Taylor and Yusuf voted in favour of the above decision. Councillors David-Sanders and Smith voted against.

The original Cabinet decision was therefore agreed.

From this point Councillor Erbil took over from Councillor Georgiou to chair the meeting.

569 UPDATE ON COMMUNITY RESILIENCE WORK UNDERTAKEN DURING COVID 19

Councillor Caliskan introduced an item on the Community Resilience Work undertaken during the Covid 19 period - the 'Enfield Stands Together Programme'.

The aim of the programme created by Enfield Council and Enfield Voluntary Action was to bring together key local partners and organisations to coordinate efforts across the borough to organise volunteers and get help to those people who needed it during the Covid crisis.

A presentation was given by Fay Hammond (Acting Executive Director Resources, Financial Management Services) which set out the methods of communication used and explained how the programme evolved and the services provided. It also explained the governance of the programme and its budget.

The following was highlighted:

- The initial meeting of the Community Resilience Forum was held on the 19 March 2020 which set out the terms of reference of the unit as a time limited task focused group established to assist the local authority with the help of key strategic community partners in managing the response to the coronavirus pandemic.
- We have worked with core partners including Age UK Enfield, Citizens Advice, Enfield Voluntary Action, NHS, North Enfield food Bank, The Felix Project, Healthwatch and many more.
- A call centre was set up using #1966, an inbound call centre which went live on 25 March. An on-line form is also available. Calls could be for a request for food, support picking up prescriptions also expanded to include financial hardship referrals.
- Outbound calls made which initially targeted the NHS shielded list for Enfield residents. Letters sent to all over 70's in the borough letting them know of the telephone line.
- The food distribution warehouse was opened on the 31 March and 645 food parcels were delivered in less than a week. Within the first week the call centre contacted all those who needed medication.
- The community pantry was set up in partnership with the Felix project. It allows groups and charities who support their communities with cooked meals to pick up essential food supplies and ingredients.
- All shielded residents have been called. It was noted that many people were not previously known to us as vulnerable.
- Members of staff who were taking calls were given 'strength-based training' and experienced managers worked with them. It was necessary to ensure help could be provided from colleagues for those who called with mental health issues. It was essential that the correct people were placed in appropriate positions and that they had the necessary skills needed. Volunteers who already had DBS checks also provided help.
- The highest number of shielded residents were found in Enfield Highway and Turkey Street wards. The wards with the most deprived residents tended to have the most food packages delivered.
- Up to 5 May over 1,700 friendly phone calls were made to support people feeling isolated In the long term it is hoped that help may be sustained for these residents through the voluntary sector.
- Small grants for cooked food programme was launched worth £20k to help local communities get cooked food to those who were isolated.
- The Internal Project management board were meeting daily and the Enfield Standard Together report and updates sent to Gold and Silver. Updates were sent to Cabinet Member for Finance, the Leader and the Shadow Cabinet Member for Finance. A 'JustGiving' donations page

was launched with a separate bank account – money allocated for food – currently donations of £32k received.

The estimate is now approximately £2 million, as reported to Cabinet.
 This includes £220,000 rent and other building costs and £60,000 staffing costs.

Councillor Erbil thanked all community groups, volunteers, councillors and officers for the help they have provided for the Enfield Stands Together Programme. She was proud of the way the community had come together to provide support in response to the Covid19.

The following questions/ issues were raised and answers provided:

Q1. Although we do not know how long the pandemic will last are you able to tell me what future plans there are for this programme?

It is difficult to state our future plans because whilst the initial peak for the pandemic appears to have passed there are still many deaths from Covid reported every day and there may be a second wave in future therefore our support needs to remain.

Q2. Regarding the food package deliveries, we make I understand there are also Government food packages, do we have support from the Government to supply both?

The food packages from Government was just one pallet of quite poor quality. We started the process of supplying food 3 weeks before the government supplies were received – it was crucial that residents received our deliveries early to ensure that they stayed in their own homes as they needed to isolate. It was also stated that the government packages were very standard they did not allow for particular dietary requirements and was only for one person - insufficient for families

Q3. What were the challenges we met in contacting the 'shielded' list of residents that had been provided by the NHS?

The main challenge we faced was that the initial list of 3000 to 4000 residents on the NHS shielded list often did not give contact details. It was therefore necessary for outbound calls to be made and letters sent to ensure everyone was contacted as quickly as possible.

Q4. The small grants for cooked food programme to help local communities get cooked food where has this money come from?

The council had set aside £3 million of its reserves to create a Covid-19 Fund. It was estimated that the costs of the pandemic to the council is approximately £68m. Total funding from Government is £17.9m. Communities had been able to provide a lot of food for a relatively small sum of money.

Page 17

OVERVIEW & SCRUTINY COMMITTEE - 28.5.2020

Q5. An exit strategy is needed – what conditions will you set to decide whether existing efforts are eventually wound down?

Those people who are shielded still need to stay at home, with the easing of lockdown we will assess next steps – It should be remembered that this is an invaluable service for those who may die should they get the virus.

Q6. What processes took place when people rang for free food? I understand other local authorities looked to see if there were other people in the house who could go and get supplies and whether they were able to afford to pay for the food?

We wanted to respond quickly to ensure people stayed at home – we targeted those over 70's and those on the shielded list. Some residents suggested paying for food provided and in those cases we directed them to the 'JustGiving' page.

Q7. Why was it decided to rent the food hub on Great Cambridge Road?

We deliberately chose this location as it was where the Felix project is based. They had fresh food here and this has helped in provision of supplies.

Q8. Will the community pantry continue going forward?

Providing food packages has been important and this model of supporting community groups with the 'pantry' has been invaluable it is hoped this may continue.

Q9. Can you elaborate on the training you mention had been provided in supporting people with mental health issues?

This was an area of concern because some people rang with mental health issues, with some saying they felt suicidal. We needed to be sure we dealt with people in the correct way therefore training was provided to ensure people were put in touch with the correct authority and that those answering calls were given support - 'strength based training' from Adult Social Care colleagues and access to a support from professionals with mental health training specifically procured for the call centre to provide support for staff that were worried or effected by the calls that they had taken.

