



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY,
7TH NOVEMBER, 2007 AT 7.00 PM**



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

**Please
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Date: 30 October 2007

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, 7th November, 2007 at 7.00 pm for the purpose of transacting the business set out below.

Yours sincerely

Borough Secretary

1. ELECTION (IF REQUIRED) OF THE CHAIRMAN/DEPUTY CHAIRMAN OF THE MEETING

2. MAYOR'S CHAPLAIN TO GIVE A BLESSING

The Mayor's Chaplain to give a blessing.

3. MAYOR'S ANNOUNCEMENTS (15 MINUTES APPROXIMATELY)

4. MINUTES (Pages 1 - 6)

To approve, as a correct record, the minutes of the Council meeting held on 19 September 2007.

5. APOLOGIES

6. DECLARATION OF INTERESTS (Pages 7 - 8)

Members of the Council are invited to identify any personal or prejudicial interests relevant to items on the agenda. Please refer to the guidance note attached to the agenda.

7. OPPOSITION BUSINESS - ENFIELD LOCAL DEVELOPMENT FRAMEWORK (Pages 9 - 12)

To receive the issues paper prepared by the Labour Group.

The Constitution procedure rules relating to Opposition Business are attached for information.

8. REVIEW OF PARLIAMENTARY POLLING DISTRICTS AND POLLING PLACES (Pages 13 - 36)

To receive the report of the Chief Executive (No. 128) reviewing all polling districts and polling places in accordance with the requirements of the Representation of the People Act 1983. The council is required to sub-divide its area into polling districts for the purposes of parliamentary elections and to designate polling places for each of those districts. Council is asked to consider the detailed implications of the review, and to agree a set of recommendations for future electoral arrangements.

This matter was considered at the Electoral Review Panel meetings on 12 September and 23 October 2007.

9. REPORT ON THE OUTCOME OF A CONSULTATION ON THE FUTURE OF COUNCIL OWNED RESIDENTIAL CARE FOR OLDER PEOPLE (Pages 37 - 58)

To receive the report of the Director of Health and Adult Social Care outlining the outcome of a consultation exercise, agreed by Cabinet on 18th January 2007, on the future of Council owned residential care provision for older people.

The recommendations set out in the report were endorsed by the Cabinet on 10 October 2007.

A copy of the Scrutiny report on this matter is available in the members library, group offices and from the Democratic Services Team.

10. LICENSING ACT 2003 - SECOND EDITION OF THE LICENSING POLICY (Pages 59 - 84)

To receive the report of the Director of Environment, Street Scene and Parks (No. 130) proposing a revised Licensing Policy Statement in accordance with Section 5 of the Licensing Act 2003 that requires the Council, as Licensing Authority, to (a) determine its policy with respect to the exercise of its

licensing functions and (b) publish a statement of that policy, every three years.

The recommendations set out in the report were endorsed by the Licensing Committee on 24 October 2007.

11. SCHOOLS FORUM : CHANGE TO TERMS OF REFERENCE (Pages 85 - 96)

To receive the report of the Director of Education, Childrens Services and Leisure (No. 131) seeking approval to proposed new arrangements for determining school organisation proposals following the abolition of School Organisation Committees.

This matter was considered at the Constitution Review Group meeting on 18 October 2007.

12. GREEN BELT FORUM - REVISED ARRANGEMENTS (Pages 97 - 106)

To receive the report of the Director of Finance and Corporate Resources (No. 132) reviewing the arrangements for the Green Belt Forum and setting out proposals for its future operation.

This matter was considered at the Constitution Review Group meeting on 18 October 2007.

13. 10TH LONDON LOCAL AUTHORITIES BILLS, 3RD JOINT LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON BILL (Pages 107 - 112)

To receive the report of the Director of Finance and Corporate Resources (No. 126) proposing that the Council participate in the promotion of another general powers bill, namely the Tenth London Local Authority Bill giving additional powers to London Boroughs and a Joint London Local Authorities and Transport for London Bill.

The attached report is to be considered at the Cabinet meeting on 31 October 2007.

14. COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)
(Pages 113 - 124)

Urgent Questions (Part 4 - Paragraph 9.2.(b) of Constitution – Page 4-9)

With the permission of the Mayor, questions on urgent issues may be tabled with the proviso of a subsequent written response if the issue requires research or is considered by the Mayor to be minor.

Please note that the Mayor will decide whether a question is urgent or not. The definition of an urgent question is “An issue 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.”

A supplementary question is not permitted.

Councillors' Questions (Part 4 – Paragraph 9.2(a) of Constitution – Page 4 - 8)

The fourteen questions and responses are attached to the agenda.

15. URGENT DECISIONS REQUIRING THE WAIVING OF THE CALL-IN PROCEDURE (PART 4.2 – PARAGRAPH 17.3 – PAGE 4-34/35 OF THE CONSTITUTION)

Council is asked to note the decisions taken and the reasons for urgency. The decisions set out below were made in accordance with the Council's Constitution and Scrutiny Rules of Procedure (Paragraph 17.3 - relating to the waiving of the requirement to allow a 5-day call-in period):

i. Partnership Agreement with Partners in the Skills 4U Project Delivering Training to Unemployed Residents

Decision:

Authority to enter into a partnership agreement with partners in the Skills 4U project and to confirm the action taken in signing the contract with ECOTEC to deliver training to unemployed residents in the partner areas.

