



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY, 19TH
SEPTEMBER, 2012 AT 7.00 PM**

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

**Please
Reply to:** James Kinsella

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Date: 11 September 2012

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, 19th September, 2012 at 7.00 pm for the purpose of transacting the business set out below.

Yours sincerely

J. P. Austin

Assistant Director, Corporate Governance

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 (IF ANY) IN CONNECTION WITH THE ORDINARY COUNCIL BUSINESS

4. MINUTES (Pages 1 - 22)

To approve, as a correct record, the minutes of the Council meeting held on Wednesday 4 July 2012.

5. APOLOGIES

6. DECLARATION OF INTERESTS

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

7. HOUSING REVENUE ACCOUNT (HRA) 30 YEAR BUSINESS PLAN
(Pages 23 - 32)

To receive a report from the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services setting out the Council's proposed HRA 30 year Business Plan. (Report No.41A)

Members are asked to note that the recommendations in the report were approved by Cabinet on 18 July 2012 for recommendation onto Council. **(Key decision – reference number 3483)**

8. HOUSING MANAGEMENT REVIEW (Pages 33 - 44)

To receive a report from the Director of Health, Housing and Adult Social Care, which sets out the results of the test of opinion survey undertaken in June 2012. (Report No.42A)

Members are asked to note that the recommendations set out in the report were approved by Cabinet on 18 July 2012, with Council being asked to approve the revision and extension of the Management Agreement with Enfield Homes. **(Key decision – reference number 3531)**

9. THE DRIVE TOWARDS PROSPERITY: ENFIELD'S CHILD & FAMILY POVERTY STRATEGY (Pages 45 - 52)

To receive a report from the Director of Schools and Children's Services and Director of Regeneration, Leisure and Culture seeking approval of the development of the Child and Family Poverty Strategy and the strategic action plan. (Report No.43)

Members are asked to note that the recommendations set out in the report were approved by Cabinet on 18 July 2012 for recommendation onto Council. **(Key decision – reference number 3381)**

10. SCRUTINY ANNUAL WORK PROGRAMME 2012/13 (Pages 53 - 76)

To receive a report from the Overview & Scrutiny Committee setting out the annual programme for the Council's Scrutiny Panels and Overview and Scrutiny Committee. (Report No.65)

Members are asked to note that the report is due to be considered by Cabinet on 12 September 2012 and that details of the decision made will be circulated in advance of the Council meeting.

11. AUDIT COMMITTEE ANNUAL REPORT 2011/12 (Pages 77 - 86)

To receive the annual report of the London Borough of Enfield's Audit

Committee for 2011/12. The report sets out the key issues dealt with by the committee during the past year.

Members are asked to note that the report was agreed at the Audit Committee meeting held on 10 July 2012.

12. WITHDRAWAL OF PERMITTED DEVELOPMENT RIGHTS FOR HOUSES IN MULTIPLE OCCUPATION VIA A PROPOSED BOROUGH WIDE ARTICLE 4 DIRECTIVE. (Pages 87 - 96)

To receive a report from the Director – Environment seeking approval to the introduction of a “non-immediate” Article 4 Direction to withdraw permitted development rights for small HMOs across the borough. (Report No.79)

13. ANNUAL TREASURY MANAGEMENT OUTTURN REPORT 2011/12 (Pages 97 - 110)

To receive a report from the Director of Finance, Resources & Customer Services presenting the Council’s Treasury Management Outturn statement for 2011/12. (Report No.80)

14. PETITION SCHEME REVIEW (Pages 111 - 116)

To receive a report from the Director of Finance, Resources & Customer Services reviewing the Council’s current petition scheme. (Report No.75A)

Members are asked to note that the review was considered by the Members & Democratic Services Group on 4 September 2012 who, as a result, approved Option 1 (to continue with the scheme in its current format) for recommendation onto Council, subject to an update of the trigger referral amounts to take into account the current population figures for Enfield.

15. MEMBER GOVERNOR FORUM: TERMS OF REFERENCE (Pages 117 - 120)

To receive a report from the Director of Schools & Children’s Services seeking approval to the revised Terms of Reference for the Member Governor Forum. (Report No.76A)

Members are asked to note that the report was considered by the Members & Democratic Services Group on 4 September 2012, who approved the amended Terms of Reference for recommendation onto Council.

16. SCHOOLS FORUM: TERMS OF REFERENCE (Pages 121 - 132)

To receive a report from the Director of Schools & Children’s Services seeking approval to the revised Terms of Reference for the Schools Forum. (Report No.77A)

Members are asked to note that the report was considered by the Members

& Democratic Services Group on 4 September 2012, who approved, subject to a further minor change, the amended Terms of Reference for recommendation onto Council.

17. NEW STANDARDS REGIME: APPOINTMENT OF INDEPENDENT PERSON(S)

At the Council meeting (4 July 12) approval was given for the Councillor Conduct Committee to commence the recruitment process for the appointment of 2 Independent Persons, required as part of the new standards framework introduced by the Localism Act 2011.

The Councillor Conduct Committee is in the process of undertaking the recruitment process, with the first of the interviews due to take place on Monday 17 September 2012. Council will be asked to consider and approve any appointment recommended by the Councillor Conduct Committee, as a result of this process.

Given the timescales involved it has not been possible to interview all of the shortlisted candidates in advance of this Council meeting. A further interview will therefore need to be arranged, with the outcome being reported to Council on 7 November 2012.

18. COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)
(Pages 133 - 150)

18.1 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.”

Submission of urgent questions to Council requires the Member when submitting the question to specify why the issue could not have been reasonably foreseen prior to the deadline and why it has to be considered before the next meeting. A supplementary question is not permitted.

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

The list of thirty eight questions and their written responses are attached to the agenda.

19. MOTIONS

19.1 In the name of Councillor Lavender

In order to maintain probity and transparency this Council resolves:

- (i) to insert in future Conditions of Grant Funding of the Enfield Residents Priority Fund Grant Agreements as a condition of the award of any element of the Grant that the Grant Applicant discloses to the Council in the related Grant Funding Application Form any membership, or other financial or property interest or obligation (each an 'Interest') that any councillor, close relative or dependant of any councillor, or any political party any councillor represents has in relation to:

- (a) any such Grant Applicant; or
- (b) any property occupied by such Grant Applicant; or
- (c) in the Project

immediately upon the Grant Applicant becoming aware of such Interest arising; and

- (ii) that any councillor who either himself or herself has an Interest in, or becomes aware of any of their close relatives or dependants having any Interest in, or whose party they politically represent has any Interest in:

- (a) any existing or proposed Grant Applicant which has entered into a Grant Agreement; or
- (b) any property occupied by such Grant Applicant; or
- (c) in any related Project

shall have a duty to disclose full particulars of such Interest in the register of members' interests.

19.2 In the name of Councillor Lavender:

This Council:

- (a) notes the proximity of Barnet and Enfield Town Centres;
- (b) notes the existence of empty car parking spaces in both town centres;
- (c) notes the announcement on Tuesday 4th September of the reduction of car parking charges in Town Centres by Barnet Council; and
- (d) resolves to similarly reduce car parking charges in its Town Centres, particularly on a Sunday.

19.3 In the name of Councillor Lavender

This Council welcomes the Coalition Government's Infrastructure (Financial Assistance) Bill, which intends to give statutory backing to the UK Guarantees programme announced in July and the housing guarantee schemes to dramatically accelerate major infrastructure investment and provide major support to UK exporters.

The Council notes that the UK Guarantees scheme has been established to ensure that where major infrastructure projects may struggle to access private finance because of adverse credit conditions they can proceed as planned.

The Council also notes the Government's support for the long-term delivery of new rental homes and that the Government intends to issue debt guarantees to support the building of new private rented sector and affordable homes.

The Council notes that the Government is expediting the legislation in order to ensure that it can take forward detailed discussions with eligible commercial parties as soon as possible and subsequently provide suitable forms of guarantee.

The Council notes the scope of the Bill covers the transport, energy, communications and environmental sectors set out in the National Infrastructure Plan as well as the wider housing sector.

The Council resolves to monitor these developments to explore whether any of the many regeneration projects in Enfield, which were first formulated under the previous administration, but which seem to have ground to a halt under the present Labour administration can benefit from these initiatives.

19.4 In the name of Councillor Charalambous

Enfield Council recognises the stunning success of the London 2012 Olympic and Paralympic Games respectively and congratulates the torch bearers, volunteers, athletes and participants with a connection to Enfield who were involved in making the Games such a spectacular and inspirational global event and in turn proving the sceptics and naysayers so wildly wrong.

19.5 In the name of Councillor Hamilton

This Council condemns the financial and re-organisational pressures being imposed upon the NHS by this Tory led government which, in Enfield, has resulted in the announcement that the Evergreen Walk-In Centre will reduce opening hours.

Now that Andrew Lansley has been spectacularly sacked by David Cameron, we call upon the new Secretary of State for Health to properly fund Primary Health Care in Enfield and address the £70million shortfall needed for the development of Primary Health Care provision.

20. MEMBERSHIPS

To confirm any changes to committee memberships.

21. NOMINATIONS TO OUTSIDE BODIES

To confirm the following changes to nominations to outside bodies:

(a) Enfield Strategic Partnership

Councillor Prescott to replace Councillor Zinkin.

22. CALLED IN DECISIONS

None received.

23. DATE OF NEXT MEETING

To note that the next meeting of the Council will be held on Wednesday 7 November 2012 at 7.00 p.m. at the Civic Centre.

24. EXCLUSION OF THE PRESS AND PUBLIC

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

No Part 2 items have currently been identified for consideration.

COUNCIL - 4.7.2012**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON WEDNESDAY, 4 JULY 2012****COUNCILLORS****PRESENT**

Kate Anolue (Mayor), Chaudhury Anwar MBE (Vice-Chair), Jayne Buckland, Alan Barker, Ali Bakir, Caitriona Bearryman, Chris Bond, Yasemin Brett, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, Yusuf Cicek, Christopher Cole, Andreas Constantinides, Ingrid Cranfield, Christopher Deacon, Dogan Delman, Christiana During, Marcus East, Patricia Ekechi, Achilleas Georgiou, Del Goddard, Jonas Hall, 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, Dino Lemonides, Derek Levy, Simon Maynard, Paul McCannah, Donald McGowan, Chris Murphy, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykenner, Anne-Marie Pearce, Daniel Pearce, Martin Prescott, Geoffrey Robinson, Michael Rye OBE, George Savva MBE, Rohini Simbodyal, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Doug Taylor, Glynis Vince, Ozzie Uzoanya, Tom Waterhouse, Lionel Zetter and Ann Zinkin

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

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

27**MAYOR'S CHAPLAIN TO GIVE A BLESSING**

Father Emmanuel – Parish Priest of St Edmonds Church, Edmonton, gave the blessing.

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

The Mayor made the following announcements:

- She thanked Father Emmanuel for offering the blessing.

The Mayor highlighted the following achievements:

1. **National Municipal Journal award – Democratic Services Team of the Year**

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The Mayor was delighted to announce that the Council's Scrutiny and Outreach team had won a prestigious national award from the Municipal Journal in recognition of the work done with councillors to re-enforce their role as elected community leaders in Enfield. This had been based on the work undertaken to reach out and place community engagement at the heart of the council's democratic core, linked to scrutiny and the decision making process.

The Mayor highlighted the work she had personally undertaken with the team, focussed around the engagement of young people and felt that without their input it would not have been possible to deliver the Hanlon Centre or Parent Engagement Panel.

In winning this award the team were competing against the highest number of entries ever received from Councils all over England Scotland and Northern Ireland and the award recognised that the work being undertaken by the team was some of the best in the country.

The Mayor felt that the Council should all be very proud of what the team had achieved for the community, Council and themselves.

Mike Ahuja and members of the Corporate Scrutiny & Outreach Team were then formally presented with the award.

2. Enfield Town Football Club and QEII Stadium

The Mayor was pleased to introduce Paul Millington, Chairman of Enfield Town Football Club, who had been invited to attend the meeting in recognition of the success achieved by the Club in gaining promotion to the Ryman Premier League in May 2012.

This promotion had followed the clubs move to the QEII stadium following completion of refurbishment works in November 2011, with only one home league game having been lost following relocation.

The refurbishment had included a new athletics track and related athletics facilities, refurbished changing rooms for the sports pitches on Enfield Playing Fields, facilities for Enfield Town FC and a new bar café in the stadium. The car park and access road had also been improved as part of the works.

The total cost of the works had been approximately £3.5 million and would ensure that local residents had the ability to take part in sport and physical activity at the stadium for many years to come. In addition to the football club the stadium was being well used for athletics by local schools and sports clubs and would soon be available during popular times for open public sessions.

External funding towards the works was generously provided by The Football Foundation (£500,000), Play Sport London (The Office of the Mayor of London, £250,000) and the London Marathon Trust (£150,000).

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The Mayor, on behalf of the Council formally congratulated Enfield Town FC and took the opportunity to wish them the best of luck for next season.

Paul Millington then took the opportunity to formally thank the Council for its support of the club and the work undertaken to complete the refurbishment of the Stadium, which he highlighted was a fantastic facility. He paid tribute to the members and officers who had been involved in the process and presented the Mayor, by way of thanks, with a framed photograph of the team celebrating promotion.

Further announcements followed:

- The Mayor advised that she had attended the London Youth Games at Crystal Palace on Sunday 1st July. It had been a great event and she was delighted to have had the opportunity to see the borough's teams in action. Enfield had achieved another successful Youth Games, an Olympic and Paralympic inspired 3rd place and she expressed her thanks to everyone involved, including not only the staff, volunteers, clubs, coaches, parents but also the borough's wonderful young people who had performed so well.
- The Mayor reminded all members that her Civic Service and Thanksgiving would be taking place at 2pm on Sunday 22 July at St Edmunds RC Church. All members were welcome and any members who had not already done so were asked to let the Mayor's Secretary know if they would be attending.

**29
MINUTES**

AGREED that the minutes of the Council meetings held on Wednesday 4 and Thursday 24 May 2012 be confirmed and signed as a correct record.

**30
APOLOGIES**

An apology for lateness was received from Councillor Marcus East.

**31
CHANGE IN ORDER OF BUSINESS**

Councillor Brett moved and Councillor Waterhouse 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 16: The Localism Act 2011 – Replacing the Standards Regime

Council noted that the change in order of business was moved on the basis of advice from the Assistant Director Corporate Governance as it would enable

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the Council to consider and agree the new Member Code of Conduct, detailed within the report. The new arrangements, including the requirements in relation to declaration of interest, could then (subject to approval) be applied for the remainder of the meeting.

The motion was agreed by the Council. Please note the minutes reflect the order in which the items were dealt with at the meeting.

32

THE LOCALISM ACT 2011 - REPLACING THE STANDARDS REGIME

Councillor Simon moved and Councillor Brett seconded the report from the Director of Finance, Resources & Customer Services (No.20A) on the changes to the current standards regime, Members' Code of Conduct and new arrangements for dealing with issues around councillor conduct.

NOTED

1. The new arrangements set out for approval within the report had been subject to consideration at both the Members' & Democratic Services Group (6 June 2012) and Councillor Conduct Committee (13 June 2012).
2. Following publication of the report, further advice had been received from Bob Neil, as Parliamentary Under Secretary of State for Communities and Local Government, setting a time limit of June 2013 as the period of office for which former independent members of the Standards Committee could serve in the new role as an Independent Person. This had conflicted with earlier advice received and had not therefore been reflected within the report.
3. As a result of 2.above, further clarification was being sought from the Parliamentary Under Secretary of State, requiring an amendment to:
 - a. section 6.3 of the report to remove reference to the specific timescale and term of office for the Independent Person; and
 - b. recommendation 2.4 to allow the final term of office to be agreed by the Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair), once clarification on the position had been received.
4. The need for further review of the proposed annual allowance to be paid to the Independent Person(s) in order to ensure a fair reflection of the duties and responsibilities that would accompany the new role. For this reason, it was recommended that a final review of the allowance also be undertaken, and as in 3.b above this also be delegated to the Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair) for final approval.

AGREED

- (1) To approve the new Code of Conduct for Councillors and co-opted members of the Council, as set out in Appendix A of the report.
- (2) To approve the procedure for dealing with complaints against councillors and co-opted members, as set out in Appendix B of the report.

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- (3) To approve the contents of the recruitment pack, as set out in Appendix C of the report (with subsequent additions underlined) and request the Councillor Conduct Committee to select two prospective Independent Persons in accordance with the requirements of the Localism Act and recommend their appointment to the next Council meeting on 19 September 2012.
- (4) The Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair) be given delegated authority to agree the term of office and allowance for the Independent Person(s), subject to:
 - (a) clarification of the regulations relating to their appointment currently being sought from the Parliamentary Under Secretary of State for the Department of Communities and Local Government
 - (b) the outcome of this process being reported back to Council in September 2012 for endorsement.
- (5) The documents included in Appendices A and B of the report, be the subject of review by the Councillor Conduct Committee and the Members' and Democratic Services Group with a report to be submitted to Council on 27 March 2013.

33

DECLARATION OF INTERESTS

John Austin (Assistant Director Corporate Governance) advised members that as the Council had now approved the new Member Code of Conduct, all councillors would be required to comply with the new arrangements relating to the declaration of interests. The code had introduced a new category of disclosable pecuniary interests (DPIs) which in effect had replaced the previous category of prejudicial interests.

Members were advised that:

- these interests extended not only to themselves but also to those of their spouse, partner, civil partner, family members or persons with whom they had a close association or personal relationship, and where they were aware that they had an interest.
- when considering registering or disclosing any interests, they would still need to consider whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it would be likely to prejudice their judgement of the public interest and if so the interest should be declared.
- The definition of what would now constitute a DPI had been set out in section 25 of the new Member Code of Conduct.
- If they considered they had a DPI in any matter being considered at a meeting of the authority they would need to declare that interest and must leave the meeting until the conclusion of the matter under discussion. They would not be permitted to discuss or vote on the matter

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in question and would also need to ensure that the Monitoring Officer was notified of the interest (if not already declared).

- Failure to register a DPI could be a breach of the Code and a criminal offence.
- The new Code had also introduced the category of other pecuniary interests and other non pecuniary interests, which also needed to be declared at any meetings, although (in the case of non pecuniary interests) members could still remain and vote at meetings.

In response to queries by members regarding potential interests on items due to be considered at the Council meeting, the Assistant Director Corporate Governance advised that guidance and case law was still awaited on the detailed interpretation of the new requirements. Members would therefore need to apply the wording of the code as literally as possible and if they felt they had an interest, declare it at the meeting.

The following interests were declared in agenda item 7 - Opposition Business: Helping Enfield's High Street Shops & Businesses

- Councillor Tashin Ibrahim declared a disclosable pecuniary interest as he was an employee of Enfield Retail Business Association Ltd, providing advice to local businesses and retailers.
- Councillor Toby Simon declared a disclosable pecuniary interest as a local resident with a property adjacent to Enfield Town CPZ.

Both members withdrew from the meeting during the consideration of this item and did not vote.

- Councillor Chris Bond declared a non pecuniary interest as a council appointed representative on the Old Enfield Charitable Trust.

34

OPPOSITION BUSINESS - HELPING ENFIELD'S HIGH STREET SHOPS & BUSINESSES

Councillor Neville introduced the issues paper prepared by the Conservative Group, seeking a review of the imposition of Sunday parking charges and consideration of the introduction of a free 20 minute on-street parking period at all times.

In introducing the paper he highlighted the case for carrying out measures which would help to address the economic downturn currently being experienced across many town centres, including those in Enfield. The key issues raised included:

- The need to recognise High Streets and retail shopping generally as a very important contributor to the local economy.
- The correlation between free unlimited parking in shopping centres and the volume of retail spend, as supported in separate research undertaken for the Labour Government in 2009 and more recently by the Portas Review

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- The impact which the imposition of Sunday parking charges had had in terms of discouraging people from shopping in Enfield Town and in encouraging those who did come to stay for less time and therefore spend less money. The impact on churchgoers in Enfield Town was also highlight as an issue of concern.
- The impact of the availability of parking provision to attract retailers to new developments and alternative choice now available to shoppers in terms of the increase in the number of large out of town stores with free parking and growth in internet shopping.
- The need to consider the recommendations within the Opposition Business Paper within the context of the extended downturn in the national economy and need for the Council to assist retail in looking to promote economic success across the borough.
- Whilst shopping centres outside of Enfield Town were not affected by Sunday parking charges, the impact of the increase in parking charges was also highlighted. As a means of assisting smaller businesses in local shopping centres to attract passing trade, the recommendation was also made that consideration be given to introducing a short period of free on-street parking where controls currently existed.

In order to demonstrate the level of local concern on the issues highlighted Councillor Neville then submitted a petition, which he advised contained over 7500 signatures from local residents, shoppers, retailers and churchgoers.

Councillor Neville then introduced the following representatives from local businesses in Enfield Town, who had been invited to address the Council under Opposition Business, in order to highlight their views on the issues raised:

- (a) Erdal Mehmet: Chairman of Enfield Business Association – who highlighted the support amongst local traders in Enfield Town that he had recently surveyed towards the following proposals:
 - The reduction in parking charges for those staying for less than 4 hours on Mon - Sat;
 - An increase in parking charges for shoppers staying for more than 4 hours on Mon - Sat;
 - The removal of Sunday parking charges in Enfield Town; and
 - The introduction of Pay on Exit within car parksA further petition was presented containing signatures from local retailers and their customers.
- (b) Patricia Blair: Chairman of Palace Gardens Traders Association – who highlighted, as a representative of traders within Palace Gardens Shopping Centre:

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- The 2.81% decrease in footfall experienced by the main anchor retailers within Palace Gardens since the start of 2012, with a 12.44% decrease experienced on Sundays.
 - The downturn being experienced across the town centre, with 3 vacant units in Palace Gardens.
 - The detrimental impact which retailers felt the introduction of Sunday parking charges was having on trade and support for the proposals outlined by Erdal Mehmet as a means of helping to maintain the vibrancy of the Town Centre.
 - The open letter that she had written to the Mayor highlighting these concerns and the unanimous support amongst Palace Garden retailers for the removal of Sunday parking charges.
 - The concerns being raised were not politically driven, and had been based on the desire to maintain Enfield Town as a vibrant and thriving town centre.
- (c) Chris Theodoulou: representing independent traders in Enfield Town who highlighted:
- The impact of the current economic downturn on his business, as one of the longest independent traders in Enfield Town with parking charges identified as one of the major issues.
 - The support amongst independent traders for the proposed actions identified by Erdal Mehmet.

Councillor Bond, Cabinet Member for Environment, responded on behalf of the Majority Group, highlighting that:

- The decision to introduce Sunday parking charges in Enfield Town had been implemented following discussions with retailers, residents and churchgoers and had been designed to discourage people from parking all day who were not shopping, thereby increasing parking capacity in the town centre.
- The need to recognise that the majority of people coming into Enfield Town on Sunday travelled on foot and by public transport. Only 43% travelled by car.
- Whilst recognising the importance of parking it was felt this needed to be seen within the context of other wider local issues affecting the High Street, including the quality of the retail offer and environment.
- The current Administration's borough wide approach towards improving town centres, which had also included use of funding generated through the Parking Places Reserve Account, to refurbish the Palace Gardens Shopping Centre car park and introduce CCTV.
- The introduction of Sunday parking charges had not been a new concept, with the previous Administration also having considered the proposal.

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- The introduction of these charges in December 2012 had always been subject to a further period of review. The petition submitted and comments made by local traders during the meeting would now be considered as part of that process. The Cabinet member for Environment advised that he would be willing to meet with local traders and residents as part of the review process and thanked them for attending the meeting to highlight their views.

Other issues highlighted during the debate were as follows:

- The need for immediate action, in order to address the reported decline in footfall within Enfield Town and increasing number of vacant retail units;
- The lack of consensus on the direct correlation between parking charges and the displacement of shoppers to other out of town shopping centres;
- The need to recognise the broad range of issues needing to be addressed as part of an overall strategy recognising the impact of the current economic climate and decline in disposable income alongside the quality of the retail offer, local choice, environment and parking.
- The need to address and avoid high levels of vacant retail units;
- The need to bring forward a measured response in relation to the action required to address the downturn currently being experienced within High Streets. This would need to be based on a full analysis and evaluation of all related issues with individual local solutions identified for each town centre. The review identified by the Cabinet member for Environment had been designed to feed into that process.

After a brief period of debate, the Mayor advised members that 45 minute period set aside for Opposition Business had expired. Council was therefore asked to consider, under Council Procedure Rule 13.1 if they wished to extend the time available to allow further debate. On being put to the vote this was not agreed:

For: 25

Against: 31

Abstention: 0

Councillor Lavender summed up on behalf of the Opposition Group. Whilst recognising the need for the issues to be considered in the widest possible context and review process identified, he also felt there was a need for the Council to focus immediately on those areas within its direct control as a means of addressing the issues raised, which included parking and parking charges within Enfield Town, particularly on Sunday. Without immediate action to address the reported decline in footfall, including the removal of Sunday parking charges, he felt it would be difficult to alter people's shopping habits and attract people back to the town centre on a long term basis.

In response to the debate and recommendations made within the Opposition Business paper, Councillor Bond highlighted his commitment to the review of Sunday parking charges. He advised that this would be commenced with

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immediate effect and include the comments and proposals outlined by the local business representatives at the meeting and as part of the petition that had also been submitted by the Opposition Group. On this basis, he was not minded to support the recommendations within the Opposition Business paper but reiterated that the comments and proposals highlighted during the meeting would be included for consideration as part of the review process.

The Leader of the Opposition requested that a vote was taken on the following recommendations within the Opposition Business paper:

- (1) that the decision of the Cabinet and subsequently the Cabinet Member for Environment to impose charges on Sunday parking be immediately reversed
- (2) that the Council introduces across the borough free parking for a period of up to 20 minutes where on street parking controls exist.

If the Council is not minded to make these decisions now:

- (3) that the Council refers the decision of the Cabinet and subsequently the Cabinet Member for Environment to impose charges on Sunday parking to the Overview and Scrutiny Committee;
- (4) that the Council refers the question of the introduction across the borough of free parking for a period of up to 20 minutes where on street parking controls exist to the Overview and Scrutiny Committee;
- (5) that a full report be prepared for the Overview and Scrutiny Committee by officers that explores fully the costs and benefits of the above two options;
- (6) that the Conservative opposition be permitted to present the report to the Overview and Scrutiny Committee.

The above recommendations were then put to the vote and not agreed, with the following result

For: 26
Against: 31
Abstentions: 0

**35
NEW LIBRARY STRATEGY**

Councillor Charalambous moved and Councillor Constantinides seconded the report of the Director of Regeneration, Leisure & Culture (No.14) seeking approval of the Council's updated Library Strategy.

NOTED

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1. The Strategy had been endorsed by Cabinet on 20 June 2012 and recommended to Council for approval.
2. The Strategy had been updated, following the previous strategy 2007-12, to reflect the substantial change and development of the service and ensure that over the next 3-5 years it was able to continue engaging local people through the provision of accessible, high quality and relevant services.
3. The public consultation undertaken on the updated strategy, as detailed in section 4 and 5 of the report, with key actions identified in relation to books and reading, lifelong learning and literacy, digital services and access to information & buildings and community space.
4. The updated strategy had not included the closure of any libraries, which was supported by all members of the Council.
5. The resource issues identified in terms of delivery of the strategy, as detailed in section 10 of the report.
6. Whilst supportive of the overall principles and objectives within the strategy, the Opposition Group were concerned to ensure that specific details were provided on the actions planned to address the resource issues identified in relation to future delivery of the strategy.

Following a further period of debate Councillor Brett moved and Councillor Constantindes seconded that the report be put to the vote. This was agreed without a vote.

The recommendation in the report was then agreed unanimously without a vote.

AGREED that the new Library Strategy be approved.

36

STANDARDS COMMITTEE ANNUAL REPORT 2011/12

Lawrence Greenberg, Independent member and former Chair of the Standards Committee, moved and Councillor Simon seconded the final annual report of the London Borough of Enfield's Standards Committee 2011/12.

In moving the report Lawrence Greenberg highlighted:

1. that this would be the final report to be produced by the Standards Committee, which had now been replaced by the new standards regime introduced under the Localism Act and Councillor Conduct Committee.
2. the role of independent members had been removed under the new regime with the new position and role of Independent Person introduced in their place. It was hoped that the new arrangements introduced following the Act and adopted by the Council would provide a more streamlined process for dealing with complaints against members.

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3. his thanks to all members and officers (particularly the Monitoring Officer and his staff) involved in supporting the independent members and Committee, for their contributions over the last year.