Councillor Caliskan spoke of the pharmacy prescription service which provided a great service – the service expected from the government was not delivered and therefore we 'filled the gap'.

Cllr Caliskan informed the meeting that she had written to the Secretary of State outlining concerns regarding funding and the fact the government have rowed back from their initial commitment. Cllr Caliskan had invited the leader of the opposition to sign the letter, however she mentioned that Cllr Laban had declined to do this.

Cllr Caliskan provided clarity regarding why the Supply Centre had moved to running 6 days a week. She addressed a criticism made by Cllr Laban that the decision to move to 6 days a week was costing the council too much money. Cllr Caliskan and Fay Hammond explained that this came with no additional expenditure and that it was necessary in order to be able to allow for time to pack and deliver packages because of the increase in demand.

Councillor Erbil thanked Fay Hammond and officers for the presentation.

Councillor Laban on behalf of the opposition thanked everyone who worked at the food hub and this was shared by all at this meeting.

570 DATES OF FUTURE MEETINGS

The future meetings of OSC which will be held as virtual meetings at 6:00pm were noted as:

- Thursday 4 June 2020
- Thursday 2 July 2020 and
- Thursday 30 July 2020

Meeting 4 June 2020 – Re-Opening of Primary Schools in Enfield. The 'to follow' papers would be published next week

Meeting 2 July 2020 – Public Health – an update should include Covid 19 data for Enfield.

The following issues were raised:

- 1. Cllr Georgiou said members had requested that the workstream on Meridian Water should go ahead. He asked if we could get a date in the diary for this as soon as possible. We should look at the issue of Covid 19 in relation to this project— and how this might affect the project timescales.
- Cllr Smith agreed that the Meridian Water workstream should go ahead but also that we should have a timescale for all other major panels including Health Scrutiny and Crime Scrutiny
- 3. Cllr Aramaz said that the workstream on 'Empty Shops' was nearing completion and he requested that there should be a final meeting and final report on this matter. He also asked how many members of the public had viewed this virtual meeting.
- Cllr Georgiou suggested members should plan how to re-open some of the workstreams and other panels and discussions should be held with officers about how to take this forward.

Page 19

OVERVIEW & SCRUTINY COMMITTEE - 28.5.2020

- 5. Cllr Smith and Cllr Georgiou spoke about the Scrutiny Review. They asked if the report was now available and suggested it would be useful for OSC members to see this before it goes to Cabinet.
- 6. Cllr Aramaz said presentations for future OSC virtual meetings should be limited to 10 minutes. He also asked that Jeremy Chambers be asked to attend a future OSC meeting regarding ACM's
- 7. Cllr David-Sanders said he had spoken to the Leader about the Local Control Plan re Covid 19. It would be useful for OSC to have prescrutiny of this report before it goes to Cabinet. He suggested this be included on the 2 July 2020 agenda.

The meeting ended at 8:35pm



MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE VIRTUAL MEETING HELD ON THURSDAY, 4 JUNE 2020

COUNCILLORS

PRESENT Susan Erbil (Chair), Tolga Aramaz, Guner Aydin, Sinan

Boztas, Achilleas Georgiou, Ayfer Orhan, Edward Smith and

Lee David-Sanders

ABSENT Bernadette Lappage

STATUTORY 1 vacancy (Church of England diocese representative), Mr **CO-OPTEES**: Simon Goulden (other faiths/denominations representative),

Mr Tony Murphy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor representative) - Italics

Denotes absence

OFFICERS: Peter Nathan (Director of Education)

Tony Theodoulou (Executive Director, People)

Dr Glenn Stewart (Assistant Director of Public Health)

Jo Fear (Service Manager, Admissions, Schools & Children's

Services)

Sarah Fryer (Head of Schools Personnel Service) Claire Johnson (Head of Governance & Scrutiny)

Susan O'Connell (Scrutiny Officer) Stacey Gilmour (Scrutiny Secretary)

Also Attending: Councillor Rick Jewell (Cabinet Member, Children's Services)

Dominic Smart (Chair of Primary Headteachers Group,

Enfield)

Approximately 40 members of the public

580 WELCOME & APOLOGIES

NOTED

- 1. The Chair, Councillor Erbil welcomed all attendees to the OSC virtual meeting which was also being broadcast live online. Committee members confirmed their presence and that they were able to see and hear the proceedings.
- 2. Apologies for absence had been received from Councillor Lappage. Councillor Orhan was substituting for Councillor Lappage.
- 3. Council Officers involved in the meeting introduced themselves.

581 DECLARATIONS OF INTEREST

There were no declarations of interest.

582 THE RE-OPENING OF PRIMARY SCHOOLS IN ENFIELD

Councillor Rick Jewell (Cabinet Member for Children's Services) introduced the report of Peter Nathan, Director of Education outlining the re-opening of Primary Schools in the Borough.

NOTED:

- 1. The information report provides details on how schools in the borough have responded to the lockdown caused by Covid-19 and how schools are preparing for the proposed return to school for certain year groups from 1st June 2020. The report also outlined the Council's position following the government announcement about extending school opening on the 28th May.
- 2. Primary schools have been asked to respond to a survey outlining their arrangements with about a third of schools proposing to return on 1st or 2nd June (based on current returns) with others returning on 8th June or later. Some schools have yet to decide. Schools are also proposing to open in different ways. Some are opening classes for Nursery, Reception, Year 1 and Year 6 classes at the same time. Some schools are staggering the return of classes, some are operating a rota system whilst others are closing on Wednesdays for midweek cleaning. All maintained schools have completed risk assessments and are following government guidance as provided, for example on cleaning.
- 3. Senior Local Authority staff have been meeting with headteacher representatives on a weekly basis to discuss a range of issues raised y schools and advice provided by the government. School opening and attendance is monitored daily by the Local Authority. There have been and continue to be weekly meetings with the Department for Education and more recently with the Regional Schools Commissioner. The Director of Education has been updating schools twice weekly and all updates from the Department for Education and local updates are published on the Enfield Hub website.
- 4. During this period, most schools in the borough have remained open for children of key workers and vulnerable pupils. Most Special Schools have been open throughout the lockdown period although to fewer pupils. Each pupil was risk assessed as to whether they should be in school or not although many parents made the decision to keep their children at home. There has been much positive feedback from parents on the support provided by schools to children with special needs and their families.
- 5. Government guidance has prioritised the need for vulnerable pupils to be in school with specific guidance issued to support this. In Enfield, the number of vulnerable children in school has continued to rise and is now at about 23% (much higher than national average).
- 6. In preparation for the proposed re-opening, all schools have been risk assessing this process and a guidance template has been provided to schools (see Appendix 1 of the report). All maintained schools have

