



**LONDON BOROUGH OF ENFIELD**

**AGENDA FOR THE COUNCIL MEETING  
TO BE HELD ON WEDNESDAY, 27TH MARCH,  
2013 AT 7.00 PM**

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

**Please Reply to:** James Kinsella  
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**Date:** 19 March 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, 27th March, 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 27 February 2013.

**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 - LACK OF CORPORATE GOVERNANCE AT ENFIELD COUNCIL (Pages 15 - 58)**

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. PROPOSED SUBMISSION DEVELOPMENT MANAGEMENT DOCUMENT (Pages 59 - 64)**

To receive a report from the Director of Regeneration, Leisure and Culture seeking approval of the Proposed Submission Development Management Document and the subsequent consultation and submission, together with the necessary supporting documents to the Secretary of State for independent examination.

(Report No.179)

**(Key decision – reference number 3612)**

Members are asked to note:

- The report is also due to be considered by Cabinet on Wednesday 20 March 2013. The decision made by Cabinet will be reported to Council.
- A copy of the Proposed Submission Development Document will be available (for reference purposes) in the Members Library, Group Offices and also with this agenda via the Democracy page on the Council's website. If required, additional copies will be available by contacting James Kinsella (Governance Team Manager).

**9. REVIEW & ADOPTION OF A STATUTORY PAY POLICY STATEMENT (Pages 65 - 92)**

To receive the report of the Chief Executive presenting the Council's Statutory Pay Policy Statement for consideration and approval.

(Report No.171A)

Members are asked to note that the draft Pay Policy Statement was subject to review and recommendation onto Council, at the Remuneration Sub Committee on 19 March 2013.

**10. ESTABLISHMENT OF HEALTH & WEALTH BEING BOARD ENFIELD (Pages 93 - 110)**

To receive a report from the Director of Health, Housing & Adult Social Care seeking approval to the establishment of a Health and Wellbeing Board and the specific proposals for Enfield.

(Report No.200)

**11. COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)**  
(Pages 111 - 136)

11.1 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.

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

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

**12. MOTIONS**

12.1 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.

Whilst there may be issues regarding some of the 89 recommendations which may be open to debate, Council calls upon the Government, the Mayor of London and the London LEP to begin substantial discussions with London Councils and the sub regions of London regarding the announced implementation of the report.”

12.2 In the name of Councillor Hamilton

“We ask this Council to note the One Billion Rising Campaign, and the call to end violence against women and girls; and we call on Enfield Council to support the call to introduce statutory provisions to make personal, social and health education, include a zero tolerance approach to violence and abuse in relationships.

We call on this Council to invite a speaker from the national campaign to address the Council meeting in November to mark White Ribbon Day, in recognition that Enfield Council was the first London Authority to be awarded white ribbon status for its work on raising awareness and tackling violence against women and girls.”

#### 12.3 In the name of Councillor Rye

“Enfield Council congratulates the Chancellor of the Exchequer The Rt Hon George Osborne on his recent Budget – as the Conservative led Government reduces the huge deficit left by the last Labour Government, this will help promote growth and benefit Enfield residents.”

#### 12.4 In the name of Councillor Neville

“The Council is concerned to retain and improve the appearance of the borough’s street scene and instructs the Environment Cabinet Member to ensure that repairs to footways are carried out on a like for like basis i.e. replacing broken pavings with paving/blocks unless a change to tarmac is favoured by the majority of residents of a road in a consultation exercise.”

#### 12.5 In the name of Councillor Levy

“Contrary to popular belief, the number of licensed betting shops currently operating in Enfield is approximately the same as it was in 2007.

But even were there to have been the kind of proliferation locally that is perceived to be the case, local authorities such as Enfield Borough Council are almost powerless to exert effective controls of the spread of such premises under current legislation and guidance. In the case of the Gambling Act 2005, councils are explicitly prevented from even considering cumulative impact as a policy option.

In a political climate where the concept of localism is given primacy, and where local government is continually being told to assume more responsibilities and keep its house in order, it is a major anomaly that national law places unworkable constraints on councils and other authorities in addressing the concerns of a wide constituency of local public opinion as to the trend towards increasing numbers of licensed betting shops.

Central Government is clearly more influenced by the powerful lobbying force of the Association of British Bookmakers and the extensive tax revenues generated through the betting industry than responding to the ever more vocal opposition from local residents, local businesses, their representatives and advocates, concerned by issues such as community safety, public protection, and imbalanced high street offerings.

Council is therefore asked to agree it that it is essential to be given the opportunity to restrict and limit betting shops, where appropriate, by:-

- a) Supporting intensified efforts by the Administration in its lobbying of the Department of Culture Media and Sport for reform of the Gambling Act 2005 such that cumulative impact may be written into local licensing policy and the scope for making representations is widened.
- b) Supporting similar pressure upon the Department for Communities and Local Government, and working with the Local Government Association and others, in seeking to achieve a distinctive usage classification for betting shops under the planning regime.
- c) Uniting with London Councils to explore parallel ways of securing more powers of control of betting shops through the provisions of the London Local Authorities Act 2012.”

**13. USE OF URGENCY PROCEDURES - MONITORING UPDATE** (Pages 137 - 138)

Council is asked to note the details provided of decisions taken under the Council's urgency procedure relating to the waiving of call-in and, where necessary, the requirements in relation to notice of key decisions. These decisions have been made in accordance with the urgency procedures set out in para 17.3 of Chapter 4.2 (scrutiny) and para 16 of Chapter 4.6 (Access to Information) of the Council's Constitution.

**14. MEMBERSHIPS**

To confirm any changes to committee memberships:

**15. NOMINATIONS TO OUTSIDE BODIES**

To confirm any changes to outside body membership.

**16. CALLED IN DECISIONS**

None received.

**17. DATE OF NEXT MEETING**

To note that the next meeting of the Council will be held on Wednesday 8 May 2013 at 7.00 p.m. at the Civic Centre. This will be the Annual Council Meeting & Mayor Making Ceremony.

**18. 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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## COUNCIL - 27.2.2013

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 27  
FEBRUARY 2013****COUNCILLORS****PRESENT**

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

**ABSENT**

Ali Bakir, Jonas Hall, Eric Jukes, Paul McCannah, Daniel Pearce and Rohini Simbodyal

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

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

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

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

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

The Mayor made the following announcements:

- She thanked Father Emmanuel for offering the blessing.

The Mayor highlighted the following achievements:

**(a) Primary School Public Speaking Competition**

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The Mayor advised that she was delighted to be joined at the meeting by Michael Deane, a pupil at Bowes Primary School, as winner of the Primary Public Speaking Competition.

She then invited Michael to read his winning speech to the Council, with Members warmly congratulating him afterwards on his achievement.

**(b) Jack Petchey Speak Out Challenge**

The Mayor advised that she was also delighted to welcome Rashawn Grant to the meeting, as winner of the Jack Petchey Speak Out Challenge.

Rashawn was invited to read his winning entry to the meeting, for which he was also warmly congratulated afterwards by the Council.

**(c) Enfield Youth Parliament**

The Mayor welcomed Giles Abban, Jake Orros, Doni Jones & Yousif Alawoad, who she advised had been invited to attend the meeting in order to update Members on the work they had been undertaking as the elected representatives on Enfield Youth Parliament.

The representatives had been elected by over 9000 young people across the borough with the following achievements highlighted as part of the update:

- inclusion of views from young people in the development of various major regeneration projects across the borough;
- representation of Enfield Youth Parliament at a number of national and regional youth summits;
- the election of a representative from Enfield on the UK Youth Parliament;
- implementation of a national campaign designed to make the education system more relevant to everyday life; and
- engagement and support for projects under the Invest in Us & I Aspire schemes.

The Mayor and Council thanked the representatives, along with the Youth Workers supporting them, for attending the meeting and the update provided.

Members were reminded that the Mayors Spring Ball would be taking place on Saturday 16<sup>th</sup> March at Forty Hall and thanked for their support of the event.

**132  
MINUTES**

**AGREED** that the minutes of the Council meeting held on 30 January 2013 be confirmed and signed as a correct record

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**APOLOGIES**

Apologies for absence were received from Councillors Ali Bakir, Jonas Hall, Eric Jukes, Paul McCannah, Daniel Pearce and Rohini Simbodyal. An apology for lateness was received from Councillor Simon Maynard.

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**DECLARATION OF INTERESTS**

John Austin (Assistant Director Corporate Governance) reminded members of the requirements within the new Member Code of Conduct, 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, but had not exempted these requirements (as under the previous framework) in relation to decisions on the setting of Council Tax, Housing Rents & Members Allowances.

The Mayor advised that in order to enable members to participate in the debate and vote on the Council Tax, Housing Rents and Members Allowances scheme the Councillor Conduct Committee on 14 February 2013 had agreed to grant a general dispensation under section 31 (4) (c) of the Councillor Code of Conduct which would apply to agenda items 7 & 8. This would allow all members to participate in the decision on these items and had been approved on the grounds that it would be in the interests of persons living in the Borough for as many members as possible to be able to debate and decide on the issues in question.

Confirmation was provided that Section 106 of the Local Government Finance Act 1992 would still require any Member who was two or more months in arrears on their Council Tax to declare their position and not vote on any issue that could affect the calculation of the budget or Council Tax (under agenda item 7).

Members were then asked to identify any interests in any other agenda items, with the following declarations made:

**Agenda Item 9 : North Circular Area Action Plan Proposed Submission Stage** - Councillor Oykenor declared a Disclosable Pecuniary Interest as he was the landlord of a property in the area covered within the Plan. He did not participate in the debate or vote and withdrew from the meeting for consideration of this item.

**Agenda item 10 – Review & Adoption of Statutory Pay Policy Statement** – Councillor Laban declared a Disclosable Pecuniary Interest as her mother was a Council employee. This item was subsequently withdrawn from consideration at the meeting.

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**BUDGET 2013/14 AND MEDIUM TERM FINANCIAL PLAN (GENERAL FUND)**

Councillor Taylor moved and Councillor Stafford seconded the report of the Director of Finance, Resources and Customer Services (No.151A) presenting for approval the Budget for 2013/14 and Medium Term Financial Plan (General Fund).

NOTED

1. The recommendations within the report (with the exception of 2.12 which had been added for Council) had been endorsed and referred onto Council, at the Cabinet meeting held on 12 February 2013.
2. The outcome from the budget consultation process undertaken on the proposals for 2013/14, as detailed within section 4 and Appendix 1 of the report.
3. The ongoing pressures on the Council's budget as a result of the large scale reduction in local government funding by Central Government and the current economic climate alongside the need to manage increasing levels on demand on services and the negative impact of the funding allocation damping mechanism.
4. The significant level of savings already delivered and ongoing need for further reductions to be achieved in relation to maintaining a balanced budget position. It had been recognised that the ongoing strategy to deliver the required level of savings would require hard decisions in relation to service provision but these had and would continue to be undertaken on a prudent basis to avoid creating unnecessary pain and to protect the long term sustainability of services.
5. The savings identified to date and budget proposals for 2013/14 and beyond had been:
  - a. developed to reflect the Administrations key priorities, commitments and achievements and core aims of Fairness for All; Growth & Sustainability and Strong Communities; and
  - b. achieved alongside a further 0% recommended increase in Council Tax and increased satisfaction levels in relation to the management and provision of services by the Council.
6. The concerns highlighted by the Opposition Group in relation to:
  - a. The Strategy in place to continue delivering a balanced budget given the size of the budget deficit and approach outlined within the Council's budget consultation paper and current Medium Term Financial Plan to 2015-16 and beyond.

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- b. The planned management and ongoing use of reserves and balances and provisions being made for future management of the Council's financial position outside of any borrowing requirement.
  - c. The assumptions on which delivery of the 2013/14 budget proposals and Medium Term Financial Strategy had been based, with specific reference to the level of inflation, ability to manage the level of demand on services and generate additional income.
7. The thanks to Council officers for their support and efforts in delivery of the budget proposals alongside the key achievements made by the current Administration.

**AGREED**

- (1) to note S106 of the Local Government Finance Act 1992 which required any Member who was two months or more in arrears on their Council Tax to declare their position and not to vote on any issue that could affect the calculation of the budget or Council tax.
- (2) With regard to the revenue budget for 2013/14:
  - (a) The council tax requirement for Enfield be set at £96.343m in 2013/14;
  - (b) Subject to final pupil count data, to approve expenditure of £292.156m in 2013/14 for the Schools budget, funded from the Dedicated Schools Grant;
  - (c) To set the Council Tax at Band D for Enfield's services for 2013/14 at £1,100.34 (as detailed in para 8.1 of the report), there being no increase over the 2012/13 Council Tax;
  - (d) To approve the statutory calculations and resolutions set out in Appendix 10 of the report;
- (3) With regard to the Prudential Code and the Capital Programme:
  - (a) To note the information regarding the requirements of the Prudential Code (as detailed in section 9 of the report);
  - (b) To approve the proposals for allocating resources to capital projects 2012/15 and note the indicative 2015/17 capital programme as set out in section 9 and Appendix 5 of the report;
  - (c) To approve the Prudential Indicators, the Treasury Management Strategy, the Minimum Revenue Provision statement and the criteria for investments, as set out in section 9 and Appendix 4 of the report

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- (4)** To note, with regard to the Medium Term Financial Plan the forecast for the medium term as set out in section 10 of the report and adopt the key principles set out in paragraph 10.10 of the report.
- (5)** With regard to the robustness of the 2013/14 budget and the adequacy of the Council's earmarked reserves and balances:
  - (a)** To note the risks and uncertainties inherent in the 2013/14 budget and the Medium Term Financial Plan (as detailed in sections 10 & 11 of the report);
  - (b)** To note the advice of the Director of Finance, Resources & Customer Services regarding the recommended levels of contingencies, balances and earmarked reserves (as detailed in section 12 of the report) and have regard to the Director's statement (as detailed in section 13 of the report) when making final decisions on the 2013/14 budget;
  - (c)** The recommended levels of central contingency and general balances (as detailed in section 12 of the report);
- (6)** That authority to enter into public health contracts transferring from the NHS is delegated to the Director of Housing, Health & Adult Social care (in conjunction with the Director of Public Health) & the Director of Finance, Resources and Customer Services. A separate Public health report providing detailed information on each contract will be presented to Cabinet (as detailed in section 5.6 of the report).
- (7)** That the Cabinet Members for Children and Young People and Finance & Property be authorised to take the decision on the schools budget for 2013/14 taking into account the comments of the Schools Forum on February 13th 2013 and any relevant decisions which the Forum make under the DfE regulations (as detailed in section 5.7 of the report).
- (8)** To set up a Hardship Fund of £0.67m in 2013/14 plus associated costs to be funded from the estimated Collection Fund Surplus at 31st March 2013 (as detailed in section 5.8 of the report).
- (9)** To approve the Fees and Charges for Environmental Services for 2013/14, as detailed in section 10.13 and Appendix 11 of the report.
- (10)** To approve the Fees and Charges for Adult Social Care Services for 2013/14, as detailed in section 10.14 and Appendix 12 of the report.
- (11)** That the current members' allowances scheme is re-approved, and that the automatic increase in allowances by the average earnings as at March not be implemented for 2012/13 or progressively for the 2013/14 financial year (as detailed in section 10.15 of the report).

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- (12)** That any underspend in the Enfield Residents Priority Fund for 2012/13 be carried forward for utilisation in 2013/14 (as detailed in section 12.5 of the report).

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

For: 32  
Against: 0  
Abstentions: 22

**136**

**HOUSING REVENUE ACCOUNT ESTIMATES 2013/14 AND RENT SETTING (HRA & TEMPORARY ACCOMMODATION)**

Councillor Oykenor moved and Councillor Georgiou seconded the joint report of the Directors of Health, Housing and Adult Social Care & Finance, Resources and Customer Services (No.152A) presenting for approval the revenue estimates of the Housing Revenue Account (HRA) for 2013/14 and the updated position on the HRA 30 year business plan.

**NOTED**

1. The recommendations set out in the report had been endorsed and recommended onto Council at the Cabinet meeting held on 13 February 2013.
2. The background to development of the Housing Revenue Account (HRA) estimates and rent setting proposals for 2013/14, which had been designed to reflect:
  - a. the introduction of the HRA self financing system; and
  - b. the requirements and assumptions within the Council's HRA Business Plan
3. In accordance with the HRA Business Plan the proposals for 2013/14 had included an increase in housing rents and service charges. Whilst the recommended increase had been in line with national social rent policy and government guidelines on self financing it had been set at as minimal a level as possible in order to support ongoing delivery of the Business Plan and the Council's wider estate regeneration proposals.
4. The need to recognise the future impact of the Government's welfare reforms and benefit changes on the HRA, due to be implemented from 2013/14 onwards.
5. Whilst supportive of the recommendations within the report, concerns were raised by the Opposition Group regarding management of the Council's overall budget deficit and need to consider alternative methods

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of addressing demand on services, particularly in relation the provision of temporary accommodation for homeless households.

6. The thanks to Council officers for their support and efforts in delivery of the budget proposals alongside the key achievements in relation to the housing service.

Following a further period of debate the recommendations in the report were approved, without a vote.

**AGREED**

- (1) To approve the detailed revenue estimates of the Housing Revenue Account for 2013/14
- (2) That the rents be increased in line with national social rent policy. This would result in an average increase of 3.9% for Enfield tenants.
- (3) That all void properties be re let at target rent.
- (4) The level of service charges for 2013/14 as set out in Paragraph 6.1 of the report for those properties receiving the services.
- (5) The proposals for increases in other income for 2013/14, as detailed in Appendices 2 and 3 of the report.
- (6) The Temporary Accommodation rents for 2013/14, as set out in Appendix 5 of the report.
- (7) The total HRA capital programme of £47.5m.
- (8) To note that Cabinet agreed authority should be delegated to the Cabinet Member for Housing and the Director of Health, Housing and Adult Social Care to approve tenders for Decent Homes and General Works.

**137**

**NORTH CIRCULAR AREA ACTION PLAN PROPOSED SUBMISSION STAGE**

Councillor Goddard moved and Councillor Georgiou seconded the report from the Director of Regeneration, Leisure & Culture (No.155A) seeking approval of the proposed submission North Circular Area Action Plan (NCAAP) and the subsequent consultation and submission, together with the necessary supporting documents to the Secretary of State for independent examination.

**NOTED**

1. The recommendations within the report had been considered and referred onto Council for approval by Cabinet on 13 February 2013.



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2. The background to preparation of the NCAAP, as detailed in section 3 of the report.
3. The schedule of minor changes to the Plan set out in section 3.12 of the report, which had been agreed for incorporation into the Plan publication document following consultation with ward councillors, Local Plan Cabinet Sub Committee and Cabinet.
4. The next steps in the development of the Plan and submission process, as detailed in section 4 of the report, which would include a further period of public consultation on the proposed Submission Area Action Plan.
5. The concerns highlighted by the Opposition Group at proposal 6 within the minor schedule of changes which would amend the local plan policies map to remove the designated safeguarded line, on adoption of the NCAAP.

As a result of the concerns raised Councillor Prescott moved and Councillor Rye seconded an amendment to the recommendations within the report seeking the inclusion of an additional recommendation requiring an amendment to the NCAAP to avoid it encroaching on site lines. The amendment was subsequently withdrawn, after a period of further debate, with members noting the opportunity to address the concerns identified through the next stage in the public consultation process.

The recommendations in the report were then approved without a vote, subject to 1 abstention being recorded.

**AGREED**

- (1) To approve the proposed submission North Circular Area Action Plan (incorporating the changes detailed in section 3.12 of the report) for an extended statutory publication of 7 weeks and subsequent submission to the Secretary of State.
- (2) The Cabinet member for Business & Regeneration be authorised to approve the publication of the Sustainability Appraisal and Equality Impact Assessment of the proposed submission North Circular Area Action Plan.
- (3) The Director of Regeneration, Leisure & Culture, in consultation with the Cabinet member for Business & Regeneration, approve appropriate changes to the proposed submission version of the North Circular Area Action Plan and undertake any further consultation required in the run up to and during the public examination process into the document, in response to representations received, requests from the Planning Inspector and any emerging evidence, guidance or legal advice. Changes of a substantive nature may be considered by the Local Plan Cabinet Sub Committee.

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**COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING**

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

The remaining items of business were then considered without debate.

**139**

**REVIEW & ADOPTION OF A STATUTORY PAY POLICY STATEMENT**

The Assistant Director Corporate Governance advised that the report from the Chief Executive (No.171) had been withdrawn from the agenda to enable consideration to be given to additional guidance from the Secretary of State received following publication of the report.

**140**

**FAIRNESS FOR ALL - EQUALITY & DIVERSITY ANNUAL REPORT 2012**

RECEIVED the report of the Director of Finance, Resources & Customer Services (No.153) presenting Enfield Council's Equality & Diversity Scheme Annual Report 2012.

NOTED that the report was considered and approved by Cabinet on 13 February 2013 and had been referred onto Council for information only.

**AGREED** to note the Equality & Diversity Annual Report 2012.

**141**

**COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)**

1.1. Urgent Questions

None received.

1.2. Questions by Councillors

NOTED that no questions had been submitted for written response.

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**MOTIONS**

The following motions listed on the agenda lapsed due to lack of time:

1.1 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

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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.”

1.2 In the name of Councillor Hamilton

“We ask this Council to note the One Billion Rising Campaign, and the call to end violence against women and girls; and we call on Enfield Council to support the call to introduce statutory provisions to make personal, social and health education, include a zero tolerance approach to violence and abuse in relationships.

We call on this Council to invite a speaker from the national campaign to address the Council meeting in November to mark White Ribbon Day, in recognition that Enfield Council was the first London Authority to be awarded white ribbon status for its work on raising awareness and tackling violence against women and girls.”

**143**

**MEMBERSHIP OF COMMITTEES AND PANELS**

NOTED that following discussion with both Groups prior to the meeting it had been agreed that the item would now be dealt with under the changes being proposed to Committee Memberships.

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**MEMBERSHIPS**

**AGREED** the following changes to committee memberships

- (1) Older People & Vulnerable Adults Scrutiny Panel** – Councillor Joannides to be replaced by vacancy
- (2) Pension Fund Board** – Councillor Jukes to replace Councillor Hall
- (3) Learning Difficulties Partnership Board** – Councillor Joannides to be replaced by a vacancy
- (4) Green Belt Forum** – Councillor East to replace Councillor D.Pearce

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**NOMINATIONS TO OUTSIDE BODIES**

**AGREED** the following changes to the membership of outside bodies:

- (1) **Health & Well Being Shadow Board** – Councillor Bond (as Cabinet member for Environment) to fill newly created position on Board
- (2) **Enfield, Essex & Hertfordshire Border Liaison Group** – Councillor Laban to replace Councillor Lamprecht
- (3) **Health & Social Partnership Board**
  - (a) **Mental Health** – Councillor A.M.Pearce to replace Councillor Joannides
  - (b) **Carers** – Councillor Headley to replace Councillor Joannides
  - (c) **Older People** – Councillor Headley to replace Councillor A.M.Pearce
- (4) **Single Homeless Forum** – Councillor Smith to replace Councillor Joannides

**146**

**USE OF URGENCY PROCEDURES - MONITORING UPDATE**

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

1. Approval of Project Orders – Primary Expansion Programme (Rule 16)

**147**

**CALLED IN DECISIONS**

None received.

**148**

**DATE OF NEXT MEETING**

NOTED that the next meeting of the Council would be held at 7pm on 27 March 2013 at the Civic Centre.

**149**

**EXCLUSION OF THE PRESS & PUBLIC**

**AGREED** to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for

**COUNCIL - 27.2.2013**

the item of business listed on part 2 of the agenda on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 (information relating to the financial or business affairs of any particular person – including the authority holding that information) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**150**

**BUDGET 2013/14 AND MEDIUM TERM FINANCIAL PLAN (GENERAL FUND)**

RECEIVED a report from the Director of Finance, Resources & Customer Services (No.158) detailing commercially sensitive information relating to the Pest Control and Commercial Waste Fees and Charges for Environmental Services for 2013/14.

NOTED the report had been submitted in conjunction with Report No151A on the Part 1 agenda (Min.135 refers). The recommendation in the report had been endorsed and recommended onto Council, at the Cabinet meeting held on 13 February 2013.

**AGREED** that the Pest Control and Commercial Waste Fees and Changes for Environmental Services be approved for 2013/14, as detailed in section 3.1 of the report.

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

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## **Opposition Priority Business: Lack of Corporate Governance in Enfield**

This Labour administration is failing the borough and its residents through the lack of good corporate governance, which manifests itself in one or more of the following:

1. lack of proper scrutiny of the executive;
2. planning application decisions being taken on a party political basis rather than on merit;
3. poor commercial judgment in its business decisions;
4. an innate desire to avoid discussion and therefore accountability for major decisions; and
5. a failure to understand that democracy ultimately depends on transparency.

The justification for these comments is set out in Appendix A.

### **Recommendations**

That the council:

- (1) requests cabinet as a matter of urgency to benchmark the Council's corporate governance arrangements against the report by Grant Thornton (attached as Appendix B);
- (2) sets up a cross party public investigation into the decision making process on the planning committee and in particular the allegations of "whipping";
- (3) requests the Members & Democratic Services Group to review procedure at council meetings so to ensure that motions requiring notice can never be taken ahead of main items on the agenda unless urgent, and in that case the meeting has to be extended to accommodate the time taken for an urgent motion; and
- (4) The Council should employ rigidly a first line of defence model of corporate governance.\*

\*(The first line of defence in such a model embeds within the organization an obligation on all members of staff above a particular grade to complete a form and

send it to the head of internal audit whenever there is a breach of a written policy. The prescribed form (typically referred to neutrally as operational comment forms) enables the member of staff to identify the policy and the breach. The reason for the breach is immaterial. This must be part of a no-blame culture. As a consequence of the form being completed and acknowledged as valid by internal audit, the breach has to be remedied within an agreed timescale. The causes of the breach, be they system related, human error or otherwise are identified and addressed through process or system changes or through training and in extremis disciplinary action. The Audit Committee should receive updates at every meeting of the operational comments raised, the action plan, resources employed and the timescale for conclusion).



**Appendix A**

**Corporate Governance Failures in Enfield Council and their cost to the Council Tax Payer**

**1. Introduction**

- 1.1 Appendix B is a copy of Grant Thornton's Local Government Governance Review 2013. This report is not specific to Enfield but its comments are relevant and apposite. It is an excellent paper and if you do not have time to read it all please at least look at the 2012 Highlights page. Of the nine findings all of them are relevant to Enfield.
- 1.2 Page 20 of the report explains why corporate governance is not simply an academic exercise, but has real consequences on service provision. Page 20 precises extracts from the report 'Towards a Tipping Point'. That report sets out seven tipping point scenarios that will result in local government failure and their relevance to corporate governance. That is the report which was the subject of our previous Opposition Priority Business, and which was rubbished by the Labour administration. I am under no doubt that it will rubbish this paper as well.
- 1.3 Page 17 identifies the posts within an authority that should drive good governance.
- 1.4 Page 18 identifies the seven principles set out in Lord Nolan's Committee on Standards in Public Life.
- 1.5 The title of this paper comprises two quotes. The first recognises that leadership is the root cause of an organisation's failure. In Enfield political leadership is provided by the Labour Party with almost Stalinist exclusion of any contrary opinion.
- 1.6 If an organisation is not functioning correctly, only leadership can fix it. If leadership doesn't establish and protect a culture of healthy corporate governance, a vacuum arises and corporate governance failures multiply throughout the organisation. If the leadership culture itself is unhealthy, there begins the rot, and soon the organisation is lost. If an example of non-compliance with corporate governance exists, it's because leadership hasn't cut it out of the organisation in the first place.
- 1.7 If the leadership doesn't have the willingness or the capacity to change

then the leadership has to change.

- 1.8 Poor corporate governance does not just lead to inefficiencies, it can provide a shield or conduit for certain practices which fall well short of the seven principles of public life as set out by Lord Nolan. Those who fail to comply with proper corporate governance (particularly when difficult decisions need to be made) expose themselves perhaps needlessly to questions as to whether any of the seven principles have been compromised. When this occurs there is a severe risk of trust having left on horseback.

## **2. Opposition concerns**

### **(1) Scrutiny Function is not adding value.**

- 2.1.1 The administration treats the Scrutiny Function at Overview and Scrutiny Committee as an adversarial process, resents scrutiny and sees any potential acceptance of any criticism or suggestion as a sign of weakness. (n.b. one Chair of Scrutiny in Full Council referred to the Labour administration having at one time 'won' every vote in scrutiny).

- 2.1.2 While such a concern can be easily dismissed, since the opposition will often make such criticisms, where an administration refuses to be accountable and decisions are always reaffirmed at scrutiny, whatever their weaknesses or lack of compliance, this has the potential knock on effect on the quality of reports, quality of decision making and the behaviours of staff throughout the organisation. As a consequence of this if staff wanted to not disclose compliance failure issues or have every aspect of a decision not opened to scrutiny, the leadership behaviours facilitate that.

### **(2) The administration manages Council Meetings to avoid discussion, scrutiny or questioning of decisions.**

- 2.2.1 At each council meeting filibustering motions are brought to the fore to talk out reports, regardless of the substance and importance of the reports.

- 2.2.2 While such a concern can be easily dismissed, since the opposition will often make such criticisms, where an administration as a matter of course refuses to discuss the content of reports, this has the potential knock on effect on the quality of reports, quality of decision-making and may affect the behaviours of staff throughout the organisation. As a consequence of this, if either members or staff wanted not to disclose compliance failures

or avoid every aspect of a decision being opened to scrutiny, this practice facilitates that.

**(3) Decisions are sometimes published, acted upon, without proper governance and decision-making processes having being exhausted or complied with.**

2.3.1 By way of specific examples traffic management works have been carried out or road signs erected prior to the expiry of statutory consultation periods (e.g. Carterhatch Lane), decisions have been acted upon prior to the expiry of call-in periods, (issue of OJEU notice Cornerstone, payment to Cornerstone), press releases have been issued in respect of decisions prior to the report having been written, and therefore prior to the full financial and legal implications having been signed off (e.g. Enfield Town CPZ arrangements).

2.3.2 This cannot simply be dismissed as a typical criticism from the opposition. Furthermore, the more common this practice, the easier it would be for decisions to be effected where any of the seven principles of public life as set out by Lord Nolan could be compromised.