Councillor Simon thanked Lawrence Greenberg and the other Independent members of the Standards Committee (Dr Elliot Finer and Simon James) for their effort and work over the last year. In addition, specific thanks were extended to Lawrence Greenberg for his efforts and assistance in developing the new standards framework and local arrangements adopted by the Council.

AGREED to endorse the 2011/12 Annual Report from the Standards Committee.

37

CHANGE IN ORDER OF BUSINESS

Councillor Brett moved and Councillor Constantindes 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 20.3: Motion in the name of Councillor Hamilton (Police numbers within the borough)

This was agreed with the following result:

For: 30

Against: 25

Abstentions: 0

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

38

MOTIONS

Councillor Hamilton moved and Councillor Rye seconded the following motion:

"This Council deplores the 100s of police vacancies, plus secondments out to other boroughs that is the current situation in Enfield, which is having a detrimental impact on Safer Neighbourhood teams especially in our most deprived wards.

Knife and gang crime is a serious concern and the Council is opposed to any shortfall and reduction to police numbers in the borough which would limit the ability to apprehend offenders who are members of gangs and carry and use knives.

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We urge the GLA and MOPAC to review the policing numbers in Enfield and raise staffing levels to the numbers required to meet the Borough's policing priorities.

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."

During the debate it was noted that Councillor Hamilton (as Cabinet member for Community Wellbeing and Public Health) would:

- inform Councillor Rye (as Chair of the Crime & Safety and Stronger Communities Scrutiny Panel) of the representation to be submitted to the GLA and MOPAC regarding the review of police numbers within the borough; and
- be willing to provide Councillor Rye with the opportunity to co-sign the representation, should he be minded to support its wording.

Following a short debate on the motion Councillor Lavender moved and Councillor Neville seconded that the motion be put to the vote. This was agreed without a vote.

The motion was then put to the vote and agreed unanimously.

39

CHANGE IN ORDER OF BUSINESS

Councillor Neville moved and Councillor Lamprecht 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 13 (Part 1 Agenda) & Item 2 (Part 2 Agenda): Depot Relocation

The proposed change in order of business was put to the vote, with the following result:

For: 26

Against: 32

Abstention: 0

The change was not agreed and consideration of the business continued in the order set out on the agenda

40

DEVELOPMENT OF A JOINT SERVICE CENTRE

Councillor Charalambous moved and Councillor Brett seconded the joint report from the Director of Health, Housing and Adult Social Care and Director

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of Finance, Resources and Customer Services (No.241) regarding the development of a Joint Service Centre.

NOTED

1. The recommendations in Report No.241 had been approved by Cabinet on 25 April 2012. The item was accompanied by a separate Part 2 report (No.243), which had also been approved by Cabinet on 25 April 2012 and contained a recommendation to Council seeking approval for the addition of the scheme to the Council's Capital Programme.
2. In view of 1.above members were advised that Report No.241 had only been included on the Council agenda for information, as background to the recommendation made to Council.
3. The development of the proposal, following its initial consideration by the Health Scrutiny Panel in 2010, to include not only the delivery of improved primary care facilities in the form of a new GP practice but also a new dental practice and improved facilities for the current Ordnance Road Library and Kettering Hall.
4. The concerns expressed by the Opposition Group at the natural synergy of the services proposed and location of the proposed site.
5. The outcome of the feasibility study undertaken in relation to each site, as detailed in section 3 of the report, along with the fact that further public consultation on the preferred option would be undertaken following approval of the outline business case.

In view of the concerns identified Councillor Rye moved and Councillor Headley seconded an amendment to recommendation 2.1 in the report requiring that public consultation be undertaken on the location of the new GP and dental practice prior to any approval being given to proceed further with development of the Joint Service Centre.

The Assistant Director Corporate Governance advised Council that the recommendations in Report No.241 (on which the amendment had been moved) had already been approved by Cabinet. He reminded members that the report had only been included on the Council agenda for information, as background to the recommendation to Council contained in Report No.243 on the Part 2 agenda. For this reason, the proposed amendment was ruled out.

The debate then continued before Councillor Lavender moved and Councillor Lamprecht seconded that the report be put to the vote. This procedural motion was put to the vote, with the following result:

For: 26

Against: 31

Abstention: 0

The motion was not agreed.

Following a further period of debate, Councillor Lavender again moved and Councillor Lamprecht seconded that the report be put to the vote. This procedural motion was put to the vote, with the following result:

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For: 23
Against: 33
Abstention: 0

The motion was not therefore agreed and the debate continued on the report.

At the conclusion of the debate, Council was asked to note (as background information to the recommended addition of the scheme to the Council's Capital Programme contained in the Report No.243 on the Part 2 agenda) the recommendations that had been approved by Cabinet on 25 April 2012. This was agreed without a vote

AGREED that Council note the decisions taken by Cabinet on 25 April 2012, as detailed in sections 2.1 – 2.4 of the report.

41

COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING

The Mayor advised the meeting that in accordance with Council Procedure Rule 8 (page 4-8 – Part 4), the meeting was due to end at 10:18pm.

In view of concerns raised by the Opposition Group in relation to the decision being sought on Agenda Item 13 (Part 1 Agenda) & Agenda Item 2 (Part 2 Agenda) - Depot Relocation, the Leader of the Council advised that he was minded to agree an extension to the time of the meeting in order to allow these concerns to be identified.

Councillor Lavender therefore moved and Councillor Lamprecht seconded a procedural motion under Council Procedure Rule 8 to extend the time of the meeting for an additional period of 30 minutes. This was agreed by Council, without a vote.

42

CHANGE IN ORDER OF BUSINESS

Councillor Rye moved and Councillor Lamprecht 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 (in the order listed) as the next items of business:

- Item 25: Exclusion of the Press & Public
- Item 2 (Part 2 Agenda) - Depot Relocation
- Item 13: (Part 1 Agenda) - Depot Relocation

This was agreed by the Council, without a vote. Please note the minutes reflect the order in which the items were dealt with at the meeting.

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43

EXCLUSION OF THE PRESS & PUBLIC

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 items of business listed on part 2 of the agenda on the grounds that they involved 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).

44

DEPOT RELOCATION

Councillor Bond moved and Councillor Brett seconded the joint report from the Director - Environment & Director of Finance, Resources & Customer Services (No.17) seeking approval to the arrangements for consolidation of the Council's depot functions onto a single site.

NOTED

1. The recommendations in Report No.17 had been approved for recommendation onto Council by Cabinet on 20 June 2012. The item was accompanied by a separate Part 1 report (No.16), which had also been approved by Cabinet on 20 June 2012.
2. The following concerns highlighted by the Opposition Group in relation to the proposals contained in the report:
 - a. the financial implications and costs associated with the terms of the proposal, as detailed within sections 4.6 and 7 of Report No.17;
 - b. the basis of the legal advice and opinion obtained in relation to the potential use of Compulsory Purchase powers, with specific reference to powers available under the Highways Act 1980.
3. Whilst noting the concerns raised, the Leader of the Council supported by the Cabinet member for Finance & Property confirmed that external legal opinion had been sought on the proposals outlined in the report which were felt to provide an effective solution and way forward. In view of the concerns raised, however, it was agreed that further clarification would be sought on the basis of the legal opinion obtained with the Cabinet member for Environment to inform the Opposition lead member on Environment on the outcome.

Having provided (as requested) an opportunity for the Opposition Group to highlight their concerns on this item, Councillor Taylor moved and Councillor Constantinides seconded that the report be put to the vote. This was agreed without a vote.

The recommendations in the report were then put to the vote, with a roll call requested by the Opposition Group. The results were as follows:

For : 35

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Councillors Anwar, Bakir, Bearryman, Bond, Brett, Buckland, Cazimoglu, Charalambous, Cicek, Cole, Constantinides, Cranfield, Deacon, During, Ekechi, Georgiou, Goddard, Hamilton, Hasan, Ibrahim, Keazor, Lemonides, Levy, McGowan, Murphy, Orhan, Oykenner, Robinson, Savva, Simodyal, Simon, Sitkin, Stafford Taylor and Uzoanya.

Against: 22

Councillors Barker, Chamberlain, Delman, E Hayward, R Hayward, Hurer, Joannides, Jukes, Kaye, Laban, Lamprecht, Lavender, Maynard, McCannah, Neville, A M Pearce, D Pearce, Rye, Smith, Vince, Waterhouse and Zetter.

Abstained: 0

AGREED

- (1) The relocation of the operations from the existing depots at Carterhatch, Advent Way and Bury Street West to Murphy's site at Morson Road, Enfield.
- (2) The Council enters into an agreement to lease the Morson Road site from Murphy on the terms set out in the report, and the lease to be completed after the depot has been constructed by Murphy.
- (3) To approve the necessary capital and revenue expenditure with provision to be made within the Council's Medium Term Financial Strategy process for the required expenditure to be incurred.
- (4) To delegate minor amendments to the Cabinet Member for Environment in consultation with the Director – Environment.

The meeting then moved back into Part 1 and Council noted that the above decision incorporated the recommendations also detailed in the accompanying report (No.16) on the Part 1 Agenda.

45

COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING

NOTED that in accordance with Council Procedure Rule 8 (page 4-8 – Part 4), the remaining items of business on the Council agenda were considered without debate, as the time available for the meeting (as extended) had elapsed.

46

HOUSING REVENUE ACCOUNT (HRA) ASSET MANAGEMENT STRATEGY

RECEIVED the report of the Director of Health, Housing & Adult Social Care (No.11A) seeking approval to the HRA Asset Management Strategy.

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NOTED that the Strategy had been considered and approved for recommendation onto Council by Cabinet on 20 June 2012.

AGREED

- (1) To approve the HRA Asset Management Strategy.
- (2) To note that the document was integral to the further development of the Council's HRA Business Plan, which was due to be presented to Cabinet in July and will then sit alongside it as a complementary document.
- (3) To note that an Estate Renewal/Area Improvement Framework, which would set out the proposed estate/area investment direction for the next 30 years, would be presented to Cabinet in the autumn.
- (4) To note that a fully costed five year capital programme would also be presented to Cabinet in the autumn.

47

ENFIELD'S HOUSING STRATEGY 2012-2027

RECEIVED the report of the Director of Health, Housing & Adult Social Care (No.12) seeking approval to Enfield's 15 year Housing Strategy.

NOTED that the Strategy had been considered and approved for recommendation onto Council by Cabinet on 20 June 2012.

AGREED to approve Enfield's Housing Strategy 2012-2027 and Delivery Plan

48

DRAFT FINANCIAL REGULATIONS

RECEIVED a report from the Director of Finance, Resources & Customer Services (No.230A) detailing the outcome of a review of the Council's Financial Procedure Rules and amendments recommended as a result.

NOTED that the amended Financial Procedure Rules had been considered and approved by Audit Committee on 4 April 2012, for recommendation onto Council.

AGREED that the redrafted Financial Regulations be approved and incorporated into the Council's Constitution, as set out in Appendix 2 of the report, subject to the inclusion of an additional regulation 10 (d) (as detailed in section 3.6 of the report) to ensure that adequate budget provision had been made before proceeding to invitation tender stage for the contractual provision of goods and services.

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49

REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - POLICY & PROCEDURE

RECEIVED a report from the Director of Finance, Resources & Customer Services (No.233A) detailing the results of a review of the Council's policy and procedure relating to the use of the Regulation of Investigatory Powers Act 2000 and changes being recommended as a result.

NOTED that the revised RIPA policy and procedures had been considered and approved by Audit Committee on 4 April 2012 for recommendation onto Council.

AGREED that the revised RIPA Policy and Procedure be approved, as set out in the Appendix of the report

50

SCRUTINY ANNUAL REPORT 2011/12

RECEIVED a report from the Overview & Scrutiny Committee (No.25) presenting the Scrutiny Annual Report covering the 2011/12 Municipal Year.

NOTED that the Annual Report had been agreed for endorsement by Council at the Overview & Scrutiny Committee on 19 April 2012.

AGREED

- (1) The Scrutiny Annual Report 2011/2012 be approved for publication.
- (2) To note the areas identified as future challenges for Enfield's scrutiny function within the Annual Report.

51

USE OF THE COUNCIL'S URGENCY PROCEDURES

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. Application to the Enfield Residents Priority Fund: N21 Festival
2. Application to the Enfield Residents Priority Fund: Queens Diamond Jubilee celebrations

52

COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)

1.1 Urgent Questions

None received.

1.2 Questions by Councillors

NOTED the fifty eight questions on the Council's agenda which had received a written reply from the relevant Cabinet Member.

53

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 Lavender

This Council recognises the important role played by the Green Belt in:

- (i) providing passive open space,
- (ii) providing publicly accessible recreation (particularly enjoyed by those who otherwise do not have access to private gardens),
- (iii) maintaining a sustainable environment for wildlife,
- (iv) inhibiting inappropriate development and arresting climate change and
- (v) preserving a sense of history and identity to Enfield, Edmonton and Southgate.

This Council recognises that its ability to maintain, preserve and provide such facilities and/or attributes is enhanced when its powers as planning authority are combined with the proper exercise of its power as landlord.

This Council notes the uproar and concern caused by recent decisions of the Labour Council to dispose of interests in the Green Belt within the London Borough of Enfield.

This Council therefore resolves not to make any further decision to dispose of any property interest within the Green Belt applicable to any land within the boundaries of the London Borough of Enfield:

- (i) without a full impact assessment being published in relation to the above issues; and
- (ii) unless such decision is made by cabinet and is not subject to delegation to members or officers.

1.2 In the name of Councillor Neville

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This Council notes its failure to recover over 40% (£2.5m) of penalty charges issued in the financial year 2011-2012 and also notes the fact that over £1.2million of housing benefit was overpaid by the council due to its own errors in the financial year 2011-2012. It also notes that in total £5.8m of housing benefit was overpaid and not recovered in the financial year 2011-2012.

This Council regrets its failure to properly safeguard public resources particularly at a time of severe austerity and instructs the Overview and Scrutiny Committee to investigate the causes of these failures and to provide a report to council.

54

MEMBERSHIPS

AGREED the following changes to committee memberships

- a. **Crime, Safety and Stronger Communities Scrutiny Panel** – Councillor Chamberlain to replace Councillor Hall
- b. **Councillor Conduct Committee** - Councillor Murphy to replace Councillor Cranfield
- c. **Green Belt Forum** – Councillor D.Pearce to replace Councillor East and Councillor Laban to replace Councillor Waterhouse.
- d. **Schools Forum** - Councillor Simbodyal to replace Councillor Orhan.

55

NOMINATIONS TO OUTSIDE BODIES

AGREED the following change to the Council's nominations on outside bodies:

- a. **Edmonton United Charities** - Councillor Hall to replace Councillor Chamberlain on expiry of his term of office (18 July 2012).

56

CALLED IN DECISIONS

None received.

57

DATE OF NEXT MEETING

NOTED that the next meeting of the Council would be held at 7.00pm on Wednesday 19 September 2012 at the Civic Centre.

58

EXCLUSION OF THE PRESS & PUBLIC

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 items of business listed on part 2 of the agenda on the grounds that they involved 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).

59

DEVELOPMENT OF A JOINT SERVICE CENTRE

RECEIVED the joint report from the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services (No.243) regarding the development of a Joint Service Centre.

NOTED the recommendations in Report No.243 had been approved by Cabinet on 25 April 2012. Council was subsequently being asked to note the decisions made and consider the addition of the scheme to the Council's Capital Programme.

AGREED

- (1)** To note the decisions taken by Cabinet on 25 April 2012, as detailed in section 2.5 – 2.6 of the report.
- (2)** To approve the addition of the scheme to the Council's Capital Programme.

The meeting ended at 10:45pm

MUNICIPAL YEAR 2012/2013 REPORT NO. **41A**

MEETING TITLE AND DATE:

Council
19th September 2012

REPORT OF:

Director of Health, Housing and
Adult Social Care, Director of
Finance, Resources and
Customer Services

Contact officers and telephone
numbers:

Helen Waring x4058
Fiona Peacock x5033

Agenda 1	Item: 7
Subject: Housing Revenue Account (HRA) 30-Year Business Plan Wards: All	
Cabinet Members consulted: Cllr Oykener, Cllr Stafford	

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the proposed HRA 30-Year Business Plan and requests that Council approves the document and the supporting base business plan financial model as the starting point to move into HRA Self-Financing. These were considered and recommended to Council by Cabinet on 18th July 2012.
- 1.2 The plan is supported by a HRA Asset Management Strategy (which was approved by Council on 4th July 2012) and a HRA Treasury Management Plan, and has been prepared in consultation with stakeholders including tenants, leaseholders, Council officers, Members of the Council, Enfield Homes officers and their Board.
- 1.3 This is the first Business Plan that the Council has prepared in the context of the new system of HRA self-financing, which came into effect from 1st April 2012.
- 1.4 Copies of the HRA Business Plan document are available in the Members' Library and Group Offices.

2. RECOMMENDATIONS

- 2.1 To approve the 30-Year HRA Business Plan document.**
- 2.2 To adopt the base business plan financial model as the starting point to move into self-financing.**
- 2.3 To note that, as options relating to the business plan are further developed, these will be reported to Cabinet for decision at the relevant time.**
- 2.4 To note that the HRA Treasury Management Plan included in the document is prepared in accordance with the Corporate Treasury Management Policy and Strategy.**

3. BACKGROUND

- 3.1 The Government's Localism Act 2011 replaced the previous Housing Subsidy system with a system of HRA self-financing with effect from 1st April 2012. Under the previous subsidy system, Enfield was required to make an annual payment (£8m) to the Government from its HRA. Under self-financing, the Council will keep its own rental income to pay for capital investment in its stock, management and maintenance and repayment of debt.
- 3.2 In order to manage the transition to the new system, the Government prepared a valuation of each Council's HRA business. Enfield's HRA business was valued at £198.015m (an average £17,532 per dwelling). Based on this valuation, the Council paid the Government £28.789m on 28th March 2012 to buy itself out of the subsidy system.
- 3.3 The Government expects Councils to manage their HRA businesses using a 30-year Business Plan backed by an Asset Management Strategy and a Treasury Management Plan. These should be prepared in consultation with interested parties, especially tenants and leaseholders. This report sets out Enfield's proposed 30-year Business Plan and HRA Treasury Management Plan. The HRA Asset Management Strategy was agreed by Council on 4th July 2012.

4. THE 30 – YEAR BUSINESS PLAN

- 4.1 The Council's proposed 30-Year Business Plan has been prepared in consultation with various stakeholders including tenants, residents, staff, Members of the Council and Enfield Homes Board. It brings together all aspects of managing the HRA business into the future and, in relation to the physical assets held within the HRA, builds on the direction described in the HRA Asset Management Strategy.

- 4.2 It is supported by fully costed financial models, which are underpinned by sets of assumptions and sensitivities. These will require constant monitoring and review to ensure that timely action is taken should any significant changes occur.
- 4.3 The financial model supporting the base business plan shows a balanced position in each year throughout the whole 30 year period, with a revenue balance at the end of year 30 of £158m. This is based on the following overarching assumptions:

Assumption 1

- a) rents will be increased in line with government guidelines until 2015/16, and thereafter will increase by RPI + 0.5% (this mirrors the rent assumptions that were included in the Government's self-financing settlement model).

Assumption 2

- b) the Council is likely to borrow up to the HRA debt cap (the maximum it can borrow) in the early years, after which it will either set aside reserves to repay debt, or actually repay debt, in the years where it has sufficient resources to do so. By year 30, there will be sufficient resources available to cover the HRA debt outstanding. Any Treasury Management decision regarding HRA debt will be taken in the context of protecting the financial interests of the whole Council, ie) both the HRA and the General Fund.

Assumption 3

- c) the Council will improve or renew 16 estates within the next 30 years, four of which will happen in the first ten years (Alma, New Avenue, Ladderswood and Highmead). Currently, all estate renewal projects starting from 2012 onwards are modelled on the basis that the Council will retain the rented stock. However, this would be reconsidered if alternative sources of funding were to become available which favoured the ownership of the stock being elsewhere than the Council.

Assumption 4

- d) the current Decent Homes backlog, plus all other elemental backlog, will be cleared by the end of year 5 and there will be no backlog on any decent homes elements after this period. Enfield Homes' database holds information showing which elements will require replacement when, based on their expected asset lives. For example a bathroom may need replacing every 30 years. It is envisaged that, by the end of 2016/17, all elements that are due for renewal under the asset management policy will have been replaced so that from 2017/18 onwards there is no longer a backlog

- 4.4 A full set of assumptions is attached as an Appendix to the Business Plan document. These assumptions include rates of inflation, cost of borrowing, revenue investment levels, income streams, voids and bad debt levels.
- 4.5 Although the plan is balanced, resources are scarce in the first ten years. This is because the need to increase the capital programme to address the investment backlog in the HRA stock coincides with the desire to regenerate four estates during that period and the debt position being higher following the payment of the HRA settlement sum to Government. Appendix A shows a graphical presentation of the base HRA Business Plan over the full 30-year period.
- 4.6 The base plan reflects a starting point to move into HRA self financing and this is the version that the Council is being requested to adopt. It does not, however, fully address two main principles that were agreed with tenants and residents in May. These are:
- a) Construct a business plan which shows the Council controlling at least the same number of tenanted housing units in 2042/43 as it does now (11,300), and, subject to affordability and achievability, seek to increase this number. This principle will require regular review, especially if there is a change in accessibility to funding sources.
 - b) Define the term “sustainable high quality accommodation” and achieve that standard for all stock within the 30-year period, subject to affordability and other constraints (for example, physical features).
- 4.7 Business Plan modelling carried out since May has shown that it will not be possible to fully afford both of these principles. At present, this assertion is based on the HRA relying on traditional sources of funding, and it may be possible to use alternative financing models to alleviate pressure on the Business Plan. A consultant has been engaged to explore the Council’s options in this respect.
- 4.8 In anticipation of this piece of work, two further Business Plan models have been prepared, one showing the replacement of right to buy sales on a one for one basis, and one showing that £133.3m of improvement works to move towards the sustainable high quality accommodation standard could be carried out within the next 30 years if the Council chose not to repay debt. These two scenarios are more fully described in the HRA 30-Year Business Plan document, and will need to be further developed in consultation with all stakeholders.
- 4.9 A set of sensitivities has been run against the base business plan to ensure that the impact of various changes are fully understood (ie what happens if inflation is higher than expected, interest rates go up, rent income goes down, etc).

- 4.10 The financial models and sensitivities have been validated by external consultants, who are working with the Council on the Business Plan production. They have also been subject to further validation following an Internal Audit review which resulted in a positive outcome.
- 4.11 The HRA 30-Year Business Plan and its supporting financial models will be subject to regular review through the governance structure described in the Business Plan document.

5. THE ASSET MANAGEMENT STRATEGY

- 5.1 The approach to HRA asset management was agreed by Council on 4th July 2012. This has been included in the base Business Plan to the extent that it can be afforded. The two further models described above begin to show how additional investment could be achieved, but require detailed consultation on the choices to be made, backed with further financial modelling and options appraisal, before being presented back through Cabinet.

6. HRA TREASURY MANAGEMENT PLAN

- 6.1 The HRA Treasury Management Plan is described in the HRA Business Plan document and attached as an appendix to it. The HRA Treasury Management Plan is compliant with the CIPFA code of practice in that:
- debt remains the debt of the authority, even if notionally loans are allocated to the General Fund or the HRA.
 - the Treasury Management Plan is clear about the principles of allocating loans
 - Treasury Management implications will be part of the Local Authority guidance notes to the Treasury Management Code and Local Authorities with housing will be required to have regard to them
- 6.2 It also follows the CIPFA key principles and the Council's Corporate Treasury Management Policy and Strategy for allocating loans between debt pools as follows:
- the allocation should be broadly equitable between the Housing Revenue Account (HRA) and General Fund but at no detriment to the General Fund
 - future charges to the HRA in relation to borrowing should not be influenced by General Fund decisions
 - uninvested balance sheet resources which allow borrowing to be below the Capital Finance Requirement are properly identified between General Fund and HRA.

6.3 The CIPFA Treasury Management Code suggests that:

- budgets and treasury management plans can be compiled based on estimates
- new borrowing from 1 April 2012 can be allocated to new loans pools
- existing loans should be frozen at 1 April 2012 and apportioned as soon as final figures are known

These suggestions have all been taken into account. The Council has consulted its external Treasury Management advisors to prepare the plan and will continue to require and benefit from their advice as this strand of work is reviewed and updated.

7. ALTERNATIVE OPTIONS CONSIDERED

The Council needs to have a HRA 30-year Business Plan and HRA Treasury Management Plan and therefore no alternative options were considered.

9. REASONS FOR RECOMMENDATIONS

The HRA 30-year base Business Plan is a sound basis on which to move into self financing. It is sufficiently developed in the first ten years to translate into a feasible delivery plan, maximise resources to provide services to tenants and leaseholders and carry out physical improvement to the stock at a level that is felt to be viable at this stage. The two further models described in this report, together with the exploration of new funding options, will give tenants, residents and other stakeholders the opportunity to make additional choices and build on the base over time.

10. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

10.1 Financial Implications

As described in the report, the HRA 30-Year Business Plan is supported by detailed financial modelling. This is based on a number of assumptions and sensitivities which are described within the HRA Business Plan document.

The 30-year Business Plan shows a revenue balance of £158m at year 30, there is no capital shortfall and all debt is repaid. In addition to the base Business Plan, two other business plans have been modelled. The first model is based on the replacement of 770 Right to Buy sales and the second model considers the impact of achieving sustainable high quality accommodation.

The Right to Buy model shows a cumulative revenue surplus of £27m. The other model indicates a total investment of £133.3m over the thirty year period. This model shows a £9m cumulative revenue reserve at year 30, but it is not possible to repay any debt in this model.

Details of the business plan and financial modelling described above are set out in the Business Plan document.

10.2 Legal Implications

The concept of 'self financing' is set out specifically under 'Housing Finance' in chapter 3 of Part 7 of the Localism Act 2011. 'Self financing' is a system for financing council housing to replace the HRA subsidy system. Sections 167 to 175 of the Localism Act 2011 provide for the new system. The HRA Subsidy system will end and local authorities currently operating a HRA will keep all of their rental income and use it to support their own housing stock.

The reforms will only have implications for each stock-retaining local authority's ring-fenced HRA and will not impact on General Fund finances or on other local authorities.

Local authorities will still be required to account to their tenants for income from and expenditure on council housing separately from income and spending on other functions and services. Capital funding will also be provided to tackle the Decent Homes backlog.

The recommendations proposed in this report comply with the reforms set out in the Localism Act 2011.

Under Section 76 of the Local Government and Housing Act 1989 there is a duty imposed on local authorities to prevent a debit balance on the HRA.

10.3 Property Implications

Representatives from Property Services are fully engaged in the HRA Self-Financing project and in particular attended the Asset Management Strategy working group meetings. Their comments and views have been reflected within the HRA 30-Year Business Plan and supporting Asset Management Strategy.

11. KEY RISKS

There are clearly a number of risks associated with setting a 30-year business plan. These are set out as a chapter of the document and supported by a full risks, issues and opportunities register. The sensitivity analysis described in the plan measures the significance of any change to financial assumptions and their likely impact.

12. IMPACT ON COUNCIL PRIORITIES

HRA Self-Financing will allow the Council and Enfield Homes greater opportunity to manage their Housing Revenue Account business in line with their own priorities rather than those imposed by Central Government.

12.1 Fairness for All

Council tenants and other interested stakeholders are closely involved with the HRA business planning project, and their views have been taken into account in developing the HRA 30-Year Business Plan, Asset Management Strategy and Treasury Management Plan. The proposals in these documents are designed to tackle inequality and provide a better place to live for all Council tenants, starting with those who are living in the areas most in need of capital investment.

12.2 Growth and Sustainability

The HRA Business Plan and Asset Management Strategy address growth and sustainability issues, with particular reference to the aspirations to increase stock numbers and to develop sustainable accommodation for the future.

12.3 Strong Communities

The Council's HRA stock is sizeable and therefore the choices it makes through its HRA 30-year business planning processes will have a significant impact on local neighbourhoods within the Borough.

13. PERFORMANCE MANAGEMENT IMPLICATIONS

An action plan accompanies the document. This will require constant monitoring to ensure that it stays on target, both in budgetary and physical delivery terms. The monitoring role will be undertaken through the HRA Programme Board and the HRA Advisory Board and any significant variation reported back to Cabinet.