- returned completed assessments to the Health & Safety team to be reviewed.
- 7. The Local Authority requests returns from schools each day providing information on whether they are open and how many children are attending. The Department for Education also request this information. Not all schools make these returns as they are not obligatory. From the returns received at least 38 primary schools were open to children of key workers and also to vulnerable pupils. At least 12 schools had opened to extended year groups with one school reporting over 100 pupils attending school.
- 8. One of the main considerations for the Council is that schools, when they open to more pupils, are safe places for children and staff. It is therefore essential that proper risk assessments are carried out by the school. It is recognised that the decision to open rests with the headteacher of the school itself as this is an operational decision usually taken in consultation with the Chair of Governors.
- 9. The Cabinet Member for Children's Services, Councillor Rick Jewell, had written to the Secretary of State on the 18 May 2020 outlining Enfield Council's view on the Government proposal to reopen primary schools for Reception, Year 1 and Year 6 pupils from 1 June 2020. (A copy of this correspondence was attached as Appendix 2 to the report).
- 10. A further concern is that some children will not have been in school for 6 months and there is evidence that this will disproportionally impact on children from poorer socio-economic backgrounds. Some pupils do not have access to a laptop or computer or internet in their homes which means little if any learning is taking place. Some secondary headteachers have expressed considerable concern about this.
- 11. The Council will continue to work with all schools to support the reopening of schools in a way that is safe and protects staff and pupils.
- 12. Actions taken to support schools will be monitored on a weekly basis and more frequently as needed through meetings with headteacher representatives. Senior Managers will overview communications, educational social and emotional support, risk assessments, HR and other support provided to schools.

In response to questions and concerns raised the following answers were provided:

- i) In response to questions and concerns raised about risk assessments it was explained that the document is the one that has been used across Enfield Council to enable and support conversations with staff who have concerns related to COVID19. This was sent to schools for a similar purpose to support conversations with staff and there has been no requirement for schools to use this.
- ii) Feedback from schools has indicated that this has been very useful to enable conversations relating to age, gender and ethnicity as well as addressing any other concerns staff have about work and returning to the school environment.
- iii) Councillors Aramaz and Orhan both raised concerns about the standard risk assessment document being used for staff from the

BAME communities and questioned why a more appropriate risk assessment had not been drawn up, especially given that the report from Public Health England (PHE) states that 'BAME communities are disproportionately affected by COVID19 and it is known that the borough of Enfield has a large population of BAME residents.

- iv) Tony Theodoulou, Executive Director, People said that the Council clearly acknowledges the PHE report that was published this week and its findings that men, older people and ethnic minority groups are adversely impacted by COVID19. The individual risk assessment sent out to schools has supported them in in conversations with staff including those from BAME groups to discuss their individual concerns about returning to work. The intention is to work through concerns with all staff including those older staff, men and those from BAME communities to obviate any need for employment repercussions with the expectation that this will not happen.
- v) Cllr Orhan also referred to the various questions and concerns that had been raised by the National Education Union (NEU) in their recent letter to Councillor Caliskan, Leader of the Council, and Cllr Jewell, Cabinet Member for Children's Services. She felt that the points raised had not been factored into the decision to open schools in Enfield and agreed with the NEU's view that for it to be safe to open schools, the Government's five tests must be met; the NEU's five tests must be met and that evidence should be shown that the science says that it is safe for schools to return for a wider opening. She felt that there should be a more robust response and guidance to advise schools.
- vi) In view of these concerns Cllr Orhan asked that a full response be provided to the NEU's letter, addressing all the questions raised, together with evidential statistics and data. She asked that OSC members be copied into this response.
- vii) Tony confirmed that a comprehensive written response would be provided addressing all questions raised by the NEU. He assured Cllr Orhan that full engagement had taken place with the NEU and other unions throughout the pandemic and this would continue. Enfield Council had taken on board all the concerns raised and were aware that the NEU were not happy with the risk assessment document. However, feedback had shown that schools were very happy with the document as it allows for open dialogue with their staff and enables any concerns to be fully addressed.

Action: Tony Theodoulou, Executive Director, People

- viii) Enfield Council does share Liverpool Council's and many other councils' concerns over the safety of staff and pupils and has made it clear both in the press release of 22nd May and in the letter to the Secretary of State for Education sent on 18th May.
- ix) Councillor Rick Jewell, Cabinet Member for Children's Services, Protection & Education made it clear that the council was not at all happy with the proposed 1st June date for the return of pupils to school. The Liverpool Council statement acknowledges though that they do not have the legal power to close schools and the decision whether to open or not rests with schools. Because of this, Enfield Council has made it clear that it will support headteachers and governing bodies with the

decisions they take recognising that each school is working in a different context.

