



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY, 15TH MAY, 2024
AT 7.00 PM**

**THE WORSHIPFUL THE MAYOR
AND COUNCILLORS OF THE
LONDON BOROUGH OF ENFIELD**

Please
Reply to:

Nicola Lowther
Governance Manager
Democracy@enfield.gov.uk

Dear Councillor,

You are summoned to attend the meeting of the Council of the London Borough of Enfield to be held at the Civic Centre, Silver Street, Enfield on Wednesday, 15th May, 2024 at 7.00 pm for the purpose of transacting the business set out below.

Yours sincerely

Terry Osborne

Director Law & Governance

THE MAYOR'S CHAPLAIN TO GIVE A BLESSING

1. **ELECT A PERSON TO PRESIDE IF THE MAYOR AND DEPUTY MAYOR ARE NOT PRESENT**
2. **APOLOGIES**
3. **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.

4. **MINUTES OF PREVIOUS MEETINGS** (Pages 1 - 22)

To receive and agree the minutes of the previous meetings of Council held on Thursday 22 February 2024 and Tuesday 19 March 2024 as a correct record.

5. **PAST MAYOR'S SPEECH**

6. ELECTION OF MAYOR

To elect the Mayor of the London Borough of Enfield for the municipal year 2024/25.

7. ELECTION OF DEPUTY MAYOR

To elect the Deputy Mayor of the London Borough of Enfield for the municipal year 2024/25.

8. APPOINTMENT OF MAYOR'S AND DEPUTY MAYOR'S CONSORTS

Appointment of Mayor's Consort

The Mayor to announce the appointment of the Mayor's Consort for the municipal year 2024/25.

Appointment of Deputy Mayor's Consort

The Deputy Mayor to announce the appointment of the Deputy Mayor's Consort for the municipal year 2024/25.

9. ANNOUNCEMENT OF YOUNG MAYOR AND YOUNG DEPUTY MAYOR

To announce the Young Mayor and Young Deputy Mayor for the municipal year 2024/25.

10. PRESENTATION OF THE PAST MAYOR'S AND CONSORT BADGES

On behalf of the Council, the Mayor will present the Past Mayor's and Past Mayor's Consort badges. The Mayor will also present badges to the Young Mayor and Young Deputy Mayor.

11. NOTIFICATION OF CABINET MEMBERSHIP

To note the appointment of the Cabinet by the Leader of the Council as set out on the list of appointments.

12. CHANGES TO THE SCRUTINY FUNCTION, AND OTHER CONSTITUTIONAL AMENDMENTS (Pages 23 - 72)

To receive a report from the Director of Law and Governance to review the Council's current committee meetings and propose changes to the constitution.

13. APPOINTMENT OF COUNCIL COMMITTEE MEMBERSHIPS AND PROPORTIONALITY FOR 2024/25 (Pages 73 - 80)

To agree the political balance of the committees, joint committees and panels and agree the establishment of the Council committees and their membership as set out on the list of appointments which will be included in the supplementary agenda.

Members will be asked to agree a resolution to:

Agree without dissent that the Council can only depart from the rules on political balance by passing a resolution with no members voting against the resolution. Notice of the resolution must be given in the summons. An abstention does not count as a vote against or these purposes. The only committee this applies to is the Councillor Conduct Committee, as seats are allocated in accordance with the constitution.

14. REPRESENTATION ON OUTSIDE BODIES AND ORGANISATIONS FOR 2024/25

To consider the Council's representation on outside bodies and organisations as required as set out on the list of outside bodies which will be included in the supplementary agenda.

15. COUNCIL SCHEME OF DELEGATION

The Council is asked to agree the authority's Scheme of Delegation as set out in [Part 3 of the Constitution](#).

16. MEMBERS' ALLOWANCES SCHEME 2024/25 (Pages 81 - 84)

To receive a report from the Director of Law and Governance on the Members' Allowances Scheme for 2024/25.

17. CALENDAR OF MEETINGS (Pages 85 - 86)

The Council is asked to agree the calendar of meetings for the 2024/25 municipal year, subject to any further changes/additions, being delegated to the Director of Law and Governance in consultation with all party groups.

18. DATE OF NEXT MEETING

To note that subject to the agreement of Agenda Item 17, the date of the next Council meeting will be Wednesday 19 June 2024.

COUNCIL - 22.2.2024

**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON THURSDAY, 22 FEBRUARY 2024****COUNCILLORS****PRESENT**

Suna Hurman (Mayor), Abdul Abdullahi, Josh Abey, Nicki Adeleke, Gunes Akbulut, Mahmut Aksanoglu, Maria Alexandrou, Nawshad Ali, Kate Anolue, Chinelo Anyanwu, Mahym Bedekova, Alev Cazimoglu, Mustafa Cetinkaya, Lee Chamberlain, Hivran Dalkaya, Chris Dey, Guney Dogan, Hannah Dyson, Elif Erbil, Ergin Erbil, Susan Erbil, Peter Fallart, Reece Fox, Alessandro Georgiou, Margaret Greer, Patricia Gregory, Ayten Guzel, Nelly Gyosheva, Ahmet Hasan, James Hockney, Stephanos Ioannou, Chris James, Rick Jewell, Doris Jiage, Chris Joannides, Joanne Laban, Tim Leaver, Andy Milne, Elisa Morreale, Tom O'Halloran, Ahmet Oykenner, Sabri Ozaydin, Paul Pratt, Michael Rye OBE, Julian Sampson, Ruby Sampson, George Savva MBE, David Skelton, Edward Smith, Jim Steven, Emma Supple, Doug Taylor, Andrew Thorp and Eylem Yuruk

ABSENT

Mohammad Islam (Deputy Mayor), Sinan Boztas, Nesil Caliskan, Thomas Fawns, Adrian Grumi, Destiny Karakus, Gina Needs, Bektas Ozer and Nia Stevens

THE MAYOR'S CHAPLAIN TO GIVE A BLESSING

Nick Chanda of the Enfield Revival Church gave a blessing.

1**ELECT A PERSON TO PRESIDE IF THE MAYOR AND DEPUTY MAYOR
ARE NOT PRESENT**

There was no business transacted under this item.

2**APOLOGIES**

Apologies for absence were received from Councillors Nesil Caliskan, Sinan Boztas, Mohammad Islam, Destiny Karakus, Gina Needs, Bektas Ozer, Nia Stevens, Adrian Grumi and Thomas Fawns.

3**MAYOR'S ANNOUNCEMENTS**

The Mayor welcomed everyone to the Chamber.

The Mayor on behalf of all councillors, expressed best wishes to King Charles III following the recent announcement of his cancer diagnosis. Also, as Cllr Gina Needs continues with her treatment, to also extend our best wishes to her during her recovery. As members knew, cancer is one of the themes of

COUNCIL - 22.2.2024

the Mayor's charity this year and she hoped and prayed that a cure was found soon for this disease which affects so many.

The Mayor continued to support the residents of Enfield by attending the Citizenship ceremonies that take place most weeks. She was honoured to stand before the new citizens of Enfield. They stand proud to be part of our borough and she was delighted to receive them. The Mayor also continued to attend local events and was humbled by the kindness bestowed to her from the residents of Enfield.

The Mayor noted that LGBT+ History Month was formally celebrated across the UK in February to claim its past, celebrate its present and create its future. The Mayor sent her best wishes to all our Enfield residents during this time.

The Mayor this morning welcomed the High Commissioner of St Lucia to the Civic Centre to celebrate 45 years of their nation's independence. It gave us time to reflect on the individuals who came to Britain on the Windrush and helped rebuild Britain to be great again after the war.

The Mayoral Gala had been booked for 25th April and the Mayor hoped all would join her to raise much needed funds for her chosen charities: cancer and autism, two very important themes. Raising funds for charities was becoming more and more difficult in the current economic climate and she hoped members could support her.

A sad announcement was made of the sad loss of former Councillor and Past Mayor, Christiana During. She was a dedicated public servant for Enfield for many years, being first elected in 2002 in Ponders End Ward, later Upper Edmonton from 2006-14 and Edmonton Green Ward from 2014 to 2018. She was Mayor of Enfield in 2011-12, being the first female black African Mayor of the borough. She served as a midwife with the NHS from 1962 and later became the Assistant Director of Nursing at North Middlesex Hospital.

Councillors were invited to say a few words in commemoration of the late Christiana During. Cllr Doug Taylor praised her humility, cheerfulness, warmth, and caring approach to residents and the issues they raised. Condolences were sent to her husband and family. Cllr Michael Rye concurred with Cllr Taylor's comments, and that Members would support an initiative to mark her legacy in Enfield. Cllr Joanne Laban also remembered Christiana During's positivity, compassion and care. Cllr Kate Anolue spoke of her long and close friendship with Christiana, a special person with whom she had done everything together. All Members were invited to attend the funeral service on 8th March and pay their respect.

The Mayor had also sadly been informed this week of the passing of former Councillor and Past Mayor Doreen Mardon. Doreen was first elected in 1982 in Huxley Ward and re-elected again in 1990 and 1994 in Raglan Ward. Doreen was inaugurated as Mayor of Enfield in 1992-93.

COUNCIL - 22.2.2024

Members were invited to say a few words. Cllr Michael Rye spoke of Doreen Mardon's active and generous character, and sent his good wishes to her husband and family. Cllr George Savva recalled enjoying working together with Doreen Mardon for the good of the local community.

The Mayor sent condolences to both families at this very sad time, and Members and all attendees held a minute's silence.

4

MINUTES OF PREVIOUS MEETING

A correction to the minutes of the previous Council meeting held on 24th January had been raised and appropriate amendment made: for item 9 Conservative councillors voted to abstain, not against the decision. The revised minutes were included in the second supplementary agenda pack and circulated to all members.

The minutes of the Council meeting held on 24 January 2024 were received and, subject to the correction set out in the supplementary agenda pack, **AGREED** as a correct record.

5

DECLARATIONS OF INTEREST

The Mayor asked the Director of Law and Governance to provide advice further to the advice note provided to all members on the declaration of interests requirements at the Council Budget meeting. In relation to agenda item 6 – Budget Report 2024/25 and Medium-Term Financial Plan, any councillor who is two or more months in arrears on their Council Tax should declare this and not take part in the vote. The Director of Law and Governance advised that according to the Council's records there were no members with such outstanding arrears, but that the onus was on members to make the declaration if necessary.

The following councillors declared non-pecuniary interests in the following items:

Items 6 & 11 – Cllr Ayten Guzel who is employed by Unison.

Items 6 & 11 – Cllr Margaret Greer who is employed by Unison.

Items 6 and 11 – Cllr Joanne Laban who served on the National Joint Council (NJC) on the employer side.

Item 7 – Cllr Pat Gregory in relation to Council Tax Support Scheme.

Item 8 – Cllr Guney Dogan who was a commercial unit tenant.

Items 9, and 10 – Cllr Sabri Ozaydin who is a director of Housing Gateway Limited.

Items 9 and 10 – Cllr Doug Taylor who is a director of Energetik.

6

BUDGET REPORT 2024/25 AND MEDIUM TERM FINANCIAL PLAN

Cllr Leaver moved, and Cllr Ergin Erbil seconded, the report.

Cllr Leaver introduced the report and highlighted the background context and challenges, including government under-funding and economic pressures. The pressures in the MTFP were set out in Appendix 6 of the report. Consultation in relation to setting the budget, including consideration by the Overview and Scrutiny Committee, was also noted. The comments of the Chief Finance Officer in respect of the robustness of the budget were included in the report at Appendix 1a and noted. Officers and Cabinet colleagues were thanked for supporting the process. The Council would be setting a balanced budget which was prudent and responsible. Cabinet Members provided detail of pressures affecting service areas, investment in the borough, and protection of services for the most vulnerable residents.

The Opposition expressed their concerns in respect of raising of taxes, fees and charges and proposed cuts to services for residents. Money continued to be spent on external consultants and solicitors, and on Civic Centre refurbishments. The Administration's manifesto commitments were not being kept. Warnings in respect of borrowing and debt servicing had not been heeded. There were concerns regarding the level of reserves. Residents had made their top issues known during the consultation but had been ignored. The balanced budget was dependent on in-year savings, which were known to be rarely achieved, and only 3.5% wage increases.

During the debate, a procedural motion moved by Cllr Ozaydin and seconded by Cllr Ergin Erbil under paragraph 13.20 (viii) of the Council's Procedure Rules to extend the debate for 30 minutes was **AGREED**.

A further procedural motion moved by Cllr Ozaydin and seconded by Cllr Ergin Erbil under paragraph 13.20 (viii) of the Council's Procedure Rules to extend the debate for a further 10 minutes was **AGREED**.

Before members' summing up, a procedural motion moved by Cllr Ozaydin and seconded by Cllr Ergin Erbil under paragraph 13.20 (viii) of the Council's Procedure Rules to extend the time for debate of reports for 60 minutes was **AGREED**.

The report recommendations were agreed following a recorded vote (as required by law) detailed below:

For:

Cllr Abdul Abdullahi
Cllr Josh Abey
Cllr Nicki Adeleke
Cllr Gunes Akbulut
Cllr Mahmut Aksanoglu
Cllr Nawshad Ali

COUNCIL - 22.2.2024

Cllr Kate Anolue
Cllr Chinelo Anyanwu
Cllr Mahym Bedekova
Cllr Alev Cazimoglu
Cllr Mustafa Cetinkaya
Cllr Hivran Dalkaya
Cllr Guney Dogan
Cllr Elif Erbil
Cllr Ergin Erbil
Cllr Susan Erbil
Cllr Margaret Greer
Cllr Ayten Guzel
Cllr Nelly Gyosheva
Cllr Ahmet Hasan
Cllr Chris James
Cllr Rick Jewell
Cllr Doris Jiage
Cllr Tim Leaver
Cllr Ahmet Oykenen
Cllr Sabri Ozaydin
Cllr George Savva
Cllr Doug Taylor
Cllr Eylem Yuruk

Against:

Cllr Maria Alexandrou
Cllr Lee Chamberlain
Cllr Chris Dey
Cllr Hannah Dyson
Cllr Peter Fallart
Cllr Reece Fox
Cllr Alessandro Georgiou
Cllr Pat Gregory
Cllr James Hockney
Cllr Stephanos Ioannou
Cllr Chris Joannides
Cllr Joanne Laban
Cllr Andy Milne
Cllr Elisa Morreale
Cllr Tom O'Halloran
Cllr Paul Pratt
Cllr Michael Rye
Cllr Julian Sampson
Cllr Ruby Sampson
Cllr David Skelton
Cllr Edward Smith
Cllr Jim Steven
Cllr Emma Supple
Cllr Andrew Thorp

COUNCIL - 22.2.2024

AGREED:

I. Council agreed:

- i. To agree to the budget set for 2024/25 and to agree the Medium-Term Financial Plan, including:
 - a. A net revenue budget of £318.530m for 2024/25, an 11.01% increase when compared with 2023/24.
 - b. The pressures set out in Appendix 6 totalling £48.6m in 2024/25, which include:
 - £11.4m for Demographic pressures within Adults and Children's Social Care and SEN Transport to reflect growing demand in these areas.
 - £17.2m of Inflation and pay award funding
 - £7.7m for Homelessness pressures
 - £2.4m increase in Capital Financing included within the pressures figure, with £11.9m is set aside for Capital Financing over the lifetime of the current MTFP.
 - c. full year effects of prior year savings and income totalling a positive value of £1.322m (due to reversal of one-off savings and reassessment of deliverability of savings previously agreed) set out in Appendix 7.
 - d. the new savings of £10.690m and income proposals of £5.878m in 2024/25 set out in Appendix 8.
 - e. increased Government funding of a net increase of £6.6m (£8.4m for social care in 2024/25, a £1.4m increase in Revenue Support Grant; less £3.2m reduction in other core Government grant funding (excluding business rates).
 - f. total business rates income for 2024/25 at £98.5m, an increase of £9.2m on 2023/24 and £164.1m for Council Tax, an increase of £17.2m.
 - g. the use of one-off funding sources, comprising of:
 - £3.0m benefit from continuing to be a member of the 8 authority Business Rate pool, and
 - £1.0m Collection Fund surplus.
 - h. to note the gap remaining in the MTFP for 2025/26 of £30.267m; and of £85.995m for the period 2025/26 to 2028/29 and the actions being taken to address this challenging position.

II. Council agreed:

- i. With regard to the Revenue Budget for 2024/25 to set the Council Tax Requirement for Enfield at £164.118m in 2024/25; and
- ii. To set the Council Tax at Band D for Enfield's services for 2024/25 at £1,594.08, being a 2.99% general Council Tax increase (£1,360.37) and a 2.00% Adult Social Care Precept (£233.71). The total Enfield element represents an increase of £1.45 per week for a Band D property.
- iii. To note, the Council will levy a Council Tax of £471.40 at Band D on behalf of the Greater London Authority which is an 8.58% increase; equivalent to an increase of £0.72 per week for a Band D property.
- iv. To note, in total the impact of these proposals will be total Council Tax of £2,065.48 at Band D, a 5.79% increase on the 2023/24 level, equivalent to an increase of £2.17 per week for a Band D property.
- v. To approve, in accordance with the Levelling Up and Regeneration Act 2023, the revised discretionary power to levy a Council Tax premium of 100% in respect of second homes from the 1st April 2025. (paragraphs 62 to 63).