14. EQUALITIES IMPACT IMPLICATIONS

- 14.1 The adoption of the “sustainable high quality accommodation” standard, together with the area prioritisation scoring matrices proposed in the HRA Asset Management Strategy and reflected in the HRA Business Plan, are specifically designed to address issues of inequality in the borough so that all tenants live in better standard accommodation more suitable to their needs and neighbourhoods are improved.
- 14.2 A predictive equalities impact assessment supporting the HRA 30-Year Business Plan is available on the Council’s website.

15. HEALTH AND SAFETY IMPLICATIONS

Health and Safety issues have been weighted appropriately when considering prioritisation for HRA stock investment over the 30 year period. In addition, it is acknowledged in the HRA Asset Management Strategy that Health and Safety will continue to be given absolute priority in the event that significant issues arise.

Background Papers

”Implementing Self-Financing for Council Housing” DCLG (February 2011)
“The HRA and Self- Financing Determinations” DCLG (July 2011)
“Self-Financing – Planning the Transition” DCLG (July 2011)
“Depreciation and Treasury Management under the Self-Financing of Council Housing” CIPFA (August 2011)
“Consultation on the Draft Determinations to Implement Self-Financing for Council Housing” DCLG (November 2011)
“The Housing Revenue Account Self-Financing Determinations” DCLG (February 2012)

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MUNICIPAL YEAR 2012/2013 REPORT NO. **42A**

MEETING TITLE AND DATE:

Council -
19 September 2012

REPORT OF:

Ray James, Director of
Health, Housing and Adult
Social Care

Contact officer and telephone number:

Paul Davey

0208 379 5258

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Agenda – Part: 1	Item: 8
Subject: Housing Management Review	
Wards: All	
Cabinet Member consulted: Councillor Ahmet Oykener, Cabinet Member for Housing and Area Improvements	
Key Decision 3531	

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the results of the test of opinion survey undertaken in June 2012, which formed part of the review of housing management arrangements for the Council's housing stock that outlined possible options for management arrangements from April 2013.

2. RECOMMENDATIONS

Council is asked to approve:

- 2.1 That the Management Agreement with Enfield Homes is revised and extended until March 2015.
- 2.2 That in the event of a cessation or substantial reduction of Decent Homes funding before March 2015, the Director of Health, Housing and Adult Social Care may terminate the Management Agreement with Enfield Homes in accordance with clause 67.3 of the Management Agreement

3. BACKGROUND

- 3.1 The London Borough of Enfield is responsible for the management of 11,162 rented Council owned properties and approximately 4,000 leasehold properties. Management is currently undertaken by the Council owned company, Enfield Homes, through a five year management agreement due to expire at the end of March 2013.
- 3.2 The Council commissioned a review of the effectiveness and efficiency of Enfield Homes and to identify options for management arrangements from April 2013.
- 3.3 An independent housing consultancy firm, Campbell Tickell, was asked to conduct the review. A report detailing the findings of the review was included as an appendix in Report Number 13 (Key Decision 3469) at the 20 June 2012 Cabinet meeting.
- 3.4 This review report sought to facilitate a Cabinet decision on the preferred option for the future delivery of the housing service through the provision of independently assessed performance and financial information.
- 3.5 A significant driver of resident satisfaction is the repairs and maintenance service. This is currently provided by contractors whose contracts are in place until October 2014. Work will commence in 2012 to specify and procure R&M services beyond that date. This process will include extensive consultation and resident involvement in the procurement as well as extensive outward-looking benchmarking of recently procured contracts to ensure that all recent advances and approaches to efficiency and excellent performance are evaluated and considered to produce an improved service for tenants.
- 3.6 The Department for Communities and Local Government (CLG) recently strengthened previously issued guidance for councils considering the future of their ALMO housing management services.
- 3.7 This guidance emphasised the importance of consulting and working with tenants and outlined the possible consultation mechanisms, including questionnaires, telephone surveys and ballots.
- 3.8 The CLG expect that the consultation exercises undertaken by all councils considering the future of their ALMOs should be as comprehensive as that undertaken when originally transferring those functions to the ALMO.
- 3.9 In order that all residents' views were sought on this important issue, Members took the decision to commission an independent survey of all tenants and leaseholders on their views about the current housing service and whether residents preferred current arrangements with

Enfield Homes to continue, or for their housing services to be delivered directly by the Council.

3.10 Resident Consultation: Test of Opinion Survey

- 3.10.1 To ensure compliance with the Council's procurement rules five companies were approached with the same specification and the company that provided the lowest quote (Kwest Research) was awarded the work.
- 3.10.2 Questions used in the survey were based on proposals put forward by Campbell Tickell which were amended after circulation to Cabinet Members, the Chair and vice Chair of the Housing, Regeneration and Growth Scrutiny Panel and Enfield Homes (Chief Executive and Board Members). *See Appendix A.*
- 3.10.3 Equality Monitoring questions are based on the Council's standards.
- 3.10.4 A covering letter and information sheet were developed to provide additional information about the implications of each of the options.
- 3.10.5 The Campbell Tickell report set out four possible approaches for management arrangements post April 2013 (See section 4). Through a process of discussion with key stakeholders, including residents, a decision was taken to narrow the options down in the survey to:
 - a) Extend the management agreement with Enfield Homes
 - b) Transfer management of landlord services back to the Council
- 3.10.6 Survey packs were sent to 15,612 Council tenants and leaseholders (11090 tenants and 4522 leaseholders) on Wednesday 30 May 2012 and the advertised closing date for responses was Wednesday 27 June 2012.
- 3.10.7 Where an organisation held more than one tenancy with the Council (for example, the Saint John of God Hospitaller Service has over 60 tenancy agreements), only one questionnaire was sent to the organisation.
- 3.10.8 Each respondent that completed and returned their questionnaire was entered into a prize draw for one of four prizes of £250 of Tesco vouchers to encourage maximum participation in the survey.
- 3.10.9 The survey was promoted through the Enfield Homes and the Council's websites; full page adverts in the Enfield Independent and Enfield Advertiser (Thursday 31 May 2012); an article in Housing News; posters placed within blocks on housing estates; a recorded reminder on Enfield Homes' automated customer service telephone greeting and reminders as part of Enfield Homes' e-mail signatures.

3.11. Test of Opinion Results

3.11.1 A final report on the results of the survey is available in the Members' Library and group offices. Notwithstanding the overall response rate, it is important to note that not all of the respondents answered all of the questions and so each question has its own response rate.

3.11.2 Overall there was a 38.47 per cent response rate from tenants and leaseholders with over 6000 responses in total (41.8 per cent of tenants and 30.3 per cent of leaseholders). This response rate is considered very high for a postal survey and gives an accuracy level of plus or minus one per cent if applied to all 15,600 tenants and leaseholders

Replied To Survey (Percentage of Sample)			
Respondent Group	Yes	No	Total Sample
Tenants	41.80%	58.20%	11090
Leaseholders	30.30%	69.70%	4522
Both	38.47%	61.53%	15612

3.11.3 60.70 per cent of tenants were in favour of Enfield Homes continuing to provide their housing service, but the majority of leaseholders (54.4 per cent) preferred a return to Council run services. This equates to 57.32 per cent of residents (tenants and leaseholders who responded to this question) being in favour of continuing with Enfield Homes from April 2013, with 42.68 per cent in favour of returning housing services to the council.

Organisation That Resident Would Prefer To Manage Their Home & Provide Housing Services From April 2013			
Respondent Group	Enfield Homes	Enfield Council	Total Number
Tenants	60.70%	39.30%	4414
Leaseholders	45.60%	54.40%	1273
Both	57.32%	42.68%	5687

3.11.4 72.1 per cent of tenants and 44.4 per cent of leaseholders were either very or fairly satisfied with the overall service received from Enfield Homes. However, 22.26 per cent of respondents were dissatisfied with the service.

Satisfaction With The Overall Housing Service From Enfield Homes

Respondent Group	Very satisfied	Fairly satisfied	Neither	Fairly dissatisfied	Very dissatisfied	Total Number
Tenants	26.40%	45.70%	9.50%	9.20%	9.30%	4071
Leaseholders	5.60%	38.80%	19.90%	17.40%	18.30%	1139
Both	21.85%	44.19%	11.77%	10.99%	11.27%	5210

- 3.11.5 35.56 per cent of residents felt that the service had not changed since April 2008, whilst 41.41 per cent felt it has improved. However 23.42 per cent of respondents felt that the service had declined since 2008.

How Housing Service Has Changed Since April 2008						
Respondent Group	Greatly improved	Improved	Stayed the same	Got worse	Got much worse	Total Number
Tenants	12.40%	33.80%	33.80%	12.60%	7.90%	3751
Leaseholders	2.90%	21.50%	41.80%	19.40%	14.40%	1056
Both	10.31%	31.10%	35.56%	14.09%	9.33%	4807

- 3.11.6 89.95 per cent of residents were aware that their homes had been managed by Enfield Homes since 2008.

Resident Was Aware Their Home Has Been Managed By Enfield Homes Since April 2008			
Respondent Group	Yes	No	Total Number
Tenants	90.10%	9.90%	4083
Leaseholders	89.50%	10.50%	1317
Both	89.95%	10.05%	5400

- 3.12 At a meeting of the Cabinet on the 18th July 2012, the following decisions were taken, contingent on Council approving recommendation 2.1 set out on the first page of this report.
- 3.12.1 That the changes to leadership and governance arrangements (including to the Memorandum and articles of Association) are introduced to ensure Enfield Homes operates in closer partnership with the London Borough of Enfield.
- 3.12.2 That common support services are further reintegrated to provide efficiencies and savings across both organisations.
- 3.12.3 That all opportunities for shared contractual arrangements are rigorously explored and implemented to enhance quality and reduce cost.

- 3.12.4 That Enfield Homes improves the service received by Ward Councillors, particularly in respect of housing enquiries and complaints.
- 3.12.5 That Enfield Homes and the Council jointly review and improve the satisfaction of leaseholders with their housing services.
- 3.12.6 To work with stakeholders to agree a smooth transition to a successful Council led Housing Service after the expiry of the Enfield Homes Management Agreement in 2015, subject to a further review in 2014.

4. OPTIONS CONSIDERED

- 4.1 **Option One:** The Enfield Homes management agreement is extended with certain specified changes;
- 4.2 **Option Two:** The housing service is brought back in-house;
- 4.3 **Option Three:** An optimised ALMO is created to either take over additional Council services, share Council services, or create a “super ALMO” with neighbouring ALMOs;
- 4.4 **Option Four:** Transfer stock on a whole stock basis to an independent registered provider or a partial transfer to facilitate area/estate regeneration; plus consideration of the “CoCo variant” and a “long lease” option.

5. REASONS FOR RECOMMENDATIONS

- 5.1 As the management agreement with Enfield Homes expires at the end of March 2013 a decision is required about future housing management arrangements beyond that date.
- 5.2 The recommendation for providing a time limit [March 2015] to the extension of the Management Agreement serves to acknowledge the achievements of Enfield Homes since 2008 and co-ordinates the use of an ALMO for delivery of housing management functions with the completion of the externally funded decent homes programme which is also due to complete in March 2015.
- 5.3 The Council and Enfield Homes will apply changes to the leadership and governance arrangements (including the Memorandum and Articles of Association) which will ensure closer joint working for the benefit of residents.
- 5.4 Efficiencies and reduced costs will be created by the sharing of services between the Council and the ALMO, along with the exploration of the opportunities to share contractual arrangements. This work will be completed in 2013.

- 5.6 In consultation with Members during the review of housing management arrangements it was clear that there was a level of dissatisfaction with the handling of Members' enquiries by Enfield Homes. The Council and Enfield Homes will work jointly to improve this service following consultation with Members on any weaknesses that need to be addressed.
- 5.7 As the test of opinion survey highlighted a disparity in the satisfaction levels between tenants and leaseholders, Enfield Homes and the Council will work closely together to understand the reasons for this and devise an action plan to improve leaseholder satisfaction with housing services.
- 5.8 The Council will work with key stakeholders and Enfield Homes to agree the shape of the Council led service and also ensure the smooth transfer of the housing management service back to the Council, subject to a further review in 2014.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES DEPARTMENT

6.1 Financial Implications

- 6.1.1 The Campbell Tickell review sets out four principal options (as summarised in section 4) for the future management of the housing stock and estimates the financial implications of the different options where possible. The survey included only option 1 (Extend the management agreement with the ALMO) and option 2 (Bring the service under direct Council control)
- 6.1.2 **Option One:** The review includes estimates of savings from retaining the ALMO. These total £333k, however this includes £94k from sharing financial services which has already been implemented in 2012/13 and £133k from the council clienting side which is already in progress. The remaining £106k relates to sharing the HR function and EH internal clienting. The review also notes it is expected that EH would continue to deliver annual efficiency savings
- 6.1.3 **Option Two:** The review estimates that savings from bringing the ALMO back in house would be at least £400k and potentially £541k. This is due to savings from deleting the chief executive post and the governance function, further accountancy savings, HR savings and a review of senior management. There may be one off costs from bringing the ALMO back in house e.g. redundancy but it is not possible to quantify this at this stage.
- 6.1.4 The cost of the survey and the review has been funded from existing HRA resources.

6.2 Legal Implications

- 6.2.1 Under Local Government Act 1999 a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. A review of the arrangements for housing management of its Council stock helps to ensure that this duty is met.
- 6.2.2. Section 8 of the Housing Act 1985 places a duty on local authorities to review and provide housing in their area. By section 27 of the same Act, a local authority may enter into a management agreement with another organisation to manage its housing stock. Arm's length management of local authority housing became a stated Government housing policy on the publication of the Housing Green Paper 2000, Quality and Choice. The aims of ALMOs were to ensure that local authorities invest their housing resources efficiently and strategically, while housing services to tenants meet demanding targets for improvement. The ALMO's primary objective is to achieve the Decent Homes target across the local authority housing stock that they manage.
- 6.2.3 Communities and Local Government issued guidance in December 2011 with regards to Councils considering the future of their ALMO housing management services. The guidance makes it clear that a Council does not need to seek the Secretary of State's permission if considering bringing the service back in house but in the interests of fairness and consistency rigorous consultation should take place with the tenants which is no less rigorous than that when the service was recommended for transfer to an ALMO. The guidance also requires that a comprehensive risk assessment is undertaken.
- 6.2.4 In addition to the above, section 105 of the Housing Act 1985 requires local authorities to consult tenants on matters of housing management. It is noted that some consultation has taken place.
- 6.2.5 An Equality Impact Assessment should be carried out at an early stage of any plans to change or remove a service, policy or function, and should be an integral part of service planning and policy development.
- 6.2.6 The current Management Agreement between the Council and Enfield Homes, dated 1st April 2008 contains the necessary provisions to enable the Council to amend the contractual arrangements including extension provisions. The Company documentation such as the Articles of Association will need to be amended in accordance with the Companies Act 2006 and any amendments thereof. Such amendments/extensions will need to be in a form approved by the Assistant Director of Legal Services.

- 6.2.7 The procurement of any goods/works/services such as the appointments of any consultants to assist, or the new procurement of R&M services will need to be in accordance with the Councils Constitution, in particular Contract Procedure Rules and EU requirements.

6.3 Property Implications

- 6.3.1 It is good asset management practice to regularly review the methods and approach of managing stock to ensure that the management best meets the service needs; which in this case is management of the Council's housing stock on behalf both tenants and leaseholders.

7. KEY RISKS

- 7.1 Enfield Homes is the most recently formed ALMO nationally. The primary purpose in forming the ALMO was as a special purpose vehicle for receiving decent homes funding and implementing the decent homes programme of works. This programme is not due to be completed until April 2015. Only one ALMO nationally (Newham Homes with one year to run) has been brought back in-house before completion of their DH programme. Funding of the DH programme is now administered by the GLA who base future funding on past performance. There is therefore a risk that bringing the housing service in-house before the conclusion of the DH programme risks full payment of the remaining £26.6m of DH funding for years 2013-15.

It should be noted that the Coalition Government specifically revoked the former requirement that only local authorities with an ALMO could access decent homes funding.

- 7.2 As with all organisational change, bringing all or part of the service back in-house has some associated risks. The potential for staff demotivation, potential loss of performance and process risks in, for instance, the TUPE procedure, will be managed through sound change management processes to minimise disruption and to ensure continued improving housing management services.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

A survey of all Council tenants and leaseholders was considered the most effective way to ensure that all Council tenants and leaseholders had an opportunity to comment on the future housing management arrangements. The involvement of all Council tenants and leaseholders ensured that the process was as transparent and as fair as possible.

The proposal for the future delivery of the housing management service is not likely to have any immediate impact on customers as the scope of the services will not change. When any changes are made to the way that the service is delivered, appropriate impact assessments and

monitoring will be undertaken to ensure that they do not result in an adverse effect on the levels of service.

8.2 Growth and Sustainability

Whichever future housing management arrangements are deemed to best serve the interests of residents, growth and sustainability of the stock and the service will be governed through the HRA 30-year business plan and underpinned by the Asset Management Strategy.

8.3 Strong Communities

Excellent housing management and high quality housing stock are key components of strong communities. It is also anticipated that tenant and leaseholder participation in decision making will either continue under the ALMO model, or be incorporated in an in-house model to further promote strong local communities.

9. EQUALITIES IMPACT IMPLICATIONS

Corporate equalities advice is that an equalities assessment/analysis is neither relevant nor proportionate because there will be no immediate impact on customers and the service will continue to be delivered in compliance with the corporate Equality Opportunities Policy. If the decision is made to make amendments to the service that require changes to processes or a staff restructure, the appropriate Equality Impact Assessments/Analyses will be carried out.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

There are robust performance management arrangements in place for housing services delivered by Enfield Homes. It is anticipated that these will continue during 2012-13. The performance management framework governing performance of repairs and maintenance contractors has been made more stringent since April 2012 and this will continue to be monitored closely.

Should these services be taken back in-house in April 2013, performance management arrangements will be put in place that reflects this change.

11. HEALTH AND SAFETY IMPLICATIONS

It is not anticipated that there will be changes to the health and safety arrangements in place at Enfield Homes, such as fire risk assessments and Construction Design and Management, should there be a transition to the Council.

Background papers:

Updated guidance for councils considering the future of their ALMO housing management services. – CLG December 2011

Page 43 Your Housing - Your Say

The questionnaire and monitoring form should be completed by the tenant or leaseholder at this address, or their partner/spouse or carer, and returned in the Freepost envelope provided.

Every completed questionnaire returned by the **closing date of Wednesday 27th June 2012** will be entered into a draw with a chance to win one of four prizes of £250 Tesco vouchers.

Your Housing - Your Say

Q1 Do you know that your home has been managed by Enfield Homes, the Council's ALMO, since April 2008?

Please ✓ one box only

Yes ☐

No ☐

Q2 Are you a tenant or a leaseholder?

Please ✓ one box only

Tenant ☐

Leaseholder ☐

Q3 How long have you been a tenant or leaseholder with Enfield Council?

Please ✓ one box only

Before April 2008 ☐

After April 2008 ☐

Don't remember ☐

Q4 Since April 2008 has the housing service you receive improved or got worse?

Please ✓ one box only

Greatly improved
☐

Improved
☐

Stayed the same
☐

Got worse
☐

Got much worse
☐

Don't know
☐

Q5 How satisfied or dissatisfied are you with each of the following housing services?

Please ✓ one box for each service

	Very satisfied	Fairly satisfied	Neither	Fairly dissatisfied	Very dissatisfied	Don't know
Repairs service (including communal repairs)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Decent homes works	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response to antisocial behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resident involvement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accessing customer services easily	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management of your estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grounds maintenance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rent/service charge collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q6 How satisfied or dissatisfied are you with the overall housing service you receive from Enfield Homes?

Please ✓ one box only

Very satisfied
☐

Fairly satisfied
☐

Neither
☐

Fairly dissatisfied
☐

Very dissatisfied
☐

Don't know
☐

Q7 From April 2013, who would you prefer to manage your home and provide the housing services listed in question 5 above?

Please ✓ one box only

Enfield Homes ☐

Housing services provided directly by the Council ☐

Your prize draw number is:

Thank you for completing this monitoring information. If you would prefer not to answer a particular question, please tick the “prefer not to say” box.

We are committed to protecting your right to privacy as a tenant or leaseholder of Enfield Council. Your personal details will be kept confidential.

Q1 What is your gender?

Male ☐

Female ☐

Transgender ☐

Prefer not to say ☐

Q2 What is your age group?

18-30 ☐

31-45 ☐

46-55 ☐

56-65 ☐

65 and over ☐

Prefer not to say ☐

Q3 Do you consider yourself to have a disability?

Yes ☐

No ☐

Prefer not to say ☐

Q4 What is your ethnic origin?

✓ one only

White or White British

British ☐

Irish ☐

Any other White background (please describe below) ☐

Mixed

White and Black Caribbean ☐

White and Black African ☐

White and Asian ☐

Any other Mixed background (please describe below) ☐

Asian or Asian British

Indian ☐

Pakistani ☐

Bangladeshi ☐

Sri Lankan ☐

Chinese ☐

Any other Asian background (please describe below) ☐

Black or Black British

Caribbean ☐

African ☐

Any other Black background (please describe below) ☐

Other Ethnic Groups

Please describe your ethnic background below ☐

Not Stated

I do not wish to state my ethnic background ☐

Thank you for completing the questionnaire - your help is greatly appreciated.

Please return the survey in the freepost envelope provided.

© Kwest Research

MUNICIPAL YEAR 2012/2013 REPORT NO. 43

MEETING TITLE AND DATE:
Council 19 September 2012

REPORT OF:

Directors of Regeneration, Leisure & Culture and Schools & Children's Services

Contact officer and telephone number:
Eve Stickler 020 8379 3233
E mail: eve.stickler@enfield.gov.uk

Agenda – Part: 1

Item: 9

Subject: The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy

Wards: All

Key Decision No: 3381

Cabinet Member consulted:
Cllrs Goddard and Cllr Orhan

1. EXECUTIVE SUMMARY

- 1.1 *The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy* meets the Council's statutory duty, under The Child Poverty Act 2010 to produce a Child Poverty Strategy.
- 1.2 The Action Plan identifies seven Aims, each with a key priority, and two major and challenging ambitions. The Aims also act as Enfield's Life Chance Indicators in the absence of a nationally issued set. The performance measures set against them will monitor how effectively Enfield is at reducing the number of children, and their families, who live in poverty.
- 1.3 The Enfield Strategic Partnership has endorsed the Strategy and adopted combating child and family poverty as one of its "cross cutting" issues. The work of partners across the ESP was mapped as part of the development of the strategy and their contribution to delivering the seven Key Aims is identified within the Action Plan.
- 1.4 A Strategic Action Plan has been devised to develop a framework for activities to address child and family poverty as a cross cutting theme. The Action Plan identifies the key interventions for which the individual Strategic Partnership Thematic Action Groups (TAGs) will be responsible and also links into the recommendations of other major Council strategies.

2. RECOMMENDATIONS

Following on from Cabinet (18 July 12) Council is asked to:

- 2.1 approve the Child and Family Poverty Strategy and the Strategic Action Plan, incorporating consultation feedback;
- 2.2 note that the individual TAGs of the ESP will drive forward, co-ordinate and monitor progress towards achieving the aims, priorities and ambitions of the Strategy;
- 2.3 approve the seven Key Aims and Priorities identified within the Strategic Action Plan (Appendix 1);
- 2.4 approve the two challenging ambitions to:
 - reduce the percentage of children living in poverty, by 2020, to 25% (compared to 36% in 2008); and
 - narrow the gap between the most and least deprived wards, in child poverty terms, from the current gap of 42% to 30% also by 2020.

3. BACKGROUND

Wider Policy Context

- 3.1 The Child Poverty Act 2010, which received Royal Assent in March 2010, fulfilled the Labour Government's commitment to enshrine the 2020 child poverty target in legislation. It:
- established four separate child poverty targets to be met by 2020/21;
 - required the Government to publish a Child Poverty Strategy by March 2011 to be revised every three years, setting out policies to meet the targets;
 - established a Child Poverty Commission to provide advice;
 - required the UK Government to publish annual progress reports; and
 - placed new duties on local authorities and other 'delivery partners' in England to work together to tackle child poverty.
- 3.2 The new duties for local authorities in England under Part 2 of the Act came into force in May 2010. Local authorities must:
- promote cooperation between the authority, its partner authorities, and any such other persons or bodies as the authority sees fit, in order to make arrangements to mitigate the effects of child poverty in its area. This includes the ability to establish a pooled fund between all partner authorities;
 - prepare and publish a local needs assessment of children living in poverty in its area;
 - prepare a joint child poverty strategy in relation to its area including measures the local authority and its partners propose to take to reduce and mitigate the effects of poverty;
 - consult with such children or organisations working with or representing children and other person or bodies as the authority thinks fit;
 - have regard to the joint child poverty strategy in exercising their functions.
- 3.3 *The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy* meets the Council's statutory duty, under The Child Poverty Act 2010 to produce a Child Poverty Strategy. This is a major, cross Council and cross partnership strategy which addresses one of the major issues we have to deal with as a Council.
- 3.4 The Coalition confirmed they wish to proceed with implementing the Child Poverty Act 2010 and have a strong interest in the local agenda
- 3.5 Enfield published a Child Poverty Needs Assessment in October 2010 and produced its draft Child and Family Poverty Strategy in 2011. The Child Poverty Needs Assessment was used to consult how to make the Strategy more robust and to develop an action plan.
- 3.6 Neil Rousell, the Director of Regeneration, Leisure and Culture was identified as the Enfield Child Poverty Champion.

The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy

- 3.7 The Strategy provides an opportunity for Enfield to adopt an holistic approach to the way we address child and family poverty. It seeks to identify, coordinate and build on the extensive child and family poverty focused activity in the Borough, identifying natural synergies of working practices across the Council together with its key stakeholders in order to build “resilience” and identify key pilot interventions to pursue.
- 3.8 A full public consultation process on the draft strategy was carried out over a period of 12 weeks from September to November 2011. The consultation process is detailed in the Stakeholder Engagement Flowchart, included in the Strategy. This consultation process included “road shows” at Area Based Partnerships (ABPs), DMTs, Matrix groups and Thematic Action Groups (TAGs) to establish buy-in to a wider circle of responsibility for the strategy.
- 3.9 As part of the consultation process on the draft strategy and the development of the action plan, a mapping of existing provision took place. This was facilitated through a range of action planning workshops and consultation events which took place with key audiences/sectors. These included the ESP stakeholders, Heads of Service and Key Stakeholders, VCS, Faith Forum, Strategic Business Forum, Over 50s Forum, the Benefits Forum, the Wellbeing Board and primary and secondary headteachers.
- 3.10 Four focus groups with children and young people were undertaken by Enfield Children's and Young Persons Services (ECYPS), to better understand young people's perceptions of the issues relating to “poverty” and to identify actions that the young people feel must happen in order to tackle poverty.
- 3.11 Key messages from the consultation process identified the need to focus activity on the following:
- Lack of jobs
 - Improving training pathways, work placements, volunteering opportunities and apprenticeships and mentoring schemes
 - The impact of welfare reforms and financial support
 - Mental health/ disability and wellbeing
 - The need for more effective working together
 - Sustainable housing
 - Fuel poverty related issues
 - Mobility
 - Low cost activities for children and young people

Next Steps

- 3.12 The current Poverty Steering Group will be reviewed and refreshed. Chaired by the Child Poverty Champion its remit will be to
- focus on performance management of the strategy as a whole

- review the Risk Assessment to minimise risk and
- identify the key interventions which work and additional funding opportunities.

It will provide regular progress reports to the ESP and Members.

- 3.13 The Steering Group will also review Background section of the Strategy and will need to take account of the impact of changes to the welfare benefits system and mechanisms for measuring poverty.
- 3.14 In the context of reducing resources the TAGs will be asked to review the Aims for which they have responsibility to streamline the range of actions identified, and developing baselines and performance measures. They will ensure that there is a clear focus on:
- recognising and supporting interventions which work;
 - ensuring accountability and holding services to account for delivery
 - targeting interventions on specific areas already identified for focus by the Area Boards

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Child Poverty Act 2010 requires all councils to produce a strategy. *The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy*, accompanied by a focused Action Plan, is considered to be the most effective approach to addressing the issues identified.
- 4.2 The aims, actions and performance measures identified within the Strategic Action Plan are drawn from a range of other council or partnership plans and strategies and do not therefore require additional resources. However, the drawing together of these actions under the seven Aims should enable smarter working between service providers and offers the potential for budget savings.
- 4.3 The Action Plan identifies seven Aims and a key priority within them. These aims also act as Enfield's Life Chance Indicators in the absence of a nationally issued set. The performance measures set against them will monitor how effectively Enfield is at reducing the number of children, and their families, who live in poverty.

