

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 29
FEBRUARY 2012**

COUNCILLORS

PRESENT Christiana During (Mayor), Kate Anolue (Deputy Mayor), Jayne Buckland, Chaudhury Anwar MBE, Ali Bakir, Caitriona Bearryman, Chris Bond, Yasemin Brett, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, Yusuf Cicek, Christopher Cole, Andreas Constantinides, Ingrid Cranfield, Christopher Deacon, Marcus East, Patricia Ekechi, Achilleas Georgiou, Del Goddard, Christine Hamilton, Ahmet Hasan, Elaine Hayward, Robert Hayward, Denise Headley, Ertan Hurer, Tahsin Ibrahim, Chris Joannides, Eric Jukes, Jon Kaye, Nneka Keazor, Joanne Laban, Henry Lamprecht, Michael Lavender, Derek Levy, Simon Maynard, Paul McCannah, Donald McGowan, Chris Murphy, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykenner, Anne-Marie Pearce, Martin Prescott, Geoffrey Robinson, Michael Rye OBE, George Savva MBE, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Doug Taylor, Glynis Vince, Ozzie Uzoanya, Tom Waterhouse, Lionel Zetter and Ann Zinkin.

ABSENT Alan Barker, Dogan Delman, Jonas Hall, Dino Lemonides, Daniel Pearce and Rohini Simbodyal.

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**ELECTION (IF REQUIRED) OF THE CHAIRMAN/DEPUTY CHAIRMAN OF
THE MEETING**

The election of a Chairman/Deputy Chairman of the meeting was not required.

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MAYOR'S CHAPLAIN TO GIVE A BLESSING

Dede Mr Ibrahim Yuksel from the Alevi Cultural Centre and Cemevi, gave the blessing.

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**MAYOR'S ANNOUNCEMENTS (IF ANY) IN CONNECTION WITH THE
ORDINARY COUNCIL BUSINESS**

The Mayor made the following announcements:

- She thanked Mr Yuksel for offering the blessing.
- The Council has been successful with 3 applications this year in the Mayor for London's Safer Parks Awards. The Award ceremony took place on Monday the 27th of February at City Hall, London.

Bury Lodge Gardens had retained Gold from last year.

Bush Hill Park had received Gold this year and silver last year

Holmesdale Tunnel Open space had won Silver on its first application.

These awards were the combination of excellent partnership work between the Friends groups, the Council and the Police. The application forms had probed every aspect of park user safety and evidence had to be provided to support the applications.

Safer parks are those that are well used by everyone in the community and bring lasting benefits; including a reduced fear and incidence of anti-social behaviour and crime. Everyone involved was congratulated.

- Since the last Council meeting the Mayor had attended many engagements in the borough. The Mayor had been particularly delighted to open a new work Club at Enfield Island Village which aimed to reduce unemployment by offering help with writing cv's, learning interview skills and creating work opportunities.
- The Mayor had received a cheque from the London New Years Day Parade for £1500 towards her charity appeal.
- The Mayor had also been pleased to meet the Mayor of Mauritius on Monday 27th February. He was on a visit to London and was entertained to tea in the Parlour. Members were advised that he had very impressed with Enfield as a green borough.
- Members were reminded that the Mayor's Charity Spring Ball would be held on Saturday 24th March. She hoped that as many members and guests as possible would be able to attend in order to support her fund raising evening.

As this was the Council's budget and rent setting meeting the Mayor also reminded members that Section 106 of the Local Government Finance Act 1992 would apply. This stated:

- that any councillor in arrears of Council Tax for two months or more may not vote on matters concerning the level of Council Tax. The restriction applied in relation to items 7 and 8 on the Council agenda.
- Such members if present must disclose the fact that this applies to them. They may however remain in the meeting and speak.
- Furthermore, if this applies to any member of the Cabinet, that member may not exercise any executive function in connection with the budget or the setting of Council Tax during the time he/she is in such arrears.
- Non-compliance could give rise to a criminal offence.

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MINUTES**

NOTED the following issues highlighted by the Opposition Group in relation to the responses listed in the minutes from 25 January 2012 to Council Questions (Min.103 (2) refers):

1. Question 21 - that the response to the supplementary question did not reflect the minute from the Bush Hill Park, Palmers Green & Winchmore Hill Area Forum on 1 December 2010.
2. Questions 7, 9, 11, 15, 19 & 25 - Councillor Neville advised that he had not received the written responses to the supplementary questions on these items. The Assistant Director Corporate Governance advised that the responses had been sent via email within the required timescale, but a further copy would be provided and check undertaken to investigate why they had not been received.