COUNCIL - 22.2.2024

III. Council agreed the planned flexible use of capital receipts in 2023/24 being £2.184m and approve the planned flexible use of capital receipts in 2024/25, being £1.0m (paragraphs 139 to 145 and Appendix 18).

IV. Council agreed to approve that any in year changes required to the Flexible Use of Capital Receipts strategy is delegated to the Executive Director of Resources in consultation with the Cabinet Member for Finance and Procurement and reported to Cabinet in the quarterly Revenue Monitoring reports.

V. Council agreed the Fees and Charges for 2024/25 as set out in the Appendices and to delegate authority to Executive Directors and Directors to negotiate discounts and make in year amendments where appropriate.

VI. Council agreed to note the feedback from the Budget Consultation set out in the Appendices.

VII. Council agreed to note the minutes of the Overview and Scrutiny Committee Meeting on 15 January 2024 which are set out in Appendix 19b of the report.

VIII. Council agreed with regard to the robustness of the 2024/25 budget and the adequacy of the Council's earmarked reserves and balances to:

- i. note the risks and uncertainties inherent in the 2024/25 budget and the MTFP (paragraphs 157 to 161) and agree the actions in hand to mitigate them;
- ii. note the advice of the Executive Director of Resources regarding the recommended levels of contingencies, balances, and earmarked reserves (paragraphs 36 to 39 and Appendix 1a) when making final decisions on the 2024/25 budget;
- iii. agree the recommended levels of central contingency and general balances (paragraphs 128 to 136);
- iv. note the use of reserves in 2024/25 to meet welfare costs set out in paragraphs 110 to 116, to support households in financial crisis; and
- v. note the overall forecast level of reserves over the medium term, ensuring the Council's financial sustainability set out in paragraphs 128 to 136.

IX. Council agreed the Schools Budget for 2024/25 (paragraphs 169 to 179 and Appendix 22 of the report).

7

COUNCIL TAX SUPPORT SCHEME 2024/25

Cllr Leaver moved, and Cllr Ergin Erbil seconded the report of the Executive Director - Resources on the Council Tax Support Scheme for 2024/25. This report was in the supplementary agenda.

Cllr Leaver introduced the report. The context to the proposed decisions was highlighted. Enfield had consistently maintained a Council Tax Support

COUNCIL - 22.2.2024

Scheme which was one of the highest in London but projected future costs had necessitated the proposed revisions. An extensive consultation process had been run, details and results of which were set out in the report. The proposal to increase the Discretionary Hardship fund was highlighted, and the Greater London Authority (GLA) had now confirmed £550k funding for the Council Tax Hardship Scheme, which will now be jointly funded by the GLA and the Council in this first year and would remain at £1.5m. Members expressed that this was a difficult decision to take but would assist with necessary savings. One third of households in the borough would still receive some form of support, and a consistent approach would be taken in a fair and transparent system.

The Opposition expressed sorrow and anger that the Administration proposed to cut the support to around 31,000 households. Those negatively impacted were mainly residents who could least afford it, in the East of the borough in Labour-held wards, and groups including disabled people and single parents. Residents had raised their concerns in the consultation process that they would face poverty and stress, and they would prefer no change in the scheme. There was concern that no transitional arrangements had been proposed. Cllr Gregory raised discussions at Enfield Learning Disabilities Partnership Board and asked for an officer to be allocated as contact for advice and help to those with special needs, and their carers. This request was welcomed by Cllr Leaver and would be actioned.

A recorded vote was requested by Cllr Georgiou, and another 11 members of the Council having stood in support of the request, the report was then agreed following a recorded vote detailed below:

For:

Cllr Abdul Abdullahi
Cllr Josh Abey
Cllr Nicki Adeleke
Cllr Gunes Akbulut
Cllr Mahmut Aksanoglu
Cllr Nawshad Ali
Cllr Kate Anolue
Cllr Chinelo Anyanwu
Cllr Mahym Bedekova
Cllr Alev Cazimoglu
Cllr Mustafa Cetinkaya
Cllr Hivran Dalkaya
Cllr Guney Dogan
Cllr Elif Erbil
Cllr Ergin Erbil
Cllr Susan Erbil
Cllr Margaret Greer
Cllr Ayten Guzel
Cllr Nelly Gyosheva
Cllr Ahmet Hasan
Cllr Chris James

COUNCIL - 22.2.2024

Cllr Rick Jewell
Cllr Doris Jiagge
Cllr Tim Leaver
Cllr Ahmet Oykenen
Cllr Sabri Ozaydin
Cllr George Savva
Cllr Doug Taylor
Cllr Eylem Yuruk

Against:

Cllr Maria Alexandrou
Cllr Lee Chamberlain
Cllr Chris Dey
Cllr Hannah Dyson
Cllr Peter Fallart
Cllr Reece Fox
Cllr Alessandro Georgiou
Cllr Pat Gregory
Cllr James Hockney
Cllr Stephanos Ioannou
Cllr Chris Joannides
Cllr Joanne Laban
Cllr Andy Milne
Cllr Elisa Morreale
Cllr Tom O'Halloran
Cllr Paul Pratt
Cllr Michael Rye
Cllr Julian Sampson
Cllr Ruby Sampson
Cllr David Skelton
Cllr Edward Smith
Cllr Jim Steven
Cllr Emma Supple
Cllr Andrew Thorp

AGREED:

I. Council agreed the revised Local Council Tax Support Scheme for 2024/25 at Appendix A including:

- i. Restricting council tax support to a maximum Band C council tax liability.
- ii. Introducing a minimum non-dependant deduction for most households with other adults living in the property and increasing the current deductions by 20% as set out in the report.
- iii. Standardising the minimum payment for most working age claimants at 50% (excluding war widows and single people under 25 including care leavers).

II. Council agreed to increase the Discretionary Hardship fund by £1m.

COUNCIL - 22.2.2024

III. Council agreed the Council Tax Support Hardship Policy attached as Appendix E in the report.

IV. Council agreed that authority be delegated to the Executive Director, Resources, to make consequential changes to the Support Scheme and the Hardship Policy in order to effectively implement the decisions of the Council in respect of the Support Scheme and the Hardship Policy.

8

HRA BUDGET AND RENT SETTING REPORT 2024-25

Cllr Savva moved and Cllr Aksanoglu seconded the report of the Executive Director – Resources and Strategic Director of Housing and Regeneration. Details of the HRA Revenue Budget for 2024/25 and the annual rent increase for Council tenants and leaseholder charges were confirmed. There was a need to cover the cost of delivering the service. Efficiency savings would also be made. Investment in stock would prioritise building safety and compliance.

The Opposition expressed concern at more raised charges to be faced by low income households. They also highlighted ongoing issues with delivery of new homes, unsafe tower blocks on the Shires Estate, and non decent housing.

Council was asked, further to Cabinet recommendation, to approve:

I. The detailed HRA Revenue Budget of £81.1m for 2024/25 as shown in paragraph 53 of the report.

II. The 10-year HRA Capital Programme of £900m and borrowing requirements to deliver 3,500 council led homes.

III. A rent increase of 7.7% in line with Government guidelines noting the social, affordable and shared ownership rent levels for the HRA properties in 2024/25.

IV. The level of service charges for 2024/25 for those tenants and leaseholders receiving eligible services at an average increase of 11%. These include enhanced services in response to resident feedback that will be implemented from April 2024 and new services that will be subject to resident consultation, as set out from paragraph 24 of the report.

V. The charges for garages, parking bay and community halls rents as set out from paragraph 41 of the report.

To Note:

VI. The heating charges for 2024/25 for those properties on communal heating systems (both electric and gas) as set out in paragraph 36 of the report.

The recommendations were put to the vote and **AGREED**.

9

CAPITAL STRATEGY AND TEN YEAR CAPITAL PROGRAMME 2024/25 TO 2033/34

The recommendations in this report were put to the meeting under the guillotine arrangements and were **AGREED**.

The Opposition advised that they would have voted against the recommendation.

The Council agreed

I. To approve the:

- a. General Fund 2024/25 capital programme budget of £213.1m and notes the 2024/25-2033/34 ten-year capital programme (as detailed in Appendix A)
- b. 2023/24 £36.5m budget carry forwards requested at Period 8 (November) (as detailed in Appendix B)
- c. Delegation of authority, to the Executive Director of Resources, to transfer unspent borrowing of up to £500k between projects in the capital programme, in consultation with the Cabinet member for Finance and Procurement.
- d. Delegate authority to the Cabinet Member for Social Housing in consultation with the Cabinet Member for Finance and Procurement to agree capital investment into temporary accommodation solutions up to £30m (moving budget from Pipeline to the main capital programme). This is to enable the council to move quickly in bringing solutions to fruition. Any investment approved under this delegation must be self-financing i.e., capable of servicing interest and repaying debt over the useful economic life of the asset.
- e. The delegation to Cabinet approval of projects up to £10m from the Pipeline Programme, provided the programme continues to fit within the affordability metrics.

II. To note:

- a. The Pipeline projects (as detailed in Appendix E). These are indicative project budget estimates that are subject to a full business case review (where relevant) and separate approval, prior to being added to the approved programme.

10

2024/25 TREASURY MANAGEMENT STRATEGY

The recommendations in this report were put to the meeting under the guillotine arrangements and were **AGREED**.

The Opposition advised that they would have voted against the recommendation.

COUNCIL - 22.2.2024

The Council agreed

I. To review and note the Treasury Management Strategy 2024/25 (Appendix 1 of the report).

II. To approve the Treasury Management Strategy 2024/25.

III. That Quarterly Treasury monitoring, from 2024/25, of the Council's Treasury position including Prudential Indicators is delegated to Cabinet as part of the quarterly monitoring cycle with the exception of the Mid-year update and Outturn positions which will be submitted to Council.

11

REVIEW AND ADOPTION OF THE STATUTORY PAY POLICY STATEMENT

The recommendations in this report were put to the meeting under the guillotine arrangements and were **AGREED**.

The Opposition advised that they would have voted for the recommendation.

12

COUNCILLOR QUESTION TIME

This item was noted under the guillotine arrangements. Answers to questions were provided in the supplementary agenda.

13

MEMBER ATTENDANCE DISPENSATION

Under the provisions of Section 85(1) of the Local Government Act 1972, a councillor must have approval by the authority if they are unable to attend a meeting of the authority for a period of six consecutive months. The dispensation must be granted prior to the expiry of that period. This request complies.

The recommendations in this report were put to the meeting under the guillotine arrangements and were **AGREED**.

The Opposition advised that they would have voted for the recommendation.

The Council approved a dispensation which will remain in place until further notice, for Councillor Gina Needs from the requirements of Section 85(1) of the Local Government Act 1972.

14

COMMITTEE MEMBERSHIPS

There were no changes to committee memberships.

15

NOMINATIONS TO OUTSIDE BODIES

There were no changes to outside bodies memberships.

16

DATE OF NEXT MEETING

The date of the next meeting was **NOTED** as 6 March 2024, (note this meeting subsequently took place on 19 March 2024).

This page is intentionally left blank

COUNCIL - 19.3.2024

**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON TUESDAY, 19 MARCH 2024**

COUNCILLORS

PRESENT

Suna Hurman (Mayor), Mohammad Islam (Deputy Mayor), Abdul Abdullahi, Josh Abey, Nicki Adeleke, Gunes Akbulut, Mahmut Aksanoglu, Nawshad Ali, Kate Anolue, Chinelo Anyanwu, Mahym Bedekova, Sinan Boztas, Nesil Caliskan, Mustafa Cetinkaya, Hivran Dalkaya, Chris Dey, Hannah Dyson, Elif Erbil, Ergin Erbil, Susan Erbil, Peter Fallart, Thomas Fawns, Reece Fox, Alessandro Georgiou, Margaret Greer, Patricia Gregory, Adrian Grumi, Ayten Guzel, Nelly Gyosheva, Ahmet Hasan, James Hockney, Stephanos Ioannou, Chris James, Rick Jewell, Doris Jiagge, Destiny Karakus, Joanne Laban, Tim Leaver, Andy Milne, Elisa Morreale, Tom O'Halloran, Sabri Ozaydin, Bektas Ozer, Paul Pratt, Michael Rye OBE, Julian Sampson, Ruby Sampson, George Savva MBE, David Skelton, Edward Smith, Jim Steven, Nia Stevens, Emma Supple, Doug Taylor, Andrew Thorp and Eylem Yuruk

ABSENT

Maria Alexandrou, Alev Cazimoglu, Lee Chamberlain, Guney Dogan, Chris Joannides, Gina Needs and Ahmet Oykener

THE MAYOR'S CHAPLAIN TO GIVE A BLESSING

Dogan Erdoğan from the Alevi Federation gave the blessing and Gulay Dalkilic translated this blessing.

1

**ELECT A PERSON TO PRESIDE IF THE MAYOR AND DEPUTY MAYOR
ARE NOT PRESENT**

There was no business transacted under this item.

2

MAYOR'S ANNOUNCEMENTS

Welcome to the meeting councillors and a special welcome also to the members of the public we have in the gallery and in the conference room who have come to observe the debate tonight on the Enfield Local Plan submission.

This is an important document, and I am pleased to see so many members of the public showing an interest in it. I think it might be helpful for me to explain what the process will be for the debate this evening so that members of the public know what to expect.

COUNCIL - 19.3.2024

First, we will deal with some preliminary matters. We will have some tributes and then members will need to declare any interests they have in the business being transacted this evening. After that, we will move on to the main item of business – the Local Plan.

The first speaker from each side of the Chamber normally has 5 minutes to speak but given the special nature of this meeting, I am expecting a Procedural Motion to be moved requesting slightly longer and I will probably allow them to speak for up to 10 minutes each. Other councillors will then be invited to speak for up to 3 minutes each. At the end, there will be a final response by the Opposition for 5 minutes and then a final summing up from the Cabinet member for 5 minutes. We will then go to the vote.

Now it is important that everyone in the chamber who is invited to speak is allowed to do so without interruption. Councillors have been elected to represent their communities and they must be allowed to speak and express their views here tonight. There will be different views expressed and there will inevitably be some disagreement, but all councillors must be allowed to express their views and be heard.

I appreciate that there may be some of you who have come tonight hoping that you too may be able to speak on the Local Plan, but I am afraid that will not be possible as we do not have deputations at Council meetings. Some of you will already have approached your councillor and I am sure that they will be able to put across the different views they have heard over the past few weeks and months.

However, you will have an opportunity to make your views known and your views will be taken into account. The documents which we are considering tonight are on the Council's website and I would strongly urge you to read those documents if you have not done so already. The proposal before us is essentially to agree the documents to go out for formal consultation for a minimum of 6 weeks and, during that period, you will be able to submit feedback to your councillors or to the Planning Inspector directly. So, your voices will be heard.

Moving back to the business for tonight, may I remind councillors, I will not tolerate any interruptions or shouting or heckling from the gallery or in the chamber and, if there is shouting or heckling, I will have no alternative but to ask you to leave. I sincerely hope that will not happen as I really would like you to all stay and listen to the debate.

Members, may I ask for your continued professional and orderly conduct during this meeting. There are lots of members of the public here and I am sure you will want them to have a positive experience of watching democracy in action here at Enfield. Can I remind you that any members wishing to speak should indicate they wish to do so and wait for me to invite them to speak. Members, please address the meeting through me and continue to treat each other courteously and with respect during political interactions.

COUNCIL - 19.3.2024

If you would like to ask for an extension of time, or if you wish to move any other type of procedural motion, please do so at the end of a speech and not in the middle of it.

Finally, I will not tolerate any interruptions tonight from members and if I ask you to stop speaking, please do so straight away and let me manage the meeting.

We have been informed this week of the sad passing of former Councillor Chris Murphy. Chris was elected as a councillor in 1998 until 2014 and was a much-respected councillor.

We have also been informed of the sad passing of one of the council's long serving officers. Teresa Cassidy passed away on 27th February. Teresa worked in Housing Services and will be hugely missed by her colleagues and friends.

We send our condolences to both families at this very sad time.

At the invitation of the Mayor, the Council, in memory of Chris Murphy and Teresa Cassidy, stood for a minute silence.

3

APOLOGIES

Apologies for absence were received from Councillors Maria Alexandrou, Alev Cazimoglu, Lee Chamberlain, Guney Dogan, Chris Joannides, Gina Needs, and Ahmet Oykener.

4

MINUTES OF PREVIOUS MEETING

It was **AGREED** that the minutes of the Council meeting held on 22 February 2024 would be finalised and taken to the next meeting of Council which would take place on 15 May 2024.