5. REASONS FOR RECOMMENDATIONS

- 5.1 *The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy* is based on the initial Child Poverty Needs Assessment and feedback received during consultation. The Strategy will help Enfield to address some of the Borough's key challenges while maximising the benefits of strategic opportunities such as neighbourhood regeneration. The focus is on economic prosperity, job creation and education and training pathways healthier lifestyles and wellbeing. Many of the projects that will emerge from this strategy deliver multiple benefits, to society, the economy and the environment.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

There are no specific additional resource requirements identified within this report. The individual proposals within this Poverty Strategy and Strategic Action Plan will need to be subject to an appraisal of resource requirement prior to its implementation. The correct processes and necessary approval procedures will then be followed to ensure that any required funding is identified and in place.

Where possible the plan will be delivered by extending and adapting existing services and will need to be within the existing budgetary resources of the Council. It may be possible to access external funding to deliver the ambitions of the Strategy, however this funding may be subject to successful bidding process.

6.2 Legal Implications

- 6.2.1 Section 21 of the Child Poverty Act 2010 imposes duties on local authorities, including London boroughs, to work with 'partner authorities' (defined in s22 and including local bodies such as the police, Transport for London and health, as well as 'such other persons or bodies as the authority thinks fit') in order to reduce and mitigate the effects of child poverty in their area (s21(1)). This duty is part of the overall government strategy set out in s2 of the Act, which imposes a duty on the Secretary of State to ensure that targets are met in relation to four different measures of child poverty, set out in section 3-6, in the target year. The target year is defined as the financial year starting 1 April 2020 (s2(2)).
- 6.2.2 Section 22 (1) requires the arrangements made under s21 by local authorities to include the preparation and publishing of a 'local child poverty needs assessment', defined as 'an assessment of the needs of children living in poverty in its area' (s22(1)). There is provision for regulations, setting out matters to be included, but no regulations have yet been made. Part 2 of the Act came into force on 25 May 2010.
- 6.2.3 The Child and Family Poverty Strategy addresses the duty imposed by s21(1) of the Act. A large number of stakeholders have been consulted in its preparation. Statutory authority for the Strategy is given by s21(1) of the Act. The local child poverty needs assessment, a statutory requirement under s22(1), has been prepared and fed into the preparation of the Strategy.

6.3 Property Implications

There are no Property implications.

7. KEY RISKS

- 7.1 A detailed risk register has been prepared in relation to *The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy* and is available as a background paper.
- 7.2 The Strategy Group will review and refresh the register to reflect the work of the TAGs and the changing National context.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy aims to be inclusive, benefiting people of all communities in the borough. The Strategy tackles issues around spatial inequalities in health, access and income issues relating to employment, and the specific requirements of different parts of the community.

8.2 Growth and Sustainability

Sustainability is at the core of the Strategy seeking to promote sustainable economic growth in relation to poverty.

8.3 Strong Communities

The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy will provide opportunities for people to work more with each other, community organisations and the Council to tackle the cross cutting issue of child poverty.

9. EQUALITIES IMPACT IMPLICATIONS

A Predictive Equalities Impact Assessment was carried out during the development of this Strategy. The following key issues were identified:

- the Strategy to become an instrument of the ESP theme of Prosperous Communities and become a corporate initiative;
- Enfield's Child Poverty Champion to advance the Strategy through the Regeneration, Leisure and Culture and Schools and Children's Services Departments.
- the ESP to monitor the development and progress of the Strategy's 3-year Action Plan through the various Area Boards.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 The Enfield Strategic Partnership (ESP), through its Thematic Action Groups (TAGs), will have responsibility for the performance management of the Strategy and, in particular, the Aims, Priorities and Actions identified in the Strategic Action Plan (Annexe 1). The ESP has endorsed the strategy as one of its “cross cutting” issues to address and it will hold all partners to account for action identified.
- 10.2 The Action Plan identifies the specific TAG with responsibility for monitoring each of the seven Aims. TAGs will be asked to review and streamline the actions currently identified.
- 10.2 Performance measures have also been identified within each of the seven Aims. These have been drawn from a range of existing performance management frameworks. TAGs will be provided with regular reports on target and performance information.
- 10.3 An annual report to both the ESP and Area Based Partnerships on the implementation and progress of *The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy* will be produced. Feedback will be cascaded to DMTs on a quarterly basis to ensure natural synergies and robust reporting mechanisms are in place. The Enfield Youth Parliament will also monitor progress against the Young Peoples Expectations.

Background Papers

Child Poverty Needs Assessment (2010)

Draft Child and Family Poverty Strategy (2011)

ESP Board Paper – “Implementing the Child and Family and Poverty Strategy,” 5th July 2011

ESP Thematic Action Groups Briefing Paper – “Implementing the Child and Family and Poverty Strategy,” (12th December 2011 to Employment and Enterprise Board, 16th December 2011 to the Children's Trust Board)

Predictive Equalities Impact Assessment (2011) – Draft Child and Family Poverty Strategy Consultation and Implementation

Child and Family Poverty Strategy Risk Assessment

Copies of

The Drive Towards Prosperity: Enfield's Child and Family Poverty Strategy and *The Strategic Action Plan* have been placed in the Members' Library and Group Offices.

The Road Towards Prosperity: Enfield's Child and Family Poverty Strategy 2012

Key Aims and Strands of Work

Aim 1: Developing employment, education, training and skills

Priority: *Readiness for Work; provide young people and adults with the skills they need to access employment*

Aim 2: Maximising income and supporting financial resilience

Priority: *Ensure appropriate, targeted and accessible information, advice and guidance is available to assist access to work and entitlements*

Aim 3: Supporting families to achieve their aspirations

Priority: *Empower confident parenting practices*

Aim 4: Improving children and young people's experiences

Priority: *Increase inclusive opportunities for young people to engage in activities outside the home and ensure that young people have access to positive activities*

Aim 5: Narrowing the gap – reducing health inequalities

Priority: *Encourage healthy lifestyles within families with a particular focus on early intervention and prevention programmes*

Aim 6: Encouraging the development of sustainable housing

Priority: *Improve the quality of homes and neighbourhoods and contribute to strong communities*

Aim 7: Reducing and preventing crime

Priority: *Engage and build positive relationships with young people, focussing particularly on those who are most disaffected*

Child and Family Poverty Ambitions

By 2020 we will have:

- reduced the percentage of children living in poverty to 25% (compared to 36% in 2008); and
- narrowed the gap between the most and least deprived wards, measured in terms of child poverty, from the current gap of 42% to 30%.

MUNICIPAL YEAR 2012/2013 REPORT NO. **65**

MEETING TITLE AND DATE:

OSC
 25th July 2012
 CMB
 - 21st ^{August} 2012
 Cabinet
 - 12th September 2012
 Council
 - 19th September 2012

REPORT OF:

Overview & Scrutiny Committee

Agenda - Part: 1	Item: 10
Subject:	
SCRUTINY ANNUAL WORK PROGRAMME 2012/13	
WARDS: None Specific	
Cabinet Members consulted: Cllr Doug Taylor Other Members consulted – Overview & Scrutiny Committee	

Contact officer and telephone number:

Mike Ahuja (Head of Corporate Scrutiny Services) Tel: 020 8379 5044 e-mail:

Mike.Ahuja@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report and Appendix 1 sets out the annual work programme for the Council's Scrutiny Panels and Overview & Scrutiny Committee (OSC).
- 1.2 The Council's Constitution requires that the combined work programmes proposed by each Panel are adopted by Council (as an annual scrutiny work programme), on the recommendation of the Overview & Scrutiny Committee, following consultation with the Corporate Management Board (CMB) and the Cabinet.
- 1.3 Cabinet is being invited to comment on the Scrutiny Annual work programme recommended by OSC, prior to approval by Council.

2. RECOMMENDATIONS

- 2.1 Cabinet consider and comment on the combined Scrutiny Panel Work Programmes.
- 2.2 That Council formally adopt the annual Scrutiny Work Programme 2012/13 (as detailed in Appendix 1) having considered any comments from CMB & Cabinet.

3. BACKGROUND

- 3.1 Enfield Council has a successful scrutiny function with examples of strong community engagement and tangible challenges to the Council's Executive. This continues to be recognised nationally. Enfield's Corporate Scrutiny and Community Outreach won the national MJ awards 2012 and have been shortlisted by the Association of Public Service Excellence (APSE) for the Best Local Democracy Initiative
- 3.2 In the absence of any national indicators, Enfield has developed its own scrutiny evaluation framework and tracking system to monitor progress being made against the implementation of scrutiny recommendations. The results from both of these systems are reported to OSC annually for monitoring purposes and to assist members in the ongoing organisation and development of the scrutiny function. In addition formal consultation with customers will occur this year as part of the Finance Resources and Customer Services Customer Survey Programme.
- 3.3 In addition this year the team undertook an organisational learning exercise surveying Officers and Councillors on the work that had been undertaken on particular reviews and how the process and outcome could have been improved, the results of this were very positive.
- 3.4 Enfield has adopted a mixed thematic & functional scrutiny structure with an Overview & Scrutiny Committee (OSC) established to manage the overall function and Scrutiny Panels. The structure and remits of the Panels have changed this year, to better reflect the Council's aims and vision. The areas covered by each of the Council's Scrutiny Panels are as follows:

Scrutiny Panel	Chairman	Vice-Chairman
Overview and Scrutiny	Councillor Simon	Councillor Sitkin
Older People & Vulnerable Adults	Councillor G Savva	Councillor Joannides
Children & Young People	Councillor Simbodyal	Councillor Kaye
Crime & Safety & Strong Communities	Councillor Rye	Councillor Cranfield
Sustainability & the Living Environment	Councillor Sitkin	Councillor Laban
Health & Wellbeing	Councillor Cazimoglu	Councillor Pearce
Housing Growth & Regeneration	Councillor Smith	Councillor Uzoanya

- 3.5 In the last few years scrutiny has been given more power to hold a wider range of the Council's key external strategic partners to account. These include:
- The Councillor Call for Action, providing members with an opportunity to raise local issues via scrutiny when other methods of resolution have been exhausted.
 - The petition scheme which includes, as an option, the ability for scrutiny to review issues raised through petitions, hold officers to account as well as acting as an appeals mechanism.

- 3.5 The main role of OSC, alongside dealing with call-in, petitions and CCfAs, is to provide leadership and co-ordination of the Council's scrutiny function. A key function is to review the combined annual work programmes produced by each panel in order to:
- ensure that the Council's scrutiny function is achieving its overall purpose and each Panel's time is being efficiently and effectively used;
 - ensure that the overall work programme is realistic, focussed and well balanced;
 - effectively co-ordinate and manage the allocation of resources between Panels to support the scrutiny function and individual reviews;
 - identify and address any gaps or overlaps between the individual Panel work programmes and any potential for joint working; and
 - approve for adoption by Council, following consultation with CMB & Cabinet, an overall annual scrutiny work programme;
- 3.6 The annual scrutiny work programme has, as in previous years, been based on a combination of the individual work programmes produced by OSC and each Panel for 2012/13. The individual Panel work programmes have been collated and attached as Appendix 1.

Cabinet, are asked to note that:

- a. In order to ensure the most effective use of officer support and member time each Panel will again be looking to limit the number of detailed reviews being undertaken at any one time to two;
- a. Each of the work programmes will need to be treated with a degree of flexibility as Panels may amend some of the work they have initially identified as their work programmes develop and scopes for each review are finalised;
- b. The individual work programmes will be subject to ongoing development and continuous review by each Scrutiny Panel.

4. REVIEW OF PANEL WORK PROGRAMMES

- 4.1 OSC (25th July 2012) undertook a review of the combined Panel work programmes and agreed to recommend these as the basis of the 2012/13 annual scrutiny work programme to Council with the following comments:
- Following the last joint meeting of the Children & Young People Scrutiny Panel and Sustainability & the Living Environment Scrutiny Panel, Councillor Sitkin requested a follow-up meeting to discuss sustainable classrooms and requested that this was added to the work programmes.
 - Councillor Sitkin also advised that a joint meeting of the Health & Wellbeing Panel and the Sustainability & Living Environment Panel would take place on the 7th March 2013.
 - Councillor Simbodyal requested that Infant Mortality which had previously been looked at by the Children & Young People Panel should be referred to the Health & Wellbeing Panel, this would need to be agreed by the Panel.

5. COMMENTS FROM CORPORATE MANAGEMENT BOARD & CABINET

- 5.1 CMB considered the combined Panel work programmes at its meeting on 21st August 2012. CMB put forward some minor changes to the combined Scrutiny Panel Work Programmes, and these have been amended.
- 5.2 Cabinet is being invited to comment on the combined Panel Work Programmes recommended by OSC, prior to their consideration by Council as the basis of the Annual Scrutiny Work Programme for 2012/13. Any comments made by Cabinet will be reported to Council for consideration on 19th September 2012.

6. REASONS FOR RECOMMENDATION

To comply with the requirements of the Council's Constitution.

7. ALTERNATIVE OPTIONS CONSIDERED

No other options have been considered as the Overview & Scrutiny Committee is required, under the Council's Constitution, to present an annual scrutiny work programme to Council for adoption.

8. DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES COMMENTS

8.1 Finance

Any cost implications of undertaking the Scrutiny Panel work programmes, that cannot be met from within the budget allocated to scrutiny, will need to be addressed through the financial monitoring process.

8.2 Legal

8.2.1 Section 21 of the Local Government Act 2000 requires principal local authorities to have at least one overview and scrutiny committee. Its functions are to:

- review or scrutinise decisions or actions taken by the cabinet or any non-executive part of the council;
- make reports or recommendations to the Council or the Cabinet on any issue to do with the Council's functions; and
- recommend that any decision be re-considered

8.2.2 The Council's Constitution requires the reporting of the Annual Work Programme for approval.

8.3 Key Risks

Any risks relating to individual scrutiny reviews will be identified and assessed through the scrutiny review scoping process.

9. IMPACT ON COUNCIL PRIORITIES

9.1 Fairness for All

The role of scrutiny in Enfield includes ensuring, as part of any review, that services are being provided on a fair and equitable basis for all members of our communities. Relevant studies will include reviews around the provision of pupil attainment, provision of services to Stroke patients, primary pupil places & getting people into work.

9.2 Growth & Sustainability

Growth and Sustainability are now within the remit of the Housing, Growth & Regeneration Scrutiny Panel. As part of the approach towards scrutiny in Enfield all Panels are being encouraged to consider issues relating to sustainability and the support that can be provided to secure further inward investment in the borough.

9.3 Strong Communities

The scrutiny process provides an opportunity for elected members of scrutiny panels, and members of the local community, to actively contribute towards reviewing the delivery, performance and development of public services provided to all residents of Enfield by the Council and its partners. Community engagement has been recognised as a particular strength of scrutiny in Enfield and its intended to continue encouraging this approach over the coming year.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1 The key aims for the Council's scrutiny function include:

- to review & assess the delivery and performance of services provided by the Council and it's partners.
- to assist in the monitoring & development of Council policies and strategies;

10.2 The work programmes produced by each Panel are designed to reflect these aims and as such the work undertaken by the Council's scrutiny function has a significant role to play in the Council's performance management.

Background Papers: Report to Overview & Scrutiny Committee – 25 July 2012:
Review of Scrutiny Panel Work Programmes 2012/13

OVERVIEW & SCRUTINY COMMITTEE: WORK PROGRAMME 2012/2013

WORK	Lead Officer	Wed 25July 12	Thurs 20Sept12	Thur 8Nov12	Thurs31Jan 13	Tues 12Mar13	Thur25April 13
Work Programme							
(a) Setting Overview & Scrutiny Annual Work Programme 2012/13	Mike Ahuja	OSC work programme					
(b) Scrutiny Annual Work Programme 2012/13	Claire Johnson	<i>Review & approve work programme</i>					
Scrutiny involvement in budget consultation process 2012/13	Mike Ahuja/Richard Tyler			Budget Meeting arrangements	Budget Meeting		
Performance Management							
Corporate Policy/Strategy							
(a) HR Apprenticeship scheme & workplacements - Annual monitoring update on Council work experience programme & Apprenticeship Scheme	Tony Gilling/Mike Ahuja						
(b) Audit Commission – Management of the Green Belt – review of disposal/concession	Mike Ahuja						
(c) Revenues & Benefits Service – performance monitoring (Mike to discuss with OSC Chairman)	Kate Robertson/ Mike Ahuja	Update – data conversion					Annual Monitoring Update

(d) Use of consultant, interims & agency staff – review of use within council. (do we need this one again this year)	James Rolfe/Tony Gilling & Mike Ahuja			Monitoring Update			Monitoring Update
(e) Impact of the Governments Welfare Reform	Kate Robertson/ Mike Ahuja						
Scrutiny Monitoring Items							
(a) Scrutiny Evaluation Framework	Claire Johnson		2011/12 assessment				
(b) Scrutiny Recommendations – Tracking System	Claire Johnson		2011/12 assessment				

WORK (Continued)	Lead Officer	Wed 25July 12	Thurs 20Sept12	Thurs 8Nov12	Thurs31Jan 13	Tues 12Mar13	Thur25April 13
(c) Scrutiny Member Induction	Mike Ahuja/Claire Johnson	For initial discussion	Feedback 2012/13 session				Planning 2013/14 session
Monitoring use of Urgency Procedures				6 monthly monitoring update			6 monthly monitoring update
Other Items:							
Councillor Call for Action – as required during the year							
Petitions	Mike Ahuja/Stuart Brown	Trent Park Café audit feedback					
Scrutiny Annual Report	Mike Ahuja					Format	Outline Report 2012/13

Children & Young People Scrutiny Panel Scrutiny Work Programme 2012/2013

WORK	Members Support Officer & Department Lead	11 th July	11 th Sept	11 th Dec	6 th Feb	16 th Apr
Annual Work Programme	Claire Johnson	Agree work programme				
Budget Consultation	James Rolfe			Consultation		
Annual Report	Claire Johnson					Agree Draft report
Councillor Call for Action						
Working Groups						
Primary Pupil Places	Nneka Keazor, Derek Levy, Rohini Simbodyal, Glynis Vince, Liz Cody		Update			
Getting Young People into Employment, Education & Training	Rohini Simbodyal, Jon Kaye, Chris Deacon, Ali Bakir Lester Vaughn, David Barnard, Claire Johnson			Update		
Primary Pupil Attainment	Rohini Simbodyal, Chris Deacon, Ann Zinkin, Derek Levy, Nneka Keazor, Jenny Tosh, Claire Johnson				Update	

WORK	Members Support Officer & Department Lead	11 th July	11 th Sept	11 th Dec	6 th Feb	16 th Apr
Reports & Briefings to Panel						
Council's Communications to young people	David Greely, Nursal Livatyali	Briefing				
Housing Benefit Cap implications & effects	Kate Robertson	Briefing	Supplementary Paper			
Troubled Families	Tracy Jenkins			Briefing		
Mentoring						
Childhood Obesity	Claire Wright					
Young Care Leavers	Tony Theodolou					
Young People's Relations with the Police (in conjunction with Enfield Youth Parliament)	Sam Morris/Jim Clunes/ Claire Johnson		Discussion following the EYP meeting on the 5 th September			
Customer First	Eve Stickler				Update	
Monitoring Issues						
Children's Social Care complaints	Lesley Morton	Report				
Adoption Performance	Tony Theodolou		Report			Report
Fostering Performance	Tony Theodoulou		Report			Report

WORK	Members Support Officer & Department Lead	11 th July	11 th Sept	11 th Dec	6 th Feb	16 th Apr
Recruitment & Retention of Children's Social Workers	Andrew Fraser					
Local Safeguarding Board Annual Business Plan	Andrew Fraser					
Monitoring recommendations from previous panel reviews						
Primary Pupil Places						Update

CRIME & SAFETY & STRONG COMMUNITIES SCRUTINY PANEL: WORK PROGRAMME 2012/2013

WORK	Members, Support Officer & Departmental Lead Officer	Wed 11 July	Wed 26 Sep	Wed 12 Dec	Thurs 14 Feb	Thurs 18 April
Work Programme:						
Panel Work Programme 2011/12 – To consider the Panel work programme	Sue Payne	Approve Programme				
Scrutiny Reviews:						
Metal Theft	Sue Payne Cllrs Rye (Lead), Maynard			Update	Verbal update	
Risks to young women in relation to gang violence	Sue Payne Cllrs Cranfield (Lead), Ekechi, Vince			Update	Verbal update	
SSCB Partnership Plan & Strategic Priorities – To review and participate in the consultation process on development of the Plan and strategic priorities for 2012 – 13.	Andrea Clemons/ Sue Payne		Progress Update	Progress Update – engagement in consultation process	Progress Update – Feedback on public consultation & outline priorities	Final Report
SSCB Performance Management – To develop and provide a monitoring overview on performance of SSCB	Andrea Clemons/ Sue Payne	Monitoring Update		Monitoring Update		Monitoring Update
Member Briefings & Monitoring:						
Gangs strategy	Andrea Clemons/ Sue Payne					

WORK	Members, Support Officer & Departmental Lead Officer	Wed 11 July	Wed 26 Sep	Wed 12 Dec	Thurs 14 Feb	Thurs 18 April
Domestic Violence change in recording age and awareness raising	Sue Payne & Shan Kilby (Domestic violence co-ordinator)					
Local Policing Model	Supt Paul Healy/ Sue Payne	Report				
SSCB Peer Review on Ending gangs and Serious Youth Violence	Andrea Clemons/ Sue Payne	Report	Action Plan			
Domestic Burglary	Andrea Clemons/ Sue Payne		Report			
2 shopping centre managers in Enfield Town to discuss the rules and regulations in Enfield Town	Sue Payne		Briefing			
Corporate Scrutiny Issues:						
Budget Consultation Process 2012/13	Mike Ahuja/Sue Payne			To Consider 2012/13 Budget Consultation Proposals		
Scrutiny Annual Report 2012/13	Sue Payne					Panel Report
Councillor Call for Action – as identified.	Sue Payne					

Sustainability and the Living Environment Scrutiny Panel Work Programme 2012/2013

WORK	Members, Support Officer & Department Lead	Thurs 5 July 12	Weds 5 Sept 12	Thurs 13 Nov 12	Thurs 17 Jan 13	Thurs 7 March 13
Annual Work Programme	Andy Ellis	Agree work programme				
Budget Consultation 2012/13	James Rolfe				Consultation –	
Annual Report	Andy Ellis					Report
Councillor Call for Action						
ROADS						
Electric Cars/ Charging Points			Report			
ZIPCARS			Presentation			
Cycling Routes		Briefing				
London parking schemes					Report	
Congestion – Utility Companies					Briefing	
WASTE MANAGEMENT						
Litter management (inc. Tidy Teams)		Briefing				
Recycling: London comparisons, wheelie bins, housing estates				Report		
HEALTH (joint panel meeting)						
Fast food, sport in parks, green gyms,						

regulatory services, alcohol restrictions, cycling safety and bikeability,east/west divide						
WORK	Lead Member Support Officer & Panel Department Lead	Tues 5 July 12	Thurs 5 Sept 12	Mon 13 Nov 12	Tues 17 Jan 13	Mon 7 March 13
OTHER						
Relations with Friends of Parks				Briefing		
Building Enforcement		Briefing				
QE2 Stadium – Community Use			Briefing			
Update on LBE Sustainability actions			Briefing			
Update on Retrofitting schemes				Report		
London Wildlife Trust		Presentation				
OPEN SLOT TBD						
OPEN SLOT TBD						

Housing, Growth and Regeneration Scrutiny Panel Work Programme 2012/2013

WORK	Members , Support Officer & Department Lead	Thurs 12 July 12	Weds 12 Sept 12	Thurs 22 Nov 12	Thurs 24 Jan 13	Weds 13 March 13
Annual Work Programme	Andy Ellis	Agree work programme				
Budget Consultation 2012/13	James Rolfe				Consultation	
Annual Report	Andy Ellis					
Councillor Call for Action						
New Reviews						
Allocations Policy	Sally McTernan/ Liz Smale					
Leeside/ Meridian Water Regeneration	Neil Rousell					
Decentralised Energy Networks	Neil Rousell					
Tenant/Leaseholder Consultation OR NCR/TFL update (to be confirmed)	Paul Davey					
Ponders End Regeneration	Neil Rousell					
Right to Buy Scheme	Sally McTernan					
Welfare Reform and various caps	Sally McTernan					
Increasing Employment opportunities & inward investment	Neil Rousell					

WORK	Members , Support Officer & Department Lead	Thurs 12 July 12	Weds 12 Sept 12	Thurs 22 Nov 12	Thurs 24 Jan 13	Weds 13 March 13
Briefings & Updates						
Funding Bids						
Supply of affordable Housing						
South West Area Partnership						
Monitoring						
Worklessness Commission						

OLDER PEOPLE & VULNERABLE ADULTS SCRUTINY PANEL: WORK PROGRAMME 2012/2013

Work Programme	Lead Officer	Thurs 19 July 2012	Wed 26 September 2012	Tues 21 November 2013	Thurs 15 January 2013	Wed 19 March 2013	Additional Meeting end April/early May to be arranged
Annual Items							
Setting Annual Work Programme 2012/13	Linda Leith	Agreement of Work Programme					
Scrutiny Annual Report 2012/13	Linda Leith					Draft Annual Report 2012/13	
Budget Consultation 2012/13	Linda Leith/ Finance				HASC Budget & Budget Pressures Report		
Councillor Call for Action (CCfA) – as required							
Rolled Forward Monitoring Items From 2011/12 Municipal Year							
Local Account Consultation	Doug Wilson					Briefing Report	
Recruitment & Retention of Qualified Social Workers & Managers – (annual monitoring)	Doug Wilson			Update Report			

Work Programme	Lead Officer	Thurs 19 July 2012	Wed 26 September 2012	Tues 21 November 2013	Thurs 15 January 2013	Wed 19 March 2013	Additional Meeting end April/early May to be arranged
Social Services Income Collection and Debt Write-Offs (Monitoring Item - annually)	Jeanne Edeam			Monitoring Report			
Home Care Contract Performance and EMS (Electronic Monitoring System)	Michael Sprosson			Update			
Annual Safeguarding Adults Board Report and Strategy. Training for members of SP to be confirmed asap	Keezia Obi		Invite Marion Harrington (Chair of ASB) to present the Safeguarding Annual Report			Briefing Consultation	
New Monitoring Items							
Stroke Strategy- Action Plan Progress	Tristan Brice Kate Charles						
National Performance Indicators – timeliness of HHASC assessments (quarterly update)	Suzanne Hutchinson/ Doug Wilson	Briefing					
Voluntary and Community Sector Strategic Framework 2012-17 update	Michael Sprosson	Briefing					
Dementia Strategy - Action Plan progress	Kate Charles		Update				

Work Programme	Lead Officer	Thurs 19 July 2012	Wed 26 September 2012	Tues 21 November 2013	Thurs 15 January 2013	Wed 19 March 2013	Additional Meeting end April/early May to be arranged
End of Life Care Strategy - Action Plan Progress	Kate Charles			Update			
Intermediate Care and Re- enablement Strategy - Action Plan Progress	Kate Charles		Update				
Carers Strategy Consultation	Kate Charles/ Rosie Lowman	Briefing					
e-Marketplace Development	Matt White/ Martin Abrey	Demonstration					
Scrutiny Reviews (Working Groups) to be Continued:-							
Personalisation of Care	Linda Leith/Lorraine Davies Open to all members	WG to update Panel	WG to update Panel	WG to update Panel	WG to update Panel	WG to update Panel	WG to update Panel
Modernisation of Services for People with Dementia – New Care Home (Elizabeth House)	Linda Leith/Pauline Kettless		Update to discuss procurement process				
New Scrutiny Reviews 2012/13 (TBC)							

Work Programme	Lead Officer	Thurs 19 July 2012	Wed 26 September 2012	Tues 21 November 2013	Thurs 15 January 2013	Wed 19 March 2013	Additional Meeting end April/early May to be arranged
Mental Health Services	Kate Charles		Update				
Carers Centre Review – possible additional meeting at Carers Centre?	Bindi Nagra/ Ray James						
Review of Voluntary Sector Funding – review and monitor the delivery outcomes							
Transport Issues including Dial A Ride, invite users.							
Any Additional Items added During 2012/13							
Panel Training Session on the signs of Abuse (Safeguarding Adults)							
Asphasia Training Requested (evening training session requested) date to be confirmed	Tristan Bryce						
Cost of HASC services Quarterly reports to Panel	Ray James						
Social Care white paper briefing On future funding for social care.							
Briefing on new Joint Strategic Needs Assessment (JSNA)							

NOTES:

1. The panel is asked to note that the work programme will be reviewed and updated at each meeting to enable members to record and monitor the progress of work being undertaken.

