



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY, 30TH
JANUARY, 2013 AT 7.00 PM**

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

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Date: 22 January 2013

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, 30th January, 2013 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 - 14)

To approve, as a correct record, the minutes of the Council meeting held on Wednesday 7 November 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. OPPOSITION BUSINESS - FINANCIAL PLANNING AND PERFORMANCE AND THE 2015 FISCAL CLIFF (Pages 15 - 18)

An issues paper prepared by the Opposition Group is attached for the consideration of Council.

The Constitution Procedure Rules relating to Opposition Business are attached for information.

8. COUNCIL TAX SUPPORT LOCAL SCHEME, TECHNICAL CHANGES, COUNCIL TAX AND BUSINESS RATE TAXBASE

To receive a report from the Director of Finance, Resources & Customer Services presenting the Council and Business Rate Tax Base for approval and updating members on proposals for Local Council Tax support scheme.

TO FOLLOW
(Report No.138A)
(Key Decision – Reference No.3588)

Members are asked to note that Cabinet are also due to receive an update on the scheme on Wednesday 23 January 2013. Any comments made as a result of this will be reported to the Council, in order to inform consideration of the above item.

9. A TENANCY STRATEGY FOR ENFIELD (Pages 19 - 60)

To receive a report from the Director of Health, Housing & Adult Social Care presenting Enfield Council's Tenancy Strategy 2013-2018 for approval.

(Report No.139A)
(Key decision – reference number 3527)

Members are asked to note that the report is due to be considered by Cabinet on Wednesday 23 January 2013. Details of the decision made by Cabinet will be reported at the Council meeting.

10. ENFIELD JOINT CARERS STRATEGY 2013-2016 (Pages 61 - 70)

To receive a report from the Director of Health, Housing & Adult Social Care seeking agreement to a Joint Enfield Carers Strategy between Enfield Council and NHS Enfield.

(Report No.141A)
(Key Decision – Reference No.3591)

Members are asked to note that:

- the report is due to be considered by Cabinet on Wednesday 23 January 2013. Details of the decision made by Cabinet will be reported at the Council meeting; and
- a copy of the full Strategy will be available (for reference) in the Members Library, Group Offices and also with this agenda via the

Democracy page of the Council's website. If required, additional copies will also be available by contacting James Kinsella (Governance Team Manager).

11. ENFIELD 2020 SUSTAINABILITY PROGRAMME AND ACTION PLAN
(Pages 71 - 84)

To receive a report from the Director - Environment seeking approval to the Enfield 2020 Sustainability Programme and Action Plan. (Report No.142A)
(Key Decision – Reference No.3562)

Members are asked to note that:

- the report is due to be considered by Cabinet on Wednesday 23 January 2013. Details of the decision made by Cabinet will be reported at the Council meeting; and
- a copy of the full Programme and Action Plan will be available (for reference) in the Members Library, Group Offices and also with this agenda via the Democracy page of the Council's website. If required, additional copies will also be available by contacting James Kinsella (Governance Team Manager).

12. GAMBLING ACT 2005 - ENFIELD'S LICENSING POLICY (Pages 85 - 110)

To receive a report from the Director – Environment seeking approval to the Statement of Principles and Licensing Policy under the requirements of the Gambling Act 2000. (Report No.150)
(Key decision – reference number 3644)

Members are asked to note that the recommendations in the report were considered and approved for reference onto Council by the Licensing Committee on 10 December 2012.

13. CHANGES TO CONTRACT PROCEDURE RULES (Pages 111 - 150)

To receive a report from the Director of Finance, Resources & Customer Services detailing the outcome of a review of the Council's Contract Procedure Rules and changes being proposed as a result. (Report No.108A)
(Non-Key)

Members are asked to note that the review and recommendations in the report were considered and approved for reference onto Council by Audit Committee on 20 November 2012.

14. ANNUAL PUBLIC HEALTH REPORT (Pages 151 - 156)

To receive a report from the Director of Public Health presenting the Annual Public Health report. (Report No.121)
(Non Key)

Members are asked to note that:

- the report was considered by Cabinet on 5 December 2012 and recommended onto Council for information and noting.
- the Annual Report has already been circulated to members. A copy has not, therefore, been included with the Council agenda but will be available in the Members Library, Group Offices and also with the agenda via the Democracy page of the Council's website. If required, additional copies will also be available by contacting James Kinsella (Governance Team Manager).

15. NEW STANDARDS REGIME: APPOINTMENT OF INDEPENDENT PERSON

At the Council meeting (4 July 2012) approval was given for the Councillor Conduct Committee to commence recruitment of the 2 Independent Persons, required under the new standards framework introduced by the Localism Act 2011.

Following a selection process, Council (7 November 2012) agreed to appoint Lawrence Greenberg as the first Independent Person for a term of office to expire on 30 June 2013.

Another recruitment process was undertaken following this appointment and as a result of the final interviews held on 16 January 2013, the Councillor Conduct Committee has recommended the appointment of Christine Chamberlain to the second of the Independent Person positions. This appointment will be for a term of office to expire on 30 June 2015.

Recommendation:

Council is asked to approve and confirm the appointment of Christine Chamberlain as an Independent Person for a term of office to expire on 30 June 2015

16. COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)
(Pages 157 - 188)

16.1 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.

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

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

17. MOTIONS

17.1 In the name of Councillor Hamilton

“This Council believes that the safety and security of Enfield residents and Londoners generally and the residents of our borough is being put at risk as a result of cuts to emergency services being pushed through by the Mayor and the Conservative led government to our key emergency services – the Metropolitan Police Service, the London Fire Brigade alongside the London Ambulance Service and the city’s Accident & Emergency Departments.

This Council believes that the cuts are going too far and too fast and that the many millions of pounds being cut from the budgets of the NHS, the Metropolitan Police Service and the London Fire Brigade will inevitably endanger families and communities across the capital.

This Council believes that the cuts are being carried out without consideration of the impact on Enfield residents and Londoners’ safety. The closures of police front desks, fire stations and A & E departments will mean various pockets of London could see the safety of residents threatened by longer response times.

This Council is opposed to the Mayor’s position that the scale of the cuts are necessary and acceptable. This Council calls on the Mayor to stand up for Enfield residents and Londoners against the cuts being imposed by the Conservative-led government and to think again about his own draconian cuts to the emergency services on which we rely to keep Enfield residents and Londoners safe.”

17.2 In the name of Councillor Goddard

“This Council believes that the recent report, No Stone Unturned - In pursuit of Growth - by the Right Honourable Lord Heseltine, provides a possible framework for sustainable growth not only in the UK but in Enfield and our region and sub region.

This Council endorses the general principle within the report that Local Government (Local and Regional) has the capability to generate growth if only it was supported by Government.

Whilst there may be issues regarding some of the 89 recommendations which may be open to debate, Council calls upon the Government and The Mayor to begin the process of considering and implementing the proposals and therefore suggests to the LGA a range of regional seminars to discuss the report.”

18. MEMBERSHIPS

To confirm the following changes to committee memberships:

(a) Conservation Advisory Group

Councillor Laban to replace Councillor Lavender

(b) Edmonton Partnership Working Party

Councillor Chamberlain to replace Councillor Lavender

19. NOMINATIONS TO OUTSIDE BODIES

To confirm any changes to nominations to outside bodies.

20. CALLED IN DECISIONS

None received.

21. DATE OF NEXT MEETING

To note that the next meeting of the Council will be held on Wednesday 27 February 2013 at 7.00 p.m. at the Civic Centre.

22. 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.

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**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 7
NOVEMBER 2012**

COUNCILLORS

PRESENT Kate Anolue (Mayor), Chaudhury Anwar MBE (Deputy Mayor), Ali Bakir, Caitriona Bearryman, Chris Bond, Jayne Buckland, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, 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, 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

ABSENT Alan Barker, Yasemin Brett, Yusuf Cicek and Henry Lamprecht

86

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

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

87

MAYOR'S CHAPLAIN TO GIVE A BLESSING

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

88

**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.

She welcomed the children from Merryhills Primary School who won the pan London Primary School's debating competition this year. They were attending the meeting to listen and to watch the debate on the evening.

The Mayor highlighted the following achievements:

- **Enfield Council 'Highly commended' at Law Society Awards**

Enfield Council's Legal Services Team had been 'Highly Commended' in the Practice Management Category at the Law Society Excellence Awards 2012 held on the 18 October 2012.

Enfield won the award for gaining the 'Lexcel' law accreditation quickly, becoming one of the fastest authorities to become compliant. They were also recognised for ensuring that their legal officers provided the highest management and customer care standards, whilst delivering best value.

The citation said: "The category judges found that the Enfield Legal Services team's commitment to best practice, in terms of both developing and maintaining effective approaches, was a key theme throughout their entry."

"The independent verification from internal and external contacts was impressive, proving their serious intention and dedication to being efficient and effective in all that they do."

This Commendation was a tribute to the professionalism and hard work of the Council's legal officers, and the Mayor congratulated them on the award.

- **Enfield in Bloom Award**

The London Gardens Society had awarded The Wakefield Trophy to Enfield in Bloom for showing pride in London by the cultivation of flowers and shrubs, but especially for The Affiliated Society placed first in the Special Awards Category of the All London Championship 2012. The Mayor congratulated all the supporters and volunteers.

The Enfield in Bloom representatives were presented with their trophy at the meeting.

- **Black History Month**

Black History Month had been highly celebrated in Enfield, and had the honour of being attended by the legendary Earl Cameron (aged 95) who was the first black person to break the colour bar in films. He had appeared in 40 films during his long career including starring with Sean Connery in Thunderball and with Dame Helen Mirren in The Queen. In 2009 he was awarded a CBE.

He was interviewed by Alex Pascall at the Civic Centre in the form of a conversation with an audience of over 80 attendees. It was a fascinating, interesting and appropriate conclusion to the borough's celebration of Black History Month.

- **Sickle Cell Fundraising Event**

The Sickle Cell event on the 19 October 2012, a fund raising evening in aid of one of the Mayor's charities had been very well attended. The Mayor thanked all councillors and friends who had supported her and said that donations were still open for those who were not able to attend.

The Mayor reminded members and officers that her Christmas Reception for councillors, freemen and officers was to be held on Friday 14 December 2012.

The Mayor's Charity Spring Ball would be held on Saturday 16th March at Forty Hall. She asked members to put the date in their diaries and to contact friends to make up a table.

89 MINUTES

AGREED that the minutes of the Council meeting held on Wednesday 19 September be confirmed and signed as a correct record.

90 APOLOGIES

Apologies for absence were received from Councillors Alan Barker, Yasemin Brett, Yusuf Cicek and Henry Lamprecht.

Apologies for lateness were received from Councillors Simon Maynard and Martin Prescott.

91 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 including, as an example any issues relating directly to their employing organisation such as a school.
- 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.

- If they considered they had a DPI or prejudicial interest 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 in question and would also need to ensure that the Monitoring Officer was notified of the interest (if not already declared).
- 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.

As a result of the advice provided the following interests were declared at the meeting:

1. Agenda item 7 - Opposition Business: Children's Services

- a Councillor Joanne Laban declared a pecuniary interest as one of her close relatives (brother) was employed by a free school in the borough.

She withdrew from the meeting during the consideration of this item.

- b Non pecuniary interests were declared by the following members as they were either school governors or had relatives employed in education in the borough - Councillors Catriona Bearryman, Lee Chamberlain, Bambos Charalambous, Andreas Constantinides, Denise Headley, Chris Murphy, Alan Sitkin, Edward Smith, Lionel Zetter and Ann Zinkin.

All of the above members remained in the meeting during the consideration of this item.

2. Agenda item 12.3 – Motion relating to parking charges in Enfield Town

- a. Councillor Simon declared a non pecuniary interest as a resident living within Enfield Town.

92

OPPOSITION BUSINESS - CHILDREN'S SERVICES

Prior to consideration of this item, John Austin (Assistant Director Corporate Governance) read out a statement in relation to conduct of the debate. Members were advised that the Opposition Business Paper had included reference to a compliance issue relating to sensitive personal data. This matter was the subject of potential legal proceedings and had also been referred to the Police & Information Commissioner for investigation. Given the ongoing investigations, it was felt that any debate on the issue would be premature at this stage. There was also a need to avoid prejudicing the outcome of these investigations and any subsequent legal proceedings and as a result the Opposition Group was asked to consider withdrawing and not referring to this element of Opposition Business during the debate.

Councillor Rye (responding as lead member on the Opposition Business) advised that as he had not had an opportunity to consider the statement and consult with the Leader of the Opposition in advance of the meeting the Opposition would not be prepared to withdraw the item. On the basis of the advice provided they would, however, refrain from referring to it in the debate. This approach was supported by Councillor Lavender (Leader of the Opposition Group).

Councillor Rye proceeded to introduce the issues paper, prepared by the Conservative Group.

- The purpose of the Opposition Business was to highlight a number of areas on which it was recommended that a full report should be prepared for consideration by Overview and Scrutiny Committee and then full Council setting out what actions were being taken to address concerns highlighted around the following issues: examination results, lack of nursery, primary and secondary school places and proposals to address the shortfall; compliance issues in relation to sensitive personal data; lack of support to aspiring organisations that wished to create free schools and the performance of the school letting service.
- The Opposition Group were keen to congratulate schools and pupils for the exam results that they had achieved, whilst recognising the challenge facing many schools at Key Stage 1 and 2, with some schools having a pupil turnover of over 50%. Despite this, however, it was felt that children at the primary level were generally achieving well with a high proportion achieving Level 5 or above at Key Stage 2 in English and Maths and achieving 2 levels of progress.
- At secondary level performance was much more of a concern. Even taking account of the recent Ofqual decision on GCSE English grades, which it was recognised had had an unfair impact on English results, the achievement levels at Key Stages 3, 4 and 5 were felt to be disappointing. At Key Stage 4 only 6 of the 18 secondary schools and academies in Enfield (33.3%) had achieved a percentage of pupils gaining 5 A*-C grades, including English and Maths that met, or was above the Fisher, Family Trust (FFT) D estimate. 5 of the 18 schools (27.8%) had met or exceeded the FFT D estimate for making 3 levels of progress in English and 8 of the 18 schools (44.4%) had met or exceeded the estimate for Maths. As a result the Opposition Group felt there was a need to look at the actions being taken under the Council's School Improvement Programme to address these concerns and improve the quality of education at secondary level.
- Concerns were also highlighted in relation to the action being taken to address the difficulties being experienced in relation to the provision of school places. Whilst the Council's Partner School Programme was seen as a way forward the Opposition Group felt that the Council should be doing much more to support and encourage the setting up of free

schools and academies. Concerns were also highlighted at the failure to consider use of sites being disposed of by the Council, such as Carterhatch Depot and Southgate Town Hall, for direct educational provision and at the way in which these processes had been managed, which in the case of Carterhatch Depot had been subject to a separate call-in.

- Concerns were also raised over what the Opposition Group regarded as systemic failings in management of the School Lettings Service, particularly in relation to the issuing of invoices and collection of income for schools.

The Opposition Group felt that a full review of the issues raised needed to be undertaken with a report on the outcome and way forward being provided for consideration by Overview & Scrutiny Committee, prior to Council.

Councillor Ayfer Orhan, Cabinet Member for Children and Young People, responded on behalf of the Majority Group, highlighting:

- what was felt to be the negative nature of the Opposition Business Paper and disappointment at its failure to focus on the creation of a future strategy and vision to improve the quality of education in the Borough.
- The Administrations commitment towards an inclusive education agenda and vision where all children and young people in Enfield should be able to do as well as they can, irrespective of their background and status.
- Delivery of the vision was recognised as a challenge in current circumstances and had been made even more difficult by the changes made by Ofqual to grade boundaries in the marking of this year's English GCSE exams. Given the high level of concern, Enfield was part of a consortium including other local authorities, professional bodies, schools, and individuals seeking to challenging the process, via Judicial Review. In relation to school performance, strategies were already in place to drive improvement which included support around implementation of the new modular examination system and changes in grading boundaries. It was pointed out that if the late change in these boundaries had not been implemented, Enfield's achievement in relation to performance against the Fisher Family Trust Level D base rating would have been much higher.
- As regards school places, confirmation was provided that there was no shortage of nursery places. Shortfalls had been experienced in relation to Primary School Places but the Council had developed a robust strategy to address the rising demand for primary places. This was based around a Primary Expansion Programme (PEP) designed to provide an additional 2,400 permanent high quality primary places at local schools. In terms of reference to use of Carterhatch Depot, members were reminded that this was not currently an empty or vacant site. When the site had been vacated the receipts from its disposal would

be used to contribute towards the capital funding required to deliver the PEP. In addition Southgate Town Hall was not felt to be an appropriate venue for the provision of educational facilities in view of the space limitations on the site and other potential safeguarding reasons.

- In response to concerns about support for the establishment of free schools and academies, a recent survey carried out by the Greater London Authority, listed Enfield in joint first position as the borough with the highest number of free school and academy places in London.

Other issues highlighted during the debate were as follows:

- The concerns raised in relation to the Schools Letting Service had first been highlighted in July and despite an assurance being provided in September that the matter would be resolved, problems were still being experienced despite Service Level Agreements being in place. Delays in the collection and payment of monies were affecting school budgets with it being reported that one school was currently owed £90,000. In response to these concerns the Deputy Leader assured members at the meeting, that all payments due via the Schools Letting Service, would be made by the end of the month.
- The cross party support towards delivering improvements in education attainment.
- The need to recognise that improving educational standards and school performance was not only related to attainment or leadership and teaching but was also heavily influenced by socio economic factors such as child poverty. In addition there was a need to consider educational policy in its widest sense, including changes in the applied curriculum, to ensure that young people were being equipped with the right skills.
- Looking at current levels of performance the results being achieved at academies and free schools were not felt to be much better than those at local authority schools. The current Administration would be willing to work with academies and free schools but this would be on the basis that the necessary structures and arrangements were in place in order to provide facilities that were fit for purpose and where possible this was linked to the local authority for support.
- The need to address the fact that educational standards in the UK appeared to be falling behind improvements in educational standards in competing nations.
- The ideological differences between members from both Groups in relation to the creation of academies and free schools as a means of delivering improvements in educational standards and attainment and their cost.

- The need to ensure that a more joined up and holistic approach was adopted in terms of the action being taken to deliver improved standards in schools and the identification and use of resources to support this process.
- The need to recognise the impact that the late change in exam grade boundaries by Ofqual had had on GCSE results across the borough and support for the challenge being made to the process as a result.
- Whilst supportive of measures being taken to increase the provision of Primary School places, concerns were raised about the impact on existing schools where space and facilities were being used as a means of providing additional places.

Councillor Rye summed up on behalf of the Opposition Group. Whilst there were elements relating to the improvement of educational standards that both Groups supported, the Opposition Group felt that the Council should be doing more to support the establishment of free schools and academies in the borough. Concerns remained in respect of the provision of school places, especially at primary level as there were currently 178 primary school children unplaced. Whilst supporting the concerns highlighted in relation to the impact of the changes made by OFQUAL on the English GCSE exam grade boundaries, there was still a need to recognise and address the concerns highlighted around overall exam performance at secondary level within the borough and in relation to the Schools Letting Service. For these reasons it was felt appropriate to seek a detailed report for consideration at Overview & Scrutiny Committee.

In response to the debate and recommendations made within the Opposition Business paper, Councillor Doug Taylor (Leader of Council) highlighted that action was already being taken to expand the number of primary school places and to improve pupil performance. While the Administration had some reservations about the use of free schools and academies, they were willing to work with the Government policy on the issue and with free schools and academies. In addition he pointed out that the Children's Services Scrutiny Panel was already working to scrutinise work being undertaken to raise pupil attainment within the borough. He felt this, alongside the usual Cabinet and Council process, meant that the necessary democratic arrangements were already in place to consider these issues, without the need for further debate at the Overview and Scrutiny Committee. The Majority Group were not therefore minded to support the recommendation within the Opposition Business Paper.

As an outcome of the debate no request was made by the Leader of the Opposition for a vote to be taken on the recommendation within the Opposition Business Paper.

93

DRAFT REVISED ALLOCATIONS SCHEME FOR ENFIELD FOR ALLOCATING SOCIAL RENTED HOMES IN ENFIELD

Councillor Oykenor moved and Councillor Georgiou seconded the report of the Director of Health, Housing and Adult Social Care (No.96A) seeking approval of the Council's revised allocations scheme for social rented homes in Enfield.

NOTED

1. The Allocations Scheme had been endorsed by Cabinet on 5 November 2012 and recommended to Council for approval.
2. The thanks expressed by both Groups to officers for their hard work in developing the scheme, with specific reference made to the efforts of Susan Sharry & Liz Smalle (Strategic Development – Community Housing Services).
3. The scheme had been designed to take account of changes in Government legislation and to respond to the rising demand for housing in the Borough
4. The challenging national, regional and local context within which the scheme had been developed in relation to the pressure on housing finance and the housing market as a result of increased demand and the impact of changes being implemented to welfare benefits.
5. The key aims and features of the revised Allocations Policy as detailed in section 3 of the report.
6. Development of the scheme had been subject to an extensive consultation process involving a wide range of partners.
7. The support expressed by Councillor Smith (as Opposition lead) on the Revised Allocation Scheme and concise nature of the report presented to Council on such a complex and technical subject. Whilst reservations remained in relation to some aspects of the revised scheme the Opposition were supportive of recent changes incorporated as a result of the consultation process in relation to its application to working families and ex service personnel. It was also felt there was a need to recognise the flexibility provided to local authorities in terms of these changes, as a result of the Localism Act. The Housing, Growth & Regeneration Scrutiny Panel would continue to closely monitor the impact of the revised scheme.

Following a further period of debate the recommendations in the report were agreed unanimously without a vote.

AGREED that

- (1) Enfield's new Allocations Scheme be approved.
- (2) To approve an ongoing review of the Allocations Scheme, during the first year of operation from the full implementation date, with major changes reported back to Cabinet at the end of one year for a decision on whether to take to full Council.
- (3) To authorise the Cabinet Member for Housing to approve minor changes to the Allocations Scheme to address practical issues revealed by the on-going review or made necessary due to further legislation or case law.

94

NEW STANDARDS REGIME: APPOINTMENT OF INDEPENDENT PERSON

NOTED the update provided on the recruitment process for the appointment of Independent Person(s) required under the new Standards framework introduced under the Localism Act 2011.

Following on from the update, Councillor Constantinides moved and Councillor Waterhouse seconded the recommended appointment of Lawrence Greenberg as one of the London Borough of Enfield's Independent Persons, for a term of office lasting until 30 June 2013.

The appointment was unanimously approved without a vote.

95

USE OF THE COUNCIL'S URGENCY PROCEDURES

Councillor Simon moved and Councillor Sitkin seconded the update provided by the Assistant Director Corporate Governance on use of the Council's urgency procedures.

NOTED

1. The impact of the recent changes introduced by the Government, at relatively short notice, to the Executive Arrangements including requirements in relation to use of the urgency procedures.
2. The safeguards built into the urgency procedures to ensure they were only used in appropriate circumstances and followed the required process.
3. The details of the following decisions taken under the Council's urgency procedure relating to the waiver of call-in and, where necessary, the list of key decisions 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:

- a. Affordable Housing Programme – 167/167A South Street
- b. Temporary Closure of Barrowell Green Household Waste and Recycling Centre for Essential Repairs.
- c. Receipt of GLA Outer London Fund Round 2 Capital and Revenue.

96

CHANGE IN ORDER OF BUSINESS

Councillor Taylor moved and Councillor Georgiou 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 12.1: Motion in the name of Councillor Charalambous on Olympic & Paralympic Games
- Item 12.4: Motion in the name of Councillor Hamilton on funding for North London Rape Crisis Centre and police numbers
- Item 12.3: Motion in name of Councillor Neville on Sunday parking charges in Enfield Town.
- Item 12.6: Motion in name of Councillor Bond on impact of EU budget on Enfield residents.
- Item 12.5: Motion in name of Councillor McGowan on impact of reduction in local authority funding.
- Item 12.7: Motion in name of Councillor Taylor on Council Tax and the removal of damping mechanism.
- Item 12.2: Motion in name of Councillor Lavender on Council Tax freeze.

Whilst this was agreed without a vote, the Leader of the Opposition expressed concern about the management of the Council agenda in this way. He pointed out that the submission of an urgent Opposition question on Sunday parking charges had been rejected by the Mayor, on the basis that there would be opportunities to raise the issue elsewhere on the agenda. These options had included Supplementary Council Questions as well as Motion 12.3 but it was felt the change in order of agenda would now prevent use of these, given the remaining time available at the meeting.

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

97

MOTIONS

- 1.1 Councillor Charalambous moved and Councillor Zinkin seconded the following motion:

“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.”

Following a debate, the motion was unanimously agreed without a vote.

1.2 Councillor Hamilton moved and Councillor Cranfield seconded the following motion:

“Enfield Council calls on the Mayor’s Office for Police and Crime (MOPAC) to continue to support the North London Rape Crisis Centre and not to reduce the financial support as implied. This is not a Pan London approach and is unfairly penalising Boroughs who are trying to protect residents.”

The Community Safety Fund has already been cut by 59% over the last two years and the Mayor expects hard pressed local authorities to increase their contributions to the Rape Crisis Centre.

The Mayor of London has backtracked on sharing Borough Commanders. He should now also backtrack on other cuts to the Met Police, including the reduction in police numbers.”

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

For: 32
Against: 23
Abstention: 0

98 COUNCIL PROCEDURE RULE 8 - DURATION OF THE 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 had elapsed.

99 MOTIONS

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

12.2 In the name of Councillor Lavender

“Enfield Council welcomes the Government’s support not to increase Council tax for the third year running and undertakes to support this policy and Enfield Council tax payers.”

12.3 In the name of Councillor Neville

“Enfield Council congratulates Councillor Bond on his partial U turn on Sunday car parking charges in Enfield Town. The Council welcomes a free 3 hour car parking period on Sundays in Enfield Town in the weeks from around Christmas 2012 and urges Councillor Bond to complete his U turn and offer free car parking all day all year on Sundays in Enfield Town.”

12.5 In the name of Councillor McGowan

“The Council notes the scandalously poor handling of the economy by the Chancellor and his allies in Government. The Council is concerned that despite unprecedented cuts to public services, this economic mismanagement will result in even further cuts to local authorities.

The Council agrees to write to the 3 local MPs asking them to write to the Chancellor expressing opposition to any further cuts to local government, and Enfield in particular, whether in terms of cuts to core funding, recalculations of entitlements, or to specific grants.”

12.6 In the name of Councillor Bond

“The impact of Government cuts is impacting on Enfield residents and the Council should advise the Government on alternatives. Therefore the Council calls upon the Prime Minister to vote against any increase in the EU budget. Hard working Enfield families will not accept any increase in the EU budget.”

12.7 In the name of Councillor Taylor

“Enfield Council recognises the partial funding for a Council Tax freeze in 2013/14 but calls upon the Government to properly fund Enfield Council including the removal of damping.”

100

COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)

1.1 Urgent Questions

The Mayor advised that she had received a request for an issue to be considered as an urgent question. This had been rejected as it was not felt to have met the urgency criteria.

1.2 Questions by Councillors

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

101
MEMBERSHIPS

AGREED the following changes to committee memberships

- a. **Conservation Advisory Group** – Councillor Ibrahim to fill the current vacancy.

102
NOMINATIONS TO OUTSIDE BODIES

There were no nominations to outside bodies.

103
CALLED IN DECISIONS

None received.

104
DATE OF NEXT MEETING

NOTED that the next meeting of the Council would be held at 7.00pm on Wednesday 30 January 2012 at the Civic Centre.

Opposition Priority Business: Financial Planning & Performance & the 2015 Fiscal Cliff

The United Kingdom is suffering from a sovereign debt crisis. The local Labour Party and Conservative Party could engage in a pointless debate about whether this was caused by the last Labour Government's view that it was solely and uniquely responsible for the abolition of 'boom and bust' and could therefore continue to borrow against logarithmic indices of projected future growth or whether, as the Labour Party claims, it was an ineffective bystander with no influence on economic trends, and was merely in office when this happened. That debate is not the purpose of this paper.

Historic and traditional debates about government expenditure, borrowing and taxation have focused on real choices historically available to central government, which have assumed that short term spending could be funded largely by taxation and long term expenditure by borrowing. Unfortunately, the historic scale of government expenditure, largely funded through borrowing rather than taxation, lack of economic growth and consequent inability to further increase tax receipts and inability to borrow further has resulted in such options not being available. The present coalition government has tried first to brainstorm ideas for economic growth and secondly is attempting to cut expenditure.

On 19th December 2012 the Provisional Local Government Finance Settlement for 2013-14 and 2014-15 was announced. The local Labour Party and Conservative Party could engage in a pointless debate about whether the scale of government cuts is correct. That is not the purpose of this paper.

The settlement is what it is, both the local Labour Party and Conservative Party are ad idem in relation to the effect of grant damping, have both used all opportunities to argue the point before both Labour and Coalition governments, but regrettably the likelihood is that these arrangements are unlikely to change.

On the basis of the information currently available, the LGA estimates that non-schools revenue funding will decrease by 4.8%. Furthermore referendum limits have been confirmed for councils as a means of disincentivising them from increasing council tax.

The settlement announcement confirms that local government continues to bear the brunt of public spending cuts. The Autumn Statement promised that cuts will continue at least until 2018. It is generally recognised that certain councils have managed the cuts so far by maximising efficiencies and redesigning services. With further cuts on the horizon this will be impossible to repeat, and impacts on the local frontline services that residents rely on and value are inevitable.

If Enfield Council is responsible it will plan for such eventualities, if it is irresponsible, it will shy away from such decisions and as the previous national government claimed to have been, will be an ineffective bystander with no influence on events it cannot control.

Council – 30 January 2013

The previous Conservative administration in Enfield (albeit being alone in holding the view) had been of the view that cyclical economic trends had not been abolished and had as a consequence been particularly prudent in its expenditure, had commenced work on the LEANER programme and had built up a safety net of reserves and balances to protect services from unexpected pressures.

The present Conservative opposition remains concerned that with the ever-decreasing scope for Enfield to retain services through the implementation of efficiencies that services will need to be redesigned or refocused, yet nothing seems to be happening. The Conservative administration is concerned that hard decisions are being postponed to be inherited by an incoming administration in 2014 or in the hope that any incoming Labour Government may reverse funding policies.

Unfortunately this was exactly the policy of the previous Labour administration of the council that had hoped to be bailed out by the incoming Labour Government in 1997. This never happened.

If these matters are not dealt with in a timely fashion, then there is a risk that the scale of any refocusing or redesigning of services will need to be reactive, of an emergency nature with a shorter period available for consideration for alternative arrangements or communication.

The Conservative administration therefore wishes to raise at full council its concerns about certain decisions that have been made, which it believes makes the medium and long term financial situation of the council worse and to raise public awareness of the real decisions that need to be made by local government that the present council appears to be shying from.

Council Constitution: Part 4 Chapter 4.1 – Council Procedure Rules

13. OPPOSITION BUSINESS

(Updated: Council 23/1/08 & Council 1/4/09 & Council 11/11/09)

13.1 The Council will, at four meetings a year, give time on its agenda to issues raised by the Official Opposition Party (second largest party). This will be at the 1st meeting (June), and then the 3rd, 4th and 6th meetings out of the 7 ordinary meetings programmed each year (unless otherwise agreed between the political parties). A minimum 45 minutes will be set aside at each of the four meetings.

13.2 All Council meetings will also provide opportunities for all parties and individual members to raise issues either through Question Time, motions or through policy and other debates.

(Updated: Council 11/11/09)

13.3 The procedure for the submission and processing of such business is as follows:

(a) The second largest party shall submit to the Assistant Director, Corporate Governance a topic for discussion no later than 21 calendar days prior to the Council meeting. This is to enable the topic to be fed into the Council agenda planning process and included in the public notice placed in the local press, Council publications, plus other outlets such as the Council's web site.

(b) The Assistant Director, Corporate Governance will notify the Mayor, Leader of the Council, the Chief Executive and the relevant Corporate Management Board member(s) of the selected topic(s).

(c) Opposition business must relate to the business of the Council, or be in the interests of the local community generally.

(d) If requested, briefings on the specific topic(s) identified will be available to the second largest party from the relevant Corporate Management Board member(s) before the Council meeting.

(e) No later than 9 calendar days (deadline time 9.00 am) prior to the meeting, the second largest party must provide the Assistant Director, Corporate Governance with an issues paper for inclusion within the Council agenda. This paper should set out the purpose of the business and any recommendations for consideration by Council. The order in which the business will be placed

on the agenda will be in accordance with paragraph 2.2 of Part 4, Chapter 1 of this Constitution relating to the Order of Business at Council meetings.

- (f) That Party Leaders meet before each Council meeting at which Opposition Business was to be discussed, to agree how that debate will be managed at the Council meeting

(Updated: Council 11/11/09)

- (g) The discussion will be subject to the usual rules of debate for Council meetings, except as set out below. The Opposition business will be conducted as follows:

(i) The debate will be opened by the Leader of the Opposition (or nominated representative) who may speak for no more than 10 minutes.