- x) The government have asked schools to open based on their scientific advice from the Chief Medical Officer and SAGE. If a claim is brought regarding a health and safety concern in a community school, then action would be taken against the council and not the school.
- xi) Dr Glenn Stewart, Assistant Director, Public Health advised the Committee that the scientific evidence is that children are very bad at getting the virus and passing it on. He said that 'we are talking about a very small risk for children' adding that education is also very important for health in terms of learning and social interaction. He acknowledged however that there was definitely a balancing of risk to be had.
- xii) Tony confirmed that parents would not be fined if they chose not to send their children back to school because of their concerns. He acknowledged that many parents would be worried and concerned about the credibility of the advice and information available however, he was confident that Enfield Council have made their schools as safe as possible under the guidelines given. He re-iterated that parents will have the choice whether they want to send their children back or not, parents can exercise that choice and will not be punished if they choose not to send them back to school.
- xiii) In response to a question regarding figures for how many children had now returned to school in the borough, Jo Fear, Service Manager, Admissions, Schools & Children's Services said that at present, it was very difficult to come up with an overall percentage as different schools were doing different things across the week, therefore currently there was a very gradual return. However, there should be a much clearer picture by the end of this week/ into next week and information would be circulated to OSC members once it was available.

Action: Jo Fear, Service Manager, Admissions, Schools & Children's Services

xiv) Councillor Orhan referred to the Health & Safety Act 1974, in which section 2 places a duty on employers to ensure the health, safety and welfare of all employees. She said that Enfield Council has responsibilities in respect of the above as well as the following legislation:

The Management of Health and Safety at Work Regulations 1999, regulation 3, the Personal Protective Equipment at Work Regulations 1992, the Workplace (Health, Safety & Welfare) Regulations 1992, the Control of Substances Hazardous to Health Regulations 2002, the Children's Act 1989 and the Health Protection (Coronavirus, Restrictions) Regulations 2020.

She asked what documented risk assessment had been carried out by the Council with regard to their obligations under the above legislation and, in the absence of government support is the Council confident that it will fulfil their legal responsibilities as required under the appropriate legislation.

xv) Peter Nathan, Director of Education advised that when Unions have raised issues these have been responded to very quickly by engaging

and liaising with schools. Legislation is covered in the risk assessments and initially legal advice was sought through Enfield Council's own solicitors as well as solicitors across the board who have given assurances that the position the Council has taken has been correct and as a result of this Enfield Council are now in a position where 33 schools have gone back.

- xvi) Cllr Orhan said that she would put her questions in writing to Peter as she felt that a full response had not been provided at tonight's meeting and looked forward to receiving a response in due course. She would copy the Chair of OSC into her correspondence and asked that this also be circulated to all OSC members.
- xvii) Councillor Smith felt that the risk assessments taking place in schools was exactly the right approach and supported the fact that these were being carried out by Enfield Council. He also asked some questions about the testing process for COVID19 and whether teachers and school staff in particularly could be tested as he felt this would help with reassurance for parents looking to send their children back to school.
- xviii) Dr Glenn Stewart advised that everyone is eligible for a test if symptomatic. However, we are not at the point where people can be systematically tested on a regular basis and when asymptomatic. Dominic Smart, Chair of Primary Headteachers' Group, Enfield added that the risk assessments are organic and evolving all the time. All schools are operating in 'bubbles' therefore if there is any sign of the virus the bubble can be closed down, essentially allowing to 'test & trace' if necessary.
- xix) Councillor Georgiou asked various questions including whether any schools had indicated that they were not happy to return to a wider opening due to the perceived risks and what scenario planning was in place should the Government advise to open more schools up with effect from the 15th June. In-depth responses were provided by Officers to all the points raised.
- xx) Following the report and the discussions at tonight's meeting the following recommendation from the Overview & Scrutiny Committee was put to the vote.

We support the Council to take whatever action is required in its duty of care to keep students and staff of schools in the borough safe as the opening of schools increases.

Voted in favour of the recommendation:

Cllrs: Aramaz, Aydin, Boztas, Erbil, Georgiou and Orhan

Abstained

Cllrs: David-Sanders and Smith.

The recommendation from OSC was therefore **agreed**.

583 DATES OF FUTURE MEETINGS

NOTED the dates of future meetings and agenda items to be discussed as follows:

Virtual Meetings

Thursday 2 July 2020

- Update from Public Health on Covid-19
- Pre-decision Scrutiny- Local Control Covid Plan
- Further update on the opening of all Schools including Secondary & Special

Thursday 30 July 2020

Agenda items to be confirmed.

It was agreed that all future virtual Overview & Scrutiny meetings will commence at 6:00pm.

Members made the following comments:

- (i) Councillor Aramaz said that the Associated Cabinet Members (ACMs) agenda item was still outstanding and wished to see this addressed at a future OSC meeting.
- (ii) Councillor Georgiou said that he would like to see these meetings recorded as it would provide a record of the meeting and allow for a more virtual way of working. Councillor Aramaz added that it would also allow people to re-visit and watch the meeting in their own time. Claire Johnson, Head of Governance & Scrutiny replied that the record of the meeting is the minutes which are taken at every meeting. However, she did confirm that there was an option to record virtual meetings and she would therefore discuss this possibility further with the Monitoring Officer, Jeremy Chambers.

Action: Claire Johnson, Head of Governance & Scrutiny

The meeting ended at 8:40pm



London Borough of Enfield

Overview & Scrutiny Committee

Meeting Date 9 July 2020

Subject: Call in -Trading Company business plans 2020-23

Cabinet Member: N/A

Key Decision: N/A

Purpose of Report

1. This report details a call-in submitted in relation to the following decision:

Cabinet Decision (taken on 10/06/2029):

Details of this decision were included on Publication of Decision List No.1/86/19-20 (Ref. 1/86/19-20 – issued on 12 June 2020):

In accordance with the Council's Constitution, Overview and Scrutiny Committee is asked to consider the decision that has been called-in for review.

Proposal(s)

- 2. That Overview and Scrutiny Committee considers the called-in decision and either:
- (a) Refers the decision back to the decision-making person or body for reconsideration setting out in writing the nature of its concerns. The decision-making person or body then has 14 working days in which to reconsider the decision; or
- (b) Refer the matter to full Council; or
- (c) Confirm the original decision.

Once the Committee has considered the called-in decision and makes one of the recommendations listed at (a), (b) or (c) above, the call-in process is completed. A decision cannot be called in more than once.