Please note that the above programme maybe subject to change during the course of the year.

HEALTH & WELLBEING SCRUTINY PANEL : WORK PROGRAMME 2012/2013

Work Programme	Lead Officer	Tues 10 July 2012 (papers by 2 July)	Tues 16 October 2012	Thurs 10 January 2013	Tues 5 March 2013	Wed 24 April 2013
Annual Items						
Setting Annual Work Programme 2012/13		To agree				
Scrutiny Annual Report 2012/13						To agree
Budget Consultation 2012/13				Consultation Briefing		
Councillor Call for Action (CCfA) – as required						
Rolled Forward Monitoring Items From 2011/12						
NHS Trust Quality Accounts					B&CF Patient Experience Strategy?	
Local Aspects of Health & Social Care Act, verbal updates <ul style="list-style-type: none"> - CCG Authorisation - Transition to other new organisations eg 'Prop-Co' and NCBA - Health & Wellbeing Board & Health & Wellbeing Strategy - Public Health 		Update	Update	Update	Update	Update

Work Programme	Lead Officer	Tues 10 July 2012 (papers by 2 July)	Tues 16 October 2012	Thurs 10 January 2013	Tues 5 March 2013	Wed 24 April 2013
Primary Care Strategy - Implementation progress - NHS engagement - GP Patient Participation - Health Visitors		Written Update				
BEH Clinical Strategy - Implementation progress - engagement		Written Update				
Stroke Strategy - Implementation progress	Tristan Brice	Update deferred from 25 April 2012				
Dementia Strategy - Implementation progress	Kate Charles		Update			
Intermediate Care & Re- enablement Strategy - Implementation progress	Kate Charles		Update			
End of Life Strategy - Implementation progress	Kate Charles			Update		
New Monitoring Items						
Public Health - Annual Public Health Report - Public Health Strategy - Joint Strategic Needs Assessment update			Annual PH Report Briefing? Shaheed Ahmed			

Work Programme	Lead Officer	Tues 10 July 2012 (papers by 2 July)	Tues 16 October 2012	Thurs 10 January 2013	Tues 5 March 2013	Wed 24 April 2013
QIPP (or NCL JHOSC)						
Consultations						
Evergreen Walk in Centre			Update on Board decision			
Active CCfA's						
Ordnance Road Development				Update		Update
New Scrutiny Reviews:						
Diabetes – patient experience			Briefing / draft scope			
Mental Health			Briefing on Services			
Rolled Over Scrutiny Reviews:						
Stroke Working Group	AMP CD		Update from WG	Update from WG	Update from WG	Update from WG

NOTES: 1. The panel is asked to note that the work programme will be reviewed and updated at each meeting to enable members to record and monitor the progress of work being undertaken.

Audit Committee Annual Report 2011/12

CHAIRMAN'S INTRODUCTION

I am very pleased to present this Audit Committee Annual Report for 2011/12 to both the Committee and to full Council.

The report shows that the Audit Committee has undertaken its role effectively, covering a wide range of topics and ensuring that appropriate governance and control arrangements are in place to protect the interests of the Council and the community generally.

I would like to thank all the members who served on the Committee during 2011/12. My thanks also go to Grant Thornton (external auditors) and to Council officers who have supported the work of the Committee and more specifically me in my role as Chairman.

Councillor Dino Lemonides
Chairman

1. TERMS OF REFERENCE AND MEMBERSHIP

The terms of reference of the Audit Committee are set out in the Council's Constitution (see Chapter 2.7 – paragraph 5). Our primary purpose is to ensure best practice in corporate governance and to enable the Council to discharge its fiduciary responsibilities in preventing fraud and corruption and arranging proper stewardship of public funds.

The committee revisited its terms of reference in September 2010 to ensure that they were aligned to its current roles and responsibilities, as recommended by CIPFA. They were approved by full Council at its meeting of 10 November 2010.

At the meeting of 25 November 2010 we agreed the option of having independent non voting members on the committee. On 2 March 2011 Council approved the Committee's recommendation to include two independent non voting members to the committee with effect from 2011/12. These posts were advertised but we were unable to fill the positions. Recruitment is now planned for the current year.

We met 6 times during 2011/12, in addition to a number of briefing sessions (see paragraph 16).

During 2011/12 our membership was:

Councillor Dino Lemonides Chairman

Councillor Chris Murphy Vice Chairman

Councillors Jonas Hall, Tahsin Ibrahim, Michael Lavender, Toby Simon and Ann Zinkin

2. THE COMMITTEE'S WORK PROGRAMME

We agree a comprehensive work programme each year covering all aspects of our terms of reference. Members have a direct input into the content of this programme which is reviewed and monitored at each meeting. Items can be added if the Committee feels it appropriate.

The work undertaken during 2011/12 continued to support the following key areas:

- The Internal Audit Plan and the adequacy of the control environment of the Council – a primary role of Internal Audit.
- The relationship with the external auditors of the Council, working together to maximise the contribution to the assurance process.
- The Annual Governance Statement and working across the Council to assess overall governance arrangements.
- Risk Registers, the management of risk relating to the corporate and departmental risk registers, specific risk monitoring and promotion of risk awareness.

Specific areas that the Committee has chosen to focus on this year included – the Contract procedure rules – review and waivers, document retention policy, accounting policy for trading operations, review of financial regulations, support available to schools, whistleblowing policy and an annual review of RIPA policy and procedures.

Appendix A sets out the work programme of the Committee in 2010/11.

3. THE 2010/11 INTERNAL AUDIT ANNUAL REPORT

In June 2011 we considered the Internal Audit & Risk Management outturn report for 2010/11. This summarised the performance and effectiveness of the Internal Audit section for the year 2010/11.

We received a positive assurance that, in general:

- The systems of internal control continue to be adequate for preventing significant risks of a strategic and operational nature materialising.
- Risk management processes continue to be further embedded across the organisation and work has continued to strengthen the risk management arrangements in place with the Council's key partners;
- An Anti Fraud and Corruption strategy is in place which provides a balance of proactive and reactive counter fraud work and has achieved some successful outcomes during 2009/10; and
- The work undertaken by the Internal Audit team has obtained sufficient evidence to support this opinion.

4. THE INTERNAL AUDIT PLAN 2012/13

The Internal Audit Strategy & Plan 2012/13 was considered at our meeting on 4 April 2011. It represents a key area of interest for the Committee and covered the activities around controls, assurance and governance arrangements within the Council. The plan showed how the resources of the Internal Audit team were to be applied to cover the key controls of the Council and address the risks that the Council faced. Regular reports throughout the year monitored the plan itself or specific aspects of activity around the Council's control environment.

5. INTERNAL AUDIT SERVICE

The committee has continued to monitor the performance of the internal audit service, against the Audit Plan with monitoring updates provided for each meeting of the committee. This follows the Internal Audit & Risk Management division undergoing a period of significant structural and organisational change with the introduction of a co-sourcing arrangement with Price Waterhouse Coopers.

The committee has continued to monitor progress on implementation of the new internal audit system Galileo which will improve performance

management and information on all internal audit activities and management responsiveness to reviews.

6. RELATIONSHIP WITH THE EXTERNAL AUDITORS

Representatives of our External Auditors (Grant Thornton) have continued to attend all meetings, making a welcome contribution to governance processes within the Council and the development of committee members. We have considered reports on a variety of issues including Certification of Grants Subsidy and Return of Financial Information, pilot diagnostic health check on collaboration, review of IT controls, data conversion and review of arrangements for implementation of international financial reporting standards

In line with the Chartered Institute of Public Finance & Accountancy's 'A Toolkit for Local Authority Audit Committees' the committee has also held regular private discussions with the external auditors and Head of Internal Audit & Risk Management.

Grant Thornton also meet regularly with the Section 151 and Monitoring Officers to discuss and monitor matters of mutual interest.

7. THE ANNUAL GOVERNANCE STATEMENT

In June 2011 we considered the 2010/11 Statement of Accounts which included the Annual Governance Statement.

8. CONTRACT PROCEDURE RULES

At our meeting on 4 April 2011 we considered the 2011 annual review of the Contract Procedure Rules (CPRs) and have requested a further update on progress with the review currently being undertaken on the Contract Procedure Rules and use of waivers.

9. RISK MANAGEMENT

In July 2011 we considered the Council's Corporate Risk Register to enhance the Council's identification and management of its key risks. The Council's Risk Management Strategy follows best practice to help the Council achieve its aims and objectives – "to be Risk Aware not Risk Averse".

As part of embedding the risk management process, the Committee selected risks from the Corporate Risk Register to see how they are managed. The risks selected this year were potential cyber attack, data protection and IT security. A separate information paper was produced on the Council's Disaster Recovery and Business Continuity plans including IT Security in April 2012.

The Committee found the tracking of a specific risk to be very helpful in ensuring effective monitoring.

We also considered one departmental Risk Register (Regeneration, Leisure and Culture Department).

As part of this the Committee reviewed the National Audit Office good practice guide on “Managing Risks in Government” noting that this had been incorporated within the Council’s Risk Management Strategy.

10. COUNTER FRAUD WORK

The Committee has continued to take a close interest in the work being undertaken by the Counter Fraud Team with updates provided for each meeting on the activity being undertaken in relation to housing and housing benefit fraud and internal fraud. The Committee was pleased to note that:

- Enfield’s Housing Fraud Team were one of the first two in London to have successfully prosecuted a tenant for sub letting.
- Work was ongoing as part of the National Fraud Initiative.

A number of counter fraud projects and initiatives have also been held aimed at improving fraud awareness and management including the successful launch of an e-learning fraud awareness training module aimed at raising staff awareness on fraud and corruption.

11. TREASURY MANAGEMENT STRATEGY STATEMENT & INVESTMENT STRATEGY

In line with the revised Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice for Treasury Management and Prudential Indicators, the Committee considered the Treasury Management Strategy Statement & Investment Strategy 2012/13 to 2015/16 at its meeting on 4 April 2012.

12. BRIBERY ACT 2010

The Committee received a report on the implementation of the Bribery Act which came into effect on 1 July 2011. The Act consolidates the existing criminal law on bribery but also creates a new corporate offence of failing to prevent bribery. The Committee were informed that the Council was well placed to comply with the act but to ensure they complied in all areas had also set up a working group to refresh and review its policies and procedures.

13. WHISTLEBLOWING POLICY

The Committee received a report on a review which had been carried out to update the Council’s Whistleblowing Policy. The main changes included information on the type of concerns that fell within the policy, clearer detail on who to contact with concerns and how these would be handled, with contact details for concerns that fell outside the scope of the policy.

14. INTERNATIONAL FINANCIAL REPORTING STANDARDS

The Committee were pleased to note that in the opinion of the External Auditors the Council continued to be further ahead than many other councils in preparing accounts in accordance with the International Financial Reporting Standards (IFRS).

15. CHARTERED INSTITUTE OF PUBLIC FINANCE & ACCOUNTANCY (CIPFA) AUDIT COMMITTEE CHECKLIST

CIPFA's 'A Toolkit for Local Authority Audit Committees' sets out a range of suggestions and comments about the operation of an audit committee. Some of the items are considered best practice and some are suggestions on other ways of delivering the function. The Committee complies with the majority of standards set by CIPFA. Actions have been put in place in those areas identified where the Committee does not fully meet the CIPFA standard.

16. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

The Committee has also received quarterly reports on the Council's use of its powers under RIPA. RIPA aims to ensure that public bodies respect the privacy of members of the public when carrying out their investigations and that there is an interference with privacy only where the law permits it and there is a clear public interest justification. The Council's use of its powers under RIPA and the Communications Order are subject to external scrutiny in the form of annual inspections by the Office of Surveillance Commissioner's Office (OSC) and the Interception of Communications Commissioner's Office (IOCCO) respectively.

17. REMUNERATION SUB COMMITTEE

At its meeting on 7 June 2012 the Audit Committee agreed to set up a Remuneration Sub Committee to ensure that the Council had transparent and robust processes on strategic pay policy and practice across the Council.

The sub committee is made up of three members – two from the majority party and one from the opposition. The Chief Executive, as head of paid service, Cabinet Member for Finance and Property and a senior Human Resources officer also attend meetings as non voting members.

The terms of reference were amended by the Audit Committee to include coverage of all elements of the Council's senior management remuneration packages.

In 2012/13 the sub committee met four times and discussed

- Non pay benefits
- Pay relatives
- Hay and performance related pay schemes
- Soulbury provisions

- Termination Payments
- Changes to the Pension Scheme
- Directors and Assistant Directors pay and appraisal scores for 2010/11
- Severance Policy
- Draft Statutory Pay Policy

18. TRAINING AND BRIEFING SESSIONS

The following sessions were held during 2010/11:

- Annual Statement of Accounts
- Financial Operation of Trading Accounts and Schools

We propose to continue to hold regular update/briefing sessions on issues within our terms of reference throughout 2012/13.

19. WORK PROGRAMME 2012/13

We have agreed our work programme for the current year.

20. CONCLUSION

Overall we feel that we fulfilled our role and responsibilities successfully during 2011/12. Members demonstrated real commitment and engagement in the issues before them. We would like to express our appreciation to staff both within the Council and our External Auditors who have contributed to our work and supported us throughout the year.

Summary of Audit Committee Work Programme 2011/12

Date of Meeting	Reports Considered
7 June 2011	<ul style="list-style-type: none"> • Remuneration Sub Committee
7 July 2011	<ul style="list-style-type: none"> • Annual Statement of Accounts • Accounts Audit Approach Memorandum – Year ended 31 March 2011 • Scrutiny of Regulation of Investigatory Powers Act 2000 (RIPA0 • Corporate Risk Register • Review of Information Technology Controls • Data Conversion Review • Review of Financial Resilience • Review of Arrangements for Implementation of International Financial Reporting Standards (IFRS) • Certification Work – Planning Memorandum 2010/11 • Schools Financial Governance Arrangements • 2010/11 Internal Audit Annual Report • Audit Committee Annual Report 2010/11 • Remuneration Sub Committee
28 September 2011	<ul style="list-style-type: none"> • External Auditors Annual Report to those charged with Governance (ISA260) • Enfield Homes – 2010-11 Financial Statements, External Auditors Report and Annual Internal Audit Report • Scrutiny of Regulation of Investigatory Powers Act 2000 (RIPA) Update • The Council's Information Security Position • Bribery Act • National Audit Office Publication – Managing Risks in Government • External Audit Progress Report • 2011/2 Audit Risk Management – Progress Report • Annual Governance Statement 2012/11
17 November 2011	<ul style="list-style-type: none"> • Annual Audit Letter 2010/11 • Revised Accounting Policy for Trading Operations • External Audit Progress Report • 2011/12 Audit and Risk Management Progress Report

12 January 2012	<ul style="list-style-type: none"> • Council Tax Base • External Audit and Inspection Plan 2011/12 • Certification Works Report 2010/11 • Regeneration, Leisure and Culture Risk Register • Scrutiny of Regulation of Investigatory Powers Act 2000 (RIPA) Update • External Audit Progress Report • 2011/12 Audit and Risk Management Progress Report
4 April 2012	<ul style="list-style-type: none"> • Treasury Management Strategy Statement and Investment Strategy 2012/13 to 2015/16 • Draft Financial Regulations • Annual Review of Contract Procedure Rule – Waivers • Whistleblowing Policy – Update • Scrutiny of Regulation of Investigatory Powers Act 2000 (RIPA) Update • Collaboration Report • External Audit Progress Report • Draft 2012/13 Internal Audit Plan • 2011/12 Audit and Risk Management Progress Report

MUNICIPAL YEAR 2012/13 REPORT NO. 79

MEETING TITLE AND DATE:
COUNCIL
19th SEPTEMBER 2012

REPORT OF:
 Director - Environment

Agenda – Part: 1

Item: 12

Subject: Withdrawal of Permitted Development Rights for Houses in Multiple Occupation via a proposed borough wide Article 4 Directive.

Cabinet Member Consulted: Cllr. Bond, Cabinet Member for Environment

Contact officer and telephone number:

Aled Richards, Head of Development Management

E mail: aled.richards@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 In October 2010, the Government amended legislation to allow changes of use from single dwellings (Class C3) to Houses in Multiple Occupation (HMOs) (Class C4) to take place without the need for planning permission. Where further control over such conversions is considered necessary, local authorities can make directions that specify an area or areas in which planning applications will be required. A high concentration of HMOs can lead to issues relating to parking, noise and disturbance and impacts on amenity which can cause concern to local communities.
- 1.2 Recent reforms to housing benefit are likely to increase demand for HMOs in the London Borough of Enfield; in particular the extension of the single room restriction to people aged under 35.
- 1.3 This report sets out the process for giving 12 months notice to make a “non-immediate” article 4 direction and avoid potential compensation claims.
- 1.4 This report recommends that a “non-immediate” Article 4 Direction is introduced to withdraw permitted development rights for small HMOs across the borough.

2. RECOMMENDATIONS:

Council is asked to agree:

- 2.1 That the Director - Environment undertakes the necessary steps to give 12 months notice on the proposal to make a “non-immediate” Article 4 Direction, covering the whole borough, withdrawing permitted development rights for changes of use from use class C3 (dwelling house) to use class C4 (house in multiple occupation).
- 2.2 That any representations arising from the process of making the “non-immediate” Article 4 Directions be reported to Planning Committee for consideration.
- 2.3 That Council delegates the authority to the Planning Committee to confirm the proposed Article 4 Direction and authorise the notification to the Secretary of State.

3. BACKGROUND

- 3.1 It was a requirement that changing single dwelling houses into HMOs would have required planning permission. However the Government conducted a short and informal consultation with key interested parties between 17 June and 9 July 2010 on proposals for amending the planning rules for HMOs. The Council submitted a robust statement to the Department for Communities and Local Government opposing the proposals. However, an announcement regarding the new regulations, largely unchanged from the proposals, followed on 7 September 2010. Consequently on October 1 2010 the Government introduced permitted development rights for changes of use from use class C3 (dwelling house) to C4 (house in multiple occupation). This means that planning permission is no longer required to convert a dwelling house into a small home in multiple occupation (HMO).
- 3.2 The ministerial announcement on 7th September 2010 was accompanied by a letter from Steve Quartermain to Chief Planning Officers clarifying that changes however it stated that where there is a local need to control the spread of HMOs local authorities will be able to use existing powers, in the form of article 4 directions, to require planning applications in their area..
- 3.3 The changes came into effect on 1 October 2010. In respect of Councils using Article 4 Directions to limit further HMO development in designated areas, the Minister has advised that the consent of the Secretary of State will not be required.

- 3.4 The Planning Committee considered the impact of these changes at their meeting on 28th February 2012. There was unanimous support to the making of an Article 4 Direction, covering the whole borough, withdrawing permitted development rights for changes of use from use class C3 (dwelling house) to use class C4 (house in multiple occupation).

3.5 The Need for an Article 4 Direction

- 3.5.1 HMOs make an important contribution to the private rented sector by catering for the housing needs of specific groups/households and by making a contribution to the overall provision of affordable or private rented stock. However, HMOs are not without their problems. The 2008 report by CLG “Evidence Gathering – Housing in Multiple Occupation and possible planning responses” identified a number of problems associated with HMOs including:

- anti-social behaviour, noise and nuisance
- imbalanced and unsustainable communities
- negative impacts on the physical environment and streetscape
- pressures upon parking provision
- increased crime
- growth in private rented sector at the expenses of owner-occupation
- pressure upon local community facilities and
- restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population

- 3.5.2 In response to this, the previous Government introduced a new C4 use class for small houses in multiple occupation and amended the 1995 (General Permitted Development) Order so that planning permission was required to change between the C3 (dwelling house) and C4 (house in multiple occupation) use classes. The new Government has reversed this decision. On the 1st October 2010 the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2010 came into force. The Order amends the 1995 (General Permitted Development) Order and makes a change of use from a use falling within Class C3 (dwelling houses) to a use falling within Class C4 (houses in multiple occupation) ‘permitted development’ – i.e. planning permission is no longer needed to do this.

- 3.5.3 The Government has presented this change as part of wider reforms under the Localism Bill so that it moves from the current top down approach and creates a system which encourages local people to take responsibility for shaping their communities and gives power to Councils to make this happen

- 3.5.4 In this case the power is an Article 4 Direction. Government has advised that local planning authorities should consider making Article 4 directions only in those exceptional circumstances where evidence suggests that the exercise of permitted development rights would harm

local amenity or the proper planning of the area and that local planning authorities should identify clearly the potential harm that the direction is intended to address. Government has advised that it might be appropriate to withdraw permitted development rights where they would undermine local objectives to create or maintain mixed communities. This has been a concern of the Council for many years.

- 3.5.5 The Council commissioned a Strategic Housing Market Assessment (SHMA) that was published in 2010. This formed part of the Council's evidence base for its Core Strategy, which was examined at Public Inquiry, found to be sound by the Secretary of State and subsequently adopted by the Council in November 2010. Therefore, it represents an up-to-date and comprehensive assessment of the Borough's housing needs and supply, its recommendations are expressed in Policy 5 of the Core Strategy.
- 3.5.6 The Policy seeks to ensure that 'new developments offer a range of housing sizes to meet housing needs' and that implementation of the Policy should support the Council's plan for a Borough-wide mix of housing that reflects the needs and level of supply identified in the SHMA. The 'Justification' in support of the Policy is instructive. In paragraphs 5.40 and 5.41 it is noted that the supply-to-need shortage is most acute for larger dwelling types and that is unlikely that the required supply can be met through new build completions. The Policy requires that the Council, over the lifetime of the Core Strategy, plans for a mix of housing that is 80% houses and 20% one and two-bed flats. The Policy requirements are supported by the conclusions of Enfield's SHMA, which identifies a critical shortage in the supply to need ratio of family sized dwellings. The Assessment found that nearly three quarters of households in need are households with children, thus requiring family accommodation.
- 3.5.7 Government recently announced reforms to housing benefit are likely to increase demand for Homes in Multiple Occupation in Enfield; in particular the extension of the single room restriction to people aged under 35. This would mean that single childless adults would only be entitled to the equivalent of a room share rather than a self contained one bedroom flat. This has now applied from April 2012 and existing claimants are affected when their claim is reviewed.
- 3.5.8 It is recommended that an Article 4 Direction is introduced to withdraw permitted development rights for small HMOs across the borough. This would mean that proposals to change a dwelling house into a HMO would require planning permission. In July's "Your Enfield" the Borough's residents were invited to forward their views on whether such an Article 4 Direction would be welcome and whether it should be borough wide. 10 responses were received and there was unanimous support for the introduction of the Article 4 Direction. In addition 90% of the respondents felt that a borough wide Article 4 Direction would be preferred.

3.6 Process for Making an Article 4 Direction

3.6.1 The Town and Country Planning (Compensation) (No. 3) (England) Regulations 2010 (2010 No. 2135) reduces local authorities' liability to pay compensation where they make article 4 directions as follows:

- (i) Where 12 months' notice is given in advance of a direction taking effect there will be no liability to pay compensation; and
- (ii) Where directions are made with immediate effect or less than 12 months' notice, compensation will only be payable in relation to planning applications which are submitted within 12 months of the effective date of the direction and which are subsequently refused or where permission is granted subject to conditions.

3.6.2 Therefore to avoid potential compensation claims the Council needs to provide 12 months notice in advance of an Article 4 Direction taking effect. This is called a non-immediate direction.

3.6.3 The procedure for making a "non-immediate" Article 4 Direction is as follows:

- (i) Give 12 months notice of direction
- (ii) Seek representations
- (iii) Assembly approval
- (iv) Advertise direction and notify Secretary of State

3.6.4 The Direction would come into affect 12 months after the notice had been placed.

4. ALTERNATIVE OPTIONS CONSIDERED

The only other option considered is to do nothing and allow property owners to change family dwellings into HMO's without requiring planning permission. It is felt however that this would only increase the rate of losing three and four bedroom family housing unit in the Borough, of which there is an already an acute shortage.

5. REASONS FOR RECOMMENDATIONS

The reasons for the recommendation are included in the report. Failure to make this direction would leave the Council without the controls it has deployed to manage the impact of small HMOs. For the reasons set out in the report it is considered that doing nothing is not an option.

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

The Council does not receive a fee for planning applications which are only necessary because of an Article 4 Direction. To avoid potential compensation claims officers recommend that a non-immediate Article 4 direction is made. The minor costs of publicising and publishing the Article 4 Direction will be met from the Development Management's communications budget.

6.2 Legal Implications

6.2.1 On 1 October 2010 the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2010 came into force. The Order amends the 1995 (General Permitted Development) Order and makes a change of use from a use falling within Class C3 (dwelling houses) to a use falling within Class C4 (houses in multiple occupation) 'permitted development' – i.e. planning permission is no longer needed to do this.

6.2.2 Under Article 4 of the General Development Order (as amended) local planning authorities can make directions withdrawing permitted development rights from development listed in Schedule 2 of the same order. For all article 4 directions the legal requirement set out in paragraph (1) of article 4 of the GDO is that the local planning authority is satisfied that it is expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on an application.

6.2.3 This report explains why it is expedient to withdraw permitted development rights for change of use from C3 to C4. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 states that approval to make an Article 4 Direction is not a Cabinet function and therefore must be carried out by Assembly.

7. KEY RISKS

7.1 Compensation may be claimed for abortive expenditure or for other loss or damage directly attributable to the withdrawal of the permitted development rights. For example the Council could be liable for the loss of income a property owner suffers by not being able to convert their property to a HMO where this is due to the Article 4 Direction. However an immediate direction may incentivise property owners to claim for compensation for HMO conversions they would not otherwise have carried out. This could leave the Council with a very significant liability.

7.2 For this reason officers recommend that the non-immediate direction is the most appropriate course of action. Officers consider that there is a

legally sound basis for making this Article 4 direction. Whilst the Council has to notify the Secretary of State when the direction is published it is unlikely he/she would intervene.

- 7.3 An Article 4 Direction would not only help mitigate the risks usually associated with HMOs (such as increased crime), but also help further the Council's plan for a borough-wide mix of housing.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

HMOs make an important contribution to the private rented sector by catering for the housing needs of specific groups/households and by making a contribution to the overall provision of affordable or private rented stock. Whilst black, Asian and other minority ethnic communities are probably disproportionately represented in the HMO stock they are on balance likely to be advantaged by the Article 4 Direction for two reasons. Such ethnic communities are more likely to require the family housing the Article 4 direction is seeking to protect and withdrawing permitted development rights will allow the Council more control over the location of small HMOs and therefore the associated problems cited earlier from the CLG Evidence Gathering report. This will be to the benefit of all residents.

8.2 Growth and Sustainability

One of the main hindrances of sustainable growth in the borough is the lack of family housing units. The communities within the London Borough of Enfield are more likely to require the family housing the Article 4 direction is seeking to protect and withdrawing permitted development rights will allow the Council more control over the location of small HMOs and therefore the associated problems cited earlier from the CLG Evidence Gathering report. This will be to the benefit of all residents and to growth and sustainability in the Borough

8.3 Strong Communities

Withdrawing permitted development rights will help preserve the borough's stock of family housing. Many of the problems associated with HMOs cited in the CLG Evidence Gathering report will have an impact on the environment children are brought up in. The CLG report cited earlier in this report identified that increased crime was a problem associated with HMOs. Therefore withdrawing permitted development rights will help address this impact.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

- 9.1 Making a non-immediate direction does mean that there is an intervening 12 month period when people can take advantage of the new permitted development rights. There may be a rush of HMOs in this period as people avoid the impending removal of permitted development rights. However as covered in the report an immediate direction would leave the Council open to compensation claims payable in relation to planning applications which are submitted within 12 months of the effective date of the direction and which are subsequently refused or where permission is granted subject to conditions.
- 9.2 In addition there is expected to be a steady increase in Lawful development Certificates over the first year where HMO owners will seek written confirmation that their conversion scheme is established and immune from enforcement action. Another performance management issue would be that all future applications for HMO's following the Article 4 Directive establishment will not command a fee. This will entail that officer capacity is used up yet the costs are not reimbursed by the payment of a planning application fee. In general however the implications on performance can be adequately managed.

10. HEALTH AND SAFETY IMPLICATIONS

There are no Health and Safety implications.