(ii) A nominated member of the Majority Group will be given the opportunity to respond, again taking no more than 10 minutes.

(iii) The Mayor will then open the discussion to the remainder of the Council. Each member may speak for no more than 5 minutes but, with the agreement of the Mayor, may do so more than once in the debate.

(iv) At the discretion of the Mayor the debate may take different forms including presentations by members, officers or speakers at the invitation of the second largest party.

(v) Where officers are required to make a presentation this shall be confined to background, factual or professional information. All such requests for officer involvement should be made through the Chief Executive or the relevant Director.

(vi) The debate should contain specific outcomes, recommendations or formal proposals

(Updated: Council 22/9/10)

(vii) Before the Majority party concludes the debate, the leader of the Opposition will be allowed no more than 5 minutes to sum up the discussion.

(viii) The Majority Group will then be given the opportunity to say if, and how, the matter will be progressed.

(ix) If requested by the Leader of the Opposition or a nominated representative, a vote will be taken

(updated Council: 22/9/10)

MUNICIPAL YEAR 2012/2013 REPORT NO. 139A**MEETING TITLE AND DATE:**

Council
30 January 2013

REPORT OF:

Director of Health,
Housing and Adult Social
Care

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Agenda – Part: 1**Item: 9****Subject: A Tenancy Strategy for Enfield****Wards: All****Key Decision No: KD3527****Cabinet Member consulted:****Cllr Ahmed Oykenor, Lead Member for
Housing and Area Improvements****1. EXECUTIVE SUMMARY**

- 1.1 This report brings Enfield Council's Tenancy Strategy 2013-2018 for approval. There is a statutory requirement under the Localism Act 2011 for local authorities to have this in place by January 2013.
- 1.2 Enfield's Tenancy Strategy sets out a range of issues that Registered Providers (Housing Associations and Enfield Homes) with social rented housing stock in Enfield should have regard to when formulating their Tenancy Policies. It reflects the Council's position that longer term tenancies are the best approach for addressing housing need and building strong neighbourhoods and sustainable communities.
- 1.3 Enfield's draft Tenancy Strategy sets out:
- The legal and regulatory context for developing the Strategy
 - Enfield's objectives for social housing
 - The local context for allocating social rented homes in Enfield
 - Who social housing is for
 - Enfield's expectations regarding Tenancy Policies developed by Registered Providers
 - Links between Tenancy Policies and Rent Setting
 - Outcomes from consultation
 - Requirements for keeping the Tenancy Strategy and Tenancy Policies developed by Registered Providers under review

2. RECOMMENDATIONS

- 2.1** To approve Enfield's new Tenancy Strategy
- 2.2** To note the requirement for a Tenancy Policy to be developed for Registered Providers with housing stock in the borough, including Enfield Homes

3. BACKGROUND

3.1 The Legal and Regulatory context for Enfield's Tenancy Strategy

3.1.1 The Localism Act 2011 places a duty on strategic housing authorities to prepare and publish a Tenancy Strategy by 14th January 2013. All Registered Social Housing Providers with property in Enfield must have regard to this strategy, when they develop and / or review their Tenancy Policies. A list of Registered Providers is set out in Appendix 1 of the Tenancy Strategy.

3.1.2 The requirement to develop a Tenancy Strategy is in response to the new Affordable Rent Tenancy model, which enables registered providers to grant new tenancies with rents set at up to 80% of market rents, in addition there is provision for the new flexible tenancy, which registered providers can issue for a minimum fixed term of two years.

3.1.3 Individual Tenancy Policies developed by each Registered Social Housing Provider will explain what types of tenancy they will use, how they intend to use fixed term tenancies, under what circumstances and to whom these will be offered and how these will be renewed or brought to an end.

3.1.4 Registered Social Housing Providers also have obligations they must meet in relation to tenure under the terms of the Housing and Community Agency's Tenancy Standard. They must offer tenancies that are:

- Compatible with the purpose of the accommodation.
- Meet the needs of individual households
- Compatible with sustainability of the community
- Making efficient use of their housing stock

3.1.5 Enfield's Tenancy Strategy is therefore a broad statement of the objectives and aims of the Council in relation to tenancies, aims and objectives that will reflect the local circumstances existing in Enfield. Registered Social Housing Providers are not obliged to tailor their policies in line with these broad objectives and indeed many will have policies set nationally and may have only limited flexibility locally – but they are obliged to have regard to the local authority strategy.

3.1.6 The Localism Act also concerns itself with other closely related matters, including homelessness and allocations, and local authorities are obliged to

consider their Homelessness Strategy and their Allocations Policy as they develop their Tenancy Strategy.

3.1.7 It should be stressed that existing social tenants are broadly protected from any changes made to tenancy length and will retain their existing life time tenancy in almost all circumstances, including when they transfer to another social tenancy.

3.2 Enfield's Expectations regarding Tenancy Policies and Rent Levels

3.2.1 Enfield Council considers that long term tenancies are the best approach in meeting local housing needs and in supporting sustainable neighbourhoods and communities.

3.2.2 Section 5 of Enfield's Tenancy Strategy refers to the supply and demand position regarding social rented homes in Enfield. When compared with other London Boroughs, Enfield has a serious shortage of social rented homes for letting each year, particularly homes with three or more bedrooms. Demand for homes is high with an increasing proportion of existing social rented tenants and new applicants needing additional care and support in the future and the requirement for longer term security provided by a Council or Housing Association home.

3.2.3 Many Registered Providers, mainly housing associations, have indicated that will make use of flexible tenancies and in these circumstances the Council expects longer term tenancies to be granted for reasons set out in the Strategy. Where short term tenancies are used, the Council expects Registered Providers to clearly explain why these short term tenancies are to be used and the procedures surrounding their renewal or ending. The prevention of homelessness remains an important local priority. Therefore, the Council expects fixed term tenancies to be renewed, unless there is a significant change in circumstances and that tenants should be advised about renewal in a timely way.

3.2.4 Section 7.6 of the Tenancy Strategy considers best practice where a Registered Provider has decided not to renew a fixed term tenancy, including following their own published policy, acting within Article 8 of the European Convention on Human Rights (incorporated by the Human Rights Act 1998), avoiding 'blanket' policies for example for tenancy breaches and their responsibilities in preventing homelessness and helping households with support needs. Registered Providers have a duty to offer advice to those facing homelessness through the ending of a tenancy and indeed the courts are likely to require this to be demonstrated.

3.2.5 Section 8 of the Tenancy Strategy reminds Registered Providers of the Council's expectations that they consider local needs, incomes and affordability of rents when they set rents and decide whether and to what extent to use the opportunity to use Affordable Rent Tenancies and offer some homes at rents up to 80% of market rents.

3.3 Consultation on Enfield's draft Tenancy Strategy

3.3.1 Mayor of London

The Mayor of London is a statutory consultee in relation to draft Tenancy Strategies and requested a period of 8 weeks to assess the strategies against the key themes from the London Housing Strategy (namely increasing supply of affordable housing, promoting mixed and balanced communities, tackling need, enhancing mobility and choice and improving quality).

The Mayor provided feedback in a letter dated 12th September 2012, broadly supporting the direction of the strategy but suggesting further consideration of the benefits of flexible tenancies in making the best use of large homes to meet the needs of larger households and of the positive contributions through employment or volunteering made by some (specifically in making decisions on the renewal of fixed term tenancies). These comments were considered when drafting Enfield's revised Tenancy Strategy.

3.3.2 Consultation with Registered Housing Providers

45 Registered Providers (housing associations and Enfield Homes) operating in Enfield were invited to respond to a consultation survey and provide comments on Enfield's draft Tenancy Strategy. A number provided detailed and thoughtful responses. A further request for information has helped to broaden our knowledge about where local Registered Providers were with their Tenancy Policies. Overall we received responses from 11 registered providers and most seem likely to make use of the power to offer flexible tenancies to a greater or lesser extent. A list of Registered Providers (Housing Associations) operating in Enfield and information about the Housing Stock they manage can be found at Appendix 1.

Officers at Enfield Homes, the Council's Arms Length Management Organisation, provided helpful comments and questions that will be considered during the process of developing a Tenancy Policy for homes owned by the Council.

3.3.3 Public consultation

Residents were invited to complete a survey on line and two community events were used to obtain responses face to face. Although the number of survey responses received overall was small - at 28 - and responses are not necessarily reflective of the wider community views, they included thoughtful ideas on issues that are necessarily complex.

More than half of respondents were happy to consider the use of flexible tenancies in some circumstances as long as vulnerable residents are protected – low incomes and housing benefit caps were cited in a number of responses.

A summary of the survey questions and responses will be made available in the Members' library and on the Council's website.

3.4 Tenancy Policies - developing a Tenancy Policy for the Council's own Housing stock

3.4.1 Registered Providers are responsible for developing Tenancy Policies which have regard to Enfield's Tenancy Strategy. Many Registered Providers (Housing Associations) are independent organisations operating across more than one local authority boundary and their duty is to have regard to the Tenancy Strategy, as well as those produced by other local authorities

3.4.2 The Council is responsible for developing a Tenancy Policy to be implemented by Enfield Homes. It will follow the general principles in Enfield's Tenancy Strategy and reflect the Council's view that longer term tenancies are the best approach for addressing housing need and building strong neighbourhoods. The process of drawing up the written policy will allow for an opportunity to review the Council's Tenancy Agreement and also to consider issues arising from the new Allocations Scheme and the changing requirements of the major regeneration programme now in place for housing tenants in Enfield.

4. ALTERNATIVE OPTIONS CONSIDERED

Publication of a Tenancy Strategy is a statutory requirement.

5. REASONS FOR RECOMMENDATIONS

Enfield's Tenancy Strategy provides Registered Providers with a broad statement of the objectives and aims of the Council in relation to tenancies, aims and objectives that will reflect the local circumstances existing in Enfield.

It is vital that the strategic direction provided to housing providers on the use of fixed term tenancies is endorsed by the Council. The policies developed by housing providers will influence key corporate objectives, including sustainable communities.

During 2013, a Tenancy Policy for the Council's own housing stock will be developed in partnership with Enfield Homes, in line with this Tenancy Strategy.

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

6.1 Financial Implications

The Tenancy Strategy itself will not lead to any specific costs falling on the Council. However, it does compel the Council to implement a Tenancy Policy relating to the letting of its own homes. Any financial implications arising as a result of that Tenancy Policy will be reported at that stage. Other registered providers are only required to have regard to Enfield's Tenancy Strategy and although there may be

financial implications for these providers, it is unlikely to have a direct impact on the Council's financial position.

6.2 Legal Implications

Section 150 of the Localism Act 2011 requires local authorities to prepare and publish a tenancy strategy by 14th January 2013. A tenancy strategy is a document outlining what Registered Providers (RPs) (formerly Registered Social Landlords) of social housing are to "have regard to" when formulating their policies relating to:

- the types of tenancies they grant,
- the circumstances in which they will grant a tenancy of a particular kind,
- the length of fixed term tenancies, and
- the circumstances under which a further tenancy may or may not be granted at the end of the fixed term.

Section 150 (5) requires a local authority to keep its tenancy strategy under review.

S. 105 (7) provides that "... a local housing authority must—(a) make a copy of everything published under this section available at its principal office for inspection at all reasonable hours, without charge, by members of the public, and (b) provide (on payment if required by the authority of a reasonable charge) a copy of anything so published to any member of the public who asks for one."

Section 151 of the Act sets out the consultation requirements prior to producing the tenancy strategy or when modifying it reflecting a major change in policy; the report sets out how the Council has complied with this section. The report also sets how, pursuant to s.151, the Council has complied with the matters that it is required to have regard to when preparing its strategy.

The tenancy strategy takes into account Article 8 of the Human Rights Act 1998 and the principles of the Equality Act 2010.

Part 2 4.1 (a) of the Council's constitution requires all "big decisions" about Council Services and functions and the policies and strategies within which they operate to be made by full Council. The approval of the Tenancy Strategy is a "big decision" as defined by the Constitution.

6.3 Property Implications

None

7. KEY RISKS

There are risks associated with a failure to have statutory strategies in place in a timely way. The risk of legal or other challenges to this strategy is low.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Enfield's Tenancy Strategy encourages all Registered Providers with social housing stock in Enfield to undertake an Equalities Impact Assessment when developing their Tenancy Policies

8.2 Growth and Sustainability

Enfield's Tenancy Strategy encourages Registered Providers to make best use of their housing stock and develop open and transparent Tenancy Policies that meet local priorities and are sustainable .

8.3 Strong Communities

Enfield's Tenancy Strategy encourages Registered Providers to use long term tenancies for addressing local housing need and building sustainable communities.

9. EQUALITIES IMPACT IMPLICATIONS

Enfield's Tenancy Strategy makes clear the Council's expectation that all Registered Social Housing Providers undertake an Equalities Impact Assessment (or equivalent) as they develop and / or review their Tenancy Policies. The Council has recently completed an in- depth assessment of the impact on equalities of the new Allocations Scheme and will complete another Equalities Impact Assessment of the Tenancy Policy as it is developed for the letting of the Council's own stock during 2013.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Enfield's Tenancy Strategy will be kept under review and adjusted as required to take into account Enfield's Housing Strategy, implementation of the Council's new Housing Allocations Scheme, the Council's Homelessness Strategy, the Council's own substantial regeneration plans and other relevant housing strategies and policies. Enfield's Tenancy Strategy provides guidance to registered housing providers and enables the Council to have an overview of tenancy policies in used in the borough.

All Registered Providers are expected to review their existing Tenancy Policies in light of this Tenancy Strategy and where a Policy has not been written, develop one in light of this Strategy. Time lines for doing this are set out in the Strategy. Registered Providers operating in Enfield are expected to review their Tenancy Policies at 5 year

intervals, and have regard to Enfield's current or refreshed Tenancy Strategy.

There is a requirement in the Strategy for Registered Providers to accurately report and record all lettings information, including tenure, on the Government's agreed tenancy data recording system (e.g., CORE) to enable efficient monitoring and review of lettings and tenancy issues. This is important so that Enfield can develop appropriate housing policies to address local housing need

11. PUBLIC HEALTH IMPLICATIONS

This Strategy sets out the Council's position that longer term tenancies are the best approach for addressing housing need and building strong neighbourhoods. Longer term tenancies will make an important contribution to the better health and wellbeing of new and existing tenants allocated social rented homes in the borough in accordance with the Council's Allocations Scheme.

Background Papers

None

Enfield's Tenancy Strategy 2013-2018

January 2013

www.enfield.gov.uk

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Foreword from Cllr Ahmet Oykenler, Lead Member for Housing and Area Improvement

Welcome to Enfield's Tenancy Strategy. This strategy complements both our Allocations Scheme developed in 2012 and our Homelessness Strategy which have a strong focus on homelessness prevention.



When compared with other London boroughs, Enfield has a severe shortage of social rented homes both to let to those in the greatest housing need and to support our ambitious estate regeneration programme which will transform our neighbourhoods and improve the quality of life for many local residents.

Many applicants needing social rented homes have high care and support needs and need the longer term security provided by a Council or Housing Association home, together with sustainable support. For this reason our Tenancy Strategy strongly reflects the Council's position that longer term tenancies are the best approach for addressing housing need and building strong neighbourhoods. I would strongly urge our partner Registered Providers to have regard to this when developing their own Tenancy Policies.

In our Housing Strategy we have set out our commitment to increasing the supply of affordable housing in the borough but this is not without its challenges. There is much less government subsidy for new homes in the borough with a new reliance on funding these homes using new Affordable Rent Tenancies. We will continue to work with our Registered Providers to maximise homes of the right type and the right size in Enfield as well as make best use of all our housing stock to address local housing need.

January 2013

Executive Summary

Introduction

Enfield's Tenancy Strategy for 2013-2018 sets out a range of issues that Registered Housing Providers should have regard to when formulating their Tenancy Policies. It strongly reflects the Council's position that longer term tenancies are the best approach for addressing housing need and building strong neighbourhoods.

This Tenancy Strategy also reflects Enfield Council's corporate aims and objectives:

- fairness for all
- growth and sustainability
- strong communities.

Who are the Registered Housing Providers in Enfield?

A list of Registered Housing Providers operating in Enfield can be found in Appendix 1. They include Housing Associations operating in Enfield and Enfield Homes, the Council's Arms Length management Organisation.

The legal and regulatory context for Enfield's Tenancy Strategy

The requirement to develop a Tenancy Strategy is in response to the new Affordable Rent Tenancy model which enables new tenancies to be granted on fixed terms with some rents up to 80% of market rents. It is also a response to the new Flexible Tenancy introduced under the Localism Act for a minimum fixed term of two years.

The Localism Act requires Enfield Council to publish a Tenancy Strategy that identifies the **matters** which housing providers working in the borough **must have regard to**, when writing their Tenancy Policies in relation to:

- The kinds of tenancy they grant
- The circumstances in which they will grant a tenancy of a particular kind
- Where tenancies are for a fixed term, the length of the term
- The circumstances in which they will grant a further tenancy when the existing tenancy comes to an end

Registered Housing Providers also have obligations they must meet in relation to tenure under the terms of the Housing and Community Agency's Tenancy Standard. They must offer tenancies that are:

- Compatible with the purpose of the accommodation.
- Meet the needs of individual households
- Ensure sustainability of the community
- Ensure efficient use of their housing stock

The legislation does not change the security of tenure of existing social rented tenants. Existing tenants will not be affected by the new types of tenancies introduced by Localism Act, unless they choose to move to a home which is offered on the basis of an Affordable Rent Tenancy (ART) or a Flexible Tenancy (FT).

Enfield's objectives for Council and Housing Association Homes

Enfield's Tenancy Strategy encourages Registered Housing Providers to maximise the supply of good quality Council and Housing Association homes in the borough to meet local housing need, local housing priorities and to provide homes which are affordable and within average or median income levels of Enfield's residents

Local Context for Allocating Social Housing in Enfield

When compared with other London boroughs, Enfield has a severe shortage of Council and Housing Association homes, to help those in the greatest housing need. Over the next few years, less than 650 general needs homes are expected to be available for letting per year. Homes with 3 or more bedrooms are in very short supply. Levels of deprivation in the borough are rising which means increased demand for these homes. Making best use of all homes that become available for letting and working with our development partners to increase the supply of new homes are important local priorities.

Who are Enfield's Council and Housing Association Homes for?

Enfield's social rented homes are for existing tenants and new applicants on Enfield's Housing Register who have been awarded priority for housing under Enfield's Allocation Scheme.

Many existing social rented tenants have an urgent need to move because their home has been assessed as unsuitable for their needs. Many will be living in a home that is too big for their needs (under-occupying), or severely overcrowded, have a high health and well being need or need to move because their home is included in Enfield Council's estate regeneration programme.

New applicants will include those who are legally owed a full housing duty under the homelessness law and living in homes provided by Enfield Council. Prior to the enactment of the Homelessness (Suitability of Accommodation) Order 2012 on 9 November 2012, 1861 households fell into this category. This number includes applicants assessed with high care and support needs, including those with assessed physical difficulties, mental health issues, learning difficulties and older people. New Applicants will also include those who are not homeless who have been assessed as having high care and support needs including young care leavers and armed services personnel.

Many applicants assessed with high care and support needs will need the longer term security provided by a Council or Housing Association home, together with sustainable support. Many will require life time tenancies.

Enfield's expectations regarding Registered Providers when developing Tenancy Policies

Registered Providers are legally required to put in place a Tenancy Policy that has regard to Enfield Council's Tenancy Strategy.

Enfield's expects Registered Providers letting homes in Enfield to:

- Put in place clear communications plans to ensure the terms of their Tenancy Policy are clear to prospective and existing tenants and the wider community
- Produce an Equalities Impact Assessment

Enfield's Tenancy Strategy sets out Enfield's expectations regarding

- Length of tenancy granted
- Renewing a fixed term tenancy
- Bringing a fixed term tenancy to an end

It also provides advice on preventing homelessness and ensuring accurate information is reported on lettings, which ensures that Enfield can develop appropriate housing policies to address local housing need and report accurate outcomes to government.

Links Between Tenancy Policies and Rent Levels

Government subsidy for managing and maintaining social housing is reducing which means Registered Providers must find new ways to fund good quality management and maintenance of their existing stock from rental streams and other income, in line with government regulations, guidelines, standards and local priorities.

New types of tenancies and flexibilities, including the new Affordable Rent Tenancy - which allows Registered Providers to set rents up to 80% of market rents to support the development of new homes in line with national, regional and local priorities - brings challenges with regard to balancing scheme viability with ensuring homes are affordable for local residents. The Council expects all housing providers to have regard to the average or median incomes in Enfield when setting their rent levels, and to any requirements set out in the Council's Homelessness Strategy and its' Allocation Scheme.

Feedback on Enfield's draft Tenancy Strategy

Enfield's Tenancy Strategy was developed in consultation with a wide range of Partners. Copies of the draft Tenancy Strategy together with a short survey were sent to key stakeholders including Registered Providers operating in Enfield, Enfield Homes, statutory and voluntary sector partners, Senior

Housing Council Officers Members, the Mayor of London, and resident and tenant associations in Enfield. Outcomes from the consultation have informed the development of this Tenancy Strategy

Reviewing this Tenancy Strategy and Tenancy Policies

Enfield's Tenancy Strategy will be kept under review and will be added to and amended through consultation with stakeholders over the coming years.

All Registered Providers are expected to review their existing Tenancy Policies in light of this Tenancy Strategy and where a Policy has not been written, develop one in light of this Strategy. Registered Providers operating in Enfield are expected to review their Tenancy Policies at 5 year intervals, and have regard to Enfield's current or refreshed Tenancy Strategy.

1. Introduction

This is Enfield's Tenancy Strategy for 2013-2018. It sets out a range of issues that Registered Providers (RPs) should have regard to when formulating their Tenancy Policies. This Strategy is relevant to the management and letting of homes let by Enfield Council and housing associations operating in Enfield¹.

Enfield's Tenancy Strategy:

- strongly reflects the Council's position that longer term tenancies are the best approach for addressing housing need and building strong neighbourhoods.
- recognises that there could be a place for longer term fixed term tenancies in addressing housing need and local priorities and which complies with the Homes and Community Agency's Tenancy Standard.

A list of Registered Housing Providers operating in Enfield can be found in Appendix 1.

2. Strategic Links

Enfield's Tenancy Strategy contributes towards fulfilling the Council's corporate objectives of:

- Fairness for All
- Growth and Sustainability
- Strong Communities

It is important for registered housing providers working within Enfield, including the Council, to consider the broad strategic direction provided by the Council's Housing and Homelessness Strategies when developing their Tenancy Policies and in particular their partnership responsibilities in the development and delivery of these.

Enfield's Tenancy Strategy contributes to the vision of Enfield Council's Housing Strategy which is to 'increase the supply of well-managed, good quality and affordable homes; promote housing choices and build strong neighbourhoods'. Its key aims are:

- to address need and promote choice and options,
- to increase supply, making the best use of stock
- to improve the quality of homes and neighbourhoods.

¹ Information on the registered providers with housing in Enfield is provided in Appendix 4

Enfield's Tenancy Strategy should also be considered alongside the Council's Scheme for the allocation of Council and housing association homes which is set within a wider housing options approach.

3. The legal and regulatory context

This section provides information about the legal and regulatory context for Enfield's Tenancy Strategy.

Localism Act 2011

The requirement to develop a Tenancy Strategy is in response to the new Affordable Rent Tenancy model which enables new tenancies to be granted on fixed terms with some rents up to 80% market rents. It is also a response to the new flexible Tenancy introduced under the Localism Act for a minimum fixed term of two years.

The Localism Act 2011² sets out the legal requirement for all local housing authorities in England to prepare and publish a Tenancy Strategy which sets out the **matters** to which registered providers of social housing in its area **must have regard to** when formulating their tenancy policies in relation to:

- The kinds of tenancy they grant
- The circumstances in which they will grant a tenancy of a particular kind
- Where tenancies are for a fixed term, the length of the term
- The circumstances in which they will grant a further tenancy when the existing tenancy comes to an end

Enfield's Tenancy Strategy complies with the Localism Act by:

- Summarising the policies (ie, matters) which are relevant to social landlords³ when drafting their Tenancy Policies. These are described throughout this strategy
- Ensuring a Tenancy Policy is in place for letting and managing Council owned homes which has regard to Enfield's Tenancy Strategy

Homes and Community Agency's Tenancy Standard

All Registered Providers (RPs) of social housing are required to meet outcomes⁴ and expectations⁵ in the Housing and Community Agency's

² S.150 Localism Act 2011

³ The term 'social landlord' includes housing associations and Enfield Council and is used interchangeably with the term Registered Providers in this document

⁴ Homes and Communities Agency, The Regulatory Framework for Social Housing In England From April 2012, Page 22

⁵ *Ibid*, Pages 23-25

Tenancy Standard. The Tenancy Standard sets out the required outcomes in relation to tenure, which are:

- “2.1 Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.
- 2.2 They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation”

Specific expectations on tenure include the following:

- “2.8 Registered providers shall grant those who were social housing tenants⁶ on the day on which section 154 of the Localism Act 2011 comes into force, and have remained social housing tenants since that date, a tenancy with no less security where they choose to move to another social rented home, whether the same or another landlord. (This requirement does not apply where tenants choose to move to accommodation let on Affordable Rent terms).
- 2.9 Registered providers shall grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.”

4. Enfield’s objectives for social housing

This section sets out Enfield’s key objectives for Council and housing association homes (social housing) in the borough and its out of borough estates.

Enfield’s Tenancy Strategy encourages local registered providers to continue to maximise the provision of good quality social rented homes at rent levels, through new supply and re-letting of existing social rented homes, which:

- are within the price range of low income housing applicants so benefits-reliance is reduced and work is enabled as a viable option
- provide realistic financial returns for investment in current and new social rented homes.

⁶ The term ‘social housing tenant’ means an assured tenant of a housing association or a secure tenant of a local authority. It does not include households placed in accommodation by the Council under the homelessness legislation.

Appropriate tenancy policies will also help to meet other priorities identified as part of the review of Enfield's new Allocations Scheme including:

- Assisting with the regeneration of Enfield Council's estates
- Enabling mobility within the social rented sector to address
 - Working age under-occupation, that is, priority for those hit by government reductions in their housing benefit payments
 - Retirement age under-occupation, that is, priority for those struggling to live in homes too large for their needs
- Enable those moving on from Enfield's Supported Housing Schemes to move to affordable, secure homes
- Provide security of tenure for people who have assessed care and support needs who have limited or no prospect of improving their economic circumstances or have no or limited ability to negotiate in the housing market on an equal level without support. These include older people, those with learning difficulties, mental illness or physical disability, and injured armed and reserve forces personnel.
- Fulfilling Enfield Council's legal obligation to house households owed a housing duty under the homelessness law prior to the 9 November 2012⁷.

5. Local Context for Allocating Social Housing in Enfield

This section provides information about the local context for allocating Enfield's Council and Housing Associations homes. Key facts about social rented homes in Enfield which have informed the development of this Tenancy Strategy can be found in Appendix 2.

5.1 A severe shortage of Council and housing association homes for letting in Enfield

Enfield has a severe shortage of Council and Housing Association homes for meeting the needs of everyone who wants one in Enfield.

The tables below show that over the past five years less than 900 homes became available for letting each year to applicants on Enfield's Housing Register.

⁷ The Homelessness (Suitability of Accommodation) Order 2012

Lettings of social rented homes over the last 5 years

Size of homes	2007/08	2008/09	2009/10	2010/11	2011/12
One bedroom homes	390	380	409	354	410
Two bedroom homes	338	312	283	307	274
Three bedroom + homes	127	177	139	209	200
Total number of homes let	855	869	831	870	884

The table below provides a breakdown of lettings by bedroom size over the last five years. Homes with three or more bedrooms are in very short supply.

Demand Group to whom social rented homes were let	Average number of social rented homes let per year during 2007-2012						Average of all size homes	
	Homes with 1 bedroom		Homes with 2 bedrooms		Homes with 3 or more bedrooms		Average number let per year	%
Transfers of Enfield's existing Council and housing association tenants	88	23%	49	16%	62	36%	199	23%
Households accepted as homeless by Enfield Council under the homelessness legislation before 9 November 2012	103	26%	221	73%	96	56%	420	49%
All other housing needs	197	51%	32	11%	12	7%	242	28%
Total Average number of homes let	388	100%	303	100%	170	100%	861	100%

Enfield's New Allocations Scheme

Enfield's revised Allocations Scheme was agreed by Council in November 2012 and operates from February 2013. The new scheme supports the Council's priorities of meeting the needs of local people and regenerating Enfield's Council owned estates. The new scheme is set within a wider housing options approach for addressing housing need. The private rented sector plays an important role in addressing housing need

During **2013/14** general needs Council and housing association homes will be shared out in the following way reflecting the Council's new local priorities:

Demand Group to whom social rented homes will be let	Number of Council and housing association <i>general needs</i> homes estimated to become available for letting during 2013-14 (622 homes)					
	Homes with 1 bedroom		Homes with 2 bedrooms		Homes with 3+ bedrooms	
Existing Council and some housing association tenants	26	10%	30	15%	33	20%
Tenants of Enfield Council living on estates that are going to be regenerated and rebuilt	28	11%	49	11%	43	26%
Specialist Applications and quotas	140	55%	25	12%	13	8%
Households in Accommodation provided by Enfield Council under the Homelessness Law n (pre 9.11.12)	62	24%	98	48%	75	46%
Total number of homes to be let	256	100%	202	100%	164	100%

Enfield's Letting Forecast for the next two years has identified that there will be a reduction in the number of vacant council and housing association homes becoming available for letting. There will be 743 lettings in 2012/13 and 732 homes for letting in 2013/14. These figures include 120 homes for older persons on an annual basis.

5.2 Increasing levels of deprivation in Enfield

Enfield faces particular challenges with increasing levels of relative deprivation, a widening gap between the more deprived east and less deprived west of the borough and a substantial increase in the percentage of households claiming housing benefit (up 44% in the last 6 years). This has contributed to an increase in demand for social rented homes in Enfield.

Appendix 3 provides more detailed information on the on the social, economic and demographic profile of Enfield which is relevant to the development of Enfield's Tenancy Strategy

6. Who is Social housing for?

Enfield's Social rented homes are for existing tenants and new applicants on Enfield's Housing Register who have been awarded priority for housing under Enfield's Allocations Scheme. Many applicants will be homeless or living in unsuitable homes. A high number of applicants will have been assessed as having high care and support needs and in need of the longer term security provided by a Council or Housing Association home, together with sustainable support. Many will require a life time tenancy.

6.1 Existing social rented tenants

The circumstances of existing social rented tenants who need to move to alternative social rented homes include those who:

- Live in a home which is too big for their needs (under-occupying) and need to move for financial or other reasons including a need to improve their independence or health and well being,
- Are severely overcrowded and lack two or more bedrooms
- Have been assessed as having an emergency or exceptional need to move, for example due to proven claims of severe harassment.
- Have an assessed high health and well-being need to move which makes their homes unsuitable for them to live in
- Are required to move because their existing Council homes are included in the Council's estate regeneration programme
- Would like to move to take up offers of work or to provide or receive care.

Existing tenants will not be affected by the new types of tenancies introduced by Localism Act unless they choose to move to a home which is offered on the basis of an Affordable Rent Tenancy (ART) or a Flexible Tenancy (FT).

6.2 New social housing applicants

6.2.1 Enfield's households owed a full housing duty by the Council under the homelessness law prior to 9 November 2012

The Council has a legal duty to house applicants owed a full housing duty under the homelessness law prior to implementation of the Homeless (Suitability of Accommodation) Order 2012 on 9 November 2012. At this date Enfield owed a full housing duty to 1861 households. This number includes applicants assessed with high care and support needs, including those with assessed physical difficulties, mental health issues, learning difficulties and older people.

Most of these households will choose to continue to live in accommodation provided to them by Enfield Council until the homelessness duty is discharged with an offer of a permanent Council or housing association home. It is expected that it will take several years to clear this backlog, with waiting times approaching 10 or more years, for larger families as shown in the table below.



Homeless households approaching the Council for help after the Homelessness (Suitability of Accommodation) Order 2012 came into force on 9 November 2012 and who have not been assessed as having high care and support needs, will increasingly be offered homes in the private housing sector as a full discharge of the Council's duty to them under the homelessness legislation.

6.2.2 Applicants assessed with high care and support needs who are not homeless

New Applicants will also include those who are not homeless with high care and support that may be living in unsuitable homes. This group will include older people, those with physical difficulties, learning difficulties, mental health issues, young care leavers and armed services personnel.

7. Enfield's expectations regarding Tenancy Policies

7.1 Compliance with the Legal and regulatory framework

All Registered Providers operating in Enfield are legally required to have regard to Enfield Council's Tenancy Strategy and expectations when developing or reviewing their Tenancy Policies and letting homes in Enfield.

Each Registered Provider (RPs) should make clear within their Tenancy Policy how their policy helps to make the best use of their housing stock, are compatible with the purpose of social housing and, as described earlier, make a positive contribution to Enfield's strategic housing objectives.