AGREED that the minutes of the Council meeting held on 25 January 2012 be confirmed and signed as a correct record

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APOLOGIES**

Apologies for absence were received from Councillors Alan Barker, Don Delman, Jonas Hall, Dinos Lemonides, Daniel Pearce and Rohini Simbodyal, Apologies for lateness were received from Councillors Martin Prescott and Toby Simon.

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DECLARATION OF INTERESTS**

Councillor Joanne Laban declared a personal interest in item 7 (Budget 2012/13 & Medium Term Financial Plan General Fund) as her mother was an employee at Tottenhall Infant School.

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BUDGET 2012/13 AND MEDIUM TERM FINANCIAL PLAN (GENERAL FUND)**

Councillor Taylor moved and Councillor Stafford seconded the report of the Director of Finance, Resources and Customer Services (No.189A) presenting for approval the Budget for 2012/13 and Medium Term Financial Plan (General Fund).

NOTED

1. Recommendations 2.1 - 2.6 within the report had been endorsed and recommended onto Council, at the Cabinet meeting held on 8 February

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2012. Recommendation 2.7 (relating to the Members Allowance Scheme) had subsequently also been included for consideration.

2. The outcome from the budget consultation process undertaken on the proposals for 2012/13, as detailed within Appendix 1(b) of the report.
3. The ongoing pressures and their impact on delivery of a balanced budget arising from inflation, reductions in Government grants, demographic pressures, reforms to the Welfare Benefits system and other changes in Government legislation and the continued negative impact of the damping mechanism.
4. The recommended budget reflected a balanced position; included no increase in the level of Council Tax in 2012/13 and was also felt to reflect the Administrations achievements in relation to the core aims of Fairness for All; Growth & Sustainability and Strong Communities.
5. The need identified by the Opposition Group to recognise what they felt to be:
 - a. the increasing level of freedom provided in relation to the way funding was now being allocated to local authorities by Central Government.
 - b. the tough decisions that would need to be taken in relation to ongoing delivery of savings in order to provide and maintain a balanced budget.
6. The thanks to Council officers for their support and efforts in delivery of the budget proposals alongside the key achievements made by the current Administration.

AGREED

- (1) to draw the attention of Members to the comments in paragraph 8.5 of the report regarding S106 of the Local Government Finance Act 1992 which required any Member who is two months or more in arrears on their Council Tax to declare their position and not to vote on any issue that could affect the calculation of the budget or Council tax.
- (2) with regard to the revenue budget for 2012/13:
 - (a) to set the council tax requirement for Enfield at £121.500m in 2012/13;
 - (b) subject to final pupil count data, approve expenditure of £277.085m on the schools' budget, funded from the Dedicated Schools' Grant;
 - (c) Set the Council Tax at Band D for Enfield's services for 2012/13 at £1100.34 (as detailed in section 8.1 of the report) , there being no increase over the 2011/12 Council tax;
 - (d) The statutory calculations and resolutions (as set out in Appendix 10 of the report)
- (3) with regard to the Prudential Code and the Capital Programme:

- (a) to note the information regarding the requirements of the Prudential Code (as detailed in section 9 of the report);
 - (b) the proposals for allocating resources to capital projects (as set out in section 9 and Appendix 5 of the report);
 - (c) the Prudential Indicators, the Treasury Management Strategy, the Minimum Revenue Provision statement and the criteria for investments (as set out in section 9 and Appendix 4 of the report)
- (4) with regard to the Medium Term Financial Plan, to note the forecast for the medium term as set out in section 10 of the report and adopt the key principles set out in paragraph 10.16 of the report.
- (5) with regard to the robustness of the 2012/13 budget and the adequacy of the Council's earmarked reserves and balances:
- (a) to note the risks and uncertainties inherent in the 2012/13 budget and the Medium Term Financial Plan (as detailed in section 11 of the report);
 - (b) to note the advice of the Director of Finance, Resources and Customer Services regarding the recommended levels of contingencies, balances and earmarked reserves (as detailed in section 12 of the report) and have regard to the Director's statement (as detailed in section 13 of the report) as part of the final decision making process on the 2012/13 budget
 - (c) the recommended levels of central contingency and general balances
- (6) the Fees and Charges for Environmental Services for 2012/13 (as detailed in Appendix 9b of the report).
- (7) to re-approve the current members allowances scheme and that the automatic increase in allowances by the average earnings as at March not be implemented for the 2011/12 financial year (as detailed in section 13.5 of report).

Following a lengthy debate, the above recommendations were put to the vote and approved with the following result:

For: 32
Against: 0
Abstentions: 23

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HOUSING REVENUE ACCOUNT ESTIMATES 2012/13 AND MEDIUM TERM FINANCIAL PLAN (RENT SETTING - HRA)

Councillor Oykenor moved and Councillor Georgiou seconded the joint report of the Directors of Health, Housing and Adult Social Care & Finance, Resources and Customer Services (No.190A) presenting for approval the revenue estimates of the Housing Revenue Account (HRA) for 2012/13 following consultation with residents on the HRA budget position.