11. EQUALITY IMPACT IMPLICATIONS

The proposals within this report will ensure that all future conversions into homes in multiple occupation, are controlled within the planning system. The Borough's residents were invited to give their views on whether such an Article 4 Direction would be welcome and whether it should be borough-wide - there was unanimous support for the introduction of the Article 4 Direction. As a result, it was deemed to be not relevant or proportionate to carry out an equality impact assessment/analysis of the proposals.

Background Papers

The following papers / reports were used in the preparation of this report:

1. Evidence Gathering – Housing in Multiple Occupation and possible planning responses, CLG, 2008

2. Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2010
3. 1995 (General Permitted Development) Order (as amended)
4. Town and Country Planning (Compensation) (No. 3) (England) Regulations 2010 (2010 No. 2135).
5. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (2000 No. 2853)
6. Replacement Appendix D to Department of the Environment Circular 9/95: General Development Consolidation Order 1995
7. Report 201, "Withdrawal of Permitted Development Rights for Houses in Multiple Occupation via a proposed borough wide Article 4 Directive. Planning Committee 28th February 2012.

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MUNICIPAL YEAR 2012/2013 REPORT NO. **80****MEETING TITLE AND DATE:****Council****19th September 2012****REPORT OF:**Director of Finance, Resources
& Customer Services**Contact officer and telephone no:**

Paul Reddaway,

DDI: 020 8379 4730 or ext. 4730

e-mail: paul.reddaway@enfield.gov.uk**Agenda – Part: 1****Item: 13****Subject:****ANNUAL TREASURY MANAGEMENT
OUTTURN REPORT 2011/12****Wards: All****Cabinet Member consulted: Cllr. A. Stafford****1. EXECUTIVE SUMMARY**

1.1 This report reviews the activities of the Council's Treasury Management function over the financial year ended 31 March 2012.

1.2 The key points of the report are highlighted below:

		See section:
<i>Borrowing taken out to finance HRA self-financing regime</i>	<ul style="list-style-type: none"> A 50 year PWLB loan of £28.79 million at a fixed interest rate of 3.48%. 	6
Debt Outstanding at year end to finance capital	<ul style="list-style-type: none"> Four one year loans totalling £20 million at an average rate of 1.22% 	8
Average interest on total debt outstanding	<ul style="list-style-type: none"> The average interest rate on borrowing fell to 4.99% 	8
Debt Re-scheduling	<ul style="list-style-type: none"> None undertaken 	9
Interest earned on investments	<ul style="list-style-type: none"> Outperformed the 7 day bank rate by 0.31% 	11
Net Borrowing	<ul style="list-style-type: none"> Net borrowing (difference between total debt & investments): 221 million. An increase of £32 from 2010/11. The Council adopted the strategy of using its investment balances to finance capital expenditure instead of borrowing externally. 	11

2. RECOMMENDATIONS

- 2.1 Council is recommended to accept the Treasury Outturn report. .

3. BACKGROUND

- 3.1 The Council adopted the CIPFA Revised Treasury Management Code of Practice and approved the annual Treasury Management Policy Statement in February 2010.
- 3.2 The statement requires the Director of Finance Resources & Customer Services to report to Council on the preceding year's treasury management activities. In accordance with best practice, the Director's report includes information about borrowing levels and costs, as well as the impact of the cash flow management arrangements on the Council's financial position.

4. NATIONAL CONTEXT

- 4.1 At the time of determining the 2011/12 strategy in *Feb* 2011, there were tentative signs that the UK was emerging from recession with the worst of the financial crisis behind it. Recovery in growth was expected to be slow and uneven as the austerity measures announced in the 2010 Comprehensive Spending Review were implemented in order to bring down the budget deficit and government borrowing and rebalance the economy and public sector finances. Inflation measured by the Consumer Price Index (CPI) had remained stubbornly above 3%> Unemployment was at a 16-year high at 2.5 million and was expected to rise further as the public and private sector contracted. There was a also high degree of uncertainty surrounding Eurozone sovereign debt sustainability.
- 4.2 Monetary Policy: the Bank of England's Monetary Policy Committee maintained the status quo on the Bank Rate which has now been held at 0.5% since March 2009, but increased asset purchases by £75bn in October 2011 and another £50bn in February 2012 taking the Quantitative Easing (QE) total to £325bn.
- 4.3 The policy measures announced in the March 2012 Budget statement were judged to be neutral. The government stuck broadly to its austerity plans as the economy was rebalancing slowly. The opinion of independent Office for Budget Responsibility (OBR) was that the government was on track to meet its fiscal targets; the OBR identified oil price shocks and a further deterioration in Europe as the main risks to the outlook for growth and in meeting the fiscal target.

5. THE HERITABLE BANK IMPAIRMENT

- 5.1 Heritable Bank (a UK financial institution) went into administration on 7th October 2008 as a direct result of its Icelandic parent Landbanki bank failing. The Authority held a £5 million deposit. This investment was made on 9th January 2008 for 364 days.

- 5.2 Since that date the Council has been vigorously chasing recovery of our funds and has lodged claims with the Heritable Bank administrator. Since this time the Authority has received regular distributions as set out below.

Table 1: Dividends on Heritable Bank	Pence in the pound	£000s
Total received as at 1st April 2011	50.27	2,607
Received in April 2011	6.27	325
Received in July 2011	4.07	211
Received in October 2011	4.20	218
Received in January 2012	3.33	173
Total received as at 31st March 2012	68.14	3,534

- 5.3 In April 2012 the Authority received a dividend of £197k (3.8p) and a further payment in July of £148k (2.9p) taking the total recovered to £3.879m representing 75% of the total investment (including interest).
- 5.4 The Administrator has increased his projection of the return of capital up to 90% but is still based on cautious assumptions. This is very encouraging given the continuing difficult market conditions. Nevertheless, the Council will pursue all avenues to ensure the full deposit and interest are recovered.

6 HRA SELF-FINANCING

- 6.1 The Localism Act passed into law in November 2011 which enabled the reform of council housing finance. The Housing Revenue Account subsidy system has now been abolished and replaced with self-financing whereby authorities support their own housing stock from their own income. This reform required a readjustment of each authority's housing-related debt based on a valuation of its council housing stock. The CLG issued the final Settlement Payment Determination in February 2012. Settlement date for the Self Financing transaction was Wednesday 28th March 2012
- 6.2 As the Council's debt level generated by the housing reform model was higher than the Subsidy Capital Financing Requirement (SCFR), the Council was required to pay the CLG the difference between the two, which was £28.79m.
- 6.3 This required the Council to fund the settlement through borrowing. A preferential set of PWLB rates at 13bps above the equivalent gilt yield were available for this transaction on 26th March only, for settlement on 28th March. Given the one-off nature of the PWLB funding window and the advantages offered in terms of rate, loan structure and administration, the Council took the decision to fund £28.79m through new borrowing from the PWLB
- 6.4 Loan structures and maturities were discussed and analysed with the Council's Treasury Advisors to fit in with the Council's HRA business plan and strategy, funding costs, as well as the Council's existing treasury management position and risk profile. Details of the loans borrowed are in section 6, below. The Council will continue to work with its Treasury Advisors and Housing Consultants to manage the HRA Business Plan and accounting implications going forward

7 BORROWING IN 2011/12

- 7.1 As outlined in the previous section the Council borrowed £28.79m at an interest rate of 3.48% for 50 years it simultaneously paid the £28.79m to the DCLG so there was no impact on the Council's cash flow position. All of the interest costs on the new loan will be borne by the HRA.
- 7.2 The Council did borrow £20 million in loans with a maturity of a year at an average rate of 1.2%. Given the low interest rate, these loans gave good value in comparison to the longer term rates.

7.3

Table 2: Movement in year	Debt 1 April 2011	Debt Repaid	New Debt Raised	Debt 31 March 2012
	£000	£000	£000	£000
Temporary Borrowing	2,800	(2,800)	20,000	20,000
	2,800	(2,800)	20,000	20,000
Public Work Loan Board loans (PWLB)	185,347	-	28,790	214,137
Commercial Loan	30,000	-	-	30,000
	215,347	-	28,790	244,137
Total Debt Outstanding	218,147	(2,800)	48,790	264,137

- 7.4 The Council's Treasury Management strategy continues to follow the same direction as it set since the financial collapse in October 2008, whereby capital expenditure is funded wherever possible by using the Council's internal cash reserves. This has a beneficial impact on the interest charges because of the large differential between long-term fixed borrowing and the interest rate in short term investments meant the 'cost of carry' would have been approximately 4%.

7. INTEREST ON TOTAL DEBT OUTSTANDING

- 7.1 The average rate paid on total external debt was 5.31% in 2011/12 (5.51% 2010/11).
- 7.2 Table 3 shows the interest paid (i.e. the cost of borrowing) by the Council during the year:

7.3

Table 3: Cost of Borrowing	2011/12	2010/11
	£000	£000
Public Work Loan Board loans (PWLB)	9,822	9,992
Commercial Loans	2,143	2,143
Total Interest on Debt	11,965	12,135
Short Term Loans	155	-
Total interest paid	12,120	12,135
Interest Premiums	276	355
Total Cost of Debt	12,396	12,490
Cost Attributed to the HRA	4,333	3,642
Cost Attributed to General Fund	8,063	8,848
	12,396	12,490

- 7.3 Due to the additional capital expenditure for Affordable Homes, the HRA proportion of total borrowing increased during 2011/12.

8. DEBT MATURITY STRUCTURE

- 8.1 The Council has 33 loans spread over 48 years with the average maturity being 38 years. This maturity profile allows the Council to spread the risk of high interest rates when debt matures in any one year.
- 8.2 Table 4 shows the maturity structure of Enfield's long-term debt and the average prevailing interest rates.

Table 4: Profile Maturing Debt	Debt Outstanding as at 31 March 2012	Average Interest Rate	Debt Outstanding as at 31 March 2011	Average Interest Rate
Years	£000	%	£000	%
Under 1 year	20,000	1.22	2,800	0.5
1-5	-	-	-	-
5-10	31,000	7.40	30,000	7.14
10-15	-	-	1,000	15.12
15-25	20,070	5.50	20,070	5.50
25-40	103,278	5.42	62,757	5.38
40-45	45,000	6.51	85,520	5.35
45-50	44,789	3.81	16,000	4.40
	264,137	4.99%	218,147	5.51%

9. DEBT RESTRUCTURING

- 9.1 Debt restructuring normally involves prematurely replacing existing debt (at a premium or discount) with new loans in order to secure net savings in interest payable or a smoother maturity profile. Restructuring can involve the conversion of fixed rate interest loans to variable rate loans and vice versa.
- 9.2 No debt restructuring was undertaken during the year. We will continue to actively seek opportunities to re-structure debt over 2012/13.

10. TREASURY MANAGEMENT PRUDENTIAL INDICATORS: 2011/12

- 10.1 Throughout 2011/12 total loan debt was kept within the limits approved by the Council at its meeting in March 2012 against an authorised limit of £500 million and an operating limit of £400 million. The authorised limit (as defined by the Prudential Code) was set at £500 million as a precaution against the failure, for whatever reason, to receive a source of income e.g. Council Tax. In the unlikely event of this happening, the Council would need to borrow on a temporary basis to cover the shortfall in cash receipts. In practice it is the operating limit by which the Council monitors its borrowing; any significant breach must be reported to Council.
- 10.2 The Council held no variable interest rate debt during 2011/12. The Council's Prudential Code however does allow for up to 25% of the debt to be held in variable interest rate debt.
- 10.3 The Prudential code allows up to 15% of its debt to mature in one year (£33 million). This limit was not breached.

11. INVESTMENTS

- 11.1 The Council manages its investments arising from cash flow activities in-house and invests within the institutions listed in the Authority's approved lending list. It can invest for a range of periods approved in the Annual Treasury Strategy Report.. The Council acts as the treasury manager for the 79 Enfield schools within the HSBC banking scheme and Enfield Homes. The Council produces a three year cash flow model (based on daily transactions) which projects the cash flow movements of the Council linked into the Council's medium term financial plan. This allows the Treasury Management team to make more informed decisions on borrowing and lending.
- 11.2 In 2011/12 the Council received £0.6 million in interest on money lent out to the money markets a reduction of £0.2m from 2010/11. The average cash balance held by the Council during the year was £67 million (see Appendix 2) compared to £89 million in 2010/11. This is set out in table 5 below:

Table 5: Interest Receipts	2011/12 £000	2010/11 £000
Total Interest Receipts	583	764
Interest paid to HRA	(81)	(111)
Interest paid to Enfield Homes	(8)	(13)
Section 106 Applications	(24)	(21)
Other Funds	(23)	(41)
Total Interest to General Fund	447	578

- 11.3 Table 6 shows the maturity structure of Enfield's investments and the prevailing interest rates. The Authority continues to adopt a very prudent approach and but deposits are still restricted to a number of highly rated banks and money market funds. The table shows that during the year the Council adopted a more restrictive approach to cash investments and by year end due to the financial uncertainties caused by the euro-crisis the Council had reduced its maximum deposit duration to 3 months and had reduced its maximum limits with anyone approved bank or money market fund. List of banks where deposits are held is set out in Appendix 1.

Table 6: Maturing Investments	Investments as at 31 March 2012	No of Deals	Investments as at 31 March 2011	No of Deals
Months	£000's		£000's	
On demand	37,900	7	-	-
Within 1 month	-	-	7,500	1
Within 3 Months	5,700	1	5,000	1
Within 6 Months	-	-	5,000	1
Within 9 Months	-	-	12,500	2
Within 12 Months	-	-	-	-
Over 12 Months	-	-	-	-
	43,600	8	30,000	5

- 11.4 The Treasury Management team achieved an average interest rate of 0.86%, out-performing the benchmark (Inter-Bank 7-day lending rate 0.55%). This was achieved by adopting an active treasury policy.

Net Borrowing

- 11.6 The Council's net borrowing increased in 2011/12 as Table 7 demonstrates the cost of the Council's capital programme over the year, however the position is distorted by the Council having to take out a loan £28.8m to finance the new HRA regime. The increase on net borrowing reflects the fact that the Authority took the decision to fund the 2011/12 capital programme. The strategy of using internal borrowing to finance the 2011/12 capital programme saved the Council approximately £1.5 million in the year. However, the cash reserves are now at a low level and therefore, cannot be used to finance capital expenditure. Future capital expenditure will need to be financed from borrowing, which will create pressure on the revenue budget but this impact has been recognised in the Council's Medium term financial plan.

Table 7: Trend in Net Borrowing	2007/08	2008/09	2009/10	2010/11	2011/12
	£000	£000	£000	£000	£000
Total Borrowing	242,043	220,347	220,347	218,347	264,136
Total Investments	(178,500)	(123,100)	(74,150)	(30,000)	(43,600)
Net Borrowing	63,543	97,247	146,197	188,347	220,536
Annual increase in borrowing		33,704	48,950	42,150	32,189

The Capital Financing Requirement reflects the Council's underlying need to borrow to fund its capital programme (Table 8).

Table 8: Capital Financing Requirement	As at 31st March 2012
	£000's
General Fund	250,548
Housing Revenue Account	157,728
Total	408,276

The Council is allowed to borrow up to its capital financing requirement which means it has £144.14m headroom to increase its borrowing.

- 11.7 Through careful cash management control (i.e. the ability to accurately predict the daily out/in flows of cash) the Treasury Management team have limited the Council's overdraft costs in the year to £106.
- 11.8 Appendix 3 sets out our external auditor's review of the Council's arrangements for securing financial resilience. It is pleasing to note the report verifies that the Council has strong financial controls and monitoring in place.

13. ALTERNATIVE OPTIONS CONSIDERED

- 13.1 None. This report is required to comply with the Council's Treasury Management Policy statement, agreed by Council in February 2003.

14. REASONS FOR RECOMMENDATIONS

- 14.1 To inform the Council of Treasury Management performance in the financial year 2011/12.

15. COMMENTS OF THE DIRECTOR OF FINANCE & CORPORATE RESOURCES

15.1 Financial Implications

Financial implications are set out in the body of the report.

15.2 Legal Implications

The Council has a statutory duty to ensure the proper administration of its financial affairs and a fiduciary duty to tax payers to use and account for public monies in accordance with proper practices.

The Statement has been prepared in accordance with the CIPFA Code of Practice.

15.3 Key Risks

Extending the maximum period of deposits will increase the level of risk of default. This fact must be considered against backdrop that investments will still be restricted to countries with a sovereign rating of AAA and that deposits will be made only with financial institutions with a high credit rating.

16. IMPACT ON COUNCIL PRIORITIES

16.1 Fairness for All

Effective financial management provides the basis for the Council to achieve its priorities and objectives. This report explains a key part of effective financial management and the progress that has been made during the year.

16.2 Growth and Sustainability

Effective financial management provides the basis for the Council to achieve its priorities and objectives. This report explains a key part of effective financial management and the progress that has been made during the year.

16.3 Strong Communities

Effective financial management provides the basis for the Council to achieve its priorities and objectives. This report explains a key part of effective financial management and the progress that has been made during the year.

17. PERFORMANCE MANAGEMENT IMPLICATIONS

- 17.1** The report provides clear evidence of sound financial management, efficient use of resources, promotion of income generation and adherence to Best Value and good performance management.

Background Papers:

Treasury Management Strategy & Policy Report 2011/12

2011/12 CIPFA benchmarking club

Grant Thornton report - Review of the Council's arrangement for securing financial resilience

APPENDIX 1: INVESTMENTS OUTSTANDING AT 31ST MARCH 2012

Call Accounts	Amount lent (£000)	Interest rate	Maturity Date
HSBC	6,450	0.40%	On demand
Santander	6,450	0.70%	On demand
Money Market Fund			
HSBC	5,000	0.60%	On demand
Goldman Sachs	5,000	0.69%	On demand
Deutsche bank	5,000	0.77%	On demand
Ignis	5,000	0.85%	On demand
Prime Rate	5,000	0.82%	On demand
Deposits			
Salford City Council	5,700	0.50%	24 th May 2012
Total	43,600		

APPENDIX 2: Cash Flow Position

2011/12					Quarterly dates	
	Average Balance £'m	days	Interest Earned £'k	RETURN		Balance Invested (£'m)
					31/03/2011	30.00 m
April 11	57.26 m	30	53.1 k	1.13%		
May	61.65 m	31	56.4 k	1.08%		
June	63.43 m	30	52.8 k	1.01%	30/06/2011	47.95 m
July	69.89 m	31	60.1 k	1.01%		
August	74.47 m	31	61.8 k	0.98%		
September	79.78 m	30	62.4 k	0.95%	30/09/2011	52.65 m
October	60.92 m	31	47.2 k	0.91%		
November	72.80 m	30	46.2 k	0.77%		
December	71.31 m	31	37.9 k	0.63%	31/12/2011	66.00 m
January 12	68.63 m	31	39.6 k	0.68%		
February	71.63 m	29	36.1 k	0.63%		
March	56.80 m	31	29.1 k	0.60%	31/03/2012	43.60 m
Average/Total	67.53 m	366	582.7 k	0.86%		

Appendix 3

Extract from Grant Thornton's Review of the Council's arrangement for securing financial resilience

Key Indicators

Overview of performance

Liquidity

- The Council's working capital ratio has reduced by 57% from 2007-08 to 2010-11. This has taken it from a ratio of current assets to current liabilities of 2.3:1 to 1:1.
- The majority of nearest neighbour authorities (10 out of 16) have seen a decrease over the same period. The decrease seen by the Council is over double this average at 57%, and the Council's ratio for 2010-11 is the third lowest in the benchmarked group.
- Council officers have indicated that the working capital ratio reduction is a consequence of the Council's Treasury Management strategy, which has been revised, in liaison with Arlingclose the Council's treasury management advisors, as part of the latest MTFP.
- The Council's strategy is to only borrow in advance of need if the benefits of borrowing outweigh current costs and risks associated with investing the proceeds until the borrowing was actually required. The Council's capital expenditure programme cannot be funded entirely from sources other than external borrowing.
- This planned reduction in liquidity will continue for 2012-13, but remains under review.
- HRA self-financing reforms relating to the housing subsidy system involve the removal of a one-off reallocation of debt. The settlement allocation is expected to result in the Council having to increase debt by £28.8m to fund this settlement. The Council has revised its prudential indicators for 2011-12 to reflect this increase in borrowing.
- The Council uses an internally developed Cash Flow Predictor that allows for an effective focus on cash flow management.
- The Council retains significant borrowing headroom so is in a position to borrow should greater liquidity be required. The Council's current approach to investment projects, which have to be cost neutral to proceed, should ensure that the Council's borrowing remains within appropriate parameters.

London Borough of Enfield – Review of the Council's arrangements for securing financial resilience

Key Indicators

Overview of performance

Borrowing

- The Council's long-term borrowing to tax revenue decreased by 55% (from 2.52 to 1.14) between 2007-08 and 2010-11. This is broadly consistent with the trend of the benchmark group of nearest neighbours.
- The Council's ratio of long-term borrowing to long-term assets has reduced by 13% from 2007-08 to 2010-11. This follows the general trend of the nearest neighbours, with the Council's decrease (13%) below the average decrease of the benchmarked group.
- Borrowing is driven by the Council's decisions on its capital programme and the Council adopts an approach for limiting borrowing wherever possible.
- Borrowing is due to increase in 2012-13 (£46.8m compared to £24.4m in 2011-12) and is then expected to reduce to £19.2m in 2013-14 and to £12.6m in 2014-15.
- The Council's asset disposal policy supports a reduced borrowing requirement. A disposal target of £5m was established for 2011-12 with disposals realising £13m during this period, providing £8m additional capital receipts.
- As already mentioned, the Council has considerable headroom in borrowing, which could be used to support liquidity if required. Although we note that the Council's current approach to investment projects, which have to be cost neutral to proceed, should ensure that the Council's borrowing remains within appropriate parameters.

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MUNICIPAL YEAR 2012/13 REPORT NO. **75A**

MEETING TITLE AND DATE:
Council 19th September 2012

REPORT OF:

Director of Finance, Resources &
 Customer Services

Contact officer and telephone number:
 Mike Ahuja Head of Corporate
 Scrutiny and Community Outreach
 0208 379 5044

Agenda - Part: 1	Item: 14
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Subject: Petition Scheme Review	
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Wards: All	
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Cabinet Member consulted: Achilleas Georgiou & Bambos Charalambous	
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1. EXECUTIVE SUMMARY

- 1.1 Chapter 2 of Part 1 of the Local Democracy, Economic Development and Construction (petitions to local authorities) Act 2009 placed a duty on local authorities to adopt a scheme for the handling of petitions which are made to a local authority. In compliance with its statutory duty under the 2009 Act the Council adopted a petition scheme 26 May 2010.
- 1.2 Chapter 10 of the Localism Act 2011 has repealed Chapter 2 of Part 1 of the Local Democracy, Economic Development and Construction Act 2009 and removed the duty on the Council to maintain a petition scheme ((with the exception of those petitions made under another enactment).
- 1.3 The Council has taken this opportunity to review the Petition's Scheme currently in place to provide the following recommendations.
- 1.4 The Council has an extremely successful and well used Petition Scheme, which is well regarded by the local community. The Council's approach to petitions in particular the community engagement process has been seen as good practice nationally. A number of other Councils has sought guidance from us.
- 1.5 This report has been agreed by the Members and Democratic Services Group on 4 September 2012.

2. RECOMMENDATIONS

- 2.1 Council to approve Option 1 (see section 4 for details). This is to include updating the referral trigger amount to take into account the current population figures in Enfield.
- 2.2 Council to note that a privacy statement to be added to the scheme (see section 5 for details).

3.0 BACKGROUND: - PETITIONS DUTY

- 3.1 Council's have always received and dealt with Petitions. The current scheme was introduced on the 15 June 2010 under the mandatory duty required by The Local Democracy, Economic Development and Construction Act 2009. It was recommended that the scheme was reviewed after 1 year.
- 3.2 Since 15th June 2010, 62 paper Petitions have been received and 5 E-Petition received. Two of the petitions that we have received have had sufficient signatures for a referral to the Overview & Scrutiny Committee (OSC) and one of these was subsequently referred to Full Council (both by OSC itself and by an increased amount in signatures).
- 3.3 Part One of the Local Democracy, Economic Development and Construction Act 2009 ('the Act') imposed a statutory duty upon the Council to establish a scheme for handling petitions ('a Scheme'). The Scheme adopted by the Council obliged the Council to respond appropriately to compliant petitions and inform people what action will be taken to address their concerns.
- 3.4 The Scheme had to be published on the Council's website and by any other method appropriate for bringing it to the attention of those who live, work, study and do business in the Borough.
- 3.5 The Council was also required to respond to petitions which relate to the functions of its partner authorities and which seek an improvement in the economic, social or environmental wellbeing of the Borough.
- 3.6 Petition organisers could prompt a review of the Council's response if it is considered to be inadequate by appealing to the Council's overview and scrutiny committee.
- 3.7 The council is currently required to respond to all compliant petitions and set thresholds for taking certain steps in response to a petition where practicable. Petitions with 2,750 signatures must trigger a debate of full Council which would be concluded with a decision being taken by the Council in respect of the petition and 1,375 must trigger a debate at the OSC .

Details of those officers able to be called to account in this way must include the statutory chief officers, non-statutory chief officers and the head of paid service. The Council's Scheme names the Chief Executive, Directors and Assistant Directors of the Council although the decision ultimately rests with Overview and Scrutiny, who may also call the responsible elected Cabinet Member.

For those petitions with less than either of the specified number of signatures, one of the following steps must be taken;

Holding an inquiry;
Taking the action requested in the petition;
Holding a public meeting;
Commissioning research;
A written response to the petition organiser setting out the Authority's views on the request in the petition.

3.8 The repeals under Chapter 10 of the Localism Act 2011 removed the following duties with regards to the Council's petition Scheme.

- Removes the duty for the Council to make and maintain a scheme for the handling of petitions which are made to the authority
- Removes the need for the Council to be able to accept a petition electronically and there is no longer a duty for the Council to publish its petition scheme, details of a petition (including the petition) on its website.
- Removes the duty for the Council to comply with its own petition scheme.
- Removes the duty on the Council to notify the petitioner of what the Council intends to do with their petition. In addition the Council will no longer be required to provide petitioners with specified reasons for rejecting a petition.
- Removes the statutory duty on the Council to do any of the following when receiving a petition:
 - Give effect to the request in the petition
 - Consider the petition at a meeting of the authority
 - Hold an inquiry
 - Hold a public meeting
 - Commission research
 - Give a written response to the petitioner explaining the view of the Council.

- Refer the petition to the Overview and Scrutiny Panel.
 - Refer to another Committee of the Council with powers of decision.
- 3.9 The repeals remove the need for the Council to have thresholds to determine how to process petitions, for those thresholds to be reasonable and the requirement for petitions reaching those thresholds to be debated at Council and or Overview and Scrutiny.
- 3.10 The repeals remove the statutory power to review the Council's petition scheme from the Secretary of State and removes the statutory right for a petitioner to ask the Council to review its actions when dealing with their petition.
- 3.11 The Council still has a duty to promote local democracy and therefore it is recommended that a petition scheme of some form is retained, (especially for paper petitions received) as this will demonstrate to the general public that their views are important to the Council. Nevertheless until the Council decide whether to continue with the current petition scheme or adopt a new scheme, it is good practice to advise petitioners (on the Council's website) that the Council no longer has a duty to comply with its petition scheme under the Localism Act 2011.

4 Options 1, 2 & 3

Option 1

Continue with the scheme in its current format. With scheme details published on its website, the option to use Epetitions, a trigger referral amount in place for both OSC and full Council referral, a duty of officers to attend and a right of appeal for all petitions regardless of number of signatures collected to OSC. The trigger referral amounts to be updated to take into account the current population figures in Enfield (0.5% to OSC and 1% to full Council). The 2011 Census population estimate is 312,500 this would mean that 3,125 signatures would now trigger a referral to full Council (compared to the current requirement of 2,750) and 1562 signatures (compared to the current requirement of 1,375) would trigger a referral to Overview and Scrutiny Committee.

Option 2

Withdraw the scheme by withdrawing the publishing scheme details on the website, withdraw the Epetition facility, and withdraw the trigger amount and the right of appeal to OSC. Any petitions received would then be dealt with in line with any correspondence received by the Council.

Option 3

Continue with the scheme but reduce or increase the amount of signatures required for a debate at both OCS and full Council.