**(4) Whipping of Labour Party members in Planning Committee**

2.4.1 Members of the Conservative Group are alarmed at the consistent block voting of Labour Councillors and the fact that members of the committee appear to have been removed following occasions on which they have not voted en bloc.

2.4.2 Evidence of apparent whipping was caught on video at the determination of the Cat Hill planning committee.

2.4.3 The potential for abuse, the compromise of the seven principles of public life as set out by Lord Nolan and the knock on effects of the quality of reports and staff behavior are obvious.

**(5) Imposition of 5 minute speaking rule and rules of debate to committee meetings**

2.5.1 While such a concern can be easily dismissed as a typical criticism from the opposition, where such rules of debate are employed as a means of avoiding discussion, scrutiny or questioning of decisions potential for abuse, there is an enhanced possibility of compromise of any of the seven

principles of public life as set out by Lord Nolan and the knock on effects of the quality of reports and staff behavior.

**3. Cornerstone – a case study in corporate governance failures and their consequences for the public.**

- 3.1 The Council has two issues that it needs to consider and in respect of one, to act upon.
- 3.2 The first issue is the fact that the environment department's depot is not in the right location and not entirely fit for purpose. This has been known for years, yet the Council has struggled on. Resolution of this issue is not critical. Other issues are of greater importance. A number of suitable alternatives have been identified but given their price, location, or the need to deal with more pressing objectives, the decision to move the depot has not been taken. Both the Conservative and Labour administrations had reached the same conclusion.
- 3.3 The second and entirely separate issue is that the Council is faced with a shortage of primary school pupil places, ultimately leading to a shortage of secondary school places. The Conservative opposition warned the incoming Labour administration that it needed to act quickly about this, to reverse its opportunistic and unrealistic manifesto commitment not to use particular sites for schools and to embrace academies. In fact, it has warned the Labour administration of the impending shortfall in secondary school places, but the response of the Labour administration has been to ridicule the assertion.
- 3.4 The Conservative Opposition would allege that the shortfall arises from the type of decision paralysis that occurs where there is a failure to make the difficult decisions required to manage financial and other challenges (see p.20 Grant Thornton report). The Labour administration would no doubt cite the termination of the BSF programme as the type of policy that was likely to generate significant governance issues (see p.20 Grant Thornton report.)
- 3.5 Whatever the cause, the Council left very little time to meet its statutory duties to educate primary school children and it would appear that elected members claimed to have abdicated their responsibilities by leaving it to officers to identify a solution. Councillor Georgiou admitted this at Overview and Scrutiny by claiming that members had no role in the identification and appointment of Cornerstone. An assertion incidentally the Conservative opposition totally disbelieves.

- 3.6 In order to deal with the emergency created, officers committed the council to a contractual arrangement with Cornerstone to provide services without the Council complying with proper internal corporate governance procedures or the law. We do not know whether those officers who took control of this situation, knew at the time that the award of the contract to Cornerstone would have breached public procurement law (probably not), or whether this became apparent at the time of the subsequent drafting of the contract or the demand for payment by Cornerstone. Written requests raised by the opposition about how and when Cornerstone were appointed, still have not been answered.
- 3.7 The staff at Cornerstone may or may not have been the most appropriate people to carry out the task; of course we will never know because the Council explored possibilities to avoid that being tested through a competitive procurement exercise. It became apparent to officers that the appointment of Cornerstone without a public procurement exercise would breach European public procurement rules. This organisation was a new company, which had not yet filed audited accounts and would not have scored at all highly in a qualification assessment. Officers instructed DLA Piper solicitors to devise a means pursuant to which Cornerstone could be appointed without undertaking a public procurement exercise. DLA felt the need to instruct a QC to devise a scheme. We understand that at least one of the directors of Cornerstone had close links to the Labour Party. We have other areas of concern with regard to the relationship with Cornerstones, some of which we have raised previously. A reasonable councillor would conclude that either senior officers would have discussed this with the monitoring officer or the monitoring officer would have raised the matter on his own initiative, or at the very least ensured that the process was as transparent as possible. However there was no transparency in this process at all.
- 3.8 The device to avoid a public procurement exercise was to argue that the provision of the services was ancillary to the sale of property. Officers appear to have first offered up various educational sites as bait to secure the objective. Why these were not accepted is not known, however the Conservative opposition would assume that given the legal constraints in relation to the disposal of educational land, which involve both time and publicity, that these options were discounted.
- 3.9 It was proposed by officers that the Carterhatch depot be sold to Cornerstone without public auction, and without testing best value, and that an argument be concocted that the sale to or through Cornerstone of the Carterhatch depot (that had no educational purpose and had an existing planning use as a depot) was so unseverable from the provision of secondary school places that a public procurement exercise was

unnecessary.

- 3.10 The issue with this solution was that an alternative depot site would be required if Carterhatch were vacated. Officers had already been evaluating sites and third parties had offered up sites (suitable or not) to the Council. The political response had been up to that point that the Council was not interested. However there was sudden change of mind and the Conservative opposition would argue that the Council then having boxed itself into a corner was forced to take whatever offer was on the table. That offer was Morson Road.
- 3.11 In July 2012 a report was submitted to cabinet and then to Council (thereby avoiding the call-in process) recommending the entering by the Council into a lease for 40 years of the site at Morson Road site, on terms that were (to say the least) commercially unfavourable to the Council. In isolation, this report made no financial or commercial sense at all, in fact the Conservative Group maintains, that even in context it still makes no financial sense. The Labour Group moved an amendment of the order of business to prevent the report being discussed. On three separate occasions the Conservative opposition called for the order of business to be restored and it was only on threat of the Conservative Group walking out of the meeting that the Mayor permitted a debate in closed session after the Labour Group had adjourned the meeting to obtain a specific briefing on the matter from the Director of Finance. This was odd to say the least.
- 3.12 The report stated explicitly that the proceeds of the disposal of the freehold at Carterhatch was to be employed in defraying the leasehold payments at Morson Road. This was untrue as (although recognising the fungible nature of the Council's finances) the proceeds had already been prayed in aid as necessary to finance primary school places in order to link the disposal of Carterhatch to the primary schools programme. It is absolutely inconceivable that this fact was not known to the author of the report nor those who would have reviewed such report prior to its inclusion in the agenda for cabinet or the council, nor to those members of the cabinet and corporate executive who were privy to the device to avoid a public tender being conceived by DLA Piper and external counsel; yet this is what the Conservative opposition was asked to believe. The Conservative Group does not believe the argument raised.
- 3.13 In any event the acquisition of a leasehold interest at Morson Road can be ill-afforded. It is the Conservative Group's belief that the reason for doing this was to enable Carterhatch Lane to be vacated and that the predominant purpose of the evacuation of Carterhatch Lane was to facilitate the appointment of Cornerstone without the need for a public

procurement exercise. The financial consequences of this and the effect of the development of Carterhatch Lane on the surrounding area are nothing short of disastrous.

- 3.14 The delegated decision in relation to the award of the contract to Cornerstone was made on 20<sup>th</sup> September 2012. In breach of the Council's corporate governance procedures the report was not submitted to Democratic Services until such time as the second decision was made on 14<sup>th</sup> November, the purpose of submission is first to inform all councillors, secondly to commence the stand-still period, within which the decision cannot be executed and thirdly to facilitate call-in. It is absolutely inconceivable that the author and each and every signatory of that report, including members of the cabinet and the corporate executive involved with it, together with each member of staff who implemented the decision were unaware of this requirement of the stand-still period and the right to call-in, given this procedure is followed at least weekly. Nevertheless an invoice was dated 14<sup>th</sup> September by Cornerstone, this invoice related to historic services alleged to have been provided by Cornerstone in the months leading up to the date of the delegated decision to appoint them and not after that date. The invoice was paid in full by the Council on the very same day. It is utterly incredible that any of this was normal practice or regular. On the next day (21<sup>st</sup> September and prior to the expiry of any call-in) an OJEU notice was published publicising the award of the contract to Cornerstone. A public complaint was received by the Conservative opposition about the publication of this notice.
- 3.15 On 14<sup>th</sup> November 2012 a second delegated report was published outlining the heads of terms with Cornerstone. Attached to that decision report was the earlier decision report dated 20<sup>th</sup> September. The decision was called-in. At that meeting it was asserted that the omission to publish the earlier report was accidental. The Conservative Group does not believe that assertion. Despite the employment of a QC by the officers, no convincing case was advanced, in fact no argument was advanced at all, to support the link between the disposal of the Carterhatch Lane site and the provision of school places. In fact to this day, there remains no link between the disposal of Carterhatch Lane depot and the schools expansion programme. At that meeting officers and cabinet members asserted that no contract had yet been entered into by the Council with Cornerstone, an assertion that the Conservative opposition knew to be untrue when it was made at the meeting. In fact the council had already paid Cornerstone for services provided in July and August and was in receipt of further invoices for services that had already been provided but had not been paid for. In fact the council had even committed itself to pay for services beyond the scope of the authority set out in 20<sup>th</sup> September decision. Although there may have not been a written contract, there was certainly a contract, and more so it had been performed. Given the

- limitation on the ability to speak at the meeting the Conservative opposition was unable to cross-examine the point but followed up with a written question asking for details of invoices raised by Cornerstone, when they were paid and what they related to. The answer reveals quite clearly that assertions made at the Overview and Scrutiny panel were untrue.
- 3.16 On 11<sup>th</sup> February 2013 a third delegated report, concerning the statutory consultation provisions in relation to the school expansion programme was called-in. The reason for the call-in was opposition concerns about the risk of deadlines not being met and the risk of pre-determination of planning applications and decision-making. The opposition was given an assurance by the cabinet member for Education and the officers that all consultations and timescales would be adhered to. On the very next day a further report was signed off by the cabinet member for Education, and again acted upon by officers prior to the expiry of the stand-still period. The Conservative group believes it to be utterly inconceivable that neither the cabinet member for Education nor the relevant officers were aware of these facts at the time of the call-in the day before.
- 3.17 At this call-in meeting those in attendance were treated to a bout of histrionics in response to the suggestion by the Conservative opposition that Labour Party members on the Planning Committee were liable to pre-determine applications and be the subject of whipping and were subjected to the usual arrogance and patronising responses from Labour councillors.
- 3.18 On 4th March the Conservative Group commissioned video evidence of the whipping of Labour members at a planning committee.
- 3.19 The Conservative Group has real concerns about the impartiality of the Council determining its own planning applications given the catalogue of less than transparent decision-making that has led to these applications being submitted.



*Improving council governance*  
*A slow burner*



# 2012 highlights

Grant Thornton surveyed 64 local government leaders and analysed 153 council annual governance statements (AGS) and explanatory forewords. We found that:

Accounts are often difficult to understand, too technical and overlong. Only one third of survey respondents feel they are aimed at the public

The explanatory foreword is regarded as a vital introduction to the accounts, yet is often not written in plain English, nor focused on the issues most important to stakeholders

Confidence has fallen in audit committee ability to respond to risks and to annually evidence the value it brings to council governance

The average number of significant governance issues raised per council is 5.2, up from 4.3, reflective of a more challenging operating environment

AGS often fail to engage and do not always focus on key governance processes, assurances and significant issues. There are, however, some encouraging signs of councils beginning to do things differently

The effect of government policies is the most common risk identified by councils, generating more than twice as many significant governance issues in the AGS as last year

The scrutiny function scores poorly: 40% of council leaders do not believe it demonstrates added value

There is concern that not all members have the skills – or profile – to help drive effective governance

Councils are placing increasing reliance on external providers to deliver services. Yet, 21% of council leaders do not believe that roles and responsibilities are clear when working in partnership, up from 11%

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## Methodology

This report is based on a desktop review of the annual governance statements (AGS) and explanatory forewords of 153 county councils, London boroughs, metropolitan borough councils and unitary councils in England.

We reviewed the AGS against our best practice criteria based on the CIPFA/SOLACE framework and guidance notes. We also included additional questions about the type and level of assurances that can be provided by the governance framework.

Our review of explanatory forewords was conducted against the criteria set out in chapter three of the 2011/12 Code of Practice on Local Authority Accounting produced by CIPFA. There were also additional questions relating

to clarity and consistency with other documents, such as the accounts and AGS, as well as some relating to best practice from other sectors.

We scored each AGS and explanatory foreword using a five-point scale:

- 1 – Missing
- 2 – Part missing
- 3 – Minimum
- 4 – Enhanced
- 5 – Standard-setting

The desktop review findings are supplemented by responses to our survey from 64 senior council officers and members, referred to collectively in this report as 'council leaders'. The survey included questions on governance reporting and supporting governance processes.

# Executive summary

**Welcome to Grant Thornton's annual review of governance in local government. This report is part of our wider analysis of UK governance practice and complements reviews on corporates in the FTSE 350, the NHS and charities. Within this suite of reports, we aim to help organisations improve their governance by learning from other sectors and their peers.**

Local government is enduring a period of sustained pressure from such issues as:

- the largest reduction in public spending since the 1920s, for the four-year 2010 Spending Review (SR10) period (2011–12 to 2014–15)
- demographic changes and recessionary pressures which are increasing demand for the more costly-to-run services
- a reduction in demand for paid-for services, such as planning and car parking
- the government's policy agendas – such as those relating to localism and open public services – which could see a significant shift in the way services are provided.

Effective, embedded governance frameworks will be essential if councils are to meet these challenges while retaining the support of all their stakeholders.

Good governance is essential to both council leaders and the public. It supports leaders in making the right decisions, reduces the likelihood of things going wrong and protects them when problems do occur. It inspires confidence in the public that decisions are being taken for the right reasons, that the quality of service is protected and that public money is being wisely spent.

In this review, we have focused on both the public face of governance (the documents that local authorities publish, in print and online) and behind the scenes of governance (as demonstrated by council people and processes). Both are essential to effective governance.

Council annual accounts and associated documents are, by nature, not user-friendly. We suggest ways that these communication vehicles can be improved, including some encouraging examples of where councils have started to do things differently. Above all, we believe there is a compelling case for councils to produce annual reports.

Council governance arrangements are well established and largely well regarded from within the organisation. When funding reductions and other demands are placing increased pressure on governance systems, councils should shift emphasis from ensuring compliance to facilitating effectiveness to get more value from their arrangements. Elected member and senior officer leadership is the catalyst for a more rapid governance reaction.





### The public face of governance

Councils present information to stakeholders in many ways: public meetings, websites, accounts, annual governance statements (AGS) and explanatory forewords being the most prominent. A small number of councils also produce annual reports.

However, despite these conduits, there remains considerable scope for improvement in communication with local people and other stakeholders.

Council media can be opaque, hard to navigate, inward facing and not aligned to the pursuit of and risks to councils' strategic goals. For example we found that:

- one third of survey respondents do not consider that council accounts are aimed at the public and the length and technical complexity makes them difficult to understand
- many council AGS follow too rigidly the example from the text in the CIPFA/SOLACE guidance, rather than reflecting the unique features and challenges of their individual council
- explanatory forewords are often far from 'explanatory', being hard to read and not focused on key messages for stakeholders.

Yet, many council leader respondents to our survey are unwaveringly positive about their governance arrangements. For example:

- 96% feel their accounts are made available to the public in a 'timely and accessible way' and 71% say they are easy to understand
- 9 out of 10 say their AGS enables the public to 'understand clearly' the governance arrangements the council has in place
- 94% believe their explanatory foreword provides a 'clear and concise introduction' to council accounts.

*Good council governance is much more than publishing statements of compliance: it is about ensuring an entire organisation is aligned to achieving its strategic goals, effectively and ethically.*

Councils need to reflect on this apparent contradiction. This would be helpfully informed by seeking the opinions of a wide mix of their officers, considering best practice from both local government and other sectors. Most importantly, councils should be surveying users and other stakeholders – who really need to know how they are doing.

Modern, web-enabled annual reports offer a possible solution to boost transparency and accountability.

### Behind the scenes of governance: people and processes

Good council governance is much more than publishing statements of compliance: it is about ensuring an entire organisation is aligned to achieving its strategic goals, effectively and ethically.

Recognised good practice is for leaders to set the right tone from the top, embedding core values and principles throughout the organisation. Where culture is misaligned they need to have the skills to bring about lasting change. Employees should be familiar with, and working exclusively towards, the council's strategic goals. Governance frameworks, particularly risk management, scrutiny and audit, need to complement each other and, especially in financially challenging times, efforts need to be directed to establishing and assuring key controls that protect the council from failing to achieve its strategic objectives.

Embedding good governance throughout an organisation is never easy, nor quickly achieved: risks change, people move on and 'unknown unknowns' will always arise. Councils must ensure governance frameworks are fit for purpose and limited resources are focused on areas of greatest risk.

In looking at people and processes, we found significant disparities between the positivity of survey responses and our desk research. According to respondents:

- 100% review their governance arrangements annually and 92% ensure they comply with best practice
- 82% say they have 'robust' development mechanisms for officers
- 97% feel their audit committee responds effectively to changing risks.



*The best councils will prioritise, directing finite governance resource to the areas of most significant risk.*

In contrast, we found that:

- on-going governance processes and year-end statements are commonly two distinct exercises. This results in inefficiency in gathering assurances, makes it difficult for stakeholders to understand the ultimate purpose of these processes, thereby diminishing engagement
- despite members' pivotal role in setting the tone, they do not make the top four in council leaders' perceived 'top posts for driving governance'
- one third of respondents admit that they do not have robust arrangements for developing members
- worryingly, although external alliances are increasingly seen as a key part of the solution to more efficient delivery, 21% of survey respondents are not clear about council roles and responsibilities when working in partnerships.

These and our other findings suggest that there is still much that councils can do to truly embed effective governance processes. Throughout this report we suggest ways that councils might achieve this important aim. At a time of intense budgetary pressure and increasingly complex governance challenges, the best councils will prioritise, directing finite governance resource to the areas of most significant risk.

# Public-facing governance

**Councils use a range of mechanisms to communicate with stakeholders, from annual accounts to public meetings. However, despite signs of emerging good practice from certain local authorities, we found much published content remains opaque and non-strategic.**

Councils showcase their governance arrangements through various mechanisms, including:

- published annual statements – the accounts, explanatory foreword and AGS (and an annual report, if produced)
- council website content, including agendas, papers and minutes
- open public meetings.

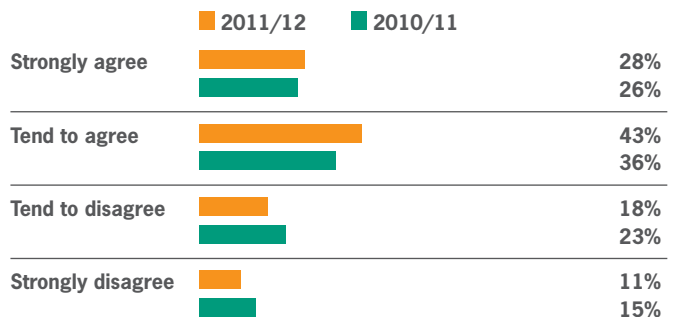
The general public, and other stakeholders, typically find out about an organisation and its governance by reading its annual report, accounts and associated statements. This also holds true in respect of council activities, as many people cannot attend council meetings and, based on collating our research, it is often hard to get information from council websites.



## Accounts

The introduction of International Financial Reporting Standards (IFRS) to local government in 2010/11 increased the length and complexity of council accounts. Council leaders routinely tell us that the accounts are impenetrable to all but the most dedicated technicians. It is therefore surprising that our survey showed an increase in those who said they found the accounts easy to understand, up from 62% to 71%.

### I FIND THE ACCOUNTS EASY TO UNDERSTAND

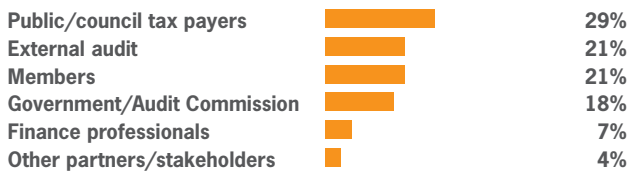


For the 29% who find the accounts difficult to follow, the most common reasons given were that they were over-complicated, used jargon or technical language or were too long.

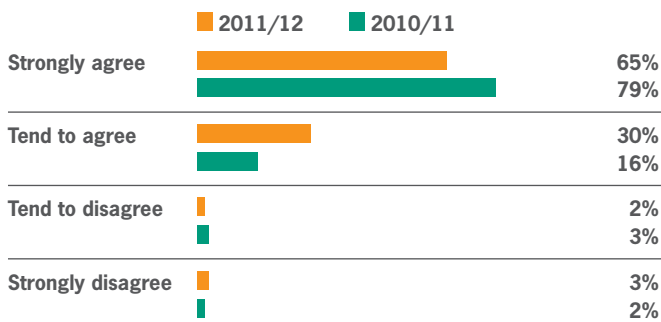
Councils are publicly-funded bodies, serving every sector of society. Publications should be accessible to a wide range of stakeholders with varying degrees of knowledge and understanding of council activities, responsibilities and objectives. Engaging with these individuals is critical in helping them to understand council performance and give feedback. However, our survey indicates that only one third of respondents consider the accounts to be provided for members of the public and one fifth believe they are prepared mainly for external audit – both suggesting a mismatch between purpose and practice.

Despite 95% of respondents saying their accounts are made available to the public in a ‘timely and easily accessible way’, our average score for ease of access and transparency was 3.3 (out of a possible top score of five), down from 3.6. The lower ease of access score reflects the fact that it is often difficult to get hold of the accounts before the end of September, six months after the reporting period. The NHS requires audits to be complete by early June, just over two months after the end of the financial year.

**WHO ARE THE MAIN STAKEHOLDERS THE ACCOUNTS ARE PROVIDED FOR?**



**THE ANNUAL ACCOUNTS ARE MADE AVAILABLE TO THE PUBLIC IN A TIMELY AND EASILY ACCESSIBLE WAY**



**EASE OF ACCESS (SCORED OUT OF FIVE)**



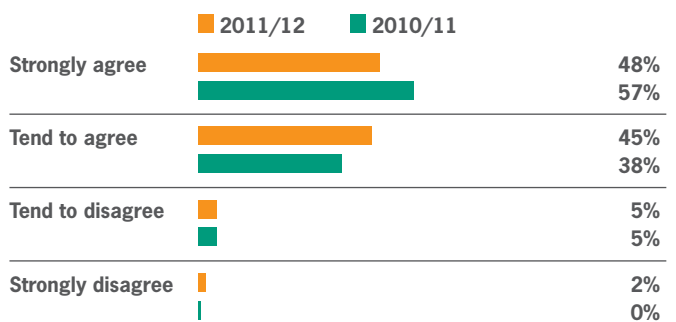
**Explanatory foreword**

The requirements for the explanatory foreword remain unchanged. As set out in the third chapter of CIPFA’s 2011/12 Code of Practice on Local Authority Accounting: “The purpose of the foreword is to offer interested parties an easily understandable guide to the most significant matters reported in the accounts. It shall provide an explanation in overall terms of the authority’s financial position and assist in the interpretation of the accounting statements, including Group accounts”.

The foreword should provide an overview of the council’s financial position. While it should not conflict with the audited accounts, it provides a valuable opportunity for councils to present financial information in an engaging way. In doing so they should be mindful to make the document accessible by steering clear of technical jargon.

The survey shows that confidence in the foreword for giving a useful insight into council finances is falling, with those agreeing strongly that it provides a ‘clear and concise introduction’ declining from 57% to 48%. However, with only 7% disagreeing, sentiment remains very positive.

**THE EXPLANATORY FOREWORD TO THE ANNUAL ACCOUNTS SERVES AS A CLEAR AND CONCISE INTRODUCTION TO THE ACCOUNTS AND OVERVIEW OF THE FINANCIAL POSITION OF THE COUNCIL**







*Confidence in the foreword as a useful insight into council finances has fallen, with those agreeing strongly that it provides a ‘clear and concise introduction’ declining from 57% to 48%.*



Respondents said that focusing on outcomes is a key way to improve the explanatory foreword. We agree that this would help illustrate how financial performance links to a council's strategic goals.

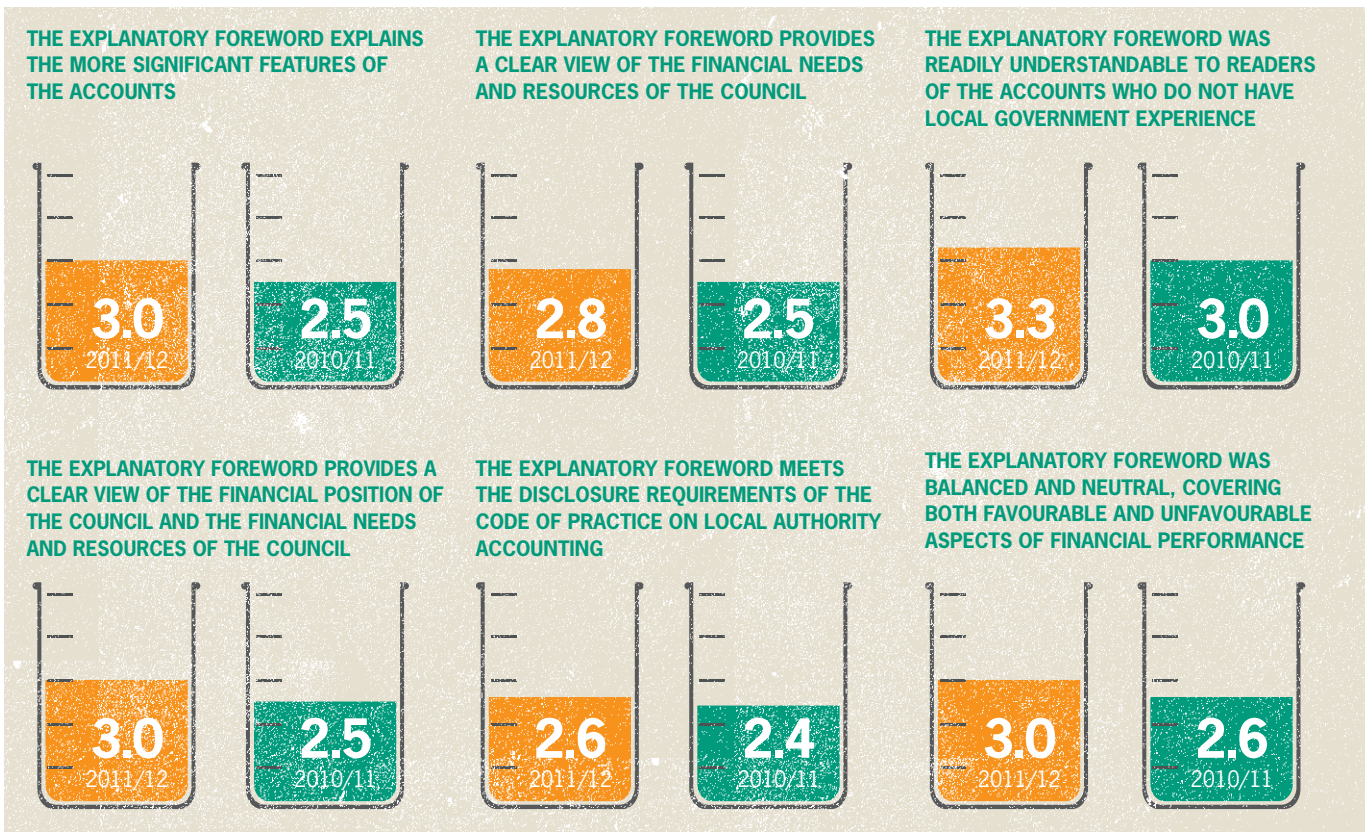
**WHAT WOULD IMPROVE THE EXPLANATORY FOREWORD TO THE ACCOUNTS?**

-  Use of plain English to explain financial information in non-financial terms
-  Use of graphs/charts to make it easier to understand
-  Focus on outcomes
-  Less technical and more rounded context

Our review of 153 explanatory forewords demonstrated a positive improvement in quality. However, on average, councils are just meeting minimum standards and there is some way to go to provide real insight.

The average length of explanatory forewords remains unchanged from 2010/11 at nine pages. However, the longest was 63 pages. This underlines the widely varying approaches taken by councils – and the scope for improvement.

*Our review of 153 explanatory forewords demonstrated a positive improvement in quality performance. However, on average, councils are just meeting minimum standards.*



## Annual governance statement

The AGS explains a council's governance arrangements and the controls it employs to manage the risks of failure to achieve strategic objectives. In the past, local government has delivered, within its financial framework, the changes required by central government. However, we believe that the sector's resilience over the medium term is less certain. In this context, councils' arrangements for governance are ever more critical, with clear reporting fundamental to transparency.

This year, 74% of AGS are included within councils' published accounts (75% in 2010/11). CIPFA/SOLACE suggests that publication of the AGS should happen alongside the financial results to give readers a comprehensive picture of council performance during the year.

Fifty-four per cent of AGS were signed or re-signed at the date of the audit opinion, a real improvement from 20% in 2010/11. However, if the AGS is prepared before the approval of the accounts, the guidance also notes the importance of ensuring that the statement remains up to date. It is encouraging to see this rise, but we would like to see all councils demonstrating compliance in this regard.

"As the governance statement provides a commentary on all aspects of the organisation's performance, it would be appropriate for it to be incorporated, either in full or in summarised form, into the annual report, where one is published."

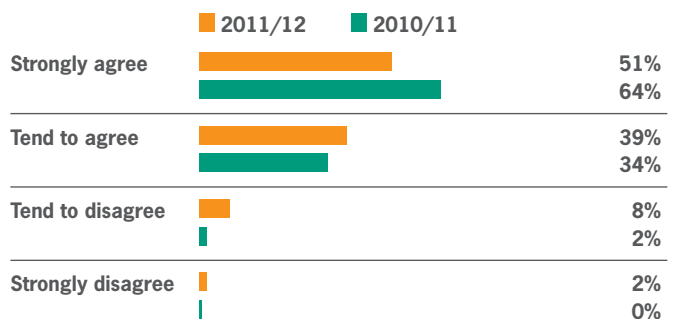
### CIPFA/SOLACE 'Delivering Good Governance in Local Government Framework' 2007

#### MEMBERS HAVE SUFFICIENT OPPORTUNITY TO INFLUENCE THE CONTENT OF THE AGS



In signing the AGS, many council leaders will seek assurance from the audit committee that it is an appropriate reflection of the council's year. The survey results indicate a high degree of confidence from the sector in members' ability to influence the AGS. While, in many cases, AGS are presented to members at a June meeting of the audit committee, our experience suggests that this is often the first time in the year it is considered by members. At this late stage, member input is often restricted to the superficial. In promoting better understanding of the purpose of the AGS and facilitating greater member input throughout the year, councils will gain stronger engagement with the AGS and the important governance messages it contains.