If a decision is referred back to the decision-making person or body; the implementation of that decision shall be suspended until such time as the decision making person or body reconsiders and either amends or confirms the decision, but the outcome on the decision should be reached within 14 working days of the reference back. The Committee will subsequently be informed of the outcome of any such decision

Relevance to the Council's Plan

3. The council's values are upheld through open and transparent decision making and holding decision makers to account.

Background

4. The request (received 19 June 2020) to "call-in" the Cabinet decision on 10 June 2020 was submitted under rule 18 of the Scrutiny Procedure Rules. It was considered by the Monitoring Officer.

The Call-in request fulfilled the required criteria and the decision is referred to the Overview & Scrutiny Committee in order to consider the actions stated under 2 in the report.

Implementation of the Cabinet decision related to this report will be suspended whilst the "Call-in" is considered.

Reasons and alternative course of action proposed for the "Call in"

5. The Call-in request submitted by 7 Members of the Council gives the following reasons for Call-In:

HGL

- a. Para 7 of the Part 1 report (Key Risks) mentions that incomes have stayed at around the same level as before during the pandemic. What it does not take fully into account is the Furlough Scheme is due to end completely in October. At the end of the government backed scheme, which is only a few months away, there is a significant risk that unemployment will rise and a potential for incomes to drop substantially leading to a fall in rental income available to the company.
- b. Part 2
- c. Part 2
- d. Part 2

Energetik

- e. Part 2
- f. in order to compensate for potential delays at Meridian Water the report claims a number of potential developments such as Cockfosters Tube the Colosseum; Southgate Village and Arnos Grove Tube will provide future customers for Energetik. The schemes in question have not even got planning permission or any agreements in place that the homes will be connected to the Energetik heat network were they to be built. The business plan simply assumes that Energetik will get the business.

g. The Council as planning authority is responsible for approving these developments whilst the Council as the main stakeholder in Energetik has a commercial interest in them going ahead with no reduction in the number of units proposed. This is an unacceptable conflict of interest between the two roles.

Consideration of the "Call in"

6. Having met the "Call-in" request criteria, the matter is referred to the Overview and Scrutiny Committee in order to determine the "Call-in" and decide which action listed under section 2 that they will take.

The following procedure is to be followed for consideration of the "Call-in":

- The Chair explains the purpose of the meeting and the decisions which the Committee is able to take.
- The Call-in lead presents their case, outlining the reasons for call in.
- The Cabinet Member/ Decision maker and officers respond to the points made.
- General debate during which Committee members may ask questions of both parties with a view to helping them make up their mind.
- The Call in Lead sums up their case.
- The Chair identifies the key issues arising out of the debate and calls for a vote after which the call in is concluded. If there are equal numbers of votes for and against, the Chair will have a second or casting vote.
- It is open to the Committee to either;
 - o take no further action and therefore confirm the original decision
 - to refer the matter back to Cabinet -with issues (to be detailed in the minute) for Cabinet to consider before taking its final decision.
 - to refer the matter to full Council for a wider debate (NB: full Council may decide either to take no further action or to refer the matter back to Cabinet with specific recommendations for them to consider prior to decision taking)

Main Considerations for the Council

7. To comply with the requirements of the Council's Constitution, scrutiny is essential to good governance, and enables the voice and concerns of residents and communities to be heard and provides positive challenge and accountability.

Safeguarding Implications

8. There are no safeguarding implications.

Public Health Implications

9. There are no public health implications.

Equalities Impact of the Proposal

10. There are no equality implications.

Environmental and Climate Change Considerations

11. There are no environmental and climate change considerations.

Risks that may arise if the proposed decision and related work is not taken

12. There are no key risks associated with this report.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

13. There are no key risks associated with this report.

Financial Implications

14. There are no financial implications

Legal Implications

- 15. S 21, S 21A-21C Local Government Act 2000, s.19 Police and Justice Act 2006 and regulations made under s.21E Local Government Act 2000 define the functions of the Overview and Scrutiny committee. The functions of the committee include the ability to consider, under the call-in process, decisions of Cabinet, Cabinet Sub-Committees, individual Cabinet Members or of officers under delegated authority.
 - Part 4, Section 18 of the Council's Constitution sets out the procedure for call-in. Overview and Scrutiny Committee, having considered the decision may: refer it back to the decision-making person or body for reconsideration; refer to full Council or confirm the original decision.

The Constitution also sets out at section 18.2, decisions that are exceptions to the call-in process.

Workforce Implications

16. There are no workforce implications

Property Implications

17. There are no property implications

Other Implications

18. There are no other implications

Options Considered

19. Under the terms of the call-in procedure within the Council's Constitution, Overview & Scrutiny Committee is required to consider any eligible decision called-in for review. The alternative options available to Overview & Scrutiny Committee under the Council's Constitution, when considering any call-in, have been detailed in section 2 above

Conclusions

20. The Committee following debate at the meeting will resolve to take one of the actions listed under section 2 and the item will then be concluded.

Report Author: [Claire Johnson]

[Head of Governance & Scrutiny] [Claire.johnson@enfield.gov.uk]

[Tel No. 020 8132 1154]

Date of report 2 July 2020

Appendices

Cabinet/ Portfolio Report Response to Call in reasons- To Follow

Background Papers

The following documents have been relied on in the preparation of this report: None



MUNICIPAL YEAR 2019/2020 REPORT NO. 258

MEETING TITLE AND DATE:

Cabinet - 10 June 2020

REPORT OF:

Director of Law and

Governance

Contact officer and telephone number:

Will Wraxall 0208 379 1265

E mail: will.wraxall@enfield.gov.uk

Agenda – Part: 1 Item: 5

Subject: Trading Company business plans

2020-23 Wards: All KD No: 5099

Cabinet Member consulted: Cllr Mary

Maguire

1. EXECUTIVE SUMMARY

- 1.1 The Council's trading companies operate according to forward business plans, which were fully refreshed for the 2019-20 financial year and are now due for one-year rolling update.
- 1.2 Housing Gateway ltd (HGL) works to a three-year business plan. This has been updated to reflect the period 2020-23. This includes an update to include provision of a letting agency service.
- 1.3 The HGL business plan requires approval from Cabinet, representing the Council as sole shareholder of the company. This enables the Council to gain assurance that the strategic aims, targets and direction of the company remain complementary to the Council's vision for the borough.
- 1.4 Energetik operates a two-tiered planning structure. The company works towards its 40-year business plan, the most recent update to which was approved by Cabinet in September 2019. This is supported by a rolling three-year Operating Plan, which sets out the key deliverables required over the next three years to achieve the overarching business plan.
- 1.5 Energetik's Operating Plan does not require the Council's approval as shareholder, however it is reported to Cabinet in the interests of transparency and good relationships between the shareholder and the company, and in order to enable Cabinet to effectively conduct its role of overseeing the forward strategic direction of the company.