7.2 Requirement for Clear Communication Plans

Registered Providers (RPs) are expected to put in place clear communications plans to ensure the terms of their Tenancy Policy are clear to

prospective and existing tenants and the wider community. This policy statement should make clear the statutory right⁸ to a review of decisions made concerning the length of the tenancy, its termination and a tenant's or prospective tenant's right to seek independent legal advice. The statement should include information as to how this right to a review is to be exercised.

7.3 Requirement for an Equalities Impact Assessment

The Council expects that, in advance of setting or refreshing their Tenancy Policy, Registered Providers (RPs) should conduct an Equalities Impact Assessment (or its equivalent) to identify any groups who may be disadvantaged by its implementation. If any are identified the Council expects the RP to take steps to demonstrate how these effects will be mitigated for the group/s concerned.

Appendix 3 provides a summary of information on equality and diversity in Enfield. A more detailed picture can be obtained from Enfield Council's website at www.enfield.gov.uk (go to the Housing pages, then look under Housing strategy, policy and performance).

A copy of Enfield's Equalities Impact Assessment for its Allocations Scheme can be found on the Council's website and will be helpful in undertaking an Equalities Impact Assessment.

7.4 Enfield's Expectations on length of tenancy

Section 4 of this Strategy outlined the Council's objectives for social rented housing and Section 6 outlined who social rented housing is for. Therefore, Enfield regards longer term tenancies as the best approach for addressing local housing need and creating sustainable neighbourhoods and communities in the borough. The Council considers that fixed term tenancies should not be the default form of tenancy for prospective Council or housing association tenants in Enfield. However, there may be merits in considering tenancies with fixed terms to meet clearly defined local need and local priorities which complies with the Homes and Community Agency's Tenancy Standard.

Where Registered Providers (RPs) decide to use fixed term tenancies, Enfield expects:

- A minimum fixed term of 5 years and preferably longer to be granted, where exceptions do not apply
- In line with the requirements of the Homes and Community Agency (the Social Housing Regulator), any minimum fixed term should not be less than 2 years.

⁸ Section 150 Localism 2011

- Where a Registered provider decides to make use of short fixed term tenancies with a term of 2 years, to respond to exceptional circumstances or to assist in the effective management of the housing stock, the rationale for their use and the relevant procedures involved for issuing these tenancies, managing them and bringing them to an end should be clearly communicated to all prospective tenants.
- All properties where a fixed term tenancy applies must be clearly advertised as such when made available for letting.

At the time of writing this Tenancy Strategy, a survey of 7 London local authorities identified only 2 London boroughs who had decided to make use of the flexibilities offered by the legislation by offering fixed term tenancies in some cases. More detailed information about this is provided in our Consultation Report for this Tenancy Strategy available on Enfield Council's website.

7.5 Expectations on Renewing a Fixed Term Tenancy

Enfield's expectation is that a fixed term tenancy will be automatically renewed, for a time equivalent to the fixed term which is coming to an end, assuming there has been no breach of tenancy conditions or change in household circumstances.

This information should be made clear to tenants at the outset of the tenancy and the decision that a tenancy is to be renewed for a further fixed term should be communicated to them in a clear, timely and accessible way.

7.6 Requirements for Bringing a Fixed Term Tenancy to an End

Where a Registered provider is minded not to renew a fixed term tenancy, the provider should provide the tenant concerned with clear and evidenced reasons for this decision.

A decision made not to renew a fixed term should comply with:

- The Registered Provider's own published Tenancy Policy
- Article 8 of the European Convention of Human Rights. The decision made must be proportionate with the individual circumstances of the tenant whose fixed term tenancy may be brought to an end

Where a fixed term tenancy is being brought to an end because the tenant's home is too large for them (under occupying), the bedroom standard to be used in determining the level of under occupation is set out in Enfield's Allocations Scheme 2012-2017 which will ensure consistency across the social housing sector in Enfield .

Registered Providers should consider each case individually in coming to a decision not to renew a fixed term tenancy and not operate 'blanket' policies

or procedures in reaching decision. For example they should:

- not use rent arrears as an automatic reason for not renewing a fixed term tenancy. Registered Providers are expected to consider why arrears have accrued, for example due to unforeseen unavoidable expenditure such as funeral expenses, and the tenant's record on repaying rent arrears
- use robust assessments and evidence to justify 'anti-social behaviour' as a reason not to renew the tenancy. It is recommended that the standard of evidence required should be the same as that required by the Courts for pursuing an action for possession of the property on the grounds of anti social behaviour. Registered providers should continue to take into account the particular needs of tenants whose circumstances involve community care issues, for example, mental ill health or learning disabilities
- have regard to data or requirements in Enfield's Housing Strategies including its Homelessness Strategy and Housing Allocations Scheme or base means test thresholds, on average or median incomes in Enfield when using means testing as a reason
- take into consideration the impact of such a decision on tenants with support needs, including age, learning difficulties, mental or physical illness or disability
- consider the positive community contribution being made or expected to be made, by the household through employment or volunteering

7.7 Additional Expectations on Tenure

- Registered Providers should not allow a fixed term tenancy to go beyond its fixed term without taking positive action to renew it or bring it properly to an end. Allowing a fixed term tenancy to run into a non-secure periodic tenancy is inconsistent with clause 2.1 of the Homes and Community Agency's Tenancy Standard (in Section 3 above).
- Where a fixed term tenancy is not being renewed, Registered Providers are expected to provide the tenant with appropriate and adequate advice and assistance to find suitable alternative accommodation in order to prevent homelessness. This is in line with their responsibilities to prevent homelessness and the Council's Homelessness Strategy. The test of what is suitable alternative accommodation is set out in the Community and Local Government's Statutory Guidance on Homelessness 2006 and includes considerations of affordability, availability, location and support needs.
- Where Registered Providers have a policy of issuing a Starter or Introductory Tenancy, these should last no longer than 12 months. Where the tenant has conducted their Introductory Tenancy period satisfactorily, they should be immediately issued with an appropriate longer term tenancy of not less than 5 years and preferably longer.

- Where Registered Providers agree to move an existing tenant to an alternative social rented home, because of proven, actual or threatened violence which is based on the protected characteristics set out in the Equality Act 2010 (examples include domestic violence or racial harassment), then the RP must offer the same tenancy terms to the tenant, as they had before they had to move.
- Registered Providers should accurately report and record all lettings information, including tenure, on the Government's agreed tenancy data recording system (e.g., CORE) to enable efficient monitoring and review of lettings and tenancy issues.

8. Links between Tenancies and Rent Setting

There are important links between tenancies and rent setting.

Government subsidy for managing and maintaining social housing is reducing which means Registered Providers, including those that manage Council owned homes, must find new ways to fund good quality management and maintenance of their existing stock from rental streams and other income, in line with government regulations, guidelines, standards and local priorities.

Government subsidy for developing affordable social homes has also been substantially reduced under the Government's Affordable Housing Programme 2011- 2015. Under the new programme a new type of tenancy was created called the Affordable Rent Tenancy was created which allows Registered Providers to set rents up to 80% of market rents to support the development of new homes in line with national, regional and local priorities. Homes may also be re-let by Registered Providers under the term of an Affordable Rent Tenancy.

The table below provides an overview of rent levels in Enfield for different types of social rented homes for 2011/2012:

Enfield Rents per week	1 bed	2 bed	3 bed
Market Rents	£185	£242	£300
80% Market Rents*	£148	£194	£240
Local Authority Rents	£81	£92	£109
% of Market Rents	44%	38%	36%
RSL Re-let Rents	£87	£104	£128
% of Market Rents	47%	43%	43%
RSL New Let Rents	£92	£110	£128

% of Market Rents	50%	45%	43%
All Social Rents	£82	£98	£116
% of Market Rents	44%	40%	39%

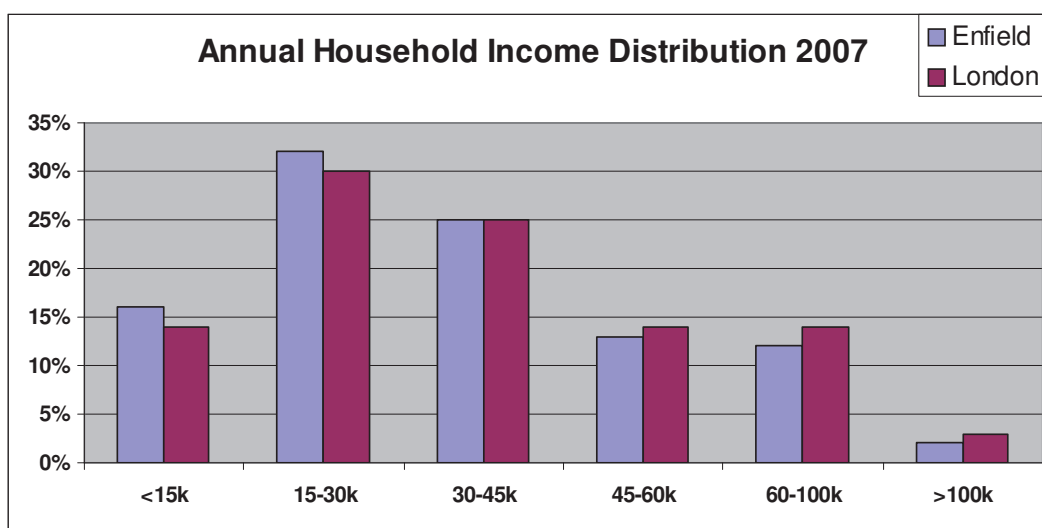
Information source: Local Authority and RSL rents: Government's CORE data

Appendix 2 provides information on rent levels for previous years.

In line with the Council's overall objectives for social housing outlined in Section 4, the Council expects that in setting their rent levels, Registered Providers should have regard to the average or median incomes in Enfield and to any specific requirements in the Council's Housing Strategy, Homelessness Strategy and /or its Allocation Scheme.

The Council will support housing schemes which are affordable with incomes above the average or median income levels in the borough where they support the delivery of schemes aimed at producing homes which will be made available on long-term, social rent terms.

The table below provides information about household income levels in Enfield compared with London.



Data Source: PayCheck 2007, Data Management and Analysis Group, GLA

Overall the Council expects that Registered Providers, in determining levels of rent charged to tenants, will maximise the supply of affordable homes in the borough, taking into consideration relevant demographic trends and local incomes. Where it is decided to make use of affordable rents⁹ for any or all of their housing stock, Registered Providers should publicise how this additional income will be used to assist in addressing local housing need.

⁹ Localism Act 2011, up to 80 % of local market rents.

9. Consultation

Enfield's Tenancy Strategy was developed in consultation with a wide range of Partners.

Copies of the draft Tenancy Strategy together with a short survey were sent to key stakeholders including Registered Providers operating in Enfield, Enfield Homes, statutory and voluntary sector partners, Members, the Mayor of London, and resident and tenant associations in Enfield. In addition, between 21 August 2012 and 15 October 2012, the Council's website contained the following:

- Information explaining what the Tenancy Strategy was about and why it was needed including the full text of the questions in the survey
- Downloadable versions in pdf format of the survey and draft Tenancy Strategy

In addition to website information, the opportunity presented by 2 community events was used to discuss the draft Tenancy Strategy with residents and complete the survey.

The survey questions and outcomes from the consultation used to shape this Tenancy Strategy can be found on Enfield Council's website.

10. Reviewing this Tenancy Strategy and Tenancy Policies

This Tenancy Strategy covers the period 2013-2018. It will be kept under review and adjusted as required to take into account Enfield's Housing Strategy, implementation of the Council's new Housing Allocations Scheme, the Council's Homelessness Strategy, the Council's own substantial regeneration plans and other relevant housing strategies and policies.

These adjustments will include take into consideration:




- demand for social rented homes
- who has been let social rented homes in Enfield and the type of tenancies granted
- how much social rented housing remains in the borough
- rent levels in the borough
- turnover of fixed and long-term social rented tenancies (including affordable rent and flexible tenancies)
- any changes in legislation or statutory or regulatory guidance on tenure

With regard to Tenancy Policies, Enfield expects that Registered Providers:

- who have already written their Tenancy Policy in advance of Enfield's Tenancy Strategy, review them in the light of this Tenancy Strategy and confirm to us in writing that this has been done by 30 June 2013.
- who have not written their Tenancy Policy to have regard to Enfield's Tenancy Strategy as required by the Localism Act 2011 and to confirm in writing to the local authority this has been done by 14 January 2014.
- review their Tenancy Policy at 5 year intervals, having regard to Enfield's current or refreshed Tenancy Strategy

Your views are important to us – let us know what you think of Enfield's first Tenancy Strategy

You can contact us in the following ways:

-  you can **email** us at: ets@enfield.gov.uk
-  you can **phone** and leave a message on 020 8379 1000
-  you can **write** to us at

Strategic Development Team,
Community Housing Services,
Health, Housing and Adult Social Care,
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FREEPOST NW5036,
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Appendices

Appendix 1 – Registered Social Housing Providers in Enfield

Appendix 2 – Key facts about social rented housing in Enfield

Appendix 3 – Social, economic and demographic data for Enfield

Appendix 1 – Registered Social Housing Providers in Enfield 2012

Registered Providers	Supported Housing Units	Wheelchair Units	Rented Units	Total Units
Housing Associations				
ABBNEYFIELD SOCIETY			15	15
ALDWYCK HOUSING ASSOCIATION			11	11
ANCHOR TRUST		12	163	175
BAIRD MEMORIAL HOMES			6	6
CARR GOMM SOCIETY LTD	8	1	16	25
CATALYST HOUSING GROUP		1		1
CHRISTIAN ACTION HOUSING ASSOCIATION	120	61	676	857
CIRCLE ANGLIA	45	10	142	197
DIMENSIONS UK	2		2	4
DOMINION		5	106	111
EAST THAMES HOUSING ASSOCIATION				
EDMONTON UNITED CHARITIES			10	10
FAMILY MOSAIC			1	1
GENESIS HOUSING GROUP		18	66	84
GUINNESS TRUST			1	1
HABINTEG		9	39	48
HANOVER HOUSING	48	48	48	144
HOME GROUP LTD		40	15	55
HOUSING 21			48	48
INNISFREE		2	23	25
JOHN GROOMS HOUSING ASSOCIATION		1	1	2
L&Q	9	22	1789	1820
LEE HOUSING ASSOCIATION		3	126	129
METROPOLITAN HOUSING TRUST	7	58	1286	1351
NETWORK HOUSING ASSOCIATION			2	2
NEWLON HOUSING TRUST	7	55	301	363
NORTH LONDON MUSLIM		1	2	3
NOTTING HILL HOME OWNERSHIP			99	99
NOTTING HILL HOUSING TRUST		5	483	488
ONE HOUSING ASSOCIATION	34	22	289	345
ORIGIN	4		650	654

Registered Providers	Supported Housing Units	Wheelchair Units	Rented Units	Total Units
PARADIGM		59	55	114
PEABODY TRUST			85	85
PLACES FOR PEOPLE		2	50	52
PRESENTATION HOUSING ASSOCIATION			1	1
RIVERSIDE HOUSING GROUP			154	154
SANCTUARY HOUSING ASSOCIATION	1	63	259	323
SOUTHERN HOUSING HOME OWNERSHIP		8		8
ST MUNGOS	1	1	1	3
STONHAM HOUSING ASSOCIATION			10	10
TOWER HOMES		70		70
TOYNBEE HOUSING ASSOCIATION			1	1
UNRECORDED			34	34
VIRIDIAN HOUSING		69	413	482
Housing Association Totals	286	646	7479	8411
Enfield Council	862¹⁰			11302

Housing association data is as at 4 November 2012
 Enfield Council data is as at 1 April 2012

¹⁰ Sheltered homes

Appendix 2 – Key facts about social rented housing in Enfield

Housing Applications

Enfield's Housing Register had 7,899 applicants for social rented homes as at the end of March 2012.

Lettings

Lettings of social rented homes over the last 5 years are summarized below:

Size of homes	2007/08	2008/09	2009/10	2010/11	2011/12
One bedroom homes	390	380	409	354	410
Two bedroom homes	338	312	283	307	274
Three bedroom + homes	127	177	139	209	200
Total number of homes let	855	869	831	870	884

Demand Group to whom social rented homes were let	Average number of social rented homes let per year during 2007-2012						Average of all size homes	
	Homes with 1 bedroom		Homes with 2 bedrooms		Homes with 3 or more bedrooms		Average number let per year	%
Transfers	88	23%	49	16%	62	36%	199	23%
Housing Needs	197	51%	32	11%	12	7%	242	28%
Homeless	103	26%	221	73%	96	56%	420	49%
Total Average number of homes let	388	100%	303	100%	170	100%	861	100%

Around one third¹¹ of the social rented homes let are owned by housing associations working in Enfield with the rest owned by Enfield Council.

Between 10-15% of all Housing Register applicants are likely to be housed in a council and housing association home. Eighty-five to ninety per cent of Housing Register applicants will need to consider other housing options.

¹¹ 34% in 2011/12 and 31% in 2010/11

Appendix 3 - Social, economic and demographic data for Enfield

Overview

Key overview facts about Enfield are summarised below:

1. The population of Enfield at the time of the 2011 census was 312,500 which is a significant increase on the 300,170 estimated by the GLA prior to the release of the census results. The Office of National Statistics projects that the population will increase to 366,000 by 2021¹².
2. While the population of Enfield is projected to increase by 17% from 2011 to 2021, the number of those aged 80 and over is expected to increase by 29%. Those aged under 20 are also predicted to have above average growth of 20%.¹³
3. Levels of migration cause high population churn with over 3,000 people moving to Enfield from outside the UK over the last 5 years¹⁴
4. Overall deprivation has increased; Enfield was the 64th most deprived borough in 2010 compared to 104th most deprived in 2004 out of 326 local authorities
5. The gap between the more deprived East and less deprived West of the borough has increased between 2007 and 2010 according to the indices of Multiple Deprivation
6. According to Department of Works and Pension data, the percentage of households claiming housing benefit is 28.7%, with a claimant count that has increased 30% over the last four years to stand at 34,370 in August 2012.
7. Enfield has the second highest private tenant caseload of housing benefit claimants in London with over 18,000 claims at August 2012

¹² www.ons.gov.uk/ons/rel/snpp/sub-national-population-projections/Interim-2011-based/index.html

¹³ www.ons.gov.uk/ons/rel/snpp/sub-national-population-projections/Interim-2011-based/index.html

¹⁴ Enfield's Local Economic Assessment Feb 2011

8. The number of Job Seekers Allowance claimants has increased by 91% over the last four years to 10,100¹⁵
9. The proportion of homes rented privately has increased to over 22% of the housing stock according to the 2011 census results, from 12% in 2001
10. The proportion of homes that are social rented is 17.6% and has increased from 18,800 in 2001 to over 21,000 according to the 2011 Census results..
11. The average Enfield house price was £260,846 in October 2012, and the average in London was £364,574 according to the Land Registry.
12. House price affordability had decreased to 8.8 times the median income in 2011, from 4.25 in 1997¹⁶
13. Enfield had the 8th highest level of households in temporary accommodation in England at the end of September 2012 with 1,988.

Levels of Deprivation in Enfield

The information below is sourced from Enfield's Housing Strategy 2012-27. Social and demographic data for Enfield show high and worsening levels of housing need:

Local Authority	IMD 2004	National Rank	IMD 2010	National Rank
Enfield	23.05	104 th	26.06	64 th
Barnet	16.09	193 rd	16.64	176 th
Redbridge	17.77	163 rd	20.37	134 th
Waltham Forest	30.24	47 th	35.44	15 th
Camden	34.71	19 th	25.43	74 th
Westminster	31.68	39 th	24.59	87 th
Islington	42.65	6 th	35.87	14 th

Indices of Deprivation 2004 and 2010, DCLG

¹⁵ <https://www.nomisweb.co.uk/Default.asp>

¹⁶

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/10732/322286.xls

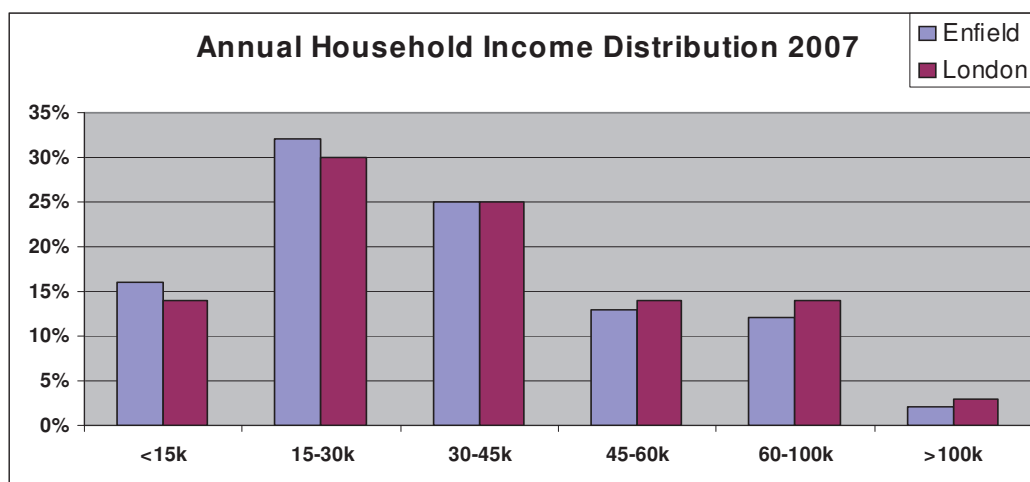
Enfield, as well as other Outer London boroughs such as Redbridge and Waltham Forest, has seen a marked increase in relative deprivation from 2004 to 2010. This contrasts with the improvement seen in many Inner London authorities with Camden and Westminster being among the most notable.

% Change in Benefit Claimants 2001-2011			
	Enfield	London	Enfield Rank
Total Working Age Claimants	25.5%	8.1%	1 st of 33
Lone Parent Benefit Claimants	-0.6%	-33.2%	1 st of 33
Total Female Claimants	31.4%	7.2%	1 st of 33
Incapacity Benefit Claimants	16.0%	5.5%	4 th of 33

Working Age Client Group data, Department of Welfare and Pensions, <http://83.244.183.180/NESS/WACG/wacg.htm>

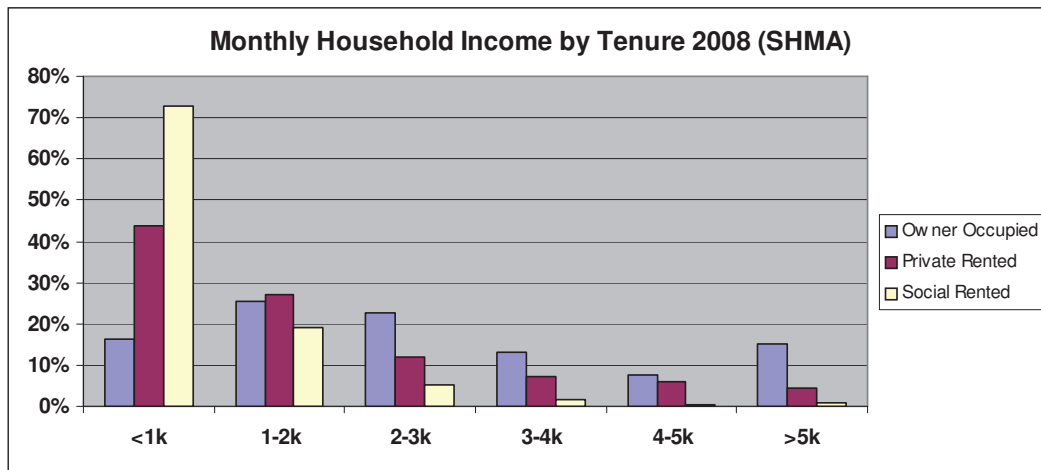
The extent of the worsening in deprivation within Enfield can be seen in the large increase in benefit claimants over the last decade. Over the period 2001 to 2011 when the number of working age benefit claimants increased 8.1% across London, Enfield had a gain of 25.5%. Particularly stark was the change in the number claiming lone parent benefit with a massive 32% relative worsening compared to London over the 10 year period.

Income Levels in Enfield



PayCheck 2007, Data Management and Analysis Group, GLA

Household income in Enfield is skewed slightly towards the lower income groups as compared to London as a whole. In 2010, the median household income in Enfield was £31,557 - nearly 6% lower than the London median at £33,441, and actually lower than the 2009 figure of £31,955.



Enfield Housing Market Assessment, August 2008, ECOTEC

The Survey from the 2008 Strategic Housing Market Assessment demonstrates that household income is highest among owner occupiers and lowest among social renting households. Over 70% of the latter have incomes of less than £1,000 per month.

Diversity data for Enfield

The information set out below is derived from Enfield's Annual Housing Equalities Report 2011/12 and the Equalities Impact Assessment for Enfield's 2012-2027 Housing Strategy

Ethnicity

Equalities monitoring¹⁷ shows that compared to population estimates, black and minority ethnic (BME) households are over-represented on the Council's Housing Register. 82.3% of applicants on the Housing Register are from a non-white UK ethnic group. This compares with the lower figure of 55.3% of people in Enfield's population.

Equalities monitoring also shows that some BME households require larger properties and as they are in short supply have to wait longer to be housed. For example, 61% of Turkish households and 66% of Somali households have to wait more than 5 years to be housed (compared to 25% of White UK households).

Disability

Ten per cent of all new homes built in the borough are required to be wheelchair accessible. Enfield Council works with housing associations to develop adaptable and wheelchair accessible affordable homes to meet the needs of disabled people. In 2010/11 53 wheelchair accessible units were delivered by housing associations in the borough.

¹⁷ Equalities Monitoring is set out in the Annual Housing Equalities Report 2011/12

Gender

More women experience domestic violence (DV) than men. Enfield's Housing Strategy seeks to support those who would like help to find alternative safe accommodation and to work with partners to support the survivor and their family. In 2010/11 36 women experiencing DV were supported by the Council to find alternative accommodation. However, this figure represents a small proportion of the total who received support as Enfield Homes, Housing Associations and community groups also provide services for this group.

Age

Most of the people on Enfield's Housing Register are between the ages of 25 to 35 (35%) and 36 to and 49 (36%). A smaller proportion are aged under 25 (12%) or over 50 (17%).

Rent levels in the borough

The following tables show average market rents in the private rented sector in Enfield together with average local authority rents, and average rents for housing association (RSL) new lets and relets¹⁸ for the years 2010/11¹⁹ and 2011/12.

2011/12

Enfield Rents per week	1 bed	2 bed	3 bed
Market Rents	£185	£242	£300
80% Market Rents*	£148	£194	£240
Local Authority Rents	£81	£92	£109
% of Market Rents	44%	38%	36%
RSL Re-let Rents	£87	£104	£128
% of Market Rents	47%	43%	43%
RSL New Let Rents	£92	£110	£128
% of Market Rents	50%	45%	43%
All Social Rents	£82	£98	£116
% of Market Rents	44%	40%	39%

Data source Government's CORE data base

2010/11

¹⁸ These are homes that have been let before

¹⁹ Local authority and housing association (RSL) rents for 2010/11 and 2011/12 are taken from a small sample of CORE data as at 16 November 2012.

Enfield Rents per week	1 bed	2 bed	3 bed
Market Rents	£174	£231	£288
80% Market Rents*	£139	£185	£230
Local Authority Rents	£74	£83	£95
% of Market Rents	43%	36%	33%
RSL Re-let Rents	£85	£100	£123
% of Market Rents	49%	43%	43%
RSL New Let Rents	£93	£113	£127
% of Market Rents	54%	49%	44%
All Social Rents	£80	£91	£109
% of Market Rents	46%	39%	38%

Data source: Government's CORE data base

*Rounded up/down figures throughout

MUNICIPAL YEAR 2012/2013 REPORT NO. 141A

MEETING TITLE AND DATE:

Cabinet - 23rd January
2013
Council – 30 January 2013

REPORT OF:

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

Contact officer and telephone number:

Rosie Lowman, Commissioning Manager 020 8379 4236

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Agenda – Part: 1	Item: 10
Subject: Enfield Joint Carers Strategy 2013-16	
Wards: ALL	
Cabinet Member consulted:	
Councillor Don McGowan	

1. EXECUTIVE SUMMARY

- 1.1 This report proposes the agreement of a joint Enfield Carers Strategy between Enfield Council and NHS Enfield.
- 1.2 The Enfield Joint Carers Strategy is available for reference in the Members' Library and Group Offices and on the Council's website (an executive summary of the strategy is attached at appendix 1) and has been prepared and been subject to a 3 month period of consultation with carers, key partners and the voluntary and community sector (VCS).
- 1.3 The Enfield Joint Carers Strategy 2005-2010 established some excellent work benefiting the 29,000 carers in Enfield and led our strategic direction to the establishment of a new resource, Enfield Carers Centre which gives carers a 'hub' in which to receive support, information and counselling.
- 1.4 The Enfield Joint Carers Strategy 2013-16 builds on this good work and looks to further develop services for carers and to quality assess and monitor Carers Assessments, support plans and reviews and ensure Enfield staff are trained appropriately to treat carers with respect and dignity and involve them as key partners.
- 1.5 The strategy sets out how Enfield will develop and deliver carers services to implement the National Carers Strategy, the 'Caring for the Future' white paper and Care and Support Bill.

2. RECOMMENDATIONS

2.1. Council is asked to:

- Note the contents of this report;
and
- Approve the Enfield Joint Carers Strategy 2013-16 and associated delivery plan.

3. BACKGROUND

3.1 The Enfield Carers Strategy 2005-2010 established some excellent work benefiting carers and led our strategic direction to the establishment of a new resource, Enfield Carers Centre which gives carers a 'hub' in which to receive support, information and counselling. The Enfield Joint Carers Strategy 2013-16 builds on this good work and looks to further develop services for carers and to quality assess and monitor Carers Assessments, support plans and reviews and ensure Enfield staff are trained appropriately to treat carers with respect and dignity and involve them as key partners.

3.2 Enfield currently has approximately 29,000 adult carers within the Borough, with another 1000 young carers (those aged under 18). An Enfield survey undertaken in 2009 highlighted that 51 percent of carers said their caring role meant they sometimes can't look after themselves well enough with 20% of those saying they neglected themselves. Of these carers almost 25% said their caring role meant they were unable to access basic health services such as going to the GP or dentist. Research undertaken by Carers UK in 2004 showed that those caring for more than 50 hours a week - 4959 carers are in Enfield – are twice more likely to be in poor health than those not caring.

3.3. The Strategy has been developed to respond to the National Carers Strategy and to build on the previous Carers Strategy for Enfield. It responds to the Care and Support Bill which is due for implementation as the Act in 2015. This legislation gives carers similar rights to assessment and services as the person they care for. The preventative approach offers a cost effective and planned approach to the needs of carers to support their wellbeing and to enable them to continue to care.

3.4 Consultation on the Strategy

3.5 Formal public consultation on the draft Carers Strategy was undertaken over a 3 month period from 14th June to the 14th September 2012. Stakeholder and public views on the strategy were sought through an e-questionnaire on the Enfield Council website and a link on NHS North Central London's website,

Partnership Boards and Scrutiny Panels and NHS/Health Boards and Panels

- 3.6 Live consultation events were held including an open Workshop held at the Civic Centre attended by carers, professionals and VCS representation, presentations throughout Carers Week, Enfield Town Show and the Carers Hub meeting with the VCS carers organisations represented.
- 3.7 The consultation was publicised through the HHASC Communications Team, emails to staff in NHS Enfield, Health and Adult Social Care staff, acute trusts, voluntary and community sector providers, Staff Matters, Our Enfield magazine and an article in the Carers Voice newsletter
- 3.8 We received a total of 18 responses to the questionnaire from the online consultation. A total of 52 individuals attended either the workshops or presentations and verbal feedback was received from those attending.
- 3.9 In addition written feedback was received from The Chief Executive of Enfield Carers Centre, Representatives from the Carers Partnership Board, individual carers, the NHS Primary Care Strategy Team, Children's Services and interested colleagues within the Council and Health
- 3.10 Verbal feedback was given from the Departmental Management Team chaired by Ray James, the Learning Disability Partnership Board, Professional Executive Committee, NHS North Central London, commissioning colleagues within the Council and The Carers Hub meeting.
- 3.11 As a result of feedback received during this consultation the strategy was revised to strengthen guidance and training regarding carers identification and assessments, to strengthen training for practitioners, to promote assistive technology, introduced transitions frameworks, to provide more support regarding transport and parking provisions, increased support for working carers, to work with schools to support young carers and to work with GPs to increase identification, referral and support to carers.

3.12 Current and Future Funding

- 3.13 Services to carers which are commissioned to VCS organisations through the former Carers Grant total £884,674.13. In addition, NHS Enfield spends £580,988.55 on services to carers.
- 3.14 Where funding is required for new services, funding will be identified through partnership working (the Council and Health); with

Enfield Carers Centre to identify alternative funding streams through fundraising and grant bodies and through review of existing services to remove duplication or services which do not meet the agreed strategic objectives.