#### OUR AGS ENABLES ALL STAKEHOLDERS, INCLUDING THE PUBLIC, TO UNDERSTAND CLEARLY THE GOVERNANCE ARRANGEMENTS THAT THE COUNCIL HAS IN PLACE, INCLUDING WHAT IS BEING DONE TO ADDRESS ANY AREAS OF WEAKNESS



Respondents felt the helpfulness and clarity of the AGS had reduced, with the ratio of those who agree strongly that it helps stakeholders understand governance arrangements falling from 64% to 51%.

Our findings indicate that, in many cases, council AGS stick too rigidly to the example format and content included in the CIPFA/SOLACE guidance. This approach means it is often difficult to distinguish between different council AGS. We believe the example should be treated as guidance only and that each council (while ensuring its AGS remains compliant) should capture its own priorities and achievements, so local residents can recognise their council in the statement.

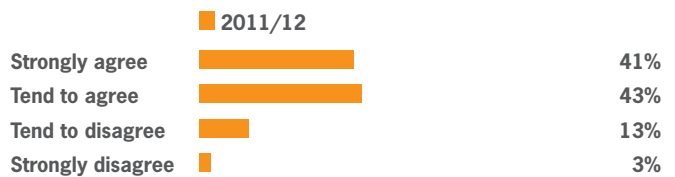
Scores for the AGS remained static, around three out of five, with councils continuing to comply with the CIPFA/SOLACE framework. Consistent with last year, councils appear to be struggling with providing helpful, informative disclosures in the areas of:

- the level of assurance needed for the year (2.6)
- resolution of prior year issues (2.6)
- actions resulting from this year's significant issues (2.8).

We believe that councils could significantly improve their documents by focusing on the key governance controls and processes linked to their own strategic objectives.

Our survey shows the strong belief, of 84% of respondents, that senior management take shared responsibility for the AGS. This is appropriate as the statement should cover all aspects of council governance. However, our experience of working with local government suggests the AGS is most often written by the chief internal auditor, although it is sometimes completed by finance, legal or performance officers. It is rarely a genuinely shared effort. To make the document more rounded and readable, we suggest councils ensure wider input, at the very least those outside the finance and audit function.

#### SENIOR MANAGEMENT TAKE SHARED OWNERSHIP OF THE AGS



#### WHAT WOULD IMPROVE THE AGS?

- ❄ More focused/less descriptive
- ❄ Outcome focused
- ❄ More visual/use of plain English

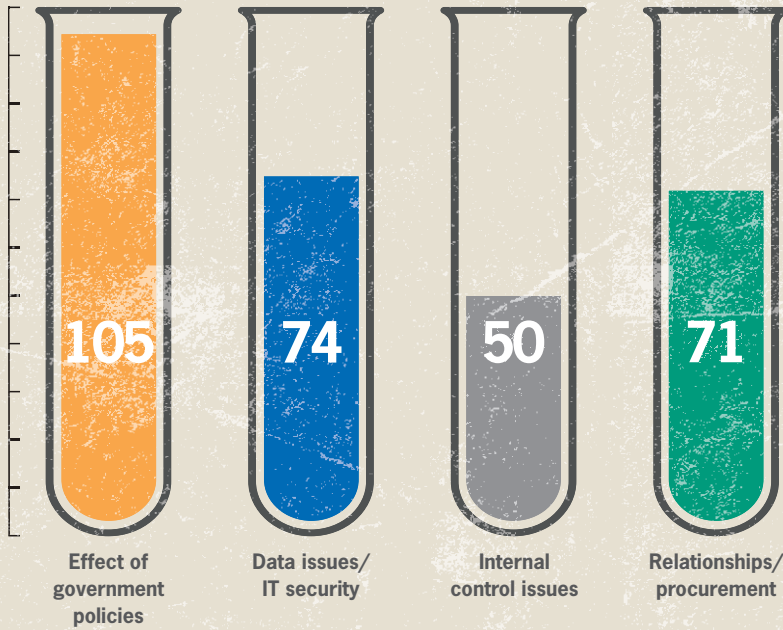
Councils are required to detail significant issues about their governance arrangements in their AGS. The average number of issues reported rose to 5.2 from 4.3, with only 28 councils reporting no issues in 2011/12 (45 in 2010/11). The results appear to reflect the uncertainty in the sector. The sheer volume of government changes is creating governance concerns for many councils. As indicated in the chart overleaf, the 'effect of government policies' was, by far, the major issue of concern. Indeed, it generated more than twice the number of issues than the linked area 'savings programmes/transformation issues' did last year.



Public-facing governance

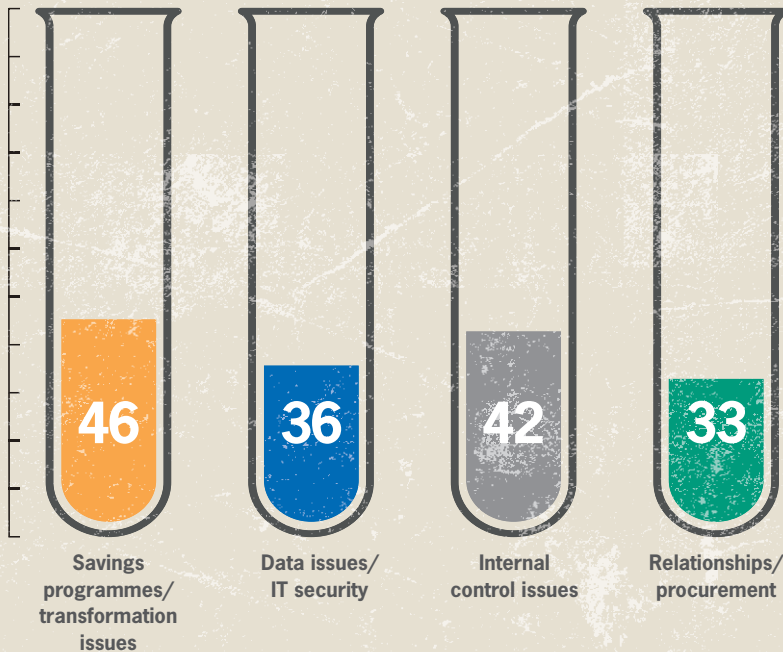
TOP GOVERNANCE ISSUES IDENTIFIED

2011/12



The number of reported issues in the top four areas have increased. This suggests councils have real concerns that need to be addressed by their governance arrangements. We believe this supports the need for a focused governance agenda where assurances are sought for key areas that could jeopardise strategic goals.

2010/11

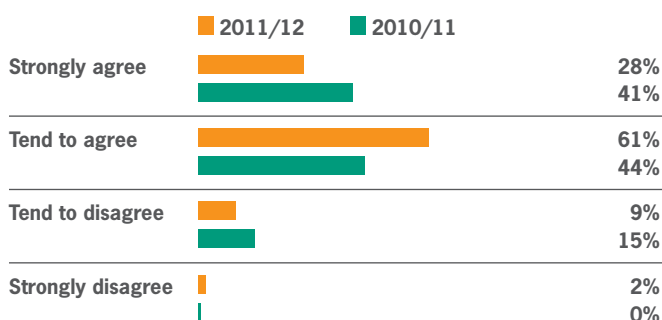


## Annual reports

Very few councils produce annual reports. Local government is unusual in this respect, as virtually all other sectors (public, commercial and voluntary) produce end-of-year annual reports and accounts. These publications include summarised audited financial data and supporting commentary to provide context for readers, combined with key performance indicators (KPIs) and other information to give a rounded view of performance, focused on outcomes.

Some local government commentators say annual reports are unnecessary, due to the wide variety of ways of engaging with the public, as noted above. The confident response to our survey question on public accountability, with 89% of respondents reporting their ‘good arrangements’, appears to support this.

### WE HAVE GOOD ARRANGEMENTS FOR ENGAGING WITH LOCAL PEOPLE AND OTHER STAKEHOLDERS TO ENSURE ROBUST PUBLIC ACCOUNTABILITY



*Our analysis of council accounts, explanatory forewords and AGS suggests that many of the key elements of public engagement, upon which councils rely, are not fulfilling this need.*

However, our analysis of council accounts, explanatory forewords and AGS suggests that many of the key elements of public engagement, upon which councils rely, are not fulfilling this need. Ironically, the very documents that should demonstrate council transparency and accountability often have the opposite effect. This opacity is further exacerbated by few councils having annual reports to communicate their key messages.

These findings echo last year’s and, once again, there is often a discrepancy between council leaders’ assessment of their own statements and our analysis of their quality.

We think councils should take a step back and conduct a critical review of their year-end published documents, asking the question: “Do we truly believe that our statements communicate effectively our governance practices to our stakeholders?”.

*We think councils should take a step back and conduct a critical review of their year-end published documents, asking the question: “Do we truly believe that our statements communicate effectively our governance practices to our stakeholders?”.*

The winner of the 2012 Local Government Chronicle Corporate Governance Award, Copeland Borough Council, asked a similar question of its wider governance arrangements. Officer and cross-party member recognition that there had to be a better way galvanised the council into a co-ordinated programme of governance improvement.

Some other councils are also recognising that their governance statements are not as effective as they would wish. As part of our aim to help raise the bar in governance reporting, we recently set up a small working group of councils interested in improving their AGS and in considering what an effective local government annual report could look like. Key messages from the group are included on the following pages.

## Improving the AGS

Members of the recently formed governance working group agreed that it was time for the sector to take a fresh look at the AGS. The box below right shows some of the improvements suggested.

While there is no best practice AGS example in the sector, there are some useful examples of where councils have begun to do things differently.

### AGS: key questions councils should ask themselves

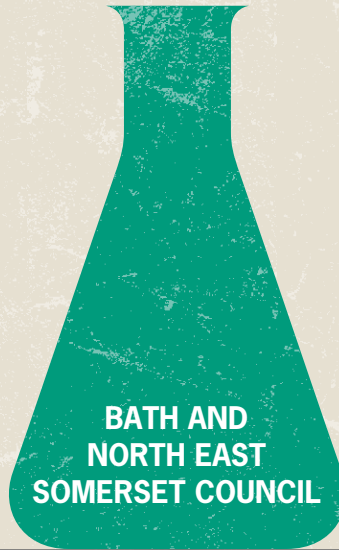
- Who is responsible for producing the AGS – the head of audit, head of performance, legal, corporate governance group? Is this the right person? Is there a conflict of interest if it is done by audit?
- How many issues are raised by processes such as directors' assurance statements and how many of these should/do make it to the AGS (or are many managed 'off-line')?
- How honest and clear are the issues set out in the AGS?
- How well are AGS assurances gathered throughout the year (rather than at year-end)?
- How well are the identified significant internal control issues monitored and reported on during the year?
- How well understood is the AGS by the senior management team and members?

### Working group suggestions for a better AGS

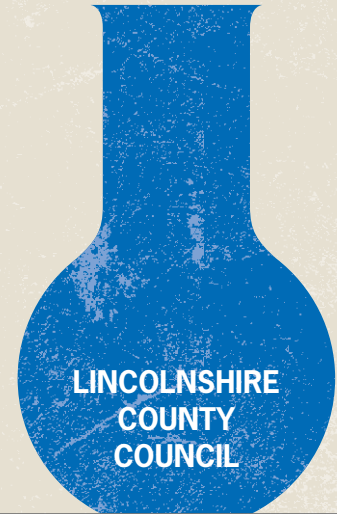
- **Content and style of document**  
Less process and repetition of what is already in the local code of governance; more focus on key governance mechanisms and description of what assurances were received on these in the year; more user-friendly language and layout; greater emphasis on significant governance or control issues that flow from the earlier sections of the document.
- **Ownership**  
Performance officers to be more involved in the document's production, to emphasise that the AGS is about assurances received on risks to the achievement of strategic objectives; a small corporate governance group (including audit and performance) should be formed as a forum for owning and producing the AGS; this, in turn, would aid senior management involvement.
- **Linking document with year-round assurance processes**  
AGS to be used as an end point to shape audit committee work plans; assurances to be compiled for AGS during the year; regular monitoring by officer governance group; clarity to audit committee of assurances being received against plan; AGS to form part of quarterly performance report to cabinet.
- **Education**  
Underpinning, but facilitated by the above, on-going training and communication with officers and members to ensure a wider and better understanding of the governance framework and the AGS.

**COUNCILS MAKING PROGRESS**

*While there is no best practice AGS example in the sector, there are some useful instances of where councils have begun to do things differently.*



This council offers a good description of how it reviews the effectiveness of its governance framework, including sources of assurance and a list of those involved.



This council provides SMART (specific, measurable, achievable, realistic and timed) action planning for identified governance issues.



This council produces an AGS with an engaging overall layout and a helpful overview of the assurance cycle. It also offers clear updates on issues from the preceding year and SMART action planning.



This council describes its process for reviewing the effectiveness of its governance framework and delivers a conclusion on its effectiveness for the year.



This council uses graphics to break up the text, as well as including examples of CIPFA guidance to determine whether identified issues are significant.

## Improving the accounts and explanatory foreword

IFRS-compliant accounts will always be lengthy and complex, but the opportunity still exists for councils to make significant improvements to the quality of presentation. The use of an independent review of the accounts from a user's perspective will allow councils to identify areas where information could be presented differently to aid clarity. The box opposite shows our top tips for simplifying accounts.

We believe that one of the best ways to help users understand the accounts is to improve the explanatory foreword. As a guide when drafting a foreword, councils should describe, interpret and explain first, and then tick off the compliance requirements second. This will make the foreword easier to read and understand.

### Suggestions to make explanatory forewords a better read:

#### ✓ Explain the significant features:

- Link service expenditure closely to the figures in the directorate analysis in the accounts
- Tie figures to those included in the accounts
- Clearly set out the council's borrowing requirements
- Explain clearly movements in usable and unusable reserves
- Outline unusual charges and credits in the accounts

#### ✓ Provide a clear view on the financial position:

- Ensure all information is consistent with the accounts
- Explain clearly where further information can be found in the accounts including relevant details on group accounts

#### ✓ Give a clear and open view of the council's financial needs and resources:

- Outline major risks and uncertainties
- Describe major changes in statutory functions that will have a financial impact
- Discuss the likely effect of the economic climate on the council and its services

### De-cluttering accounts

#### 1 Start early

Begin by reviewing last year's accounts and remove unnecessary information before adding new requirements for the current year.

#### 2 Officer review

Ensure deadlines allow enough time for council officers to review the accounts before the draft is submitted to the auditors. Consider involving members of staff outside the finance team to check the accounts make sense.

#### 3 Highlight significant matters

Consider whether disclosures on significant matters are stated clearly and concisely. This could include new developments or areas where judgements are made, such as accounting for schools.

#### 4 Is it necessary?

Ensure accounting policies and disclosure notes relate only to matters that are relevant and material to the council.

#### 5 Is it up to date?

Review disclosures to ensure they are relevant to the current accounting period and are not references to historical matters. Ask yourself the question: are these still applicable?

#### 6 Remove duplication

Do new disclosures supersede others that can now be removed? Are any issues duplicated in more than one note: if so, can these be merged?

#### 7 Use of pro-forma/template accounts

Use these carefully, as they are intended for illustrative purposes. Tailor your disclosures to meet your specific requirements using templates as a guide only.

#### 8 Remove nil entries

Remove lines and tables with zero entries that have been carried forward as a 'just in case'.

#### 9 Use a glossary

Consider providing a glossary at the end of the accounts rather than cluttering the notes with detailed explanations.



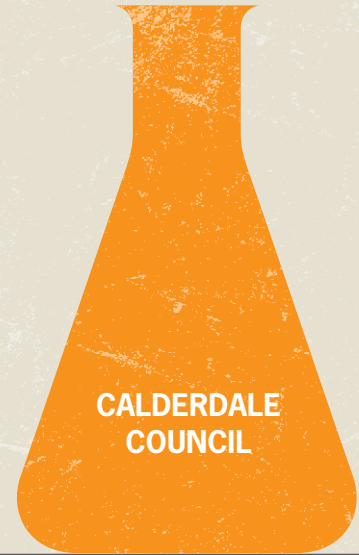
**EXPLANATORY FOREWORDS  
WITH POSITIVE FEATURES**

*A small number of councils have taken a fresh look at the explanatory foreword. There are elements of emerging good practice within different forewords.*



**BUCKINGHAMSHIRE  
COUNTY COUNCIL**

This council describes changes in statutory functions that had a significant impact on the accounts and summarises current-year and projected borrowing against the Capital Financing Requirement and authorised level of borrowing.



**CALDERDALE  
COUNCIL**

This council explains what each statement means and summarises the council's performance, alongside a discussion of macro factors and their impact on the budget.



**LIVERPOOL CITY  
COUNCIL**

This council discloses significant changes in accounting policies and their impact on the accounts; reconciles budget underspend to total deficit on the comprehensive income and expenditure statement (CIES); gives a comprehensive account of financial performance and details the council's activities and organisational structure.



**MANCHESTER CITY  
COUNCIL**

This council summarises fixed asset acquisitions and disposals, outlines funding of capital expenditure and Private Finance Initiative and Public Private Partnership commitments and gives various KPIs, for example in relation to transport, crime and education.

## Considering annual reports

The governance working group cited transparency and accountability as two compelling reasons for publishing annual reports. However, the benefits have to be balanced against the costs of producing annual reports.

The working group members agreed that a lavish, lengthy printed document is not what is needed. They supported something more concise, user friendly and perhaps published on the website as a ‘front end’ to summarise key information and provide hyperlinks to more detail. As well as being less costly, this is consistent with developing practice in some large corporates that are part of the International Integrated Reporting Council (IIRC) pilot scheme, which CIPFA is currently considering for the public sector.

While annual accounts are often not ready until the end of June, our working group members thought enough information would be available, of sufficient robustness, to support summarised financial content in a draft annual report. Surrey County Council produces a timely, user-friendly annual report containing pre-audit summarised financial information.

It is possible, therefore, that annual reports could be produced earlier in the year, containing high-level draft figures, significant AGS and explanatory foreword content, key risk and performance information, plus anything else fundamental to council strategy. A web-based annual report could be a live document, updated after the audit of the accounts.

The box below suggests possible content for a modern local government annual report, based on the working group’s suggestions of the key questions the public are likely to want answered.

As with any annual report, councils should follow established best practice principles including clarity of language, balance and neutrality.

Through our governance working group and wider discussions with the sector and CIPFA, we will continue to discuss annual reports with councils and publish examples of emerging good practice.

### User-focused annual reports

A local government annual report could answer the following questions:

#### Backward looking

- What has the money been spent on?
- Was it within budget?
- Were the finances well managed this year?
- What was achieved for the local population?
- How well did the council perform (compared to before/ others)?

#### Forward looking

- Is the council financially sustainable?
- What are the key risks?
- How are the key risks being managed?
- How is the council likely to perform (compared to now/ others)?
- What changes will the public see in service provision?

*“The annual report is absolutely vital for public accountability.”*

**Governance working group member**

# Behind the scenes of governance: people and processes

**Published statements are the visible, high profile face of council governance. As crucial to effective governance, however, are a council's people, culture and processes.**

## People, culture and behaviour




A positive governance culture, where people understand and live the values, drives robust decision-making and, in turn, strong performance. If councils do not have the right people, behaving in the right way within a culture that is supportive of good governance, organisational effectiveness will be seriously impaired.

This is borne out by our survey results, where respondents rightly focus on the importance of senior management ownership and member involvement, as well as communication, as being key ingredients in establishing a sound governance environment.

Our survey shows the sector considers that senior officers and internal audit hold the four 'top posts for driving governance'. It is perhaps surprising that members do not feature, and yet the contribution that they can make in creating and maintaining a positive governance culture should not be underestimated.

The importance of the member role in setting the tone for governance was recognised by CIPFA in last year's addendum to the framework. Our survey respondents also said that member involvement was key to improving governance.

### WHAT WOULD IMPROVE GOVERNANCE AT THE COUNCIL?

-  Senior management ownership
-  Reinforcement/wider awareness of key messages
-  Member involvement

"The Framework ... puts high standards of conduct and leadership at the heart of good governance, placing responsibility on members and officers to demonstrate leadership by behaving in ways that exemplify high standards of conduct, and so set the tone for the rest of the organisation."

**Addendum to Delivering Good Governance in Local Government: a framework, CIPFA, August 2012**

### WHAT ARE THE TOP POSTS FOR DRIVING GOVERNANCE?

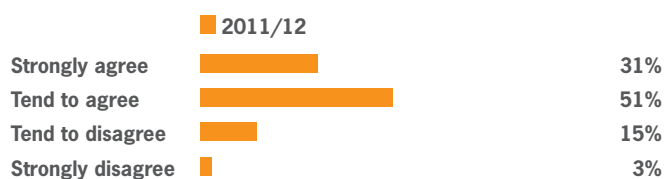
■ 2011/12



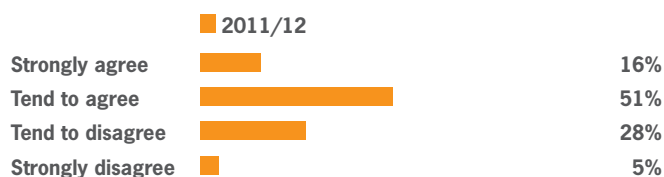
■ 2010/11



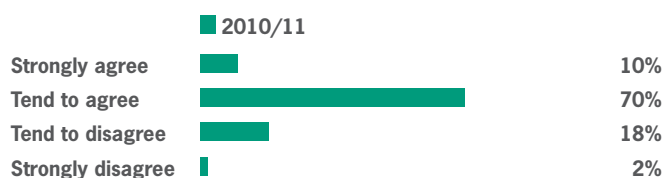
### WE HAVE ROBUST ARRANGEMENTS TO DEVELOP THE CAPACITY AND CAPABILITY OF OFFICERS



### WE HAVE ROBUST ARRANGEMENTS TO DEVELOP THE CAPACITY AND CAPABILITY OF MEMBERS



### WE HAVE ROBUST ARRANGEMENTS TO DEVELOP THE CAPACITY AND CAPABILITY OF OFFICERS AND MEMBERS



Council leaders continue to rate highly their development mechanisms for officers, with 82% agreeing that they have 'robust arrangements' to build their capacity and capability. They are less confident about the equivalent for members, with one third feeling they do not have such robust arrangements for them. This is a significant issue and councils should consider how well they support members in their pivotal leadership role in governance.

We believe the key to changing views and approaches to governance is through strong principled leadership setting the right 'tone from the top'. We explore this theme in our reports 'The chemistry of governance'<sup>1</sup>, which reviews governance in the UK's FTSE 350, and 'The tone of governance'<sup>2</sup>. The core principle applies as well to local government, where the leader and chief executive have a vital role in determining how councils should be run, as it does to the corporate arena.

In considering behaviour and culture, the 'Seven Principles of Public Life' remain as relevant as when Lord Nolan's Committee on Standards in Public Life first published them in 1995.

## The seven principles of public life

### 1 Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### 2 Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

### 3 Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### 4 Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### 5 Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### 6 Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### 7 Leadership

Holders of public office should promote and support these principles by leadership and example.

Committee on Standards in Public Life, January 2013

<sup>1</sup>The chemistry of governance: a catalyst for change, Grant Thornton, January 2013

<sup>2</sup>Governance insights: the tone of governance, Grant Thornton, September 2012

Some recent work by the Institute of Risk Management (IRM) is also relevant.

“The culture of a group arises from the repeated behaviours of its members. The behaviour of the group and its constituent individuals is shaped by their underlying attitudes. Both behaviour and attitudes are influenced by the prevailing culture of the group.”

#### **Risk Culture, Resources for Practitioners, The Institute of Risk Management, 2012**

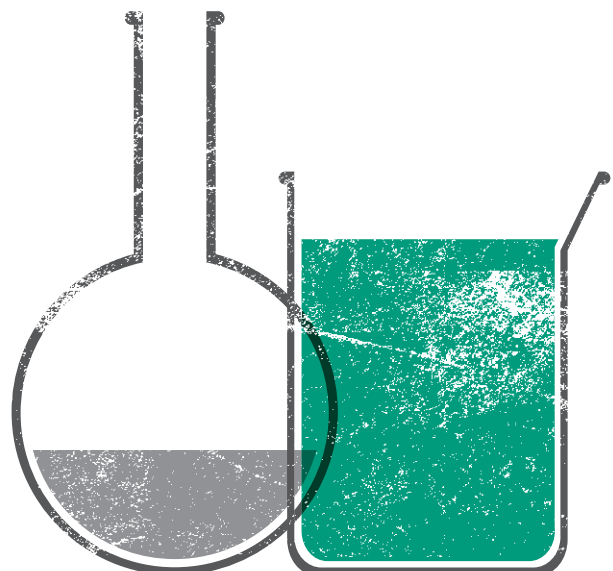
It suggests organisations ask themselves three questions about their culture and develop appropriate action plans:

- 1 What is the current culture in our organisation?
- 2 How do we want to change that culture?
- 3 How do we move from where we are to where we want to be?

While many tools and techniques for managing cultural change exist, it is never easy. Yet many organisations, including councils, give insufficient regard to addressing cultural issues when implementing change. When considering how to improve governance, councils need to think wider than systems and processes. If the culture isn't supportive of good governance, no amount of process redesign will fix it. We set out opposite some suggestions for driving improvement in the governance culture.

#### **Improving your governance culture**

- Invest time in understanding your governance culture. Don't just assume solutions will work
- Involve all those responsible for effective governance: elected members, statutory officers, senior leaders and departmental management
- Gain buy-in by reinforcing the basic principle: good governance = good decision making = good performance
- Spend time with stakeholders to demystify governance and spread understanding that it is the way that everyone should work – not just something for audit and finance
- Accept that cultural change takes time, resources and carefully planned and executed structured and unstructured interventions with stakeholders
- Focus on real behavioural change, not box ticking
- Identify and support those who are not showing the desired behaviours
- Share stories and reward those who exemplify the desired cultural change.

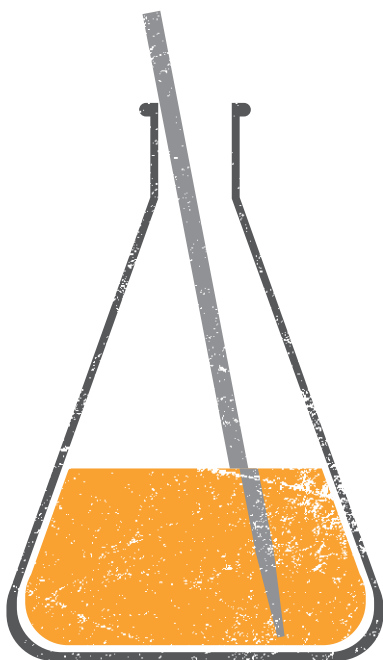


## Process

The governance statements described above, from AGS to accounts, may be the most visible council governance vehicles but they are, of course, designed to be the culmination of 12 months of continuous processes.

However, too often on-going governance processes and year-end statements are treated as two distinct exercises. This makes it difficult for stakeholders to understand the purpose of these processes and diminishes engagement with the council's governance arrangements, potentially leading to gaps in assurance, or inefficiency.

Our recent report on local government financial resilience, 'Towards a tipping point?' highlights a sector perception that a critical juncture is approaching, but that its form is unclear. Recent reports from the Audit Commission and National Audit Office provide a similar message. Working in such an uncertain environment makes it even more critical that councils ensure governance frameworks are fit for purpose and resources are focused to address the most significant risks.



### Possible 'tipping point' scenarios for councils

#### Statutory

Where a council can no longer meet its statutory responsibilities to deliver a broad range of services within the funding available, leading to legal challenges and protests from stakeholders.

#### Financial

Where the Section 151 Officer cannot set a balanced budget, leading in the first instance to an unbalanced budget report to members in line with Section 114 of the Local Government Finance Act 1988 (England and Wales); or where increased uncertainty leads to budget overspends of a size that reduces reserves to unacceptably low levels; or where a council demonstrates characteristics of an insolvent organisation, such as failure to pay creditors.

#### Industrial

Where, as a consequence of pay restraints, changes to terms and conditions and job losses, employees and trade unions undertake prolonged strike action, leading to major service disruption and long-term industrial relations disputes.

#### External

Where a major supplier fails, leading to significant service disruption and reputational damage to the council.

#### Incremental

Where multiple, smaller tipping points relating to individual service areas occur, developing over time and leading to an eventual critical mass.

#### Decision paralysis

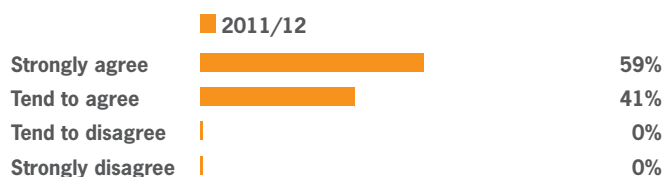
Where there is a failure to make the difficult decisions required to manage financial and other challenges.

**'Towards a tipping point?', Grant Thornton, December 2012**

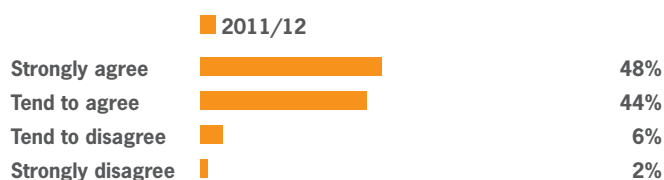
## The governance framework

Council leaders remain very positive about their governance frameworks, as our survey results show they do on their published annual statements. They all report undertaking annual reviews of governance arrangements and 92% say they ensure compliance with best practice.