2. RECOMMENDATIONS

Recommended that:

- 2.1 Cabinet approves the business plan of HGL for the period 2020-23, including the development and implementation of an Ethical Letting Agency alongside the company's core private rented business.
- 2.2 Cabinet notes and supports the Operating Plan of Energetik for the period 2020-23.

3. BACKGROUND

- 3.1 In early 2019, the Council's trading companies refreshed their business plans. The companies produced plans covering the period 2019-22. The exception to this was Energetik, which operates a two-tier planning system, with an overarching 40-year business plan supported by a three-year operating plan. Energetik refreshed its business plan for the Tranche 2 funding decision in September 2019 and updates its operating plan to a three-year forward view each year.
- 3.2 The companies have now been requested to provide a rolling update on an annual basis. This will consist of updated financial projections and strategic action plans, updates if relevant to performance measures and other related analysis (e.g. market and customer analysis for HGL).
- 3.3 A full refresh would normally be conducted for approval at the end of the original period of the business plan, i.e. March 2022. However, dependent on developments during the year and the expected outcome, the current schedule for the end of the Brexit transition period on 31st December 2020 may warrant an earlier review of business plans should the form of post-transition arrangement entail substantial effects on the companies' markets.
- 3.4 It should be noted that EIL produced a one-year business plan in 2019, with the intention of reviewing the future of the company. The SHS1 project will shortly come to an end, and potential uses for and/or rebranding of the company will be considered over the next year. As such there is no business plan to produce. Should

a way forward be developed, a business plan will be brought to Cabinet.

Housing Gateway

Strategic Objectives

- 3.5 HGL's proposed strategic objectives are stated as follows:
 - a. Deliver demonstrably, good quality housing for residents through a variety of products suitable for residents on low to median income levels. Deliver increased housing supply to the Council with at least an additional 250 units by 2023.
 - b. Deliver savings to the Council of £1m pa, contributing to the Council's financial pressures arising from the shortfall in the provision of temporary accommodation. Ensure a suitable financing structure for the company.
 - c. Deliver an innovative ethical estate agency, providing an excellent service for tenants and landlords alike. In doing so providing significant cost savings to the Council and reduction in the use of temporary accommodation. Establishing a portfolio of 560 units by year 3.
- 3.6 These are assessed to be effectively aligned to the Council's corporate plan objectives and will provide a good contribution towards and help to improve the overall housing offer for residents.

Ethical Letting Agency

- 3.7 The most significant item in Housing Gateway's business plan is the inclusion of an ethical letting agency. The financial assessment specifically of the letting agency focus of the business is included within the business plan as appendix 1.
- 3.8 Housing Gateway's focus prior to 2020-21 has been the provision of housing at Local Housing Allowance (LHA) rate. This assists Enfield residents by providing a further avenue to obtaining suitable housing and helps to reduce the time that service users may spend in temporary accommodation.
- 3.9 The core HGL business will continue to provide this type of accommodation through acquisition of properties within the Enfield borough and rent through LHA rate.

- 3.10 The letting agency will supplement this by providing an avenue to intervene within the private rental sector, in a manner consistent with the Council's general housing strategy. It will complement the work of HGL's core business by extending the reach of the company within the market, and through expanding the variety of the company's housing offer to meet a wider extent of needs and circumstances.
- 3.11 In addition, the agency will offer longer term tenancies of up to five years that are not generally found in the private rented sector. The National Audit Office identified in 2017 that the leading cause of homelessness had become the ending of shorter-term private sector tenancies; by addressing this existing gap in the private market via the letting agency, HGL hopes to contribute to the prevention of homelessness from occurring.
- 3.12 For the Council, the extended offer will provide a further avenue to avoid costs of homelessness, both through prevention the letting agency will offer longer term tenancies providing families with greater security and less likelihood of homelessness than they may face in the wider private market and through potential provision of tenancies to suitable families on the housing register and in temporary accommodation.

Core portfolio expansion

- 3.13 HGL's key strategic target for the core portfolio is to expand by 250 properties by March 2023. This is subsequent to a previous target to achieve 250 properties by March 2022.
- 3.14 The original March 2022 target has been affected by a number of issues restricting the number of viable properties for HGL to purchase. Some of these issues have been addressed (e.g. through a refinancing package agreed with the Council which will take effect from 1st April 2020) and some of which are inherent to the company's business model charging LHA rental rates for example will mean there are always restrictive viability limits on HGL's purchasing ability (page 8 of the business plan identifies the maximum HGL can pay for one, two and three bed properties).
- 3.15 These developments have been supplemented by a proposal for a £5m equity provision to HGL from the Council. This will provide £5m of capital spend to the company without the need to make regular interest repayments, thus increasing the number of properties which would be viable to purchase with the funds and enabling the company to expand its portfolio. This will be considered by Cabinet as a constituent part within the Capital Programme.

3.16 However, some risks to expansion are inherent to the company's business model – charging lower rental rates on some properties for example will mean there are always some viability limits on HGL's purchasing ability (page 8 of the business plan identifies the maximum HGL can pay for one, two and three bed properties). In this respect, the target put forward by HGL may be optimistic even with mitigating strategies. The company has confirmed that it believes the target to be achievable and will report performance against it through regular quarterly monitoring.