Reason for Urgency:

The Partnership agreement needed to be signed by the partners by the end of June, or the funding would have been lost. This decision was not included in the June forward plan because advice had only just been sought with regards to the forward plan process. Inclusion in the next plan would have been too late for the reason given above.

ii. Report on the Contract with Eden Brown for the Supply of Agency Staff

Decision:

Exercise the option to extend the Council's contract with Eden Brown for the provision of agency workers until 31 June 2008.

Reason for Urgency:

The Council's contract with Eden Brown for the provision of agency workers expired on 30 June 2007. It had been assumed by staff managing the contract that given the wording of the original decision taken by Cabinet on 20 April 2005 i.e Eden Brown Ltd is appointed as Managing Agency for the supply of professional, technical and specialist staff for a limited period of two years with the option to extend the contract until 2009. That in fact Cabinet had already given approval in principle to the extension of the contract to

2009 should officers have deemed this to be in the best interests of the Council.

However, advice was only sought at a very late stage in this process from the Borough Secretary and Head of Finance Compliance and they have advised that constitutionally it is Cabinet that should give agreement to extend the contract rather than officers and further that given the value of the contract notice of the proposal to extend the contract should have been given in the forward plan.

As the contract ended on 30 June and the next meeting was not until 18 July, unless agreement was urgently obtained to extend the contract, the Council would have been in a position of trading with Eden Brown without a contract and potentially jeopardising the receipt of the discounts negotiated under the terms of the contract.

iii. Civic Centre Electricity Supply Contract

Decision:

To accept a tender for the supply of electricity for the Civic Centre.

Reason for Urgency:

The Council procures electricity for the Civic Centre by utilising the services offered by the Office of Government Commerce (OGC). The annual OGC contract (value approx £320k) came to an end on 30 September. The OGC was seeking prices from its framework supplier and was due to forward the results to Enfield later in the month. The price offered would have been only available for a very short time period (usually half a day). Consequently, the Council had needed to be in a position to accept the price as soon as notification was received in order to take advantage of the best offer. Due to an administrative oversight this item was not included in the Forward Plan.

iv. Arrangements in Connection with the Forthcoming Mediation regarding Merlin and Curlew Houses, including the Delegation of Authority from a Director to a Council Officer

Decision:

Approval to delegate authority to and to enter into a legally binding agreement arising from the mediation between the Council and contractors concerning a dispute about the responsibility for defects in external cladding works on Merlin and Curlew Houses.

Reason for Urgency:

The Mediation had been arranged for 19 October 2007 and the Council had to be able to make a binding decision in settlement of the claim at the mediation session. Without authority on the day to enter into binding agreement the mediation process would have been without value. This decision was not included in the forward plan because it had only recently become clear that the decision (in terms of the size of the potential settlement) would need to be treated as a key decision.

v. De Regulation of the Local Land Charges Register Fee (LLC1)

Decision:

To approve the fee for a full Local Authority Search (LLC1 and Con 29) - Subject to a review of the Con 29 from by 1st June 2007.

Reason for Urgency:

It was not possible to finalise the proposals needing to be agreed, in terms of the new search fees, in time to allow for call in as the guidance for the setting of the Official Certificate of Search Fees

vi. Supply of Electricity to ½ Hourly Billed Sites

Decision:

To accept a tender and award the contract for the supply of electricity for the Half Hourly (100kWh) billed sites.

Reason for Urgency:

The contract is due to run for 2 years commencing 1st November 2007. Unlike traditional tenders, prices may only be available for a number of hours as market conditions shift. It is therefore advantageous for the LBE to be in a position to make a quick decision once Council's agent recommends we settle which means that we cannot wait for the 5 day call-in period to elapse before signing the contract.

16. MOTIONS

16.1 In the name of Councillor Bond

"This Council rejects the proposal of the Cabinet in Report 122 considered at the Cabinet of 31 October 2007, to continue with a single Scrutiny Commission to scrutinise the budget proposals in preference to a more detailed analysis by each Scrutiny Panel.

This Council supports the principle of openness in scrutiny and encourages an active participation by stakeholders in the budget setting process.

It is therefore agreed that each Scrutiny Panel will consider the budget proposals for the service areas that they scrutinise."

17. MEMBERSHIPS

17.1 To confirm the following changes to committee memberships:

i. Green Belt Forum

Councillor Rodin to replace Councillor Hasan.

ii. Licensing Committee

Councillor Anwar to replace Councillor Constantinides.

18. NOMINATIONS TO OUTSIDE BODIES

To confirm any changes to nominations to outside bodies.

19. CALLED IN DECISIONS

None received.

20. DATE OF NEXT MEETING

The next meeting of the Council will be held on Wednesday 23 January 2008 at 7.00 p.m. at the Civic Centre.