3.15 Strategic Objectives

3.16 The Strategy sets out how Enfield will develop and deliver carers services over the next 3 years (2013-16). It outlines 5 key Strategic objectives which were taken from the National Carers Strategy as follows:

Strategic Objective	Commissioning Intentions
Carers will be respected as expert care partners and will have access to the integrated and personalised services they need to support them in their caring role	<ul style="list-style-type: none"> • Ensuring carers have access to high quality literature which is accessible and appropriate • Ensuring carers and carer representation involvement in shaping services and policy • Carers Assessment, Support and Training • Personalised and flexible services
Carers will have a life of their own alongside their caring role	<ul style="list-style-type: none"> • Development of Peer and Community support • Carers have access to breaks that are appropriate and accessible • Emergency support • Support at change and transition
Carers will be supported so that they are not forced into financial hardship by their caring role	<ul style="list-style-type: none"> • Housing Support • Access to benefits • Access to employment and training
Carers will be supported to stay mentally and physically well and treated with dignity	<ul style="list-style-type: none"> • Safeguarding against harm • Access to health and wellbeing services • Access to emotional support and counselling
Children and young people will be protected from inappropriate caring and have the support they need to learn, develop and thrive, to enjoy positive childhoods and to achieve against the Enfield Children and Young People's Plan outcomes	<ul style="list-style-type: none"> • Whole family support • Educational support for young carers • Activities and club

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 The Strategy sets out the delivery of services and support to carers and how the Council and NHS Enfield will work in partnership to identify carers. It proposes an approach to

commissioning Carers Services that is consistent with forthcoming legislation, current legislation and guidance and is in line with existing Council and NHS Enfield strategies.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The strategy is intended to meet the government's key objectives for the delivery of services to meet the needs of carers and meet the requirements to assess and support carers as specified in the 'Caring for the Future' and the draft Care and Support Bill.
- 5.2 The support of carers is a long term cost effective option for the Council and Health. Research has shown that a carer, on average, will provide the equivalent of £18,473 in care costs. With the 29,000 carers in Enfield this equates a saving of £535,717,000.00 per annum. The business case to support carers through preventive services, low level services and respite provides clear cost efficiency.

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

6.1 Financial Implications

The total Carers budget for 2012/13 is £1,000,530, of which £315,000 relates on one off funding from project carry forwards. The projected outturn for 2012/13 against the Carers budget is a balanced position.

As mentioned in paragraph 3.13 the 2011/12 LBE actual adult spend was £884,674.13 (see Appendix I of the Carers Strategy 2013-16) and the NHS actual spend was £580,988.55 (see Appendix J of the Carers Strategy 2013-16).

LBE will continue to meet its Carers commitments from existing HASC resources. At time of writing the exact monetary commitments for 2013 - 16 are still to be finalised.

There are no planned saving targets to be met from HASC Carers resources over the medium term financial plan 2013-17.

6.2 Legal Implications

The Strategy recognises the rights afforded and responsibilities owed towards to carers under recent legislation such as Equal Opportunities Act 2004, Work and Families Act 2006 and Carers Recognition and Services Act 1995. Further

the Equalities Act 2010 notes that carers can experience discrimination in society and in work as a result of their association with disabled or older people; Social Service Authorities must therefore consider the impact of their policies in their impact assessments. Further the Care and Social Support Bill aims to strengthen the rights of carers to ensure the 5 outcomes set out in the National Carers Strategy are advanced.

6.3 Property Implications

Not applicable.

7. KEY RISKS

- 7.1 There are no significant risks identified as a result of this strategy and its implementation.
- 7.2 Any risks identified whilst implementing the strategy will be included on the Carers Partnership Board risk register and managed by the Implementation Group through existing risk management arrangements.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Through this Strategy the Council and the NHS highlights its commitment to ensure that those who care for others are protected from inequalities. National research from Carers UK shows that carers are:

- Significantly worse off financially due to their caring role
- Almost half of all carers cut back on essentials such as food and heating to cope financially
- 82% say caring has had a negative impact on their physical health
- 87% say caring has had a negative impact on their mental health
- 2 in 5 carers have put off their own medical treatment or appointments due to their caring role
- 66% of carers state caring has negatively affected their friendships and 58% said caring negatively affected their relationships with family members
- 1 in 6 carers have given up work, or reduced their hours, in order to meet their caring responsibilities

By providing a clear strategic direction for the sustainability and development of carers support Enfield Council and the NHS will be greatly contributing to the reduction of these inequalities for carers. By acting as integral part of Enfield's strategies and policy, the Joint Carers Strategy is in a prime position to influence change within Enfield's society and culture.

8.2 Growth and Sustainability

A significant part of the new Joint Carers Strategy highlights the need for support for carers who are in employment and need support to balance caring and work, or to support carers who wish to re-enter the job market. By working in partnership with Jobcentre Plus, Enfield Carers Centre and other providers the Council and NHS will implement the Strategy to provide opportunities for training, skills workshops, employment advice and information.

8.3 Strong Communities

The Strategy introduces a strategy of increased carer engagement and consultation and the introduction of Carers Forums will represent carers views and feedback to Council and Health colleagues. The continued commitment to Enfield Carers Centre provides carers a safe place where they are able to speak freely without fear of judgment or criticism. In addition, Enfield Carers Centre has had a number of carers who volunteer within the Centre, giving them valuable job skills such as administration and/or reception duties and building carers self esteem and confidence.

The Strategy also commits to increase care representation on the Carers Partnership Board, other Partnership Boards and for 'Carers Champions' within care teams, health, the mental health trust and the Clinical Commissioning Group.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 No significant equalities impact arose whilst undertaken the Predictive Equalities Impact Assessment
- 9.2 It is acknowledged that to ensure equal access to information, partnership working is required between the Council, Health, Enfield Carers Centre and BAME specific groups in the community to minimise cultural and language barriers.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 There are two key indicators relevant to Health and Adult Social Care:
 - Carers receiving needs assessment or review and a specific carer's service, or advice and information.
 - Number of Social Care clients receiving Self Directed Support (Direct Payments and Individual Budgets)
- 10.2 The implementation of the Strategy and the performance against the outcomes will be monitored by the Carers Partnership

Board. In order to deliver these outcomes a partnership Implementation Group will be established with four specialist sub-groups focusing on young carers, operational practice, mental health and the VCS.

11. HUMAN RESOURCES IMPLICATIONS

- 11.1 Establishment of the Carers Employee Support Scheme and a Carers Action Group will result in HR policies and procedures being reviewed to ensure they are 'carer friendly' and encourage carers to remain in employment. Support and training on carers issues will be given to HR if required.

12. PUBLIC HEALTH IMPLICATIONS

- 12.1 This Strategy is designed to maintain, and improve, the health and wellbeing of the 29,000 carers within Enfield. Carers, without support, can experience higher levels of ill health, stress and depression than their demographic equivalents.
- 12.2 By committing to providing information, support and advice, carers will be able to plan and prepare for the future better and able to relieve some of the tensions that caring brings. By increasing awareness and identification of carers, preventative services can be offered before carers reach crisis point, affecting their physical and mental health. Peer support and meeting other carers will decrease isolation and give carers a chance to build their support networks and friendships.
- 12.3 The Strategy also focuses on enabling easy access to health services to complement the preventative services including health checks and access to Health Trainers.

Background Papers

None.

Health, Housing and Adult Social Care



Enfield Joint Carers Strategy 2013-2016

Executive Summary

www.enfield.gov.uk
www.enfield.nhs.uk



Carers
in Enfield

Contact Enfield Council
 Civic Centre
 Silver Street
 Enfield
 EN1 3XY
 Tel: 020 8379 1000
www.enfield.gov.uk



Executive Summary

- NHS Enfield and Enfield Council have jointly identified the improvement of Carers support as a key local priority.
- A carer is someone of any age who provides unpaid support to family or friends who could not manage without this help. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problem.
- This strategy is a local response to the recommendations outlined in the National Carers Strategy – “Carers at the heart of 21st Century Families and communities: a caring system on your side, a life of your own”. The development of this strategy and implementation action plan has been informed by a series of consultations with carers and organisations who support and represent carers.
- Carers are the main resource available to the health and social care sector in Great Britain. There are 6 million carers nationally with over a fifth providing 50 hours plus care per week, and the delivery of high quality support including consideration of safeguarding issues for carers is vital to ensure the provision of good quality care and support for the millions they care for.
- The support of carers prevents admission and speeds up discharge from hospitals, and also prevents admission to care homes and reduces the demand for home care support. Therefore, given the future constraints on public sector finances, it is ever more pressing that we support carers to maintain their caring role, where they wish and are able to.
- In Enfield there are estimated to be nearly 29,000 carers. Many may provide limited care while others provide regular and substantial levels of care but all have a need for support of some kind to help them provide the best quality care possible while also ensuring their own needs and aspirations are met.
- This Carer Strategy covers the period 2013-2016. Its primary focus is on the needs of adult carers, though it does encompass the needs of younger carers. It will ensure a higher profile for carer issues amongst key decision making bodies, will deliver more equitable services across the borough, will support more carers to provide good quality care while enjoying a life of their own, and will ensure carers are more engaged in the delivery of care and support services provided for themselves or those they care for.
- The strategy is strongly based on achievement of outcomes that local carers have identified as important, and evaluation of the strategy will be largely based on assessment against these, using the Carers Hub auditing tool developed by the Princess Royal Trust for Carers.
- The strategy also reflects a commitment to the principle of co-production between commissioners, providers and users (carers) of services with regard to the identification of strategic priorities, the design of services, and the evaluation of performance and impact.
- Local strategic priorities for action have been set to enable us to meet these local and national outcomes, and these are to:
 - develop stronger governance structures for decision making concerning issues facing carers, by developing the Enfield Carers Centre as a representative body bringing together carers and support groups representing carers. To raise the profile of carer issues, ensure the active engagement of key partners in decision making, and encourage the allocation of adequate resources to deliver required support services
 - improve carer confidence in the quality of support available to them and the person they care for – in particular the flexibility and responsiveness of services to meet personal needs and aspirations, and the extent to which carers are engaged in decision making regarding the support provided.
- A major aim of the strategy is to increase the number of adult carers in Enfield who access information advice and low level support that enables them to manage their caring responsibilities in a sustainable way for the continued health and wellbeing of themselves and the person they care for.
- A priority is to ensure that carers currently under-represented amongst current services are targeted for support, whether they be from Black and Minority Ethnic communities or have caring responsibilities not traditionally addressed by social care services.
- Implementation and evaluation of the strategy will be overseen by the Carers Partnership Board.
- This strategy sets out how health and adult care services and commissioners will work together to improve the range and quality of local carers services; addressing issues that carers have identified as priorities.
- Carers can expect to be:
 - respected as expert care partners and will have access to the integrated and personalised services they need to support them in their caring role
 - able to have a life of their own alongside their caring role
 - supported so that they are not forced into financial hardship by their caring role
 - supported to stay mentally and physically well and treated with dignity
- and
 - children and young people will be protected from inappropriate caring and have the support they need to learn, develop and thrive, to enjoy positive childhoods and to achieve against the Enfield Children and Young People’s Plan.

MUNICIPAL YEAR 2012/2013 REPORT NO. **142A**

MEETING TITLE AND DATE:

Cabinet 23rd January 2013

Council 30th January 2013

REPORT OF:

Director of Environment

Contact officer and telephone number:

Jeff Laidler 020 8379 3410

Agenda - Part: 1	Item: 11
Subject: Enfield 2020 Sustainability Programme and Action Plan All Wards KD No: KD 3562	
Cabinet Member consulted: Councillor Bond	

1. EXECUTIVE SUMMARY

- 1.1 Enfield 2020 has been developed as Enfield's ambitious Sustainability Programme and Action Plan, with a '2020 Vision' to:
- Significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020
 - Deliver significant economic, environmental and social benefits for all of Enfield's stakeholders
- 1.2 Table 1 (Appendix 1) in this report provides the more detailed 2020 Vision, describing what Enfield will look like for each of its 8 themes by 2020.
- 1.3 The first draft of Enfield 2020 was approved by Corporate Management Board on 21 August 2012. It was subsequently presented to Sustainability and Environment Scrutiny on 5 September, the Enfield Strategic Partnership Steering Group on 10th September and the Health Improvement Programme on 20 September.
- 1.4 The feedback attained from this initial consultation with strategic partners was used to develop the second draft of Enfield 2020. This is a more concise document, which has been professionally designed. The programme's 8 themes are represented by 8 icons. There is also a section on the strategic sustainability projects being delivered by the Enfield Strategic Partnership. Finally, information received from strategic partners has been used to update the Enfield 2020 Action Plan and its 50 strategic sustainability projects.
- 1.5 The second draft of Enfield 2020 went out to public consultation via the Council's consultation web page, which was publicised through a press release and posters in Enfield's libraries. It was also publicised to Council staff, many of whom live in the Borough, through Staff Matters and posters in Council offices. This was with the aim of gaining constructive feedback on the programme and engaging stakeholders with the 'Enfield 2020' brand.

- 1.6 The public consultation feedback was positive, with broad support for Enfield 2020 and all 8 of its themes. There was a consensus that all 8 themes would help improve the sustainability of Enfield. In particular respondents identified that the Save Energy; Reduce, Reuse, Recycle; and Improve Public Health And Wellbeing themes offer the greatest potential to improve the sustainability of Enfield. This may be due to greater familiarity with these terms.
- 1.7 The consultation exercise highlighted the benefit of the full backing of all political parties for Enfield 2020, which will be sought through Full Council. Respondents also noted the benefits of case studies to highlight the Council's community leadership role.

2. RECOMMENDATIONS

- 2.1. Council is asked to approve the final designed version of the Enfield 2020 Sustainability Programme and Action Plan.

3. BACKGROUND

- 3.1 The Council's Sustainability Service was created in September 2011. Based in the Environment Department, the Sustainability Service works corporately with Council services, operations and partners, with two immediate priorities:
 - a) To develop Enfield 2020 to provide the strategic context for the Sustainability Service, Council and stakeholders across Enfield
 - b) To create a self-funding Sustainability Service able to more than cover its operating costs, ensuring the benefits of Enfield 2020 far outweigh the programme management required to deliver them
- 3.2 An Invest to Save and Restructure report was prepared by the Head of Sustainability, with subsequent approval by the Director of Environment in March 2012. This innovative business model is now being used to ensure that by March 2015 the entire Sustainability Service is more than able to cover its operating costs. As Enfield 2020 is finalised, further work will be undertaken with Financial Services to ensure that the Sustainability Service's ability to self-fund is fully demonstrated.
- 3.3 Enfield 2020 has been developed by the Sustainability Service, working in partnership with the Council's full range of politicians, services and operations. This has included presentations on the outline programme to the Cabinet Member for Environment, Labour Members of the Sustainability and Living Environment Scrutiny Panel, the Conservative Group, individual officers across the Council, an Environment all staff meeting, all 6 Departmental Management Teams and Corporate Management Board. The programme was well received. Constructive feedback and subsequent input by a wide range of officers has helped further develop the Enfield 2020 Programme and Action Plan.

- 3.4 The first draft of Enfield 2020 was approved by Corporate Management Board on 21 August 2012. It was subsequently presented to Sustainability and Environment Scrutiny on 5 September, the Enfield Strategic Partnership Steering Group on 10 September and the Health Improvement Programme on 20 September.
- 3.5 The feedback attained from this initial consultation with strategic partners was used to develop the second draft of Enfield 2020. This is a more concise document, which has been professionally designed. The programme's 8 themes are represented by 8 icons. There is also a section on the strategic sustainability projects being delivered by the Enfield Strategic Partnership. Finally, information received from strategic partners has been used to update the Enfield 2020 Action Plan and its 50 strategic sustainability projects.
- 3.6 The second draft of Enfield 2020 went out to public consultation via the Council's consultation web page, which was publicised through a press release and posters in Enfield's libraries. It was also publicised to Council staff, many of whom live in the Borough, through Staff Matters and posters in Council offices. This was with the aim of gaining constructive feedback on the programme and engaging stakeholders with the 'Enfield 2020' brand.
- 3.7 The public consultation feedback was positive, with broad support for Enfield 2020 and all 8 of its themes. There was a consensus that all 8 themes would help improve the sustainability of Enfield. In particular respondents identified that the Save Energy; Reduce, Reuse, Recycle; and Improve Public Health And Wellbeing themes offer the greatest potential to improve the sustainability of Enfield. This may be due to greater familiarity with these terms.
- 3.8 The consultation exercise highlighted the benefit of the full backing of all political parties for Enfield 2020, which will be sought through Full Council. Respondents also noted the benefits of case studies to highlight the Council's community leadership role. Finally, the feedback received has been used to make the following changes to the final version of the programme:
- Expansion of the '2020 Vision' for the 'Save Energy' theme to include heating of hot water, which consumes energy through for example the operation of kettles, dishwashers and washing machines
 - Provision of an explanation immediately next to Figures 4,5 and 6 to aid their interpretation
- 3.9 The Enfield 2020 Sustainability Programme and Action Plan have a '2020 Vision' to:
- Significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020
 - Deliver significant economic, environmental and social benefits for all of Enfield's stakeholders

Table 1 in this report provides the more detailed 2020 Vision, describing what Enfield will look like for each of its 8 themes by 2020.

- 3.10 This 2020 Vision builds on the Council's corporate vision to make Enfield a better place to live, work and visit, delivering all three of the Council's aims of Fairness for All; Growth and Sustainability; and Strong Communities. Enfield 2020 aims to deliver the 2020 Vision through 3 strategic objectives:
- i) Use traditional programme and project management to:
 - a. Bring together the large number of existing sustainability strategies and action plans
 - b. Exploit synergies to deliver value for money
 - c. Deliver benefits greater than the sum of individual projects
 - ii) Enable the Council to deliver existing and develop new strategic sustainability projects which:
 - a. Focus on economic sustainability and 'What's in it for me?'
 - b. Use the strategic framework provided by Enfield 2020's 12 strategic priorities
 - c. Address multiple themes and encourage cross-departmental working
 - d. Encourage cross-departmental working
 - e. Further embed sustainability as the Council's 'day job'
 - f. Leverage sustainability funding into Enfield
 - g. Maximise the Council's unique position as a 'Co-ordinating Council,' leading by example and making it easy for others to also deliver Enfield 2020
 - h. Maximise the economic, environmental and social benefits for all of Enfield's stakeholders
 - i. Make Enfield a better place to live, work, study and visit
 - iii) Ensure Enfield 2020 more than covers its programme management costs by creating a self-funding Sustainability Service
- 3.11 The Enfield 2020 Action Plan contains 50 strategic sustainability projects and associated good news stories, many of which have gone unnoticed until now. Enfield 2020 provides the opportunity to use its Community Leadership theme and its capacity as a 'Co-ordinating Council' to use these case studies to engage and influence Enfield's stakeholders to help deliver Enfield 2020. Rather than simply showcasing the projects, this will require the Council to develop related messages focussed on 'What's in it for me?' and the benefits listed for Enfield's wide range of stakeholders, which are listed in Table 2 of this report.
- 3.12 The comprehensive and wide-ranging nature of Enfield 2020 demonstrates the innovative way Enfield is approaching sustainability. To highlight the strategic value of the programme, each project has been mapped against Enfield 2020's 8 themes. Information is also provided on whether the project is focused on improving the sustainability of the Council or Borough.
- 3.13 A key strategic objective of Enfield 2020 is to further embed sustainability as the Council's 'day job.' Initiatives taken to date include:

- Development of Departmental Planning guidance to facilitate delivery of Enfield 2020 across the Council's six departments through the 2012/13 Departmental Plans
 - Linking 2012/13 sustainability objectives for Assistant Directors and Heads of Service to Performance Related Pay
 - Strategic input into the Council's Development Management Document
 - Developing corporate management team and political buy in through updated governance arrangements
- 3.14 Building on the good work of the Council's Climate Change Board and prior to that, additional contributions from Enfield Strategic Partnership's Environment Thematic Action Group, the updated governance arrangements are based upon traditional programme and project management.
- 3.15 The Enfield 2020 Programme and Action Plan will be co-ordinated on a day to day basis by the Sustainability Service, working in partnership with the Council's wide range of services, operations and partners who are responsible for project delivery.
- 3.16 The Enfield 2020 Programme Board, with strong links to the Cabinet Member of Environment and the Council's Corporate Management Board, will monitor ongoing performance, assess community leadership opportunities and link with the Sustainability and Environment Scrutiny Panel.
- 3.17 The Enfield 2020 Programme Board will meet on a quarterly basis to:
- Act as a conduit for good news stories linked to Enfield 2020, which can be used to engage stakeholders
 - Manage programme and project performance by exception through an Enfield 2020 performance scorecard, where necessary escalating sustainability projects to Corporate Management Board quarterly performance management meetings
 - Provide the link to Sustainability and Environment Scrutiny Panel
- 3.18 These updated governance arrangements will ensure:
- Strong corporate and political buy in
 - Delivery of the 50 strategic sustainability projects in the Enfield 2020 Action Plan
 - The opportunity to develop new strategic sustainability projects
 - An internal and external focus
 - That the transformational change is embedded across all 6 Council Departments
- 3.19 As with any change there is a need to measure it to be able to manage it and deliver the required benefits. Critical to the success of Enfield 2020 is delivery of its Action Plan. With 50 sustainability projects there is a significant challenge to measure, monitor and manage performance.
- 3.20 To be effective the performance management system also needs to minimise additional resource implications, especially during a time of additional local authority budget cuts. If it is to be truly embedded within the Council, Enfield

2020 performance management needs to become fully integrated with existing reporting lines, whether service-led or through other Programme Boards. This is why Enfield 2020 will be performance managed using Covalent, the Council's performance management system.

- 3.21 Already piloted successfully within the Sustainability Service, Covalent will provide an online facility to manage high level performance related to each sustainability project in the Enfield 2020 Action Plan. This will minimise resource implications for Project Sponsors, enabling online updates and avoiding the need to attend additional meetings. At the same time it will enable the Enfield 2020 Programme Board to monitor progress, capture good news stories and provide community leadership.
- 3.22 The Enfield 2020 programme will be audited through:
- Day to day work of the Sustainability Service
 - Quarterly Programme Board meetings
 - Quarterly Corporate Management Board meetings, linking into the Council's wider performance management
 - the Sustainability and Living Environment Scrutiny Panel, which is cross-party and open to the public

4. ALTERNATIVE OPTIONS CONSIDERED

Doing nothing would lose the opportunities to significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020, and to deliver significant economic, environmental and social benefits for all of Enfield's stakeholders

5. REASONS FOR RECOMMENDATIONS

- 5.1 Enfield 2020 provides a Sustainability Strategy through to 2020, an Action Plan with 50 strategic sustainability projects and programme management support from the Sustainability Service, which will more than cover its costs from March 2015.
- 5.2 Enfield 2020 has the opportunity to significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020. It is also forecast to deliver significant economic, environmental and social benefits for all of Enfield's stakeholders.

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

6.1 Financial Implications

The implementation of Enfield 2020 will bring significant economic benefits for Enfield's stakeholders. The programme has a particular focus on reducing energy consumption and creating new local jobs. It is also anticipated that Enfield 2020, if successfully implemented, will enable the Sustainability Service to become self-funding from March 2015.

6.2 Legal Implications

- 6.2.1 The general power of competence (s 1(1) of the Localism Act 2011) allows the Council to do anything that individuals generally may do. The development of the Enfield 2020 Sustainability and Action Programme is in accordance with this power.
- 6.2.2 In implementing the Enfield 2020 Sustainability and Action Programme the Council will have to consider compliance with its Constitution, in particular the Council's Contract Procedure Rules and the Property Procedure Rules; European procurement, competition and state aid legislation; legal duties emanating from the Climate Change Act 2008; Waste Regulations; EU Waste Framework Directive and public law consultation requirements. Furthermore, proposals relating to s106 Agreements need to comply with planning legislation and the Council's adopted SPD policy.
- 6.2.3 The detail of each of the projects should be subject to further reports as and when proposals are fixed, as the project descriptions are currently general.
- 6.2.4 Any legal agreements required to deliver the Enfield 2020 Sustainability Programme and Action Plan will need to be in a form approved by the Assistant Director of Legal Services.

6.3 Property Implications

Enfield 2020 has 8 themes, one of which is to 'Save Energy.' Already the Enfield 2020 Action Plan contains 11 'Invest to Save' projects to improve the energy performance of Enfield's buildings. Over time, the programme will seek to develop further Invest to Save projects to improve the energy performance of 'hard to reach' elements of Enfield's building stock. The merits of these additional sustainability projects will be assessed on an individual basis, within the context of the strategic framework provided by Enfield 2020.

7. KEY RISKS

- 7.1 Enfield 2020 provides a significant opportunity for community leadership, linking in good news stories with delivery of the 50 sustainability projects in the Enfield 2020 Action Plan. These stories will all be linked to the 'Enfield 2020' brand. This creates a reputational risk for the Council if the stories are misinterpreted and/or others misuse the Enfield 2020 brand to suit their own needs. This will require careful use of messages and management of the Enfield 2020 brand.
- 7.2 There are a number of opportunities afforded by this initiative including improved sustainability, and significant economic, environmental, and social benefits for all of Enfield's stakeholders.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The Enfield 2020 Sustainability Programme and Action Plan are by definition based on the Council priority of Fairness for All. This is most evident under the 'Improve Public Health and Wellbeing' theme, which has a 2020 Vision where *'It becomes easier for adults and children to enjoy healthy lifestyles, with reduced health inequality across Enfield.'*

8.2 Growth and Sustainability

The Enfield 2020 Sustainability Programme and Action Plan are by definition based on the Council priority of Growth and Sustainability. For growth this is most evident under the 'Enable Urban Regeneration' and 'Grow London's Low Carbon Economy' themes. For sustainability this is the essence of all 8 themes, especially the cross-cutting 'Community Leadership' and 'Climate Change Mitigation and Adaptation' themes.

8.3 Strong Communities

The Enfield 2020 Sustainability Programme and Action Plan are by definition based on the Council priority of Strong Communities. This is most evident under the 'Enable Urban Regeneration,' 'Improve Public Health and Wellbeing' and 'Community Leadership' themes.

9. EQUALITIES IMPACT IMPLICATIONS

In accordance with current equalities legislation, predictive equality impact assessments/analyses will be undertaken of relevant and proportionate projects within the overall programme as and when required.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

A combination of Covalent and updated governance arrangements will be used to performance manage the development and delivery of the Enfield 2020 Sustainability Programme and Action Plan.

11. PUBLIC HEALTH IMPLICATIONS

11.1 Enfield 2020 will deliver significant economic, environmental and social benefits, which includes tackling fuel poverty.

11.2 Climate change is a major threat to public health. Enfield 2020 will help to reduce its impact.

Background Papers

None.

Appendix 1
Table 1, The 2020 Vision

Strategic Priority	The 2020 Vision
Save Energy	<ul style="list-style-type: none"> • Save Energy in Buildings: the majority of Enfield organisations and residents apply the ‘Energy Hierarchy’ shown in Figure 2. The widespread use of ‘Invest to Save’ budgets will save money by saving energy in buildings. As a result Enfield consumes less energy and is able to better able to supply the power, heat, light, hot water and drinking water needed to drive its low carbon economy • Save Energy in Vehicles: the Council, residents, businesses, employees and others save money by applying the ‘Transport Hierarchy’ shown in Figure 3 to provide the most cost efficient method of transporting people, goods, food and waste. This means focusing on reduced travel demand, modal shift, efficiency improvements and capacity increases as a last resort
Enable Urban Regeneration	<p>To create a healthy, prosperous and sustainable Borough by focusing development in Enfield’s most deprived communities in the south and east, as well as the Borough’s town centres. This will:</p> <ul style="list-style-type: none"> ■ Help realise the Upper Lee Valley’s potential as North London’s Waterside ■ Make better use of Enfield’s large number of brown field sites ■ Continue to protect and enhance Enfield’s Green Belt, maximising the associated economic, environmental and social opportunities ■ Deliver significant economic, environmental and social benefits for Enfield including: <ol style="list-style-type: none"> 1) Buildings: the highest standards of construction create energy efficient homes and businesses 2) Economic growth: creation of new jobs and retention of existing jobs 3) Transport: new developments will be planned and phased to make best use of existing transport infrastructure. New infrastructure will also be provided to help unlock the Upper Lee Valley’s regeneration opportunities, including modernisation of the West Anglia rail line in the east of Enfield 4) Green infrastructure: easy access to good quality open space, green links and waterways 5) Public Health: reduced health inequality between the east and west of the Borough 6) Stronger Communities: Enfield’s town centres offer a better range and quality of shops, housing and employment 7) Climate change: developments designed to mitigate and adapt to the effects of climate change
Grow London’s Low Carbon Economy	<p>To grow Enfield’s Low Carbon workforce to become one of the top 10 London Boroughs for jobs in the Low Carbon Environmental Goods and Services (LCEGS) sector, where businesses of all sizes and sectors actively contribute to the growth of London’s Low Carbon Economy through:</p> <ul style="list-style-type: none"> ■ Supply: business development and job opportunities offered by carbon reduction (e.g. Green Deal Assessors and Installers), Enfield’s urban regeneration, utilities infrastructure investment and exploiting supply chain opportunities in emerging low carbon markets e.g. electric vehicles, smart

	<p>meters, renewable energy and energy retrofits</p> <ul style="list-style-type: none"> ■ Demand: growth in demand to procure Low Carbon Environmental Goods and Services ■ Operational savings: save money by saving energy, reducing carbon consumption and reducing waste. This will stimulate economic growth, helping Enfield's businesses to retain existing and create new local jobs
Improve Local and Global Environment	<ul style="list-style-type: none"> ■ The variation of habitats and species in Enfield's natural environment are conserved and enhanced, helping the Earth's ecosystems provide the food, fuel, clean air and clean water upon which human life depends ■ Improvements in road-traffic exhaust emissions enable the Council to revoke Enfield's existing Air Quality Management Area for Particulate Matter (PM10) and potentially Nitrogen Dioxide (NO2) ■ Undertake site investigation of brown field sites as they are brought forward for development and remediate as required, including those sites regenerated through the Central Leaside, Edmonton Green, North East Area and North Circular Area Action Plans ■ The water quality of all of Enfield's water courses reaches 'good' status, or where they have been heavily engineered, 'good potential' by 2020, ahead of the Water Framework Directive requirement of 2026
Reduce, Reuse, Recycle	<p>Enfield Council, residents and businesses fully apply the Waste Hierarchy (Reduce, Reuse, Recycle, Recover, Reject) across all of its household and kerbside waste collections to:</p> <ol style="list-style-type: none"> 1. Increase resource efficiency: reduce the economic, environmental and social impacts of extracting, processing, manufacturing and distributing new goods 2. Enable the North London Waste Authority to achieve a combined recycling target of 50% for North London's waste by 2020 3. Save Council tax payers money through reduced waste disposal costs (landfill and incineration) and increased recycling rates (generates an income) 4. Ensure waste is no longer an unwanted and useless material, instead being viewed as a valuable local resource and key driver for economic growth <p>The Council, other organisations and individuals use what they buy to deliver their continually evolving economic, environmental and social priorities to prioritise green and ethical procurement Enfield residents, businesses and public sector organisations buy more locally grown food to generate a local food supply, reduce food miles, increase food security and increase healthy living</p>
Improve Public Health and Wellbeing	<p>It becomes easier for adults and children to enjoy healthy lifestyles, with reduced health inequality across Enfield</p>
Community Leadership	<p>The Council to exploit its unique position as a community leader, leading by example to engage Enfield's stakeholders and make it as easy as possible for them to help deliver Enfield 2020. This will help enable Enfield as a 'Co-ordinating Council' to deliver:</p> <ol style="list-style-type: none"> 1. Value for money across its full range of services and operations 2. Enfield A Fairer Future for All: Enfield Council's Business Plan 2011-2014, which commits the Council to

	<p>tackle the inequalities in the Borough, provide high quality services for all and attract growth, businesses and jobs to the area</p> <p>3. Enfield's Sustainable Community Strategy, which has a partnership vision to make Enfield a healthy, prosperous, cohesive community living in a borough that is safe, clean and green</p> <p>4. The government's localism agenda</p>
<p>Climate Change Mitigation and Adaptation</p>	<p>To reduce cost, waste, energy and carbon across Enfield by delivering:</p> <ul style="list-style-type: none"> ■ 40% reduction in Enfield Borough's carbon emissions by 2020 to 3.06 tonnes of CO2 emissions per capita, as compared to its 2005 baseline of 5.1 tonnes of CO2 emissions per capita (in common with the London Boroughs of Haringey, Islington and Camden) ■ 40% reduction in Enfield Council's carbon emissions by 2020, as compared to its 2008/09 baseline of 41,812 tonnes CO2 emissions. This builds on the Council's commitment in its Carbon Management Plan 2009-2014 to reduce its carbon emissions by 25% by 2014, as compared to the same 2008/09 baseline ■ An increase in Enfield Council's position in the UK's Carbon Reduction Commitment (CRC) Performance League Table from a baseline position of top third of London Boroughs in 2010/11 (11th of 33 London Boroughs) to consistently being in the top quartile of London Boroughs from 2014/15 onwards ■ Sustainable Urban Drainage Systems (SUDS) to create a resilient Enfield able to adapt to the effects of climate change: <ul style="list-style-type: none"> a) Flooding - water retained at source reduces peak flow in Enfield's water courses b) Droughts - rainwater harvesting and permeable surfaces increase drought resistance c) Heat waves - green spaces and water features increase cooling, mitigating the 'urban heat island effect'

Table 2, Stakeholder Benefits for Enfield 2020 (What's in it for me?)