Finances & equity investment

- 3.17 Revised projections have been produced for the forward plan based on progress within 2019-20, using year-end 2019-20 projections as at the end of January 2019.
- 3.18 These figures do not include Enfield Lets. The business plan presents the business case for Enfield Lets as an appendix, and through this the effect on the core business can be seen.
- 3.19 The figures indicate higher projected profits both in 2019-20 and future years than were previously expected in the original business plan. It should be noted that profit is not necessarily cash and as such there may not necessarily be a prudent option for profits to be re-invested or for the Council to leverage dividends.
- 3.20 For further detailed discussion of financial data, please refer to the part 2 report.
- 3.21 Cabinet considered and approved the envelope for an investment of equity funding in HGL as part of the Capital Programme in March 2020. This is detailed further within the Part 2 report.

Energetik

Meridian Water Energy Centre

3.22 The construction of the Meridian Water energy centre, which will serve phase one of the Meridian Water development, is scheduled to begin in October 2020, funded with the borrowing agreed in the Tranche 2 decision taken by Cabinet in September 2019.

Heat network expansion

- 3.23 The operating plan projects the expansion of the three satellite networks in Ladderswood, New Avenue and Alma Road/Electric Quarter to final completion at December 2020, at which time 677 properties will be connected across the three sites (including existing connected properties).
- 3.24 Attached to this is the completion of permanent energy centres for the Alma and New Avenue developments, both to be complete by 31 May 2020, and the subsequent pipeline connection of Electric Quarter to the Alma energy centre, due for completion by December 2020.

<u>Finances</u>

3.25 Projected finances are detailed within the Part 2 report.

Variations to the details of the business plans

- 3.26 During the course of business, the companies' situations may be influenced by external factors or opportunities may arise which cause the company to wish to change the proposals of the business plan, either engaging in activities which were not proposed within the business plan or altering the balance of activities which were proposed. This creates a risk that should plans change significantly, the plans may no longer reflect the desired strategic direction of the Council as shareholder.
- 3.27 To mitigate this risk, the Council has implemented Reserved Matters with the companies, that is a schedule of business decisions which the company may not take without the approval of the Council as shareholder. Within this schedule are identified financial limits on changes which may be made to the business plan. These limits apply both to budgeted increases in expenditure and virements of expenditure.
- 3.28 Any arising matters necessitating further Cabinet approval will be brought forward during the year as required.

Performance Monitoring of Business Plans

- 3.29 The Council's companies report on a quarterly basis, via an agreed template. The template measures financial performance, service performance and key actions against the targets, projections and action plans stated within the approved business plans.
- 3.30 HGL's business plan identifies the targets to be considered. Energetik proposes to continue with the suite of KPIs which are

currently monitored, covering both customer service and financial performance, as well as monitoring the key actions, milestones and financial projections listed in the operating plan.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 For HGL, the first alternative is to do nothing and allow the companies to continue with their existing business plans covering the period 2019-22. This would create a risk that the business plan would not take into account in-year developments (most notably the proposal of a letting agency function) which have a significant impact on the business plan. Continuing to measure the company's performance based on the content of the existing business plan would not provide accurate or useful interpretation of the company's success or otherwise in meeting the objectives set for them by the shareholder, and therefore the shareholder would not be able to make effective strategic decisions on the company, of effectively challenge the company if required. For these reasons this option is not recommended.
- 4.2 Another alternative would be a complete refresh of the entire business plan. Such an exercise was carried out in early 2019, and there is no reason to consider that a further exercise would reveal any significant change in any of the background analyses that were conducted by the company to inform the previous business plan, and this is not therefore recommended as it is not assessed to be an effective use of resources. Generally, a full refresh would be undertaken every three to five years, although dependent on developments over the remainder of 2020 the imminent implications of Brexit may warrant a full refresh in early 2021, earlier than would normally be expected.
- 4.3 A final alternative for HGL would be for Cabinet to reject the business plan and request a revision. This would be an appropriate option if the business plan did not reflect the Council's objectives for HGL, or if the Council wished on reflection to change its objectives for HGL.
- 4.4 In regard to Energetik, the shareholder does not approve the Operating Plan being presented, therefore formally there is no alternative. However, it is essential for the success of the company that a collaborative relationship is maintained between the company and the shareholder. As such, should Cabinet have concerns on the content of the Operating Plan, officers would work with the company to address those concerns and provide further assurances to Cabinet that the Council's priorities were reflected in the company operating plan.

5. REASONS FOR RECOMMENDATIONS

The HGL business plan and Energetik operating plan presented will assist in achieving the Council's corporate plan objectives, will assist residents by providing a genuine, affordable alternative to the general private market, and will help the Council financially through the recovery of interest premiums and contributions to cost avoidance in areas such as homelessness.

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

- 6.1.1 The establishment of the Ethical Letting Agency forms part of the agreed new service model that supports the Homelessness Strategy and as such is important to the delivery of the services business plan which includes Medium Term Financial Plan saving expectations between 2020/21 and 2022/23.
- 6.1.2 Please refer also to Part 2 report.

6.2 Legal Implications

- 6.2.1. The Council has various legal and fiduciary duties in relation to the budget. The Council is required by the Local Government Finance Act 1992 to make specific estimates of gross revenue expenditure and anticipated income leading to the setting of the overall budget. The Local Government Act 2003 entitles local authorities to borrow and invest as long as their capital spending plans are affordable, prudent and sustainable.
- 6.2.2 The 2003 Act requires the Chief Finance Officer to report to Council as part of the budget process on the robustness of the estimates of borrowing, investment and spending and the adequacy of the proposed financial reserves taking into account the affordability, prudency, sustainability, value for money, stewardship of assets, service objectives and practicality requirements as provided by the CIPFA's Prudential Code of Capital Finance in Local Authorities concerning borrowing and investment.
- 6.2.3 The Financial Procedure Rules require a release of capital report to be submitted to Cabinet before any expenditure is committed or incurred.