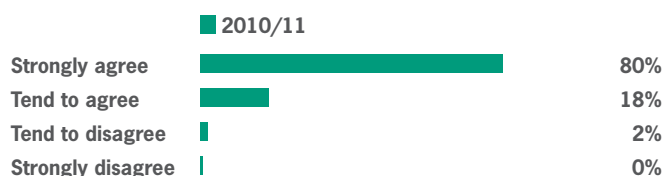
### WE UNDERTAKE AT LEAST ANNUAL REVIEWS OF OUR GOVERNANCE ARRANGEMENTS



### WE ENSURE COMPLIANCE WITH BEST PRACTICE IN OUR GOVERNANCE ARRANGEMENTS



### WE UNDERTAKE AT LEAST ANNUAL REVIEWS OF OUR GOVERNANCE ARRANGEMENTS TO ENSURE THAT WE COMPLY WITH BEST PRACTICE



However, when we interview councils directly they are far less sanguine about how governance arrangements are working in practice. We believe that there is often a lack of understanding as the purpose of the governance framework and how it links to strategy.

In times of tight resources, governance processes should be focused on key controls, namely those considered critical to achieving the council's strategic goals. Once key controls have been identified, assurance plans should be developed to ensure these are operating effectively by the end of the year.

Internal auditors are also feeling the pressure on resourcing. The Grant Thornton/CIPFA survey of heads of audit<sup>3</sup> found that three quarters had reduced coverage and depth of audit work. This comes as new public sector internal audit standards are being introduced from April 2013.

Clarity of purpose and better understanding of the elements of the governance framework would help councils to focus their efforts and potentially save on governance and assurance spending. Like all other aspects of council life, the challenge is how to get more for less.

There are many aspects to council governance frameworks. The findings set out in the remainder of this report focus on some of the main elements.

*In times of tight resources, governance processes should be focused on key controls, namely those considered critical to achieving the council's strategic goals.*

<sup>3</sup>The developing internal audit agenda, Grant Thornton/CIPFA, May 2012

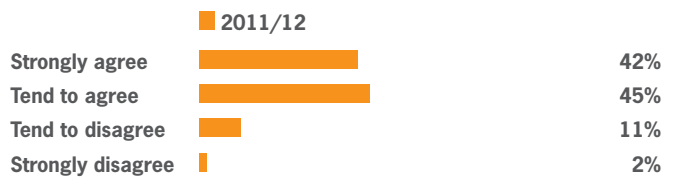
## Audit committees

The unprecedented issues facing local government – including funding reductions, loss of officer capacity, transparency requirements, organisational reconfiguration and outsourcing – all make the audit committee agenda more challenging.

Our survey shows that audit and audit committees are seen as one of the key strengths of council governance. However, hidden in the detail, respondents are far less inclined to ‘strongly agree’ that their audit committee responds effectively to changing risks or demonstrates added value.

Ample guidance exists to support audit committee effectiveness and routinely council audit committees complete self-assessment checklists to assess compliance with requirements. However, from our work with councils across the country, we find that the sheer size and complexity of the agenda can hinder audit committee effectiveness. We set out opposite our suggestions for how council audit committees should manage the existing and emerging risks to effective operation.

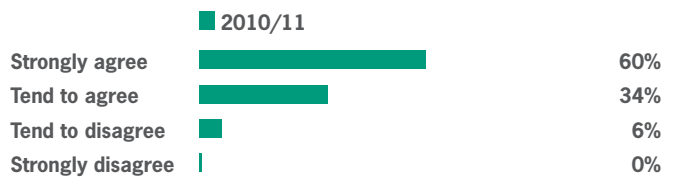
### OUR AUDIT COMMITTEE IS EFFECTIVELY RESPONDING TO THE CHANGING RISKS FACING THE COUNCIL



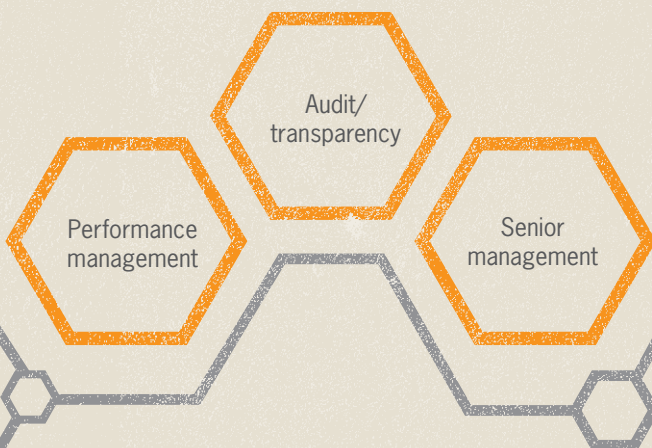
### OUR AUDIT COMMITTEE FUNCTION ANNUALLY DEMONSTRATES THE VALUE IT ADDS



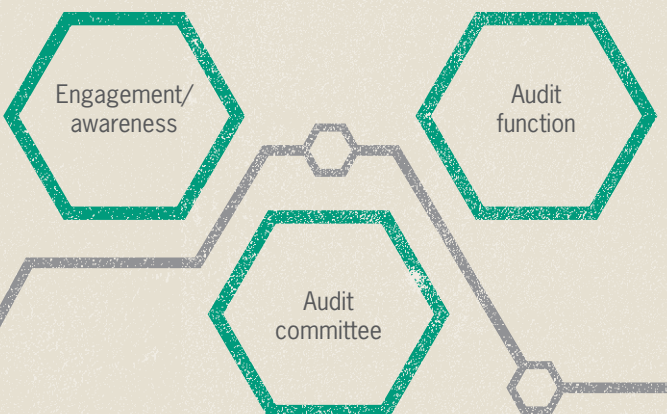
### WE HAVE AN AUDIT COMMITTEE FUNCTION THAT IS EFFECTIVELY RESPONDING TO THE CHANGING RISKS FACING THE COUNCIL AND CAN ANNUALLY DEMONSTRATE THE VALUE IT ADDS



TOP STRENGTHS IN COUNCIL GOVERNANCE IN SURVEY 2011/12



TOP STRENGTHS IN COUNCIL GOVERNANCE IN SURVEY 2010/11





Membership is key. We believe it is critically important to have a skilled chair who can keep the work of the committee on track. It is vital that, as a group, members have the right skills, expertise (including financial), independence of mind and political neutrality to fulfil their role. If all of these criteria are met, then an audit committee is far more likely to be effective.

It is also vital to plan and manage the work of the committee throughout the year. At the start of the year the committee should set out how it will use its limited time most effectively. It should be clear about what assurances are needed in relation to the key risks to the council's strategic objectives and schedule how, and from what source, it wants to receive them.

Maintaining focus throughout the year on the content of the AGS is the best way of achieving such clarity. Agreement about what constitutes 'reasonable assurance' will help the committee judge when it has the required information and can move on.

There are many other levers for ensuring effectiveness, including member briefings, shorter reports, better agenda-sharing with scrutiny to avoid potential gaps or duplication, and preparation of an annual chair's report on the work and impact of the committee. Committees should constantly ask themselves: "Are we achieving our objectives in the most effective way possible and adding value to the governance of the council?" and be prepared to adapt and improve when necessary.

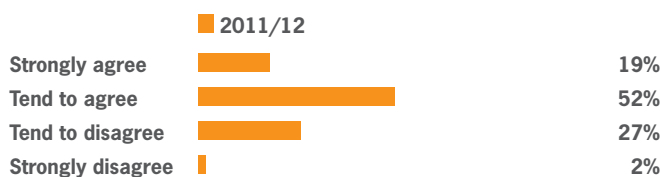
In particular, they should ensure they align their key controls – and assurance activity – towards the council's strategic goals. Whatever the member composition of the audit committee, it is this focus on what really matters that will ensure its effectiveness and enable it to demonstrate its value.

## Scrutiny

This year, scrutiny was again one of the lowest-scoring areas of our survey: 40% of council leaders say their scrutiny function does not demonstrate the value it adds.

Councils' scrutiny functions are becoming increasingly important. They are also being challenged more frequently, due to the difficult decisions councils have to make in the current political and socio-economic climate. Council scrutiny should be robust, must explore all options thoroughly and should not be afraid to make difficult choices. As illustrated by recent government commentary on the excessive use of judicial review and its impact on innovation and growth, it is crucial that council decision-making and scrutiny is transparent so the public can be assured that proper processes are followed. Most importantly, they should focus on decision-making allied to their council's strategic goals.

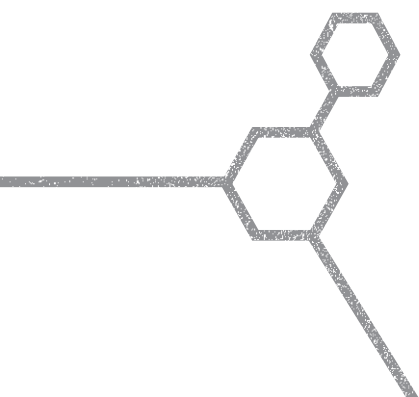
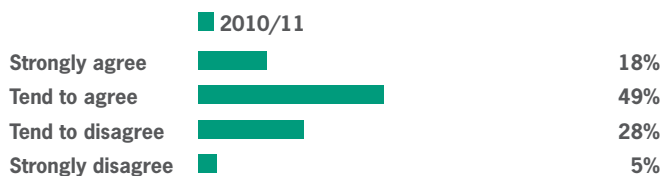
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### OUR SCRUTINY FUNCTION ANNUALLY DEMONSTRATES THE VALUE IT ADDS



### WE HAVE A SCRUTINY FUNCTION THAT IS EFFECTIVELY RESPONDING TO THE CHANGING RISKS FACING THE COUNCIL AND CAN ANNUALLY DEMONSTRATE THE VALUE IT ADDS



Survey respondents were asked what would improve scrutiny in their council. The top three responses were:

- **improved clarity on role**
- **more strategic view and focus on key information**
- **training for members.**

The Centre for Public Scrutiny's (CfPS) 2012 survey<sup>4</sup>, which found that funding cuts had reduced both the numbers of reviews undertaken and of committees, supports our observation that scrutiny should focus on strategic issues.

The CfPS work found a positive outlook on what scrutiny could achieve. More than half of councils already focus (or are planning to do so) on priority issues that will make the biggest difference. This message chimes with our recommendations to audit committees to be focused. In difficult times, councils should seek to harness the potential that scrutiny can bring to the decision-making process.

#### Promoting effective scrutiny

- Demonstrate impact from your work
- Take the stakeholder perspective
- Focus on what really matters

*Council scrutiny should be robust, must explore all options thoroughly and should not be afraid to make difficult choices.*

## Risk management

The current local government environment means that now, more than ever, risks need to be identified effectively and managed carefully to mitigate adverse effects. Our survey results show that while confidence in identifying risk remains high, at 87%, this fell from 98% in last year's survey.

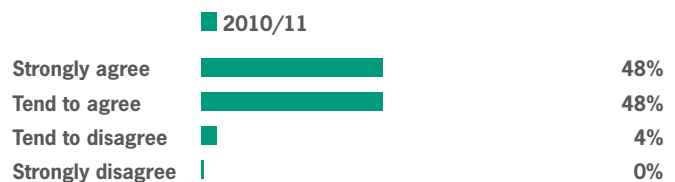
When asked whether risk management is effective in managing key risks, respondents continue to feel confident, although the figure has again fallen – from 96% to 90%. Our 'Towards a tipping point?' report suggests that, in terms of managing financial risk, embedding effective risk management awareness is key.

Yet, while councils report their governance arrangements are effective, they indicate some hesitancy as to whether risk management is truly embedded.

#### OUR GOVERNANCE ARRANGEMENTS ARE CURRENTLY EFFECTIVE IN ENSURING THAT KEY RISKS ARE APPROPRIATELY MANAGED

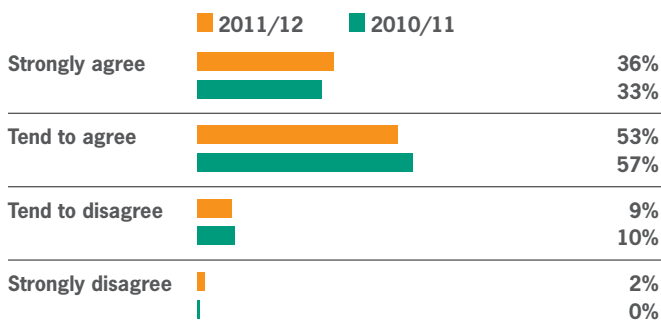


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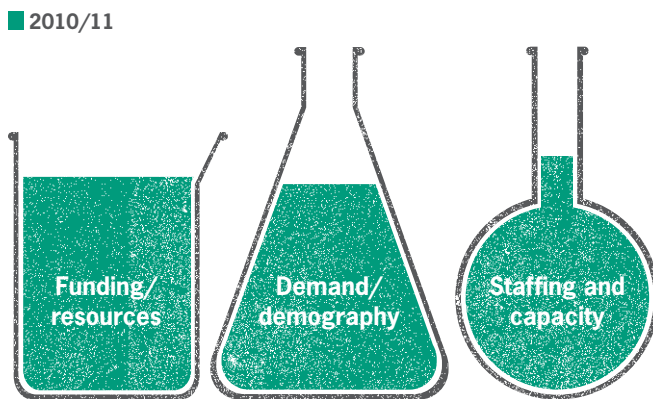
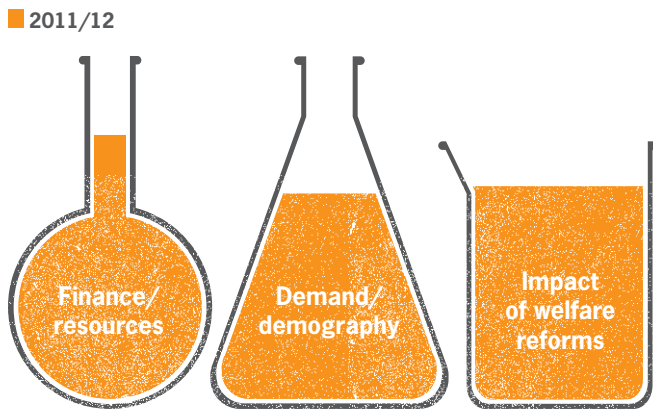


<sup>4</sup>Annual survey of overview and scrutiny in local government 2011/12, Centre for Public Scrutiny, October 2012

**RISK MANAGEMENT IS EMBEDDED INTO THE CULTURE OF THE COUNCIL**



**TOP THREE STRATEGIC RISKS IDENTIFIED BY SURVEY RESPONDENTS**



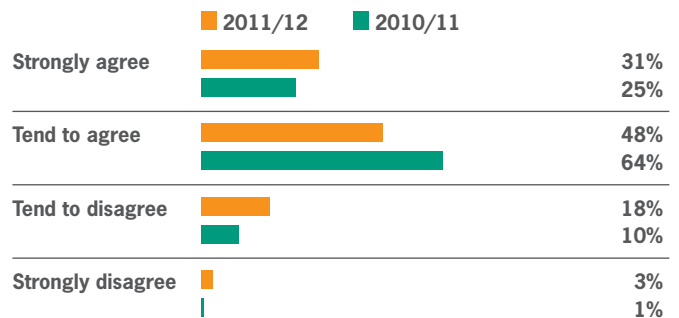
This year, unlike last, staffing and capacity was not cited as one of the top three risks: however, it was a popular choice, together with concerns around new service arrangements, legislative change and the impact of wider economic factors. A key emerging risk relates to the implementation of welfare reforms, a trend consistent with that of national policies being the most common governance risk identified in council AGS.

A prevailing thread throughout our survey and our review of AGS is of the risks created by change: whether that change pertains to legislation, funding, demography or service delivery. Risk associated with increased partnership activity is also a particular concern.

Tighter resources require councils to look differently at how they provide services to their populations. A number of councils are exploring commissioning structures, contracting out, shared service arrangements and other joint operations to provide more with less. This approach to service delivery is a key policy of central government and a central plank of its localism agenda. As well as opportunities, those vehicles carry different risks.

Many councils are placing increasing reliance on providers' quality standards and financial reputation. In this context, it is disturbing that 21% of council leaders do not believe that roles and responsibilities are clear when working in partnership, up from 11% last year.

**WHEN WORKING IN PARTNERSHIP, MEMBERS AND OFFICERS ARE CLEAR ABOUT THEIR ROLES AND RESPONSIBILITIES INDIVIDUALLY AND COLLECTIVELY IN RELATION TO THE PARTNERSHIP AND THE COUNCIL**



To address these risks, structured collaboration between different bodies has been promoted. At a time of increasing partnership working, we believe it is essential to understand the costs, benefits and outcomes of collaboration and then to establish an effective arrangement for oversight and governance, before entering into formal arrangements that can prove difficult to step back from.

#### Key commissioning cycle stages



##### Analyse

The analysis of need, capacity, assets and resources and of the capability of the market. Agreeing priority needs with partners. Defining the outcomes to meet those needs.



##### Plan

Gap analysis, stakeholder engagement, the design of services and service pathways, developing a joint commissioning strategy.



##### Do

Implementing the commissioning plan, facilitating the market, building capacity, sourcing the providers capable of meeting a specification and contracting for the new services. Delivering to users.



##### Review

Contract monitoring and reviewing the effectiveness of the strategy. Reviewing and learning from delivery and feedback from users.

Guide to commissioning and sourcing, SOLACE, 2012

Our survey shows that 89% of respondents feel risk management is embedded into the day-to-day activities of their council, consistent with last year. Our observations on the sector suggest that effective risk management is often driven by a well-established corporate risk management function.

However, funding pressures mean councils may no longer be able to maintain internal risk management resource levels – just when they are facing increased risk due to factors such as service transformation, outsourcing and localism. In this environment it remains important for councils to ensure principles of good risk management, and an effective risk culture, are spread throughout the organisation.

The Institute of Risk Management document on risk culture mentioned on page 19 provides a good summary of the ways organisations can understand and change their risk cultures. It includes 10 questions (shown opposite) boards should ask: these questions are equally applicable to council leaders and councils should consider what actions they need to take based on their answers.

#### Five risk management questions to ask departmental managers

- 1 Can you explain how risk management works in your department?
- 2 How is the risk management process and register used in day-to-day management?
- 3 Is the risk management process and register regarded as useful – or bureaucratic?
- 4 How do you escalate risks from your department to the corporate risk register?
- 5 Are the things that worry those at the front line consistent with what appears on the risk register?



### Ten questions boards should ask on risk culture

- 1** What tone do we set from the top? Are we providing consistent, coherent, sustained and visible leadership in terms of how we expect our people to behave and respond when dealing with risk?
- 2** How do we establish sufficiently clear accountabilities for those managing risks and hold them to their accountabilities?
- 3** What risks does our current corporate culture create for the organisation, and what risk culture is needed to ensure achievement of our corporate goals? Can people talk openly without fear of consequences or being ignored?
- 4** How do we acknowledge and live our stated corporate values when addressing and resolving risk dilemmas? Do we regularly discuss issues in these terms and has it influenced our decisions?
- 5** How do the organisation's structure, process and reward systems support or detract from the development of our desired risk culture?
- 6** How do we actively seek out information on risk events and near misses – both our own and those of others – and ensure key lessons are learnt? Do we have sufficient organisational humility to look at ourselves from the perspective of stakeholders and not just assume we're getting it right?
- 7** How do we respond to whistle-blowers and others raising genuine concerns? When was the last time this happened?
- 8** How do we reward and encourage appropriate risk-taking behaviours and challenge unbalanced risk behaviours (either overly risk averse or risk seeking)?
- 9** How do we satisfy ourselves that new joiners will quickly absorb our desired cultural values and that established staff continue to demonstrate attitudes and behaviours consistent with our expectations?
- 10** How do we support learning and development associated with raising awareness and competence in managing risk at all levels? What training have we as a board had in risk?

**Adapted from Risk culture; under the microscope guidance for boards, Institute of Risk Management, 2012**

*A positive governance culture, where people understand and live the values, drives robust decision-making and, in turn, strong performance.*

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**Dynamic organisations know they need to apply both reason and instinct to decision making. At Grant Thornton, this is how we advise our clients every day. We combine award-winning technical expertise with the intuition, insight and confidence gained from our extensive sector experience and a deep understanding of our clients.**

Through empowered client service teams, approachable partners and shorter decision-making chains, we provide a wider point of view and operate in a way that's as fast and agile as our clients. The real benefit for dynamic organisations is more meaningful and forward-looking advice that can help unlock their potential for growth.

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## Governance matters



Corporate Governance  
Review 2012



NHS Governance  
Review 2013



Local Government  
Governance Review  
2013



Charities Governance  
Review 2013



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## 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 1<sup>st</sup> 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. 179**

**MEETING TITLE AND DATE:**

Cabinet - 20.3.13  
Council - 27.3.13

**REPORT OF:**

Director of Regeneration Leisure and Culture

Contact officer and telephone number:  
Natalie Broughton  
020 8379 1451

<b>Agenda - Part:</b> 1	<b>Item:</b> 8
<b>Subject:</b> Proposed Submission Development Management Document (DMD)	
<b>Wards:</b> all	
<b>Cabinet Member consulted:</b> Cllrs Goddard and Bond	

**1. EXECUTIVE SUMMARY**

- 1.1.1 The Development Management Document (DMD), part of Enfield's Local Plan, sets out policies which will be used to determine all planning applications: from small scale householder applications to applications for large scale residential, commercial and mixed use development.
- 1.1.2 This report seeks approval of the Proposed Submission DMD and the subsequent consultation and submission, together with the necessary supporting documents to the Secretary of State for independent examination.

**2. RECOMMENDATIONS****That Council (subject to any recommendation made by Cabinet on 20 March 13):**

- 2.1 Approve the proposed submission version of the DMD and Policies Map for a statutory 6 week publication and subsequent submission to the Secretary of State. Copies of the Proposed Submission DMD have been placed in the Members' Library, Group Offices and on the Council's website.
- 2.2 Agree that the Cabinet Member for Business and Regeneration be authorised to agree the publication of the Sustainability Appraisal and Equality Impact Assessment of the Proposed Submission DMD.
- 2.3 Agree that the Director of Regeneration, Leisure and Culture, in consultation with the Cabinet Member for Business and Regeneration be authorised, to agree appropriate changes to the Proposed Submission version of the DMD and any further consultation required, in the run up to and during the public examination process into the document, in response to representations received, requests from the Planning Inspector and any emerging evidence, guidance or legal advice. Changes of a substantive nature may be considered by the Local Plan Cabinet Sub Committee.

### **3. BACKGROUND**

- 3.1 The Development Management Document (DMD) is part of Enfield's Local Plan. It will help deliver the spatial vision and strategy for the borough set out in the Core Strategy, adopted in November 2010. Once adopted, the DMD, alongside the London Plan and Core Strategy will form the development plan for Enfield. This will be supplemented with Area Action Plans and Neighbourhood Plans as these come forward. The DMD once adopted will replace remaining saved Unitary Development Plan policies (1994).
- 3.2 A draft DMD was published for consultation in Summer 2012. All individuals and organisations (over 1,500) on the Council's Local Plan database were notified of the consultation. Letters were sent to all adjoining Local Authorities and 'prescribed bodies' to comply with the new duty to co-operate introduced through the Localism Act 2011 and subsequent legislation.
- 3.3 A summary document was produced to help engage residents, businesses and the voluntary and community sector. The Council's On Your Doorstep events, held borough-wide were used to promote the document. A programme of events were held during the consultation period including events with the Enfield Racial Equality Council and One-to-One Enfield.
- 3.4 Responses were received from approximately 60 individuals and organisations, this included responses from developers, residents and statutory consultees. Comments were also received from Conservation Advisory Group, Health Improvement Partnership and a number of schools in the borough.
- 3.5 Support was received from organisations including the Enfield Society, the Theatres Trust, the Environment Agency, Haringey Council, and Herts and Middlesex Wildlife Trust. A number of comments were raised regarding the detailed wording of draft policies and changes have been made to reflect comments made, to make policies more robust. The main substantive issues or issues raised by one or more respondent include: concerns regarding the impact of policies on the viability of development; the Council's approach to dealing with affordable housing; and proposed changes to the Policies Map designations including changes to the Green Belt and open space. A summary of all of the comments made on the Draft DMD and details of how individual comments have informed the latest version of the DMD will be published along side the Proposed Submission DMD.

### **4. PROPOSED SUBMISSION DEVELOPMENT MANAGEMENT DOCUMENT**

- 4.1 The Proposed Submission DMD sets out policies which will be used to determine all planning applications: from very small scale householder applications to applications for large scale residential, commercial and mixed use development. It contains policies covering a wide range of topics.
- 4.2 The DMD, a borough wide document, responds to new challenges and opportunities arising since the adoption of the Core Strategy, including the publication of the National Planning Policy Framework (NPPF), the introduction of a new affordable housing tenure and the Taylor review of planning guidance. Evidence which underpins the Core Strategy has been supplemented with further evidence on viability and other studies including: a review of employment land; a detailed green boundary

review, and a review of open space and nature conservation sites. The DMD is required to be in general conformity with the Mayor's London Plan.

4.3 The main changes made since the publication of the Draft DMD include:

- The addition of text on the Government's model policy on sustainable development
- Amendments to the policy on affordable housing
- Changes to town centre policies relating to the loss of retail, new office provision and betting shops
- Changes to text relating to the viability of achieving the Code for Sustainable Homes
- Changes to policies on green infrastructure including new public park provision
- Changes to policies on flood risk and noise levels.

4.4 The Proposed Submission DMD is accompanied by changes to the Policies Map.

## **5. NEXT STEPS FOLLOWING COUNCIL APPROVAL**

5.1 The Proposed Submission DMD will be published for a six week consultation period and thereafter submitted to the Government for independent examination. It is anticipated that the DMD will be formally adopted by the Council towards the end of 2013.

## **6. ALTERNATIVE OPTIONS CONSIDERED**

6.1 None. In the context of changes to national planning guidance, it is imperative that the DMD is adopted to provide an up to date Local Plan to inform planning decisions . The DMD must be submitted for examination in accordance with Government legislation.

## **7. REASONS FOR RECOMMENDATIONS**

7.1 To progress with the approval of the Proposed Submission Development Management Document for submission to the Government for independent examination, in accordance with Government legislation.

## **8. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **8.1 Financial Implications**

The cost of the consultation and examination for the Development Management Document is addressed through the Council's Medium Term Financial Plan as part of a wider consideration of statutory Local Plan obligations. If any actions, plans or works arising from this document cannot be met from existing budgets or are likely to have significant financial implications then it would need to be subject to separate reports and full financial appraisal.

### **8.2 Legal Implications**

The Planning and Compulsory Purchase Act 2004 (the Act) imposes on local planning authorities (LPA) a duty to exercise their duties and functions under the Act with the objective of contributing to and promoting achievement of sustainable development. This Act provides for the preparation of Local Plan documents including

development management policies. It is necessary to submit the DMD to consultation and then examination in public in accordance with the Act.

The Act requires a Sustainability Appraisal (SA) to be undertaken for each of the Local Plan Documents and LPA's must consider the undertaking a Strategic Environmental Assessment of emerging plans and programmes that may have a significant impact on the environment.

The recommendation to submit the DMD and SA for public consultation and examination is in accordance with the Council's powers and duties under the Act.

### **8.3 Property Implications**

Planning policies contained within the DMD will affect the development potential of land and buildings in Enfield, including those assets owned by the Council.

The DMD provides detail on how decisions on planning applications will be made. The effect of having greater detail is to bring increased certainty to the development potential of the land and the viability of any development. This should in theory reduce planning and development risks associated with bringing new schemes forward in Enfield. It is important to ensure planning policies have regard to the current economic climate and are appropriate to Enfield's own economic landscape. A fine balance has to be reached to ensure that planning policies direct development to the right locations, deliver high standards in all new development and provide flexibility to take account of changing market conditions over time.

The DMD policies will be monitored on an annual basis and revised as necessary through the plan making process. This will ensure the borough's potential and future opportunities are not unduly constrained and the borough remains competitive within its regional economy.

## **9. KEY RISKS**

- 9.1 Failure to produce up to date, robust policies through the preparation of a development management document would result in a gap in policy. This would lead to poor quality development and/ or development in inappropriate locations and would significantly harm the Council's ability to meet its wider regeneration objectives.

## **10. IMPACT ON COUNCIL PRIORITIES**

- 10.1 The DMD will be fundamental in achieving sustainable development. Policies throughout the document seek to achieve fairness for all, sustainable growth and the development of strong communities through the development management process.

## **11. EQUALITY IMPACT IMPLICATIONS**

- 11.1 The Draft DMD was subject to an initial Equality Impact Assessment/ Analysis (EqIA) to ensure that consultation promoted equal opportunities. A final EqIA (including an assessment of policies) has been undertaken to support the Proposed Submission DMD.

## **12. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 12.1 The DMD will provide clear policies for the assessing planning applications which will bring performance management improvements to the planning application process and result in better performance at appeal.

## **13. PUBLIC HEALTH IMPLICATIONS**

- 13.1 The DMD contains policies covering a wide range of topics such as housing, community facilities, environmental protection, and green infrastructure, all of which may have implications for public health. Strategic Objective 5 of the adopted Core Strategy (2010) promotes Education, Health and Wellbeing; the DMD provides more detailed policies on how to achieve these policy objectives in the assessment of individual planning applications.

### **Background Papers**

None

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MUNICIPAL YEAR 2012/2013 REPORT NO. **171A**

**MEETING TITLE AND DATE:**

Council - 27 March 2013

**REPORT OF:**Acting Assistant Director -  
Human Resources**Contact officer and telephone number:**

Tony Gilling - 020 8379 4141

<b>Agenda – Part: 1</b>	<b>Item: 9</b>
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**Subject:****Review & Adoption of a Statutory Pay Policy Statement****Cabinet Members Consulted:**

Cllr Andrew Stafford

Email: [Tony.Gilling@enfield.gov.uk](mailto:Tony.Gilling@enfield.gov.uk)**1. EXECUTIVE SUMMARY**

The Localism Act 2011 requires all Councils to review and adopt a Pay Policy Statement each financial year. This report proposes a number of amendments to the Council's policy agreed in 2012 for adoption in the financial year 2013/14.

**2. RECOMMENDATIONS**

The Council adopts the Statutory Pay Policy Statement attached as Appendix 2 of this report.