5

DECLARATIONS OF INTEREST

The Mayor acknowledged that Councillors had received written advice on declarations of interest from the Monitoring Officer prior to the meeting in relation to the Local Plan.

The following Councillors declared non-pecuniary interests in the following items:

Item 5 – Cllr Joanne Laban who has a family member who is a member at an Enfield golf club.

Item 5 – Cllr Sabri Ozaydin who is a director of Housing Gateway Limited.

Item 5 - Cllr Doug Taylor who is a director of Energetik, season ticket holder at THFC and member of an Enfield golf club.

COUNCIL - 19.3.2024

Item 5 – Cllr David Skelton who is a member of the Levelling Up Advisory Council at Department for Levelling Up, Housing and Communities.

Item 5 – Cllr Andy Milne who is along with two family members a season ticket holder at THFC.

Item 5 – Cllr Savva who is a season ticket holder at THFC.

Item 5 – Cllr Dey who has a relative who is a season ticket holder at THFC.

6

PROCEDURAL MOTION

A procedural motion was moved by Cllr Sabri Ozaydin and seconded by Cllr Ergin Erbil to allow the Mover of the Motion and the first Opposition speaker to speak for up to 10 minutes and that the final Opposition response to the debate and the right of reply should be given up to 5 minutes and was **AGREED**.

7

THE LOCAL PLAN

Cllr Nesil Caliskan moved, and Cllr Ergin Erbil seconded, the report.

The Leader stated that the Local Plan has been through six years of consultation, exploration and engagement and sets out the future intentions for the borough and how this will be achieved. The aim being to make Enfield a greener, vibrant, and well-connected borough where its young people will have a place of their own to call home.

In 2019, there was a 12-week consultation exceeding the minimum statutory requirement with local groups and the draft plan was agreed in 2021. Since then, the administration has honoured their commitment to deliver a pre-publication period that has allowed residents and councillors to read the final plan before it goes out to an additional statutory consultation and a review by the National Planning Inspector before it can be implemented.

By 2041, the population of Enfield will have grown by more than 50,000 people as people are living longer, and our young people today will have families of their own. If the demand for housing continues to rise without adequate housing being available, people will be forced to move out of the borough; additionally overpriced and overcrowded housing was becoming more prominent. The Local Plan allows the Council to control how this growth in the borough will occur.

The Leader acknowledged that there is no easy way to deal with the housing crisis as even if every brownfield site were exhausted, there would still not be enough supply to meet targets. The loss of green belt land will be compensated by major landscape restoration and a new country park which will improve public access in Enfield Chase, with a commitment to a 25% increase in green coverage by 2041. By using a limited amount of green belt which would be namely; disused car parks, garden centres and golf courses, would equate to adequate space to build affordable family homes which will

COUNCIL - 19.3.2024

see the sites better utilised to address the national housing crisis. The Crews Hill site will enable 5000 new homes to be built whilst Chase Park will have 3700 new homes built with both sites gaining crucial infrastructure, being close to transport links and access to gardens and public spaces with opportunities to walk and cycle through connected habitats and landscape corridors.

The Administration has provided a clear steer to officers that the Council must have a Local Plan that meets housing needs. The process to produce this plan has been meticulously detailed with an immense level of dedication and will produce a plan that is technically sound. The Leader expressed concerns by not having an up-to-date Local Plan leaves the Council open to the risk of developers putting in planning applications anywhere in the borough which will be agreed by the National Inspector due to the current framework being out of date.

The Leader expressed thanks to the Planning department, officers, elected members and residents who contributed and were involved with the development of the Local Plan.

The Opposition expressed concerns that social housing in high rise buildings leads to poverty with low educational attainment and poor health outcomes. The Plan does not consider building appropriate older people homes or take into account that the birth rate has been falling in London since 2016 which would suggest that growth will not be as significant as the administration suggest.

Tall buildings being proposed across the borough are not sites in the Council's ownership or ones that can be easily developed. For example, in Angel Edmonton, the Joyce & Snells Estate is being rebuilt with great intensification with great loss of green space. It is doubtful that this redevelopment will add to the quality of life of the residents who occupy homes within these tall buildings.

The Plan would open Crews Hill area to residential homes which would affect residents and businesses and the infrastructure is not sufficient enough to deal with what is being proposed. The benefits of being pro-cycling and walking were acknowledged, but not feasible in isolated parts of the borough such as Crews Hill with a limited bus service and only one train station in close proximity. It was reported that it would take between 30 minutes and 45 minutes to walk to the surrounding train stations which would force residents to use cars when roads are already at full capacity. It was argued that the green belt is an area of character, and the proposed developments would diminish this especially if 13% of the green belt which is protected by national and regional plans is to be built on.

Local Oakwood residents are opposed to the closure of the car park at Oakwood station which is the only station between Enfield and Finsbury Park that has level access from the street to train for disabled users. The plan is meant to encourage sustainable travel, but the abolition of this car park

COUNCIL - 19.3.2024

represents the denial of access to that sustainable travel not only to disabled users but the general travelling public. The proposal to develop the Alan Pullinger youth centre, Minchenden car park and Southgate Office Village in Southgate, which are valuable places which support the residents, and the youth of the borough were opposed by local residents.

The Opposition emphasised that only 20 homes have been built thus far on the Meridian Water site highlighting that the target of 5000 homes by this point had not been met which would have taken a lot of pressure of the Local Plan. It was argued that the justification for needing to declassify green belt to build more affordable family homes on the green belt in order to meet housing needs rather than doing more to allow building on industrial land was illogical as those families who are currently in private rented and overcrowded homes will not be able to afford these homes in Chase Park.

The Administration outlined the measures in place within this plan to support prudent economic growth in Enfield.

The Local Plan will allow the building of more family homes for Enfield residents with enhanced parks, woodlands, and green spaces therefore making the borough more biodiverse. There are also plans for new schools, GP surgeries, leisure centres and the creation jobs for local residents.

The housing crisis has significantly impacted residents with over 3000 homeless families living in temporary accommodation which are not suitable for their needs with 6000 families on the council's housing waiting list. The average household who are renting privately are currently paying 45% of their income on rent. The target of building 34,000 new homes by 2041, will include 40% being affordable family homes, 10% will be wheelchair accessible and 197 specialist homes for older and disabled residents. There will be no difference in quality between the privately owned and affordable homes.

Town centres will accommodate employment, retail, leisure, housing and community and cultural spaces with 300,000sqm of industrial floor space, 40,000sqm of office space and the creation on 17,000 new jobs. Enfield is home to creative venues like Troubadour Studios, The Drumsheds, Millfield Theatre and Netflix. The Local Plan will build on existing creative industries in Enfield and support film and TV to become a creative hub in London and in doing so creating jobs for local people. A cultural fund will be established using funds from developers which will allow residents to have a say in future events they wish have in the borough.

The Opposition responded by stating that the Administration had failed to engage with the opposition and the public on the Local Plan and the Inspector will expect a degree of cross-party support. The public will need to have been properly consulted and the documentation to have shown an independent verification of the database that has been brought forward. 7000 people responded to the last consultation of which the majority opposed building on

COUNCIL - 19.3.2024

the green belt, and comments from public ward meetings that have been held on the local plan clearly suggest that residents do not support the Plan.

The borough in recent years has only been building 1-bedroom and 2-bedroom flats despite those who sit on the Planning committee, on both sides, having argued consistently about the need for family homes so this adds pressure to meet housing targets. The Transport strategy in the plan is negligible and will not provide the needed infrastructure to be able to take the weight of what is being proposed.

In summing up, the Leader noted that the Administration supported and had set out a clear proposal of their commitment around housing delivery as it recognised that the people of Enfield deserved a decent home, and that the social and transport infrastructure would be delivered alongside housing development.

It was reiterated that the cross-party working group had been set up, which the opposition members were invited to monthly meeting, but did not attend.

The Local plan is about tackling poverty, increasing the equality opportunity for the most disadvantaged and building a greener, safer, and cleaner borough.

Following the debate, Cllr Sabri Ozaydin moved, and Cllr Ergin Erbil seconded, a procedural motion under paragraph 13.20 (v) of the Council's Procedure Rules that the question now be put, which was **AGREED**.

A recorded vote was requested by Cllr Dey, and another 11 members of the Council having stood in support of the request, the following votes were recorded:

For:

Cllr Abdul Abdullahi
Cllr Josh Abey
Cllr Nicki Adeleke
Cllr Gunes Akbulut
Cllr Mahmut Aksanoglu
Cllr Nawshad Ali
Cllr Kate Anolue
Cllr Chinelo Anyanwu
Cllr Mahym Bedekova
Cllr Sinan Boztas
Cllr Nesil Caliskan
Cllr Mustafa Cetinkaya
Cllr Hivran Dalkaya
Cllr Elif Erbil
Cllr Ergin Erbil
Cllr Susan Erbil
Cllr Thomas Fawns

COUNCIL - 19.3.2024

Cllr Margaret Greer
Cllr Ayten Guzel
Cllr Nelly Gyosheva
Cllr Ahmet Hasan
Cllr Mohammad Islam
Cllr Chris James
Cllr Rick Jewell
Cllr Doris Jiage
Cllr Destiny Karakus
Cllr Tim Leaver
Cllr Sabri Ozaydin
Cllr Bektas Ozer
Cllr George Savva
Cllr Nia Stevens
Cllr Doug Taylor
Cllr Eylem Yuruk

Against:

Cllr Chris Dey
Cllr Hannah Dyson
Cllr Peter Fallart
Cllr Reece Fox
Cllr Alessandro Georgiou
Cllr Pat Gregory
Cllr Adrian Grumi
Cllr James Hockney
Cllr Stephanos Ioannou
Cllr Joanne Laban
Cllr Elisa Morreale
Cllr Tom O'Halloran
Cllr Paul Pratt
Cllr Michael Rye
Cllr Julian Sampson
Cllr Ruby Sampson
Cllr David Skelton
Cllr Edward Smith
Cllr Jim Steven
Cllr Emma Supple
Cllr Andrew Thorp

The recommendations having been put to the vote were **AGREED**.

8

DATE OF NEXT MEETING

The date of the next meeting was **NOTED** as Wednesday 15 May 2024, which will be the Annual Council meeting.



London Borough of Enfield

Report Title	Changes to Overview and Scrutiny, and other constitutional amendments.
Report to	Council
Date of Meeting	15 th May 2024
Executive Director / Director	Director of Law & Governance – Terry Osborne
Report Author	Claire Johnson
Ward(s) affected	N/A
Key Decision Number	Non-Key
Classification	Part 1 Public
Reason for exemption	N/A

Purpose of Report

1. This report sets out proposals to change the way Scrutiny is undertaken in order to create a more streamlined approach that reflects the Council's priorities and avoids duplication of work. The report also proposes other constitutional changes to aid the smooth operation of the Councils meetings and decision-making processes.

Recommendations

- I. Agree a revised Scrutiny structure as detailed in the report, reducing the standing Panels from seven to four, as shown in paragraph 3.
- II. Agree the amendments to the constitution for the Scrutiny rules of procedure detailed in appendix A.
- III. Agree the deletion of the Environment Forum.
- IV. Note the proposed changes to the Special Responsibility Allowances for Scrutiny Chairs and Vice Chairs which are recommended for approval elsewhere on the agenda.
- V. Agree the constitutional amendments highlighted in appendix A which will aid the smooth running of Council and committee meetings.
- VI. Delegate to the Director of Law and Governance to make the approved changes to the constitution.

Background and Options

2. In July 2020, the Council agreed a revised streamlined committee structure which included changes to the scrutiny function, moving to Standing Panels and away from task and finish groups. This was with an objective of enhancing the scrutiny function, following the Council's commissioning of the Centre for Governance and Scrutiny to undertake a review the effectiveness of the Council's scrutiny function. Now that the revised structure has been in place for 3 years, further changes are being proposed to ensure that the Panels work better for both members, and the public, are streamlined, avoid duplication, and overlap, and reflect the Council's priorities.
3. The proposed structure retains the main Overview & Scrutiny Committee, with the overarching co-ordination function but reduces the number of scrutiny panels from 7 Panels to 4, covering the following key areas:
 - (i) *Culture and Environment*
The remit of this Panel could cover issues related to the street scene, fly tipping, parking, traffic, green spaces, leisure, recreation, climate change, waste, street cleansing and culture.
 - (ii) *Healthy and Safe Communities*
The remit of this Panel will cover health, public health, adult social care, crime, and community safety.
 - (iii) *Thriving Children & Young People*
The remit of this Panel remains as it is, and includes issues related to Children's Services and education.
 - (iv) *Housing and Regeneration*
The remit of this Panel covers housing, regeneration, night economy, town centres, public transport, and economic development.

4. The Overview & Scrutiny Committee will, retain a role in co-ordination of the Scrutiny function, co-ordinating the panels' work programmes and dealing with call-ins, pre-decision scrutiny and overseeing scrutiny of major cross-cutting and corporate issues such as finance and performance, although the Panels will be responsible for looking at finance and performance in relation to their own areas. The main committee will also continue to be responsible for scrutiny of the Council's budget.
5. Both the main OSC and the scrutiny panels will continue to work in the same way as they do now with the work planning sessions at the start of the municipal year to set their work programmes. These work programmes will go to OSC for consideration prior to being approved by Council.
6. The OSC would continue to meet 6 times per year for business meetings and additionally for call ins when required. Panels would meet 4 times per year plus the work planning session.
7. The terms of reference for the new Panels are shown in appendix A.

Political Balance and Chairing of OSC and the Panels

8. Appointments to the Overview and Scrutiny Committee and the scrutiny panels are approved by Council and are politically balanced.
9. It is proposed that the Overview and Scrutiny Committee will have a membership of 9 members. The split will be 5 majority seats and 4 opposition seats, with the Chair of OSC continuing to come from the majority party. The members of the OSC will each act as a chair or vice chair of the main committee and/or one of the 4 scrutiny panels.
10. Each of the individual scrutiny panels will have a membership of 7. The split will be 4 majority seats and 3 opposition seats. It is proposed that 2 of the 4 new scrutiny panels would be chaired by the Opposition.
11. It is recommended that the chairs and vice chairs of the main committee and the scrutiny panels be given an SRA, but this is dealt with separately in the report on Member Allowances elsewhere on the agenda and are not part of this report.

Other Constitutional Changes

12. The Environment Forum was originally set-up to deal with issues from the Conservation Advisory Group and to cover issues dealt with by the Green Belt Forum that were both committees deleted in the structure review undertaken in 2020. The Environment Forum has an advisory role and is not decision making, and over the last three years, the focus has changed, and the forum acts in a similar way to a scrutiny panel looking at environment issues. Therefore, it is proposed that the work of the Environment Forum could be subsumed into the new Culture and Environment Scrutiny Panel.

13. In addition to the constitutional amendments for Scrutiny, members will note there are also some further proposed amendments to Part 4 of the constitution, highlighted in yellow in appendix A. These will aid the smooth running of the Council meeting and provide clearer process. They include:

- **Guillotine arrangements** – currently the Constitution states that the Mayor shall put reports not yet considered, to the Council all together and then the Leader of the opposition will state how the Opposition would have voted.

However, each report should simply be voted on by all members the proposal is that voting will be by a show of hands for each remaining report. The wording of the amendment is in appendix A at paragraph 8.3 (i).

- **Closure motions** a new paragraph has been added at paragraph 13.25 which clarifies the process for closure motions.
- **Scrutiny Rules of Procedure** –amendments to the procedure rules for scrutiny are based on the revised arrangements detailed in this report, and can be found at paragraphs 4 to 14 in appendix A.
- **Administrative amendments** – there are some minor administrative changes that are required to ensure the procedure rules are up to date.
- **Individual Executive Decisions** – the requirement to pre-publish Key Decisions being taken by Individual members or officers prior to the decision being taken was introduced in the Local Government Act 2000. The 2012 regulations repealed and did not replace this provision, removing paragraph 19.1 Chapter 4.6 from the constitution will ensure compliance with legislation.

Preferred Option and Reasons for Preferred Option

14. Reducing the scrutiny panels provides focussed remits that reflect the councils' priorities and reduces areas of duplication.

Relevance to Council Plans and Strategies

15. The new Panels better reflect the Councils priorities of Clean and Green, Thriving Children and young people, Strong, healthy, and safe communities, more and better homes, and an economy that works for everyone.

Financial Implications

16. There are no financial implications arising directly from these proposals but there could be an overall saving achieved from consequential changes to the Members Allowance Scheme which is covered elsewhere on the agenda.

Legal Implications

17. Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of a local authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.
18. The requirement for councils in England to establish overview and scrutiny committees is set out in [sections 9F to 9FI of the Local Government Act 2000](#) as amended by the Localism Act 2011.
19. Overview and scrutiny committees have statutory powers to scrutinise decisions which the Executive is planning to take, those it plans to implement and those that have already been taken/implemented. Overview and scrutiny committees may make reports or recommendations to the authority about the discharge of their respective functions, and also on matters that affect the authority's area or the inhabitants of the area. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented.
20. Current overview and scrutiny legislation recognises that authorities are locally accountable. Authorities themselves are best placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives them a great degree of flexibility to decide which arrangements to adopt.
21. Government guidance on scrutiny was published on 22 April 2024 and replaces guidance published on 7 May 2019, although the changes are minimal and relate to Combined Authorities.