- 6.2.4. Members are obliged to take into account all relevant considerations and disregard all irrelevant considerations in seeking to ensure that the Council acts lawfully in adopting a budget. The Council must set and maintain a balanced budget and must take steps to deal with any projected overspends and identify savings or other measures to bring budget pressures under control. Members should note that where a service is provided pursuant to a statutory duty, the Council cannot fail to discharge its duty properly.
- 6.2.5 Members have a fiduciary duty to the Council Taxpayer for whom they effectively act as trustee of the Council's resources and to ensure proper custodianship of the Council's resources.
- 6.2.6 When approving the budget, regards should be given to the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. It is important to consider the needs of the diverse groups with protected characteristics when designing and delivering services or budgets so people can get fairer opportunities and equal access to services.

6.3 Property Implications

None

7. KEY RISKS

- 7.1 An overriding general risk for all companies is that financial and performance targets may not be met, or key actions to deliver strategic objectives may not be delivered. This is managed through regular Shareholder reporting, which covers four elements of financial performance, return on investment, service performance and key actions for the year. These will be reported quarterly by all companies to the Council's Commercial Board for challenge and agreement of any remedial actions required.
- 7.2 There is a general risk that the form of arrangements following the transition period arising from the UK's exit from the EU, currently scheduled to end on 31 December 2020, could impact significantly on the markets the companies operate in, affecting the achievability of the strategic and performance targets set within the business plan and the realism of strategic objectives. Should this situation arise the companies will be asked to

- provide a full refresh of their business plans including market analyses, to be presented to Cabinet in March/April 2021.
- 7.3 There is a risk that in-year developments render HGL's business plan unviable or cause it to require revision. Under agreed reserved matters, the company has clear delegated authority and can make changes up to agreed financial levels or on agreed types of tasks. Any changes outside these limits would be brought back to Cabinet to ensure they remain in line with the Council's strategic objectives for the company.
- 7.4 HGL could find portfolio expansion difficult due to market conditions and the viability limits on potential purchases. This has been addressed in part with a £5m equity input into the company by the Council, which will increase the number of viable properties as repayment will not need to be taken into account.
- 7.5 Delays or revisions to Meridian Water could affect the progress of Energetik. The company is due to commence building its Energy Centre in the coming year, which will serve Phase 1 of the project. Delays to the continuation of Meridian Water could affect connections and therefore profit over the next few years for Energetik. This risk is considered by a regular client group meeting between the Place department, shareholder function and Energetik, and the company is investigating potential expansion opportunities elsewhere, as referred to on pages 3, 13 and 14 of Energetik's operating plan, and the key activities action plan for 2020-21 includes action entries to monitor the development of those opportunities.
- 7.6 The companies and Council have liaised and undertaken exercises to identify potential effects of the coronavirus pandemic; for HGL the main potential negative risks are to rental income and portfolio value, though there is also a potential opportunity for HGL as a purchaser of properties. For Energetik, potential delays to construction projects or new property handovers could reduce projected income, though there are some contractual protections the company has in regards to this which will assist.
- 7.7 Rental income may fall due to households receiving less income as a result of furlough or redundancy, or debts may rise due to inability to pay or delays in payment of Universal Credit applications by tenants. The company has monitored its income and bed debt closely over the period of pandemic, and to date there has been no significant decrease in income or increase in debt; however, the economic effects of the pandemic will likely continue for some time and therefore monitoring will continue be key to managing the key. Finances and debt level targets are

- reported to LBE by the Company through quarterly performance reports.
- 7.8 It is likely that property prices will drop as a result of the pandemic and government restrictions slowing down the housing market; a report in May from the Royal Institute of Chartered Surveyors suggested that the property market may not recover to pre-pandemic prices for 11 months. This is negative for HGL's own portfolio, though there is little immediate practical effect as the company is not seeking to sell any properties. There could be a risk in the event of substantial price falls that the company's portfolio would not equal the value of its loans, placing the company in negative equity.
- 7.9 From the perspective of a company looking to expand property portfolios, the property market situation does also present a potential opportunity, as falling prices may mean more viable properties on the market, and greater value for investment in the company. This is subject to purchases being able to complete, which depends on social distancing restrictions; many surveyors have suspended operations over the recent period of restrictions for example, pausing purchase processes. The £5m equity funding proposed in this report will provide a cash injection allowing the company to be agile in its response to the property market, and the company has retained communications with estate agents over the period of social distancing to ensure it is aware of any available properties which it may be able to offer against once possible.
- 7.10 The Coronavirus pandemic may impact on the delivery of some aspects of the operating plan. For example, while work on connecting developments has not stopped, the need for social distancing and the suspension of services by other workers (e.g. surveyors) has led to delays in handover or lost potential income for example, the Premier Inn hotel at the Ladderswood site is connected but cannot operate due to coronavirus restrictions, and therefore is not utilising heat.
- 7.11 This also may apply to the development of the Company's own energy centres. Requirements to social distancing may limit tasks that can be undertaken, thereby delaying progress. The Council will look to capture any such delays through regular quarterly performance and work with the company to ensure any implications are promptly addressed.

8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

8.1 Good homes in well-connected neighbourhoods

Housing Gateway seeks to provide low cost rental properties and temporary accommodation at a higher standard than is otherwise available for tenants, assisting them to remain connected to their communities.

8.2 Sustain strong and healthy communities

Housing Gateway seeks to provide affordable rental properties and temporary accommodation of a better quality than is otherwise available for tenants, helping to improve their health, reduce stress and enable them to remain connected and contribute to their local communities.

8.3 Build our local economy to create a thriving place

HGL helps to reduce the amount that customers need to spend on necessities such as housing and energy, thus increasing their disposable income which they can spend within the local economy, and their ability to socialise and contribute within their local communities.

9. EQUALITIES IMPACT IMPLICATIONS

There are no implications to this report.

10. PERFORMANCE AND DATA IMPLICATIONS

There are no implications to this report.

11. PUBLIC HEALTH IMPLICATIONS

There are no implications to this report.

Background Papers

None