**3. BACKGROUND**

3.1 Sections 38 to 43 of The Localism Act 2011 required all Councils to formally adopt a pay policy statement by 31 March 2012. The Act requires that a policy statement is adopted annually by a vote of the Council and once adopted, can only be varied by a vote of the Council.

3.2 In broad terms, the Act requires that the Statutory Pay Policy Statement includes:-

- A local authority's policy on the level and elements of remuneration for each chief officer
- A local authority's policy on the remuneration of its lowest paid employees (together with its definition of 'lowest paid employees' and its reasons for adopting that definition)
- A local authority's policy on the relationship between the remuneration of its chief officers and other officers

- A local authority's policy on other specific aspects of chief officers' remuneration; remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

The pay and remuneration of schools based staff is not covered by the Act.

3.3 The Council's pay policy was agreed on 28 March 2012 and is attached as Appendix 1.

3.4 The Remuneration Sub Committee has reviewed the operation of the pay policy for the financial year 2012/13 and has recommended the following amendments :

Paragraph 3.10

Delete £8.30 and insert £8.55  
Delete £15,580 and insert £16,050  
Delete 1.2.12 and insert 1.3.13  
Delete point 8 and insert point 10

This amendment incorporates the London Living Wage increase implemented on 1 March 2013 and reflects the fact that staff on Scale 1c now fall under the London Living Wage level.

Paragraph 3.17

Delete whole paragraph and insert  
On 21 March 2012, the Council adopted a severance policy under which staff at all levels in the Council could be allowed to leave the Council's employment with a discretionary severance payment. Details of this scheme are set out in the relevant Cabinet report.

Paragraph 3.18

Delete 'In such circumstances ..... personal file'.

This amendment is required to ensure that there is no inference that pay in lieu of notice is a contractual entitlement.

Insert Paragraph 3.25

### **Public Health Team**

On 1 April 2013, the NHS public health function will be transferred to local councils. The transfer will be actioned under a statutory transfer scheme and staff will be protected on their NHS pay, pensions and conditions of service.

This paragraph is required to explain the rationale for the different pay

rates for staff transferring from the NHS into the Council's public health function with effect from 1 April 2013.

Insert after 3.9.1.

The 2012 and 2013 government guidance on pay policy statements recommends that full Council should have the opportunity to vote before large salary packages are offered in respect of a new appointment, and propose £100,000 as an appropriate threshold. Supplementary guidance does not have the force of law but the council is required to have regard to it.

In Enfield, all appointments at Assistant Director level and above are made by an Appointments Sub Committee comprising elected members of both political parties; and the adopted pay policy already requires a report to be made to Council where it is proposed to offer the appointment at a salary other than the minimum of the appropriate salary range.

The council's Constitution already requires the appointment of a new Chief Executive to be ratified by full Council, and such an approval could be explicit as to the salary to be offered; so this leaves only Director level posts where the salary offered on appointment could exceed the £100,000 threshold. The salary range for Directors is fixed (see paragraph 3.6.2 above) and is binding on the council by virtue of the pay policy statement. If there is a decision to pay a Director at a higher point, it must be reported to the next full Council meeting. If the matter is reported to full Council, it would be open to a member to move a motion on the matter which could be the subject of a vote. The Council therefore, believes that the requirements of openness and accountability and the principles of transparency are met by existing procedures. Set against this, the potential delays in waiting for a full Council meeting before being able to offer a job, or having to renegotiate the salary, risk losing good candidates and increasing recruitment costs.

On this basis, the council is satisfied that its existing mechanism for senior appointments allows for an appropriate level of accountability, openness and oversight by members.

These paragraphs are required to address paragraphs 8, 9 and 10 of the 2013 supplementary guidance on pay policy statements.

Insert after 3.14.

The 2013 government guidance on pay policy statements recommend that full Council should have the opportunity to vote before large severance payments are made and proposed £100,000 as an appropriate threshold. Supplementary guidance does not have the force of law but the council is required to have regard to it.

However, the council has decided not to incorporate this element of the guidance into the pay policy as at March 2013. This is because there is a

lack of clarity on what constitutes a severance payment and whether non-discretionary elements should be included in the calculation to meet the threshold. It is also necessary to consider whether such disclosure in respect of officers below AD level would be proportionate, and compliant with Data Protection and Article 8 HRA considerations.

Given this, the council is seeking further advice and in the interim, the Assistant Director Human Resources, in consultation with the Cabinet Member for Finance & Property and relevant Director and Cabinet Member will make decisions on a case by case basis on whether severance payments in excess of £100,000 should be referred to full Council.

These paragraphs are required to address paragraphs 11, 12, 13 and 14 of the supplementary guidance on pay policy statements.

- 3.5 The amendments detailed in paragraph 3.4 are incorporated in the revised Pay Policy which is attached as Appendix 2.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

The review and adoption of a Statutory Pay Policy Statement each financial year is a statutory requirement.

#### **5. REASONS FOR RECOMMENDATIONS**

To meet a statutory requirement

#### **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES & CUSTOMER SERVICES**

##### **6.1. Financial Implications**

No financial implications arise from the adoption of the proposed Pay Policy Statement.

##### **6.2 Legal Implications**

6.2.1 The council is required under sections 38-43 of the Localism Act 2011 to adopt a pay policy statement for every financial year. The pay policy statement for 2013/14 must be adopted by 31 March 2013. The pay policy statement must be adopted by full council, and can only be varied by full council. Once it has been adopted, all determinations on pay, conditions and remuneration of chief officers (broadly, the chief executive, directors and assistant directors) for that year must be in accordance with the policy.

6.2.2 The Secretary of State issued statutory guidance on pay policy statements in 2012, followed by additional statutory guidance in February 2013. Statutory guidance does not have the force of law, but the council is required to have regard to it. One element

of both the 2012 and 2013 guidance is that full council should have the opportunity to vote before large salary packages are offered in respect of new appointments at or above a proposed threshold of £100,000. The proposed Pay Policy Statement for 2013/14 complies with the guidance in respect of the appointment of the chief executive. In respect of directors, the guidance is followed in part, in that full council would have the opportunity to vote if it was proposed to offer a salary higher than the lowest point on the grade set out in the Pay Policy Statement. To the extent that it does not follow the 2012 and 2013 guidance, the council is nevertheless entitled to approve the proposed Pay Policy Statement provided it has taken account of the statutory guidance, amongst other considerations, in reaching its decision, for example if it is satisfied that the proposed arrangements allow for sufficient transparency, accountability and oversight by members in line with the spirit of the guidance.

6.2.3 The 2013 guidance was issued in late February 2013 and without the usual consultation process. It proposes a new component for pay policy, namely that full council should have the opportunity to vote before large severance packages of £100,000 or above are awarded to senior staff. As statutory guidance, the council is still required to have regard to it. However, as set out in the proposed Pay Policy Statement for 2013/14, the council is also entitled to take into account issues such as the current lack of clarity as to how the £100,000 threshold is to be calculated and how non-discretionary elements are to be treated. Accordingly, the council is entitled to adopt the interim measures proposed while greater clarity is sought if it is satisfied that this is the most appropriate course of action in the circumstances.

### **6.3 Key Risks**

As detailed in section 6.2 of the report.

## **7. IMPACT ON COUNCIL PRIORITIES**

### **7.1 Fairness for All**

The annual adoption of a Pay Policy Statement will afford the Council a regular opportunity to ensure that the remuneration of senior managers remain commensurate with the responsibilities of the roles relative to the pay of the Council's overall workforce.

### **7.2 Growth and Sustainability**

The Pay Policy Statement will afford Members and the public the opportunity to ensure that the reward of senior managers reflects their contributions towards achieving the Council's aims and objectives.

### **7.3 Strong Communities**

The publication of the remuneration details of senior managers will ensure that the local community has access to the information needed to hold senior managers to account for the realisation of the Council's vision.

#### **7.4 Equalities Impact Assessment**

The production of a statutory pay policy statement is a legislative requirement which will only impact on a very small number of senior staff.

#### **8. HEALTH AND SAFETY IMPLICATIONS**

None

#### **9. PUBLIC HEALTH IMPLICATIONS**

These have been set out in section 3.4 above.

#### **Background Papers**

None

## The Council's Statutory Pay Policy 2012/13

1. Enfield Council is a large and diverse organisation providing a range of statutory and other services to a local community with a population of c300,000. It is responsible for managing a combined annual capital and revenue spend of c£1.1 bn. To ensure such a large and complex organisation is effectively led and efficiently managed, the Council needs to be able to attract and retain a range of high calibre and skilled managers and leaders. In a competitive job market, the value and composition of the remuneration package offered to senior managers i.e. Assistant Director and above is a key factor enabling the Council to attract, recruit, motivate and retain staff with the skills sets required to deliver the Council's vision objectives and aspirations, which in turn, have a significant impact on the lives of local residents.
2. This statement has been drawn up primarily to meet the requirements of Section 38(1) of the Localism Act 2011. The full details of the remuneration of both senior managers and other groups of staff employed by the Council will be published on the Council's website as required by the Code of Recommended Practice for Local Authorities on Data Transparency. The details of the remuneration received by individual senior managers in each financial year will be published in the annual statement of accounts.
3. **Pay Provisions**
  - 3.1 The implementation of the Council's pay and remuneration strategy for senior managers is overseen by the Remuneration Sub-Committee of the Council's Audit Committee.
  - 3.2 The key features of the Council's remuneration package for senior managers include
    - 3.2.1 a competitive salary structure that is aligned with benefits packages offered by other benchmark public sector organisations providing a similar range of services i.e. primarily other London boroughs;
    - 3.2.2 a pay structure where progression through the appropriate pay range is directly related to a senior manager's performance against the range of objectives set annually in consultation with Members. Under the terms of the Council's performance related pay scheme, originally agreed by Cabinet in 2006, pay progression through the top 10% of each salary range is not consolidated (i.e. is at risk) and consequently, the pay of individual senior managers can and does go down should performance levels fall and agreed objectives not met. The Council believes that adopting this approach promotes, recognises and rewards the high levels of performance that are expected within a delivery orientated organisation culture. This model of pay progression was extended to apply to all posts at middle management and above in 2010. Full details of the Council's performance related pay ranges are

published on the Council's website as are details of how the performance related pay progression operates. The operation of the performance related pay scheme is rigorously moderated and subject to independent audit. In 2011, this audit was undertaken by PricewaterhouseCoopers. The implementation of the performance related pay scheme for senior managers at Assistant Director level and above is overseen by the Remuneration Sub-Committee.

- 3.3 To further support the Council's aim of developing and embedding a delivery orientated organisation culture, the Council will take every opportunity to link progression through relevant pay ranges to the performance of individual members of staff.
- 3.4 As part of its commitment to ensuring equal value in pay matters, the Council determines the relative grades of the vast majority of jobs in the organisation through the application of recognised analytical job evaluation schemes. For the majority of staff, the job evaluation scheme used is that developed by the Greater London Provincial Council published in 2000. For middle and senior management jobs, the Hay Job Evaluation Scheme developed by Hay Management Consultants is used.
- 3.5 The Council determined the pay ranges for Heads of Service, Assistant Directors, Directors and the Chief Executive in 2006, with advice from Hay Management Consultants, using benchmarking data drawn from the Chief Officers Pay and Benefits Survey independently compiled by London Councils. The Council's middle and senior managers' pay ranges have a spread of 25 percentage points i.e. difference between the lowest and highest salary levels in the pay range. In the lower part of each salary range, i.e. points 1-16, performance related salary progression is consolidated i.e. once that level of salary is attained, it will be retained in future years, regardless of performance, while in the upper part of each salary range i.e. points 17-25, pay progression is not consolidated and can go up or down in line with recorded performance levels in the previous performance year. This model of performance pay being 'at risk' reflects that envisaged in the report to the Government on Fair Pay in the Public Sector published in 2011. In all, the Council has seven such performance related salary ranges covering 450 posts with salary ranges starting at or above £35,016.
- 3.6 The pay ranges for middle and senior managers are increased in line with National Pay Agreements determined by the Joint National Council (JNC) for Chief Officers. The last increase in JNC pay rates was effective from April 2008. Currently,
  - 3.6.1 the salary range for the Chief Executive is £161,097 - £189,528 (consolidated) through to £208,479 (non consolidated);
  - 3.6.2 the salary range for the Directors of Schools & Children's Services, Environment, Finance & Corporate Resources, Health, Housing & Adult Social Care and Regeneration, Leisure & Culture is



£116,352 - £136,884 (consolidated) through to £150,570 (non consolidated);

- 3.6.3 the actual levels of pay received by the Chief Executive and each Director are published annually in the Council's statement of accounts;
  - 3.6.4 the salary range for all Assistant Directors in £78,762 - £92,661 (consolidated) through to £101,925 (non consolidated);
  - 3.6.5 the contracts of employment of all senior managers only allow them to undertake additional duties and responsibilities with the recorded agreement of the Leader of the Council, in the case of the Chief Executive and the Chief Executive in the case of a Director or Assistant Director. Where these additional duties attract the payment of a fee, the Remuneration Sub-Committee will determine the proportion of that fee that is received by the individual senior manager and that received by the Council. In the specific case of fees for local and other election duties, the Council allows any fees received to be retained by the Chief Officers' fulfilling these roles.
- 3.7 The Council has the discretion to exceptionally make additional one off payments to staff at any level, including senior staff, in recognition of work undertaken in addition to that of their substantive role. Any such additional payments will be authorised by the Chief Executive, in the case of a payment being made to a Director or an Assistant Director and the Leader of the Council, in the case of discretionary payment being made to the Chief Executive. An objective justification for each such payment will be recorded on the employee's file. Any such additional payments made will be reflected in the relevant statements of earnings published in the annual statement of accounts. The Council has no provision to make a bonus payment to any member of staff.
- 3.8 The pay rates of other staff in the Council are based on a pay spine negotiated by the National Joint Council (NJC) for Local Government Services and supplemented to reflect regional differences arising from agreements made by the Greater London Provincial Council (GLPC). The last increase in the NJC pay spine was effective from April 2009. Typically, the pay range for each grade comprises four incremental pay points with staff progressing to the next pay point after specified periods of time in the post. Each grade pay range has a spread of c10% with each incremental step equating to c2½% increase in pay. All pay progression through the grade range is consolidated. The Council currently operates a performance related pay scheme for staff who work in the Customer Service Centre.
- 3.8.1 The Council will consider paying an appropriate market supplement, in addition to the job evaluated grade range where it can be objectively demonstrated that the Council is experiencing difficulties in recruiting and retaining suitably skilled and qualified

staff to provide safe, efficient and effective high quality services and that the level of pay offered is the primary reason for this.

### **3.9 Pay on appointment**

- 3.9.1 Under the terms of the Council's Constitution, all permanent appointments to posts graded Assistant Director, Director and Chief Executive are made by the Appointments' Panel. As progression through the relevant salary range is determined by performance, staff will normally be appointed at the minimum point of the grade unless there is an objectively justifiable reason for appointing to a higher salary and this is a) recorded and b) approved by the chair of the Appointments' Panel that made the appointment and c) reported to the next Council in the case of the appointment of a Director. (Note the Council's Constitution already requires the appointment of the Chief Executive to be ratified by the full Council). The composition of the Appointments' Panel for appointments to posts at Assistant Director, Director and Chief Executive is set out in the Council's Constitution.
- 3.9.2 Appointments to posts at all other levels in the Council will be made at the minimum point of the relevant grade unless agreed by the Assistant Director of Human Resources or as specified in the approved scheme of delegation. Where appointments are made to salary levels above the minimum of the scale, the objectively justifiable reasons for this will be recorded on the relevant personnel file. The Council does not make any additional payments to prospective senior managers to encourage them to join the Council's workforce. Relocation expenses can be paid in approved cases where these are agreed by the Chair of Appointments' Panel that made the appointment.
- 3.9.3 From time to time, to meet unforeseen temporary business needs, it may be necessary for the Council to engage specialists contractors/agency workers to cover elements of the roles of senior manager posts. In such cases, the engagement of such workers and the rates of payment and conditions of engagement will be approved by the Cabinet Member for Finance & Corporate Resources which will not necessarily be in line with the Council's general terms and conditions for staff engaged under a permanent contract of employment.
- 3.9.4 The Council would not normally consider appointing a person to a permanent senior management post other than under a normal employment contract.

### **3.10 Low pay**

In March 2011, the Cabinet determined that irrespective of the grade of a job as determined by the application of an analytical job evaluation process, the minimum level of pay received by any employee would be the

level of the London Living Wage as set/amended from time to time by the Greater London Authority. The Council will determine the lowest paid by reference to the contractual hourly rate of pay of the employee. For these purposes Apprentices are considered to be engaged under training rather than employment contracts. The London Living Wage is currently £8.30 per hour i.e. £15,580 per annum for a full time worker (i.e. working 36 hours per week). Where appropriate, basic levels of pay that are below the GLPC pay spine point 8 or equivalent on 1.2.12 are enhanced by the payment of a pay appropriate supplement to ensure that every member of staff receives a level of pay is equivalent to the level of the London Living Wage. GLPC pay spine point 8 is currently the first point in the GLPC pay spine that is above the current level of the London Living Wage. The pay spine point below which supplements are paid will vary in line with increases in the London Living Wage. Any subsequent increase in the London Living Wage will be implemented within six months of the increase in the level of London Living Wage being announced. The Council staff will not adjust the basic wage levels of staff already in receipt of pay levels that are above the London Living Wage for the purpose of maintaining grade/pay differentials. An explanation of the Council's reasons for adopting the London Living Wage as the low pay benchmark are set out in report 207 considered by the Cabinet on 9 March 2011.

### 3.11 Working hours

3.11.1 Middle and senior managers in the Council do not have a specified working week and are required to work the hours necessary for the effective performance of their duties. It is not unusual for senior managers in the organisation i.e. Assistant Directors, Directors and Chief Executive to regularly work up to 60 hours per week without any compensatory time off or additional payments being made.

3.11.2 Staff other than middle and senior managers work a basic 36 hour week and are entitled to time off in lieu or additional payments in respect of any hours worked in excess of an average of 36 hours per week calculated over specified periods. Enhanced payments are made to staff who are contractually required to work at night, at weekends and on bank holidays.

### 3.12 Other non pay benefits

#### 3.12.1 Holiday entitlement

In addition to paid time off in respect of public/bank holidays, the paid annual leave entitlement for all staff is set out in the following table:-

<b>Directors and Assistant Directors</b>	<b>Completed Years of Continuous Service as at 31 March</b>	
	0 - 4 years	5 + years
Chief Executive & Directors	32 days	35 days

Assistant Directors	29 days	32 days
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<b>Other Staff</b>	<b>Completed Years of Continuous Service as at 31 March</b>	
Grade and pay spine	0 - 4 years	5 + years
Up to and including Scale 4 (scp 1-21)	24 days	29 days
Scales 5-6 (scp 22-28)	25 days	30 days
SO1 to PO2 (from scp 29)	26 days	31 days
MM1 to HOS2	29 days	31 days

### 3.12.2 Sick pay

While unable to work because of illness, staff at all levels receive

During 1 <sup>st</sup> year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2 <sup>nd</sup> year of service	2 months full pay and 2 months half pay
During 3 <sup>rd</sup> year of service	4 months full pay and 4 months half pay
During 4 <sup>th</sup> and 5 <sup>th</sup> year of service	5 months full pay and 5 months half pay
After 5 years service	6 months full pay and 6 months half pay

This provision mirrors the national terms and conditions for local authorities' staff.

### 3.13 Other general terms and conditions of service

Other general terms and conditions of service for senior staff are as determined by the Joint National Council for Chief Officers and for other staff by the National Joint Council for Local Government Services.

### 3.14 Termination payments

In 2010, the Cabinet adopted a revised policy in respect of the level of discretionary payments made to staff who were made redundant. Under the terms of this policy, which applies to staff at all levels including senior managers, on being made redundant, staff who are immediately able to access their occupational pension payments will receive a redundancy

payment which is calculated using the statutory table for the calculation of redundancy payments with the payment being based on an actual week's pay i.e. salary ÷ 52.14 weeks, rather than a statutory week's pay. In all cases of redundancy of staff at all levels the Council automatically waives any actuarial reduction in pension payments that would otherwise arise. Staff who are not able to access an occupational pension for any reason receive a supplementary additional discretionary payment calculated on half a week's actual pay for every year of local government service.

- 3.15 The Council's flexible retirement policy, adopted in 2011, enables eligible staff to receive their occupational pension and continue working, for a maximum period of up to two years, provided they either reduce their contractual hours by at least 50% or reduce the grade of their job by two grades.
- 3.16 The Council has no provision to make any other termination payments to staff at any level in the organisation other than in settlement of a potential or actual legal claim against the Council. Any such payment to a senior member of staff would be agreed by the Chief Executive or appropriate Director, in consultation with the Leader of the Council, under the terms of an appropriate Compromise Agreement following receipt of written legal advice.
- 3.17 On 21 March 2012, the Cabinet will consider adopting a severance policy under which staff at all levels in the Council could be allowed to leave the Council's employment with a discretionary severance payment. Details of this scheme are set out in the relevant Cabinet report.
- 3.18 As a matter of principle, the Council expects all staff to work any contractual periods of notice unless it is considered this would not be in the best interests of the Council. In such cases, payment in lieu of any outstanding contractual notice period would be offered to the employee concerned. The making of any payment in lieu of notice for staff up to and including level of Assistant Director would be approved by the appropriate line Director, for Directors by the Chief Executive, in consultation with the Leader of the Council and for the Chief Executive by the Leader of the Council. Reasons for making payment in lieu will be recorded on the employee's personnel file.
- 3.19 The Council has the discretion to agree the early retirement of a member of staff aged 55 to 60, where this is in the best interests of the efficiency of the service. In such cases, the Council considers each case on its merit and in the light of this determines a) whether to agree the request and b) where applicable, whether to waive any actuarial reduction that may arise. No staff were retired early in the interests of the efficiency of the service in either 2010/11 or 2011/12.
  - 3.19.1 While under the specific circumstances set out in this statement, the Council may waive the actuarial reduction that would otherwise arise as a consequence of the early payment of an employee's

occupational pension; the Council does not enhance the pension provision of any staff.

- 3.19.2 The Council would not normally consider re-engaging in any capacity any senior member of staff who had left the Council with a discretionary compensatory payment within two years of his/her recorded last day of service. Any proposal to do so would be subject to the agreement of an appropriately constituted Appointments' Panel.

### **3.20 Retirement on medical grounds**

Decisions to retire staff on grounds of permanent ill health are medical decisions over which the Council has no influence or discretion. In such cases, the Council will meet any additional costs that arise as specified in Regulation 20 of the Local Government Pension Scheme Regulations. No staff have been retired on grounds of permanent ill health in either 2010/11 or 2011/12.

### **3.21 Other payment/reimbursement of expenses/accommodation costs**

- 3.21.1 Middle and senior managers engaged on grades MM2 and above are not reimbursed for any additional expenses incurred in the course of carrying out their duties within the borough boundaries. Reimbursement of actual costs incurred is made in respect of additional costs incurred in travelling outside the borough on production of an appropriate receipt. Where Council business necessitates an overnight stay and it has not been possible for the Council to directly pay for accommodation and/or meals in advance, all staff including senior managers are reimbursed all reasonable costs as set out in the Council's policy on subsistence allowances and overnight stays as approved by the appropriate Director for Assistant Directors, the Chief Executive for Directors and the Leader of the Council for the Chief Executive. No senior managers were reimbursed for overnight expenses in the current financial year 2011/12.

- 3.21.2 All other staff are reimbursed for additional expenses incurred in the course of undertaking their duties irrespective as to whether this work is undertaken within or outside the borough boundaries. Reimbursements of expenses for other staff are authorised in accordance with the Council's Scheme of Delegation.

### **3.22 Occupational pension provisions**

- 3.22.1 All staff are eligible to join the Local Government Pension Scheme. Approximately 54% of the workforce are currently members of the Pension Scheme. The level of contributions made by staff is determined by Regulations. In addition, the Council makes a contribution to the Local Government Pension Scheme in respect of each member of staff who is a member of the scheme.

3.22.2 The level of pension contribution made by the Council is based on actuarial calculations approved by the Council's Pension Board from time to time.

3.22.3 In the light of recent changes in general taxation legislation and particularly in respect of the annual and lifetime pension allowances, there is an increasing likelihood that in the medium term, a number of senior managers will choose to cease to be members of the Local Government Pension Scheme. In such cases, the Council would not make any compensatory payment to a senior manager to maintain the overall value of the individual's remuneration package.

### **3.23 Relationship between the remuneration of the Chief Executive and that of the overall workforce**

3.23.1 Section 38(2) of the Localism Act 2011 requires the Council to set out policies on the relationship between the remuneration of its chief officers and that of other staff. The Code of Recommended Practice for Local Authorities on Data Transparency defines the "pay multiple as the ratio between the highest paid salary and the median average salary of the whole of the authorities' workforce".

3.23.2 The report on Fair Pay in the Public Sector highlights that in general terms, the multiple indicating the relationship between the pay of the Chief Executive and the pay of the general workforce in a local authority is significantly lower than for organisations of similar size, turnover and complexity in the private sector. The report indicates that typically the pay of the Chief Executive of a London Borough is approximately eight times that of the median pay of all staff (chart 2A, page 33, Fair Pay in the Public Sector). In 2010/11, the gross pay of the Chief Executive was 7.4 times the median pay for the whole of the Council's non schools workforce. For the past two years, the Chief Executive has declined to accept his contractual entitlement to a performance related increase in salary up to 10%. Consequently, the level of the multiple could change in the event that the Chief Executive opted to accept any entitlement to a non consolidated performance related payment that might arise in future years. The multiple for 2011/12 will be published in the annual accounts.

3.23.3 To ensure the Council continues to offer a competitive remuneration package to staff at all levels in the organisation, the Council periodically undertakes a benchmarking exercise to ensure that potential pay levels remain aligned with the median pay of other London Boroughs

### 3.24 **Shared services**

Where the Council agrees to share the services of a senior manager with one or more other councils, then the remuneration and terms of conditions of employment will be determined by the primary employer with the secondary employer reimbursing the primary employer an agreed sum.



## The Council's Statutory Pay Policy 2013/14

1. Enfield Council is a large and diverse organisation providing a range of statutory and other services to a local community with a population of c300,000. It is responsible for managing a combined annual capital and revenue spend of c£1.1 bn. To ensure such a large and complex organisation is effectively led and efficiently managed, the Council needs to be able to attract and retain a range of high calibre and skilled managers and leaders. In a competitive job market, the value and composition of the remuneration package offered to senior managers i.e. Assistant Director and above is a key factor enabling the Council to attract, recruit, motivate and retain staff with the skills sets required to deliver the Council's vision objectives and aspirations, which in turn, have a significant impact on the lives of local residents.
2. This statement has been drawn up primarily to meet the requirements of Section 38(1) of the Localism Act 2011. The full details of the remuneration of both senior managers and other groups of staff employed by the Council will be published on the Council's website as required by the Code of Recommended Practice for Local Authorities on Data Transparency. The details of the remuneration received by individual senior managers in each financial year will be published in the annual statement of accounts.
3. **Pay Provisions**
  - 3.1 The implementation of the Council's pay and remuneration strategy for senior managers is overseen by the Remuneration Sub-Committee of the Council's Audit Committee.
  - 3.2 The key features of the Council's remuneration package for senior managers include
    - 3.2.1 a competitive salary structure that is aligned with benefits packages offered by other benchmark public sector organisations providing a similar range of services i.e. primarily other London boroughs;
    - 3.2.2 a pay structure where progression through the appropriate pay range is directly related to a senior manager's performance against the range of objectives set annually in consultation with Members. Under the terms of the Council's performance related pay scheme, originally agreed by Cabinet in 2006, pay progression through the top 10% of each salary range is not consolidated (i.e. is at risk) and consequently, the pay of individual senior managers can and does go down should performance levels fall and agreed objectives not met. The Council believes that adopting this approach promotes, recognises and rewards the high levels of performance that are expected within a delivery orientated organisation culture. This model of pay progression was extended

to apply to all posts at middle management and above in 2010. Full details of the Council's performance related pay ranges are published on the Council's website as are details of how the performance related pay progression operates. The operation of the performance related pay scheme is rigorously moderated and subject to independent audit. In 2011, this audit was undertaken by PricewaterhouseCoopers. The implementation of the performance related pay scheme for senior managers at Assistant Director level and above is overseen by the Remuneration Sub-Committee.

- 3.3 To further support the Council's aim of developing and embedding a delivery orientated organisation culture, the Council will take every opportunity to link progression through relevant pay ranges to the performance of individual members of staff.
- 3.4 As part of its commitment to ensuring equal value in pay matters, the Council determines the relative grades of the vast majority of jobs in the organisation through the application of recognised analytical job evaluation schemes. For the majority of staff, the job evaluation scheme used is that developed by the Greater London Provincial Council published in 2000. For middle and senior management jobs, the Hay Job Evaluation Scheme developed by Hay Management Consultants is used.
- 3.5 The Council determined the pay ranges for Heads of Service, Assistant Directors, Directors and the Chief Executive in 2006, with advice from Hay Management Consultants, using benchmarking data drawn from the Chief Officers Pay and Benefits Survey independently compiled by London Councils. The Council's middle and senior managers' pay ranges have a spread of 25 percentage points i.e. difference between the lowest and highest salary levels in the pay range. In the lower part of each salary range, i.e. points 1-16, performance related salary progression is consolidated i.e. once that level of salary is attained, it will be retained in future years, regardless of performance, while in the upper part of each salary range i.e. points 17-25, pay progression is not consolidated and can go up or down in line with recorded performance levels in the previous performance year. This model of performance pay being 'at risk' reflects that envisaged in the report to the Government on Fair Pay in the Public Sector published in 2011. In all, the Council has seven such performance related salary ranges covering 450 posts with salary ranges starting at or above £35,016.
- 3.6 The pay ranges for middle and senior managers are increased in line with National Pay Agreements determined by the Joint National Council (JNC) for Chief Officers. The last increase in JNC pay rates was effective from April 2008. Currently,
  - 3.6.1 the salary range for the Chief Executive is £161,097 - £189,528 (consolidated) through to £208,479 (non consolidated);

- 3.6.2 the salary range for the Directors of Schools & Children's Services, Environment, Finance & Corporate Resources, Health, Housing & Adult Social Care and Regeneration, Leisure & Culture is £116,352 - £136,884 (consolidated) through to £150,570 (non consolidated);
  - 3.6.3 the actual levels of pay received by the Chief Executive and each Director are published annually in the Council's statement of accounts;
  - 3.6.4 the salary range for all Assistant Directors in £78,762 - £92,661 (consolidated) through to £101,925 (non consolidated);
  - 3.6.5 the contracts of employment of all senior managers only allow them to undertake additional duties and responsibilities with the recorded agreement of the Leader of the Council, in the case of the Chief Executive and the Chief Executive in the case of a Director or Assistant Director. Where these additional duties attract the payment of a fee, the Remuneration Sub-Committee will determine the proportion of that fee that is received by the individual senior manager and that received by the Council. In the specific case of fees for local and other election duties, the Council allows any fees received to be retained by the Chief Officers' fulfilling these roles.
- 3.7 The Council has the discretion to exceptionally make additional one off payments to staff at any level, including senior staff, in recognition of work undertaken in addition to that of their substantive role. Any such additional payments will be authorised by the Chief Executive, in the case of a payment being made to a Director or an Assistant Director and the Leader of the Council, in the case of discretionary payment being made to the Chief Executive. An objective justification for each such payment will be recorded on the employee's file. Any such additional payments made will be reflected in the relevant statements of earnings published in the annual statement of accounts. The Council has no provision to make a bonus payment to any member of staff.
- 3.8 The pay rates of other staff in the Council are based on a pay spine negotiated by the National Joint Council (NJC) for Local Government Services and supplemented to reflect regional differences arising from agreements made by the Greater London Provincial Council (GLPC). The last increase in the NJC pay spine was effective from April 2009. Typically, the pay range for each grade comprises four incremental pay points with staff progressing to the next pay point after specified periods of time in the post. Each grade pay range has a spread of c10% with each incremental step equating to c2½% increase in pay. All pay progression through the grade range is consolidated. The Council currently operates a

performance related pay scheme for staff who work in the Customer Service Centre.