5. Privacy

Regardless of whichever option is agreed the privacy information details needs to be updated and detailed on the scheme. A Fair Processing Notice and details of Data Protection Act to be added to details of the scheme and a paragraph to be attached on all E-Petitions

The privacy information provides information to the data subject, where this is not already apparent, about the purpose of the data collection; identifies the data controller and how the information will be used after it is collected. This will ensure that the collection is fair

6 REASONS FOR RECOMMENDATIONS

These are contained in the body of the report.

7 COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

7.1 Financial Implications

There are no financial implications arising from any of the three options. Any additional duties will need to be met from within existing resources.

7.2 Legal Implications

Chapter 2 of Part 1 of the Local Democracy, Economic Development and Construction Act 2009 placed a duty on local authorities to adopt a scheme for the handling of petitions which are made to a local authority. In compliance with its statutory duty under the 2009 Act the Council adopted a petition scheme 26 May 2010.

Chapter 10 of the Localism Act 2011 has repealed Chapter 2 of Part 1 of the Local Democracy, Economic Development and Construction Act 2009 and removed the duty on the Council to maintain a petition scheme ((with the exception of those petitions made under another enactment)). In keeping with its general duty to promote democracy the report recommends retaining a petition scheme.

The changes in relation to privacy of information will assist in the Council complying with its duties under the Data Protection Act 1998.

7.3 Property Implications

None.

7.4 KEY RISKS

No significant risks have been identified. There may be some additional work arising from the published scheme, however this would need to be set against the opportunity to promote local democracy via a petition scheme.

8 IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for all

Maintaining the current scheme ensures that all residents have the opportunity to petition the Council on matters of concern

8.2 Growth & sustainability

None

8.3 Strong Communities

None

9. PERFORMANCE MANAGEMENT IMPLICATIONS

Maintaining the current scheme will contribute to the achievement of the Council's strategic aims and priorities

10. EQUALITIES IMPACT IMPLICATIONS

It is not relevant or proportionate to undertake a full equality impact assessment/analysis of the proposal to adopt option 1 given the successful track record of the operation of the current scheme.

Background Papers

Current Petition scheme

MUNICIPAL YEAR 2012/2013 REPORT NO. **76A**

MEETING TITLE AND DATE:
COUNCIL – 19 September 2012

REPORT OF:
 Director of Schools and Children's
 Services

Agenda – Part: 1	Item: 15
Subject: Member Governor Forum – Terms of Reference	
Wards: All	
Cabinet Member consulted: Cllr Orhan	

Contact officer and telephone number: Edith Mooney, x 3326

E mail: Edith.Mooney@enfield.gov.uk

1. EXECUTIVE SUMMARY

Following consideration by the Members and Democratic Services Group (4 September 12) Council is being asked to consider and agree the revised Terms of Reference for the Member Governor Forum.

2. RECOMMENDATIONS

To agree the amended Terms of Reference as attached.

3. BACKGROUND

The Member Governor Forum has agreed revisions to its current Terms of Reference in order to ensure that they reflect current practice. The revised Terms of Reference were agreed by the Forum at its meeting on 3 November 11. The Members and Democratic Services Group has considered and agreed the revised Terms of Reference and recommended them onto Council, for approval.

Main Changes

The main changes to the Terms of Reference relate to the changing titles of portfolio, from Education, Children's Services and Leisure to Schools and Children's Service. In addition there are now Academies and Free Schools in the Local Authority and the Member Governor Forum were keen to ensure that these groups were also represented at meetings. The Member Governor Forum recommended that the representative could be any member of the Governing body rather than the Chairman. The two noted deletions were that Parents' Forum was removed from the 5th bullet point under membership and Policy Coordinating Group was deleted from the 2nd bullet point of the Remit. Both of these deletions are as a result of the cessation of the group concerned.

The revised terms of reference were then referred back to Member Governor Forum for final approval, prior to consideration by the Members & Democratic Services Group, where they have been recommended onto full Council for approval.

4. ALTERNATIVE OPTIONS CONSIDERED

None.

5. REASONS FOR RECOMMENDATIONS

Member Governor Forum considered their terms of reference and agreed that they were outdated. They therefore made some minor changes to ensure that they reflected current practice.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 **Financial Implications** - None

6.2 **Legal Implications** - None

6.3 **Property Implications** - None

7. KEY RISKS

None.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

These changes allow for inclusion of Academies and Free Schools in the representation to MGF.

8.2 Growth and Sustainability

None.

8.3 Strong Communities

These changes allow for wider consultation across the broad spectrum of School Groups in the Local Authority.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

None.

Background Papers

- Minutes of the Member Governor Forum meeting held on 18 July 2011
- Draft Minutes of the Member Governor Forum meeting held on 3 November 2011;

- A copy of the Current Terms of Reference agreed in 2006 and the revised Terms of Reference which the MGF recommend to the Members and Democratic Group for approval.

MEMBER GOVERNOR FORUM

Terms of Reference

Agreed by Member Governor Forum 3.11.11

Agreed at the Members & Democratic Services Group 6 March 2012

Reviewed and agreed by Member Governor Forum 14 June 2012

**Agreed for referral onto Council by Members & Democratic
Services Group 4 September 2012**

Membership:

- One representative from each **Maintained School/Academy** Governing Body nominated by the governors to represent the views of the Governing Body and their **School/Academy/Free School. Where matters under discussion concerned the direct relationship between the LA and its Maintained Schools, representatives on non maintained Schools will have an observer status.**
- 5 Council representatives (3 majority and 2 minority) including the Member with Portfolio for Children and Young People (nominated annually by Council), **the Chairman and Vice Chairman of Children and Young Peoples Scrutiny Panel, Lead Opposition Member for Schools and Children's Services and one other Cabinet Member. (However, where opposition roles are combined, the opposition will nominate an appropriate Member).** The Director for **Schools and Children's Services.**
- Three education statutory co-optees (nominated annually by the London Diocesan Board for Schools, Westminster Diocese and the United Synagogue).
- The Chair of the Schools' Forum and Staff Forum /Joint Consultative Group for Teachers.
- One Headteacher representative from each Sector, (Primary, Secondary and Special) (nominated by Headteacher's Conferences).
- A Lead Officer from the **Schools and Children's Services** Department.

Any member who is unable to attend a Forum meeting may nominate a substitute from within the body they represent to attend that meeting.

Remit:

- To consider a range of issues common to both the Council and governing bodies and to make recommendations to the Cabinet, via the Member with Portfolio for Children and Young People and any relevant Scrutiny Panel.
- To consider matters concerning the **Schools and Children's Services** service referred by school governing bodies, Council Scrutiny Panels or other educational partners.
- To receive timely briefings from **Schools and Children's Officers** on matters being presented to school governing bodies.
- To assist in the development and review of policy including monitoring the impact of the policy.
- To consider priorities for resources in consultation with the Schools' Forum.
- To consult with and receive suggestions and proposals from the forums representing staff and schools.

MUNICIPAL YEAR 2012/2013 REPORT NO. **77A**

MEETING TITLE AND DATE:

Council – 19 September 2012

REPORT OF:

Director of Schools & Children's Services

Contact officer: Sangeeta Brown

Telephone number: 0208 379 3109

E-mail: sangeeta.brown@enfield.gov.uk**Agenda – Part: 1****Item: 16****Subject:****Terms of Reference for Schools Forum****Wards: All****Cabinet Member consulted:****Cllr Orhan****1. EXECUTIVE SUMMARY**

Following consideration by the Members and Democratic Services Group on 4 September 2012, this report seeks approval to revise the Terms of Reference for the Schools Forum.

2. RECOMMENDATIONS

Subject to the enactment of The Schools Forums (England) Regulations 2012, to agree the amended Terms of Reference as attached.

3. BACKGROUND

- 3.1 The current Terms of Reference were approved by Council at the meeting on 28 March 2012. In July 2012, the Department of Education (DfE) published new statutory regulations which require further revisions for the operation of Schools Forum. These revisions have to be in place by 1st October 2012.
- 3.2 This revised terms of reference were presented to the Members & Democratic Services group at their meeting on 4 September 2012. The Members & Democratic Services group sought a minor amendment to the revised terms of reference and also requested that members of the Schools Forum be given an opportunity to comment on the revisions before being considered by council. The amendment has been incorporated into the revised terms of reference and a copy of the report was sent to members of the Schools Forum with no comments being received.

This report is seeking the Council's approval to the revised Terms of Reference.

- 3.3 The Schools' Forum was set up in response to the duty placed on the Local Education Authority now the Children's Services Authority (CSA) to establish a Schools' Forum by January 2003.

3.4 CHANGES TO THE TERMS OF REFERENCE

3.4.1 FUNCTION

3.4.1.1 Current

As part of the current functions of the Schools' Forum, the Council is required to consult the Forum on:

- the Local School Funding Formula;
- issues, specified in regulations, in connection with the Schools' budget;
- service contracts;

The Schools' Forum has proved an effective consultative body and has provided invaluable guidance and advice on school funding.

The Schools' Forum has also taken on the role of leading on financial issues which were previously covered by the Member Governor Forum.

3.4.1.2 Revisions

The revisions to the regulations require that the sector members of the Schools Forum agree to the Council retaining funding to provide services centrally rather than delegate the funding to schools and also arrangements in relation to the local funding formula. The regulations require that the arrangements for the voting procedures relating to decisions in these areas be restricted to the schools members. The amendments required are:

(a) Voting on formula changes

Currently, all members of the Schools Forum are allowed to vote on any proposals related to the local funding formula. As part of the revisions, there is a requirement that voting on changes to the funding formula is restricted to the Schools members and the Early Years Provider. The other members of the Forum would not be eligible to vote.

This change would need to be reflected in the Terms of Reference of the Schools Forum.

(b) Voting on de-delegation

In the DfE publication on Schools Funding Reforms, there is a requirement for funding for items, which are currently provided by the Council to schools and academies be delegated to schools and academies from April 2013. However, the regulations do permit with the agreement of the relevant Schools members on the Schools Forum for this funding to be retained by the Council to continue to provide these services, i.e. agree to de-delegate. In practice this would mean, if there was an item subject to de-delegation affecting primary schools, and then only the representatives of maintained primary schools would be able to vote on the Council retaining this funding. It should be noted that Academies are not included in the arrangements for de-delegation. If an

academy wants to be part of the arrangements for de-delegation then this would be agreed with the individual academy as a separate service level agreement.

This change would need to be reflected in the Terms of Reference of the Schools Forum.

3.4.2 MEMBERSHIP

3.4.2.1 Current

The current regulations governing Schools Forum stipulate that membership must include schools members, non-schools members and at least one academy member if there is an Academy in the authority's area. It is stipulated that:

- schools members make up at least two third of the membership;
- mainstream primary & secondary schools and academy schools members are broadly proportionate to the total number of pupils registered in each;
- schools members should include at least a representative from special schools
- non schools members must include a representative from the Authority's 14 – 19 Partnership and another representing the early years providers from the private, voluntary and independent sector. In addition, the Council can nominate other non schools members to represent the interests and views of stakeholders and partners other than school;
- lead member would have observer status.

3.4.2.2 Revisions

(a) Pupil Referral Unit

The revisions to the regulations maintain the arrangements as described above but also require the schools members to include a representative from the Pupil Referral Unit. This is because, as part of the changes to the school funding arrangements, there is a requirement for funding to be delegated for Pupil Referral Units in a similar way to a maintained school. Therefore, there is an need to represent their interest on the Forum.

(b) Observers

Currently, the Lead Cabinet Member is an observer to the Forum. The revised regulations continue to allow the Cabinet Member for Children and Young People to be an observer to the Forum, but regulations also state observer status:

- should be provided to an officer from the Education Funding Agency
- may be provided to the Director of Schools & Children's Services (or their representative) and the Director of Finance, Resources & Customer Services (or their representative).

It should be noted representatives with observer status may participate in the meetings but do not have any voting rights.

This change would need to be reflected in the Terms of Reference of the Schools Forum.

3.4.3 ELECTION

3.4.3.1 Current

The schools members for Enfield's Schools Forum are elected from their local representative bodies; for example, the Secondary Headteacher conference is responsible for seeking their sector nomination for representing both maintained schools and academies on the Forum. Each representative member is then responsible for representing the view of their sector and also for feeding back to their colleagues on the discussions held at the Forum meetings. This arrangement for nomination and representation for Schools members was developed in consultation with Headteachers and Governors when the legislation was first introduced and the split between each category of schools has been broadly proportionate to the pupil numbers in each category. This practice was found to be in line with those in other local authorities. In recent years, there has been an informal practice for the Headteacher representatives on the Forum to be those leading on resources issues in the local joint consultative groups. The Governor Representatives have been elected through the Member Governor Forum.

3.4.3.2 The aim of the arrangements for membership has been to ensure an approach based on collaboration and participation and to act as a reminder for Forum members that their role on the Forum is to represent the views of their partnership group and not those of their individual school or academy.

3.4.3.3 Revisions

The revisions to the regulations do not allow for the current arrangements for nominating academy representatives. Under the new arrangements, the Council would have to ask the Governing Body of each academy whether they would like to nominate a representative. In the instance where:

- there are more nomination than vacancies then the Council would need to arrange an election to be held;
- there are no or fewer nomination than vacancies then the Council would need to arrange for the vacancy to be filled. If this were to be the case, it is proposed that a nomination is sought from the local representative bodies, that is, the Secondary Headteacher conference be asked to put forward a nominee for the Forum:

This change would need to be reflected in the Terms of Reference of the Schools Forum.

3.4.4 OTHER ADMINISTRATIVE REVISIONS

The other changes required as part of the regulations include:

3.4.4.1 Attendance

The current terms of reference include a clause regarding non attendance at meetings. The revised regulations do not allow the terms of reference to include a clause regarding non attendance at meetings. The regulations enable a member to resign or stop being a member because they are no longer eligible to be a member but they can not be asked to leave due to non attendance.

This change would need to be reflected in the Terms of Reference of the Schools Forum.

3.4.4.2 Administrative Changes

The revised regulations require Forum meetings to be public meetings similar to other Council committee meetings and for the Forum papers, minutes and decisions to be published promptly on the Council's websites.

This requirement should not be an issue because the current practice has been for Forum meetings to be public meetings similar to other Council committee meetings and publishing the papers was already being considered following the development of the Council's website.

This change would need to be reflected in the Terms of Reference of the Schools Forum.

- 3.4.5 The revised Terms of Reference incorporating the amendments are attached at Appendix A.

4. ALTERNATIVE OPTIONS CONSIDERED

The amendments to the terms of reference are required as part of the revisions to the regulations governing Schools Forum and so it has not been possible to consider an alternative option.

5. REASONS FOR RECOMMENDATIONS

It is intended that the amendments would address the requirements of regulations in relation to school funding and the organisational arrangements for Schools Forum.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

There are no financial implications.

6.2 Legal Implications

- 6.2.1 Schools Forums were established by S 47A of the School Standards and Framework Act 1998 (as amended). All Local Education Authorities (now Children's Services Agencies) are required to establish a Schools Forum for their area in accordance with regulations made by the Secretary of State.

- 6.2.2 Section 47 of the 1998 Act provides that regulations shall govern the constitution, meetings and process of the Schools Forum. New regulations have been drafted by the Department for Education which require local authorities to have implemented the new provisions by 1 October 2012. These Regulations are not yet in force but the Department for Education has indicated that they will issue a final draft in September with a view to enacting the Regulations by October 2012.
- 6.2.3 The proposed changes to the Terms of Reference are in accordance with the statutory framework and the new guidance issued by Department for Education 'Operational and Good Practice Guidance'.

6.3 Property Implications

There would be no property implications.

7. KEY RISKS

The Council has a statutory obligation to ensure the arrangements for Schools Forum meet the statutory requirements. The proposals contained in this report support this aim. If these proposals are not implemented then the Council will be in breach of its statutory duty.

8. IMPACT ON COUNCIL PRIORITIES

The recommendations ensure the Schools' Forum operates within the statutory framework which enables all stakeholders a fair access to the arrangements for distributing funding to schools. This would mean:

- assist with maximising the resources available to support educational attainment;
- work in partnership with schools to support school improvement and raise achievement;
- secure effective strategic management of education across the Borough, improving the quality and range of support to schools.

9. EQUALITIES IMPACT IMPLICATIONS

An equalities impact assessment has been carried and the findings include an assessment of the functions within the remit of the Schools Forum.

Background Papers

Schools Forum – Revisions to the regulations

Schools Forum - Terms of Reference

January 2012 Pupil Level Annual School Census

LONDON BOROUGH OF ENFIELD
SCHOOLS FORUM

REVISED TERMS OF REFERENCE

1. Definitions

In these terms of reference the following expressions shall have the meanings assigned to them below:

‘The CSA’ shall mean the Children’s Services Authority of the London Borough of Enfield.

The ‘Regulations’ shall mean the

- Schools’ Forums (England) Regulations 2012;
- Local Authority (LA) and School Finance (England) Regulations;
- Minimum Funding Guarantee (MFG) in the Financing of Maintained Schools Regulations.

2. Functions

- 2.1 In accordance with Regulations, the Schools’ Forum of the London Borough of Enfield shall be consulted on:
- the Local Authority school funding formula;
 - issues, specified in regulations, in connection with the Schools’ Budget;
 - service contracts.
- 2.2 The Council will also consult the Forum on other matters connected with the Schools’ Budget or on matters connected with the LA revenue budgets or capital expenditure as it sees fit.
- 2.3 The Forum may scrutinize and challenge the LA’s application of funds to the Schools’ budget, Delegated Schools’ Budget, Central CSA Budgets and Capital Budgets. It may also scrutinize and challenge DfE /Central Government funding to Enfield Council for education.
- 2.4 The Forum may agree or refuse requests from the Local Authority to:
- increase the level of central expenditure in the Schools’ Budget above that provided for by regulations;
 - vary the operation of the Minimum Funding Guarantee for the operation of the Early Years Single Funding Formula;
 - make changes to the local Scheme for Financing Schools
- 2.5 The Forum will consider referrals from the Member Governor Forum/Chairs’ Briefing, any other consultative group and Schools’ Governing Bodies.
- 2.6 The Forum may request detailed information to assist it in carrying out its functions and the Council will use its best endeavours to provide such information.
- 2.7 The Forum will abide by any changes to statutory provisions or changes to the regulatory framework for Schools’ Funding; the Terms of Reference would be amended to reflect any such requirements.

2.8 The Forum will receive an annual update report covering such issues as pupil number projections, school organisation developments, etc.

3. Membership and Attendance

3.1 The arrangements for the election of Schools representatives will be as follows:

- **Maintained schools representatives will be elected from the relevant headteachers' conferences and governor representatives from the relevant Member Governor Forum or Chairs' Briefing;**
- **Academy representatives will be elected by seeking nominations from individual academies. In the instance of where there are:**
 - **more nomination then vacancies then the Council would arrange an election to be held;**
 - **no or fewer nomination than vacancies then the Council would arrange for the vacancy to be filled by seeking nominations from either the relevant headteachers' conferences or the relevant Member Governor Forum or Chairs' Briefing.**
- **Headteacher of the Pupil Referral Unit will be nominated as a Schools member of the Forum.**

3.2 The arrangements for non schools members will be as follows:

- Early Year's Representative will be nominated from the early year's private, voluntary and independent sector;
- 14 – 19 Representative will be nominated from the 14 – 19 Strategic Partnership;
- Teachers' Committee will nominate a representative member.

The forum shall consist of the following members:

<u>Schools members</u>		<u>Non-schools members</u>	
No	Type of member	No	Type of member
4	Primary sector headteachers	1	Early years Provider
4	Primary sector governors	1	14 – 19 Representative
2 (3)*	Secondary sector headteachers	1	Teachers' Committee
2 (3)*	Secondary sector governors	1	Chair, Children's Services Scrutiny Panel
2	Academies representatives	1	Assistant Director Early Intervention & Access
1	Special sector headteacher	1	Head of Behaviour Support
1	Special sector governor		
1	Pupil Referral Unit headteacher		

* Schools members representing the maintained secondary sector will total 5 of either 2 or 3 Headteachers or 2 or Governors.

There are a total of 24 members with non-schools representatives forming a third of the total membership.

Attendance

As well as members attending meetings, it is expected that the Cabinet Member for Children and Young People and officers with resources responsibilities from the Local Authority will attend and participate in meetings of the Schools' Forum.

An officer from the Education Funding Agency will also attend the Forum meetings as an observer.

4. Substitutes

- 4.1 A member who is unable to attend a meeting may arrange for a substitute to attend to represent the same body and to have voting powers. This is to be notified in writing in advance of the meeting to the Clerk to the Schools' Forum and shall remain effective until it is withdrawn.
- 4.2 Schools member may only nominate a substitute member from the same sector of school and with the same role within a school.
- 4.3 Non schools member may only nominate a substitute from the relevant representative body.

5. Tenure of Office

- 5.1 The maximum length of tenure for a Schools Members will be 3 years subject to members still holding the appointment which makes them eligible for membership. Nominations must be forwarded to the Clerk of Schools Forum by the relevant representative body before a new member attends their first meeting.

It should be noted that the level of representation will be reviewed on an annual basis to reflect any changes in pupil numbers in each phase.

5.2 Whilst there is only one maintained or academy Pupil Referral Unit within Enfield, there will be no limit for the Headteacher of the Pupil Referral Unit.

- 5.3 There is no limit on the tenure for non-schools members.
- 5.4 Forum member's appointment shall end if the member concerned, either:
- ceases to hold the office by virtue of which he or she became eligible for appointment to the Forum or
 - where the relevant body seeks to replace the member by making a further nomination or
 - his/her term of office as a schools member comes to an end or
 - s/he resigns his office as a schools member;
- 5.5 In light of any review of the Schools & Children's Services (SCS) participation and consultative arrangements the CSA shall exercise its powers to review the composition and constitution of the Schools' Forum. In so doing, the CSA will ensure that all relevant parties are consulted and that any change continues to comply with the regulations.

~~5.5 A member, who, without the consent of the Forum, has failed to attend three meetings consecutively will be disqualified from continuing to hold office as a member of the Schools Forum.~~

6. The Chair and Vice-Chair

- 6.1 The Forum shall appoint from its membership, excluding non-executive elected members or eligible officers, a Chair and Vice-Chair.

- 6.2 In the event of an election the Chair and Vice-Chair will be appointed by a majority of the votes cast by individual members.
- 6.3 The Chair and Vice-Chair shall be elected annually. The election for these positions will take place at the first meeting and in subsequent years at the first meeting after the annual meeting of the Council. *(The Forum are advised to bear in mind the potential benefits of regular change of Chair: Members are invited to limit re-elections of an individual to the position of Chair in order to avoid periods in the Chair exceeding two years.)'*
- 6.4 In the event of a casual vacancy occurring in the office of the Chair or Vice-Chair the Forum shall at their next meeting elect one of their members to fill that vacancy and a member so elected will hold office until the first meeting after the annual meeting of the Council.
- 6.5 The Chair or Vice-Chair shall cease to hold office if s/he resigns her/his office by giving written notice to the Clerk, or if s/he ceases to qualify as a member of the Forum.

7. Meetings

- 7.1 The Forum shall meet at least four times each year.
- 7.2 Further meetings may be called with the agreement of the Chair or by decision of the Forum to enable the Forum to carry out its tasks effectively.
- 7.3 Every member shall be given written notice and an agenda at least seven clear days before the date of the meeting.
- 7.4 From time to time the Forum will set up ad hoc working groups to deal in greater detail with matters that require more time than is available in the full Forum meetings and will report to the full Forum meetings.
- 7.5 All meetings of the Forum will be open to members of public unless there is a good reason for the business to be conducted in private. Members of the public should contact the Clerk to the Forum, in advance of the meeting, so that the necessary administrative and health and safety arrangements can be made.
- 7.6 Interested parties who wish to attend a Forum meeting to make a representation may do so by giving at least 3 working days notice in advance of the meeting concerned to the Clerk to the Forum must be given. At the discretion of the Forum Chair, the group or a representative of the group may address the Forum.

8. Public Access

All documents and proceedings shall be open to the public unless the Forum resolves that there is good reason for documents or proceedings to be kept confidential.

9. Quorum

The quorum for the meeting shall be nine members representing 40% of the total membership.

10. Voting

The voting arrangements shall be as follows:

- (a) Voting on the funding formulae will be restricted to schools members and the Early Years Provider.**
- (b) Voting on items which are subject to de-delegation will be restricted to only the relevant maintained schools members.**
- (c) Any other question to be decided at a meeting of the Forum shall be determined by a majority of the votes of members present. In the case of an equality of votes the Chair shall have a second or casting vote.**

11. Conduct and Declarations of Interest

- 11.1 In carrying out their functions, members of the Forum shall act in accordance with the seven principles of public life set out in the report of the Government Committee on Standards in Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 11.2 Members will be required to complete an annual Register of Business to declare any interest which might affect a school at which they are a governor or headteacher or which their children attend or in which they have a pecuniary interest.
- 11.3 At each meeting, members of the Forum shall declare an interest in any proposal, which directly affects a school at which they are a governor or headteacher or which their children attend or in which they have a pecuniary interest. Any member with such an interest shall declare it and withdraw from the discussion and take no part in the decision. Where it is clear that a decision in which a member has such an interest is likely to arise at a particular meeting, the member concerned may wish to invite a substitute to attend that meeting.

12. Expenses and Training

- 12.1 Members of the Forum shall be entitled to claim reasonable expenses as outlined in the CSA's policy for the payment of such expenses.
- 12.2 The costs of training course fees and reasonable travel expenses to enable attendance on such courses for members of the Forum to increase their expertise, and knowledge to carry out their School's Forum duties effectively, will be a first call on the schools' budget. Applications for such fees/expenses should be submitted to the Clerk of the Schools Forum. In the event of a dispute over whether a course should be funded, the Chair of the Schools Forum will be the decision-maker and will take account of the resources available from the budget for the Forum's activities. This budget will be reviewed annually.

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COUNCILLORS' QUESTIONS: 19 September 2012**1.1 Questions to Cabinet Members****Question 1 from Councillor Waterhouse to Councillor Bond Cabinet Member for Environment**

In determining the administration's policy towards Sunday parking charges, did the Cabinet Member take into consideration the study referred to by Councillor Sitkin during the Full Council debate on 4 July 2012, and can he confirm which study this was?

Reply from Councillor Bond:

Councillor Sitkin's personal research did not have direct influence on Administration's policy. As I have not discussed this research with Councillor Sitkin I'm unable to name the author or the title of the research.

Question 2 from Councillor Sitkin to Councillor Taylor, Leader of the Council

"What impact do you believe that the Government reshuffle will have on Enfield Council?

Reply from Councillor Taylor:

I would like to be positive but I can't be positive.

The overriding need is for a change in economic policy by the Government but that is not flagged by the reshuffle. Our residents need jobs and growing incomes but the failed economic policy will not deliver that.

The Council tax benefit subsidy changes are being consulted upon in Enfield; its Minister was dropped in the reshuffle. The welfare benefit changes which many consider deeply flawed are now apparently considered failing by the Prime Minister who tried to reshuffle the Secretary of State - but he wouldn't move.

The Prime Minister did remove the Secretary of State for Health who, of course, decided to remove Chase Farm A and E. We will see if his replacement might reverse that decision.

Overall however, despite the deckchairs being shuffled we remain aboard the Titanic, and increasingly consigned to steerage.

Question 3 from Councillor Neville to Councillor Bond Cabinet Member for Environment

Will Councillor Bond please confirm how many front line environment staffing positions have been cut since

May 2010?

Reply from Councillor Bond

6.5 Full Time Employees (FTE) front line environment staffing positions have been cut since May 2010.

Question 4 from Councillor Brett to Councillor Stafford, Cabinet Member for Finance and Property

The local MP arranged a demonstration at the last Council meeting which approximately 15 members of the public attended. This was supported by Conservative Councillors and to assist, extra security and overflow was organised. How much did that all cost the Council taxpayer?

Reply from Councillor Stafford

The total costs for the provision of the additional security and overflow room at the Council meeting on 4 July 2012 was £907.00. This was broken down as follows £625.00 (video & PA link to conference room); £132.00 for 2 additional security guards and £150.00 for 2 additional porters.

Question 5 from Councillor Neville to Councillor Bond Cabinet Member for Environment

Will he publish by way of answer to this question his response to the Government's consultation on the future of the Carbon Reduction Commitment Scheme?

Reply from Councillor Bond

The Council is a member of the London Energy Partnership and contributed to its response to the Government's consultation on behalf of 30 London Local Authorities, including the City of London Corporation, the Mayor's Office for Policing and Crime, the London Fire Brigade, and 4 Regional Local Authorities. A copy of the London Energy Partnership's response will be sent to Councillor Neville and also be made available in the Members Library and both Group Offices.