Equalities Implications

22. It has not been necessary to carry out an Equalities Impact Assessment in relation to this proposal.

Report Author: Claire Johnson
Head of Governance, Scrutiny & Registration Services
Claire.Johnson@enfield.gov.uk
020 8 132 1154

Appendices Constitution Part 4 – Appendix A

This page is intentionally left blank

Part 4

Rules of Procedure

Contents

Chapter 4.1 - Rules of Procedure

1. ANNUAL MEETING OF THE COUNCIL

Timing and Business

1.1 In a year when there is an ordinary election of councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the Annual Meeting will take place in May.

1.2 In the below order the Annual Meeting will:

- (i) Elect a person to preside if the Mayor or Deputy Mayor of Council are not present;
- (ii) Elect the Mayor of Council;
- (iii) Elect the Deputy Mayor of Council;
- (iv) Approve the minutes of the previous meeting;
- (v) Receive any announcements from the Mayor or Chair of the meeting;
- (vi) Note the decision of the Leader as to the number of Members of the Executive; who they have appointed to those roles; the scope of their respective portfolios and the terms of delegation to them and Officers;
- (vii) Appoint at least one Overview and Scrutiny Committee, a Councillor Conduct Committee and such other bodies as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- (viii) Agree the scheme of delegation;
- (ix) Approve a programme of ordinary meetings of the Council for the year;
- (x) Consider any urgent business requiring consideration at the meeting;
and
- (xi) Agree the calendar for Council bodies for the year.

Selection of Councillors on Committees and Outside Bodies

1.3 At the Annual Meeting, the Council meeting will:

- (i) Decide which member level bodies to establish for the municipal year;
- (ii) Decide the size and terms of reference for those bodies;

- (iii) Decide the allocation of seats to political groups in accordance with the political balance rules;
- (iv) Receive nominations of councillors to serve on each council and outside body; and
- (v) Appoint to those council bodies and outside bodies, except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive.

Role of Annual Council Meeting when there has been an ordinary election

- 1.4 At the first Annual Meeting after an ordinary election of councillors the following shall apply in addition to the above:
- (i) Elect a Leader to serve for a four-year term or until the next Annual Meeting after ordinary whole Council elections;
 - (ii) Note appointment by the Leader of their Deputy Leader to serve for the four-year term;
 - (iii) Note the Leader's decision as to the number of Executive Members, their respective functions, and any other executive changes the Leader may have made.

2. ORDINARY MEETINGS

Frequency of Council Meetings

- 2.1 Ordinary meetings of the Council will take place in accordance with the calendar decided at the Council's Annual Meeting.

Order of Business

- 2.2 The order of business at ordinary meetings of the Council will be as follows:
- (i) Elect a person to preside if the Mayor and Deputy Mayor are not present;
 - (ii) Apologies
 - (iii) Mayor's announcements;
 - (iv) Receive any declarations of interest from councillors;
 - (v) Approve as a correct record and sign the minutes of the last meeting of the Council;
 - (vi) Deal with any business required by statute to be done before any other business;
 - (vii) Receive and consider any Petitions referred to Council;
 - (viii) Opposition Business in accordance with Rule 15;
 - (ix) Deal with any other business expressly required by statute or specified in the summons including reports from the Executive, Proper Officers,

Overview and Scrutiny Committee, Audit and Risk Management Committee, Councillor Conduct Committee or other Joint Bodies and Partners;

- (x) Answer questions asked in accordance with Rule 10;
- (xi) Consider motions; and
- (xii) Other business, if any, specified in the summons.

2.3 Items 2.2(i) to (viii) above shall not be displaced, but items 2.2(ix) to (xi) above may be varied in accordance with Rule 4 below. A maximum of 15 minutes shall be set aside for items 2.2(i) to (iv).

Removal of Leader

2.4 The Leader can be removed by a majority vote of the Council. If such a resolution is passed the Council should elect a new Leader at the same meeting; otherwise, the Deputy Leader is to act in their place until a new Leader can be elected.

3. EXTRAORDINARY MEETINGS

Calling Extraordinary Meetings

3.1 An extraordinary meeting may be called at any time by the Mayor of Enfield.

3.2 Extraordinary meetings of the Council may also be called by:

- (i) The Council by resolution;
- (ii) The Chief Executive;
- (iii) For the purposes of a statutory report the Monitoring Officer and/or the Chief Finance Officer; and
- (iv) Five Councillors if they have signed a requisition presented to the Mayor and the Mayor has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Business

3.3 The business to be carried out at an Extraordinary meeting shall be restricted to those items referred to in the notice convening the meeting, unless the Mayor decides otherwise.

4. COUNCIL AGENDA TIMING

4.1 The timings set out below, and order of business will be adhered to during the Council meeting.

4.2 During the meeting, the Mayor may agree that amendment of the timings or the order of business is justified, a motion to vary them may be put to the

meeting, subject to Rule 2.2, and in accordance with Rules 9.2 and 13.10. Such a motion shall specify how the remainder of the business is to be dealt with and may include an extension of the meeting under Rule 9.2.

4.3 When there is no Opposition Business:

- (i) 15 minutes allocated to in accordance with Rule 2.2;
- (ii) 60 minutes Reports;
- (iii) 50 minutes Motions;
- (iv) 20 minutes Council Questions;
- (v) 5 minutes Memberships and remaining items.

4.4 When there is Opposition Business:

- (vi) 15 minutes allocated to in accordance with Rule 2.2;
- (vii) 45 minutes Opposition Business;
- (viii) 60 minutes Reports;
- (ix) 50 minutes Motions;
- (x) 20 minutes Council Questions;
- (xi) 5 minutes Memberships and remaining items.

4.5 At the Annual and Budget meetings of the Council there will be no Opposition Business or Motions.

5. NOTICE OF AND SUMMONS TO COUNCIL MEETINGS

5.1 The time and place of meetings will be determined by the Monitoring Officer and notified in the summons. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by the relevant available reports.

5.2 The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules.

5.3 At least five clear working days before a meeting, a summons signed by the Monitoring Officer will be issued to every councillor.

5.4 The summons will be issued in electronic format to councillors unless a councillor notifies the Monitoring Officer, they wish to receive a hard copy.

6. CHAIR OF MEETING

6.1 The person presiding at the meeting may exercise any power or duty of the Chair.

7. QUORUM

- 7.1 The quorum for any meeting of the Council is at least one quarter of the whole number of Members of the Council. Based on a current membership of 63 councillors, quorum is 16 councillors.
- 7.2 No business will be considered at a meeting of the Council unless there is a quorum present.
- 7.3 During any meeting if the Mayor, after counting the number of councillors present, declares that there is not a quorum present, the Mayor will adjourn the meeting. Any business not carried out will be adjourned to a time specified by the Mayor at the time the meeting is adjourned, or if a time is not specified, to the next ordinary meeting of the Council.

8. DURATION OF COUNCIL MEETINGS AND GUILLOTINE PROCEDURE

- 8.1 All Council meetings will start at 7.00pm, unless the Mayor decides otherwise, and will finish at the time specified in the agenda, which shall not be later than 10.15pm.
- 8.2 In exceptional cases and if agreed by Council, meetings can be extended for additional periods of no more than 30 minutes each.
- 8.3 If the business on the agenda has not been completed at the time the Council meeting is due to finish, the following procedure will apply:

(i) Motions and Reports

- Any motions or reports under debate (including any amendments) shall be voted upon without further speeches, question, or debate. Voting shall be by a show of hands and no roll call shall be taken;
- Motions not yet considered will lapse unless referred by the Mayor to another council body. A lapsed motion does not imply consent or dissent by the Council meeting;
- Any reports not yet considered, shall be deemed formally moved and seconded and then each report will be put straight to the vote by show of hands. No roll call shall be taken. No speeches, questions or debate shall be allowed on these items.
- ~~without debate, question, or comments from the meeting, although points of accuracy or reference on to another body will be permitted. The Leader of the Opposition will state as to whether the Opposition would have voted for or against adoption of the report.~~

- (ii) **Other Business on Agenda**
 - The Mayor shall then put to the meeting, in sequence and without debate, each further remaining item of business on the agenda. No procedural or other motion, question, comment, or debate shall be permitted. Answers to questions not yet asked will be taken as printed on the agenda papers; and
- (iii) **Nominations to Outside Bodies and Council Memberships**
 - The Council will be deemed to have agreed memberships of Council bodies (except Cabinet appointments) and nominations to outside organisations in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

9. QUESTIONS

General

- 9.1 All questions at the Council meeting must relate to the Council's powers or matters that affect the Borough. Questions will be put and answered without debate. The question must specify the relevant councillor who is being asked to respond. In the case of any doubt the Monitoring Officer, in consultation with the Mayor, will decide the appropriate councillor to respond.
- 9.2 The Monitoring Officer has the power to reject questions for the following reasons if it:
- (i) Does not relate to a matter about which the local authority has powers or duties, or which significantly affects the borough;
 - (ii) Is substantially the same as a question which has been put at a meeting of the Council in the past 6 months;
 - (iii) Requires disclosure of confidential or exempt information;
 - (iv) Relates to a specific planning or licensing application; and/or
 - (v) Is a matter subject to litigation or could place the Council at risk of litigation.

Questions requiring a written response

- 9.3 Councillors may ask questions at each Council meeting, which may be directed to:
- The Leader;
 - A Cabinet Member;
 - An Associate Cabinet Member;
 - The Chair of Overview and Scrutiny/Scrutiny Workstream; or
 - A Statutory Committee Chair.

- 9.4 Councillors can direct their question to a councillor appointed to an outside bodies.
- 9.5 The list of outside bodies will be kept under review by the Monitoring Officer and Party Whips and available to members on request.
- 9.6 There shall be a limit of 15 questions per party group and one question each for independent councillors.
- 9.7 Questions must be submitted in writing to the Monitoring Officer by noon 9 calendar days prior to the meeting in question.
- 9.8 All answers to questions will be in writing and will be published online and circulated to members by email during the working day before the relevant meeting. Questions to Cabinet Members will be listed first on Council agendas. One supplementary question will be allowed, which must relate to the subject matter of the written question. The answer to a supplementary question should preferably be given orally at the meeting. Written responses will be permitted if research is required, or the information is not immediately available, and should be circulated to all councillors by email within 12 working days of the Council meeting.
- 9.9 If the councillor to whom the question has been addressed is not present at the Council meeting, another councillor may answer any supplementary question in their place. If the councillor asking the question is absent, they may nominate another councillor to ask a supplementary question on their behalf.

Urgent Questions by Councillors

- 9.10 With the permission of the Mayor, questions on urgent issues may be tabled with the proviso of a subsequent written response.
- 9.11 An urgent issue is one which could not reasonably have been foreseen or anticipated prior to the deadline for the submission of questions and which needs to be considered before the next meeting of the Council.
- 9.12 The reason for the submission of an urgent questions must be specified by the Councillor when submitting the question. This should include why the issue could not have been reasonably foreseen prior to the deadline and why it has to be considered before the next meeting.
- 9.13 Such questions shall, if possible, be delivered in writing to the Monitoring Officer by no later than 12 noon on the day before the meeting.
- 9.14 One supplementary question for oral response at the meeting will be allowed.

10. MOTIONS WITH NOTICE

- 10.1 Every motion shall relate to the Council's powers or duties, or an issue that affects the Borough. With the exception of those motions which may be moved without notice, notice of each motion shall be in writing. The notice shall be delivered to the Monitoring Officer at the latest by noon, 12 calendar days prior to the Council meeting.
- 10.2 Where a Group submits more than one motion at any one time, it shall indicate the order in which it wishes them to be considered.
- 10.3 The Monitoring Officer has the power to reject motions for the following reasons:
- (i) The motion does not relate to a matter about which the local authority has powers or duties, or which significantly affects the borough;
 - (ii) It is substantially the same as a motion which has been debated at a meeting of the Council in the past 6 months;
 - (iii) It requires disclosure of confidential or exempt information;
 - (iv) It relates to a specific planning or licensing application; and/or
 - (v) It is a matter subject to litigation or could place the Council at risk of litigation.
- 10.4 On receipt of a notice of motion, the Monitoring Officer shall arrange for it to be dated and numbered in the order of receipt. A record of these motions will be kept by the Monitoring Officer, which shall be open to inspection by every councillor
- 10.5 The Monitoring Officer shall set out in the summons for every meeting all motions of which notice has been given, in the order in which they have been received, unless the councillor concerned stated in writing, when giving it, that they propose to move it at a later meeting or has since withdrawn it in writing.
- 10.6 If a motion set out in the summons is not moved and seconded, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 10.7 If the subject matter of any motion comes within the remit of any appropriate Council body it shall, upon being moved and seconded formally without supporting speeches, be referred without discussion to such body. The Mayor however may allow the motion to be dealt with at the Council meeting at which it is moved, if they feel it is more convenient and conducive to the dispatch of business.

Urgent Motions

- 10.8 Any councillor may move an urgent motion relating to an urgent issue immediately prior to the commencement of Motions. The subject matter must relate to an issue to which the Council has powers, duties or which affects the Borough.
- 10.9 An urgent issue is defined as one which could not reasonably have been foreseen or anticipated prior to the deadline for the submission of motions and which needs to be considered before the next meeting of the Council.
- 10.10 Any councillor intending to propose such a motion shall, if possible, deliver the text to the Monitoring Officer not later than 12 noon on the day before the meeting. The motion shall not be debated unless it is seconded, and the Mayor agrees that it involves an urgent issue which notice under Rule 10 of this Constitution could not reasonably have been given.

11. MOTIONS WITHOUT NOTICE

- 11.1 The following motions may be moved without notice:
- (i) To appoint a chair of the meeting at which the motion is moved;
 - (ii) In relation to the accuracy of the minutes;
 - (iii) To change the order of business in the agenda;
 - (iv) To refer to the Cabinet, a committee/sub-committee/panel of the Council or to an external body;
 - (v) To appoint to a council body or member arising from an item on the agenda for the meeting;
 - (vi) To receive reports or adoption of recommendations of council bodies or officers and any resolutions following from them;
 - (vii) To withdraw a motion (open only to the mover of the motion, or any other councillor authorised to do so on their behalf. This must be then agreed by the Council, without discussion, and the seconder, if seconded at the time of the request);
 - (viii) To amend a motion;
 - (ix) To proceed to the next business;
 - (x) That the question be now put;
 - (xi) To adjourn a debate or the meeting;
 - (xii) To vary the timings set out in the agenda, to allow further time for debate on an item or order of business or to extend the meeting;
 - (xiii) To suspend a particular Council procedure rule;
 - (xiv) To exclude the public and press in accordance with the Access to Information Rules;

- (xv) To not hear further a councillor named under Rule 20.5 or to exclude them from the meeting under Rule 20.6; and
- (xvi) To give consent of the Council where its consent is required by this Constitution.

12. REPORTS TO THE COUNCIL

- 12.1 The Council will receive reports from the below of sources;
- (i) The Cabinet;
 - (ii) Cabinet Portfolio holders;
 - (iii) Proper Officers;
 - (iv) Councillor Conduct Committee;
 - (v) General Purposes Committee;
 - (vi) Overview and Scrutiny Committee; and
 - (vii) Reports/Presentations by external agencies on matters considered to be important to Borough residents and/or specific communities of interest.
- 12.2 All reports will have officer advice stated fully and clearly in the reports before the Council. Councillors will lead debate in Council meetings.
- 12.3 The relevant councillors will be responsible for their recommendations to Council and for ensuring that necessary action flows from Council decisions.
- 12.4 Reports to the Council will be moved and seconded. The mover of a report and the first speaker for the Opposition may speak for 5 minutes. No subsequent speech may exceed 3 minutes without the consent of the Mayor. The mover of the report will have a right of reply at the end of the debate immediately before the report is put to the vote. A maximum of 2 minutes is to be allowed for the right of reply.
- 12.5 When moving the budget setting report the Leader of the Council or nominated representative may speak for a total of 10 minutes. The Leader of the Opposition or a nominated representative will also be allowed 10 minutes to respond following the budget setting report having been moved and seconded. Normal rules will then apply for the remainder of the debate.
- 12.6 On any new matters presented to Council by the public and any partner organisation, the Council will reserve its position subject to adequate consideration and advice from the Cabinet, the Overview and Scrutiny Committee, and relevant officer(s).

13. RULES OF DEBATE

- 13.1 The Mayor, subject to the rules of the Constitution, shall call any councillor to speak who has indicated their wish to do so, providing this is compatible with the agenda timing.

No speeches until motion seconded

- 13.2 No speeches may be made until a motion has been moved and seconded.

Right to require motion in writing

- 13.3 Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to the relevant Councillor before it is discussed.