NOTED

1. The recommendations set out in the report followed on from the report considered and approved at the Cabinet meeting held on 8 February 2012.
2. The impact arising from:
 - a. the introduction of HRA self financing as set out in section 3 of the report, which had been welcomed by members; and
 - b. the need to base the setting of rent charges for 2012/13 on the Government's formula rent calculation.
 - c. the reforms being made by Central Government to social housing and Welfare Benefits policy.
3. The work undertaken with the Council's external procurement body which had resulted in reductions being secured in the cost for supply of electricity at housing sites. This had enabled a freeze in heating fund charges at current levels, which was welcomed by all members.
4. The ongoing re-investment in the Council's housing stock under the Decent Homes Improvement Programme.
5. The Opposition Groups concern to ensure that the review of Enfield Homes was focussed around the needs of local tenants and leaseholders and was structured to enable their full involvement.
6. The thanks to Council officers for their support and efforts in delivery of the budget proposals alongside the key achievements in relation to the housing service.

AGREED

- (1) The detailed revenue estimates of the Housing Revenue Account (HRA) for 2012/13.
- (2) To increase the rents in line with national social rent policy. This will result in an average increase of 6.95% for Enfield tenants.
- (3) The level of service charges for 2012/13 (as set out in para 15.1 of the report) for those properties receiving the services.
- (4) The proposals for increases in other income for 2012/13 as detailed in Appendices 2 & 3 of the report.
- (5) The Temporary Accommodation rents for 2012/13, as set out in Appendix 5 of the report.

- (6) The HRA capital programme for 2012/13 of £36.9m.
- (7) To note the decision to borrow the final settlement sum notified in the January determination, confirmed at £28.8m.
- (8) To delegate authority to the Cabinet member for Housing and the Director of Health, Housing and Adult Social Care to approve tenders for Decent Homes and General Works.

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CHANGE IN THE ORDER OF BUSINESS

Councillor Brett moved and Councillor Taylor seconded a proposal to change the order of business on the agenda under paragraph 2.2 (page 4-5) of the Council's procedure rules to enable the meeting to take the following as the next items of business:

- Item 11.6: Motion in the name of Councillor McGowan on the Health & Social Care Bill.
- Item 11.5: Motion in the name of Councillor Sitkin on VAT and Mayor for London's public transport fare increases.

The above motion was put to the vote and approved with the following result:

For: 32

Against: 22

Abstentions: 0

Please note the minutes reflect the order in which the items were dealt with at the meeting.

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MOTIONS

- 1.1 Councillor McGowan moved and Councillor Cazimoglu seconded the following motion:

"With most of the health profession now openly against the proposed health reforms, worried Cabinet Ministers should move beyond calling for face saving measures such as 'taking the Secretary of State for Health, Andrew Lansley, out to be shot', as quoted in the Times by a Downing Street source or replaced once the Bill becomes law as advocated by the Deputy Leader of the Liberal Democrats, Simon Hughes, in a recent interview with Andrew Marr.

They should instead join the majorities of the general public, health professionals and this Council in the movement to save the NHS and demand the Government withdraw the Health and Social Care Bill immediately."

Following a debate the motion was put to the vote and agreed with the following result:

For: 33
Against: 17
Abstentions 4

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COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING

NOTED in accordance with Council Procedure Rule 8 (page 4-7 – Part 4), the Mayor advised the Council that the time available for the meeting had now elapsed and the remaining items of business would be dealt with in accordance with the expedited procedure.

The remaining items of business were then considered without debate.

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MOTIONS

The motion set out below lapsed due to lack of time:

In the name of Councillor Sitkin

This Council deplores the reduction in Enfield residents' purchasing power, hence in their ability to support local businesses, as a direct result of the Government's regressive VAT hike and the London Mayor's unwarranted fares' hike.

We therefore call upon George Osborne and Boris Johnson respectively to replace these misguided policies with other more progressive funding measures that do not target the disadvantaged in Enfield's communities the way these Conservative politicians are currently doing.

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DELEGATED AUTHORITY WITHIN THE ENVIRONMENT DEPARTMENT AND ADOPTION OF SECTION 16 LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON ACT 2003

RECEIVED the report from the Director of Environment (No.188) setting out and updating the delegated authority arrangements within the Environment Department and recommending that the Council adopts legislation to exercise powers to tackle unlawful vehicle crossovers.

NOTED the amendments to section 3.2 and para 1.9 in Appendix D of the report, tabled on the amendment sheet at the meeting.