Stakeholder	Benefits
Enfield's residents and communities	<ul style="list-style-type: none"> • Save money through lower energy bills • Affordable low carbon heat supplied by the Lee Valley Heat Network • Increased comfort and ability to enjoy their homes • Regeneration of Enfield's most deprived communities • Growing London's low carbon economy retains and creates local jobs • Home working reduces the need to travel and increases leisure time • Greenways make walking and cycling more enjoyable • Enfield's green spaces provide more opportunities for leisure, education and relaxation • Increased opportunity to buy local food • It becomes easier to lead a healthier and happier lifestyle • Increased sense of community • Local air quality is improved and water pollution reduced • Better able to adapt to the effects of climate change, including heat waves, droughts and flooding
Enfield's businesses	<ul style="list-style-type: none"> • Economic growth • Operational savings: save money by saving energy, carbon and waste • Affordable low carbon heat supplied by the Lee Valley Heat Network • Business development opportunities <ul style="list-style-type: none"> ○ Service provision e.g. opportunities to become Green Deal Assessors and Installers ○ Enables businesses to exploit supply chain opportunities in emerging and established low carbon markets ○ Opportunities to benefit from the Council's low carbon procurement activities • Better able to adapt to the effects of climate change, including heat waves, droughts and flooding
Enfield's schools and colleges	<ul style="list-style-type: none"> • School buildings: save money through lower energy bills • Curriculum: Enfield 2020 creates significant educational opportunities, enabling young people to become aware and responsible of their environment and lifestyle as they grow up. Children are often receptive to sustainability messages, especially at the upper end of primary schools and Year 7 in secondary schools. As the next generation young people also have a significant opportunity to make a difference. The Enfield 2020 Action Plan provides 50 strategic sustainability projects and local case studies, which could be linked to the curriculum and a whole school approach to sustainability • Community: Enfield has over 50,000 children on roll in schools, directly impacting many more parents, carers, other family members and community users. This creates a key opportunity for children to directly influence the community with positive messages and practical actions to help deliver Enfield 2020 • Adaptation: better able to adapt to the effects of climate change, including heat waves, droughts and flooding

Enfield Council	<ul style="list-style-type: none"> • Enfield 2020 provides value for money, helping maintain the quality of the Council's existing services and operations • Save money by saving energy, carbon (reduced Carbon Reduction Commitment payments) and waste (reduced waste disposal costs and revenue from increased recycling rates) • Strategic approach to sustainability maximises use of limited resources • Additional sustainability funding is leveraged into Enfield • The Council's community leadership potential is maximised, with associated good news stories realising reputational benefits • The operational costs of Enfield 2020 are more than covered by a self-funding Sustainability Service
Enfield's other public sector organisations and voluntary sector	<ul style="list-style-type: none"> • Save money by saving energy, carbon and waste • Affordable low carbon heat supplied by the Lee Valley Heat Network • Partnerships maximise limited resource and impact • Improved Public Health and Wellbeing reduces costs for the National Health Service
Employees incl. Council staff	<ul style="list-style-type: none"> • Saving money by saving energy, carbon and waste helps protect jobs
Mayor of London	<ul style="list-style-type: none"> • Enfield 2020 helps deliver the Mayor of London's wide range of sustainability strategies and action plans

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MUNICIPAL YEAR 2012/2013 REPORT NO. 150

MEETING TITLE AND DATE:

Council 30th January 2013

REPORT OF:

Director - Environment

Contact officer and telephone number:

Mark Galvayne, Principal Licensing Officer Tel: 0202 379 4743

Email: mark.galvayne@enfield.gov.uk

Agenda – Part: 1

Item: 12

Subject:

Gambling Act 2005 – Enfield’s Licensing Policy

Wards: All

Cabinet Member consulted: Cllr. Bond

1. EXECUTIVE SUMMARY

- 1.1 The Council has a statutory duty, following public consultation, to publish its licensing policy Gambling Act 2005 every three years.
- 1.2 The Council may also, every three years, resolve not to issue casino premises licences under the Gambling Act 2005.

2. RECOMMENDATIONS

- 2.1 To approve the Statement of Principles, under the Gambling At 2005, attached as Appendix A.
- 2.2 To resolve not to issue casino premises licences, under the Gambling Act 2005, with immediate effect.

3. BACKGROUND

- 3.1 On 1 September 2007 the Council assumed responsibility (from the Magistrates Court) for licensing gambling premises, under the Gambling Act 2005, within the borough.
- 3.2 The Council, as licensing authority, issues premises licences for amusement arcades, betting shops and bingo halls. In addition the authority issues permits for gaming machines ('fruit' or 'slot' machines) and small charity lotteries.
- 3.3 The Gambling Act 2005 requires that, in making decisions about premises licences, the Council should aim to permit the use of premises for gambling in so far as it thinks it is:
- In accordance with any relevant Code of Practice issued by the Gambling Commission;
 - In accordance with any relevant Guidance issued by the Gambling Commission;
 - Reasonably consistent with the Licensing Objectives; &
 - In accordance with the Council's Statement of Principles.
- 3.4 The Licensing Objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; &
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 3.5 The Gambling Act 2005 obliges the Council to review its gambling licensing policy ('Statement of Principles') every three years.
- 3.6 The first edition Statement of Principles was approved by Council on 8 November 2006, to take effect on 3 January 2007.
- 3.7 The current (second edition) Statement of Principles was approved by Council on 26 January 2010, to take effect immediately.
- 3.8 A draft Statement of Principles was duly submitted for public consultation between 19 October 2012 and 28 November 2012.
- 3.9 Three responses were received during the consultation period. All of the respondents were supportive of the draft Statement of Principles.
- 3.10 Given that we were not seeking to amend the existing Statement of Principles, it is not altogether surprising that 3 responses were received to the consultation. We are heartened that this indicates that our partner agencies (as well as local residents and businesses) are generally satisfied with the Council's existing Statement of Principles.

- 3.11 Also, on 26 January 2010 Council resolved not to issue casino premises licences under the Gambling Act 2005. The Council is obliged to pass this resolution every three years. There are no casinos within the borough and, since January 2010, the Council has not received a single enquiry in respect of casino licences.
- 3.12 On 10 December 2012 the Licensing Committee decided to recommend that Council approve the Statement of Principles and to recommend that Council resolve not to issue casino premises licences, under the Gambling Act 2005, with immediate effect.
- 3.13 The Statement of Principles is attached as Annex 1.

4. ALTERNATIVE OPTIONS CONSIDERED

None.

5. REASONS FOR RECOMMENDATIONS

To meet the Council's statutory responsibilities.

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

6.1 Financial Implications

- 6.1.1 Fees relating to licensing premises under the Gambling Act 2005 are statutorily set. The issue of licences for gambling premises provides an income stream for the Council to support the costs of processing applications.
- 6.1.2 There is currently an income budget of £53K for these licences and it is anticipated that this budget will be achieved. The proposed resolution of not to issue casino premises licences will not have any impact on income as there are no casinos within the borough.

6.2 Legal Implications

This report raises no specific legal implications as:

- 6.2.1 No changes to the existing Statement of Principles are recommended.
- 6.2.2 The Council does have a duty, every 3 years, to consider whether to resolve not to issue casino premises licences, under the Gambling Act 2005; failure to do so means that the 2010 resolution would lapse. However the Licensing Committee considered this & recommended that the council renew the resolution.

7. KEY RISKS

Council approval will ensure the risk of non-compliance with the law is addressed.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The Statement of Principles include Licensing Objectives which are designed to: -

- Prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensure that gambling is conducted in a fair and open way, and
- Protect children and other vulnerable persons from being harmed or exploited by gambling

8.2 Growth and Sustainability

None.

8.3 Strong Communities

None.

9. EQUALITIES IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities, and an agreement has been reached that, on this occasion, an equalities impact assessment/analysis is not relevant or proportionate for the approval of this Statement of Principles.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Approving the current Statement of Principles will ensure continuing effective regulation of gambling in Enfield

11. PUBLIC HEALTH IMPLICATIONS

None.

Background Papers

None.

LONDON BOROUGH OF ENFIELD

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES

Third Edition
30 January 2013

Appendix A

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Appendix A

PART A
OVERVIEW

1. INTRODUCTION

- 1.1 This Statement of Principles is issued by the London Borough of Enfield ('the Council'), as Licensing Authority, under the Gambling Act 2005 ('the Act').
- 1.2 Gambling is defined in the Act as either gaming, betting or taking part in a lottery:
 - 1.2.1 Gaming means playing a game of chance for a prize.
 - 1.2.2 Betting means making or accepting a bet on: the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.
 - 1.2.3 Lottery means being required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
- 1.3 Licensing Authorities are required by the Act to publish a Statement of Principles ('the Statement') which they propose to apply when exercising their functions. This Statement must be published at least every three years. The Statement must also be reviewed from 'time to time' and any amended parts re-consulted upon. The Statement must be then re-published.
- 1.4 This Statement will not override the right of any person to make an application (with the exception of casino licences, should the Council resolve not to issue casino licences), make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the requirements of the Act.

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2. LICENSING OBJECTIVES

- 2.1 In exercising most of its functions under the Act, the Council must have regard to the Licensing Objectives which are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 2.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.
- 2.3 The Act requires that, in making decisions about premises licences and temporary use notices, the Council should aim to permit the use of premises for gambling in so far as it thinks it is:
- In accordance with any relevant Code of Practice issued by the Commission
 - In accordance with any relevant Guidance issued by the Commission
 - Reasonably consistent with the Licensing Objectives
 - In accordance with the Council’s Statement of Principles

3. DECLARATION

- 3.1 In producing this Statement, the Council declares that it has had regard to the Licensing Objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, and any responses from those consulted on the Statement.

4. THE BOROUGH OF ENFIELD

- 4.1 Enfield is London’s northernmost Borough and covers 32 square miles. There are five major roads passing through, including the M25 in the north. About one third of the Borough is residential comprising some 115,000 homes. Another third is Green Belt land (predominantly in the north and west) comprising country parks, farmland and open land (including urban parks, sports fields, golf courses, allotments and school playing fields). There are also fifteen conservation areas. The Borough has a population of 281,775 (Office of National Statistics 2001 census updated 2002).

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5. CONSULTATION

- 5.1 The Gambling Act requires that the following parties are consulted upon the Statement of Principles before its finalisation and publication:
- The Chief Officer of Police
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005
- 5.2 Consultation on this Statement took place between 19 October and 28 November 2012. The Council followed the HM Government Code of Practice on Consultation (www.berr.gov.uk).
- 5.3 A complete list of the Council's consultees in respect of this Statement is provided at Annex 1 below. The Statement was also available on the Council's web-site (www.enfield.gov.uk) and copies were provided at the Civic Centre.
- 5.4 The full list of the comments made and the Council's consideration of those comments are available on the Council's web-site.
- 5.5 This Statement of Principles was approved at a meeting of the full Council on 30 January 2013 and was published on the Council's web-site by 31 January 2013.

6. LICENSING AUTHORITY FUNCTIONS

- 6.1 The Council is required under the Act to:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences
 - Issue provisional statements
 - Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing club gaming permits and/or club machine permits
 - Issue club machine permits to commercial clubs
 - Grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres
 - Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
 - Issue licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
 - Register small society lotteries below prescribed thresholds
 - Issue prize gaming permits
 - Receive and endorse temporary use notices
 - Receive occasional use notices

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- Provide information to the Commission regarding details of licences issued
- Maintain registers of the permits and licences that are issued under these functions

7. **RESPONSIBLE AUTHORITIES**

7.1 The following are Responsible Authorities:

- The Gambling Commission
- Her Majesty's Commissioners of Customs and Excise (now known as Her Majesty's Revenue & Customs)
- The Metropolitan Police Service
- The London Fire and Emergency Planning Authority
- The Council, as Licensing Authority
- The Council, as Planning Authority
- The Council's Director of Education, Children's Services and Leisure
- The Council's Environmental Health Service
- any other person or body who may be prescribed by regulations made by the Secretary of State for Culture, Media and Sport ('the Secretary of State')

7.2 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available on the Council's web-site.

7.3 The Council, as Licensing Authority, has designated the Council's Director of Education, Children's Services and Leisure as being the head of a Department which is competent to advise about the protection of children from harm. The Department is:

- (a) responsible for the whole of the licensing authority's area; and
- (b) answerable to democratically elected Councillors, rather than to any particular vested interest group.

8. **INTERESTED PARTIES**

8.1 Interested Parties are persons who, in the opinion of the Council:

- (a) live sufficiently close to the premises and are to be likely to be affected by the authorised activities; and/or
 - (b) have business interests that might be affected by the authorised activities;
- or
- (c) who represent persons who satisfy paragraph (a) or (b).

8.2 Interested Parties can make representations about licence applications, or apply for a review of an existing licence.

8.3 Moral objections to gambling are not a valid reason to reject applications for premises licences. Also, the 'saturation' of gambling premises or a lack of 'demand' for them are not criteria that the Council may consider.

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- 8.4 The Council has not specified a distance from the premises within which a person must live or have a business interest in order to be considered an interested party, and will judge each case on its merits. The factors the Council may take into account when determining what 'sufficiently close' means for a particular application include:
- The size and nature of the premises
 - The potential impact of the premises and its catchment area
- 8.5 The term 'has business interests' will be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- 8.6 Interested Parties may include trade associations and trade unions, and residents' and tenants' associations. The Council will not however generally view these bodies as Interested Parties unless they have a member who can be classed as an interested person i.e. lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities.
- 8.7 Interested Parties may be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the Ward(s) likely to be affected. Other than these however, the Council will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 8.8 If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application.

9. **REVIEWS**

- 9.1 Requests for a review of a premises licence can be made by Interested Parties or Responsible Authorities, however, the Council decides whether the review is to be carried-out.
- 9.2 The Council will consider whether the request is frivolous, vexatious, or whether it is substantially the same as previous representations (made at the time of the application) or requests for review. Any request for a review must relate to one of the following:
- Any relevant Code of Practice issued by the Commission
 - Any relevant Guidance issued by the Commission
 - At least one of the three Licensing Objectives
 - The Council's Statement of Principles

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- 9.3 The Council can also initiate a review of a premises licence or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

10. INSPECTION & ENFORCEMENT

- 10.1 The Council will follow the Better Regulation and Hampton principles and shall endeavour to be:
- Proportionate - regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised
 - Accountable - regulators must be able to justify decisions, and be subject to public scrutiny
 - Consistent - rules and standards must be joined up and implemented fairly
 - Transparent - regulators should be open, and keep regulations simple and user friendly
 - Targeted - regulation should be focused on the problem, and minimise side effects
- 10.2 The Council will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 10.3 The Council will adopt a risk-based inspection programme. The Council's risk model for premises licences will be based upon the Licensing Objectives.
- 10.4 The main enforcement and compliance role for the Council under the Act is to ensure compliance with the premises licences and other permissions which it authorises. The Commission will be the enforcement body for the operating and personal licences and will address concerns about manufacture, supply or repair of gaming machines.
- 10.5 The Council's enforcement/compliance protocols/written agreements and risk methodology will be available on the Council's web-site.

11. EXCHANGE OF INFORMATION

- 11.1 The Council will act in accordance with the provisions of the Act in its exchange of information with the Commission, which includes the provision that the Data Protection Act 1998 will not be contravened. The Council will have regard to any Guidance issued by the Commission to Licensing Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Appendix A**PART B**
PREMISES LICENCES**12. APPLICATIONS, LOCATION & DUPLICATION**

- 12.1 The Council will seek to avoid any duplication with other statutory/regulatory systems where possible. The Council will not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building.
- 12.2 No more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. The Council will pay particular attention if there are issues about sub-divisions of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.
- 12.3 Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration but the Council does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.
- 12.4 The Council will consider:
- Do the premises have a separate registration for business rates?
 - Is the premises' neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or a public passageway?
 - Can the premises only be accessed from any other gambling premises?
- 12.5 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 12.6 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, the Council will determine applications on their merits, applying a two stage consideration process:
- First, whether the premises ought to be permitted to be used for gambling?
 - Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 12.7 In respect of the location of premises, the Council will pay particular attention to the protection of children and vulnerable persons from being harmed or

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exploited by gambling, as well as issues of crime and disorder. The Council will give careful consideration to premises located near to:

- Schools
- Youth clubs
- Recreational areas, particularly those catering for young persons
- Establishments providing care for children and young adults
- Establishments providing care for persons with learning difficulties or mental health issues
- Establishments used or occupied by gambling addicts

12.8 The Council will seek to avoid any duplication with other statutory/regulatory systems where possible and shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building.

13. THE LICENSING OBJECTIVES

13.1 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

13.1.1 The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime the Council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Council is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

13.2 Ensuring that gambling is conducted in a fair and open way

13.2.1 The Council has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

13.3 Protecting children and other vulnerable persons from being harmed or exploited by gambling

13.3.1 The Council has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing

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objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

13.3.2 The Council is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

13.3.3 As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” The Council will consider this licensing objective on a case by case basis.

14. CONDITIONS

- 14.1 Any conditions attached to licences will be proportionate and will be:
- Relevant to the need to make the proposed building suitable as a gambling facility
 - Directly related to the premises and the type of licence applied for
 - Fairly and reasonably related to the scale and type of premises
 - Reasonable in all other respects.
- 14.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of general measures the Council will consider utilising should the need arise, such as the use of supervisors, appropriate signage for adult-only areas etc. The Council will also expect the licence applicant to offer his/her own suggestions as to ways in which the Licensing Objectives can be met effectively.
- 14.3 The Council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in order to pursue the Licensing Objectives.
- 14.4 Where category C or above gaming machines (see Annex 2 below) are available in premises to which children are admitted the Council will expect applications to state what measures will be put in place to meet the licensing objective of the protection of children from harm. The Council will normally expect operators to:
- Prevent access to the premises by truanting children
 - Prevent access to the premises after 21:00 by unaccompanied children (under 14 years old)
 - Prevent access to adult-only gaming areas by children (under 18 years old)

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- 14.5 The Council will ensure that:
- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - Only adults are admitted to the area where these machines are located
 - Access to the area where the machines are located is supervised
 - The area where these machines are located is arranged so that it can be observed by the staff or the licence holder
 - At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18
- 14.6 The Council will consider the impact upon the third Licensing Objective (i.e. protecting children and other vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 14.7 The Act prevents the Council from attaching conditions to premises licences which:
- Make it impossible to comply with an operating licence condition
 - Relate to gaming machine categories, numbers, or method of operation
 - Provide that membership of a club or body be required
 - Relate to stakes, fees, winning or prizes
- 14.8 Door Supervisors
- 14.8.1 The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.
- 14.8.2 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary.

15. ADULT GAMING CENTRES

- 15.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
- 15.2 Other appropriate measures, to meet the licensing objectives, may cover (but are not limited to) issues such as:

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- Proof of age schemes
- CCTV
- Supervision of entrances and machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare and self-exclusion forms in both prominent and discreet areas of the premises
- ATMs and cash terminals located separately from gaming machines and displaying GamCare Helpline information

16. LICENSED FAMILY ENTERTAINMENT CENTRES

- 16.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.
- 16.2 Other appropriate measures may cover (but are not limited to) issues such as:
- CCTV
 - Supervision of entrances/machine areas
 - Physical separation of areas
 - Location of entry
 - Notices/signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare and self-exclusion forms in both prominent and discreet areas of the premises
 - ATMs and cash terminals located separately from gaming machines and displaying GamCare Helpline information
 - Measures / training for staff on how to deal with suspected truant school children on the premises

17. CASINOS

- 17.1 On 30 January 2013 the full Council of the London Borough of Enfield, in accordance with Section 166 to the Gambling Act 2005, passed a 'no casino' resolution. The basis for the resolution was:
- Demographics of the borough
 - Possible risks to the licensing objective of protection of children and vulnerable adults
 - Possible links between deprivation and problem gambling
 - Findings of research on casino gambling

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- Responses from the statutory public consultation on the statement of principles on whether the council should make a 'no casinos' resolution

17.2 The resolution came into effect on 30 January 2013 and will remain in force for three years, when a further 'no casino' resolution may be passed.

17.3 Potential licence applicants should note that no applications for casino premises licences will be considered. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.

17.4 The Council has power to revoke the 'no casino' resolution, should it wish to do so at a future date.

18. BINGO PREMISES

18.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

18.2 Other appropriate measures may cover (but are not limited to) issues such as:

- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare and self-exclusion forms in both prominent and discreet areas of the premises
- ATMs and cash terminals located separately from gaming machines and displaying GamCare Helpline information
- Measures / training for staff on how to deal with suspected truant school children on the premises

19. BETTING PREMISES

19.1 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

19.2 Other appropriate measures, to meet the licensing objectives, may cover (but are not limited to) issues such as:

- Proof of age schemes

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- CCTV
- Supervision of entrances and machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare and self-exclusion forms in both prominent and discreet areas of the premises
- ATMs and cash terminals located separately from gaming machines and displaying GamCare Helpline information

20. TRACKS

- 20.1 The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, the Council will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 20.2 The Council will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

21. TRAVELLING FAIRS

- 21.1 The Council is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 21.2 The Council will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 21.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

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22. PROVISIONAL STATEMENTS

- 22.1 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from Responsible Authorities or Interested Parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- (a) which could not have been raised by objectors at the provisional statement stage; or
 - (b) which, in the Council's opinion, reflect a change in the operator's circumstances.

Appendix A**PART C**
PERMITS/TEMPORARY & OCCASIONAL USE NOTICES**23. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS**

- 23.1 The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The Council will expect applications to state what measures will be put in place to meet the licensing objective of the protection of children from harm, including how they will:
- Deal with unsupervised very young children being on the premises
 - Deal with children causing perceived problems on/around the premises
- 23.2 The Council will normally expect operators to:
- Prevent access to the premises by truanting children
 - Prevent access to the premises after 21:00 by unaccompanied children (under 14 years old)
- 23.3 The Council will also expect that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs
 - That he/she has no relevant convictions
 - That staff are trained to have a full understanding of the maximum stakes and prizes

24. ALCOHOL LICENSED PREMISES GAMING MACHINE PERMITS

- 24.1 The Council may remove the automatic authorisation in respect of any particular premises if:
- Provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives
 - Gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act
 - The premises are mainly used for gaming
 - An offence under the Gambling Act has been committed on the premises
- 24.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Council must consider that application based upon:
- The Licensing Objectives
 - Guidance issued by the Commission
 - Such matters as they think relevant
- 24.3 The Council considers that 'such matters' will be decided on a case by case basis but generally the Council will expect the applicant to ensure that there

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are sufficient measures to protect children and vulnerable persons from being harmed or exploited by gambling, including:

- That under 18 year olds do not have access to the adult-only gaming machines
- That adult machines are in sight of the bar, or in the sight of staff
- The provision of information leaflets/helpline numbers for organisations such as GamCare and self-exclusion forms in both prominent and discreet areas of the premises
- ATMs and cash terminals located separately from gaming machines and displaying GamCare Helpline information

24.4 The Council may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for.

24.5 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission, under Section 24 to the Gambling Act 2005, about the location and operation of the machine.

25. PRIZE GAMING PERMITS

25.1 The applicant should set out the types of gaming that he or she is intending to offer and he/she should be able to demonstrate:

- That they understand the limits to stakes and prizes that are set out in Regulations
- That the gaming offered is within the Law

25.2 The Council's consideration of the application must be based upon any Commission Guidance.

25.3 The permit holder must comply with conditions specified in the Act, namely:

- The limits on participation fees, as set out in regulations, must be complied with
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize)
- Participation in the gaming must not entitle the player to take part in any other gambling

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26. CLUB GAMING AND CLUB MACHINES PERMITS

- 26.1 The Council may only refuse an application on the grounds that:
- The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
 - The applicant's premises are used wholly or mainly by children and/or young persons
 - An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
 - A permit held by the applicant has been cancelled in the previous ten years
 - An objection has been lodged by the Commission or the Police
- 26.2 Under the 'fast-track' procedure available under the Act for premises which hold a club premises certificate (under the Licensing Act 2003) the only grounds on which an application under the process may be refused are:
- That the club is established primarily for gaming, other than gaming prescribed under schedule 12
 - That in addition to the prescribed gaming, the applicant provides facilities for other gaming
 - That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled
- 26.3 There are statutory conditions on club gaming permits that no child uses a category B or C gaming machine (see Annex 2 below) on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

27. TEMPORARY USE NOTICES

- 27.1 There are a number of statutory limits as regards temporary use notices. As with 'premises', the definition of 'a set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of 'a set of premises', the Council will consider, amongst other things, the ownership/occupation and control of the premises.
- 27.2 The Council will object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

28. OCCASIONAL USE NOTICES

- 28.1 The Council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded and that the applicant is permitted to avail him/herself of the notice.

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29. EXEMPT LOTTERIES

- 29.1 The Council will expect applicants to set out the non-commercial purposes for which the society is established.

30. CONTACT DETAILS

Further information and advice on this Statement of Principles and the requirements of the Gambling Act 2005 and related matters is available from the Council as follows:

Address : London Borough of Enfield Licensing Team, PO Box 57, B-Block
North, Civic Centre, Silver Street, Enfield EN1 3XH
Telephone : 020 8379 3578
Fax : 020 8379 2190
Email : licensing@enfield.gov.uk
Internet : www.enfield.gov.uk

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ANNEX 1

A complete list of the Council's consultees in respect of this Statement:

The Responsible Authorities:

The Gambling Commission

Her Majesty's Commissioners of Customs and Excise (now known as Her Majesty's Revenue & Customs)

The Metropolitan Police Service

The London Fire and Emergency Planning Authority

The Council, as Planning Authority

The Council's Director of Education, Children's Services and Leisure

The Council's Environmental Health Service

any other person who may be prescribed by regulations made by the Secretary of State

Those representing the interests of gambling businesses:

79 Licensed Premises

Those representing persons likely to be affected:

The 63 Members of the London Borough of Enfield

96 Residents Associations

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MUNICIPAL YEAR 2012/2013 REPORT NO. 108A

MEETING TITLE AND DATE:

Council – 30 January 13

Report of:

Director of Finance, Resources and
Customer Services

Contact officer and telephone number:

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Agenda – Part: 1	Item: 13
Subject: Changes to Contract Procedure Rules	
Wards: All	
Cabinet Member consulted: Cllr Stafford	

1. EXECUTIVE SUMMARY

All Councils are required to have in place a set of rules which govern and control the procurement & contracting policies of the Council. Enfield Council meets this requirement through its Contract Procedure Rules (CPRs) which are contained within the Constitution.

The CPRs have been reviewed to ensure they reflect current best practice and a number of changes are recommended in this report and the attached draft documents. Audit Committee on 20th November 2012 agreed to recommend these changes to Council.

2. RECOMMENDATIONS

That Council approves of the proposed changes to the Contract Procedure Rules

3. BACKGROUND

3.1 The Council may only contract with external parties within the legal framework for local authority procurement i.e. in accordance with the UK Public Contracts Regulations 2006 (as amended), the Council's Contract Procedure Rules (s135 of the Local Government Act 1972), the general duty to obtain Best Value (Local Government Act 1999) and also the European Treaty principles of transparency, proportionality, non-discrimination of providers in member states and equality of treatment.

- 3.2 The Contract Procedure Rules are reviewed on an annual basis, the last one in 2011, by officers from across the Council. This year there is a fundamental rewrite of the CPRs to take into account:
- Findings from the audit of Procurement by Internal Audit (May 2012) which found 'The CPRs are complex, unclear and difficult to understand in some areas'
 - The development of the shared procurement service with London Borough of Waltham Forest and the need to harmonise processes and procedures for the benefit of staff and business.
 - A general need to simplify CPRs and support them with separate best practice guidance
 - Supporting the local economy through greater access to Council contract opportunities
- 3.3 As the changes to the CPRs this year are in effect a complete revision only the main changes have been highlighted below. The full version of the Rules is appended to this report. Additional guidance for officers will follow including a one page overview.
- 3.4 The Contract Procedure Rules forms part of a suite of procurement documents which govern how the Council spends public money. These are the basic rules to ensure legal compliance. The Council also has a Corporate Procurement Strategy and a Sustainable Procurement Policy which establish the overarching aims of procurement in the organisation and establishes our commitment to having a positive impact on the local economy, the environment and socially through our contracts.
- 3.4 Significant Changes
- a) The Application of the Rules (Rule 1.1)
- This change clarifies those contracts to which the rules do apply and those which do not apply. The specific exclusions are:
 - Contracts of employment are excluded because they are not contracts for services and the employment of staff is not a procurement process.
 - Contracts solely for the sale or purchase of land as these are outside the scope of the UK Public Contracts Regulations. Such transactions fall within the scope of the Council's Property Procedure Rules. Where works, supplies or services are associated with property transactions these may fall within the scope of the CPRs and officers should consult with Legal services.
 - The instruction of barristers is based on a number of factors including experience, availability and price but it is impractical to seek competitive quotes for specialised pieces of legal advice or representation. Legal Services' internal procedures – which meet Law Society quality accreditation (Lexcel) – include procedures to ensure that the selection, quality and price of barristers is monitored.

- Equally, in conducting legal proceedings it is from time to time necessary to make use of specialist professional services such as expert witnesses where the criteria for their appointment is entirely about their personal knowledge and experience and so should not be treated as a procurement.
- Where the Council makes a genuine unconditional grant to another organisation or individual then this should not be treated as procurement. A grant that is subject to conditions and a grant agreement may be treated as procurement and so may fall within the rules, depending on the particular circumstances of the grant in question.
- Genuine emergencies beyond the control of the Council
- Care packages or educational placements where it is considered in the Council's interests or is required to meet obligations under the relevant legislation.
- Adult social care service packages managed by the Council on behalf of a client under the Personalisation agenda e.g. Managed Accounts & Direct Payments

b) Exceptions to Competitive Tendering (rule 7)

For contracts that fall within the scope of the Contract Procedure Rules the presumption is that they will be competitively tendered or quotes sought. However there are instance whereby it is not possible or inappropriate to compete contracts and these are defined in section 7 of the new CPRs. For example if an existing framework or contract exists then officers should use those rather than run a competition.

c) Tendering Thresholds (rule 5)

It is proposed to align the tendering thresholds with Waltham Forest which will enable greater co-operation and collaboration between the boroughs and also assist local businesses as they will be confident that both boroughs work in the same manner.

The proposed thresholds provide greater flexibility and reduced bureaucracy for officers whilst maintaining controls, via the Council's etendering solution ProContract, to ensure that procurement is carried out in a transparent manner.

Significantly, Officers will be required to obtain at least one quote from a local supplier for purchases below £75,000, where practicable. This supports the Council's Sustainable Procurement Policy and provides greater opportunity for local businesses to win Council contracts.

The new thresholds are as follows:

Up to £5000	One written quote received– local where practicable
£5001 - £20,000	minimum of 2 written quotes received – at least 1 local where practicable.
£20,001 – £75,000 (£100k for works)	Minimum of 3 written quotes sought – at least 1 local where practicable
Over £75k (or £100k for works)	Competitive tendering (nb over £173k for supplies/services, £4.3m for works = EU Tender)

There will no longer be the requirement to advertise for contracts with a value of less than £75k, officers will simply need to obtain the necessary number of quotes as listed above. However, guidance will be provided to officers to ensure that aggregation rules are complied with and that officers bear in mind the principles of cross border interest.

d) Approval to Procure (rule 8)

All procurements over the EU Threshold require the approval of the Strategic Procurement Board before being allowed to proceed, Officers are required to present a business case which demonstrates the need for the procurement, anticipated savings, the procurement approach, any community benefits from the contract, and a project plan. This officer board will then scrutinise and challenge the business case as appropriate.

This change addresses an Internal Audit Recommendation to embed the role of Strategic Procurement Board in the CPRs to provide greater control over major procurement activity.

Contracts over £75,000 (supplies and services) or £1m (works) must also be reported to the Cabinet Portfolio member for approval to commence the procurement process.

e) Mandatory use of the Council's e-tendering solution (rule 9.2)

All procurement must now be conducted on the Council's e-tendering solution (ProContract) unless otherwise agreed by the Assistant Director Procurement.

The benefits of this system are that:

- Suppliers can register interest on the portal (www.londontenders.org) and receive alerts when the Council issues tenders or wishes to search for suitable companies from whom to obtain quotes.
- It is used by 17 London Boroughs so also provides access to other contract opportunities for local SMEs.
- It enables the procurement to be carried out electronically, reducing the need for paper.
- The workflow in the system mirrors the CPRs therefore ensuring compliance
- Once a procurement is concluded the contract is promoted to the contract register module thus providing an accurate contract database, upon which future strategic procurement decisions can be made.