Seconders' speech

- 13.4 When seconding a motion or amendment, a councillor may reserve their speech until later in the debate.

Content/length of speeches and Speakers

- 13.5 Speeches must be directed to the question under discussion, or to a personal explanation or point of order.
- 13.6 The mover of a motion and the first speaker in response may speak for 5 minutes. No subsequent speech may exceed 3 minutes without the consent of the Mayor. Speeches exercising the right of reply will be limited to 2 minutes.
- 13.7 When the time allotted for the debate on an item is within 5 minutes of its end, the Mayor shall invite, subject to no extension of time having been sought, the mover of the motion and of any amendments to exercise their right of reply prior to the question(s) being put to the meeting.

When a member may speak again

- 13.8 A councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:
- (i) To exercise of a right of reply and to sum up at the end of a debate;
 - (ii) On a point of order;
 - (iii) By way of personal explanation; or
 - (iv) In instances where an independent person presents a report to Council, they will also have the right to contribute to the discussion.

Amendments to motions, reports, or other business

- 13.9 An amendment must be relevant to the motion, report or other business being considered and will either be to:
- (i) Refer the matter to an appropriate body or individual for consideration or reconsideration;

- (ii) Remove words;
- (iii) Remove words and insert or add others; or
- (iv) Insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion or recommendation being considered.

- 13.10 The text of any amendment shall, normally, be delivered in writing to the Monitoring Officer no later than 12 noon the day before the relevant meeting. The content of the amendment shall be shared with the other political groups.
- 13.11 Only one amendment may be moved and discussed at any one time. The substantive motion or recommendations must be moved and seconded before any amendment can be formally proposed. Amendments will be moved and seconded following the substantive motion, report or other business having been moved and seconded.
- 13.12 There will then follow a debate on the amendment only. The debate will finish with the right of reply for the mover of the amendment having 2 minutes as right of reply.
- 13.13 The amendment will then be voted upon.
- 13.14 Where there is more than one amendment they will be dealt with as set out above and in the order, they were received by the Monitoring Officer.
- 13.15 Where an amendment is carried, the motion, report or other item of business as so amended takes the place of the original motion, or recommendation(s) in the report or other item of business.
- 13.16 At the conclusion of the consideration of any amendments there will then be a debate on the substantive motion, report, or other item of business. The debate will finish with a 2 minute the right of reply for the mover of the original motion, report, or other item of business. The motion, report or other item of business will then be voted upon.

Alteration of motion

- 13.17 Only alterations which could be made as an amendment may be made. A councillor may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- 13.18 A councillor may alter a motion which they have moved without notice, with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

Withdrawal of motion

- 13.19 A councillor may withdraw a motion which they have moved with the consent of both the meeting and the seconder. This consent will be signified without discussion. No councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

Motions which may be moved during debate

- 13.20 When a motion, report or other item of business is under debate, no other motion may be moved except the following procedural motions to:
- (i) Withdraw a motion or recommendation;
 - (ii) Amend a motion or recommendation;
 - (iii) Amend the timings or the order of business under Rule 4 to allow further time for debate;
 - (iv) Proceed to the next business;
 - (v) Request the question be now put;
 - (vi) Adjourn a debate;
 - (vii) Adjourn the meeting;
 - (viii) Allow further time for debate on the item and to vary the timings set out in the agenda and/or to extend the meeting;
 - (ix) Exclude the public and press in accordance with the Access to Information Rules; or
 - (x) Not hear further a councillor named under Rule 20.5 or to exclude them from the meeting under Rule 20.6.

Closure motions

- 13.21 A councillor may move, without comment, the following motions at the end of a speech of another councillor:
- (i) To proceed to the next business;
 - (ii) That the question be now put;
 - (iii) To adjourn a debate; or
 - (v) To adjourn a meeting.
- 13.22 If a motion to proceed to next business is seconded and the Mayor agrees the item has been sufficiently discussed, the procedural motion is put to the vote.
- 13.23 If a motion that the question be now put is seconded and the Mayor agrees the item has been sufficiently discussed, the Mayor shall first put the procedural motion to the vote. If the procedural motion is passed, the item under debate will be put to the vote without any further questions, speeches, or debate.

- 13.24 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor agrees the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, the Mayor will put the procedural motion to the vote.
- 13.25 If the procedural motion is passed, the debate or meeting shall stand adjourned to the next meeting, or a different date and time stated. If the debate is adjourned the Council will proceed to the next item of business. If the meeting is adjourned no further business will be transacted until the adjourned meeting is reconvened. (This is a new paragraph, but explains what would happen in practice)

Point of order

- 13.26 A councillor may only raise a point of order at the end of the speech to which it relates. A point of order must relate to an alleged breach of these Council Rules of Procedure or the law. The councillor must indicate the rule or law and the way in which they consider it has been broken. The councillor's speech will be limited to 1 minute, with any additional time to be agreed at the discretion of the Mayor. The ruling of the Mayor on the matter will be final.

Personal explanation

- 13.27 A councillor may only make a point of personal explanation at the end of the speech to which it relates. A personal explanation may only relate to some material part of the earlier speech by the councillor, which may appear to have been misunderstood in the present debate. The councillor's speech will be limited to 1 minute, with any additional time to be agreed at the discretion of the Mayor. The ruling of the Mayor on the admissibility of a personal explanation will be final.

14. OPPOSITION BUSINESS

- 14.1 The Council will, at alternate ordinary Council meetings (excluding the Budget meeting and the Annual Meeting), give time on its agenda to issues raised by the Opposition Party (second largest party). A minimum of 45 minutes will be set aside at each of the meetings.
- 14.2 All Council meetings will also provide opportunities for all parties and individual councillors to raise issues either through questions, motions or through policy and other debates.
- 14.3 The procedure for the submission and processing of such business is as follows:
- (i) The topic for discussion will be submitted to the Monitoring Officer no later than 21 calendar days prior to the Council meeting to allow the topic to be fed into the Council agenda planning process;
 - (ii) The Monitoring Officer will notify the Mayor, Leader of the Council, the

Chief Executive, and the relevant Executive Management Team member(s) of the selected topic(s);

- (iii) Opposition business must relate to the business of the Council, or be in the interests of the local community generally; and
- (iv) No later than 9 calendar days (deadline time 9.00 am) prior to the meeting, the Leader of the Opposition or their nominee must provide the Monitoring Officer with an issues paper for inclusion within the Council agenda. This paper should set out the purpose of the business and any recommendations for consideration by Council. The order in which the business will be placed on the agenda will be in accordance with Council Procedure Rule 2.2 relating to the order of business at Council meetings.

14.4 If requested, briefings on the specific topic(s) identified will be available to the opposition groups from the relevant Executive Management Team member(s) prior to the Council meeting.

14.5 The discussion will be subject to the usual rules of debate for Council meetings, except as set out below.

14.6 The Opposition Business will be conducted as follows:

- (i) The debate will be opened by the Leader of the Opposition, or nominated representative, who may speak for no more than 10 minutes;
- (ii) A nominated councillor of the Majority Group will be given the opportunity to respond, again taking no more than 10 minutes;
- (iii) The Mayor will then open the discussion to the remainder of the Council. Each councillor may speak for no more than 3 minutes but, with the agreement of the Mayor, may do so more than once in the debate;
- (vi) The issue paper should contain details of any specific actions or recommendations being put forward for consideration;
- (vii) Amendments to the recommendations within the Opposition Business paper may be proposed by the Opposition Group. They must be seconded. The Opposition will state whether the amendment(s) is/are to replace the recommendations within the paper or be an addition to them;
- (viii) Before the Majority party concludes the debate, the Leader of the Opposition will be allowed no more than 5 minutes to sum up the discussion;
- (ix) The Majority Group will then be given 5 minutes to say if, and how, the matter will be progressed; and

- (xi) If requested by the Leader of the Opposition or a nominated representative, a vote will be taken on whether to approve the Majority Group's response.

15. PREVIOUS DECISIONS AND MOTIONS

Motion to rescind a previous decision

- 15.1 A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 5 councillors.

Motion similar to one previously rejected

- 15.2 This rule will also apply to any other business (with the exception of items reserved to Council or which require Council approval under the Constitution Procedure Rules) in the same terms as ones that have been debated at a meeting of the Council in the past six months. This will exclude items dealt with under the guillotine or Council Questions.
- 15.3 A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 7 councillors. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16. VOTING

Simple Majority

- 16.1 Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put.

Mayor's casting vote

- 16.2 If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise this vote.

Show of hands

- 16.3 Unless a roll call or recorded vote is demanded under Rule 16.4, the Mayor will take the vote by show of hands.

Roll Call

- 16.4 Before the vote is taken, any councillor may ask for a roll call. That councillor must be supported by 11 other councillors who show their support by standing in their places. The vote shall then be recorded to show how each councillor present cast their vote, or whether they abstained from voting. The Mayor will announce the numerical result as soon as it is known.

- 16.5 The Mayor shall have discretion to refuse a roll call if the Mayor considers the request to be abusive or unreasonably to impede the proper discharge of the business of the meeting.

Recorded vote

- 16.6 If 11 councillors present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded in the minutes. A request for a recorded vote will override a demand for a roll call.

Right to require individual vote to be recorded

- 16.7 Where any councillor requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Recorded voting at the budget decision meeting

- 16.8 At the Council's Budget Setting meeting the decision will be taken as a recorded vote.
- 16.9 For the avoidance of doubt, paragraph 16.8 applies to proposed amendments as well as to a substantive motion, and involves any decision:

Voting on appointments

- 16.10 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

17. MINUTES

- 17.1 Minutes must be kept to record all the decisions taken by meetings of the Council, its Committees and Sub-Committees. Minutes must also include a record of the names of all the Councillors present.

Signing the minutes

- 17.2 The Mayor will sign the minutes of the Council meeting at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. Only points of accuracy can be discussed. Any question of accuracy shall be raised by motion, moved without notice. If no such question is raised or, if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.

No requirement to sign minutes of previous meeting at extraordinary meeting

- 17.3 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is an extraordinary meeting, then the next following meeting (being

a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of Paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes of the Local Authority (Standing Orders) Regulations 1993.

18. RECORD OF ATTENDANCE

- 18.1 A record of Member attendance at council meetings is maintained by the Governance Team.

19. EXCLUSION OF PUBLIC

- 19.1 Every effort will be made to have the decisions made in the open part of the meeting with reports being split into open and confidential or exempt parts.
- 19.2 Members of the public and press may only be excluded from the meeting in accordance with the Access to Information Rules in Part 4 of the Constitution.
- 19.3 The specific reason for excluding the press and public will be set out on the agenda (if in accordance with the Access to Information Procedure Rules) and recorded in the minutes

20. MEMBERS' CONDUCT

- 20.1 No councillor shall impute unworthy motives to or use offensive or unbecoming words about another councillor or be guilty of tedious repetition.

Disclosable Pecuniary Interests

- 20.2 Any councillor who has a Disclosable Pecuniary Interest in any business being considered at a Council meeting must declare that item and leave the room where the meeting is being held whenever it becomes apparent that the business is being, or is about to be considered at that meeting, unless the councillor has obtained a dispensation under the Council's dispensation procedure.

Standing to speak

- 20.3 When a councillor speaks at full Council they must stand, unless unable to do so, and address the meeting through the Mayor. If more than one councillor stands, the Mayor will ask one to speak and the others must sit. Other councillors must remain seated whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.
- 20.4 When the Mayor stands during a debate, any councillor speaking at the time must stop and sit down. The meeting must be silent.

Councillor not to be heard further

- 20.5 If a councillor persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

Councillor to leave the meeting

- 20.6 If the councillor continues to behave improperly after such a motion is carried, the Mayor may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General disturbance

- 20.7 If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he/she thinks necessary.

Mobile Phones

- 20.8 Members must keep their mobile phones and electronic devices set to silent during meetings.

21. DISTURBANCE BY MEMBERS OF THE PUBLIC

- 21.1 If a group or an individual member(s) of the public interrupts the proceedings at any meeting, the Mayor shall warn the person(s) concerned. If the interruption continues, the Mayor shall order their removal from the meeting room.
- 21.2 In case of general disturbance in any part of the room open to the public, or of the premises where the meeting is being held, the Mayor shall order that part to be cleared. If in the Mayor's view, this is not practicable and it is not possible to continue the meeting in light of the disturbance, the Mayor may rule that the meeting adjourn and/or that the meeting should be reconvened in a different venue.

22. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

- 22.1 All of these Council Procedure Rules except 16.7, 16.8 and 17.3 may be suspended by motion on notice or without notice if at least one half of all councillors are present. Suspension can only be for the duration of the meeting.

23. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

- 23.1 All of the Council Rules of Procedure apply to meetings of full Council but not to Cabinet meetings. Rules 4-8, 11, 13, 16-21, 24, 29 and 31 will also apply to meetings of committees and sub-committees.

24. IMPLEMENTATION OF THE COUNCIL'S DECISIONS

24.1 All decisions of the Council will be implemented in the usual way on all matters within the Council's remit.

24.2 Matters outside the remit of the Council will be taken forward by the Cabinet and the Executive Management Team who will work with and make the necessary representations to outside bodies. The Council will be kept informed of any significant action arising out of these matters.

25. RECORDS OF COUNCIL DECISIONS

25.1 A brief record of the decisions made by the Council will be made public within 2 working days of each meeting. The record will be posted on the Council's web site. Minutes of the meetings will be available within 10 calendar days of the meeting.

26. PUBLICISING COUNCIL MEETINGS

26.1 The Council meetings will be publicised, and the public encouraged to attend.

27. APPOINTMENTS TO OUTSIDE BODIES

27.1 Where it is within its power, appointments decided by the Council, including those to outside bodies, will be for the duration of one year. The Council will exercise this power subject to the political balance regulations.

27.2 Where the Council is required to appoint to an outside body for a period of more than one year, the Council may at any time withdraw its recognition of the appointee as a representative of the Council.

28. PARTY LEADERS

28.1 Each party represented on the Council shall notify the Monitoring Officer of the name of the person selected as that party's leader and the names of all other members of that party group.

29. URGENT ACTION

29.1 The Leader (or in their absence the Deputy Leader) in consultation with the relevant Cabinet member, shall be able to exercise the powers of the Council in any matter of immediate urgency making the prompt exercise of the powers of the Council desirable and which cannot await the next ordinary meeting of the Council. This shall exclude any matter which the law reserves to the full Council. Decisions made under this provision will be reported to the next meeting of the Council.

30. COUNCIL SEATING PLAN

- 30.1 Councillors will be allocated designated places within the Council Chamber during Council Meetings. This seating plan must be adhered to at all times unless prior agreement is reached with the respective party whip, and this is notified to the Mayor and the Monitoring Officer prior to the meeting.

31. POLICY ON FILMING AT MEETINGS

- 31.1 The filming and recording of the public sessions of any Council, Cabinet, Committee, Panel or Ward Forum meetings through any audio, visual or written methods will be allowed, providing this does not disturb the conduct of the meeting.
- 31.2 The Chair of the relevant meeting will have the power to withdraw this permission should it prove necessary due to the nature of the meeting or if the conduct of the meeting is disturbed, for example through flash photography, intrusive camera or lighting equipment, or the behaviour of the person filming the meeting.
- 31.3 Subject to the above, reasonable facilities will be provided for anyone wishing to record or film at a meeting. Notice is not formally required by anyone intending to film or record at a meeting is asked to contact the relevant meeting administrator in advance of the meeting, so that the Chair, other councillors, and any members of the public present can be informed, and the necessary arrangements made.
- 31.4 All those visually recording a meeting must remain in designated areas within the meeting room and are requested to only focus on recording councillors, officers and the public directly involved in the conduct of the meeting.
- 31.5 Should any member of the public participating in the meeting object to being filmed then the Chair will make arrangements for that individual to be excluded from the recording.
- 31.6 If a meeting passes a motion to exclude the press and public, then all rights to record the part of the meeting to which the exemption applies will be removed.

32. PETITIONS

- 32.1 In accordance with the Council's Petition Scheme, if a petition is received which contains at least 1% of the assessed population figure from the 2021 Census (3,300) as published by the Office of National Statistics it will be referred for debate by the full Council, unless it is a petition asking for a senior council officer to give evidence at a public meeting.
- 32.2 The Head of Governance, Scrutiny and Registration Services will advise the petition organiser of the date for full Council and the time allowed for presentation of the petition in addition they will seek to clarify the remedy

being sought and advise that a councillor can present the petition on their behalf. A report will then be prepared detailing the subject of the petition and what action the Council and/or partner organisations are being asked to take and arrange for this to be included on an appropriate Council agenda that suits all parties.

- 32.3 The petition organiser will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.
- 32.4 The Council will decide how to respond to the petition at this meeting. They may decide to:
- (i) Take the action the petition requests;
 - (ii) Not to take the action requested for reasons put forward in the debate;
 - (iii) To commission further investigation into the matter, for example by a relevant committee; or
 - (iv) Where the issue is one on which the council executive are required to make the final decision, the Council will decide whether to make recommendations to inform that decision.
- 32.5 After the meeting, the petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Enfield Council website.