AGREED

- (1) The delegated authorities outlined in the report and detailed in Appendices A – H, subject to the following amendment to para 1.9 of Appendix D (as listed on the amendment sheet tabled at the meeting):

Para 1.9 (Appendix D) to read: "That there be delegated to the Assistant Director Highways and Transportation, Head of Traffic & Transportation and Group Leaders authority to commence the process to make Orders under the Highways Act 1980 (sections 25, 116 and 118) and the Town & Country Planning Act 1990 (sections 247 and 249). That said officers may proceed to confirm such Orders if unopposed."

- (2) To pass a resolution to adopt Section 16 of the London Local Authorities and Transport for London Act 2003.

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COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)

1.1. Urgent Questions

None received.

1.2. Questions by Councillors

NOTED the thirty questions on the Council's agenda which had received a written reply from the relevant Cabinet Member and Scrutiny Panel Chair.

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MOTIONS

The remaining motions listed on the agenda, as set out below, lapsed due to lack of time:

1.1 In the name of Councillor Hamilton

Enfield Council congratulates the Enfield Independent on its campaign "don't carry, don't kill" for persuading the Conservative led government to change the bill to include a mandatory sentence for all 16 to 17 year olds "using a knife in a threatening or dangerous manner". The Enfield Independent led this campaign which included support from Enfield Council and groups such as STOP, TAGS, Anti-Knife UK and the Enfield based Nelson Williams Foundation as well as the three Enfield MPs.

The Council is opposed to any reduction to police numbers in the borough which would limit the ability to apprehend offenders who have used knives.

This Council also believes that imprisoning people for violent knife crime is only half the battle, it is vital that the criminal justice system provides the resources and expertise required to rehabilitate all young offenders rather than allowing them to languish in prison and become hardened criminals.

1.2 In the name of Councillor Taylor

This Council notes the Mayor of London Boris Johnson's decision not to increase the GLA precept in 2012/13 but also notes that, at the same time, he has introduced huge increases in fares.

1.3 In the name of Councillor Laban

This Council congratulates the Mayor of London Boris Johnson following his announcement to reduce the Mayor's GLA precept and commends his efforts over the last 3 years in which he kept the precept at 0%

1.4 In the name of Councillor Hall

This Council congratulates the coalition government following its decision to renew its grant for another year to ensure that Council tax is maintained at the same level for a further year i.e. a 0% increase.

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USE OF URGENCY PROCEDURES - MONITORING UPDATE

NOTED the details of the following decisions taken under the Council's urgency procedure relating to the waiver of call-in and, where necessary, the Forward Plan along with the reasons for urgency. These decisions had been made in accordance with the urgency procedures set out in Paragraph 17.3 of Chapter 4.2 (Scrutiny) and Paragraph 16 of Chapter 4.6 (Access to Information) of the Council's Constitution:

1. Award of Tender for external works to former Nightingale Site (Cuckoo Hall Academy)
2. To agree the Council's level of subscription to the London Boroughs Grant Scheme.
3. Extension to contract for supply of electricity to Council Housing sites

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MEMBERSHIPS

AGREED the following changes to committee memberships

- (1) **Member Governor Forum** – Councillor Cole removed as an additional member
- (2) **Commission on Worklessness** – 2 members from Majority Group (Councillors Levy & Simbodyal): 1 member from Opposition Group (name to be notified)

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NOMINATIONS TO OUTSIDE BODIES

AGREED the following changes to the membership of outside bodies:

- (1) **London Councils – Transport & Environment Committee** – Councillors Brett & Levy to fill 2 deputy vacancies
- (2) **North London Waste Authority** – Councillor Bond to replace Councillor Murphy
- (3) **North London Waste Planning Members Group** – Councillor Murphy to replace Councillor Bond
- (4) **Enfield Music Hub** - 2 members from Majority Group (names to be notified): 1 member from Opposition Group (Councillor Kaye).

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CALLED IN DECISIONS

None received.

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DATE OF NEXT MEETING

NOTED that the next meeting of the Council would be held at 7pm on 28 March 2012 at the Civic Centre.

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PART 2

AGREED to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the item of business listed on part 2 of the agenda on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

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BUDGET 2012/13 AND MEDIUM TERM FINANCIAL PLAN (GENERAL FUND)

RECEIVED a report from the Director of Finance, Resources & Customer Services (No.193) detailing commercially sensitive information relating to the Commercial Waste Fees and Charges for Environmental Services for 2012/13.

NOTED the report had been submitted in conjunction with Report No189A on the Part 1 agenda (Min.115 refers). The recommendation in the report had

been endorsed and recommended onto Council, at the Cabinet meeting held on 8 February 2012.

AGREED that the Commercial Waste Fees and Changes for Environmental Services be approved for 2012/13, as detailed in section 3.1 of the report.

(Exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Schedule 12A to the Local Government Act 1972 as amended).