Question 6 from Councillor Sitkin to Councillor Bond, Cabinet Member for Environment

What is the Council doing to deliver its commitment on sustainability?

Reply from Councillor Bond

The Council's Sustainability Service has developed the Enfield 2020 Sustainability Programme and Action Plan. The Programme has a '2020 Vision' to:

1. Significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020
2. Deliver significant economic, environmental and social benefits for all of Enfield's stakeholders

The Enfield 2020 Action Plan contains 50 strategic sustainability projects focussed on 8 themes:

1. Save Energy
2. Enable Urban Regeneration
3. Grow London's Low Carbon Economy
4. Improve Local and Global Environment
5. Reduce, Reuse, Recycle
6. Improve Public Health and Wellbeing
7. Community Leadership
8. Climate Change Mitigation and Adaptation

Enfield 2020 also provides the mechanism to develop and deliver further strategic sustainability projects in Enfield over the next 8 years. It will be on public consultation in autumn 2012.

Question 7 from Councillor East to Councillor Stafford, Cabinet Member for Finance & Property

Which studies have been conducted into the possible disposal or sale of council-owned property in the Green Belt, including buildings, land and rights?

Further, please can the Cabinet Member give assurances that the council will not sell off any of the green spaces in the borough for private residential development or social housing?

Reply from Councillor Stafford

This administration has not commissioned specific studies into the possible disposal or sale of council-owned property in the Green Belt, including buildings, land and rights.

As part of the management of council-owned property in the Green Belt, the majority of which is undertaken under a contract with Knight Frank, opportunities may arise to generate additional income in collaboration with tenants which may result in granting additional rights

In terms of future commitments to the Green Belt, I await with interest the Government's ever changing planning policies, with which I will ensure the Council fully complies, once we know what they are. Rest assured, this Administration is fully committed to preserving the unique character of Enfield.

Question 8 from Councillor Levy to Councillor Bond, Cabinet Member for Environment

Is the Council aiming to save money through better energy management?

Reply from Councillor Bond

The Council has recently developed the Enfield 2020 Sustainability Programme and Action Plan, which will be on public consultation in autumn 2012. The programme contains 8 themes, one of which is to 'Save Energy.'

Of the 50 strategic sustainability projects in the Enfield 2020 Action Plan, 17 projects are focussed on saving energy in buildings and vehicles. These projects include a number of large-scale 'Invest to Save' projects across Enfield's buildings portfolio, expansion of the Greenways network and installation of a further 6 electric vehicle recharging points in Enfield.

The overriding focus of the 'Save Energy' theme is to use better energy management to save money.

Question 9 from Councillor D. Pearce to Councillor Georgiou, Deputy Leader

Earlier this year Councillor Georgiou stated that the Council make every effort to collect outstanding debts and non payments of Council Tax, rental arrears, housing benefit over payments and business rates. He also said the council would look at new methods and technologies to improve collections?

Can he now update us on progress made in collection of revenue and what ideas the Council are now implementing?

Reply from Councillor Georgiou

The Council is committed to collecting debt and continues to make improvements.

The overall collection level for council tax remains 98%, the 9th highest in London. In year collection continues to improve with quarter 1 performance at 29.58%, up from 29.37% for the same period last year. Housing benefit overpayment collection has increased in quarter 1 from the same period last year from 69.88% up to 78.76%. Over £12m of historical sundry debt and £1m of historical social care has been cleared in the first quarter of the year.

Further improvements are planned or already underway, including:

- Analysis of income streams, converting invoice production to payment in advance before service delivery to avoid debt occurring in the first place.
- Encourage increased take up of Direct Debits and other electronic payment methods
- Maximise the securing of debt against property and converting charging orders into force of sale orders
- Exploring prompt payment discounts
- Exploring the ability to charge interest for late payment

- Cross departmental working - improving income streams and agreeing debt reduction schemes around the Council
- Extending the use of money claim on line to obtain County Court claims
- Greater use of current strategies such as peaceable reentry, in relation to commercial debt, in order to re let premises to tenants who pay
- A pilot scheme with Experian is already underway to reduce council tax arrears by matching high value arrears cases to credit agency records to enable more effective, targeted recovery. Experian are presenting the scheme to their users in October as an example of good practice and it is likely to feature in a Government seminar to tackle public sector debt in November.
- The Council is also working on introducing automated texting to customers who are late paying their council tax instalments as an alternative to issuing paper reminders, e-billing and on line access to council tax accounts.

Question 10 from Councillor Levy to Councillor Stafford, Cabinet Member for Finance and Property

In a recent article in a local paper, the Leader of the Opposition suggested that dependent upon the result of our Welfare Benefit Consultation, pensioners could see cuts in their benefits. Is this really a possibility?

Reply from Councillor Stafford

This is completely untrue. We are committed to protecting pensioners from the benefit changes brought in by the Government even though the abolition of Council Tax Benefit may cost the Council £5.1m a year. We are currently consulting on a proposed scheme which would affect working age claimants only. The consultation has been sent out in Our Enfield magazine, published on the Council's website as well as sent to members of the Citizens Panel, directly to a random sample of 1000 homes and to local voluntary organisations/interest groups. We would urge everyone to participate in the consultation which ends on 18 October.

Question 11 from Councillor Neville to Councillor Charalmbous, Cabinet Member for Leisure, Culture, Youth & Localism

It was wonderful to see the support for the Olympic torch relay and in particular Jack Otter's section of the relay which I am sure all members of the council would applaud. Could the Cabinet Member tell the council how torch bearers for the Olympic Relay in Enfield were chosen?

Reply from Councillor Charalambous

I would share Councillor Neville's view that it was wonderful to see Jack Otter proudly representing Enfield in the torch relay.

The London Organising Committee for the Olympic and Paralympic Games, (LOCOG) pulled together 3 different ways of selecting Torch Relay Runners,

They delegated a 3rd of the relay runners to be selected by Coca Cola, another 3rd were to be selected by Lloyds Bank and the final 3rd were selected by themselves.

LOCOG determined that every other runner should be a young person.

LOCOG for the final 3rd pulled together teams of officers who would select runners based on criteria that LOCOG themselves dictated. The officer groups were based on the Boroughs that were being past through on that particular day. Enfield was therefore part of the Harrow, Brent and Haringey Group for Day 68 of the Relay. LOCOG had advertised the opportunity to run and individuals were nominated or nominated themselves. Officers were asked to select individuals without knowing which Borough they lived in or their names. Effectively officers were asked to select individuals based on LOCOG criteria without knowing addresses and names. LOCOG took some decisions out of the hands of the selection panels to ensure a high profile for the relay, selecting celebrities and people representing good causes.

Question 12 from Councillor Ekechi to Councillor Goddard, Cabinet Member for Business and Regeneration

What are the Government plans for protection of the Green Belt?

Reply from Councillor Goddard

The problem I have and I think many others have regarding the intentions of the Government on planning is that the rules keep being changed and are becoming contradictory. We are told that localism is the way forward yet are being told what to do. We are told at one time the green belt is sacrosanct then later that planning is a free for all in order to stimulate economic growth. None of this relates to the needs of an area and is certainly inconsistent with the desire by the Government for Local Plans (LDF / Core strategy as was)to be the guiding framework.

When the Government has really decided what helps growth and what the planning framework really is I will share my thoughts with Council.

Question 13 from Councillor Neville to Councillor Bond, Cabinet Member for Environment

Can he confirm that it is his intention to terminate or not renew the present contract with the company responsible for investigating and enforcing fraudulent use of the "blue badge" parking permit and if so can he confirm that he will put a time limit on performance of that contract by in house staff which will be closely monitored and will he commit the council to externalising again in the event that the excellent performance of the present contractor is not matched by in house resources?

Reply from Councillor Bond

The existing service is delivered through a partnership of Council Staff, the Police and an external contractor. The work carried out by the external contractor will be delivered by the Council's Environmental Crime Officers, working in partnership with the Police and the Council's Blue Badge team. Performance will be monitored carefully to ensure that the Council continues to have a zero tolerance approach to blue badge fraud and that those responsible are dealt with effectively by the Courts. I will review the arrangements in Spring 2013.

Question 14 from Councillor Stafford to Councillor Charalambous, Cabinet Member for Culture, Leisure, Youth and Localism

In light of the stunning success of both Olympic and Paralympic games, and of the medals won by athletes with a local connection to Enfield, can the Cabinet Member for Culture, Leisure, Youth and Localism tell me whether the Council has always been supportive of the 2012 Olympic and Paralympic games.

Reply from Councillor Charalambous

It will come as a great shock to Councillor Stafford to discover that on 13 April 2005 at Full Council and previously at Cabinet on 9 February 2005 that the then ruling Conservative administration voted against supporting the London 2012 Olympic and Paralympic Games. It is fortunate that the actions of Enfield's out of touch Conservative administration of that time was ignored as had their folly succeeded then the people of Great Britain and Enfield would have been denied the most amazing event and celebrations that this country has seen in generations over the last few weeks.

Question 15 from Councillor Neville to Councillor Stafford, Cabinet Member for Finance and Property

Can he tell the council how much has been spent in advertising public notices which are required by law respectively in:

- The Enfield Advertiser
- The Enfield Independent

for the years 2010-11 and 2011-12 and 2012- to the latest point information is available?

Reply from Councillor Stafford

2010-11

Enfield Advertiser	£47,029
Enfield Independent	£14,051

2011-12

Enfield Advertiser	£49,260
Enfield Independent	£14,051

2012 to Aug 12

Enfield Advertiser £21,747

Enfield Independent £8,675"

Question 16 from Councillor Levy to Councillor Bond, Cabinet Member for Environment

What is the Council's position in the UK's Carbon Reduction Commitment (CRC) Performance League Table?

Reply from Councillor Bond

In October 2011 the Environment Agency published the UK's first CRC League table to provide organisations with a reputational incentive to reduce their carbon footprints. Using the baseline energy and carbon performance of public and private sector organisations, Enfield Council came 732nd out of 2,103 UK organisations. The Council also came 11th out of 33 London Boroughs, which is a fairer comparison based on similar buildings, services and operations.

Between 2010/11 and 2011/12, the Council achieved a 7.9% reduction (2,501 tonnes) in its CRC payments, reducing its carbon footprint from 31,763 tonnes to 29,262 tonnes. This resulted in a £30,011 saving in the Council's carbon tax payment under the CRC Scheme, from the Council's theoretical baseline payment of £381,156 to £351,145.

The next CRC performance league table will be published in October 2012. The Council's league table position will depend on how the Council's 7.9% reduction in its energy consumption and carbon emissions compares against the other organisations in the league table.

Question 17 from Councillor Waterhouse to Councillor Bond, Cabinet Member for Environment

In the full council debate on Sunday parking charges on 4 July, Councillor Sitkin referred to a piece of research he had found on the internet that had informed his thinking and therefore the way he voted. Could Councillor Bond (a) confirm the author and title of this research and (b) how important this piece of research was in influencing the administration's policy making on this matter?

Reply from Councillor Bond

I refer you to my response to Question one.

Question 18 from Councillor Lavender to Councillor Oyken, Cabinet Member for Housing

Would the Cabinet member for Housing please explain the council's strategy in relation to leaseholders (i) in estates undergoing or planned to undergo regeneration (such as Alma Road, Coverack Close and Shepcot House) and

(ii) generally.

Response from Councillor Oykenner

- (i) Housing recognises that leaseholders living on estates undergoing or planned to undergo regeneration have made a personal and financial investment in the community. Our proposal to Leaseholders will offer choices to remain in the community or to realise their investment and move away from the area. A Leaseholder information booklet, which officers are currently finalising, will outline the process of negotiations and explain the statutory compensation which is payable to leaseholders and non-resident leaseholders affected by our estate regeneration projects. This includes an offer of market value plus an additional 10% of market value for Resident Leaseholders and an additional 7.5% for Non-Resident leaseholders. A dedicated officer has been identified as the contact for leaseholders during the buy back process and a Frequently Asked Questions fact sheet will be available to assist with the process.
- (ii) Generally, the Council's strategy is to continue to provide improving services and to carry out works that are necessary to ensure the comfort and safety of residents, to charge fairly and accurately for these works and to fulfil the Council's obligations as a landlord.

Question 19 from Councillor Neville to Councillor Hamilton, Cabinet Member for Community Wellbeing and Public Health

Has the Cabinet Member seen the guidance issued by the senior presiding judge for England and Wales, the Rt Hon Lord Justice Goldring, about the role of magistrates in relation to political matters concerning the police. Would she agree that in the light of that guidance she would be in some difficulty in future in leading or participating in a debate on police numbers such as that which she led on the motion in her name at the last council and in those circumstances would she be more comfortable persuading the Leader to split that role removing the Community Safety element from it?

Or alternatively she may prefer to resign from the bench?

Reply from Councillor Hamilton

I have seen the guidance to magistrates in relation to standing for election as Police and Crime Commissioners and to the Police and Crime Panels which will scrutinise the Commissioners' function. The restrictions within the guidance (which were considerably tempered by the senior presiding judge within days of issue) relate to a specific political post and have no application my role within the Council. I am fully aware of my responsibilities both as a magistrate and a Councillor. A copy of the guidance has been provided in the Members Library and for both Group Offices.

Question 20 from Councillor Lavender to Councillor Bond, Cabinet Member for Environment

Significant reductions in the amount of carbon dioxide have helped Enfield Council save more than £30,000 tax in the last year.

New rules introduced in April 2012 and designed to cut carbon emissions means Enfield Council has to pay £12 for every tonne of carbon dioxide it produced between April 2011 and March 2012.

Following an energy efficiency drive in its buildings, Enfield Council delivered 40 projects which helped reduce its carbon footprint from 31,763 to 29,259 tonnes between 2010/11 and 2011/12, and saved the Council just over £30,000.

Among the projects completed in council buildings were draught proofing, voltage optimisation, insulation, lighting upgrades and boiler management controls.

Enfield Council's Cabinet Member for Environment, Cllr Chris Bond, said: "We are committed to reducing our carbon footprint and protecting the environment while simultaneously saving tax payers money.

"The money we have saved from these projects can be re-invested in new initiatives to reduce our carbon footprint further."

Could Councillor Bond please tell us how much it cost the council to deliver these projects?

Reply from Councillor Bond

40 energy saving projects have either been delivered or committed in the last two years. This has made a significant contribution to enable the Council to avoid approximately £30K of carbon tax liability. These projects have also enabled the Council to reduce its energy consumption resulting in further financial savings of £95K. These have been delivered through the Salix Recycling Fund at a cost of £432,176, which includes the Council project management costs and have a project pay back of just 4.5 years.

Question 21 from Councillor Chamberlain to Councillor Stafford, Cabinet Member for Finance & Property

According to the lead article in the most recent Enfield Society's newsletter, Salisbury House is currently the subject of a review and potential hirers and users of it are being discouraged. Meetings have also taken place with users of the house. Will Councillor Stafford confirm the nature of the review, who is undertaking it, at what cost and when and if there is to be any upfront and open public consultation on the future use of this much valued building.

Reply from Councillor Stafford

The Regeneration Team has commissioned the Paul Drury Partnership to

prepare a Conservation Management Plan to identify the House's special interest, significance of the heritage assets and the requirements for its future management, repair and alteration, at a cost of £20,000. Part of the commission included Colliers producing an Options Report to consider and table alternative viable future uses for the building in order to deliver a use that secures its future and maximises public benefit from the site.

A first draft of the report was received at the end of July with the Options Report and a report from Rodney Melville & Partners on access and accessibility, condition of the building fabric and repair costs, together with a 10 year maintenance plan. All of these are to be reviewed and Christine White is the lead officer.

A consultation event was held on 12 June 2012, facilitated by Lorraine Cox and attended mainly by existing users, to advise them of the above. The main points from the meeting have been noted.

Question 22 from Councillor East to Councillor Stafford, Cabinet Member for the Finance & Property

Since the Labour administration came to power in May 2010, what research has been carried out into the possible sale of land currently designated as green spaces (including, but not limited to parks, golf courses, agricultural land, green belt land and farms) in the borough and what were the conclusions of those pieces of research?

What plans does the council have to sell such land?

What plans are being developed for the future sale of such land?

Reply from Councillor Stafford

The Council commissioned a strategic review of golf provision report by GVA Humberts Leisure. The report in July 2011 included research in to golf club usage to contribute to the review of options for Whitewebbs Golf Course which resulted in Parks investing in its continued operation.

The Council has no plans to sell land other than that identified in the published reports to Cabinet on property disposals, none of which are designated as green spaces.

The Council keeps under review opportunities to generate capital from land to contribute to the Medium Term Capital Funding plan.

Question 23 from Councillor Laban to Councillor Bond, Cabinet Member for Environment

When the Labour party was previously in power between 1994 and 2002, the then administration had a policy of having an under-resourced planning enforcement capacity and this led to established use rights being granted for

commercial dumping in the green belt at Crews Hill. Given the lack of serious enforcement on the dreadful state of the former petrol station at Brimsdown Avenue, has the Cabinet Member for the Environment re-adopted that previous policy?

Reply from Councillor Bond

The Planning Enforcement Team remains a strong and proactive unit dealing with a significant number of unauthorised development. The team's role was recently enhanced to improve consistency in dealing with unlawful use of land and property by combining it's functions with pollution control and licensing enforcement to create a larger and more effective unit.

Question 24 from Councillor Laban to Councillor Charalambous, Cabinet Member for Culture, Leisure, Youth & Localism

Please could the Cabinet Member inform the chamber how much money has been spent on Ordnance Road library since May 2010?

Reply from Councillor Charalambous

Ordnance Road Expenditure 2007/2008 – 2011/2012

	2007/08	2008/09	2009/10	2010/11	2011/12	TOTAL
	£	£	£	£	£	
Capital :						
Paving works	13,716.81					13,716.81
1st Floor Conversion			31,058.61	1,167.34		32,225.95
	13,716.81	0.00	31,058.61	1,167.34	0.00	45,942.76

The planned first floor conversion was a proposal to create room for a Children's Area Partnership Integrated Support Team. The feasibility study showed the estimated costs for the work to be £227,660 which was well beyond the monies available in the then Capital Programme for library refurbishment.

	2007/08	2008/09	2009/10	2010/11	2011/12	TOTAL
	£	£	£	£	£	
Revenue :						
Premises	55,583.41	59,065.39	24,192.84	45,874.39	49,844.13	234,560.16
Supplies & Services	9,127.49	8,035.63	6,100.63	3,660.00	4,750.16	31,673.91
Repairs & Maintenance	18,661.09	25,868.24	10,453.02	17,684.07	19,740.55	92,406.97
	83,371.99	92,969.26	40,746.49	67,218.46	74,334.84	358,641.04

These figures represent the normal running costs for Ordnance Road Library and are similar to libraries of comparable size and opening hours.

	2007/08	2008/09	2009/10	2010/11	2011/12	TOTAL
	£	£	£	£	£	
WNF Project :						
E-Learning Centre	0	0	0	41,973.10	30,259.75	72,232.85

Question 25 from Councillor Laban to Councillor Bond, Cabinet Member for Environment

Please could the Cabinet Member for Environment update the chamber on the planning enforcement action his department has taken on the former Brimsdown Ave Petrol Station site?

Reply from Councillor Bond

The Council are working with the owners to remove the illegal tenants from this land and remove any perceived fire or public health risks to residents.

The Council are also working closely with the owners and their legal advisors to ensure that action is taken.

If no progress is made by the owner, we will serve a Planning Enforcement Notice requiring the unauthorised occupation of the site to cease and all vehicles, plant and waste to be removed.

I should also stress that the old fuel tanks on this site were decommissioned when the petrol station closed and pose no fire risk to nearby residents.

Question 26 from Councillor Laban to Councillor Hamilton, Cabinet Member for Community Wellbeing & Public Health

Please could the Cabinet Member outline what action her department is taking to ensure that the people in Stonycroft Avenue are not facing a massive public health and fire risk by living next door to the former Brimsdown Petrol Station?

Reply from Councillor Hamilton

I refer you to the response provided for Question 25.

Question 27 from Councillor Laban to Councillor Taylor, Leader of the Council

Please could the Leader of the Council co-ordinate the environmental health, crime, housing, public health and community safety departments of the council

in order to form a multi-agency task force to rid eastern Enfield of the problems taking place at the former Brimsdown Avenue Petrol Station?

Reply from Councillor Taylor

Council Officers have arranged preparatory meetings to develop a comprehensive plan to deal with the encampment at Brimsdown, should the current owner be unsuccessful in taking action to remove those on site. Whilst this site is unsightly, the police have not reported incidents of crime and disorder and consequently the Council has considered it proportionate to allow the land owner to take legal action to remove the encampment.

Question 28 from Councillor Laban to Councillor Oyken, Cabinet Member for Housing

Please could the Cabinet member for Housing outline what his department is taking to remove the travellers from the former Brimsdown Avenue Petrol Station?

Reply from Councillor Oyken

This site is not in the ownership of the Council, therefore the Private Sector Housing Team will maintain liaison with the owner, agent, and Environmental Services Department, while the site owner undertakes legal action to regain possession from the illegal occupiers.

Full support advice and guidance will be offered to the site owner as legal action is taken.

Once legal action is taken to enable an eviction, the Private Sector Housing Team will provide expert support, to ensure that the illegal occupiers leave the site in a safe and proper manner.

Question 29 from Councillor Laban to Councillor Bond, Cabinet Member for Environment

Please could the Cabinet member for Environment outline what enforcement action his department is taking to combat the fly tipping in and around the junction of Parsonage Lane and Chase Side?

Reply from Councillor Bond

Reports of fly tipping are investigated for evidence of its source by street scene staff, after which the waste is removed. Whilst several incidents have been investigated, no identification evidence has been found and consequently this area continues to be routinely monitored by street scene and enforcement staff.

Question 30 from Councillor Lavender to Councillor Goddard, Cabinet Member for Business and Regeneration

The Cabinet member for Business & Regeneration is no doubt familiar with Section 17 of the Local Government Act 1988 (exclusion of non-commercial considerations in the case of local and other public authority contracts). He is no doubt now aware of section 2 of the Public Services (Social Value) Act 2012 passed in February by the coalition government, which now explicitly provides that Local Authorities may take into consideration non-commercial matters to the extent they consider it necessary or expedient to do so to enable or facilitate compliance with their duty to consider how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area.

This Act presents local authorities such as Enfield with a golden opportunity to give consideration to non-commercial local regenerative and social considerations when awarding public sector contracts.

Would the Cabinet member for Business & Regeneration please provide evidence of what action has been taken and when by Enfield Council to avail itself of these powers and to alter any internal governance arrangements.

Reply from Councillor Goddard

I am grateful for the question as it enables me to inform Council of the progress that we have made in the last 12 months to establish a clear policy and strategy for procurement in line with the opportunities afforded by the legislation. The policy was adopted by Cabinet in December 2011 and Council in February 2012. The policy includes clear commitments on sustainability including delivering environmental and socio-economic factors through procurement. Officers are already required to seek quotes from local suppliers when procuring contracts under £50,000 and Corporate Procurement have developed a Community Benefit Toolkit which embeds initiatives around use of the local supply chain, apprentices and improving employment opportunities for local residents. This is being supported by training for staff responsible for procurement as well. The Public Contracts Regulations 2006 already allow for environmental, social and economic considerations in procurement but these have to be balanced against the overriding requirement to ensure that we do not discriminate against non local organisations. On the environmental considerations the Council successfully achieved Bronze standard in the Mayor of London's Green Procurement Code last year and are now aiming to achieve the Silver standard.

The Public Services (Social Value) Act 2012 requires Authorities to consider how proposed contracts 'might improve economic, social and environmental wellbeing of the relevant area' and reinforces the provisions that have always been available to us under the Public Contracts Regulations 2006. The main difference is that we must consider these factors prior to tendering and the Act does not conflict with Procurement legislation in that such considerations must be relevant and proportionate to the contract and we must still ensure equal treatment and non discrimination of suppliers i.e. we cannot specify that 'local SMEs' within our tender documentation. Enfield manages this for all major

procurement in that officers are required to consider social considerations at the options appraisal stage before procurement activity is started.

This Council will use this procurement framework as the basis of increasing the use of local suppliers and opportunities for employment and training of local residents and therefore provide us with the possibility of strengthening local business and employment.

This Council will use this procurement framework as the basis of increasing local supply and therefore provide us with the possibility of strengthening local business and employment.”

Question 31 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment

I note that a considerable number of mature street trees are being removed from my ward, following an incident where a falling branch crushed a car. Can the Cabinet Member confirm that he will use contingency funding to put more resources into detailed and frequent tree surveys?

Reply from Councillor Bond

Current surveying frequencies are a proportionate use of public funds and neither additional surveys or resources are required.

Question 32 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment

Will Councillor Bond confirm the direction he has given officers regarding tree removal policy, as residents have expressed to me their concern that trees are being removed as a knee jerk reaction and while the officers I have spoken to seem, clear on that, I should like his reassurance that he has made it clear only to remove trees where there is a genuine safety issue.

Reply from Councillor Bond

If the Members opposite consider resident safety knee jerk I'm very happy that I'm on this side of the chamber. In relation to the removal of trees within your ward I can confirm that the trees have been removed due to the fact that the trees in question were all diseased and needed to be removed for safety reasons. The Council's Highway Tree strategy is very clear and that is trees are only programmed for removal if they are found to be dead, dying, diseased, dangerous, in decline, or have outgrown their locations.

Question 33 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment

Will the Cabinet Member explain why unlike other petitions, he chose not to issue a press release on the free parking petition which attracted over 7500 signatures. Is it that he would rather forget resident and local business

concerns on this issue?

Reply from Councillor Bond

I have not responded because I want to provide the feedback from work I have commissioned of officers, that is due to be fed back to a Member group that I have set up. It is my view that there was no point in producing a press release until this side have agreed changes that will support our town centres, local businesses and our residents.

Question 34 from Councillor Chamberlain to Councillor Georgiou, Deputy Leader

How many petitions have been followed by a Council news release in the last two years and what petitions did they cover?

Reply from Councillor Georgiou

The Council has issued statements or responses to the press following 11 petitions:

- Hoppers Road – speed limit
- Schools for Southgate
- Go Ape
- Trent Park Café
- Enfield Town CPZ
- Jubilee Park Benches
- Library Closures in Enfield
- Future of Enfield Swimming Clubs
- Ban Spitting in Enfield
- Hillyfields Greenway Route
- Sunday Parking Charges

Question 35 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment

Does the Cabinet Member think that the reason offered for refusing the option of bags for recycling - essentially that "wheelies are more efficient for recycling and the resident's small front garden has the space for them" - makes any sense in the context of a resident who has resolutely refused to use wheelie bins and is now reduced to privately disposing of her own waste, none of which is now recycled?

Reply from Councillor Bond

In principle, yes.

Question 36 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment

Please confirm, by ward if possible, how many hours on tree safety surveys were spent in 2010-2011 and 2011-2012?

Reply from Councillor Bond

We do not keep this information however we can say that the time allocated to each ward will be dependant on the volume of trees contained within a particular ward.

Highway trees are surveyed by the Council's highway arboricultural contractor staff as part of the agreed maintenance programme, a 3 yearly cycle for Lime and Plane trees with all others trees surveyed on a 4 yearly cycle. In addition approximately 80% of the time of the in-house team is spent on responding to residents and Members request to inspect Borough trees.

Question 37 from Councillor Neville to Councillor Goddard, Cabinet Member for Business & Regeneration

Does he recall a conversation with former councillor Bill Price concerning the former Aessica Pharmaceuticals site (now proposed Highways Depot) at a meeting that they were both attending at the CCTV Centre at the time the site was on the market?

Does he recall, heard by others in attendance, Mr Price drawing his attention to the site and suggesting that it would make a useful one for the council and does he further recall responding to that by saying that the council had no money for the site?

Reply from Councillor Goddard

I think you refer to a meeting about CCTV, held about 2 years ago. I recall, but not in any detail, Mr Price raised the future of the site. What is clear is that the landowner made no contact with the Council, and the property was not marketed publicly.

Question 38 from Councillor Neville to Councillor Bond, Cabinet Member for Environment

With reference to the proposed new depot at Morson Road, when were you first approached by the officers about the proposed terms and what instruction did you give them if any with regard to seeking to acquire a freehold interest in that or any other site?

Reply from Councillor Bond

My steer to officers has been to safeguard critical services, such as refuse collection, by obtaining a new value for money depot. By securing the Morson Road depot we have resolved a major operational risk that you failed to address, risking a potential catastrophic service failure for residents. The District Valuer has confirmed that the Council has secured the site at market value.