33. INTERPRETATION OF RULES

33. The ruling of the Mayor as to the construction or application of any of these rules shall not further be challenged at any meeting of the Council.

Chapter 4.2 – Scrutiny Rules of Procedure

1. MEETINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE

Planning and Timetabling of Meetings

- 1.1 Overview and Scrutiny Committee meetings will be forward planned and timetabled regularly in accordance with the work that the Committee undertakes.
- 1.2 This will be agreed at the first meeting in the new municipal year and updated where necessary throughout the year.
- 1.3. Overview and Scrutiny Committee meetings may be called by any 3 members of the Committee or by the Director of Law and Governance if it is considered necessary or appropriate.

Annual Work Programmes

- 1.4 The Overview and Scrutiny Committee will forward plan their work to carry out their annual programme agreed by Council taking into account of their other work in responding to consultation by the Cabinet and commenting/making recommendations to the Council on Cabinet recommendations.
- 1.5 The work of the Committee will be phased over the municipal year to match staff support.
- 1.6 Meetings will also be arranged to ensure the Overview and Scrutiny Committee's involvement in the Council's budget setting.

Business to be Considered at Meetings

- 1.7 The Overview and Scrutiny Committee shall consider the following business at their meetings:
 - (i) Minutes of the last meeting;
 - (ii) Declarations of interest including whipping declarations;
 - (iii) Consideration of any matter referred to the Committee for a decision in relation to the call in of a decision;
 - (iv) Responses of the Executive to reports of the Committee; and
 - (v) Consideration of the Key Decision List, identification of issues to be scrutinised and carrying out of hearings/reviews.

Public Rights of Access to Meetings

- 1.8 Overview and Scrutiny Committee meetings will be open to the public. There will be provision for confidential and exempt agenda items, reports, and debates where the principles of the relevant access to information provisions

apply. Members of the public will not be permitted to remain for these items. At the start of meetings, the Committee will decide whether any items on the agenda fall into this category. All confidential and exempt agenda items will be referred to in the minutes of the meeting.

- 1.9 Subject to the above, public attendance and the organised involvement of residents, customers, partner bodies and staff will be encouraged.

Private Meetings

- 1.11 It will be necessary from time to time for Overview and Scrutiny Committee members, to have the opportunity of private discussion. Provision is made for this on the understanding that such meetings will be infrequent, will involve all of the Committee or panel members, and that no conclusions are reached without the subsequent benefit of discussion in public.

Notice of Meetings

- 1.10 Public notice will be given in advance of individual meetings and of the work to be done at those meetings.

Substitutions

- 1.11 Substitutions for members unable to attend a scrutiny panel must notify the Monitoring Officer of this. Notification must come from the Group Whips. This applies to all scrutiny panels.

Evidence Sessions

- 1.12 Where Scrutiny may ask people to attend to give evidence meetings.
- 1.13 These will be conducted in accordance with the following principles that:
- (i) The meeting be conducted fairly, and all members of the Committee/panel be given the opportunity to ask questions of attendees, and to contribute and speak; and
 - (ii) Those assisting by giving evidence be treated with respect and courtesy.
- 1.14 Following any investigation or review, Scrutiny shall prepare a report, for submission to the Executive and/or Council as appropriate and shall make its report and findings public.

8. Overview and Scrutiny Committee and Panel Agendas

- 8.1 Detailed agendas and reports for meetings will be circulated to Overview and Scrutiny Committee/Panel members and made public in accordance with the provisions of the access to information requirements of the Local Government Act 1972 (as amended).
- 8.2 The Governance and Scrutiny Team will be responsible for arranging the issue of notices, agendas, and reports.

Minutes of Overview and Scrutiny Committee and Panel Meetings

- 1.15 Minutes of all open meetings will be made public within 10 working days. These will include a record of confidential and exempt items considered at the meeting, which respects the confidentiality of the information in question.
- 1.16 A confidential record will also be made of all proceedings at private meetings.

Policy on Filming at Meetings

- 1.17 Please see Chapter 4.1, Rule 31.

2. QUORUM

- 2.1 The quorum for the Overview and Scrutiny Committee shall be 3 members.

3. MEMBERSHIP OF THE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 The membership of the Overview and Scrutiny Committee will comprise of 9 members, proportionately allocated, appointed by the Council. The Chair and Vice Chair of the Committee will be confirmed by Council.
- 3.2 The use of substitute members will be permitted for Overview and Scrutiny Committee in the following circumstances:
 - (i) To take the place of the ordinary members of the Overview and Scrutiny Committee where the member will be absent for the whole of the meeting such an appointment shall apply for the entire meeting, including where the meeting is reconvened after an adjournment; or
 - (ii) Where a member of the Overview and Scrutiny Committee has signed a call-in request to be determined by the Committee, or has a disclosable or other pecuniary interest, and cannot take part in the decision making. In this case a member may be appointed to act as a substitute, but the appointment will only apply to consideration of that item.
- 3.3 The member who wishes to appoint a substitute must notify the Monitoring Officer in writing, prior to the meeting of the intended substitution. The appointment of the substitution will be reported to the meeting at the commencement of business.
- 3.4 Once notification of a substitute member has been received unless it is withdrawn prior to the meeting, the appointed member of the relevant committee or sub-committee shall not be entitled to attend the relevant meeting as a member of the Committee.

4. **STANDING SCRUTINY PANELS**

- 4.1 There will be ~~seven~~ four standing panels comprising of 7 members, proportionally allocated, appointed by Council. ~~which fed into the work of the Overview and Scrutiny Committee.~~ The Chair and Vice Chair of each Panel will be drawn from the members of the Overview and Scrutiny Committee.
- 4.2 The four Panels are:
- (i) Culture & Environment
 - (ii) Healthy & Safe Communities
 - (iii) Thriving Children & Young People
 - (iv) Housing and Regeneration

The ~~seven~~ Panels are:

- ~~(i) Crime~~
- ~~(ii) Health & Adult Social Care~~
- ~~(iii) Children & Young People~~
- ~~(iv) Regeneration & economic Development~~
- ~~(v) Finance & Performance~~
- ~~(vi) Environment & Climate Action~~
- ~~(vii) Housing~~

- 4.3 ~~The focus of the standing panels will be agreed each year at annual Council and should be based on the Council's priorities and pressures.~~
- 4.4 The terms of references for the above scrutiny panels can be found at **Appendix 1.**

5. **MEMBERSHIP OF THE SCRUTINY STANDING PANELS**

- 5.1 Each member of the Overview and Scrutiny Committee will either act as Chair or Vice Chair of OSC or one of the panels. The Chairs and Vice Chairs of Scrutiny will be appointed by Council annually.
- 5.2 Membership for the standing panels will be agreed annually ~~allow the panels to develop a watching brief in these issues and build up a level of knowledge and expertise amongst members.~~
- 5.3 Membership of the scrutiny panels will be cross party and will reflect political proportionality.
- 5.4 Panels will generally meet in public at least four times a year but will reserve the right to have private sessions when the need arises. They will also have the right to co-opt non-councillors as and when required. These co-optees will

not have a formal vote but will play an important part in bringing knowledge and expertise to the issues under discussion.

5.5 The Chair of a scrutiny panel will:

- (i) Seek to facilitate the Panel towards the achievement of its terms of reference;
- (ii) Respect the confidentiality of information that comes into his or her possession; and
- (iii) Not seek to embarrass the Council or the Majority Party with such information for political gain.

6. WORK PROGRAMME

6.1 The Overview and Scrutiny Committee and its standing panels will be responsible for proposing and prioritising their own work programme.

6.2 At the beginning of the municipal year, the Overview and Scrutiny Committee and Panels will hold work planning sessions, where suggestions for the year will be discussed. members will devise their work programmes for the year for the Overview and Scrutiny Committee, and its standing scrutiny panels, by prioritising the order in which the work is undertaken.

6.3 The programme will be adopted by the Council on the recommendation of the Overview and Scrutiny Committee following consultation with the Cabinet and the Executive Management Team (and local NHS bodies in respect of the Health Scrutiny Panel). The Committee will be assisted in this by the Governance and Scrutiny Team.

6.4 In recommending their annual work programme, the Committee will take account of the community's views on priorities.

6.5 In making their recommendations, the Overview and Scrutiny Committee will take explicit account of the Council's plans and priorities plus the workload implications for councillors and staff through.

6.6 Chairs of the standing scrutiny panels will be responsible for keeping Overview and Scrutiny Committee informed on the work of its committee. They must seek the approval of Overview and Scrutiny Committee to any variations in their work programmes.

6.7 Each of the scrutiny Panels will be able to hold two additional meetings per annum if the need arises. Additional meetings will have to be agreed by the Monitoring Officer prior to being arranged in order to ensure there is sufficient resources available to support the meeting.

7. ANNUAL REPORTS

7.1 The Overview and Scrutiny Committee will present the Scrutiny Annual Report to the Council. The Committee will be assisted in this responsibility by the Governance and Scrutiny Team.

7.2 The Annual Scrutiny Report will include information about recommendations made to Council and Cabinet with details of the responses received.

7.3 Scrutiny standing panels will feed into the annual report providing details of the work that has taken place over the past year.

8. AGENDA ITEMS

8.1 Any member of the Overview and Scrutiny Committee shall be entitled to give notice to the Director of Law and Governance that they wish an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Overview and Scrutiny Committee, or the relevant panel. On receipt of such a request, the Director of Law and Governance will ensure that it is included on the next available agenda.

8.2 The Overview and Scrutiny Committee, or the relevant scrutiny panel, shall also respond, as soon as its work programme permits, to requests from the Council and the Cabinet to review particular areas of Council activity. Where it does so, the Committee shall report its findings and any recommendations back to the Cabinet and/or Council. The Council and/or the Cabinet shall consider the report within one month of receiving it.

8.3 The Council will consider and decide those recommendations on services, policy or performance that were not accepted in whole or in part by the Cabinet, in light of the reasoned responses to them made by the Cabinet at the time.

9. TIME LIMIT OF MEMBERS' SPEECHES AT MEETINGS

9.1 Speeches must be directed to the question under discussion. The time limit for a speech to introduce an item should be no longer than 10 minutes with a 5 minute time limit in all other instances, with any additional time required being at the discretion of the Committee Chair.

10. SCRUTINY ENQUIRIES

10.1 The Overview and Scrutiny Committee may also appoint independent experts to advise either themselves or any scrutiny panel.

10.2 The Committee or its panels will have the power to recommend the carrying out of research to the Executive Management Team and the Cabinet and will

receive reasoned responses. This power also applies to the direct commissioning of research in consultation with the Cabinet and Executive Management Team.

11. RECOMMENDATIONS TO COUNCIL

- 11.1 Overview and Scrutiny Committee recommendations to Council will be in the form of reports prepared in accordance with the approved format. Relevant officer advice to the Council will be shown fully and distinctly in these reports, as well as the observations of the Cabinet.
- 11.2 The Scrutiny Officer supporting the Overview and Scrutiny Committee/its panels is responsible for ensuring the preparation of reports to Council in consultation with the relevant officers and the Chief Executive.

12. REPORTS AND RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

- 12.1 In discharging their scrutiny functions, the Chairs of the Overview and Scrutiny Committee and the Scrutiny Panels will be entitled to report, with recommendations as appropriate to the Cabinet or Full Council.
- 12.2 When recommendations have been formed and agreed by the committee/panel ~~on proposals for development, the Committee/panel will prepare a formal report will be prepared by members and agreed by the committee prior to submission and submit it to the Director of Law and Governance for consideration by the Cabinet, Cabinet Member (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).~~
- ~~12.3 If the Committee/panel cannot agree on one single final report to the Council or Cabinet as appropriate, then up to one minority report may be prepared and submitted for consideration by the Cabinet or Council with the majority report.~~
- 12.4 The Council or Cabinet shall consider the report within 12 weeks of it being submitted to the Proper Officer.
- ~~12.5 Recommendations other than to the Council are to be made to the Cabinet or to the Executive Management Team according to the level of delegation exercised.~~
- 12.6 Scrutiny recommendations are addressed to the Cabinet, the Executive Management Team or, through the Committee's annual reports, to the Council. It is then for these bodies to decide if the representations or

recommendations are to be made to outside bodies. Scrutiny will not have the ability to make representations or recommendations direct to other bodies.

13. REPORTS CONSIDERED BY CABINET AND/OR COUNCIL

The agendas for Cabinet meetings will include an item entitled 'Issues Arising from the Overview and Scrutiny Committee'. The reports referred to the Cabinet by the Committee shall be included at this point unless covered elsewhere on the agenda.

- 13.1 Once the Committee has completed its deliberations on any matter it will forward a copy of its final report to the Director of Law and Governance. They will allocate it to either the Cabinet or the Council (or both) for consideration, according to whether the contents of the report has implications for the Council's budget and policy framework. If the Director of Law and Governance refers the matter to Council, they will also give a copy to the Leader of the Council with notice that the matter is to be referred to Council.

~~13.2 The Cabinet will have 12 weeks in which to respond to the report, and the Council shall not consider it within that period.~~ When the Council does meet to consider such a report, which would impact on the budget and policy framework, it shall also consider the response of the Cabinet to the Committee's proposals.

- 13.3 The Overview and Scrutiny Committee will in any event have access to the Key Decision List and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from the Committee following consideration of possible policy/service developments, they will be entitled to respond in the course of the Cabinet's consultation process in relation to any key decision.

14. RIGHTS OF SCRUTINY MEMBERS TO DOCUMENTS

- 14.1 In addition to their rights as councillors, scrutiny members have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules.
- 14.2 Nothing in this paragraph prevents more detailed liaison between the Executive and the Overview and Scrutiny Committee members as appropriate depending on the particular matter under consideration.

15. MEMBERS AND OFFICERS GIVING ACCOUNT

- 15.1 The Overview and Scrutiny Committee and scrutiny panels may scrutinise, and review decisions made, or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the

scrutiny role, they may require any member of the Cabinet, the Head of Paid Service and/or any senior officer to attend before them to explain in relation to matters within their remit:

- (i) Any particular decision or series of decisions;
- (ii) The extent to which the actions taken implement Council policy; and/or
- (iii) Their performance

and it is the duty of those persons to attend if so required.

15.2 Where any member or officer is required to attend the Overview and Scrutiny Committee or scrutiny panel under this provision, the chair of the Committee/panel will inform the Director of Law and Governance. The Director of Law and Governance shall inform the member or officer in writing giving at least 10 working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the meeting. Where the account to be given to the meeting will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

15.3 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then that member or officer may nominate a substitute to attend on their behalf. The councillor attending as substitute should be a member of the Cabinet.

15.4 The Scrutiny Officer to the Committee/Panel will attend and give advice at all meetings including those held in private.

15.5 The Committee/panel Scrutiny Officer or a member of the Executive Management Team may request the participation of the Council's Monitoring Officer in a Committee/Panel meeting.

16. REPORTS

16.1 Reports to the Overview and Scrutiny Committee/panel may come from a number of sources including members of the Executive Management Team, the Cabinet, external bodies, those submitting evidence in enquiries or the chair of the Committee/panel.

16.2 It will also be open to independent expert advisers to prepare reports for the Committee/panel.

16.3 Where appropriate, reports will include clearly identified officer comments and advice. The Committee/panel will obtain the factual comments and opinions of relevant members of the Executive Management Team on matters of

dispute or controversy included in reports from external bodies and independent expert advisers before reaching conclusions.

- 16.4 Reports prepared by members of the Executive Management Team for the Committee/panels will comply with the Council's existing rules for preparation of and consultation on Committee reports.

17. ATTENDANCE BY OTHERS

- 17.1 Each Overview and Scrutiny Committee and Scrutiny panels may invite people other than co-optees or independent experts to address it, discuss issues of local concern and/or answer questions. They may for example wish to hear from residents, stakeholders, members, and officers in other parts of the public sector and shall invite such people to attend.
- 17.2 Attendance is entirely optional.