3.8.1 The Council will consider paying an appropriate market supplement, in addition to the job evaluated grade range where it can be objectively demonstrated that the Council is experiencing difficulties in recruiting and retaining suitably skilled and qualified staff to provide safe, efficient and effective high quality services and that the level of pay offered is the primary reason for this.

### 3.9 Pay on appointment

3.9.1 Under the terms of the Council's Constitution, all permanent appointments to posts graded Assistant Director, Director and Chief Executive are made by the Appointments' Panel. As progression through the relevant salary range is determined by performance, staff will normally be appointed at the minimum point of the grade unless there is an objectively justifiable reason for appointing to a higher salary and this is a) recorded and b) approved by the chair of the Appointments' Panel that made the appointment and c) reported to the next Council in the case of the appointment of a Director. (Note the Council's Constitution already requires the appointment of the Chief Executive to be ratified by the full Council). The composition of the Appointments' Panel for appointments to posts at Assistant Director, Director and Chief Executive is set out in the Council's Constitution.

**The 2012 and 2013 government guidance on pay policy statements recommends that full Council should have the opportunity to vote before large salary packages are offered in respect of a new appointment, and propose £100,000 as an appropriate threshold. Supplementary guidance does not have the force of law but the council is required to have regard to it.**

**In Enfield, all appointments at Assistant Director level and above are made by an Appointments Sub Committee comprising elected members of both political parties; and the adopted pay policy already requires a report to be made to Council where it is proposed to offer the appointment at a salary other than the minimum of the appropriate salary range.**

**The council's Constitution already requires the appointment of a new Chief Executive to be ratified by full Council, and such an approval could be explicit as to the salary to be offered; so this leaves only Director level posts where the salary offered on appointment could exceed the £100,000 threshold. The salary range for Directors is fixed (see**

paragraph 3.6.2 above) and is binding on the council by virtue of the pay policy statement. If there is a decision to pay a Director at a higher point, it must be reported to the next full Council meeting. If the matter is reported to full Council, it would be open to a member to move a motion on the matter which could be the subject of a vote. The Council therefore, believes that the requirements of openness and accountability and the principles of transparency are met by existing procedures. Set against this, the potential delays in waiting for a full Council meeting before being able to offer a job, or having to renegotiate the salary, risk losing good candidates and increasing recruitment costs.

**On this basis, the council is satisfied that its existing mechanism for senior appointments allows for an appropriate level of accountability, openness and oversight by members.**

- 3.9.2 Appointments to posts at all other levels in the Council will be made at the minimum point of the relevant grade unless agreed by the Assistant Director of Human Resources or as specified in the approved scheme of delegation. Where appointments are made to salary levels above the minimum of the scale, the objectively justifiable reasons for this will be recorded on the relevant personnel file. The Council does not make any additional payments to prospective senior managers to encourage them to join the Council's workforce. Relocation expenses can be paid in approved cases where these are agreed by the Chair of Appointments' Panel that made the appointment.
- 3.9.3 From time to time, to meet unforeseen temporary business needs, it may be necessary for the Council to engage specialists contractors/agency workers to cover elements of the roles of senior manager posts. In such cases, the engagement of such workers and the rates of payment and conditions of engagement will be approved by the Cabinet Member for Finance & Corporate Resources which will not necessarily be in line with the Council's general terms and conditions for staff engaged under a permanent contract of employment.
- 3.9.4 The Council would not normally consider appointing a person to a permanent senior management post other than under a normal employment contract.

### 3.10 **Low pay**

In March 2011, the Cabinet determined that irrespective of the grade of a job as determined by the application of an analytical job evaluation process, the minimum level of pay received by any employee would be the level of the London Living Wage as set/amended from time to time by the

Greater London Authority. The Council will determine the lowest paid by reference to the contractual hourly rate of pay of the employee. For these purposes Apprentices are considered to be engaged under training rather than employment contracts. The London Living Wage is currently **£8.55** per hour i.e. **£16,050** per annum for a full time worker (i.e. working 36 hours per week). Where appropriate, basic levels of pay that are below the GLPC pay spine point **10** or equivalent on **1.3.13** are enhanced by the payment of a pay appropriate supplement to ensure that every member of staff receives a level of pay is equivalent to the level of the London Living Wage. GLPC pay spine point 8 is currently the first point in the GLPC pay spine that is above the current level of the London Living Wage. The pay spine point below which supplements are paid will vary in line with increases in the London Living Wage. Any subsequent increase in the London Living Wage will be implemented within six months of the increase in the level of London Living Wage being announced. The Council staff will not adjust the basic wage levels of staff already in receipt of pay levels that are above the London Living Wage for the purpose of maintaining grade/pay differentials. An explanation of the Council's reasons for adopting the London Living Wage as the low pay benchmark are set out in report 207 considered by the Cabinet on 9 March 2011.

### 3.11 **Working hours**

- 3.11.1 Middle and senior managers in the Council do not have a specified working week and are required to work the hours necessary for the effective performance of their duties. It is not unusual for senior managers in the organisation i.e. Assistant Directors, Directors and Chief Executive to regularly work up to 60 hours per week without any compensatory time off or additional payments being made.
- 3.11.2 Staff other than middle and senior managers work a basic 36 hour week and are entitled to time off in lieu or additional payments in respect of any hours worked in excess of an average of 36 hours per week calculated over specified periods. Enhanced payments are made to staff who are contractually required to work at night, at weekends and on bank holidays.

### 3.12 Other non pay benefits

#### 3.12.1 Holiday entitlement

In addition to paid time off in respect of public/bank holidays, the paid annual leave entitlement for all staff is set out in the following table:-

<b>Directors and Assistant Directors</b>	<b>Completed Years of Continuous Service as at 31 March</b>	
	0 - 4 years	5 + years
Chief Executive & Directors	32 days	35 days
Assistant Directors	29 days	32 days

<b>Other Staff</b>	<b>Completed Years of Continuous Service as at 31 March</b>	
	0 - 4 years	5 + years
Grade and pay spine	0 - 4 years	5 + years
Up to and including Scale 4 (scp 1-21)	24 days	29 days
Scales 5-6 (scp 22-28)	25 days	30 days
SO1 to PO2 (from scp 29)	26 days	31 days
MM1 to HOS2	29 days	31 days

#### 3.12.2 Sick pay

While unable to work because of illness, staff at all levels receive

During 1 <sup>st</sup> year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2 <sup>nd</sup> year of service	2 months full pay and 2 months half pay
During 3 <sup>rd</sup> year of service	4 months full pay and 4 months half pay
During 4 <sup>th</sup> and 5 <sup>th</sup> year of service	5 months full pay and 5 months half pay
After 5 years service	6 months full pay and 6 months half pay

This provision mirrors the national terms and conditions for local authorities' staff.

### 3.13 **Other general terms and conditions of service**

Other general terms and conditions of service for senior staff are as determined by the Joint National Council for Chief Officers and for other staff by the National Joint Council for Local Government Services.

### 3.14 **Termination payments**

In 2010, the Cabinet adopted a revised policy in respect of the level of discretionary payments made to staff who were made redundant. Under the terms of this policy, which applies to staff at all levels including senior managers, on being made redundant, staff who are immediately able to access their occupational pension payments will receive a redundancy payment which is calculated using the statutory table for the calculation of redundancy payments with the payment being based on an actual week's pay i.e. salary ÷ 52.14 weeks, rather than a statutory week's pay. In all cases of redundancy of staff at all levels the Council automatically waives any actuarial reduction in pension payments that would otherwise arise. Staff who are not able to access an occupational pension for any reason receive a supplementary additional discretionary payment calculated on half a week's actual pay for every year of local government service.

**The 2013 government guidance on pay policy statements recommend that full Council should have the opportunity to vote before large severance payments are made and proposed £100,000 as an appropriate threshold. Supplementary guidance does not have the force of law but the council is required to have regard to it.**

**However, the council has decided not to incorporate this element of the guidance into the pay policy as at March 2013. This is because there is a lack of clarity on what constitutes a severance payment and whether non- discretionary elements should be included in the calculation to meet the threshold. It is also necessary to consider whether such disclosure in respect of officers below AD level would be proportionate, and compliant with Data Protection and Article 8 HRA considerations.**

**Given this, the council is seeking further advice and in the interim, the Assistant Director Human Resources, in consultation with the Cabinet Member for Finance & Property and relevant Director and Cabinet Member will make decisions on a case by case basis on whether severance payments in excess of £100,000 should be referred to full Council.**



- 3.15 The Council's flexible retirement policy, adopted in 2011, enables eligible staff to receive their occupational pension and continue working, for a maximum period of up to two years, provided they either reduce their contractual hours by at least 50% or reduce the grade of their job by two grades.
- 3.16 The Council has no provision to make any other termination payments to staff at any level in the organisation other than in settlement of a potential or actual legal claim against the Council. Any such payment to a senior member of staff would be agreed by the Chief Executive or appropriate Director, in consultation with the Leader of the Council, under the terms of an appropriate Compromise Agreement following receipt of written legal advice.
- 3.17 ***On 21 March 2012, the Council adopted a severance policy under which staff at all levels in the Council could be allowed to leave the Council's employment with a discretionary severance payment. Details of this scheme are set out in the relevant Cabinet report.***
- 3.18 ***As a matter of principle, the Council expects all staff to work any contractual periods of notice unless it is considered this would not be in the best interests of the Council***
- 3.19 The Council has the discretion to agree the early retirement of a member of staff aged 55 to 60, where this is in the best interests of the efficiency of the service. In such cases, the Council considers each case on its merit and in the light of this determines a) whether to agree the request and b) where applicable, whether to waive any actuarial reduction that may arise. No staff were retired early in the interests of the efficiency of the service in either 2010/11 or 2011/12.
- 3.19.1 While under the specific circumstances set out in this statement, the Council may waive the actuarial reduction that would otherwise arise as a consequence of the early payment of an employee's occupational pension; the Council does not enhance the pension provision of any staff.
- 3.19.2 The Council would not normally consider re-engaging in any capacity any senior member of staff who had left the Council with a discretionary compensatory payment within two years of his/her recorded last day of service. Any proposal to do so would be subject to the agreement of an appropriately constituted Appointments' Panel.
- 3.20 **Retirement on medical grounds**

Decisions to retire staff on grounds of permanent ill health are medical decisions over which the Council has no influence or discretion. In such cases, the Council will meet any additional costs that arise as specified in

Regulation 20 of the Local Government Pension Scheme Regulations. No staff have been retired on grounds of permanent ill health in either 2010/11 or 2011/12.

### **3.21 Other payment/reimbursement of expenses/accommodation costs**

3.21.1 Middle and senior managers engaged on grades MM2 and above are not reimbursed for any additional expenses incurred in the course of carrying out their duties within the borough boundaries. Reimbursement of actual costs incurred is made in respect of additional costs incurred in travelling outside the borough on production of an appropriate receipt. Where Council business necessitates an overnight stay and it has not been possible for the Council to directly pay for accommodation and/or meals in advance, all staff including senior managers are reimbursed all reasonable costs as set out in the Council's policy on subsistence allowances and overnight stays as approved by the appropriate Director for Assistant Directors, the Chief Executive for Directors and the Leader of the Council for the Chief Executive. No senior managers were reimbursed for overnight expenses in the current financial year 2011/12.

3.21.2 All other staff are reimbursed for additional expenses incurred in the course of undertaking their duties irrespective as to whether this work is undertaken within or outside the borough boundaries. Reimbursements of expenses for other staff are authorised in accordance with the Council's Scheme of Delegation.

### **3.22 Occupational pension provisions**

3.22.1 All staff are eligible to join the Local Government Pension Scheme. Approximately 54% of the workforce are currently members of the Pension Scheme. The level of contributions made by staff is determined by Regulations. In addition, the Council makes a contribution to the Local Government Pension Scheme in respect of each member of staff who is a member of the scheme.

3.22.2 The level of pension contribution made by the Council is based on actuarial calculations approved by the Council's Pension Board from time to time.

3.22.3 In the light of recent changes in general taxation legislation and particularly in respect of the annual and lifetime pension allowances, there is an increasing likelihood that in the medium term, a number of senior managers will choose to cease to be members of the Local Government Pension Scheme. In such cases, the Council would not make any compensatory payment to a senior manager to maintain the overall value of the individual's remuneration package.

### **3.23 Relationship between the remuneration of the Chief Executive and that of the overall workforce**

3.23.1 Section 38(2) of the Localism Act 2011 requires the Council to set out policies on the relationship between the remuneration of its chief officers and that of other staff. The Code of Recommended Practice for Local Authorities on Data Transparency defines the “pay multiple as the ratio between the highest paid salary and the median average salary of the whole of the authorities’ workforce”.

3.23.2 The report on Fair Pay in the Public Sector highlights that in general terms, the multiple indicating the relationship between the pay of the Chief Executive and the pay of the general workforce in a local authority is significantly lower than for organisations of similar size, turnover and complexity in the private sector. The report indicates that typically the pay of the Chief Executive of a London Borough is approximately eight times that of the median pay of all staff (chart 2A, page 33, Fair Pay in the Public Sector). In 2010/11, the gross pay of the Chief Executive was 7.4 times the median pay for the whole of the Council’s non schools workforce. For the past two years, the Chief Executive has declined to accept his contractual entitlement to a performance related increase in salary up to 10%. Consequently, the level of the multiple could change in the event that the Chief Executive opted to accept any entitlement to a non consolidated performance related payment that might arise in future years. The multiple for 2011/12 will be published in the annual accounts.

3.23.3 To ensure the Council continues to offer a competitive remuneration package to staff at all levels in the organisation, the Council periodically undertakes a benchmarking exercise to ensure that potential pay levels remain aligned with the median pay of other London Boroughs

### **3.24 Shared services**

Where the Council agrees to share the services of a senior manager with one or more other councils, then the remuneration and terms of conditions of employment will be determined by the primary employer with the secondary employer reimbursing the primary employer an agreed sum.

### **3.25 Public Health Team**

**On 1 April 2013, the NHS public health function will be transferred to local councils. The transfer will be actioned under a statutory transfer scheme and staff will be protected on their NHS pay, pensions and conditions of service.**

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**MUNICIPAL YEAR 2012/2013 REPORT NO. 200**

**MEETING TITLE AND DATE:**

Council - 27 March 2013

**REPORT OF:**

Director of Health,  
Housing and Adult Social  
Care

**Agenda – Part:1****Item: 10****Subject:** Establishment of a Health and Wellbeing Board for Enfield**Wards:** All**Cabinet Member consulted:** Councillor Donald McGowan

Contact: James Kinsella (020 8379 4041) Felicity Cox (020 8379 3957)

E mail: [james.kinsella@enfield.gov.uk](mailto:james.kinsella@enfield.gov.uk), [felicity.cox@enfield.gov.uk](mailto:felicity.cox@enfield.gov.uk)**1. EXECUTIVE SUMMARY**

This report sets out the requirements for the establishment of a Health and Wellbeing Board and the specific proposals for Enfield.

The report includes information on the functions of the board, requirements for membership, voting, application of the council code of conduct, transparency and openness and working with other structures of the council

Council is asked to approve the establishment of the Board on the basis set out in the report along with the terms of reference.

**2. RECOMMENDATIONS**

- 2.1 To agree the terms of reference as set out in Appendix A to the report
- 2.2 To agree the membership of the Board as proposed in Para 3.4.2
- 2.3 To consider whether or not the Council wishes to delegate any other functions to the Board, other than that proposed by statute.
- 2.4 To note that the Council's code of conduct will apply to all Board members. (Para 3.6)
- 2.5 To approve the changes to the council constitution to include the establishment and terms of reference for the Health and Wellbeing Board.

**3. BACKGROUND**

- 3.1 Under the Health and Social Care Act 2012 all unitary councils will have to establish a Health and Wellbeing Board by 1 April 2013. Health and Wellbeing Boards are being set up as partnership bodies involving local councils, GP's, other health professionals and the local Healthwatch, representing the views of patients, communities and the people who use the services.

The stated purpose of the Government is to bring greater democratic accountability and legitimacy to the NHS, promoting better integration across health and social care in the interests of patients and the public.

At Enfield a Shadow Board was set up and has been in operation since December 2011. The Shadow Board has enabled Enfield to pilot its arrangements for delivery of the functions required under the Health and Social Care Act and to develop procedures for its effective operation. These have been subject to review and the proposed terms of reference (set out in appendix A) for the full board have been based upon those developed by the Shadow Board. They have also been amended to take account of the regulations published in February 2013 and to reflect national guidance produced by the Local Government Association and the Association of Democratic Services Officers.

### **3.2 Functions of a Health and Wellbeing Board**

The Health and Social Care Act 2012 Sections 195 and 196 states that the functions of the board must include

- Preparation of the Joint Strategic Needs Assessment (JSNA), Pharmaceutical Needs Assessment (PNA) and Joint Health and Wellbeing Strategies (JHWSS)
- To encourage integrated working between health and social care commissioning including providing advice assistance or other support to encourage arrangements under section 75 of the National Health Service Act 2006 (ie lead commissioning, pooled budgets and/or integrated provision) in connection with the provision of health and social care services.
- A power to encourage close working between commissioners of health-related services and the board itself
- A power to encourage close working between commissioners of health-related services (such as housing and many other local government services) and commissioners of health and social care services.
- Any other functions that may be delegated by the Council under section 196(2) of the Health and Social Care Act 2012. This will allow the Council to arrange for the Health and Wellbeing Board to exercise any functions exercisable by the authority.

### **3.3 Establishment of the Board**

The Health and Wellbeing Board is to be set up as a committee of the Council under section 102 of the local Government Act 1972. The regulations however modify and disapply certain provisions of the Local Government Act 1972 and the committee should be thought of as a section 102 committee but with some key differences.

### **3.4 Membership**

#### **3.4.1 The core membership of the Board must include**

- At least one councillor – nominated by the Leader in councils operating executive arrangements
- The Director of Adult Social Services
- The Director of Children’s Services
- The Director of Public Health
- A representative of the local HealthWatch organisation
- A representative of each relevant clinical commissioning group
- Any other members considered appropriate by the Council

#### **3.4.2 It is proposed that the full board membership is based upon the current Shadow Board membership with a slight amendment to the number of third sector representatives**

- Cabinet Member for Adult Services, Care and Health
- Cabinet Member for Community Wellbeing and Public Health
- Cabinet Member for Children and Young People
- Cabinet Member of Environment
  
- Chair of the local Clinical Commissioning Group
- Clinical Commissioning Group Chief Officer
  
- Healthwatch Representative
- NHS Commissioning Board Representative
- Joint Director of Public Health
- Director of Adult Social Care
- Director of Children’s Services
- Director of Environment
- Elected Representative of the Third Sector

#### **3.4.3 Councillors**

Under the regulations (Regulation 7) modifies sections 15-16 and Schedule 1 of the Local Government Housing Act 1989 to disapply political proportionality requirements for section 102 committees in respect of health and wellbeing boards – this means that it is up to individual councils to decide the approach to councillor membership of health and wellbeing boards. It is proposed that the Cabinet Members for Adult Services, Care and Health, Community Wellbeing and Public Health, Children and Young People and Environment are appointed to the Board.

The appointment of the Cabinet Member for Environment and the Director of Environment are to recognise the importance of community safety in health and wellbeing.

Councillor representatives will be nominated by the Executive Leader of the Council for approval by Council.

#### **3.4.4 Council Officers**

The Local Government Act 1972 does not allow officers to be members of local authority committees. Regulation 5(1) removes this restriction in relation to health and wellbeing boards by disapplying section 104 (1) of the 1972 Act to enable local authority directors specified in the 2012 Act to become members of health and wellbeing boards.

#### **3.4.5 Clinical Commissioning Group (CCG)**

It is proposed that both the Chair and the Chief Officer of the Enfield Clinical Commissioning Group will have places on the Board.

#### **3.4.6 NHS National Commissioning Board**

The NHS Commissioning Board has to appoint a representative for the purpose of participating in the preparation of JSNAs and the PNA and to join the health and Wellbeing Board when it is considering a matter relating to the exercise or proposed exercise of the NHS Commissioning Board commissioning functions in relation to the area and it is requested to do so by the Board. Enfield has set aside a position to enable a representative to sit on the full board. Peter Coles is currently the nominated representative of the NHS National Commissioning Board.

#### **3.4.7. HealthWatch**

A new HealthWatch organisation will come into being on a statutory footing on 1 April 2013. It will represent the views of patients, communities and people who use health and social care services. Healthwatch will be required to appoint a person to represent them on the Board.

#### **3.4.8 Third Sector Representative**

It is proposed that membership of the Enfield Board also includes a representative from the third sector who will be able to represent the particular skills and perspectives of voluntary and community groups. The selection of this representative will be undertaken via an election process being run by the Electoral Reform Society.

The election process will take place before the 14 April 2013 to enable the new representative to take up their post at the first meeting of the Board on 23 April 2013.



The elected representative will be supported by a deputy who will be the candidate with the second most votes. The deputy will only attend meetings when the first elected representative is unable to. They will then have voting and speaking rights.

#### **3.4.9 Additional Members**

The Health and Wellbeing Board can in agreement with full Council appoint additional members and, should the full council wish to add further members after the board is established on the principles of inclusiveness and shared ownership (under section 194 of the Health and Social Care Act 2012) it would need to consult the health and wellbeing board before doing so.

#### **3.4.10 Substitutes**

The approach to substitution is for local determination. At Enfield, other than for Overview and Scrutiny Committee, we do not operate with substitutes. It is therefore proposed that substitution is not permitted.

### **3.5 Voting**

Regulation 6 modifies the Local Government and Housing Act 1989 (section 13(1)) to enable all members of health and wellbeing boards or their sub committees to vote unless the council decides otherwise. This means that the Council is free to decide, in consultation with the health and wellbeing board which members of the health and wellbeing board should be voting members.

The intention of the legislation is that all members of health and wellbeing boards should be seen as equals and as shared decision makers, acknowledging that health and wellbeing boards are about bringing political professional and clinical leaders and local communities together on an equal basis. It is hoped that this will be achieved by consensus, where possible.

However there will be some occasions where votes will have to be taken.

The Shadow Board has recommended that all members including officers should have a vote which Council is asked to agree in the interests of parity.

### **3.6 Codes of Conduct and Conflicts of Interest**

The regulations under section 194 of the Health and Social Care Act 2012 do not modify or dis-apply any legislation relating to codes of conduct and conflicts of interest. This means that legislation in relation to these issues will apply to health and wellbeing boards.

All voting members of the health and wellbeing board will therefore be governed by the local authority code of conduct. On taking office they will have to sign up to the council's code of conduct and will have to register and

declare disclosable pecuniary, other pecuniary and non pecuniary interests. Public notions of predetermination and bias will also apply.

Training on the Council's code of conduct will be provided to Board members.

### **3.7 Transparency and Openness**

Health and Wellbeing Boards will be subject to the same requirements on openness and transparency as other Section 102 committees.

This will require copies of the agendas and reports of meetings to be open for inspection by the public with the Freedom of Information Act 2000 also applying.

Provisions relating to public access to meetings and to information relating to the decisions of council executives and their committees to apply, that is the need to provide 5 working days notice of meetings.

The Data Protection Act 1998 providing for the regulation of the processing of information relating to individuals will also apply.

The Shadow Board have also developed a protocol for public wishing to speak at meetings which will also apply. This is designed to reflect the desire to be as inclusive as possible whilst also ensuring that decisions can be taken as effectively as possible.

Informal sessions will also be held outside the formal board meetings to enable board learning and development and exploratory in depth sessions on particular topics. This will also enable the board to have early discussions on complex and sensitive issues before formal consultation and discussion.

### **3.8 Sub Committees**

Regulation 3 of the regulations modifies section 101(2) of the Local Government Act 1972 to clarify that health and wellbeing boards can appoint sub committees to discharge their functions in accordance with section 102 of the 1972 Act.

All provisions that apply to health and wellbeing boards will also apply to all sub committees of the Board. The Board may decide to delegate some of their decision making powers to sub committees.

The Health and Wellbeing Board will be able to appoint sub committees to discharge their functions. The Shadow Board currently operate three sub groups which are set up as follows:

- The Health Improvement Partnership Board – Chaired by the Joint Director of Public Health.

- The Joint Commissioning Partnership Board - Chaired by the Joint Chief Commissioning Officer
- Improving Primary Care Board – Chaired by the Chief Officer of the Clinical Commissioning Group

It is proposed that these are continued under the formal board structure.

### **3.9 Accountability and relationships between the health and wellbeing board and other council structures and partnerships**

3.9.1 Health and Wellbeing Boards are not committees of the executive or cabinet. Therefore their decisions will not need to go on the Council's key decision list, giving the statutory 28 days notice of executive decisions.

3.9.2 However if any additional functions are delegated to the Board, the council will need to adhere to the requirements of all applicable legal frameworks.

#### **3.9.3 Health and Wellbeing and Overview and Scrutiny**

Overview and Scrutiny will be able to scrutinise the work of the Health and Wellbeing Board in a similar way to the other work of the Council. However although the discharge of functions by health and wellbeing boards falls within the remit of scrutiny, the core functions will not be subject to call in, as they are not executive functions.

#### **3.10 Executive**

It is also proposed that the Board will have an executive group which will meet on a monthly basis to oversee on-going work in between board meetings. Its membership will consist of: the Joint Director of Public Health, CCG Chief Officer, Director of Children's Services and Director of Health, Housing and Adult Social Services.

## **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 There are no alternative options as it is a statutory requirement that the Council sets up a Health and Wellbeing Board.
- 4.2 The proposed terms of reference have been considered in detail and agreed for recommendation to Council by the Shadow Board and follow guidance for the Local Government Association and Association of Democratic Services Officers.

## **5. REASONS FOR RECOMMENDATIONS**

- 5.1 To enable the establishment of the statutory health and wellbeing board in Enfield meeting the requirements of the Health and Social Care Act 2012.

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

### **6.1 Financial Implications**

Any costs associated with the creation of the Health & Wellbeing board will be met from existing resources within HHASC.

### **6.2 Legal Implications**

Section 194 (1) Health and Social Care Act 2012 requires a local authority to establish a Health and Wellbeing Board. This requirement comes into force on 1 April 2013. Section 194 (2) sets out the membership.

The functions of a Health and Wellbeing Boards are set out in sections 195 and 196 Health and Social Care Act 2012 and are as set out in paragraph 3.6 above.

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 relate to Health and Wellbeing Boards. They regulate the details of the establishment and arrangements for such Boards.

Section 194(2) sets out the required membership of the Board which includes three officers (the directors of children's services, adult social services and public health). Regulation 5 (1) disapplies the restriction in section 104 (1) Local Government Act 1972 on officers being members of local authority committees. The Director of Environment is not specifically mentioned but as the regulations and statute give local authorities the right to determine the membership of the Board there is no reason why officers other than the three statutory directors should not be appointed if the local authority wishes.

Regulation 6 modifies section 13 Local Government and Housing Act 1989 so that the assumption is that all members of a Board (including members not set out in statute) will be voting members unless the establishing local authority directs otherwise.

Regulation 7 removes the requirement for allocations and political balance on the Board. The regulations therefore allow for local flexibility.

## **7. KEY RISKS**

- 7.1 The Council is required under the Health and Social Care Act 2012 to have the Board formally established by 1 April 2013.
- 7.2 That the Board will need to ensure that it operates under the regulations and statutory requirements.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The Health and Wellbeing Board will work to ensure that everyone in the borough can access good high quality healthcare according to their needs.

### **8.2 Growth and Sustainability**

Good healthcare is essential for growth and sustainability.

### **8.3 Strong Communities**

An effective health and wellbeing board will ensure the provision of good health and social care services and improve local wellbeing. It will contribute towards the establishment of a strong community where everyone can work together to improve health and care services within the borough.

## **9. EQUALITIES IMPACT IMPLICATIONS**

It has not been necessary to carry out an Equalities Impact Assessment in relation to setting up the Board.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The Board will monitor the performance of the health services and other bodies concerned with improving health and wellbeing.

## **11. PUBLIC HEALTH IMPLICATIONS**

The Enfield Health and Wellbeing Board is being set up to improve the health and wellbeing of all Enfield residents.

## **Background Papers**

None

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## **Enfield Health and Wellbeing Board Terms of Reference**

### **Purpose**

The purpose of the Board is to improve the health and wellbeing of the residents of Enfield and reduce current health inequalities. The Board will work with partner agencies in delivering improvements to the provision of health, adult and children's social care and housing services.