4. ALTERNATIVE OPTIONS CONSIDERED

Amending Enfield's previous CPRs was considered, however these contained a mixture of rules and guidance which were lengthy and confusing for officers. Therefore a complete revision was required based upon those in operation at Waltham Forest whilst taking into account best practice currently in operation in Enfield and other boroughs. These have then been distilled down in to the basic Rules staff must follow.

5. REASONS FOR RECOMMENDATIONS

To enable the proposed changes to the Contract Procedure Rules to be progressed to Council in January 2013 for formal approval as part of the Council's Constitution.

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

6.1 Financial Implications

There are no specific financial implications arising from this report.

6.2 Risk Management Implications

Having clear and consistent Contract Procedure Rules is essential to mitigate the risks of non-compliance with both statute and best practice.

The current revision also addresses recent developments including the shared procurement service with LB Waltham Forest and the need to simplify CPRs.

They will be supported by a short guide for everyday use which should reduce the risk of no-compliance at local level.

6.3 Legal Implications

The Council is required under the Local Government Act 2000 to have a Constitution, as part of that constitution the Council has the Contract Procedure Rules, (which is a requirement under s135 of the Local Government Act 1972) which reflect current legislation such as The Public Contracts Regulations 2006. Corporate Procurement play a pivotal role in ensuring compliance and works closely with Legal Services to ensure Officers within the Council are aware and understand their requirements with regards to procurement under the Contract Procedure Rules, to ensure value for money in accordance with the Best Value principles under the Local Government Act 1999.

6.4 Property Implications

There are no property implications.

7. Risks

The Corporate Procurement Team provides advice, guidance and support to officers in the Council in order to mitigate the likelihood of challenges being made against the Council for anti-competitive practices, which helps protect the Council's reputation. This is especially important in a climate of increased challenge in UK courts and the EU Commission.

8 IMPACT ON COUNCIL PRIORITIES

Fairness for All

The Contract Procedure Rules ensure:

- That procurement processes are appropriate to the scale and risk involved so that they are not unduly onerous.
- Our procurement processes are open, fair and transparent.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

The CPRs ensure that procurement is carried out in a way that complies with all legislation and ensures that best value is achieved. Consequently this will support the delivery of excellent services by the borough since it will ensure that the goods and services are procured in an effective manner.

10. PUBLIC HEALTH IMPLICATIONS

There are no specific public health implications arising from this report.

Background Papers

None

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Contract Procedure Rules

1. Introduction

1.1. These Contract Procedure Rules (the Rules) apply to the procurement by the Council of Works, Supplies and Services (as defined by EU Procurement rules) and Works and Services Concessions. They are intended to ensure that a contract is entered into only in circumstances which can demonstrate:

- Certainty in the terms of the contract
- Consistency in the application of the law and Council policy
- Probity
- Value for money

To achieve these objectives these Rules must be followed every time the Council commences a procurement and/or enters into a contract.

Contract Procedure Rules are made under section 135 of the Local Government Act 1972. The following types of procurement do not fall within the scope of the Rules:

- 1.1.1. contracts of employment;
- 1.1.2. contracts solely for the sale or purchase of land, which are subject to the Property Procedure Rules (NB: Some property transactions may fall within the scope of the EU Procurement regime where works, supplies or services are connected with the property transaction. Legal advice should be taken in this instance);
- 1.1.3. the instruction of barristers

- 1.1.4. specialist professional services necessary for legal proceedings (including expert witnesses, experts, mediators, adjudicators, arbitrators and costs draftsmen);
 - 1.1.5. Unconditional Grants by the Council.
 - 1.1.6. genuine emergencies beyond the control of the Council
 - 1.1.7. Care packages or education placements, it is considered in the Council's interest or is required to meet obligations under the relevant legislation.
 - 1.1.8. Adult social care service packages managed by the Council on behalf of a client under the Personalisation agenda e.g. Managed Accounts & Direct Payments
- 1.2. The Council recognises the benefits to be gained from the introduction of e-tendering, e-auctions, e-reverse auctions, purchasing cards and e-purchase-to-pay software. For the purposes of the Rules, the term "contract" refers to both paper/hard copy documents and processes and their replication by electronic media. Only e-tendering systems approved by the Assistant Director Procurement may be used.
 - 1.3. References to officers or posts in these Rules include their authorised deputies or delegates, in accordance with the Councils Constitution and Councils Scheme of Delegation.
 - 1.4. No contract shall be entered into, nor any tender invited, unless provision is made in the annual budget or is otherwise agreed for the proposed expenditure by the officer with appropriate delegated authority and such is in accordance with the Financial Procedure Rules.

Officers' Responsibilities: Conduct, Conflicts of Interest & Corruption

- 1.5. These Rules are mandatory for all Council contracts. **All officers must follow these Rules in full, except where a valid waiver under 1.10-1.15 has been obtained or falls outside the scope of these Rules under in accordance with 1.1.1 to 1.1.8.** Failure to do so may constitute misconduct leading to disciplinary action. If any officer witnesses or identifies a failure to comply with these Rules, they should raise it with their manager or report it confidentially under the Council's Whistle Blowing Policy.
- 1.6. The Code of Conduct for employees applies to all procurement activities, in particular, the following parts:
- 1.6.1. Working with People, in particular contractors
 - 1.6.2. Conflict of Interest/Pecuniary Interest
 - 1.6.3. Equality & Diversity Integrity & Honesty
 - 1.6.4. Gifts and Hospitality

It is every officer's responsibility to be aware of and act in accordance with the Code of Conduct. If in any doubt, officers must seek advice from their manager or Human Resources. All officers engaged in a procurement process shall comply with the Code of Conduct and must not invite or accept or offer any gift or reward in respect of the award or performance of a contract. High standards of conduct are obligatory. Corrupt behaviour will lead to dismissal and is a crime under the Bribery Act 2010 and section 117 of the Local Government Act 1972.

- 1.7. If an external consultant is appointed by the Council the officer with responsibility for the appointment must ensure that the consultant, acting on behalf of the Council complies with these Rules in full, without exception. All non-Council Officers must sign an agreement not to use information gained during employment with the Council, to gain any

commercial or pecuniary advantage in relationship to concurrent or future employment/engagement.

- 1.8. No non-Council officer shall award a contract or whom a contract should be awarded to unless specifically empowered to do so in writing by an officer or body authorised to confer that power. The Authorised Officer shall ensure that the non-Council officer's performance is monitored.
- 1.9. The risks associated with any procurement process and/or contract must be assessed using the Council's Corporate Risk assessment template and documented on file. Appropriate actions should be taken to ensure that the Council's potential and actual exposure is minimised. This includes provision of an issues log and estimated costs against any risks as contingency.

Application & Waiver of the Rules

- 1.10. These Rules apply to all contracts for Supplies, Works or Services entered into by or on behalf of the Council, except where waiver of all or part of the Rules is approved. Waivers should only be sought in exceptional circumstances such as where justification can be made that the immediate Council need is so urgent that compliance with these Rules would result in greater risk to the Council. Notwithstanding the general presumption that competition is the best way to demonstrate best value (see Rule 4.1) in accordance with the tendering processes identified against the thresholds set out in Rule 5.2. The Council must comply with the requirements of the EU Procurement regime, in particular Public Contract Regulations 2006 (as amended) ("the Regulations") as it is not possible to waive these requirements.
- 1.11. The Rules will only be waived where it can be shown:

- 1.11.1. the decision does not fall within Rule 7 (exceptions to competitive tendering)
- 1.11.2. the Council's overall interests, including best value, are met by waiving all or part of the Rules
- 1.12. Once section 1.10 to 1.11 have been complied with, waivers may be approved by the relevant Director (or, where unavailable, the Chief Executive) subject to the appropriate authority report. If the decision is a Key Decision then the rules relating to Key Decisions must be followed including placing notice of such Key Decisions on the Council's Key Decision List. In cases of urgency Rule 15 and/or 16 of the Council's Constitution must be adhered to.
- 1.13. All waivers will be reported to the Council's Audit Committee on an annual basis by Assistant Director of Procurement and must be justified by the relevant Director
- 1.14. The Director requesting the waiver **must** keep a written record of any waiver of the Rules and send a copy to the Assistant Director of Procurement using the standard form for waivers of the Rules published from time to time by the Assistant Director Procurement (which must include a unique reference number tracked by the Assistant Director Procurement).
- 1.15. Circumstances where time is lost through inadequate forward planning should not generally constitute a valid reason for a waiver of the Rules.

Guidance and Advice

- 1.16. Guidance on these Rules and procurement is set out in the Council's Procurement Manual.
- 1.17. Advice on the application of these Rules should be obtained from the Assistant Director Procurement and/or the Assistant Director of Legal Services.

2. Interpretation

- 2.1. The Assistant Director of Legal Services shall make all decisions relating to the interpretation of these Rules.
- 2.2. These Rules shall be interpreted subject to current European Union (EU) and domestic law relating to public sector works, supplies or services contracts. Where there is any conflict between these Rules and the law (whether domestic or EU law), the latter shall prevail.

3. Record Keeping

- 3.1. Services must keep a record of compliance with all stages of these Rules, preferably in electronic format. Records should ordinarily be kept by the relevant contracts manager and should be retained in accordance with the periods set out in the Council's Records Retention Schedule. If records are kept in electronic format only, they must be kept in the same electronic folder and scanned copies of hard copy documents must also be retained on the folder. Services must have systems in place to ensure that authorised officers can readily access all files. Where it is necessary to keep original paper documents, such as a signed contract, a hard copy file must also be maintained.
- 3.2. For contracts over £75,000 (Services and Supplies) and £100,000 (Works) the original contract must be sent to, or will be retained by, the Assistant Director of Legal Services for secure storage.

4. Presumption of Competition for Contracts

- 4.1. The Council's presumption is that best value is achieved through competitive tendering. All contracts shall be competitively tendered, except where allowed by these Rules or a waiver is agreed under Rule 1.

5. Tendering Thresholds

- 5.1. The tendering requirements in the table below apply according to the estimated total value of the contract. The tendering requirements below

are minimum requirements. For all contracts of any value, services should consider whether a formal tendering process is appropriate.

- 5.2. For contracts over a term of years, the value of the contract is the total value over the whole contract including any potential extensions and exercisable options, not its annual value.

Estimated Contract Value	Tendering Requirements	Method of <u>completion of contract</u>
Up to £5,000	At least one written quotation must be received. Where practicable an eligible quotation from a local supplier must be sought. Best value must be obtained and framework and other corporate agreements, where they exist, are used. (Managers must retain sufficient evidence to demonstrate compliance).	Use of Purchase Order.
Contracts from £5,001 to £20,000	At least two written quotations must be received. Where practicable an eligible quotation from a local supplier must be sought. Best value must be obtained and framework and other corporate agreements, where they exist, are used (<i>Managers must retain sufficient evidence to demonstrate compliance and best value, e.g. by confirmation of oral quotations in writing</i>).	Use of Purchase Order or Standard Contract for more complex requirements (refer to 13.4 for requirements for sealing)
Contracts from £20,001 to £75,000 (for supplies and services) or £100,000 (for works):	At least three written quotations must be received. Where practicable an eligible quotation from a local supplier must be sought (<i>Managers must retain sufficient evidence to demonstrate compliance and best value, (an oral quotation is not acceptable)</i>). If less than three quotes are received the Director or Assistant Director must approve the award subject to discussion with the Assistant Director of Procurement. The decision must be recorded in writing and all documentation supporting the decision retained.	Use of Purchase Order or Standard Contract for more complex requirements (refer to 13.4 for requirements for sealing)
Contracts above £75,000 (for supplies and services) or £100,000 (for	Competitive tendering by advertising in accordance with Rule 9 and, where applicable, all EU procurement rules apply. At least 5 Contractors should be invited to Tender, unless there is an overriding business or legal justification that this is not required, but notwithstanding a Waiver	<u>Up to £250,000:</u> Signature on Standard Contract or sealed by Legal Services if required

works)	must be sought prior to award if less than 3 tenderers are received. If due to special circumstances less than 3 contractors are invited to Tender then a Waiver must also be sought.	<u>Over £250,000:</u> Sealed by Legal Services (refer to 13.4 for requirements for sealing)
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5.3 When seeking quotes on a regular basis Officers must ensure that they rotate those suppliers invited to quote i.e. that different suppliers are invited for each exercise. It is acceptable to invite a previously successful supplier for a similar contract, if that supplier performed well. Due regard should be given to the Rules relating to Aggregation in section 21. Corporate Procurement will monitor compliance with this requirement.

5.4 If the value of the tender is less than 10% below the EU thresholds, then officers must consider procuring in accordance with EU rules.

6. Competitive Dialogue, Negotiated and Framework Contracts

6.1. When a service considers that the competitive dialogue or negotiated route is the preferred method of procurement, the Assistant Director of Legal Services and the Assistant Director Procurement must be consulted before submission of the business case required in accordance with Rule 8.

6.2. Framework agreements may be used to procure supplies, services and works subject to confirmation by the Assistant Director Procurement that a particular framework is acceptable to the Council. These include those framework agreements which the Council tenders and agrees the provision of Supplies, Works or Services with one or more provider and under which subsequent contracts can be entered into (within the limits of the agreement) when particular needs arise e.g. supplies of stationery, computers, office furniture etc. Framework agreements are managed by

Corporate Procurement and must be used by all relevant services where they are in place. Before calling off any other Framework Agreements the Officer responsible must consult the Assistant Director Procurement for due diligence and obtain confirmation that the Council are able to use the Framework Agreement for the intended purpose and will deliver value for money.

- 6.3. Not all frameworks agreements are established in the same way and so when using a framework it is necessary to follow the process applicable to that particular framework. This may include, for example, holding a mini-competition between contractors appointed under the framework. It is the responsibility of the officer letting the contract to ensure that the proper process is followed, taking advice from the Assistant Director Procurement and/or the Assistant Director of Legal Services as necessary.

7. Exceptions to Competitive Tendering

- 7.1. Competitive tendering or the obtaining of quotes is not required where:
- 7.1.1. The service can be provided in-house;
 - 7.1.2. A legally compliant framework agreement is in place which the Council has procured or has the right to access (subject to complying with the rules applicable to that framework (see Rule 6.3 above));
 - 7.1.3. Existing corporate contracts are in place that the Services/Supplies/Works required can be obtained;
 - 7.1.4. Effective competition is prevented by government or statutory control;
 - 7.1.5. Services/Supplies/Works/connections with regards to public utility works

- 7.1.6. The contract provides in writing for an extension to the length of the contract's term and the following conditions are met:
- a. the extension is for substantially the same works, supplies and/or services provided in the original contract;
 - b. the financial terms for the extension are as agreed in the original contract;
 - c. the length of the extension is not longer than that permitted by the original contract;
 - d. the total value of the extension is not more than the total value of the original contract;
 - e. such extension would not breach the Public Contracts Regulations 2006 (as amended);
 - f. such extension does not include material changes; and
 - g. the appropriate authority/approval is in place in accordance with the Council's scheme of delegation.
- 7.1.11. Special educational needs or social care contracts if, in the opinion of the responsible officer, following consultation with the Assistant Director Procurement, it is considered in the Council's interest or is required to meet obligations under the relevant legislation.
- 7.1.12. Where a single supplier may be used in accordance with EU procurement law.
- 7.2. With regards the exceptions, advice should be sought from Assistant Director of Procurement and Assistant Director of Legal Services if there is any risk that such would breach EU rules, where applicable.
- 7.3. With the exception of procurements using framework agreements under Rule 7.1.2 the Director must be able to demonstrate that any decision not to seek competitive tenders fully complies with this Rule 7, was

reasonable in all the circumstances and was in the best interests of the Council. The decision must be recorded in writing and all documentation supporting the decision must be retained.

8. Approval to Procure

- 8.1. No procurement process shall commence without formal approval as required by Rules 8.2 to 8.4 below. Assistant Director of Procurement must be notified in each instance.
- 8.2. A business case must be produced for all requirements with a contract value above the EU Procurement thresholds. The business case must be submitted to the Strategic Procurement Board for approval.
- 8.3. For all contracts with a contract value of more than £75,000 for Supplies/Services or £1,000,000 for Works the business case will be reported to the Cabinet Portfolio member for approval to commence the procurement process.
- 8.4. For all requirements with a contract value of less than £75,000 for Supplies/Services or £1,000,000 for Works, the business case will be reported to the Director for approval to commence the procurement process
- 8.5. The Assistant Director Procurement must be consulted on, and at the discretion of the Assistant Director Procurement may take lead responsibility for, all procurements above the EU Procurement thresholds for Supplies/Services/Works.

ICT project approval:

- 8.6. No ICT related project or project spend will commence without prior approval from the ICT Work Programme Board. All procurement relating to ICT (e.g. software, hardware, licenses, etc) will be undertaken by the

Corporate IT, with the exception of those items pre-classified by Corporate IT as non-essential items (a list of which is available on the Enfield Eye under the ICT homepage or those items available via the eMarket place or online IT Helpdesk. No ICT expenditure will take place outside of ICT, unless prior approval is sought from the Head of ICT Supplier Management.

9. Invitations to Quote/Tender & Advertising

- 9.1. A formal process must be conducted and documented to establish any tender list including short listing under Pre-Qualification Services. Dependent on the size/risk of the contract an assessment must be undertaken of capability for the requirement including financial standing, equality & diversity policy, and health & safety. The process must be equal, transparent, non-discriminatory, and proportionate.
- 9.2. All procurement exercises will be undertaken using the Council's e-tendering system unless otherwise agreed by the Assistant Director Procurement.
- 9.3. Where a competitive tender process is to be undertaken tenders will as a minimum be advertised as follows:

Estimated Contract Value	Advertising Requirements
Contracts up to the EU Threshold	www.londontenders.org (please note the Council's internet site points suppliers to this link)
Contracts above EU thresholds	Compliance with EU advertising rules including issue of Prior Information Notice (where appropriate) and Contract Notice in the Official Journal of the European Union (OJEU) (via the Council's tendering portal – www.londontenders.org), where applicable.

- 9.4. Services may also consult the Assistant Director Procurement to discuss any additional appropriate forms of advertising for individual contracts.

- 9.5. In exceptional circumstances where e-tendering is not used every invitation or notice to tender shall state that all tenders must be received in a sealed envelope marked "Tender" followed by the subject to which it relates, the deadline date and time (normally 12 Noon) for receipt and shall not identify the sender.

10. Receipt of Tenders

- 10.1. Where tenders have not been carried out electronically, following prior agreement by the Assistant Director Procurement, they must be addressed to the Director of Finance Resources & Customer Services. Upon receipt of tender packets or envelopes they must be date stamped, recorded and locked away until the specified time for opening.

11. Opening of Tenders

- 11.1. Where the Council's electronic tendering system has been used only those officers authorised within the system to accept tenders shall do so once the closing date and time has passed.
- 11.2. Where tenders have not been carried out electronically officers must comply with the following process:
- 11.2.1. As a minimum a Corporate Procurement Officer and one other officer of the Council (or other appropriately delegated officer by the Council, such as Enfield Homes) must be present when opening a non-electronic tender. All tenders must be opened at the same time and a record of the tenders must be recorded on a Tender Receipt Form.
 - 11.2.2. The opened Tenders must be date stamped and signed by the two officers at the time of opening on the "Tender Monitoring Form". Tenders should be opened within 5 working days of the

tender closing date. Tenders must be kept securely and strictly confidential before and after opening.

- 11.2.3. Tenderers must be informed that Tenders received after the closing date or tenders not submitted in accordance with these Rules will be disqualified from consideration.
- 11.2.4. Late Tenders received after all the other Tenders have been opened may only be considered where the Director's permission is given. Advice must be sought from Corporate Procurement or Legal Services.
- 11.2.5. Tenders which do not meet the requirements of the 11.2.3 may only be considered if:
 - a. The failure to comply is the Council's fault.
 - b. The Tender is late and it is clear without any contact with the Tenderer that the tender was sent in such a way that in the normal course of events it would have arrived on time.
 - c. The Authorised Officer is notified in advance that it is impossible for the tender to be delivered on time and the justification for such are reasonable.
- 11.2.6. A record of the Tender opening must be signed and retained by CPT and the Authorised Officer responsible for the procurement.
- 11.2.7. The Form of Tender must be stamped and signed by those present. The officers present must initial every page of a Bill of Quantities or each page of any Schedule to the Form of Tender prepared by the tenderer. Where any alteration is made on such pages (e.g. the use of correction fluid or over-written) a note

must be made and a copy of the page made, initialled by those present and kept by the Assistant Director of Legal Service's representative. A record of all tenders must be made including the name and amount of each tender received. The commencement of the opening and finishing times must be recorded on the form. Those present must then sign this record.

12. Receipt/Opening of Quotes

12.1 The receipt and opening of quotes will be carried out by the service department not Corporate Procurement. The officer concerned must ensure their Director has been informed and ensure that the receipt and opening of quotes is equal, transparent, non-discriminatory and proportionate.

13. Award of Contracts

13.1. All contract awards that are Key Decisions in accordance with the Council's Constitution must be reported as a Directors/Portfolio/Cabinet/Full Council report. Such reports may also be referred by the Assistant Director Procurement to the Strategic Procurement Board for approval before they are progressed for formal approval.

13.2. Subject to 13.1 the Council's Scheme of Delegation, sets out the delegated powers of officers to approve contract awards. If the Council's Scheme of Delegation does not delegate this power then the authority report for approval of the procurement and/or contract must state who the authority to award the contract will be delegated to.

13.3. Where a contract has been tendered in accordance with EU Procurement Rules the contract cannot come into force until;

13.3.1. firstly the appropriate authority report has been signed off and the call in period in accordance with the Council's Constitution has expired and;

13.3.2. secondly, once the call in period has expired, a further mandatory “standstill” period of at least ten calendar days has elapsed from the date of notification to all tenderers in writing by electronic means (or facsimilie) of the contract award decision or a period of at least fifteen calendar days has elapsed from date of dispatch to all tenderers by other means of the contract award decision (note: this date may be reduced to ten calendar days from the date of receipt of the notice sent by other means by the final tenderer where the Council is tracking receipt). Where a mixture of communication method is used, advice should be sought from Legal Services regarding the expiry of the standstill period.

Sealing contracts:

13.4. A contract must be sealed where:

13.4.1. the Council wishes to enforce the contract for a period of more than 6 years;

13.4.2. the price paid or received under the contract is a nominal price that does not reflect the value of the supplies or services;

13.4.3. the contract is over £250,000 in value;

13.4.4. it is required by the parties.

13.5. Where contracts are completed by each side adding their common seal, the affixing must be attested by or on behalf of the Assistant Director of Legal Services. The Assistant Director of Legal Services is responsible for the process of sealing contracts.

Letter of Acceptance:

13.6. In exceptional circumstances and with the prior approval of the Assistant Director of Legal Services, a letter of acceptance may be issued to allow works/services/supply of goods to commence in advance of contract execution.

- 13.7. The letter must set out the key contract terms - price, duration, etc., and authorises the contractor to carry out Works, Services or Supplies up to a specified value before the formal agreement is signed.
- 13.8. Subject to 12.6, in the case of works contracts a letter of acceptance in a form already approved by the Assistant Director of Legal Services is acceptable in order to allow work to commence, although the issue of a formal contract must follow without delay.
- 13.9. Letters of acceptance are only binding on the Council and the contracting party where the letter expressly states that their Tender has been accepted and the Council agrees to pay them the tender sum. The letter of acceptance should normally seek to incorporate the terms and conditions of the relevant Council standard contract or relevant industry standard contract (e.g. JCT, ICE, NEC) indicating the Council's intention to enter into a formal, written contract with the contracting party, to carry out the works/services or supplies described in the letter, such work/services or supply of goods to commence on a date specified or at any rate before the parties execute the formal, written contract, until then the contracting parties obligations to the Council shall be governed by the Invitation to Tender documentation.
- 13.10. The wording of the letter of acceptance must be reviewed by Legal Services (unless a previously approved template is used) prior to issue, to ensure the letter is fit for its intended purpose.
- 13.11. A letter of acceptance is not a substitute for execution of the formal agreement, especially if under Seal.
- 13.12. Limited Liability Letters may only be used where there is a requirement for urgent works mobilisation (not simply to allow site access) and only if such has been approved by the Assistant Director of Legal Services (unless a previously approved template is used) and the appropriate authority report in accordance with the Councils Constitution has been signed off.

14. Post-Tender Negotiations

- 14.1. Post-tender negotiations may only take place if the tender documents allow for negotiation and set out the basis for such negotiation or such negotiations otherwise comply with the EU and domestic law.
- 14.2. In all other circumstances, all valid tenderers should be invited to re-tender on a revised specification.

15. Award of Contracts – Notification

- 15.1. When a contract is awarded, all services must
 - 15.1.1. update the Council's Contract Register on the electronic tendering system.
 - 15.1.2. Where applicable, publish the Contract Award Notice in OJEU via the electronic tendering system.
- 15.2. If the procurement has been carried out outside of the e-tendering system (only with the prior approval of the Assistant Director Procurement), then services must notify Corporate Procurement who will update the Contract Register.

16. Form of Contracts and Standard Terms

- 16.1. All contracts must be in writing or an official order in lieu and a copy kept by the relevant service or held electronically. All contracts over £75,000 (Services/Supplies) or £100,000 (Works) in value shall be in a form approved by the Assistant Director of Legal Services and the original shall be held by the Assistant Director of Legal Services in accordance with Rule 3.2.
- 16.2. Contract documents must be retained in accordance with the Corporate Retention Policy or for a minimum period of six years from the contract end date and, if under seal for a period of twelve years from the contract end date.

Terms and Conditions

- 16.3. Every written contract or official order in lieu thereof shall specify:
- 16.3.1. the works, supplies, services or materials to be supplied or performed;
 - 16.3.2. the price to be paid with a statement of discounts or other deductions;
 - 16.3.3. the time or times within which the contract is to be performed; and
 - 16.3.4. the place or places for delivery or performance.
 - 16.3.5. the terms and conditions that apply to the contract.

16.4 Every written contract shall include a clause which gives the Council the right to immediately terminate the contract if the contractor, or any of its employees or agents, commits an offence under the Bribery Act 2010. Appropriate clauses are included in the Council's standard terms and conditions of contract.

16.5 Every written contract shall include a clause requiring any sub-contractor permitted to be employed by the contractor to be paid by the contractor within 30 days of the issuing of a valid invoice.

16.6 There may be occasions where it is necessary to use a supplier's terms and conditions of contracts. The use of such terms must be approved by the Assistant Director Procurement and the Assistant Director of Legal Services

Insurance

16.7 All contracts must require the Contractor to maintain the Council's minimum acceptable levels of public liability, employers liability and professional indemnity insurance unless otherwise agreed with the Council's Finance/Insurance Team.

16.8 Officers of the Council shall ensure that any consultant working for the Council has appropriate indemnity insurance in place before the

consultant commences any work for the Council, this includes agency staff, where appropriate.

17. Variations to Contracts

Contracts for Supplies and Services

17.1. Variations may be provided for in contracts. Where a service proposes to vary the terms of a contract and the value of the variation exceeds the lowest of either 10% of the total contract price or £75,000 (subject to the value of the variation being more than £10,000) the service must:

17.1.1. ensure that there is sufficient budget to fund the variation

17.1.2. consult with the Assistant Director Procurement

17.1.3. obtain the prior approval of the Director of Finance Resources and Customer Services and

17.1.4. in consultation with the Assistant Director of Legal Services ensure that the variation is not a material variation and that it is recorded in writing and signed by all contracting parties.

Contracts for Works

17.2 Variations may be provided for in contracts, where contracts for Works have been awarded, that contain Provisional Sums or contain the ability for the scope of Works to be subsequently varied with a different scope to that tendered, these shall not be subject to the variation procedure at 17.1 as long as:

17.2.1 the scheme has sufficient funding approved as part of the Council's Capital Programme.

17.2.2 The value of such variations do not exceed a net increase of 10% of the original contract price, or the authority decision or £250,000 (subject to the net increase being more than £100,000).

17.2.3 Such variations will be valued in accordance with the terms of the form of contract being used for the particular scheme and a full audit trail retained by the service. Where appropriate, the Rules relating to competition shall apply in the absence of tendered rates.

General

17.3 The delegated authority for the agreement of variations on behalf of the Council is as set out in the Councils Constitution and Scheme of Delegation.

17.4. Rule 16.1 will also apply to a variation that does not meet the thresholds in Rule 16.1 but the cumulative value of all previous variations to a contract together with the value of the proposed variation will exceed the thresholds in Rule 16.1.

17.5. Cabinet must agree variations that are Key decisions.

17.6. Notwithstanding the above, officers responsible for contract administration of Works contracts are able to meet contractual obligations to make payments and issue instructions in accordance with the contract terms to mitigate risks of costs arising from delay on site.

17. Disputes with Contractors

18.1. Disputes with contractors shall be referred to the Assistant Director of Legal Services for consideration of the Council's legal liability and, where necessary to the Director of Finance Resources and Customer Services for consideration, before a settlement is reached. No payment will be made in relation to a dispute to a contractor without the appropriate decision made by an authorised officer under the Council's Scheme of Delegation in accordance with the Councils Constitution.

19. Bonds and Other Security

- 19.1. Every contract exceeding £250,000 in value (or contracts of lower value where the Director of Finance Resources and Customer Services considers it necessary) for works, services, supplies or materials to be provided, shall require the contractor to provide sufficient security for the due performance thereof, except where the relevant Director and the Director of Finance Resources and Customer Services consider this to be unnecessary.
- 19.2. Sufficient security shall be one of:
- 19.2.1. a Performance Bond in a form approved by the Assistant Director of Services for 10% of the contract sum or, for contracts for a term of years, 10% of the annual contract value;
 - 19.2.2. in exceptional circumstances and as agreed by the Director of Finance Resources and Customer Services a performance bond for more than 10% of the contract sum;
 - 19.2.3. a parent company guarantee in a form approved by the Assistant Director Legal .

20. Partnerships

- 20.1. In normal circumstances, only the Council's Cabinet or committees and/or officers with delegated powers may make procurement decisions including decisions to enter into a contract on the Council's behalf.
- 20.2. Unless a partnership or other body has a separate legal identity from the Council and has delegated, contractual or statutory authority to act on the Council's behalf;
- 20.2.1. the partnership or body can only make recommendations to the Council in respect of the procurement of supplies, services and/or works;
 - 20.2.2. the Council will then decide whether to procure those services and will comply with these Rules; *and*

20.2.3. the Council and the contracting service and manager remain legally and financially accountable for the contract.

21. Review and Amendment of the Rules

- 21.1. The rules shall be reviewed and updated on a regular basis, not less than annually by Assistant Director of Procurement in conjunction with Audit and a working group of officers within the Council.
- 21.2. Any amendments to the Rules must be agreed and adopted at full Council, as recommended by the Audit Committee.

22. Calculation of values of a contract

- 22.1. The procurement procedures that must be followed will vary depending on the value and risk.
- 22.2. The Total Value of the procurement is defined as the total anticipated contract/purchase value and this will be calculated as follows:
- 22.2.1. Where the contract is a capital or one-off purchase or for a fixed period, by taking the total price to be paid or which might be paid during the whole of the period;
 - 22.2.2. Where the purchase involves recurrent transactions for the same type of items, by aggregating the value of those transactions over the contract period, including any allowable extension periods;
 - 22.2.3. Where the total contract value over the full duration of the contract (not just the annual value) is uncertain, by multiplying the monthly payment by 48;
 - 22.2.4. For Framework Agreements with no guaranteed commitment the contract value will be the estimated value of orders

placed/commissions let under the Framework Agreement over the full duration of the contract;

22.2.5. Where an in house service provider is involved, by taking into account TUPE workforce matters, redundancy and similar/associated costs;

22.2.6. For income generation contracts the Total Value will be the estimated revenue stream payable to the Council over the period of the contract.

22.3. The value must be calculated in pounds sterling exclusive of Value Added Tax.

22.4. Contracts must not be artificially under estimated or divided into two or more separate contracts where the effect is to avoid the application of these Contract Procedure Rules or UK/EU Legislation by dis-aggregation.

22.5. Orders and payments for supplies, services and works shall be undertaken in accordance with the Councils Financial Procedure Rules subject to any exclusions agreed with Director of Finance Resources and Customer Services.

23. Pre-Tender Market Research and Consultation

- 1) Officers may review the market for a proposed procurement through discussions with suppliers and other research but may not:
 - a) Base any specification on one Contractor's offering such as to distort competition;
 - b) Make any indication or commitment to Contractors that their offering may be preferred by the Council;
 - c) Suggest any procurement route which is not consistent with these Rules;
 - d) Enter into negotiations about price where a competitive procurement process has yet to take place.

- 2) Any pre-market research undertaken, including discussions with Contractors and others must be fully documented on file.
- 3) Any market research must then be proceeded by a compliant procurement process where there is a business case to proceed.