18. CALL-IN

General Procedure

- 18.1 When a decision is made by the Cabinet or a sub-committee of the Cabinet, an individual Cabinet member, or a key decision is made by an officer with delegated authority from the Executive, the decision shall be published, and shall be available at the main offices of the Council normally within 2 working days of being made. Copies will be sent to all members of the Council.
- 18.2 That notice will be dated and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless 7 or more councillors call it in.
- 18.3 If an Overview and Scrutiny Committee member is a signatory to the call-in request; then a substitute must be notified to the Monitoring Officer in advance of the call-in meeting.
- 18.4 A valid request for call-in is one which is submitted to the Monitoring Officer in writing within 5 working days of the date of publication of the decision by at least 7 members of the Council.
- 18.5 The Monitoring Officer will deem valid a request that fulfils all of the following 5 criteria:
- (i) It is submitted by 7 Members of the Council;
 - (ii) It is received by the Monitoring Officer by 5pm on the fifth day following publication;
 - (iii) It specifies the decision to which it objects;
 - (iv) It specifies whether the decision is claimed to be outside the policy or budget framework; and

- (v) It gives reasons for the call-in and outlines an alternative course of action.
- 18.6 In relation to the reasons for call-in, the Monitoring Officer has a discretion, having consulted with the Chair of the Overview and Scrutiny Committee, to refuse any reasons which are in the view of the Monitoring Officer, requests for information, expressions of opinion or are not directly relevant to the decision being called in.
- 18.7 The Director of Law and Governance shall notify the decision-taker of the call-in and call a meeting of the Overview and Scrutiny Committee as soon as possible after consultation with the Chair of that Committee, and in any case within 14 working days of the relevant call-in period. The relevant Cabinet Member should attend the Overview and Scrutiny Committee if available. If he/she cannot attend the Cabinet will make every effort to ensure that another Cabinet Member attends instead. Executive Directors or their representative will be expected to attend the meeting.
- 18.8 Having considered the called-in decision the Overview and Scrutiny Committee have the following options:
- (i) ~~Confirm the original decision.~~
 - (i) Take no further action, meaning the original decision can be implemented.
 - (ii) Refer the decision back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns; or
 - (iii) Refer the matter to Full Council for consideration.
- 18.9 If referred back to Cabinet as the decision maker they shall then reconsider at the next scheduled meeting if the timescale for the decision allows, amending the decision or not, before adopting a final decision.
- 18.10 If the matter is referred to Full Council it will be dealt with at the next scheduled meeting-subject to the Access to Information Act requirements, unless there are grounds for urgency which require an extraordinary meeting.
- 18.11 If the Overview and Scrutiny Committee does not meet within the 14 working day period required, the decision will take effect on the expiry of that period.
- 18.12 If the Overview and Scrutiny Committee meets but does not refer the decision back to the decision taker or onto Council, then that decision will take immediate effect after the meeting of the Committee.
- 18.13 If the decision is referred to full Council and the council:

- (i) Does not object to the decision which has been made, then no further action is necessary, and the decision will be effective immediately after the meeting; or
- (ii) Objects to the decision it will be referred back to the decision-making person or body, together with the Council's views on the decision. Where the decision was taken by the Cabinet as a whole or its sub-committee, it must meet within 7 working days of the Council request/or at its next scheduled meeting, whichever is the sooner, to reconsider the decision.

18.14 The wishes of the Council must be complied with.

18.15 If the Council does not meet within the period required in paragraph 18.11 above the decision will become effective on expiry of that period.

18.16 For the avoidance of doubt, if either the Overview and Scrutiny Committee or the Council refer a matter 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

18.17 A flow chart of the call-in procedure is listed at **Appendix 2**.

Exceptions

18.18 Non-key Executive decisions taken by officers, as defined in this constitution, cannot be called-in under these procedures, although they may be reviewed as part of any review of service plans.

18.19 In addition, Council decisions, decisions taken under the Rule 16 Urgency Procedure and decisions by Council Regulatory bodies will not be subject to call-in.

18.20 A decision cannot be called in more than once.

Call-In and Urgency

18.21 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

18.22 The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision-making person or body, the decision is an urgent one, and therefore not subject to call-in.

18.23 The Chair of the Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being

treated as a matter of urgency. In the absence of the Chair, the consent of the Vice Chair shall be required. In the absence of both, the Mayor or the Head of Paid Service or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

- 18.24 If no agreement is given to the item being treated as a matter of urgency shall not be dealt with under the urgency procedure.
- 18.25 The use of the provisions relating to call-in, and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

19. SCRUTINY AND THE PARTY WHIP

- 19.1 When considering any matter where a member of the Overview and Scrutiny Committee is subject to a party whip, the member must declare the existence of the whip, and the nature of it before the commencement of the meeting in question. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.
- 19.2 The party whip' is defined as "Any instruction given by or on behalf of a political group to any councillor who is a member of that group as to how that councillor shall speak or vote on any matter before an Overview and Scrutiny Committee, or the application or threat to apply any sanction by the group in respect of that councillor should he/she speak or vote in any particular manner".

20. RELATIONSHIP BETWEEN THE OVERVIEW AND SCRUTINY COMMITTEE, THE CABINET AND THE EXECUTIVE MANAGEMENT TEAM

- 20.1 The Overview and Scrutiny Committee will conduct its relationship with the Cabinet and the Executive Management Team within the following principles:
- (i) It will comply with the requirements of the Council's aims as stated from time to time in its corporate priorities.
 - (ii) It will ensure adequate consultation with the Cabinet and the Executive Management Team in the formulation of their recommendations to those bodies. The Cabinet and the Executive Management Team will respect the confidentiality (Part 2 status) of draft reports from the Committee put to them for comment.
 - (iii) The minimum time allowed by the Committee for consultation with the Cabinet and the Executive Management Team on draft reports will be 30 calendar days.
 - (iv) The Overview and Scrutiny Committee will respond to requests from the Cabinet and the Executive Management Team for comments on draft

policy, other proposals, and Council activity, and will do so within the requested timescale (subject to satisfaction of the minimum time allowance of 30 calendar days).

- (v) The Overview and Scrutiny Committee are able to share matters on a confidential basis with the Cabinet or the Executive Management Team who will, where they agree it with the Committee, respect the confidentiality. The justification for confidentiality must be demonstrated by the Committee within the access to information provisions of the Local Government Act 1972 (as amended).
- (vi) A proposal by the Cabinet or the Executive Management Team to make public information shared with them by the Overview and Scrutiny Committee in confidence shall be the subject of prior consultation with the Committee. In cases of disagreement the matter will be decided by the Council's Monitoring Officer or, if the Monitoring Officer so wishes, by the Council.
- (vii) The Executive Management Team will conduct their relationship with the Overview and Scrutiny Committee within the principles laid down for the Cabinet.
- (viii) The Cabinet and the Executive Management Team will afford all reasonable co-operation in reviews and hearings undertaken by the Overview and Scrutiny Committee. Where appropriate, this will include direct participation in these reviews and hearings by themselves or their representatives.
- (ix) Where the Overview and Scrutiny Committee wish to ask questions of Cabinet or Executive Management Team members or their representatives during the course of reviews or hearings, reasonable notice will be given of the likely topics and areas of questioning. Notice will usually be not less than two weeks.
- (x) Detailed information requests by Overview and Scrutiny Committee will usually be answered in writing in the first instance rather than through personal participation in meetings.
- (xi) The Executive Management Team shall arrange discussions with the Overview and Scrutiny Committee from time to time to:
 - Help plan the work of the Committee;
 - Assess priorities;
 - Monitor progress; and
 - Assess the effectiveness of working arrangements.

20.1 The Chief Executive will be available to Committee Members and will be the first point of contact for them on matters concerning the Executive and officer support to the Committee.

21. COUNCIL CONSULTATION AND INVOLVEMENT

- 21.1 In addition to its power to carry out enquiries and seek public involvement, comment and views, the Overview and Scrutiny Committee is able to undertake public consultation. This must be done as part of the Council's agreed public consultation and involvement programme.
- 21.2 The provisions for the Cabinet in this Constitution provide for consultation with the Overview and Scrutiny Committee on the Council's consultation and involvement programme before the Cabinet decides its recommendations to Council.

22. COUNCILLOR CALL FOR ACTION (CCfA)

Process

- 22.1 Individual Councillors will be required to submit a request for a CCfA in writing (or via e-mail) to the Head of Governance and Scrutiny. The request will include:
- Who the request is being submitted by;
 - Details of the issue;
 - A full summary of action undertaken by the Councillor or community to resolve the issue;
 - Clarity on definitive resolution sought by Councillor; and action the Councillor is looking for as a result of CCfA to resolve or move forward the issue raised.
- 22.2 It should be pointed out that discussions at scrutiny will not necessarily resolve the issue immediately but may allow members and officers and/or partners to overcome the problem.
- 22.3 Once received, the Head of Governance and Scrutiny will check that the CCfA request complies with the basic requirements, as set above, and if so, will then undertake an initial investigation and prepare a report for consideration by Overview and Scrutiny Committee (OSC).
- 22.4 The report will be placed before OSC within 15 working days of the initial investigation being completed or the next available OSC meeting. OSC will consider the summary report and determine whether the issue should be treated as a CCfA. The member who has submitted the CCfA will be invited to attend the OSC meeting considering their issue.
- 22.5 If OSC decide not to treat the issue as a CCfA, the Head of Governance and Scrutiny will write to the member concerned confirming the decision with reasons.

- 22.6 If OSC decides to treat the matter as a CCfA the committee will deal with the issue.
- 22.7 Once OSC has reached a decision, this will be a final decision with no formal right of appeal to the executive arm of the Council.
- 22.8 For partner organisations scrutiny will be able to:
- Request information and attendance; and
 - Review decisions made/action taken by the Safer Stronger Communities Board in connection with discharge of their crime and disorder functions(Police and Justice Act 2006).

Issues referred to these bodies will require a response time of 28 days.

Gate keeping process

- 22.9 During the initial investigation phase every attempt will be made to either resolve the issue or to signpost the Councillor to those who may be able to resolve the issue, so that the CCfA request is withdrawn and/or requires no further action.
- 22.10 The 'gate keeping' process will, therefore, consist of a Ward Councillor demonstrating what efforts have been made to resolve the matter before referral to OSC for consideration.

Excluded items

- 22.11 The following issues will be excluded from being dealt with as a CCfA:
- Any matter deemed vexatious or discriminatory;
 - Individual complaints which relates to an individual service provided or a report written about them;
 - Planning or licensing applications or appeals; and
 - Areas where a Councillor has an alternative avenue to resolve an issue through for example complaints or a service request.

23. TASK & FINISH GROUPS

- 23.1 Provision will be made for any task and finish group the council deems necessary at its Annual Meeting
- 23.2 The Task & Finish Groups will undertake and report back to the Overview and Scrutiny Committee on specified investigations or reviews as agreed by Council.
- 23.3 Such panels will exist for a fixed period, on the expiry of which they shall cease to exist.

OVERVIEW AND SCRUTINY COMMITTEE
Appointed by: Chair and Vice Chair appointed by Council
Proportionality: Applies
Membership: 9
Public/Private meetings: Public
Quorum: 3
Frequency: minimum of 4 meetings per annum
<ul style="list-style-type: none"> • To scrutinise service provision, policies and strategies developed by the Council and its partners, including, but not limited to, finance, corporate performance, customer service, communications, and Equalities. • Development and co-ordination of the overall scrutiny annual work programmes for all scrutiny panels. • Reviewing executive decisions as part of the call-in procedures. • Leading consultation on the Councils Budget. • Review council performance and make suggestions for improvement; • To receive pre-decision scrutiny in relation to policy development. • To receive petitions as set out in the Constitution. • Ratify reports of Panels, prior to submission to Cabinet etc. • Consider issues that are borough wide/cross cutting topics. • Receive updates from scrutiny panels. • To drive improvement and provide constructive challenge. • To represent the voices and concerns of residents and users of services. <p>The overview and scrutiny committee and its Panels have the authority to require attendance by members of the executive, and officers of the authority, to attend before it to answer questions.</p>

CULTURE AND ENVIRONMENT SCRUTINY PANEL**Appointed by:** Chair and Vice Chair appointed by Council**Proportionality:** Applies**Membership:** 7**Public/Private meetings:** Public**Quorum:** 3**Frequency:** Minimum of 4 meetings per annum

- To scrutinise service provision, policies, and strategies in relation to Culture and Environment, including but not limited to, Highways and transport, waste, recycling, street cleansing, parking, Parks & Green spaces, Leisure, sports, and culture.
- To drive improvement and provide constructive challenge.
- To represent the voices and concerns of residents and users of services.

HEALTHY AND SAFE COMMUNITIES SCRUTINY PANEL**Appointed by:** Chair and Vice Chair appointed by Council**Proportionality:** Applies**Membership:** 7**Public/Private meetings:** Public**Quorum:** 3**Frequency:** Minimum of 4 meetings per annum

- To scrutinise service provision, policies and strategies of the Council, local health services, and the police, including, but not limited to, Health, Public health, Adult social care, Adults Safeguarding, Mental Health, Acute services, Primary Care, emergency services, Crime and Community Safety.
- Respond to consultations by NHS bodies.
- Receive notifications from the NHS bodies in relation to proposals for substantial variations to service provision.
- To drive improvement and provide constructive challenge.
- To represent the voices and concerns of residents and users of services.

HOUSING AND REGENERATION SCRUTINY PANEL
Appointed by: Chair and Vice Chair appointed by Council
Proportionality: Applies
Membership: 7
Public/Private meetings: Public
Quorum: 3
Frequency: minimum of 4 meetings per annum
<ul style="list-style-type: none"> • To scrutinise service provision, policies, and strategies in relation to housing and regeneration including, but not limited to, Temporary Accommodation, Estate management, Meridian Water, Strategic Planning, Public transport, Town centres, Night economy. • To drive improvement and provide constructive challenge. • To represent the voices and concerns of residents and users of services.

THRIVING CHILDREN, YOUNG PEOPLE SCRUTINY PANEL
Appointed by: Chair and Vice Chair appointed by Council
Proportionality: Applies
Membership: 7
Public/Private meetings: Public
Quorum: 3
Frequency: minimum of 4 meetings per annum
Terms of reference: <ul style="list-style-type: none"> • To scrutinise service provision, policies, and strategies as they impact on children and young people in the borough, including, but not limited to Childrens Services, Education, Safeguarding, School places, Youth Services, Special Education Needs, Looked after Children, and School meals. • To promote the participation, engagement and influence of children and young people in the services which affect them. • To receive the monitoring and progress reports as they relate to children and young people in the borough. • To drive improvement and provide constructive challenge. • To represent the voices and concerns of residents and users of services.

RECORD OF DECISIONS

- 17.1 After any meeting of the Cabinet or any of its committees, a record of every decision taken at that meeting will be produced within 2 working days of the meeting. The record will include:
- (i) The date on which the decision was made;
 - (ii) The reasons for each decision and any alternative options considered and rejected at that meeting;
 - (iii) A record of any conflict of interest in relation to the decisions and a note of any dispensation granted by the Councillor Conduct Committee or Monitoring Officer, including its duration and the reasons for it having been granted.

18. EXECUTIVE DECISIONS TO BE TAKEN IN PUBLIC

- 18.1 Members of the Cabinet or its committees will be entitled to receive five clear working days notice of a meeting to which they are summoned unless the meeting is convened at shorter notice as a matter of urgency.
- 18.2 All meetings of the Cabinet and its Committees will be held in public unless the matter relates to exempt and confidential information and notice has been provided in accordance with Rule 5.

19. DECISIONS BY INDIVIDUAL MEMBERS OF THE EXECUTIVE

Reports intended to be taken into account

~~19.1 Where an individual member of the Cabinet receives a report which they intend to take into account in making any key decision, then they will not make the decision until at least 5 clear days after receipt of that report.~~

~~19.2 Upon receipt of such a report the report will be made publicly available along with the list of any background papers.~~

Provision of copies of reports to the Overview and Scrutiny Committee

~~19.3 On giving of such a report to an individual decision maker, the person who prepared the report will make a copy available to the Chair of the Overview and Scrutiny Committee as soon as reasonably practicable.~~

Record of individual decisions

- 19.4 As soon as reasonably practicable after an Executive decision has been taken by an individual member of the Cabinet or an Executive decision has been taken by an officer, a record of the decision taken must be prepared which will include:
- (i) Details of the decision and the date it was made;

- (ii) A statement of the reasons for it and any alternative options considered and rejected,
- (iii) A record of any conflict of interest declared by any other member of the Executive who is consulted by the Executive Member and officer in relation to the decision and any note of dispensation granted by the Monitoring Officer or Councillor Conduct Committee, including its duration and the reason for it;
- (iv) This record will be available at the Civic Centre and on the Council's website; and
- (v) An Executive Decision by an officer is a decision which is a key decision, or a key decision which is delegated to an officer by the Executive.



London Borough of Enfield

Report Title	Appointment of Council Committee Memberships and Proportionality for 2024/25
Report to	Council
Date of Meeting	15 th May 2024
Executive Director / Director	Director of Law & Governance – Terry Osborne
Report Author	Claire Johnson
Ward(s) affected	N/A
Key Decision Number	Non-Key
Classification	Part 1 Public
Reason for exemption	N/A

Purpose of Report

1. This report fulfils the Council's duty to review and determine the representation of different political groups on certain committees at its Annual Meeting or as soon as practicable thereafter.
2. Subsequently, the Council has a duty to make appointments to those committees giving effect to the wishes of the political group allocated the seats. The appointments to those bodies are dealt with under a separate item on this agenda.