### **Vision**

Our vision is for a healthier Enfield, where everyone is able to benefit from improvements in health and wellbeing. We want to reduce health inequalities in Enfield and for its people to have a healthier, happier and longer life. We want Enfield to be a healthy and happy place to live, work, raise a family and retire in.

### **Terms of Reference**

#### **1. Aims**

The primary aims of the Board are to promote integration and partnership working between the local authority, Clinical Commissioning Group (CCG) and other local services and improve the local democratic accountability of health.

#### **2. Name**

The name of the Board will be 'Enfield Health and Wellbeing Board' (EH&WB)

#### **3. Membership**

- Cabinet Member for Adult Services, Care and Health
- Cabinet Member for Community Wellbeing and Public Health
- Cabinet Member for Children and Young People
- Cabinet Member for Environment
- Chair of the local Clinical Commissioning Group
- HealthWatch Representative
- NHS Commissioning Board Representative
- CCG Chief Officer
- Joint Director of Public Health
- Director of Health, Housing & Adult Social Care
- Director of Schools & Children's Service
- Director - Environment
- Elected Representative of the Third Sector

Additional members may be appointed to the Board by the agreement of all current members and Council.

**NB** the Board Manager or their representative will be in attendance at all Board and Executive Meetings.

#### 4. Responsibilities

The Enfield Health and Wellbeing Board will ensure:

- London Borough of Enfield with its partners are equipped to meet its duties
- A Health and Wellbeing Board work plan is implemented, reviewed and updated
- An integrated approach to commissioning
- Alignment of commissioning plans between the Joint Strategic Needs Assessment (JSNA), Pharmaceutical Needs Assessment (PNA) and Joint Health and Wellbeing Strategy (JHWS) and the Clinical Commissioning Group (CCG) Commissioning Plans, including:
  1. Duty to provide opinion on whether the commissioning plan has taken proper account of the JHWS to the NHS Commissioning Board
  2. Power to provide NHS Commissioning Board with opinion on whether a published commissioning plan has taken proper account of the JHWS (a copy must also be supplied to the relevant CCG)
- The power to encourage integrated working across wider determinants of health:
  1. between itself and commissioners of health related services
  2. between commissioners of health and social care services and of health-related services
- The Council has an adequately resourced public health service
- HealthWatch service exists within Enfield and is represented at the Board
- The JSNA, PNA and Joint Health and Wellbeing Strategy are created
- Cabinet, CCG Governing Body and NHS Commissioning Board are kept informed of progress and work of the board
- A work programme for the sub committees is determined and this is kept on track
- To receive the annual public health report/public health issues
- Oversight over the Children's Trust Governance arrangements
- Oversight of the HealthWatch Plans / Annual Report
- The work of the EH&WB be communicated to all Enfield residents through its website and publications
- Equality and diversity issues are addressed
- Performance and quality management
- Promotion of integration and partnership across areas
- Determination of the allocation of any public health budgets



- Support for joined-up commissioning and pooled budget arrangements, where all parties agree this makes sense including Children and Adults Section 75 Arrangements

## **5. Proposals for Sub-Boards and Work Programmes:**

The Enfield Health and Wellbeing Board will be able to appoint sub committees to discharge their functions in accordance with section 102 of the 1972 Local Government Act.

All Sub-Boards will have their Terms of Reference and membership approved by the Health and Wellbeing Board and will need to operate in accordance with the requirements of the full board.

The Board will have an executive group which will meet on a monthly basis to oversee on-going work in between board meetings. Its membership will consist of: the Joint Director of Public Health, CCG Chief Officer, Director of Children's Services and Director of Health, Housing and Adult Social Services.

## **6. Chairing**

The Chair will be either the Leader of the Council or their appointed representative.

## **7. Voting**

Each member of the Board shall have one vote and decisions will be made by a simple majority. The Chair will have the casting vote.

## **8. Quorum**

The quorum for the Enfield Health and Wellbeing Board shall be at least four members or one quarter of the membership, to include a representative from the clinical commissioning group, and a councillor.

## **9. Frequency of Meetings**

Each year there will be at least five formal meetings of the EH&WB as well as any other additional extraordinary board meetings and/or development sessions as called by the board.

## **10. Conduct of Business of the Health and Wellbeing Board**

- (a) EH&WB meetings will generally be open to the public and other councillors except where they are discussing confidential and exempt information. This will need to be in accordance with the requirements of the Local Government Act 1972 as amended.

- (b) Members of the EH&WB will be entitled to receive a minimum of five clear working days notice of such meetings, unless the meeting is convened at shorter notice due to urgency.
- (c) Any member of the Council may attend open meetings of the EH&WB and speak at the discretion of the Chair. A protocol for members of the public to speak at meetings has been drafted and is attached as Appendix 3 to the Terms of Reference.
- (d) **Agendas and notice of meetings:** There will be formal agendas and reports which will be circulated at least five working days in advance of meetings.
- (e) **Exempt and confidential items:** There will be provision for exempt or confidential agenda items and reports where the principles of the relevant access to information provisions of the Local Government Act 1972 (as amended) apply.
- (f) **Reports:** Reports for the EH&WB will usually be prepared by the relevant officer or EH&WB member.
- (g) Reports will be presented by the appropriate EH&WB Board member, and must include advice from relevant officers, including finance and legal implications and reasons for the recommendations.
- (h) **Minutes of decisions made at EH&WB meetings:** Minutes will be made public within 10 working days of each meeting.
- (i) **Officer advice:** Officer advice will be stated fully and clearly within reports to the EH&WB Board.

## Appendix 1 to the Terms of Reference

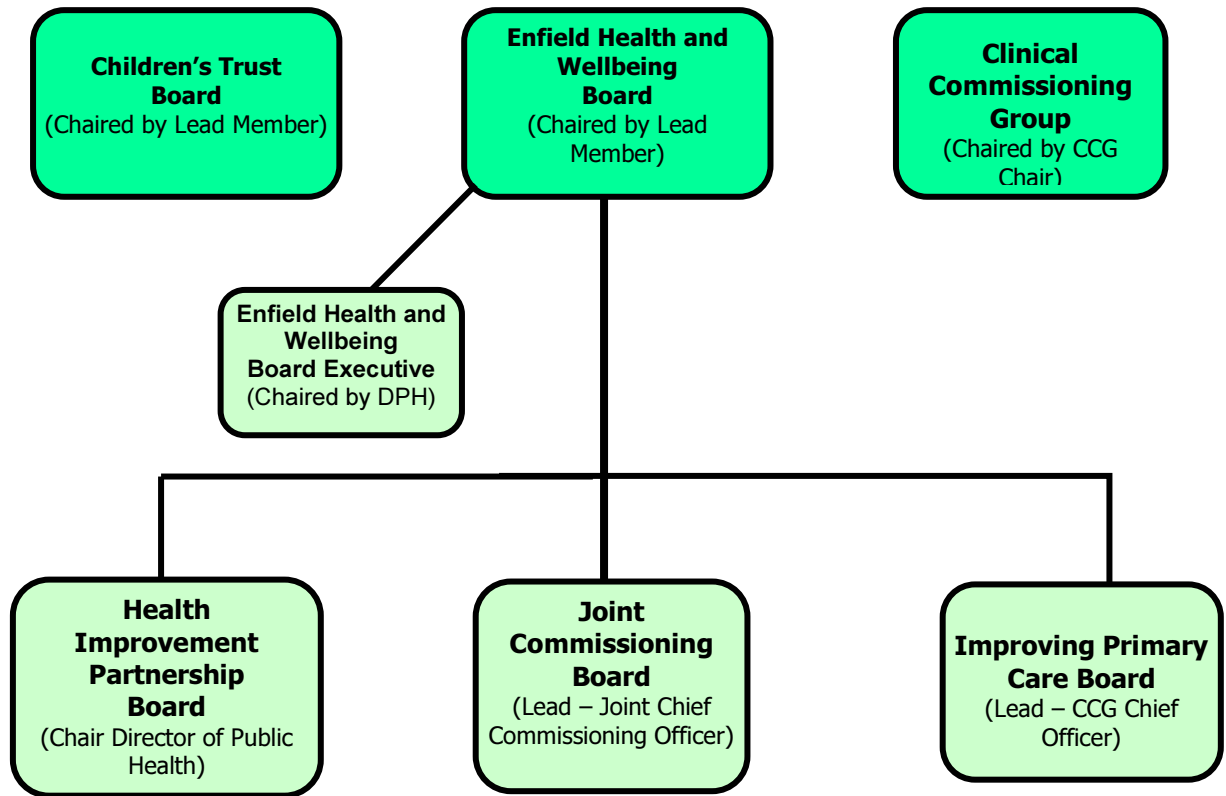
### Protocol

#### Responsibilities of Members of the Enfield Health and Wellbeing Board (EH&WB)

- Represent and speak on behalf of their sector or organisation
- Power to appoint additional members to the board as deemed appropriate
- Be accountable to their organisation or sector for their participation in the EH&WB and ensure that they are kept informed of the EH&WB business and information from their organisation/sector is reported to the EH&WB
- Support the agreed majority view when speaking on behalf of the EH&WB to other parties
- Attend the EH&WB meetings
- Sign up to the Council's Code of Conduct and declare any disclosable pecuniary, other pecuniary and non pecuniary interests that arise
- Read agenda papers prior to meetings so that they are ready to contribute and discuss EH&WB business
- Uphold and support EH&WB decisions
- Work collectively with other board members in pursuit of EH&WB business
- Ensure that the EH&WB adheres to its agreed terms of reference and responsibilities
- Listen with respect to the views of fellow board members
- Will be willing to take on special tasks or attend additional meetings, functions or developed activities of the EH&WB

Appendix 2 to the Terms of Reference

**Structure Chart 2013/14 Enfield Health and Wellbeing Board including proposed sub boards**



## **Appendix 3 to the Terms of Reference: Procedure for speaking at Health and Wellbeing Board Meetings**

The Health and Wellbeing Board is a formal meeting. Members of the public cannot take part in the discussion unless they request permission in advance of the meeting, and then only with the agreement of the Chair.

The mechanism for raising an issue is through the deputation process.

**If you want to speak at a meeting of the Health and Wellbeing Board you will need to request permission for a deputation.**

A deputation must relate to an item on the agenda for the meeting. It can consist of no more than 5 people. Only one member of the deputation will be able to speak, for up to 5 minutes, to address the Board. Members of the Board will then be able to ask questions on the issues raised.

### **How to request a deputation to the Health and Wellbeing Board**

All requests for a deputation to the Health and Wellbeing Board must be submitted in writing to:

The Health and Wellbeing Board Secretary  
Governance Team  
Finance, Resources and Customer Services Department  
PO Box 50  
1st floor, Civic Centre  
Silver Street, Enfield  
Middlesex EN1 3XA

Or by e mail to [penelope.williams@enfield.gov.uk](mailto:penelope.williams@enfield.gov.uk)

We need to have your request by noon at least two working days before the Health and Wellbeing Board meeting that you wish to speak at.

You should include the following information:

- The purpose of the deputation – what is the matter to be discussed?
- The name, address and telephone number of the person leading the deputation.

### **How to find out the dates of the Health and Wellbeing Board meetings**

The dates of all Health and Wellbeing Board meetings are available on the democracy pages of the Council's website [www.enfield.gov.uk/democracy](http://www.enfield.gov.uk/democracy) or by contacting the Governance Team on Tel: 020 8379 4098 or [democracy@enfield.gov.uk](mailto:democracy@enfield.gov.uk).

### **Who decides whether the deputation will be allowed?**

All requests for deputations to Health and Wellbeing Board meetings are considered by the Chair of the Board. The Chair will either:

- Agree the request;
- If the matter is not appropriate to the Health and Wellbeing Board the request may be referred onto the Chair of a more relevant body such as a scrutiny panel, other council committee or health body.
- Refuse the request.

The Board Secretary will advise you of the decision of the Chair regarding your request. If the request is refused you will be told why.

No more than two deputations will be allowed for any one agenda item at each Health and Wellbeing Board meeting.

A deputation should relate to the Health and Wellbeing Boards area of responsibility and relate to items on the agenda.

***If you have any questions regarding the above please contact the Governance Team on 020 8379 4098.***

**COUNCILLORS' QUESTIONS: 27 March 2013****Question 1 from Councillor Lavender to Councillor Goddard cabinet Member for Business and Regeneration**

Enfield Council will be awarded in the region of £2.2 million from the New Homes Bonus as a consequence of the development at Cat Hill.

(The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use. The New Homes Bonus is paid each year for 6 years. It's based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing [affordable homes](#).)

Given:

- (i) the planning report in relation to Cat Hill acknowledged that because of viability issues, it was recommended to levy a s.106 requirement of only £1m to help provide health and educational facilities, when according to planning policies, the development justified a £2.8m contribution, and
- (ii) the Oakwood area is one of the most deprived in the west of the Borough;

Will Councillor Goddard provide an assurance that the New Homes Bonus monies will be set aside to provide such services in the Oakwood area, which ought properly to have been paid for by the developer?

**Reply from Councillor Goddard**

My response to your question and to the others raised on this topic cover the same points that I made to you at the meeting. I trust that you will now have a full understanding of how regeneration is undertaken and the place of s.106, New Homes Bonus and the Supplementary Planning Document (SPD) in that process.

The key point that has been discussed with Members, officers, Planning Committee and MPs is that the Council has to have due regard to the financial viability of any scheme. This point has been explained to developers who sought that assurance, and their agents at various meetings including one convened with officers and myself by David Burrowes MP. The Government's National Policy Planning Policy Statement (2012) is clear that plan led development should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. The Council carries out its own independent assessment of the viability of a scheme to confirm what level of obligation would be appropriate.

To address the specific matters in the sequence of the development.

The original application started under the old formula for calculating s106.

This had lower calculations that were enhanced when the SPD formula came into effect in 2011. This explains the change in the situation.

The process of assessing financial viability explains how the amounts were arrived at.

s.106 negotiations concerning the Cat Hill application were informed by the Council s.106 Supplementary Planning Document adopted in 2011. This sets out the circumstances in which an S106 agreement is likely to be required and details of the type and level of contribution necessary. The Council aims to facilitate development to deliver sustainable growth in the borough, including necessary infrastructure such as education and health. Where applicants for planning permission consider that a particular S106 requirement cannot be met, a viability assessment will be required to demonstrate what level of contribution is viable.

In terms of the most recent planning application, a financial viability assessment was undertaken to establish the level of contribution that the development of the mix and numbers proposed could support. This was assessed by the Council's independent consultant to confirm that the scheme could support contribution of £1.7 m. From this, the Mayor's CiL will amount to £500,000 leaving £1.2 m for everything else. We therefore approached the division of the financial contribution as above and set it out in the report for member consideration. If we did not have to meet the Mayor's CiL, then we would have had more money available.

New Homes Bonus (NHB) is a grant paid by Central Government to local councils for increasing the number of homes and their use. It must be remembered that NHB is calculated on new net additions to the borough's overall housing stock. The Cat Hill development therefore has the potential to raise £2.2m in NHB but this will be subject to the criteria for assessing the overall level of housing growth in the borough.

NHB is met by a reduction in Formula Grant from the Government and is therefore not new funding. It is not ring-fenced to particular areas of the borough but instead contributes to delivering the Council's corporate objectives and meeting need in those areas of greatest need, as determined by Members. NHB is not a S106 mechanism but there in relation to meeting the need for new houses, thus while Oakwood may have relative needs in the west of the Borough, Education and health needs have been assessed as part of the process and were reported to Planning Committee and are set out in answers to other questions.

**Question 2 from Councillor Levy to Councillor Stafford, Cabinet Member for Finance and Property**

Can you confirm that there are currently no proposals to sell off Council owned golf courses.

**Reply from Councillor Stafford**



The Council always seeks to get the best possible value for money from all its resources, including property and are constantly reviewing options. However, there are no plans to dispose of golf courses at the present time. Unlike the Opposition party who suggested at the last Council meeting that some golf courses were superfluous to requirements and should be sold off.

**Question 3 from Councillor Lavender to Councillor Stafford Cabinet Member for Finance and Property**

At the last council meeting you set a budget. Within weeks of that budget the Planning Committee granted planning permission for 231 homes at Cat Hill and agreed to waive a £1.8m s.106 levy, which ought to have financed consequential education and health needs, this sum is equivalent to nearly 2% on council tax. The reason for this waiver was to preserve the viability of the scheme.

Will Councillor Stafford confirm:

- (i) whether the New Homes Bonus and/or the s.106 shortfall were forecast in the budget,
- (ii) if not, how this shortfall of £1.8m is to be met, and
- (iii) whether there was any communication between the planning officers and the Finance and any other Departments and/or any Cabinet Member about the proposal not to levy the full £2.8m before the planners made that recommendation.

Does he support the fact that as a consequence of this almost the entirety of the £2.2 m New Homes Bonus has effectively gone into the back pocket of a developer, which paid too much for the site in the first place?

What steps is Councillor Stafford putting in place to prevent Councillor Goddard promoting the development (at the Council's expense) of other non-viable sites (such as Middlesex University site at Ponders End) the consequence of which would be to throw his budget and his so-called medium term plan into even further chaos?

**Reply from Councillor Stafford**

- (i) Section 106 monies are one-off contributions generally used to support capital investment or one off revenue expenditure in infrastructure. These contributions are not used to support existing on-going revenue service costs and therefore not included in the budget setting process.

The 2013/14 budget includes assumptions for the New Homes Bonus in 2013/14. In future years, there are no NHB assumptions as it would be imprudent to assume growth that far into the future.

It should also be noted that NHB is a grant financed by a reduction in Formula

Grant and is therefore not additional funding. This was explained on pages 26 & 27 of the Council budget report.

- (ii) There is no budget shortfall.
- (iii) The Planning Committee report discussed on the 4th March 2013 included the proposed s.106 contributions. The decision regarding this contribution is made by those members who sit on the Planning Committee.

**Question 4 from Councillor Ibrahim to Councillor Hamilton, Cabinet Member for Community Wellbeing & Public Health**

Will the Cabinet Member report on a request from the Mayors Office for Policing & Crime (MOPAC) for funding for rape crisis work?

**Reply from Councillor Hamilton**

There are currently four Rape Crisis Centres in London.

North London RCC (NLRCC) (Solace Women's Aid) has a central coordination hub based in Islington and is one of the specialist Violence Against Women and Girls (VAWG) services delivered by Solace Women's Aid. Rape Crisis services are delivered in spoke locations across all north London boroughs. They offer counselling, advocacy and holistic therapies to women over 14 years of age.

Regional statistics show a 53% rise in recorded rape in London over the last four years, VAWG costs London over £5.6 billion per year and police remain unaware of 87% of serious sexual assault victims. The impact of sexual violence is profound, not only on the individual, but communities and the public purse. Addressing problems early should help prevent these long-term costs.

Enfield currently contributes just over £15,000 per annum to the NLRCC.

The requested contribution for the North Sector Boroughs has been increased from just over £15,000 to £20,000 from 13/14.

Contact was made with MOPAC to gain some assurances about the contribution from them. While we felt locally that this is an important area to support even at a higher level, it is important that as we continue to invest that MOPAC are not disinvesting.

We have had experience of this over recent years with the reduction of the Community Safety Fund by 59%, despite Enfield locally continuing to work hard to improve community safety. The success of this is borne out in the results of the recent residents' survey.

Although the Mayor of London's Contribution seems unlikely to increase, we have received assurances that it will not be reduced. (Currently £155,000 pa).

If we increase our contribution it will help to reduce the chance of delays for women wanting to access the service.

As soon as we can confirm that other boroughs involved in the NLRCC will also increase their contribution, we will write to MOPAC to confirm our increased contribution. We want to be sure that Enfield funding is not being used to cover the increased payments for other boroughs in the sub-region.

**Question 5 from Councillor Lavender to Councillor Orhan, Cabinet Member for Children & Young People**

Given Councillor Orhan's view that the Council is not provided with sufficient funds to discharge its education responsibilities, will she confirm what representations either she or anyone from her department made in relation to the recommendation of the planning department to waive £582k of s.106 monies which ought properly to have been sought from the developers of Cat Hill to meet related educational needs? If representations were made, can I be provided with a copy and if not, then:

- (i) why were no representations made; and
- (ii) given the foregoing of this money does she not believe that her claims of insufficient funding now ring rather hollow?

**Reply from Councillor Orhan**

As part of the assessment of the Cat Hill scheme, Development Management officers consulted Education and Health colleagues to ascertain the position and pressure on existing infrastructure to enable an assessment to be made of the infrastructure necessary to support the development. Standardised formula for education and health contributions set out the s106 Supplementary Planning Document indicated that the education contribution should be £1.182m and health should be £1.682m [over five years]. There were also contributions identified for off site highway works.

These potential contributions have to be assessed in the context of the viability of the scheme; how much contribution can the development support to enable it to be both viable and to proceed. There is a clear presumption in the Government's National Planning Policy Framework and the Mayor's London Plan towards supporting sustainable development especially where it meets housing need. It would not be appropriate therefore to refuse development solely on the basis that the scheme did not meet the requested level of contributions unless it could be clearly identified that the development would cause harm to infrastructure in the vicinity.

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

The Labour manifesto pledged to create a youth achievement foundation in Enfield.

Has that been done?

**Reply from Councillor Orhan**

I am delighted to say that our model of the foundation, specifically adapted to Enfield circumstances, is in its first year of operation. RAISE – Youth Achievement in Enfield - selects young people with behavioural or other problems and teaches them in small groups in a specially designed, newly opened facility in Edmonton. The curriculum combines conventional academic subjects with outdoor challenges and work experience, with the aim of reintegrating the young people into society as confident and responsible citizens. Youth Achievement in Enfield has already proven to be extremely successful in turning around the lives of young people and giving them skills, purpose and self-esteem.

**Question 7 from Councillor Lavender to Councillor Hamilton, Cabinet Member for Community Wellbeing & Public Health**

Given Councillor Hamilton's view that neither the Council nor the NHS is provided with sufficient funds to discharge their public health responsibilities, will she confirm what representations either she or anyone from her department made in relation to the recommendation of the planning department to waive £1.28m of section 106 monies which ought properly to have been sought from the developers of Cat Hill to meet related health needs? If representations were made, can I be provided with a copy and if not, then:

- (i) why were no representations made; and
- (ii) given the foregoing of this money does she not believe that her claims of insufficient funding now ring rather hollow?

**Reply from Councillor Hamilton**

As part of the assessment of the Cat Hill scheme, Development Management officers consulted Education and Health colleagues to ascertain the position and pressure on existing infrastructure to enable an assessment to be made of the infrastructure necessary to support the development. Standardised formula for education and health contributions set out the s.106 Supplementary Planning Document indicated that the education contribution should be £1.182m and health should be £1.682m [over five years]. There were also contributions identified for off site highway works.

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the development would cause harm to infrastructure in the vicinity.

**Question 8 from Councillor Constantinides to Councillor Stafford, Cabinet Member for Finance and Property**

The Conservative Administration in 2003 increased the Council Tax by 15%. Is this the largest single increase ever in Enfield and was it part of the Conservative manifesto commitment in the 2002 election?

**Reply from Councillor Stafford**

The Conservative Administration in 2003 increased the Council Tax by 15%. Is this the largest single increase ever in Enfield?

**YES**

Was it part of the Conservative manifesto commitment in the 2002 election? **NO**

**Question 9 from Councillor Lavender to Councillor Constantinides, Chairman of the Planning Committee**

At the Planning Committee Meeting that determined the Cat Hill Planning application, one member of the Labour Group was sat conspicuously on the stage away from and in full view of other Labour members. During the vote she appeared to gesticulate to certain Labour members to vote for the application. Would Councillor Constantinides please seek and provide to me a written account from the officers of what happened and ask for the guidance to be republished about the impropriety of group whipping and probity issues when determining planning applications.

**Reply from Councillor Constantinides**

Councillor Cranfield fulfilled the role of Vice Chair at this meeting in Councillor Simon's absence, it is incorrect to suggest she was sat away from other Labour Members so as to attract attention.

It is also incorrect to say that there were any signals to Members on how they should vote at the decision stage. Had there been any evidence of such this would have been addressed at the committee meeting by the legal adviser, senior officers and/or Chair.

The Chair asks Members to make their vote clear by raising their hand so the public can see and the vote can be recorded. This procedure is contained in Part 5 of the Constitution (page 5-34). The vote is recorded by the Committee Secretary and an indication is made to the Chair by officers.

All members of the Planning Committee are trained on the Code of Conduct for Planning Committee. Where appropriate refresher training is provided.

**Question 10 from Councillor Levy to Councillor Bond, Cabinet Member for Environment**

What is the Council doing to help our residents in Enfield deal with their rising energy bills?

**Reply from Councillor Bond**

The Sustainability Service is helping deliver 'The Big London Energy Switch' as a pilot along with 19 other London Boroughs, in an effort to reduce bills for vulnerable residents and people living in deprived areas. The Big London Energy Switch is a collective energy switching project, with a particular focus on deprived communities. It covers around 1.8 million households in London, of which it is estimated that 360,000 are in fuel poverty.

Collective switching enables residents to tender their energy bills to the energy companies, using bulk buying to collectively negotiate lower electricity and gas prices on their behalf.

- The more residents who register to switch the greater the likely interest from the energy companies, which in turn is likely to drive greater individual financial savings;
- There is no obligation on residents to take up the offer to switch energy provider;
- The local authority brand is generally trusted by consumers, so helps encourage residents to register to switch;
- Residents can 'register an interest' in the Collective Energy Switching initiative by going to [www.biglondonenergyswitch.org.uk](http://www.biglondonenergyswitch.org.uk) and leaving their name and contact details;
- When the auction is ready to go live, residents will be contacted and at that point residents will need the details of their energy supplier and their recent bills.

Led by London Councils, with input from Enfield's Sustainability Service, £686k was successfully leveraged from central government in December 2012. This grant funding is now being used to deliver the Big London Energy Switch by March 2013. It is estimated that as a result of collective energy switching, residents will save between £150 and £200 at a time when energy bills keep on rising. This will help tackle fuel poverty, improve the health of residents and go some way towards ending the circumstances where families have to choose between heating their houses in winter or buying food.

Some of the other boroughs involved in the scheme include Bexley, Brent, Camden, Croydon, Ealing, Enfield, Greenwich, Hackney, Haringey, Islington, Kingston, Lambeth, Merton, Newham, Richmond, Southwark, Sutton and Waltham Forest.

**Question 11 from Councillor Laban to Councillor Bond Cabinet Member for Environment**

Please would the Cabinet Member for Environment update the chamber on the situation at the former Brimsdown Petrol Station, Brimsdown Avenue and what action is being taken and when it will be concluded.

**Reply from Councillor Bond**

As you will be aware, the former Brimsdown Petrol Station in Brimsdown Avenue is privately owned and has been occupied by squatters. The landowners obtained court orders to evict the squatters and to clear the site. The Bailiffs attended the site on 7 March 2013 to evict the squatters and secure the site. The Council's Envirocrime and Planning Enforcement Officers attended to support the landowners if required in clearing the site of untaxed vehicles and to secure the site if needed. The Bailiffs agreed to permit the squatters more time to vacate and clean up the site themselves.

The site has been monitored by Council's Envirocrime and Planning Enforcement Officers, and many squatters have vacated and the visual appearance of the site so far is vastly improved.

**Question 12 from Councillor Deacon to Councillor Bond, Cabinet Member for Environment**

What is Councillor Bond doing to reduce the Council's energy use and therefore the burden on our taxpayers?

**Reply from Councillor Bond**

The Council is leading by example to reduce its own energy use, investing now to save energy in Enfield's public buildings and schools. As a key project in the Enfield 2020 Action Plan, the initial phase of Enfield Council's RE:FIT (RE:FIT is a £3.1m 'Invest to Save' project to increase the energy performance of 6 corporate properties and 19 large schools) project is proposed to encompass 3 corporate buildings (including the Civic Centre), 7 primary schools and 7 secondary schools.

Phase 1 of RE:FIT is on track to start energy saving technology installation in June 2013. This £1.7 million capital investment is guaranteed to save at least 20% of energy consumption per annum for the technologies installed, with a pay back of just 5.8 years.

**Question 13 from Councillor Laban to Councillor Bond Cabinet Member for Environment**

Given the extensive works on highways that are being carried out by utility companies' contractors throughout the Borough will the Cabinet Member for Environment confirm what measures are being undertaken by the Council to ensure that the highways and any adjacent land affected by the works are properly reinstated. In particular Chase Green and St Michael's Green have been used by utility companies' contractors to store equipment and the junction of Carterhatch

Lane and Myddleton Avenue resembles a freshly turned allotment.

**Reply from Councillor Bond**

The Council has a dedicated team which is responsible for ensuring utility companies comply with their obligations and responsibilities under the New Roads and Street Works Act. In Enfield, I am pleased to advise we have one of the most proactive street works teams in London who have a track record of ensuring utility companies comply, evidenced by court action taken only recently for poor reinstatements. Works in Carterhatch Lane has involved works by National Grid Gas, on whom Fixed Penalty Charges have been issued for breach of permit conditions. In addition works have been undertaken for the Council's own footway renewal scheme, which did involve works to the verges as kerbs were realigned. Any consequential damage will be repaired. With regard to the green areas on Chase Side, National Grid have been issued a Fixed Penalty Notice and have agreed to reinstate the area.

**Question 14 from Councillor Brett to Councillor Bond, Cabinet Member for Environment**

Given the concern expressed by residents about Betting Shops and their alleged increase in the Borough what action has been taken by the Labour administration?

**Reply from Councillor Bond**

The number of Betting Shops licensed has decreased slightly. In 2007, there were 78 licensed betting shops in the Borough, currently there are 75. The Gambling Act 2005 prohibits the Council from adopting any licensing policy to address the cumulative impact of betting shops clustering together.

Consequently, the Council's Development Management Document, which would include the detailed planning policies for the future, is being drafted and does propose a policy restricting a proliferation of betting shops in town centres. In addition, the Council is considering seeking a legislative means which would ensure that planning permission would automatically be required for new betting shops.