24. Consultation

- 1) For Housing procurement contracts the Commonhold and Leasehold Reform Act (CLRA) may apply. Where applicable, officers must undertake the required consultation with leaseholders. Leaseholders can nominate contractors for inclusion on a tender list for specific, below EU threshold, procurement projects. Officers must liaise with Home Ownership Services to clarify the requirements under the CLRA before commencing with any procurement likely to affect Leaseholders.
- 2) For all other procurements officers shall ensure that where applicable consultation with stakeholders is undertaken within the appropriate period of the procurement process.

25. Pre-Qualification Services for Works

Pre-Qualification Services i.e. 'Exor' and 'Construction line', describes the assessment, by a third party organisation of potential suppliers' generic suitability to contract with a Contracting Authority across a range of requirements (effectively an outsourced pre-qualification process although not specific to any one contract requirement). The carrying out of pre-qualification will result in the formal accreditation of those potential suppliers, which successfully complete the process.

- 1) Pre-qualification services can be commissioned for vetting of potential suppliers where internal resources are unable to undertake such assessments to assist in the expression of interest process.
- 2) Pre-qualification involves suppliers submitting information specified by the Council to facilitate its assessment of suppliers' suitability to tender, for below EU thresholds, for tenders relating to Works capital projects.

26. The Invitation to Tender

- 1) The Council's standard Invitation to Tender documentation must be used for all tender exercises. Corporate Procurement **must** be notified of all tenders, in advance of the date of issue (no later than one month).
- 2) For those procurement exercises involving the procurement of works and works related requirements, the appropriate industry standard Invitation to Tender documentation must be used (e.g. JCT, ICE, NEC). Any amendments to the industry standard terms must be included in the tender pack and drawn to the attention of all bidders. Legal Services must be consulted on the correct form of contract.
- 3) For EU Procurements under the Restricted Procedure at least 5 Contractors should be invited to Tender, unless there is an overriding business or legal justification that this is not required, but notwithstanding a Waiver must be sought prior to award if less than 3 tenderers are received. If due to special circumstances less than 3 tenderers are invited to Tender then a Waiver must also be sought.
- 4) There must be an assessment of the quality of both Tenderers and Tenders by pre determined non-discriminatory evaluation criteria and weightings, including whole life cycle cost where appropriate. The pre-

determined evaluation criteria and weightings must be included in the appropriate section of the standard Invitation to Tender document.

- 5) The Council's standard Invitation to Tender documentation should include a copy of the relevant Standard Contract. For works related contracts the Council's approved standard industry form of contract must be used but can be referenced within the tender documentation and not attached. Legal Services must be instructed on the form of contract and agree any amendments. It is important for the Officer to consider the form of contract to be used to ensure that it is fit for purpose. Where the Officer considers that it is not they must liaise with Legal Services with regards to any amendments required to make it so.
- 6) Tenderers must be required to hold their Tenders open for acceptance for a minimum of 90 calendar days from the date of opening.
- 7) Invitations to Tender must include a statement that the Council does not bind itself to accept the lowest Tender or any other Tender.

27. Tender Evaluation

- 27.1. Tenders must be assessed in accordance with the pre-determined evaluation criteria and weightings. All criteria and sub criteria, weightings and scoring system to be used in the evaluation process MUST be set out in the Invitation to Tender documentation.
- 27.2. A team of officers, including finance, must undertake the evaluation process. If the contract involves TUPE then HR and Payroll must be involved too. If a consultant leads on the team then an Authorised Officer must sign off their findings.

- 27.3. The results of the Tender evaluation must be retained on the tender file.
- 27.4. A Financial Reference should be taken up for all contracts with an anticipated Total Value of over £100,000, which are not currently on a Framework Agreement, or are sourced under a joint procurement arrangement or have not been pre-accredited under rule 25.
- 27.5. The Director of Finance, Resources and Customer Services must be consulted on the commercial evaluation of all tenders above £50,000, unless the evaluation is based on lump sum fixed price. A finance representative should be on the procurement evaluation panel.

28. Equalities

- 28.1. Before starting any procurement, Council Officers must make sure that they consider equality issues by completing an equalities impact assessment. The Equalities Impact Assessment will inform the detail of the contract specification. Companies must adhere to current legislation.

Glossary of Terms:

Aggregation	Is the requirement to add together the estimated value of separate contracts for meeting a single
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	requirement. EU procurement expressly prohibits the splitting of requirements into smaller units or orders in an attempt to avoid the application of EU procurement.
Concessions	A type of contractual arrangement under which, rather than paying the contractor to deliver a work or service, the Council grants the contractor the right to exploit an opportunity and receive some or all of its income from third parties (e.g. the public), retaining the profit.
Directors	Means Directors of Enfield Council
Disputes	Are defined as contract matters that may be referred to a third party for mediation, however if in doubt as to how to deal with a dispute please contact Legal Services for advice/assistance
E-Auctions/Reverse Auctions	The use of electronic media to conduct a tendering or bidding exercise where suppliers are able to bid, in secure, controlled conditions, for a contract.
E-Procurement	The electronic system used in the Council to electronically raise requisitions, purchase orders, supplies receipts and invoice payments.
E-Tendering	The carrying out of the tendering process using electronic means, such as the internet and specialist e-tendering software applications. It includes undertaking the tasks of advertising the requirements for supplies and services, registering suppliers, and issuing and receiving tender documents via the

	internet, as well as automating the evaluation of responses to a tender. Systems also incorporate contract management functionality.
“EU” or EU Procurement	A procurement conducted in accordance with the relevant EU Directives and the corresponding UK legislation including in particular the Public Contracts Regulations 2006 as amended or replaced from time to time.
Forward Plan	Is the list of Key Decisions published by the Council
Framework Agreement	An agreement with one or more economic operators which establishes the terms (in particular the terms as to price and, where appropriate, quantity) under which one or more call off contracts can be made with the economic operators in the period during which the framework agreement applies
Key Decision(s)	A proposal: <ol style="list-style-type: none"> 1. Which involves expenditure / savings of £250,000 or above - this includes proposals phased over more than one year and match / grant aided funding, with a total of £250,000 or above, or; 2. Which has significant impact on the local community in one or more wards.
Performance Bond	Is a bond issued by an insurance company or a bank to guarantee satisfactory completion of a project by a contractor .

Provisional Sum	A price for work that may not be required, or whose scope is undefined at the time of contract award
Quotation	<p>A formal statement or promise usually submitted by a potential supplier in response to a request for a quotation to supply specified supplies, works or services required by a purchaser at specific prices within a specific time frame. (A quotation should be distinguished from an Estimate, which is not a fixed price).</p> <p>N.B. A contract arises on acceptance of a quotation. Unless otherwise specified a quotation may be subject to the supplier's terms and conditions of business and those terms and conditions become part of the contract. Therefore a request for quotations should specify that the quotation is subject to the Council's terms and conditions.</p>
Scheme of Delegation	As set out in the Councils Constitution
Services	Includes, for example, services such as maintenance of equipment, transportation, consultancy, technical services etc as defined under Schedule 3 of the Public Contract Regulations 2006, as amended.
Supplies	The supply (and installation where appropriate) or hire of products.
Tender	A sealed bid submitted in response to an invitation to tender, which invitation contains detailed information on requirements including a specification and terms

	and conditions
TUPE	Transfer of Undertakings (Protection of Employment) Regulations 2006
Unconditional Grants	A grant where the primary remedy for breach of the grant conditions is repayment of the grant payment(s).
Variation	A change to the scope or value of a contract
Whole Life Cycle Costs	The total cost of owning an asset over its entire life. Whole life cost includes all costs such as design and building costs, operating costs, associated financing costs, depreciation, and disposal costs. Whole-life cost also takes certain costs that are usually overlooked into account, such as environmental impact and social costs.
Works	The outcome of building or civil engineering as defined under Schedule 2 of the Public Contract Regulations 2006, as amended

MUNICIPAL YEAR 2012/2013 REPORT NO. 121

MEETING TITLE AND DATE:

**Cabinet – 5 December
2012**

Council – 30 January 13

REPORT OF:

Director of Public Health

Agenda – Part: 1	Item: 14
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Subject: Annual Public Health Report

Wards: All

Contact officer and telephone number:

Shahed Ahmad 0208 379 3737

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Cabinet Member consulted:

Councillor Christine Hamilton

1. EXECUTIVE SUMMARY

- 1.1 From April 2013, it is a legal requirement of the Council to publish the Director of Public Health's Annual Report.
- 1.2 A key purpose of the 2012 Annual Public Health Report is to support the Council in its preparation for Public Health Transition. The Report conveys the message that health is much wider than the National Health Service and that 'Health is Everybody's Business'. Particularly in the final chapter, the report captures the vast amount of work we, as a Council, do to improve the public's health.
- 1.3 Public Health moving into the Local Authority is an opportunity to make sure that Public Health underpins and runs through everything we do as a Local Authority to save lives and strengthen the health and wellbeing of the residents of Enfield.
- 1.4 Chapter 1 of this report describes the determinants of health and wellbeing. In particular it describes the importance of the wider determinants of health and wellbeing and the findings of the Marmot Review, *Fair Society, Healthy Lives*.
- 1.5 Chapter 2 describes the new Public Health System. In particular it talks about the role of local government, Health and Wellbeing Boards, Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies.
- 1.6 Chapter 3 describes what we know about health outcomes in Enfield. In particular the chapter describes the high level of health inequalities faced by Enfield's residents
- 1.7 Chapter 4a describes some, but by no means all, of the work done by our partners to improve Enfield's health and wellbeing. Chapter 4b describes some of the work either done or commissioned by the Public Health Directorate.

1. EXECUTIVE SUMMARY (cont'd)

1.8 Based on the information in this report, the Director of Public Health's top five priorities for the year ahead are:

- Tackling childhood obesity
- Narrowing the life expectancy gap
- Making health everybody's business
- Making every contact count
- Putting health in every policy

2. RECOMMENDATIONS

2.1 To note the Annual Public Health Report and agree to ensure that future strategic decisions are mindful of the wider determinants of health and informed by the findings of the report

3. BACKGROUND

This is the Director of Public Health's Annual Report on the health of the population. From April 2013, it becomes a requirement for the council to publish the Annual Public Health Report.

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A key purpose of the 2012 Annual Public Health Report is to support the Council in its preparation for Public Health Transition. The Report conveys the message that health is much wider than the National Health Service and that 'Health is Everybody's Business'. Particularly in the final chapter, the report captures the vast amount of work we, as a Council, do to improve the public's health.

Public Health moving into the Local Authority is an opportunity to make sure that Public Health underpins and runs through everything we do as a Local Authority to save lives and strengthen the health and wellbeing of the residents of Enfield.

Chapter 1 of this report describes the determinants of health and wellbeing. In particular it describes the importance of the wider determinants of health and wellbeing and the findings of the Marmot Review, *Fair Society, Healthy Lives*.

Chapter 2 describes the new Public Health System. In particular it talks about the role of local government, Health and Wellbeing Boards, Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies.

Chapter 3 describes what we know about health outcomes in Enfield. In particular the chapter describes the high level of health inequalities faced by Enfield's residents

Chapter 4a describes some, but by no means all, of the work done by our partners to improve Enfield's health and wellbeing. Chapter 4b describes some of the work either done or commissioned by the Public Health Directorate.

The full document has previously been circulated to all Members and reference copies are available in the Members' Library and Group Offices. The document will be published on the Council's website.

4. ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

5. REASONS FOR RECOMMENDATIONS

It would be considered good practice for councils to be receive the Annual Public Health Report and be mindful of the findings.

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

6.1 Financial Implications

The Wanless Report proved that strong public health will result in lower costs for the NHS. Strong public health will result in lower cost pressures for the local authority. The report has no direct impact on finance.

6.2 Legal Implications

Section 31 of the Health and Social Care Act 2012 inserts section 73B into the National Health Service Act 2006. Subsection 5 of that section imposes a duty on the Director of Public Health for a local authority to prepare an annual report on the health of the people in the area of the authority and subsection 6 imposes a duty on the local authority to publish it. This report would appear to fulfil that function.

6.3 Property Implications

None.

7. KEY RISKS

Improving Health & Wellbeing in Enfield sets out the strategy for addressing identified health related risks in the London Borough of Enfield. It comes at a pivotal time given the transition of Public Health responsibilities to Local Authorities in April 2013.

It seeks to maximise the opportunity arising from the Olympic Games legacy.

There is heavy reliance upon a number of partners and Chapter 4 sets out various roles and responsibilities of certain partners.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The Public Health agenda promotes tackling inequalities. The report provides many examples of the council and partners delivering on the three council priorities.

8.2 Growth and Sustainability

A healthy population is more able to take advantage of employment opportunities. The Dahlgren and Whitehead model of health makes clear the importance of employment and the wider determinants of health

8.3 Strong Communities

The Public Health agenda promotes tackling inequalities, sustainable communities and strong communities. The report provides many examples of the council and partners delivering on the three council priorities.

9. EQUALITIES IMPACT IMPLICATIONS

Tackling health inequalities will promote equalities

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Currently Public Health is performance managed by the NHS. The Annual Public Health Report in conjunction with the Public Health Outcomes Framework will inform the creation of Enfield Council's Public Health Performance Management Framework.

11. HEALTH AND SAFETY IMPLICATIONS

None.

12. HR IMPLICATIONS

The Annual Public Health Report should inform HR policy

13. PUBLIC HEALTH IMPLICATIONS

The APHR is a report on the Health and Wellbeing of Enfield's population.

Background Papers

None.

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COUNCILLORS' QUESTIONS: 30 January 2013**Question 1 from Councillor Vince to Councillor Orhan, Cabinet Member for Children and Young People**

At the July council meeting the Cabinet Member assured the Council that monies owed to schools through the Schools Lettings Agency would be paid by the end of July. This was then changed to October, and at the last Council meeting in November, Councillor Georgiou informed the Council that all monies would be paid to schools by the end of November. To date, only a small amount has been paid. Would the Cabinet Member like to give a definitive date for all payments and what steps is she taking to ensure this is done?

How can she explain her department's lack of service delivery in this area?

Reply from Councillor Orhan

As reported previously, the Lettings Agency has been experiencing significant challenges due to staffing issues. This had resulted in a backlog in invoicing customers and then processing the payments to schools.

Additional resources were brought in to help with the backlog and there has been significant progress despite continuing staffing issues including maternity leave and long term sickness.

Where the full hire fee has been received, income for lets up to the end of October were issued to schools, which they received by the end of November 2012. This is in accordance with assurances made to Council in July 2012 and again in November 2012.

The next scheduled advance to schools will be in February which will cover the income received during November and December. This is in accordance with the normal schedule of invoicing.

There has been significant progress made in the last three months and I want to thank our schools for bringing this to my attention and to our staff for the sterling work since.

Question 2 from Councillor Stafford to Councillor Bond, Cabinet Member for Environment

Can Councillor Bond confirm how the decisions regarding the Edmonton Controlled Parking Zone implementation will be made and the use of any monies raised?

Reply from Councillor Bond

We are carrying out a second stage of consultation to see if residents in Edmonton Green would like a Controlled Parking Zone (CPZ). This follows on

from the grant of planning permission for the new shopping and leisure centre (approved by the previous Administration), which was subject to a s106 agreement that secured funding from St. Modwens to introduce a CPZ. Our approach to CPZs is only to introduce them where they are supported by the majority of local people. We will therefore await the results of the on-going consultation exercise before deciding whether the scheme should proceed any further.

Vehicles parked within designated bays in a CPZ during its operational hours must display a valid permit. A CPZ needs to be self-financing and a charge is made for permits simply to cover the Council's enforcement costs. Permit costs therefore differ depending on whether the CPZ operates for one-hour or all day. We also vary permit costs depending on engine size or vehicle emissions to encourage residents to use less polluting vehicles.

Question 3 from Councillor Smith to to Councillor Oykner Cabinet Member for Housing

Conservative members have drawn officers' attention to a licensing scheme that has been introduced by Newham Council to regulate the activities of private landlords. The purpose of the scheme is to ensure that private landlords provide good quality rented accommodation and services and to prevent overcrowding. Will the Cabinet Member request officers to study the Newham scheme and its potential to safeguard the interests of tenants in the private sector in Enfield and to dissuade irresponsible private landlords from operating in the Borough?

Reply from Councillor Oykenner

In January 2013, Newham Council introduced both Additional and Selective licensing covering the whole of their borough using the powers within the Housing Act 2004.

I will be pleased to ask officers to study the Newham scheme, its effectiveness and its potential applicability in Enfield.

Question 4 from Councillor Uzoanya to Councillor Orhan, Cabinet Member for Children and Young People

Can Councillor Orhan give the Council an update on the progress of the innovative and recently launched Single Point of Entry (SPOE).

Reply from Councillor Orhan

The Head of Service for the Single Point of Entry (SPOE) has been in post since 8th October 2012, with the Launch event taking place on 19th October. This event was very well attended with approximately 100 participants representing a wide variety of agencies.

The SPOE includes officers from the Police, Health, Children's Social care, Education Welfare and the Community Parent Support Services, with a number of other partner agencies attending weekly on a part time basis.

Since the launch event there is evidence of an increase in the number of Common Assessments (CAFs) being referred through to the SPOE that are requesting a multi agency response and evidence that better information sharing is enhancing risk assessments of vulnerable children, ensuring that they receive the services they need when they need them.

Analysis of Police reports received in the SPOE in October 2012 identified that more than 80% of referrals featured domestic violence as an area of concern. In response to this, funding has been identified through Change and Challenge (Troubled Families) programme for a full time Independent Domestic Violence Advocate in the SPOE who will further inform risk assessments of vulnerable children and undertake direct work with children, young people and their families. Recruitment to this post is underway.

To date, 877 referrals have been received into the SPOE. Of these, 239 have been about children who are already open to statutory services. The remaining 636 have been researched and risk assessed by the SPOE partnership and subsequently lead agencies have been identified to take forward the response.

Question 5 from Councillor Neville to Councillor Taylor, Leader of the Council

At the council meeting on 4th July the Opposition, despite several objections from the administration, demanded to debate and query the proposed lease terms in relation to the Morson Road site. Those terms were debated in detail and ultimately approved by a roll called majority. Nevertheless neither he nor Councillor Stafford notified the council during the debate that the financial implications of the transaction were materially different to those set out in the report, in particular an additional sum per annum (as detailed in the Part 2 report) previously earmarked to offset the revenue costs of the Morson Road scheme was no longer available because the Carterhatch Lane Site had already been agreed to be disposed of to Cornerstone and its proceeds not applied to the Morson Road acquisition. He and Labour members voted at the council to approve the terms of the deal either in the absence of full financial implications or in the knowledge that material terms of the report were materially incorrect. Will he confirm which of these two possible explanations is accurate, apologise to the Council for this failing, explain how and why it happened and confirm from where this material shortfall of at least £12m (twelve million pounds) over 40 years is to be found?

Reply from Councillor Taylor

Councillor Neville makes reference to a figure in Part 2 of the report based on asset disposals. As a Part 2 report, I do not intend to comment in detail. However I can assure him of the good faith in which Members on this side act,

and in providing explanations to the Council. As he will know the Council has adopted a proactive approach to selling surplus assets in order to help fund the Councils Capital programme. All disposal receipts from sale of Council assets including the Carterhatch receipt are pooled into a central fund during the year and are then applied to capital projects. I can assure Councillor Neville that as part of this process sufficient disposal receipts will be applied to the Morson Road project to reduce any borrowing costs to the levels as set out in the June cabinet report.

Question 6 from Councillor Simbodyal to Councillor Orhan, Cabinet Member for Children and Young People

Can Councillor Orhan tell the Council why her department and the Teenage Pregnancy Unit welcomed a delegation from South Korea in December 2012.

Reply from Concillor Orhan

The request of the South Korean Government came to us through the Department for Education (DfE). The South Korean Embassy in London approached the DfE to request information on how the UK has been tackling teenage pregnancy. The DfE and Department of Health recommended that the South Koreans should visit Enfield as we are recognised, nationally, as implementing an exemplary strategy very successfully.

We saw this as an excellent opportunity to highlight and publicise the great work that we have been doing on teenage pregnancy in Enfield and to support the South Koreans in their efforts to reduce teenage pregnancy. They learnt a great deal from us and were amazed that we had managed to reduce the rate of teenage pregnancy by a massive 43.6 percent reduction within 5 years. I hope that they can now go on and match this success in their own country.

Question 7 from Councillor Neville to Councillor Stafford, Cabinet Member for Finance and Property

With further reference to the new depot at Morson Road, my Question 40 at the last meeting to Councillor Bond raised six points of which he only answered one. The remaining five fall within your portfolio and I now repeat them for answer by you.

1. Why Navigant was instructed in the search for a site for the consolidation and relocation of the depots?
2. What were Navigant's terms of reference?
3. Specifically, were Navigant required to report back on all sites coming to their attention which might be suitable?
4. When did Navigant report on the Suez Road site and to whom?
5. What fee was paid to Navigant?

Reply from Councillor Stafford

I will respond to this question in 2 parts -

Part 1 - Response provided by Councillor Bond at previous full Council as referred to by Councillor Neville in his question.

“The Agreement to Lease has been negotiated by Property and Legal on behalf of the Council with assistance from Navigant”

Part 2 - Response to items as stated for this meeting:-

1. Why Navigant was instructed in the search for a site for the consolidation and relocation of the depots?
2. What were Navigant's terms of reference?

The answer to 1 and 2 is that I refer you to the Cabinet Report Depot Relocation dated 20 June 2012.

3. Specifically, were Navigant required to report back on all sites coming to their attention which might be suitable?

Navigant were asked to complete a site search of available and suitable sites.

4. When did Navigant report on the Suez Road site and to whom?

The Suez Road site was identified in the middle of 2011. The site was reported to the Project Board.

5. What fee was paid to Navigant?

£20,787.50.

6. Who negotiated the terms for the lease of the former Aesica site to the Council?

The Agreement to Lease has been negotiated by Property and Legal on behalf of the Council with assistance from Navigant.

Question 8 from Councillor Keazor to Councillor Orhan, Cabinet Member for Children and Young People

Can Councillor Orhan tell the Council how many copies of the update Youth Offer booklet and borough wide Youth magazine was distributed across Enfield by the end of 2012 and why?

Reply from Councillor Orhan

Both our updated *Youth Offer* and the widely distributed youth magazine are

responses to recommendations from the Council's Commission into the 2011 Disturbances.

As with our other new youth communications channels, such as the new [website](#), [Facebook](#) and [Twitter](#), the printed materials aim to ensure that Enfield's young people are aware of the great range of services and activities that Enfield Council provide for them.

We have distributed 5000 copies of the *Youth Offer* booklet. These copies went to over 75 locations to keep, refer to and hand out when required.

We have also distributed 25,000 copies of the youth magazine, enough for every young person in the borough aged between 13 and 19 and these were distributed to over 100 locations across Enfield.

Question 9 from Councillor Neville to Councillor Bond, Cabinet Member for Environment

With further reference to the Morson Road depot your answer to my Question 41 at the last Council meeting about Suez Road suggests that you are not aware of your officers' views. I have a statement that clearly shows that Suez Road was the preferred choice of officers – are you saying that you were never told that this site was a possibility?

Reply from Councillor Bond

As stated previously the site was too small to accommodate the entire range of Council services and was not available on a long term lease.

Question 10 from Councillor Hasan to Councillor Orhan Cabinet Member for Children and Young People

Can Councillor Orhan give the Council an update on how many children and their families have benefited from the Labour Administration Manifesto Pledge of reinstating the Uniform Grant since its return in 2011.

Reply from Councillor Orhan

In setting out our commitments to fairness, growth and sustainability and strong communities within their election manifesto in 2010, we the Labour Group pledged to reintroduce school uniform grants for those families facing financial disadvantage.

Work has taken place to establish the best model for a new school uniform grant scheme that targets families' at the most appropriate time, and employs practical solutions that are not overly bureaucratic or complex to be both easily accessible for families and cost effective for the council.

Research was undertaken with local school outfitters and general clothes

retailers to arrive at a £85 cost level for the purchase of a basic secondary school uniform consisting of blazer, trousers/skirt, shirt/blouse, jumper, tie, PE shirt, PE shorts.

The cost of primary school uniform is significantly less although it also causes financial pressure at the first time of purchase for families facing economic disadvantage. We estimated that £22 would make a significant contribution to the cost of jumper/fleece, printed book bag, polo shirt (or similar) and trousers.

In order to make best use of the budget, resource the scheme and ease any bureaucratic burden the eligibility criteria is simple, straightforward and clear: that is that the grant is available as a one time only award to students entering primary school at year R (reception) and secondary school at year 7 (secondary transfer) who are also eligible for free school meals.

Since the grant was introduced in 2011, 1299 children have benefitted. Of these, 530 have been in reception classes and 769 have been in year 7. In total £77,025 has been spent on uniforms for children whose families would otherwise struggle to meet these costs.

Question 11 from Councillor Neville to Councillor Bond, Cabinet Member for Environment

With further reference to Morson Road, in your answer to Question 42 at the last meeting, you said that the Suez Road site "was rejected due to proposed lease arrangements". Did you consider asking officers about the possibility of acquiring the freehold and if not why not?

Reply from Councillor Bond

The freehold was not available for acquisition.

Question 12 from Councillor Robinson to Councillor Oyken, Cabinet Member for Housing

Can Councillor Oyken tell the Council what action he is taking to reduce the number of empty properties in the borough?

Reply from Councillor Oyken

Enfield has an acute shortage of affordable homes for local people. It is a priority for the Council to bring empty homes back into use for local people wherever we can use our influence or powers to do so. So far 34 properties have been returned to use between April and November 2012.

Bringing privately owned empty homes back into use can be challenging, therefore it is our practice to offer both incentives to owners who wish to work with the Council but take enforcement action if this is unsuccessful.

Using the Council tax records and local knowledge to identify empty properties, regular contact is made with owners of long term empty properties offering advice and assistance with options such as letting, leasing, selling, obtaining repairs, finance etc. Where the owner or their whereabouts is unknown then intense investigation is undertaken to locate them.

The community can also report empty properties and participation in television programmes such as the BBC programme 'Britain's Empty Homes', has raised the profile of the work of the Council.

Empty property renovation grants are available for long term empty properties as long as, once refurbished, the owner agrees to rent the property to a local family, for a minimum 5 year period.

However where an owner refuses to bring their property back into use, the Council has the option of taking enforcement action which can ultimately mean that a Compulsory Purchase Order is obtained. The Council has successfully tackled seven difficult cases using this method since April 2010.

The Council has launched public consultation on its Empty Property Policy, so the opportunity for further comment on the Council's approach is welcomed.

Question 13 from Councillor Lavender to Councillor Hamilton Cabinet Member for Community Well-Being and Public Health

Barnet and Chase Farm Hospitals Trust is working with the Royal Free London Hospital Foundation Trust on a merger.

The recently enacted Health and Social Care Act 2012 confirmed that mergers between NHS Foundation Trusts would constitute enterprises ceasing to be distinct for the purposes of UK merger control.

Given the OFT's decision to refer to the Competition Commission, the proposed merger of the Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust and Pool Hospital NHS Foundation Trust, will Councillor Hamilton instruct officers to monitor this referral, identify those issues that are relevant and consider whether a reference to the OFT of the proposed Chase Farm merger is appropriate to safeguard choice in service provision to Enfield residents.

Reply from Councillor Hamilton

I would like to thank Councillor Lavender for this question.

In respect of the proposed merger at Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust and Poole Hospital NHS Foundation Trust I understand that "The evidence considered by OFT is that the merger would combine two Trusts that compete closely for GP referrals for many specialties and it is likely that the merger would result in few realistic alternative providers

for patients and NHS commissioning groups." The OFT has referred the case to the Competition Commission for an in-depth investigation and review.

This merger will combine the only two NHS district general hospitals in Bournemouth and Poole, which compete across a range of clinical specialties, in many cases earning income based on the number of patients referred to them. The Competition Commission is expected to publish its final report by 24 June 2013.

Other merging hospitals will start to look at what the outcome of this investigation will mean for them and clearly the Royal Free NHS Hospital Foundation Trust and the Barnet and Chase Farm Hospitals Trust will have to review its relevance to the local situation. The OFT identified at least two key parameters for competition between the Trusts: 1. competing to attract patients; and 2. competing for funding from commissioners of NHS services. The potential relevance to Enfield Clinical Commissioning Group and patients may well be different to that in Barnet.

We will continue to work with Enfield Clinical Commissioning Group on reviewing any proposals for health care services for Enfield residents

Question 14 from Councillor Hasan to Councillor Oykenor, Cabinet Member for Housing

Given the Government decision to pilot its Welfare Reforms in Enfield, what is the impact on the Council and Enfield residents of the decision to implement the reforms earlier than the rest of the country.

Reply from Councillor Oykenor

Enfield was surprised to hear that it is one of the 4 pilot authorities for implementing the caps as this was unexpected.

Key concerns relate to the financial, housing and legal implications for Enfield. Many of these are unknown and a challenge to plan for, as the changes are so fundamental and unprecedented.

Enfield has over 2,000 families (6,000 children) affected by the cap, 700 of which are losing over £100 a week in housing benefit. Services are already seeing an unsettled private sector housing market, with an increase in threats of eviction and homelessness rising, it is anticipated that this will continue for the foreseeable future.

As a pilot authority Enfield will be incurring costs associated with housing homeless families in a highly competitive private rental market where local landlords will be able to demand higher rents and incentives from other London boroughs currently exempt from the pilot. We will have the situation where neighbours living in the same street, one will be capped whilst the other one won't because they have been placed in Enfield by another Council.

We will have to offer incentives to landlords to take our homeless families, as many are refusing to take capped families without guarantees of rent from Councils. If the 700 capped families in Enfield losing more than £100 a week were to become homeless and we have a duty to house them, this could cost the Council £1.4m to find alternative homes.

Enfield will also be experiencing a loss in housing rental income earlier than other Councils - estimated to be approximately £2m a year.

Legal challenges that will inevitably occur, as the Council deals with the fall out of the changes earlier than other parts of the country, this is unquantifiable with any accuracy at this stage.

'New burdens' money from the Government has been announced, to assist local Councils to manage the benefit changes. Enfield has been allocated £145k. This is expected to fund changes to computer systems, administration of social housing under-occupation, additional staffing costs to deal with enquiries, homelessness and discretionary housing payment claims whilst at the same time meet our legal housing duty, procure housing supply and mitigate our rent losses.

The Council has also received £3m to help assist local residents affected by the changes, however this is in the context of £11m being removed from local residents by the benefit cuts.

Question 15 from Councillor Smith to Councillor Goddard, Cabinet Member for Business & Regeneration

It is understood that Enfield is one of the few local authorities in London that haven't yet introduced a Borough Construction Infrastructure Levy. Would the Cabinet Member confirm whether it is intended to introduce this system, when it is intended to introduce this system and what the level of tariff for new residential development will apply?"

Reply from Councillor Goddard

Thank you for your question. My understanding is that very few Councils across London and England have introduced the Community Infrastructure Levy (CIL). By the end of 2012 less than a dozen of over 350 local authorities nationally had already begun charging CIL. So far only 2 London boroughs (Redbridge & Wandsworth) and the Mayor of London have introduced CIL and several more boroughs are due to follow suit later this year (Croydon, Barnet & Brent). Another 18 London boroughs have reached the first stage of public consultation. Enfield is in the next group of boroughs that will publish a CIL rate for consultation.

Enfield's Core Strategy, adopted in 2010, states the Council's intention in the medium to long term to introduce a CIL which will set out a clear charging

schedule for developers' contributions towards local and strategic infrastructure. The Council is currently undertaking a detailed viability assessment to ensure that should a levy be introduced it is affordable and doesn't make schemes unviable, especially in times of austerity. This work is central to the calculation of the levy and will inform whether different rates for residential development across the borough are appropriate and justified. Once we are satisfied that this work has been completed, we will publish a preliminary charging schedule to seek the views of local residents, Members and the development community. The CIL will replace some elements of the s106 process and will be able to fund the development of infrastructure (roads, bridges, schools, etc) across the Borough. As you are aware the Mayor of London has introduced a CIL for London which adds £20 per sq m to all developments in Enfield to fund the Crossrail scheme. This must be taken into account when determining what a viable CIL rate for Enfield is. The CIL will be key to developing the infrastructure needed in the Borough to support the developments at Meridian Water, Ponders End and other major sites.

This slow start nationally is due to the amount of evidence and consultation required before a CIL can be introduced. Charging authorities need to have an up to date Core Strategy/Local Plan in place, an Infrastructure Delivery Plan and a comprehensive viability assessment to underpin the charging schedule. The adoption process also requires several rounds of public consultation and an independent examination before a CIL rate can be set.

Question 16 from Councillor Taylor to Councillor Simon, Chair of Overview and Scrutiny Committee

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Simon

Certainly; they have gone too far already and display the Government's ideological and prejudiced approach to public services.

Question 17 from Councillor Smith to Councillor McGowan, Cabinet Member for Adult Services, Care & Health

It is understood that the on cost applied by the Adult Social Services Department to the contracted out cost for home care packages is approximately 20%. Would the Cabinet Member provide information on how this figure compares with other outer London Boroughs and set out how he intends to reduce this figure?