Recommendations

Council is asked to:

- i. Agree the allocation of seats across the Ordinary Committees as set out in Table 3 to this report;
- ii. Agree the allocation of seats on the Overview and Scrutiny Committee and Panels as set out in Table 4 to this report;
- iii. Agree the allocation of seats to the other committees and as set out in the Appendix to this report;
- iv. Agree without dissent that the rules on proportionality shall not apply to the Councillor Conduct Committee and that the allocation of seats to that committee shall be 2:2 as set out in the constitution;
- v. Note that appointments to the Council's committees, sub-committees and panels and other bodies to which appointments are made are dealt with under a separate item on this agenda.

Background and Options

3. The Council is required to review the representation of different political groups on certain committees as soon as practicable following a change in the composition of the Council.
4. The allocation must be determined by applying the 'political balance rules' prescribed by section 15 of the Local Government and Housing Act 1989 and supplemented by the Local Government (Committees and Political Groups) Regulations 1990. The rules are designed to ensure that the political composition of the Council's decision making and deliberative committees, as far as possible, replicates the political composition of the Council. Subsequently, the Council has a duty to make appointments to those committees giving effect to the wishes of the political groups allocated the seats.
5. The Council committees to which the political balance rules apply have similar duties to apply political balance in relation to the sub-committees they appoint to, if any.
6. The membership of the Council is 63 elected members and there are currently two political Groups represented on the Council and one member who is an Independent and not aligned to either Group. There are currently no vacant seats on the Council. Table 1 below shows the number of councillors currently representing the Council by political Group and the proportion of seats the Groups and the Independent

member have on the Council.

Table 1

	Labour	Conservative	Independent
Number of councillors	37	25	1
Proportion	58.73%	39.7%	1.58%

The Political Balance Principles

7. The legislation requires seats on relevant bodies or committees to be allocated to different political groups so far as reasonably practicable in accordance with the following 4 principles:
 - a. that not all the seats on the body are allocated to the same political group;
 - b. that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
 - c. subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the Ordinary Committees of the Council as the proportion of the members of the Council that belong to that group; and
 - d. subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the Council that belong to that group.

Ordinary Committees

8. Principle (c) refers to "Ordinary Committees" which, under the Act, means those appointed under section 102(1) of the Local Government Act 1972, and which at Enfield means the General Purposes Committee, the Councillor Conduct Committee, the Pension Policy & Investment Committee, the Staff Appeals, Appointments & Remuneration Committee and the Planning Committee. Overview and Scrutiny Committees and their sub-committees are not 'Ordinary Committees' and so are not taken into account for the purposes of this aspect of the calculation. Nor is the Licensing Committee.
9. In accordance with principle (c) above, the total number of seats across all of the Ordinary Committees listed above have to be taken together to determine the number of seats that should be allocated to each political group. There are 44 seats on the Ordinary Committees which, accordingly, will be allocated as follows:

Table 2

	Labour	Conservative	Independent
Number of councillors	37	25	1
Proportion	58.73%	39.68%	1.58%
Number of seats allocated on Ordinary Committees (out of a total of 44)	26	17	1

10. Having calculated the number of seats on Ordinary Committees to be allocated to each political group (Labour 26, Conservative 17, Independent 1), the allocation of seats on each of those individual committees then needs to be calculated proportionately but subject to this overall allocation of 26:17:1. There may, therefore, need to be some 'manual' or 'balancing' adjustment to the allocation of seats on each committee in order to meet this overall allocation requirement of 26:17:1, such adjustment to be agreed by the Council. For the purposes of this report, the manual or balancing adjustment has been made to the allocation of seats on the Planning Committee in the Table below, but an alternative allocation could be moved and agreed by the Council, thus:

Table 3

Ordinary Committee	Seats	Labour	Conservative	Independent
Total seats across all Ordinary Committees to be allocated	44	26	17	1
General Purposes Committee	9	5	4	
Councillor Conduct Committee	4	2	2	
Pension Policy & Investment Committee	6	4	2	
Staff Appeals, Appointments and Remuneration Committee	13	8	5	
Planning Committee*	12	7	4	1
Total	44	26	17	1

Overview and Scrutiny Committees

11. The other committees to which the political balance rules apply individually are the Overview and Scrutiny Committees. There are 7 seats on each of the panels and these are allocated proportionately to Labour (4) and Conservative (3). It is not necessary to allocate a seat to the Independent Member if the one seat he is entitled to is allocated on the Planning Committee. A Group could allocate one of their seats to the Independent Member if they wish.

Table 4

Overview & Scrutiny	Number of seats	Labour 58.73%	Conservative 39.68%	Independent
Overview and Scrutiny	9	5	3	0
Thriving Children and Young People	7	4	3	0
Culture and Environment	7	4	3	0
Healthy and Safe Communities	7	4	3	0
Housing & Regeneration	7	4	3	0

Other Committees and Bodies

12. The political balance rules do not formally apply to the Licensing Committee or sub-committees nor the other bodies to which the Council appoints members but appointments to them are made broadly in accordance with the broad political balance principle. The allocation of seats to those bodies is shown in Appendix A.

Preferred Option and Reasons For Preferred Option

13. The recommendations in this report give effect to the statutory requirements to make appointments to committees in accordance with the rules on proportionality set out in legislation.

Relevance to Council Plans and Strategies

14. The proposals give effect to statutory requirements on proportionality on committees and sub-committees. Those committees have been created to enable elected members to participate in the democratic process and in so doing to help develop, deliver, or scrutinise the Council Plan.

Financial Implications

15. There are no financial implications arising from the recommendations contained within this report. The work of committees will be carried out within existing resources.

Legal Implications

16. These are mainly addressed in the body of the report.
17. Each local authority is required to appoint a number of voting co-opted members to its Overview and Scrutiny committee which deals with education matters. The appointment of these members will be reviewed, and further appointments undertaken over the coming months where necessary.
18. The Council can only depart from the rules on political balance by passing a resolution with no members voting against the resolution. Notice of the resolution must be given in the summons. An abstention does not count as a vote against for these purposes. The only committee this applies to is the Councillor Conduct Committee, as seats are allocated in accordance with the constitution.

Equalities Implications

19. The proposals in this report are made as a result of the application of legislative requirements.

Report Author: Claire Johnson
Head of Governance, Scrutiny & Registration Services
Claire.Johnson@enfield.gov.uk
020 8 132 1154

Appendices

Allocation of seats Appendix A

Appendix A

Body	Number of seats	Labour 59%	Conservative 39.68%	Independent 1.58%
Licensing	15	9	6	0
Licensing sub-committees	3	2	1	0
Planning Panel	7	4	3	0
Local Pension Board	3	2	1	0
Equalities Board	9	5	4	0
Health & Wellbeing Board	4	3	1	
Corporate Parenting Group	4	2	2	0
Fostering Panel	2	1	1	0
Learning Difficulties Partnership Board	3	2	1	0
Member Governor Forum	5	3	2	0
Schools Forum	1	1		
Standing Advisory Committee for Religious Education*	4	2	2	0

This page is intentionally left blank



London Borough of Enfield

Report Title	Members Allowances Scheme 2024/25
Report to:	Council
Date of Meeting:	15 th May 2024
Directors:	Terry Osborne Director of Law & Governance
Report Author:	Claire Johnson
Ward(s) affected:	N/A
Key Decision:	Non-Key
Classification:	Part I

Purpose of Report

1. This report details the statutory annual review of Members' allowances for the 2024/25 Municipal year and seeks member approval of the scheme for the coming municipal year

Recommendations

<ol style="list-style-type: none"> I. To note the recommendations of the London Councils report for the Remuneration of Councillors in London 2023. II. To agree an annual uplift to members allowances as described in paragraph 8 of this report of 4.04%. III. To agree the SRA for Chairs and Vice Chairs of the Overview & Scrutiny Committee and the Scrutiny Panels. IV. To agree the Members Allowances scheme for 2024/25, subject to the uplift and other changes described in this report and to delegate authority to the Director of Law & Governance to make any necessary consequential amendments to the scheme.
--

Background and Options

2. The Local Authorities (Members' Allowances) (England) Regulations 2003 provide that a Local Authority shall make a member allowance scheme in accordance with these Regulations in respect of each year. Regulation 10 provides that such a scheme shall be made before the beginning of each year, and may be amended during the year, but only revoked and replaced with a new scheme with effect from the beginning of a year. The scheme must be adopted each year, whether or not it includes provision for an annual uplift. The scheme was last agreed at the Annual Meeting in 2023.
3. The existing LBE Members Allowance Scheme specifies the Basic Allowance that will be paid to all members on the Council and the Special Responsibility Allowances ("SRAs") that will be paid to those members who hold additional roles such as Group Leaders, Cabinet members and committee chairs.

London Councils Remuneration Panel Report

4. The regulations make specific provision for London Councils to establish a panel, which could exercise the functions of an independent remuneration panel on behalf of London borough councils and provides that regard must be had to the report of that Panel. The London Councils Panel established for this purpose produced a report in January 2023 and members must have regard to that report. The report is listed as a Background Paper to this report and is available for members to see.

Basic Allowance

5. The IRP recommends a Basic Allowance of £15960, which is significantly higher than the current Basic Allowance paid to Enfield councillors. This higher figure is **not** being recommended for adoption in this report to members.

Annual Uplift

6. The Enfield allowances scheme contains an uplift linked to Average Earnings (6.1% Feb 2024) whereas the IRP recommends that allowances should be updated annually in accordance with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff.
7. There is currently no settlement nationally. The NJC are asking for 10% or a flat rate of £3000 per annum.
8. The proposal for members allowances 2024/25 is to implement an annual uplift based on last year's pay settlement figure of 4.04%.
9. The costings are dealt with in the financial implications section of this report.

Changes to Special Responsibility Allowances

10. If changes to the Scrutiny function and deletion of the Environment Forum are agreed then there will be a decrease in the total number of Chairmans SRA's from 9 to 5.
11. The Chair of OSC and the Chairs of the 4 Scrutiny Panels would continue to receive an SRA of £7915 on the same basis as they do under the current arrangement (subject to the recommended inflationary increase).
12. It is proposed that a new SRA based at 75% of the Chairs SRA be allocated to the Vice Chairs of OSC. Members will note that it has been suggested elsewhere on the agenda that the Vice Chair of the main OSC will also chair one of the Panels so no allowance will be paid for Vice Chair of the main OSC.

Preferred Option and Reasons For Preferred Option

13. There is a requirement to approve the members allowances scheme annually. For the reasons mentioned in the body of the report, suitable remuneration for the role is important. Other alternatives to the scheme, could be considered.

Relevance to Council Plans and Strategies

14. The workload and responsibilities of councillors continues to increase, and their role has become more complex. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those who have retired or with independent means.

Financial Implications

15. The IRP recommends that boroughs apply an uplift updated annually in accordance with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff. For the reasons stated in paragraph 8 of this report, the proposal is to use the figure of 4.04% to member allowances which reflects the pay increase for employees last year. By way of illustration, the effect would raise the basic allowance by £444 each. The cost of applying the uplift to all basic and special responsibility allowances would be £42,102. The additional cost of implementing this decision will be met from existing budgets.

Changes to the Scrutiny and Committee structure

16. The proposed changes to the scrutiny structure and the affect on the SRA's achieves a saving as detailed in the table below (using uninflated figures for these purposes):

Current Scheme Costs	£
Chair of OSC	7,915
7 x Scrutiny Panel Chairs @7915	55,405
Chair of Environment Forum	7,915
Total	71,235

Proposed New Scheme Costs	£
Chair of OSC	7,915
4 x Scrutiny Panel Chairs @7915	31,660
4 x Vice Chairs of OSC and Scrutiny Panels @5936	23,744
Total	63,319
Proposed Savings	(7,916)

Legal Implications

17. The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) are made under the provisions of section 18 Local Government and Housing Act 1989 and require local authorities to make a scheme of allowances for their members and to establish and maintain an independent remuneration panel to make recommendations to the Council about the scheme. The London Council's Independent Remuneration Panel fulfils this role.

Equalities Implications

18. The report of the Panel felt that it was important that obstacles to becoming a councillor should be removed wherever possible and that, for example, care costs could be a significant deterrent to service as a councillor. Their strong view was that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The Enfield Scheme already includes provision for maternity, parental and adoption leave and dependent carer allowances.

Report Author: Claire Johnson,
Head of Governance, Scrutiny & Registration Services

Background papers: The IRP report January 2023 published by London Councils

LBE CALENDAR OF MEETINGS 2024/2025 (Draft v.1.2)

	MAY 24	JUNE 24	JULY 24	AUG 24	SEPT 24	OCT 24	NOV 24	DEC 24	JAN 25	FEB 25	MAR 25	APR 25	MAY 25
COUNCIL	Wed 15 Annual	Wed 19			Wed 18		Wed 06		Wed 22	Thurs 27			Wed 14 Annual
CABINET		Wed 12			Wed 11	Wed 16	Wed 13	Wed 11	Wed 15	Wed 26	Wed 12	Wed 23	
SCRUTINY													
Overview & Scrutiny Committee Business Meetings		Wed 05 WP			Mon 09 (Bus)		Wed 20 (Bus)		Mon 20 (Budget) ¹	Mon 10 (Bus)	Tues 11 (Bus)		
Call In Dates for OSC (provisional in case of need)		Thurs 27*	Wed 17*		Tues 24*	Tues 22*	Tues 26*	Wed 18*	Tues 28*	Mon 24*	Tues 25*		
Scrutiny Panels:													
Culture and Environment			Mon 01 WP ^			Tues 08	Mon 25		Tues 14		Mon 03		
Healthy and Safe Communities			Mon 08 WP ^		Wed 25		Wed 27		Mon 27		Mon 10		
Thriving Children and Young People			Wed 10 WP ^			Mon 14		Wed 04		Mon 03	Mon 17		
Housing and Regeneration			Mon 15 WP ^			Mon 21		Tues 10		Tues 04	Mon 24		
General Purposes Committee		Wed 26	Wed 24			Wed 23			Wed 29		Wed 26		
Councillor Conduct Committee			Wed 03				Mon 18				Tues 04		
Staff Appeals, Appointments & Remuneration Committee		Mon 10**					Mon 11**			Wed 12**		Tue 29**	
Planning Committee		Tues 04** Tues 18	Tues 02** Tues 16	Tues 06**	Tues 17	Tues 15	Tues 05** Tues 19	Tues 17	Tues 21	Tues 11** Tues 25	Tues 04** Tues 18	Tues 01** Tues 22	

All dates subject to change.
Recent changes are shown in **bold**.

Governance Team Contact:
Claire Johnson Tel. 0208 132 1154

1 Scrutiny Budget Meeting
WP ^ Work Planning session – informal / private

* Provisional Call-in (if required)
** Provisional (if required)

22 – 25 Sept 24 – Labour Party Conference

29 Sept – 2 Oct 24 – Conservative Party Conference

TBC-To be confirmed

LBE CALENDAR OF MEETINGS 2024/2025 (Draft v.1.2)

OTHER BODIES	MAY 24	JUNE 24	JULY 24	AUG 24	SEPT 24	OCT 24	NOV 24	DEC 24	JAN 25	FEB 25	MAR 25	APRIL 25	MAY 25
Health & Wellbeing Board		Tues 11				Tues 08		Tues 03			Wed 05		
Equalities Board			Tues 23			Mon 07		Mon 02			Wed 19		
Safer Neighbourhoods Board			Mon 22			Wed 09		Mon 16		Mon 17			
Pension Policy & Investment Committee (@ 9:30am – 12:30pm)			Wed 31			Wed 02	Tues 12		Wed 22		Wed 26		
Local Pension Board (@ 10:00am – 12:00pm)		Wed 26			Wed 18			Wed 04			Wed 12		
Pension Fund AGM											Tues 04 or Tues 11		
CHILDREN'S SERVICES													
Corporate Parenting Board (@ 5:30pm)		Tues 18			Tues 17			Tues 17					
Member/Governor Forum (@ 7:00pm)													
SACRE													
Schools Forum (@ 5:30pm)			Wed 03			Wed 02		Wed 04			Wed 05		
GROUPS													
Conservative Group													
Labour Group													
	Thur 30			Thur 29	Thur 12	Thur 31			Thur 09	Thur 06		Mon 28 AGM	
MEMBER DEVELOPMENT		Mon 03	Mon 29		Mon 02	Mon 28	Mon 11		Wed 08		Wed 05	Wed 30	

Proposed Dates for Council meetings from 2024 to 2025. **Please note these dates are only indicative and will be subject to change.**

	MAY 25	JUNE 25	JULY 25	AUG 25	SEPT 25	OCT 25	NOV 25	DEC 25	JAN 26	FEB 26	MAR 26	APR 26	MAY 26
COUNCIL	Wed 14 Annual												Wed 27 Annual

All dates subject to change.
Recent changes are shown in **bold**.

Governance Team Contact:
Claire Johnson Tel. 0208 132 1154

1 Scrutiny Budget Meeting
WP ^ Work Planning session – informal / private

* Provisional Call-in (if required)
** Provisional (if required)

22 – 25 Sept 24 – Labour Party Conference

29 Sept – 2 Oct 24 – Conservative Party Conference

TBC-To be confirmed