**Question 15 from Councillor Laban to Councillor Bond Cabinet Member for Environment**

Enfield Council has been awarded a government grant of £2.46 million to maintain residual weekly collections and provide an organic waste collection service to support its weekly bin collections. Please could the Cabinet Member for Environment confirm exactly how this service is to be extended to those residents who are not currently provided with facilities to recycle their waste?

**Reply from Councillor Bond**



The Weekly Collection Support Scheme fund has recently been made available by the Department for Communities and Local Government (DCLG). London Borough of Enfield put in a bid to support & develop waste services to residents to the value of £2.4m.

The remit of the project is to extend the following services to householders in the borough:

- extend the estates food waste collection scheme to all properties;
- to offer an opt in garden and food waste collection for kerbside properties previously not provided with a green waste service during the main roll out due to a lack of space;

This will still be subject to the householder being able to store the bins and place them out safely for collection. This would currently exclude the A10 and red routes.

#### **Question 16 from Councillor Murphy to Councillor Bond, Cabinet Member for Environment**

Following on from the Environment Agencies Salmons Brook Flood Alleviation proposals what is the Council doing to reduce the risk of flooding to residents?

#### **Reply from Councillor Bond**

The Council when determining all applications consider flood risk alleviation with every proposal and if justified requires sustainable urban drainage systems to be incorporated on new developments. The Council also follows Environment Agency guidance in opposing new residential developments on floodplains within the borough.

Enfield Council has undertaken various pieces of work to reduce the risk of flooding to residents in the borough. In addition to working with the Environment Agency to check that their design proposals for Salmons Brook properly safeguard residents, I have recently written to Richard Benyon, Parliamentary Under Secretary for Natural Environment, Water and Rural Affairs, expressing my concern over the government's delay in implementing Approval Bodies for Sustainable Drainage Systems. I am committed to improving the environment and protecting our residents from flooding and see the widespread implementation of Sustainable Drainage Systems as a key measure in achieving these aims. However, the current uncertainty regarding this issue is hampering our ability to take effective action to realise this.

Nevertheless, officers are very proactive in the DrainLondon working group which enables us to work collaboratively with other boroughs in the Lea Catchment area to progress aspects of the Flood and Water Management Act and the development of our Local Flood Risk Management Strategy. In 2012 we produced our Surface Water Management Plan which we have published on Enfield's website and have used some of our funding from DEFRA to undertake studies and modelling of critical drainage areas. We have recently received funding from DEFRA to further explore

(through modelling) a number of high priority Critical Drainage Areas in Enfield, this work will be carried out in 2013/14.

Practical examples that we have taken forward have included the installation of automated flood monitoring gauges at high risk flooding locations and we have nearly finished installing CCTV cameras at two locations, namely Montagu Road and Lacy Close to enable remote monitoring. We have worked with our contractors to clear out and re-form a number of highway ditches such as along the Ridgeway and at East Lodge Lane where localised flooding was occurring. We work closely with Thames Water in order to resolve localised flooding incidents involving road gullies and their discharge into Thames Waters sewers. We will continue to invest in flood alleviation work across the borough.

**Question 17 from Councillor Waterhouse to Councillor Orhan Cabinet Member for Children & Young People**

At January Council, I asked Councillor Orhan (Question 40) which schools she had visited in Chase Ward, and when. Despite a three paragraph reply, Councillor Orhan did not state which schools in the ward she visited, only that she had visited a total of three schools in the ward. I would therefore like to ask again - which schools has she visited in Chase Ward, and when?

**Reply from Councillor Orhan**

In January I advised that I had made 56 school/educational site visits from Feb 2011 which is 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 – detailed below:

Worcesters	September 2011
St. Ignatius	March 2012
Enfield County	March 2012

**Question 18 from Councillor Lemonides to Councillor Bond, Cabinet Member for Environment**

Could Councillor Bond please update members on progress to date with the trimming and dimming of the Boroughs street lights?

**Reply from Councillor Bond**

Enfield Council is implementing a scheme that will reduce the energy consumption of its street lighting by over 40%, in order to help meet the dual challenge of recent cutbacks in Central Government funding and also increasing concern over energy usage and its environmental effects. This involves our Streetlighting Service provider, ETDE, installing a special piece of electronic equipment on each lighting unit and also installing a central software system which will then communicate with each unit using existing mobile phone networks, thereby allowing the lighting levels

throughout the borough to be adjusted remotely and removing the need for costly and inefficient officer scouting.

By the end of March 2013, over 35% of the borough will have been converted to this system, and we are on track to complete the whole installation across the borough by March 2014. The energy savings achieved each month will increase as the programme is implemented.

A key benefit of this scheme is that, although lighting levels will be reduced in order to meet energy saving targets, the flexibility exists to adjust them should certain areas require increased lighting for a particular event.

**Question 19 from Councillor Waterhouse to Councillor Orhan Cabinet Member for Children & Young People**

Further to my question to Councillor Orhan at the January full council meeting, could Councillor Orhan confirm which schools in Chase Ward she has planned to visit this year?

**Reply from Councillor Orhan**

My plans may well include visiting Lavender, Capel Manor and Chase Side Primary schools this year.

**Question 20 from Councillor Cazimoglu to Councillor Bond, Cabinet Member for Environment**

Can Councillor Bond tell the Council of any cross Borough working that Environment Group is involved in?

**Reply from Councillor Bond**

- Parking procured our cashless parking system with Redbridge Council
- Officers are very active in cross-borough working groups such as LoTAG (London Technical Advisors Group) and associated sub-groups for Highway Maintenance, Winter Maintenance, Bridges, Streetlighting, Drainage, Asset Management and London Councils Highway Licensing Forum.
- We work with neighbouring boroughs in our Network Management role in coordinating activities on the highway, particularly regarding works on routes affecting adjacent authorities. We are active in the cross-borough Operational Committee for the London Permit Scheme (LoPS) and also the associated task force groups.
- We have taken an active role as a Board Member for the 'Transforming London's Highways' initiative, an outcome of which is the procurement of the new London Highways Alliance Contracts, for which we will have an opportunity

to join if the rates are favourable. As part of this we seconded one of our Officers for a 12 month period to work with TfL on the contract preparation and evaluation.

- We collaborate with Barnet in our management of our Streetlighting PFI as a result of the joint procurement and both sharing the same contractor.
- Supporting the Association of London Environmental Health Managers - all 33 Borough are signed up to a consistent approach to cross borough work on a range on joint initiatives such as food safety, health and safety and pollution control.
- Traffic and Transport is engaged in a wide range of cross-borough working, at a number of different levels.

At the London-wide level, Enfield is actively involved with a number of groups, including:

- The London Technical Advisers Group (Group 1), which focuses on public transport, cycling, walking and road safety
- The Pan-London Road Safety Forum
- London Traffic Control Liaison Committee

At the sub-regional level we work with other north London boroughs (and TfL) on a wide range of transport issues, including policy formulation, development of public transport infrastructure proposals, cross- borough cycling initiatives etc. The sub-regional partnership (the North London Transport Forum) has "fuzzy" boundaries, comprising the core boroughs of Enfield, Barnet, Haringey and Waltham Forest, but also extends to include Camden, Hackney and Islington as necessary.

There are also a number of specific partnerships that we are involved with, including:

- The West Anglia Routes Group, which is an association representing public and private sector organisations along the rail routes running from Liverpool Street through north London into Cambridgeshire, Essex and Hertfordshire.
- The Barnet, Enfield and Haringey Transport Working Group, which is working with the NHS and other stakeholders to examine the transport impact of the proposed service changes at Barnet, Chase Farm and North Middlesex Hospitals.

Finally, there are several examples of joint working with other boroughs, including:

- A shared service agreement with Islington to manage our School Crossing Patrol Service
- Joint road safety activities with Haringey (including Safer Drive Stay Alive)
- Joint smarter travel initiative with Haringey

- Cross boundary traffic schemes, including the proposed Lorry Ban south of the A406

The Community Safety Unit work closely with Haringey to tackle gang activity. Members of the Gangs Action Groups attend meetings in the opposite borough to ensure that we are linking closely to reduce the risks along the border between the two.

We also take part in a Safe and Secure Scheme housing scheme in which gang members and their families may be transferred (with full agreement for all parties to another area). This involves very small numbers and gives advance warning so that risks may be mitigated.

Trading Standards Officers take a lead in the London Officers Trading Standards Association which enables best practice and collaborative work to take place and represents good value. An example of this working is a recent operation in Ealing to advise businesses and enforce on unsafe and counterfeit goods. Although this was targeted in another Borough, there is little doubt that the whole region would have been affected by the distribution of these dangerous goods.

A sum of money of around £100,000 was provided by the national Trading Standards Board to do this work as they realised the potential risks of leaving this unchecked. Because of this there was no cost implication to Enfield.

There are a number of professional associations and groups from which Enfield benefits from best practice although abstraction from Borough duties is restricted.

We have a joint Tobacco Control Alliance with Haringey Council and Public Health Team and involves other partners including the Voluntary Sector.

There is a joint strategy to enforce illegal importation and counterfeit goods, plus promote healthy lifestyles.

We have a tri-partite contract with Barnet and Redbridge which affords better value from economies of scale for abandoned and untaxed vehicles.

Enfield is currently part of the 7 borough and North London Waste Authority joint procurement for replacement waste facilities.

Enfield is also seeking to work with other boroughs to drive savings from any joint procurement opportunities and frameworks to deliver the DCLG funded waste and recycling project.

The Council is also currently exploring options of a Transport vehicle maintenance service with London Borough of Redbridge.

The Council's Sustainability Service is working closely with Haringey, Waltham Forest and GLA to develop the Lee Valley Heat Network as the strategic heat network for decentralised energy development in London. This significant

infrastructure project aims to:

- Facilitate inward investment and new jobs
- Provide affordable low carbon heat for businesses, industries, the public sector and local residents
- Tackle fuel poverty
- Reduce London's carbon footprint

Finally we are working with David Lammy MP on the proliferation of betting shops.

**Question 21 from Councillor Rye to Councillor Bond Cabinet Member for Environment**

At an Overview and Scrutiny Call-In earlier in this Council year on Labour's policy for repairing and maintaining footpaths in the Borough, you gave an undertaking that there would be like for like replacement in maintaining footpaths unless there were exceptional circumstances. In Caterhatch Lane in my ward we have had a section of pavement from Ladysmith Road to Sinclair Close removed without any consultation with residents and Ward Councillors and replaced with black unsightly tarmac, that is completely out of keeping with the rest of the road, which is a prominent thoroughfare opposite Council Offices and part of the New River Loop Footpath.

Could he explain why there was no like for like replacement at this site and clarify if Labour's policy on footpath maintenance means tarmac instead of pavement throughout the borough?

**Reply from Councillor Bond**

That is not the undertaking I gave. Reactive repairs are undertaken on a like for like basis. For planned maintenance, if it is unlikely that further sections will be renewed then treatment will match existing finishes. In the case of Carterhatch Lane it is intended to continue to renew sections and therefore the policy has been applied correctly.

The current policy is that appropriate footway treatments will be used, based on the standard palette of materials, taking into account existing treatment locally, footway category and function, location and style of frontage buildings and susceptibility to vehicle abuse. Bituminous footways will generally be used in rural locations, residential streets and footways susceptible to vehicle overrun. Paving will generally be used in high profile locations and shopping parades

**Question 22 from Councillor Levy to Councillor Bond, Cabinet Member for Environment**

Can the Cabinet Member update Council on the investment into the Graffiti Clean Up Team?

**Reply from Councillor Bond**

The Graffiti Action team remove 99% of graffiti proactively before it is reported by the public. The team generally remove offensive or racist graffiti within 4 hours and other graffiti within 24 hours of being reported. To ensure their continued high performance, we have invested in three new jet washers as the existing equipment was old and requiring greater maintenance. Removal of graffiti helps the visual amenity of the borough and street scene, and helps residents feel that their neighbourhood is cleaner and safer which is reflected in the recent residents survey.

**Question 23 from Councillor Rye to Councillor Hamilton Cabinet Member for Community Wellbeing & Public Health**

As part of the Mayors Office for Policing & Crime (MOPAC) review of policing in London does she welcome the commitment to:

- (i) Safer Neighbourhood Teams
- (ii) Each Borough having its own Borough Commander
- (iii) An increase in police numbers in Enfield from 524 (October 2011) to 609 (by 2015) with safer Neighbourhood Teams increasing from 61 officers (October 2011) to 144 (by 2015)
- (iv) As part of the consultation process a commitment by the Deputy Mayor Policing to look again at the number and access arrangements to Police Stations?

**Reply from Councillor Hamilton**

There is widespread support for the Safer Neighbourhood Teams (SNTs) at the moment, despite the fact that they are understaffed. This Council has provided additional support for the police teams on the Borough with the ongoing investments in the Estates and Parks Policing Teams. These are over and above the Metropolitan Police Service (MPS) establishment. It is unclear however as to whether the SNTs will become more like a second tier Response service when the proposed changes through the Local Policing Model are finally implemented. We hope that the MPS will allow sufficient flexibility from the "core" model to continue to support the strong partnerships that have proved invaluable in Enfield.

We are pleased that the borough is retaining the command of a Chief Superintendent and that Jane Johnson has been successful in her bid to remain in Borough.

Many boroughs have not retained a Borough Commander at this level or have now to share a Borough Commander with a neighbouring area. We have been engaged in many conversations about how the Local Police Model might impact upon Enfield and we are pleased that our concerns have been recognised.

The increase in police numbers is of course welcomed, although the low level of

resource assigned to Enfield has been the subject of many meetings between the administration and the MPS. Our concerns are that the changes are appropriately prioritised for this borough, given that we are facing ever increasing challenges and pressures on services. We hope that the increase will happen early in the time-span suggested and that we do not have to wait until 2015, when the need for the extra police has been highlighted for years.

Some have concerns about the consultation feeding into the decision making process, in respect of public access and the Police “estates” issues, given that there are some decisions (about the use of Southgate as an SNT base for example) which seemed to have been made before the consultation could have been properly reviewed.

We hope that MOPAC and the MPS Senior Command will ensure that the access levels are sufficient in the borough and listen to the points raised by Enfield Councillors and residents at the MOPAC and MPS road-show on the 14<sup>th</sup> Feb 2013.

**Question 24 from Councillor Constantinides to Councillor Bond, Cabinet Member for Environment**

Can the Cabinet Member update Council on the position of Enfield in the performance league table for Energy Efficiency.

**Reply from Councillor Bond**

I am pleased to report on the following position of Enfield’s continued commitment to carbon reduction

- The Carbon Reduction Commitment (CRC) Performance League Table (PLT) for 2012 submissions was published on 26 February 2013.
- Enfield Council’s position against all 2,087 participants, from both public and private sectors nationally, is 715<sup>th</sup>, an improvement of 17 places on last year.
- Between 2010/11 and 2011/12, the Council’s emissions fell from 31,763 tCO<sub>2</sub> to 29,533 tCO<sub>2</sub>, a reduction of 2,230 tCO<sub>2</sub>. Priced at £12 per tonne, the Council avoided paying £26,760 on carbon allowances alone in this period and also made financial savings through the associated costs for the lower energy consumed for this period.
- The Council is committed to reduce its carbon emissions through its invest to save programme (e.g. funded through the Salix Recycling Fund and RE:FIT).
- Following the CRC review in autumn 2012, it was announced that the CRC Performance League Table would be abolished in 2013. The entire CRC Scheme will be reviewed again in 2016.

**Question from 25 Councillor Neville to Councillor Stafford Cabinet Member for Finance and Property**

Would he confirm Enfield’s position in the light of the revelation by the Enterprise Minister, Michael Fallon that only 166 out of 432 local authorities have signed up to



the Prompt Payment Code. He will doubtless recognise the importance to small businesses of large creditors making speedy payment of invoices. Could he confirm Enfield has signed up to this policy?

**Reply from Councillor Stafford**

Enfield Council has made a commitment to small businesses that far exceeds the Prompt Payment Code. The considerable commitment of this Administration to helping small businesses in the Borough has been matched by real investment, better procurement policies and slicker procurement practices, so that we are as easy to do business with as possible, whilst meeting our legal requirements and delivering best value for money.

The Prompt Payment Code is a payment initiative developed by Government with the Institute of Credit Management (ICM) to tackle the crucial issue of late payment to help small businesses. When an organisation signs up to the Code, it is committing to:

- Pay suppliers on time and in line with the agreed terms
- Have clear processes in place for suppliers – making sure that they know what is required to ensure they can be paid on time
- Manage and resolve disputes as quickly as possible
- Encourage its customers and suppliers to sign up to the Code

Enfield delivered all this and more when it decided to amend its payments terms. We prioritise payments to small businesses and endeavour to pay invoices within 10 days. So far this year, 81% of our invoices have been paid within 10 days and 97% are paid within 30 days. This places Enfield among the best authorities for prompt payment where the London average is 90% paid within 30 days.

**Question 26 from Councillor Levy to Councillor Bond, Cabinet Member for Environment**

Can the Cabinet Member advise the Council how many Green Gyms have been put in Parks in the last three years?

**Reply from Councillor Bond**

We currently have nine outdoor gyms in the borough's parks and open spaces. One of these (Elsinge Golden Jubilee Park) is on our land but was actually funded by colleagues in housing.

We have a further three which have recently received funding through the Resident Priority Fund but have not been installed yet.

**Question 27 from Councillor Neville to Councillor Bond, Cabinet member for Environment**

I understand that certain properties along the A10 and the A406 within the borough have not received wheelie bins. This is presumably because of the difficulties in stopping on a red route though I note that this does not appear to be a difficulty in other boroughs. In the light of the recent award of money from the coalition government to specifically use in connection with providing better waste and collection services, will he undertake to use some of this money to remedy what is a serious defect in the service currently being provided to such residents along these major roads.

### **Reply from Councillor Bond**

Around 600 properties along the A406 and A10 are currently not provided with wheeled bins for refuse, recycling and organic waste. An alternative service of sacks is currently in place for refuse and recycling with compost bins being offered for garden waste.

This is being reviewed given operational practices in other boroughs. Once reviewed officers will provide a further update.

The funding from the DCLG would cover the costs of offering these households wheeled bins if the health and safety risks can be reduced, however it would not cover the significant costs of operating a buffer vehicle for the collection crews which it is currently considered is required.

Of course it was the Labour Administration that gave residents wheeled bins, which has saved taxpayers £2m per annum and cleaned up our streets. The resident satisfaction survey has demonstrated that these decisions are well supported by residents.

### **Question 28 from Councillor Robinson to Councillor Bond, Cabinet Member for Environment**

Can the Cabinet Member update the Council on new investment in street cleaning kit?

### **Reply from Councillor Bond**

As a part of the continuing Modernisation of Waste Services we have made significant investment in this key front line service. Using data gained from our surveys for street cleanliness and taking note of information from the Residents Survey we have identified areas of lower satisfaction and greater need and have made adjustments to our cleaning services to provide an improving level of service provision.

Some examples of these improvements are:-

- Orders placed for specialised third arm mechanical sweeper (£98k) for borough wide cleaning of hard surfaces and anti pedestrian paving adjoining the

highway.

- New pavement mechanical sweeper (£50k) to extend the improvements gained in Hertford Road into our eastern gateway of Nags Head Road and adjoining residential streets within Ponders End.
- Upgrade of the Mechanical Sweeper fleet to be completed by the end of March at no cost to the Council.
- Recruitment of staff completed to reduce our reliance upon agency placements.
- Two new leaf collection machines introduced (£12k).
- Pre-snow footway treatments implemented on 6 occasions using mechanical grit spreaders.
- Enhanced weed control implemented with support of five new weed removal machines.

These measures have raised standards across the borough, significantly reduced staff sickness and increased customer satisfaction to 80%, the highest it has ever been, and shows we have listened to our residents.

#### **Question 29 from Councillor Neville to Councillor Bond Cabinet Member for Environment**

Councillor Bond will recall that I led a call-in at the Overview and Scrutiny committee on 15<sup>th</sup> May 2012 of his attempt to rewrite policy agreed by cabinet for repairs to pavings. The upshot of that call-in was that following sympathy from members of the Overview and Scrutiny committee he agreed to revise the policy and to submit the proposed wording to me, presumably with the object of achieving some cross party consensus. That did not happen – can he please explain the failure to do so?

Will he also indicate why it is the case that there are now many instances across the borough of individual paving slabs being replaced with tarmac in areas which are wholly paved and where the resulting repair looks unsightly.

#### **Reply from Councillor Bond**

At the Overview and Scrutiny Committee held on 15<sup>th</sup> May 2012, it was agreed that, whilst the underlying policy changes were supported, the decision be referred back to myself for reconsideration in order to clarify the wording of the policy on use of materials for footway treatments. The Monitoring officer was also to confirm the constitutional acceptability of a Cabinet Member changing a policy that has been previously approved by Cabinet. I did reconsider my decision and agreed to amend the wording of the Highway Maintenance Plan in relation to footway treatments. The Monitoring Officer confirmed that as this is an area that falls entirely within my portfolio I could also amend the Streetscape Guidance, without referral back to Cabinet.

On 20<sup>th</sup> July 2012, I wrote a letter to Councillor Toby Simon, Chair of Overview & Scrutiny Committee, which was copied to all Members of the Panel, to advise of the action I had taken and attached to the letter the revised wording of both the Highway Maintenance Plan and Streetscape Guidance. Unfortunately Councillor Neville, as

you are not a Member of the Overview and Scrutiny Committee, you did not receive my letter until 29th January 2013. I am sure however, that had there been any concerns over the revised wording, these would have been raised at the time.

I note that the recent residents' survey has seen strong improvements in satisfaction with our £8m capital investment programme for highways.

**Question 30 from Councillor Neville to Councillor Taylor Leader of the Council**

At the council on 27th February, the report on the council's pay policy was withdrawn because of the latest guidance from the Secretary of State on the issue of retirement packages. While I appreciate that another report will be forthcoming, can he explain his reluctance in the current economic climate to have pay packages in excess of £100,000 ,as recommended in the guidance, approved by full council?

**Reply from Councillor Taylor**

I have no reluctance to publish the information requested. You will be aware that the Government issued guidance too late to be properly considered prior to the last Council meeting.

**Question 31 from Councillor Neville to Councillor Taylor Leader of the Council**

Will he confirm the number of individual payments and the cumulative amount thereof of performance related pay across the council between May 2010 and to date?

**Reply from Councillor Taylor**

During the three year period May 2010 to date, there were 351 individual payments made in the non consolidated pay range to staff on Hay grades. These payments are at risk i.e. to retain them performance must be maintained or improved. This approach adheres to the principles contained in the Hutton Report. The additional year on cost for these payments since May 2010 totalled £181,068 which averages out at £516 per payment.

**Question 32 from Councillor Neville to Councillor Bond Cabinet Member for Environment**

In respect of the Morson Road depot will he confirm when the first year's rent of £650k falls due for payment and the period for which it relates?

**Reply from Councillor Bond**

Rent is not payable until the lease from Murphy's has been completed. Completion is due two weeks after the new premises are ready for occupation.

There is an initial rent free period of three months so if the lease is completed at the

beginning of July the first payment from the Council will be due in early October 2013 for the previous quarter.

**Question 33 from Councillor Kaye to Councillor Orhan, Cabinet Member for Children & Young People**

As the Cabinet Member for Schools and Children's Services was unable to attend the Staff Forum in November and was 40 minutes late for the meeting in February, does she feel this is a 'slap in the face' to teachers and trade unionists who turned up?

**Reply from Councillor Orhan**

I have worked and continue to work in the trade union and have a lot of respect for those who do. I had already apologised on the evening and also reminded those who administer the meeting that the particular evening on which the meeting is held is a difficulty for me; it has not been possible to change the evening that this meeting is held and the union and staff who attend are aware of this.

**Question 34 from Councillor Kaye to Councillor Orhan, Cabinet Member for Children & Young People**

Will the Cabinet Member be able to make the next Staff Forum meeting on time?

**Reply from Councillor Orhan**

It's in my diary for 11th June 2013 and I have every intention of attending but see my response above.

**Question 35 from Councillor Kaye to Councillor Orhan, Cabinet Member for Children & Young People**

At the LEA Appointments Panel (appointing new school governors) in February, the Cabinet Member for Schools and Children's Services arrived nearly half an hour late. Does she consider this a 'slap in the face' to potential new school governors.

**Reply from Councillor Orhan**

Unfortunately the Meeting start time was entered incorrectly in both the Director's and my diaries; this was because an officer who was employed on a temporary basis and who is no longer with the Service had changed the time of the meeting and not informed us. Both the Director and I arrived at the original time in our diaries, coming straight from an earlier meeting, and we apologised profusely to the prospective governors and thanked Councillor Kaye for holding the fort.

**Question 36 from Councillor Kaye to Councillor Orhan, Cabinet Member for Children & Young People**

At the Member Governor Forum on the 6th March, Agenda item 8 was the Primary Expansion Project, yet the council officer scheduled to talk about this failed to turn up. Was this fair on the school governors at the meeting?

**Reply from Councillor Orhan**

Unfortunately the officer in question misunderstood the request as he already had a commitment for the following Wednesday and confused the two. The Director for this apologised at the meeting and confirmed the officer will be at the next meeting.

**Question 37 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment.**

What is the expected income budgeted from Controlled Parking Zone (CPZ) charges in 2013/14 for each zone?

**Reply from Councillor Bond**

Arnos Grove CPZ	£11,700
Bush Hill Park CPZ	£11,600
Enfield College CPZ	£7,800
Enfield Town CPZ	£147,000
Gordon Hill CPZ	£3,600
Grange Park CPZ	£5,500
North Middlesex	£46,600
Oakwood CPZ	£12,500
Palmers Green CPZ	£19,500
Southgate (all day) CPZ	£34,500
Southgate (one hour) CPZ	£3,190
Winchmore Hill CPZ	£38,400

**Question 38 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment.**

What is the cost of maintaining and enforcing the CPZs broken down by zone for 2013/14 ?

**Reply from Councillor Bond**

The anticipated maintenance costs for 2014/15 £55k and enforcement costs for all CPZs are £490k.

The costs are broken down by zones as the contractor patrols various areas in the borough and not individual CPZs.

Zone 1  
Arnos Grove CPZ

Oakwood CPZ	
Palmers Green CPZ	
Southgate (all day) CPZ	
Southgate (one hour) CPZ	£110,000
Zone 2	
North Middlesex	£55,000
Zone 3	
Enfield Town CPZ (1)	
Winchmore Hill CPZ	£105,000
Grange Park CPZ	
Zone 4	
Bush Hill Park CPZ	
Enfield College CPZ	
Zone 5	£51,000
Gordon Hill CPZ	
Enfield Town CPZ (2)	£64,000
Sundays (cost for enforcing the whole borough on Sundays)	£105,000

**Question 39 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment**

How much revenue does the Cabinet Member expect to generate from the CPZ scheme in 2013/14?

**Reply from Councillor Bond**

We expect to receive receipts for each CPZ of the same amount budgeted for in 2013/14 (question 38)

**Question 40 from Councillor Chamberlain to Councillor Bond, Cabinet Member for Environment.**

What is the total amount for fines received from enforcing the CPZs since 2010/11 in total and broken down by each CPZ for each financial year?

**Reply from Councillor Bond**

Due to the coding of our collection systems these figures include penalties for no Pay & Display or invalid Pay & Display tickets within these zones.

Iss. 2011	Arnos Grove CPZ	£30,199.00
	Bush Hill Park CPZ	£14,582.00
	Enfield College CPZ	£ 6,354.00

	Enfield Town CPZ	£97,841.00
	Gordon Hill CPZ	£ 2,205.00
	Grange Park CPZ	£ 6,700.00
	Oakwood CPZ	£17,652.00
	Palmers Green CPZ	£16,640.00
	Southgate (all day) CPZ	£16,518.00
	Southgate (one hour) CPZ	£11,670.00
	Winchmore Hill CPZ	£38,950.00
Iss. 2012	Arnos Grove CPZ	£25,399.00
	Bush Hill Park CPZ	£11,354.00
	Enfield College CPZ	£7,616.00
	Enfield Town CPZ	£ 83,103.00
	Gordon Hill CPZ	£ 3,119.00
	Grange Park CPZ	£6,647.00
	North Middlesex	£24,109.00
	Oakwood CPZ	£16,970.00
	Palmers Green CPZ	£22,093.00
	Southgate (all day) CPZ	£13,857.00
	Southgate (one hour) CPZ	£11,828.00

**Question 41 from Councillor Chamberlain to Councillor Stafford, Cabinet Member for Finance and Property**

What is the typical waiting time for appointments for residents seeking to register deaths in Enfield? Furthermore will the Cabinet member undertake to review the arrangements which seem to be unduly slow and do not offer residents an alternative to a long wait for an office hour appointment at a time of grief?

**Reply from Councillor Stafford**

A death registration appointment is offered within 5 days of the date of death. This is in line with the National Standard set by the General Register Office and in accordance with the Good Practice Guide. However, it is possible at certain times in the year for this figure to fall outside the normal parameters because of heavy demand for this service.

Each customer is offered a forty minute appointment which is arranged via the Customer Services Centre.

Delays are unfortunately frequently encountered in the death registration process as the need arises to liaise with the Coroner directly to ensure all information is accurately recorded.



**Use of the Council's urgency processes involving a waiver of the call in process which have been agreed following the last update presented to Council on 27 February 2013.**

Council is asked to note the decision taken and the reasons for urgency.

**1. Decision: Primary Expansion Programme – Extension of early Project Orders**

**1.1 Reason for Urgency:**

The Cabinet members for Children & Young People and Finance & Property approved a Portfolio decision (26 February 2013) to extend project orders relating to the Primary Expansion Programme to allow a range of on-site enabling works and off site fabrication of modular units.

Whilst notice of these extension orders had been included on the key decision list (KD3632) a waiver of call-in was sought, in order to ensure that the decision could be implemented with immediate effect so that limited manufacture slots available could be booked with the sub contractor providing the modular units for the school builds.

The deadline for booking the manufacture slots was 28 February 13, with time also required by the Council's Framework contractors to place orders for materials and works. If the manufacturer slots had not been booked within the necessary timescale it would not have been possible for the contractors to place their orders, which would have materially impacted on the ability to deliver the school expansion programme and the Council's statutory responsibilities under Section 14 of the Education Act 1996.

The waiver of call-in was approved by the Chair of Overview & Scrutiny Committee on 26 February 2013.

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