



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY, 9TH OCTOBER,
2013 AT 7.00 PM**

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

**Please
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Date: 01 October 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, 9th October, 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 - 16)

To approve, as a correct record, the minutes of the Council meeting held on Wednesday 17 July 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. SCRUTINY ANNUAL WORK PROGRAMME 2013/14 (Pages 17 - 40)

To receive a report from the Overview & Scrutiny Committee setting out the annual programme for the Council's Scrutiny Panels and Overview and Scrutiny Committee. (Report No.58)

Members are asked to note that the report was considered and approved for recommendation onto Council by Cabinet on 18 September 2013.

8. REFERENCES FROM THE MEMBERS & DEMOCRATIC SERVICES GROUP - AMENDMENTS TO CONSTITUTION: EXECUTIVE MEETING REGULATIONS & LOCAL AUTHORITIES (FUNCTIONS & RESPONSIBILITIES) ORDER 2000 (Pages 41 - 68)

To receive a report from the Director of Finance Resources & Customer Services seeking approval of amendments to the Constitution relating to changes introduced as a result of the Local Authorities (Executive Arrangements) (Meetings & Access to Information) Regulations 2012, in the following areas:

- The Access to Information Rules (Chapter 4.6) & Citizens Rights section (Chapter 2.3)
- The introduction of a policy relating to the filming and recording of public Council, Cabinet, Scrutiny, other Committee & Forum meetings

Members are asked to note that the above changes recommended in the report were considered and approved for reference on to Council by the Members & Democratic Services Group (3 September 2013).

In addition Council is being asked to approve an additional amendment to the Constitution relating to the level at which future decisions are taken on the establishment of companies under the Local Authorities (Functions & Responsibilities) Order 2000. (Report No.106)

9. REFERENCE FROM MEMBERS & DEMOCRATIC SERVICES GROUP - AMENDMENT TO CONSTITUTION: REVIEW OF SCRUTINY TERMS OF REFERENCE (Pages 69 - 92)

To receive a report from the Director of Finance Resources & Customer Services seeking approval of amendments to the Scrutiny section within the Constitution resulting from:

- Changes introduced under the Health & Social Care Act 2012 & Local Authority (Public Health, Health & Wellbeing Boards and Health Scrutiny) Regulations 2013.

- A general review of the Scrutiny Terms of Reference. (Report No.69A)

Members are asked to note that the changes recommended in the report were considered and approved for reference on to Council by the Members & Democratic Services Group (3 September 2013).

10. COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES) (Pages 93 - 120)

10.1 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.

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

The list of thirty nine questions and their written responses have been attached to the agenda.

11. MOTIONS

11.1 In the name of Councillor Neville:

"This Council notes the recent decision of the High Court in the case of Attfield v L B of Barnet, which ruled that increases in charges for residents permits by Barnet Council in 2011 were unlawful because Barnet's primary reason for imposing the increase was to raise additional income for highway maintenance and to contribute to the cost of concessionary fares.

This Council further notes that the report of the Director - Environment to Cabinet on 14 June 2010 proposed increases to residents parking permit

charges and on street parking charges which the Cabinet approved. The June 2010 report which the Cabinet accepted, made plain the reason(s) for the proposed increases which were identical to those in the Barnet case, and must therefore be regarded as unlawful, which were repeated by Councillor Stafford, Cabinet Member for Finance, at a public meeting which was properly minuted by Democratic Services.

The Council notes that Barnet have as a result of the High Court ruling, decided to refund not just the claimant, Mr Attfield as they were ordered, but also to refund all residents who had paid the increased charges since their introduction. In the light of this the Council instructs the Director - Environment to make immediate arrangements for similar refunds to all affected Enfield residents."

11.2 In the name of Councillor Taylor:

"The Council reaffirms its general opposition to the consequences of the BEH Strategy and its impact upon Chase Farm Hospital and the residents of Enfield.

The Council also reaffirms its opposition to the decision of the Secretary of State for Health to ignore the views of the residents of Enfield and to continue to support the decision to remove A & E and Maternity services at Chase Farm Hospital, and particularly without the planned and necessary primary care improvements being made which were a precondition agreed by his predecessor.

The Council supports the commencement of legal proceedings to challenge this decision as advised by leading Counsel and agrees that action should be pursued expeditiously in light of criticism during previous proceedings in 2008."

11.3 In the name of Councillor Charalambous:

"This Council notes that Enfield residents will be better off under a One Nation Labour Government rather than with the divisive policies being put forward by the other parties."

11.4 In the name of Councillor Sitkin:

"Enfield Council's 2020 Action Plan seeks a 40% reduction in the borough's CO2 emissions by 2020 vs. a 2005 baseline, reflecting our conviction that it is a public responsibility to help incentivise eco-investment. In Enfield, this approach is contributing to the creation of new career opportunities in the construction and manufacturing sectors; our workforce is being equipped with useful, high value skills; even as we are doing what we can to fight global warming.

This Council invites representatives from the Department of Energy & Climate Change (DECC), Department of Environment, Food & Rural Affairs

(DEFRA) and Department for Business, Innovation & Skills (BIS) to Enfield in the hope that they may benefit from the work we are doing in this area and use it to inform policy.”

12. MEMBERSHIPS

To confirm the following changes to committee memberships:

(a) Older People and Vulnerable Adults Scrutiny Panel

Councillor R.Hayward to fill current vacancy.

(b) Green Belt Forum

Councillor During to be replaced (name to be notified).

13. NOMINATIONS TO OUTSIDE BODIES

To confirm the following changes to nominations to outside bodies:

(a) Newlon Housing Association

Councillor McGowan to replace Councillor Bearryman

14. CALLED IN DECISIONS

None received.

15. DATE OF NEXT MEETING

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

16. 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 items 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.