Reply from Councillor McGowan

The £16.60 figure was calculated a number of years ago and reflected the average rates of the external home care providers, as well as our in-house services. To ensure we have an equitable basis, we have based it on the

average cost.

Not all service users pay the full cost of the service. Only those with savings over £23,250 would be expected to pay the full cost of service at £16.60 per hour. Currently 15% of people pay the full cost of services, 40% of people pay a contribution and 45% of people pay no charge at all.

Only those who pay the full cost of service could pay more than the direct cost and this recognises that the rate contributes to the cost of providing and arranging these services such as the contracting & procurement service and the invoicing and debt collection services.

It should be noted that this figure has not been inflated since April 2008 and therefore has not been increased since the time of the previous administration.

Question 18 from Councillor Taylor to Councillor Simbodyal, Chair of Children and Young People Scrutiny Panel

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Simbodyal

Yes. The Tory-led Government has imposed swingeing cuts of 28% on councils, with central government grant reduced over the current spending review period. In Enfield, we'll have had to reduce expenditure by around £80 million over five years. The Government has made bigger and earlier cuts to councils than any other part of the public sector. This frontloading of cuts has made it harder for councils to cope and has hit frontline services. These cuts are unforgivable when at the same time, the Government chooses to give a £3 billion tax cut for the highest earners in the country – worth an average of £107,000 for 8,000 people earning over £1 million. The Conservative chair of the LGA, Sir Merrick Cockell, has called plans to reduce council budgets in England by a further 2% in 2014-15 "unsustainable". The Government must prevent further cuts to Local Government to prevent the erosion of not just discretionary services, but to stop the devastating effects that could be caused when Councils are forced to cut vital frontline services in areas such as social care spending for children and the elderly.

Question 19 from Councillor Lamprecht to Councillor Orhan, Cabinet Member for Children & Young People

You have given personal public assurances at various meetings to consult thoroughly and appropriately in all your dealings about the Primary Expansion Programme ('PEP'), and at the meeting at Walker School, Andrew Fraser also made a personal commitment to act courteously and be as transparent as commercially possible at all times.

I am therefore surprised and very disappointed to find out that Walker School

and Governing Body did not get a copy of the informal consultation report but had to read about it in the local paper. Please can you tell me:

1. Why was Walker School not sent a copy of the report? Were any schools in the PEP provided with copies of their own reports?
2. Why were local Councillors not sent a copy of the report?
3. On what basis did the Local Authority decide to progress with the Statutory Notice at Walker School, given the results of the informal consultation.
4. Who made this decision to go ahead and what was your recommendation to Members?
5. I understand that one school has dropped out of the proposed expansion programme. Why was this?
6. What involvement did the PEP team or local authority have in this decision making process?
7. Why was Walker School not provided with the opportunity to discuss this option?
8. Why do consultations regarding school expansions not appear prominently on the council's web-site?

Reply from Councillor Orhan

1. Headteachers and Chair of Governors of all the schools involved in the PEP consultation process were emailed on 22nd November 2012 providing them with information of how to access the consultation report via the Council's website.
2. The results were publicised through the Council website. As there had been no direct requests from ward members to receive the individual reports no arrangement had been made to mail them directly.
3. The informal consultation process did not identify any educational issues why the school could not be expanded. However, the views expressed through the consultation process were used to help refine the plans for developing the school site.

This was an informal consultation process. There was no procedural requirement to consult members on moving forward with the statutory notice and no request had been made to do so. Members have the opportunity to comment in line with the statutory procedures.

4. The Cabinet agreed at its meeting on the 20 June 2012 to delegate authority to the Cabinet Members for Children and Young People and for Finance and Property and to the Directors of Schools and Children's Services and Finance, Resources and Customer Services to deliver the additional capacity to schools to meet the increased demand for primary places.
5. Oakthorpe Primary School was withdrawn from the programme because of physical site constraints of the school site. The logistics of expanding the school and the costs involved meant that it was not viable for expansion within the available budget or in time to provide additional reception places for September 2013.
6. The Lead Member and Director have been delegated authority to take such decisions following advice of officers and the Council's agents.
7. There were not similar constraints at Walker Primary School as those experienced at Oakthorpe Primary School.
8. The results of the PEP informal consultation were placed on the carousel section of the home page of the Council website.

Question 20 from Councillor Taylor to Councillor Rye, Chair of Crime and Safety and Stronger Communities Scrutiny Panel

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Rye

I would agree with Councillor Taylor it would be preferable to have no further cuts to Local Government Funding, but he is well aware that the outgoing Labour Chief Secretary to the Treasury left a note for his successor in 2010 stating, "Dear Chief Secretary, I'm afraid to tell you there's no money left. Kind regards – and good luck! Liam." Given the huge national deficit run up by his Government the reality is all areas of government spending have had to be curtailed.

The real question is how do Local Authority's minimize the impact of savings on frontline services and their residents? Studying Labour's management of Enfield's finances I suspect he will be leaving a similar note to his successor in 2014.

Question 21 from Councillor Lamprecht to Councillor Orhan, Cabinet Member for Children & Young People

Will Councillor Orhan undertake to publish the full results of the Walker School expansion consultation at the earliest possible opportunity and will she give an undertaking to this Council to abide by whatever the result is of the Walker

School expansion consultation and in particular the views of the Governing Body?

Reply from Councillor Orhan

Although the results have already been published I will undertake to make copies available to all Members. Members should be aware that the consultation process sought to understand the views of residents, parents and other stakeholders to the principle of expansion. The results of the consultation process were analysed to inform the expansion process. The consultation process was not a ballot on whether expansion should take place. The views of the Governing Body have been taken in consideration as part of the statutory consultation process. As you know Councillor Lamprecht, the Governing Body voted not to proceed with the expansion.

Question 22 from Councillor Taylor to Councillor Cazimoglu, Chair of Health and Wellbeing Scrutiny Panel

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Cazimoglu

The Government's mismanagement of the economy is hurting hard working families and the most vulnerable in our communities. The attack on Local Government funding is a cynical ploy to pass the blame for the cuts onto local authorities in order to cover up the Government's failing economic policies.

Question 23 from Councillor Lamprecht to Councillor Orhan, Cabinet Member for Children & Young People

Given that Walker Primary is not an inner city school, is in one of London's greenest boroughs and also adjacent to large open space, how can the council justify breaching Building Bulletin Briefing Framework for Primary Schools 99 guidelines for outdoor space by expanding without a sure commitment to expand the site of the school significantly.

Reply from Councillor Orhan

The Department for Education, Building Bulletin 99 provides guidelines for briefing primary school projects, they are not statutory requirements and there can be no breach of the guidelines. In terms of site area the guidelines give advice on confined sites suggesting the use of off-site facilities or all weather pitches to maximise available space. A confined site does not just apply to inner city schools. A school such as Walker which is in a Conservation Area or where there are boundaries such as roads, public footpaths or open space can also be confined sites.

The Walker site already has hard play areas for curriculum games and PE

together with attractive landscaped areas that provide opportunities for soft play on the grassed area and a number of habitat areas. The habitat areas allow the school to involve pupils in a wide range of activities that support the curriculum.

The School adjoins the Walker Trust Cricket Ground on two sides and already has some access to the Walker Grounds for outdoor activities. Discussions have taken place with the trustees of the Walker Trust and there is potential for the school to have greater access to the adjoining open space. There is also potential to improve the physical access between the school and the open space to the north by reopening a gateway in the school boundary wall that has been closed for many years.

Question 24 from Councillor Taylor to Councillor Smith, Chair of Housing, Growth and Regeneration Scrutiny Panel

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Smith

The previous Labour Government ramped up financial support for local government to unsustainable levels on the back of an unprecedented financial boom and bust that it did nothing to control.

As a result as the Guardian has said recently, local authorities now face an existential crisis and a punitive pattern of spending reductions in future years. According to recent government announcements the likely level of revenue support grant to local authorities is likely to be cut very substantially between 2013/14 and 2014/15 (over 15%) and there is no reason to think that these reductions will not continue. In my view, therefore, local authorities in general and Enfield in particular have no alternative but to address the reality of this situation and to radically review their financial position in order to protect front line services.

Question 25 from Councillor Lamprecht to Councillor Orhan, Cabinet Member for Children & Young People

What contingency plans are in place in the event of a slip in the timelines of the rebuild at Walker School? How will the Council re house so many classes without causing huge disruption if the planned works over run?

Reply from Councillor Orhan

The Council is not planning to move forward with the expansion of Walker Primary School for September 2013 therefore there will be a requirement to identify alternatives.

Question 26 from Councillor Taylor to Councillor Savva, Chair of Older People and Vulnerable Adults Scrutiny Panel

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Savva

Thank you for raising this question with me in my capacity as Chair of the Older People and Vulnerable Adults Scrutiny Panel.

At the last Older People and Vulnerable Adults Scrutiny Panel, Members received a detailed briefing on the Government settlement for Adult Social Care and I am pleased to tell you that plans are in place to deliver a balanced budget for 2013/14 with no reduction in the delivery of front line services.

However, this does not give me any reason to be complacent. I am concerned that the financial pressures in future years will be significant as Central Government continue to expect us to do more with less.

Now I know that a lot of good work has been done and this will continue as we work more efficiently, develop more preventative services and get better value for money from the things that we buy.

Nevertheless, we have:

- More young people with severe disabilities who are surviving for longer into adulthood.
- More and older people are living with dementia and other debilitating long term conditions.
- An increasing population with more and more people who need our help and support.

Nonetheless, our priority continues to be the delivery of front line services to the people who need them most so, in response to the question, I absolutely agree that we must not see further Government funding cuts.

Question 27 from Councillor Lamprecht to Councillor Orhan, Cabinet Member for Children & Young People

I had understood that a planning application for the expansion of Walker School was due mid-December, but to my knowledge none has been made. I note that, as at week ending 8/1/13, there have been planning applications submitted in respect of the proposed expansions at Worcesters and Highfield Primary Schools, but none in respect of the other schools earmarked for expansion. When is the LEA planning to submit a planning application for the Walker School expansion?

Reply from Councillor Orhan

The Council is not planning to submit a planning application for the expansion of Walker Primary School at this stage.

Question 28 from Councillor Taylor to Councillor Sitkin, Chair of Sustainability and the Living Environment Scrutiny Panel

Would you agree that there should be no more cuts to Local Government funding?

Reply from Councillor Sitkin

Yes, because the Government cuts make it harder for Enfield's businesses and public sector to undertake the sustainability investments that are so crucial to our planet thus economy. Energy-efficiency, retrofitting, renewable fuels, green agriculture - these are all activities requiring long-term commitment, if only to provide potential investors with a reassuringly stable environment. This long view has been adopted by the Germans, Chinese, and Americans - not to mention the Scandinavians, Dutch and French. Only the Conservative-led government rejects it. The children of Enfield would never have forgiven the Conservatives for betraying our environment with their short-sighted self-interest. Thankfully the borough is run by a Labour Administration dedicated to sustainable regeneration.

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

As Cabinet Member for the Environment with responsibility for parks, was he consulted about and did he approve of the application by Leisure Services for the use of Chase Green for year round entertainments at that site, and if so could he explain to the council his reasoning, given the enormous number of objections?

Reply from Councillor Bond

No, I had not been consulted and had not forwarded any comments.

Question 30 from Councillor Neville to Councillor Charalambous, Cabinet Member for Leisure

Was the Cabinet Member consulted on the making of an application for an all year round entertainments licence in respect of Chase Green open space?

Did he authorise this and, if not, who did?

Reply from Councillor Charalambous

I was aware that it is the 400th anniversary of the New River in 2013 and my officers had been exploring the possibility of creating a celebratory event, initially at Chase Green. Officers advised me of the event and the application

for the licence. The detail was left to officers to deal with. Recent applications for the town centre had been 'all year round applications' and the same process was applied to this application. Once this error had been identified the application was modified to 20 days per year. Following the application being awarded, I discussed the situation with the Leader and agreed to revoke the licence. I have discussed this process with officers in Leisure and in future more care will be taken to ensure that more bespoke applications are made. I can assure you this will not happen again.

Question 31 from Councillor Neville to Councillor Taylor, Leader of the Council

Further to his reply to Question 50 on the last council agenda concerning the employment of consultants, the Leader of the Council confirmed that no consultants were paid through a service company "to avoid employers contributions". Can he also confirm that since May 2010 no consultants, whether former officers, or otherwise, are paid through a service company?

Reply from Councillor Taylor

I would refer back to the previous answer to this question and confirm that no consultants have been paid through a service company to avoid employers' contributions.

Consultants are engaged via the Matrix Agency, company no. 02227962, to ensure compliance with legislative requirements. The Council's contract with Matrix was procured initially in 2007 and renewed in 2011.

Question 32 from Councillor Neville to Councillor Stafford, Cabinet Member for Finance and Property

With further reference to the Morson Road site, one of the alternative properties considered was at Suez Road, Enfield which "was rejected due to proposed lease arrangements". Did you consider asking officers about the possibility of acquiring the freehold, and if not why not?

Reply from Councillor Stafford

Please see response to Question 11.

Question 33 from Councillor Ann Marie Pearce to Councillor Hamilton Cabinet Member for Community Wellbeing and Public Health

Councillor Hamilton will no doubt have been made aware of the report published by the Local Government Information Unit with the assistance of Westminster Council ('A Dose of Localism - The Role of Councils in Public Health') recognising the prevalence of obesity, and the costs to local government of the transfer of public health from the NHS to local government. Given local government's existing remit in relation to housing, planning, leisure

and environmental health, the report also recognises the opportunities afforded by the transfer of such functions of identifying a more holistic approach to tackling this and other health issues. Notwithstanding one of the suggestions has been the subject of some valid criticism by many (although it is clear that they have not even read the report), the report does properly prompt certain questions. Will the Cabinet Member request officers to study the report and make suggestions regarding opportunities for a more holistic approach to improving health outcomes for the people of Enfield?

Reply from Councillor Hamilton

With public health coming into the Council we have been looking at the opportunities to maximise health gain. We fully acknowledge that public health is much more than the work done by the Public Health Department, and is the responsibility of everyone in the Council and partner organisations. As a major step to this, we have already made it a requirement that all papers to Cabinet should clearly state the impact the proposal will make on public health.

Question 34 from Councillor Neville to Councillor Bond, Cabinet Member for Environment

The Council has recently been awarded a government grant of £2.46m in connection with waste collection. I understand from the press release that an undertaking has been given "to maintain the residual weekly collection and to provide an organic waste collection service to support weekly bin collections".

Can Councillor Bond please confirm:

1. Which collection service is to be funded by this grant?
2. Whether this is an annual grant or not, and at what rate payments will be received?
3. How he proposes to spend this additional sum given that the cost of the weekly residual collection was already funded and included in the Medium Term Financial Strategy?

Reply from Councillor Bond

1. Partial funding towards mixed dry recycling and organic rounds
2. The grant is over 3 years, with the majority in 2013/14
3. To fund additional collections for organic waste to householders not on the current service (kerbside and estates) and unfunded pressures in the current service.

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

The Mayor of London, Boris Johnson announced that 2,000 new street trees are to be planted across 19 boroughs this spring thanks to funding from City Hall. Enfield was one of the lucky boroughs to have been awarded funds to plant 200 trees as part of round 1 of the programme. Please could the Cabinet Member inform the chamber which wards will benefit from the Mayor of London's investment?

Reply from Councillor Bond

Since 2010 we have planted 1,800 trees, the majority financed directly by the Council.

The target zone for planting for the Mayor's funding is N11/N13 encompassing Southgate Green, Bowes and Palmers Green.

The Council Programme will also include at least another 300 trees in 2013/14.

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

Now that it is over two years since the former Brimsdown Petrol Station was illegally occupied and turned into a dumping ground, could the Cabinet Member inform the chamber how much longer it is going to take for his department to clear up this mess?

Reply from Councillor Bond

Over the past two years, Council officers have worked to try and secure co-operation from the land owners to take responsibility for the illegal encampment. This persistence finally resulted in the owners commencing legal action last year and the Courts are due to hear an application to evict the occupiers next month.

A warrant to enter the site was executed on 13 December 2012 by Planning enforcement officers accompanied by Envirocrime officers. This allowed the Council to assess the site in full in order to serve formal notice on all issues and seek to improve the site while the owners were obtaining an eviction notice through the courts.

Officers found six vehicles on the site that were untaxed, and these were removed for disposal in accordance with DVLA powers. The squatters have since brought more waste and vehicles onto the site.

The landowners were due to obtain the eviction order at a court date in February. However due to the success of the Council's raid and the squatters bringing more vehicles onto the site, the courts brought forward the hearing date and have now granted the eviction notice. We are working with the

landowners to arrange a multi agency approach to finally clear and secure the site until redevelopment can take place.

Question 37 from Councillor Laban to Councillor Taylor Leader of the Council

Would the Leader of the Council apologise to the residents of Town Ward, for his administration's shambolic handling of the Chase Green Licence Application?

Does the Leader of the Council agree that if the Leisure Department had withdrawn the Chase Green Licence Application prior to the Licensing Sub Committee date it would have saved thousands of pounds of tax payers money?

Could he please give the council a breakdown of the complete costs of this fiasco, from the original inception by the Leisure Department up to and including costs of holding a six hour meeting of the Licensing Sub Committee including costs of legal staff and minuting staff?

Reply from Councillor Taylor

I feel there is no reason for an apology as the legal process took its course. The additional costs (other than normal staffing costs) totalled £1,733.10. I trust that Councillor Laban is not suggesting that residents should not be able to oppose proposals from the Council.

Question 38 from Councillor Rye to Councillor Hamilton Cabinet Member for Community Wellbeing & Public Health

The amendment to the Legal Aid, Sentencing and Punishment of Offenders Bill tabled by Nick de Bois MP, known as "Enfield's Law", came into effect on 1 December. As well as congratulating anti-knife crime campaigners and the Enfield Independent for this success, will Councillor Hamilton also congratulate Nick de Bois MP who started the campaign and whose amendment to the Bill forms the actual law itself?

Reply from Councillor Hamilton

This Council has worked tirelessly with the police and other partners to reduce knife crime and other violent offences linked with gang activity.

We recognise the risks involving young offenders which is why we have targeted some innovative activity at that group including the Gangs Call In and work with young people through schools and the Youth Offending Service to highlight the risks of carrying a knife.

Our Trading Standards Officers have also assisted through targeted work in relation to age related sales. It is this approach and the systematic management of the work which won Enfield national recognition of the problem solving Tilley award!

Question 39 from Councillor Waterhouse to Councillor Bond, Cabinet Member for Environment

How many Street Hawks have signed up in Chase Ward in each of the past three years?

Reply from Councillor Bond

We have 181 members of Street Hawks in our records.

Our records of Street Hawks members only notes their postal addresses, not which ward they live in.

For some members there is not a record of when they joined.

The EN2 postcode is the one corresponding most closely with Chase ward.

There are 20 Street Hawk members in the EN2 postcode.

For 7 there is no record of when they joined. Of the others, people joined from 2005 to 2012. 1 joined in 2010, 4 in 2011 and 1 in 2012.

Question 40 from Councillor Waterhouse to Councillor Orhan, Cabinet Member for Children & Young People

Which schools in Chase Ward has the Cabinet Member for Children and Young People visited since May 2010, and when? What plans does the Cabinet Member have to visit schools in Chase Ward in 2013?

Reply from Councillor Orhan

In response to Council Question 40, I would like to reiterate my commitment to listening/hearing and taking into account views from parents, staff, governors and students. This is done by visiting as many schools, children's centres and school councils as possible but also by speaking with staff, students, parents and school governors at various meetings and Borough wide events.

I have very regular meetings with the Director and officers in the Department, and am kept fully updated. There is an enormous amount of work that takes places around children, young people and their families, both within the Department, in Schools, Children's Centres, Youth Centres, and other establishments and also in the community, often run by young people and the voluntary community groups.

I have made 56 school/educational site visits from Feb 2011 when I began recording them. I do not choose which schools to visit according to the Ward they are in; although I can confirm I have visited three schools in Chase Ward. I have not yet planned my school visits for this year.

Question 41 from Councillor Waterhouse to Councillor Bond, Cabinet Member for Environment

What revenue raising options has the council identified that could be achieved by the local authority adopting Violet Avenue?

Reply from Councillor Bond

None

Question 42 from Councillor Waterhouse to Councillor Bond, Cabinet Member for Environment

At the previous full Council meeting, Councillor Sitkin argued that the Hilly Fields Greenway route would be used to "train the Olympic champions of the future". Was this use of the Greenway made clear to residents during the consultation phase, and is it still the administration's intention for it to be used in this way?

Reply from Councillor Bond

The Greenway network is intended to be shared by pedestrians, cyclists and wheelchair users. It has been specifically designed for use by people with disabilities. The routes provide a safe environment for families to enjoy our open spaces and I hope that they will inspire the borough's children to take up cycling in later life, either as a healthy means of transport or as a sport or even as an Olympian.

Question 43 from Councillor Waterhouse to Councillor Oykenner, Cabinet Member for Housing

What is the administration's policy towards providing specified travellers' sites in the borough?

Reply from Councillor Oykenner

The Council's Planning Policy regarding gypsy and traveller sites in the borough is set out in the Core Strategy of Enfield's Local Plan, adopted in 2010.

Core Policy 6 "Meeting Particular Housing Needs" states that applications for gypsy and traveller sites should meet the following criteria:

- There is vehicular access from the public highway and provision for parking, turning and servicing on site to ensure road safety for occupants and visitors;
- There is no harm to visual amenity and there is adequate landscaping and planting, with appropriate trees and shrubs;
- The site has good access to shops, health care, school and other education facilities;
- The site is not in an area at high risk of flooding, including functional floodplains; and
- The size of the site is appropriate to its local context, and in relation to the local infrastructure and population size and density.

The Core Strategy confirms that the Council will work with the Mayor of London to identify whether there is a requirement for pitches within the Borough, taking into account the existing supply of pitches readily accessible from the Borough in the wider area. Where need can be demonstrated, the Sites Schedule or relevant area action plan will consider appropriate sites for gypsy and travellers accommodation, having regard to the above criteria and any further guidance to be included in the Development Management Document as necessary. The presence of green belt and flood risk areas within the Borough will constrain and limit opportunities for identifying sites.

Enfield currently has no gypsy and traveller sites and the Gypsy and Traveller Accommodation Needs Assessment (March 2008) identifies that Enfield has the third lowest need for sites within London. The Mayor of London is reassessing the methodology for assessing allocation of sites across London, which is expected to inform the revision of the London Plan. This may result in a need for Enfield to identify sites, however, in the absence of clear and immediate need there is no justification for allocating sites in advance of the consideration of pitch numbers as part of a revision to the London Plan. This will be reviewed on an on going basis with the Mayor of London and if necessary relevant development plan documents will be reviewed where appropriate.

Question 44 from Councillor Waterhouse to Councillor Bond, Cabinet Member for Environment

What steps is he taking to ensure that double yellow line markings in the borough are clear, especially where some in the Lancaster Road area appear to have been put in place, then subsequently partially painted over in black?

Reply from Councillor Bond

The Council has a maintenance regime in place to ensure that all waiting and loading restrictions remain clear. I have asked officers to look at those in Lancaster Road.

Question 45 from Councillor Waterhouse to Councillor Bond, Cabinet

Member for Environment

How many individual speed humps have been installed in a) Chase Ward b) Southbury Ward since May 2010, and what is the respective cost of each?

Reply from Councillor Bond

- a) Across three 20 mph zones, covering seven schools, speed humps have been introduced at 106 locations in Chase Ward since May 2010. This is made up of 5 speed tables and 216 speed cushions (note that speed cushions are typically arranged in sets of 2 or 3 at each location). I find it interesting that when these three schemes were consulted on, Councillor Waterhouse made no comment and that only one of the three scheme reports was called in by the Opposition.
- b) In Southbury Ward 3 speed tables have been introduced and 28 speed cushions at 12 locations.

One speed cushion costs approximately £700. Speed tables vary in cost significantly because they vary in size and drainage requirements but as a guide they range between £10,000 and £20,000.

Question 46 from Councillor Neville to Councillor Levy, Chair of the Licensing Sub Committee

Could he explain to the council the rationale for his Sub Committee's decision to grant Leisure Services application for an entertainment licence for all year round entertainments on Chase Green given that over 300 objections were received from members of the public and residents of the ward, including councillors of both parties, who along with many residents spoke in opposition at the meeting?

Reply from Councillor Levy

If the Member had attended the meeting, he would have realised that the points raised by local residents were not matters which could be considered relevant under the Licensing Act 2003. This cross party Sub Committee made an objective decision based on relevant evidence presented to it, in accordance with quasi judicial duty under the Act.

Question 47 from Councillor Headley to Councillor Bond, Cabinet Member for Environment

In relation to the Controlled Parking Zone proposals in Edmonton can the Cabinet Member tell us how many consultation documents were:

1. distributed and what was the geographical cut off in the Edmonton area for these documents; and

2. the total number (not the percentage) who were in favour?

Reply from Councillor Bond

1. 8,429 leaflets were distributed in the first consultation, which asked if residents and businesses had a parking problem and would they support a CPZ. Leaflets were distributed as far north as Forest Road, east to Montagu Road, south to (but not including) Brettenham Road and west to (but not including) Dunholme Road. For the current consultation, premises outside the proposed CPZ but that were included in the first consultation, received a letter explaining this and asking for any comments, (I attach as an appendix, a copy of this letter which also includes a plan that usefully shows the original consultation boundary and the proposed CPZ boundary). Premises inside the proposed CPZ received a detailed plan, leaflet and questionnaire.
2. From the 8,429 leaflets that were distributed in the first consultation, 1,173 responses were received with 411 in favour of parking controls. From within the proposed CPZ, 438 responses were received of which 234 were in favour of parking controls. I am pleased to report that the response rates to the current consultation are significantly improved.

Question 48 from Councillor Headley to Councillor Bond, Cabinet Member for Environment

Can the Cabinet Member tell us the rationale for having a 7 day a week 10 hour parking restriction in place in Edmonton?

Reply from Councillor Bond

The hours of operation of the proposed Edmonton Green CPZ are based on the wishes of local residents as expressed in the first consultation. 88% of respondents felt the CPZ should operate all day and 57% felt it should operate all week. However if on careful analysis of the results of the current consultation these hours or days need to change, we will do. Indeed if the majority of residents do not want a CPZ, we will not introduce it.

Question 49 from Councillor Headley to Councillor Bond, Cabinet Member for Environment

Can the Cabinet Member tell us the forecast receipts this Controlled Parking Zone is forecast to generate in 12, 18 and 24 months?

Reply from Councillor Bond

There are no forecasts of receipts from the Edmonton Green CPZ.

Question 50 from Councillor Headley to Councillor Bond, Cabinet Member for Environment

Can the Cabinet Member for Environment tell us which roads in Upper Edmonton ward and Haselbury ward are forecast to be included in a Controlled Parking Zone for around Silver Street Station?

Reply from Councillor Bond

The only future CPZ that may affect Silver Street Station is one associated with the development of the Spurs ground. Funding for such a zone was secured as part of the recent planning permission granted by Haringey Council for the expansion of the Spurs stadium in White Hart Lane. Consultation is likely to take place in the summer and the consultation boundary is envisaged to extend from the borough boundary to Chalfont Road. As with all our CPZs we will only introduce them where the majority of respondents want one. It should also be noted that residents at the southern end of Victoria Road have recently submitted a petition requesting parking controls to deal with commuter parking.

Edmonton Green

Consultation on parking in your area



For a copy of this leaflet in this language, please call
020 8379 1000 or email enfield.council@enfield.gov.uk

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Edmonton Green

Consultation on parking in your area

Enfield Council contacted you in June last year for your views on the parking situation in your area. We have now carefully analysed all the responses received during that consultation process, and we have drawn up a detailed plan for a possible new Edmonton Green Controlled Parking Zone (CPZ), operational between 9am and 6.30pm from Monday to Sunday. The boundary of the CPZ is shown on the map overleaf, and includes streets around the shopping centre and railway station such as Bounces Road, Lion Road, Monmouth Road, Town Road, Brookfield Road and Felixstowe Road. **Your address is currently excluded from the CPZ.**

The first consultation process indicated that respondents hold a wide range of views on parking, and we have tried to accommodate the balance of views in each street, taking into account responses in neighbouring streets and other constraints.

In summary, the consultation in June last year indicated that:

- 62% of respondents within the possible Edmonton Green CPZ boundary shown on the map overleaf agreed with the need for parking controls in their area/street;
- 75% of respondents outside the boundary of the possible Edmonton Green CPZ shown on the map overleaf were opposed to the introduction of parking controls in their area/street;
- A majority of residents in roads managed by the Metropolitan Housing Trust on the Barbot Estate (including Galahad Road and Bedevere Road) and in the vicinity of Menon Drive were against the introduction of parking controls and have not been included in the CPZ.

If you wish to comment on the plan shown overleaf, please write to us using the **pre-paid envelope that this information was delivered in** by no later than **Friday 14th December** – no stamp is required.

Next steps

Once the plan has been finalised following consideration of your comments, a Statutory Consultation process will be undertaken in early 2013, which will include the advertisement of the relevant Traffic Management Orders on street and in the local press.



If you have any questions about this survey please call **020 7939 6218** or e-mail **SKMCBTravelSurveys@globalskm.com** quoting 'Edmonton Green parking consultation'.

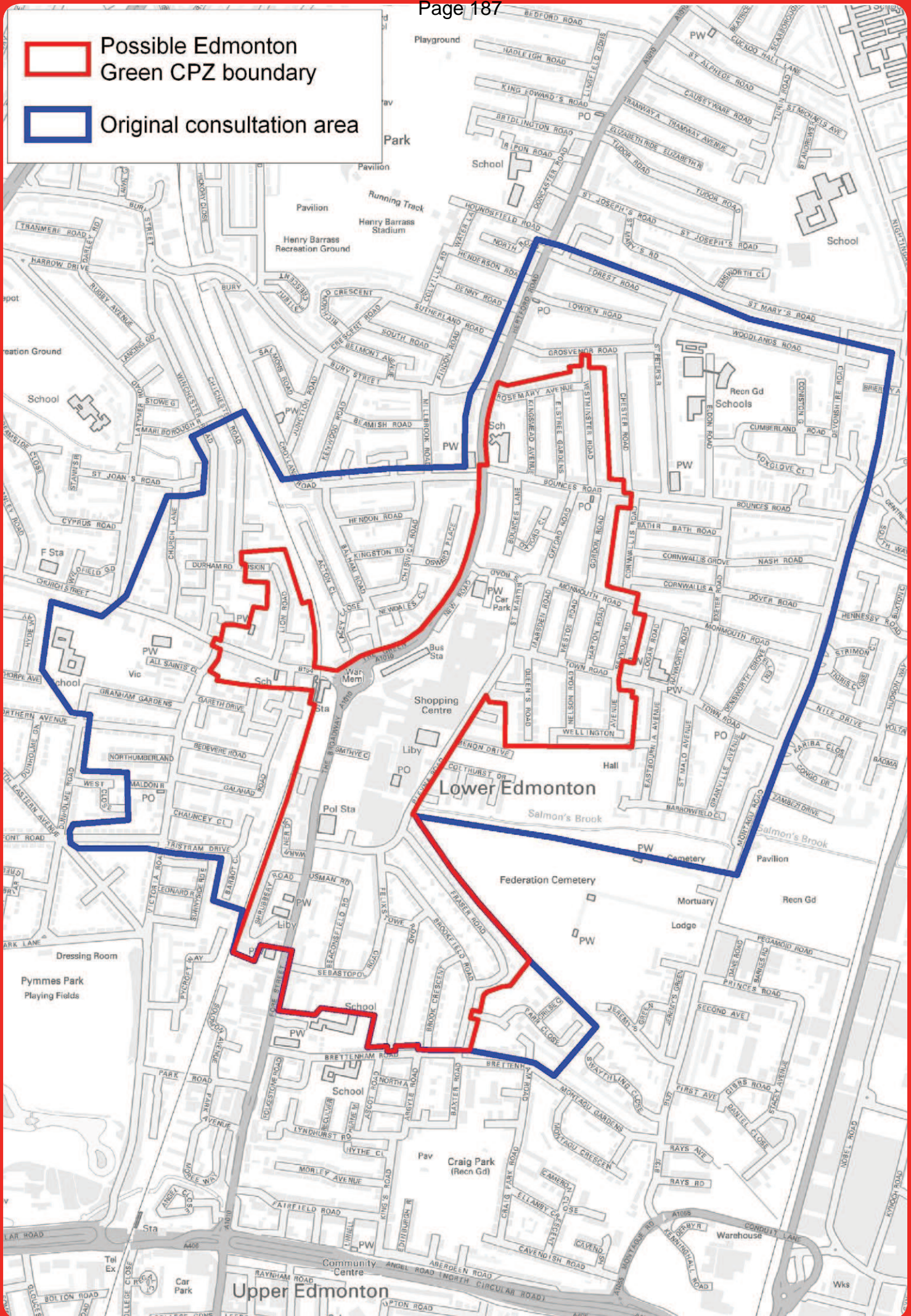
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-  Possible Edmonton Green CPZ boundary
-  Original consultation area



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