

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 28
JANUARY 2015**

COUNCILLORS

PRESENT Ali Bakir (Mayor), Patricia Ekechi (Deputy Mayor), Abdul Abdullahi, Daniel Anderson, Dinah Barry, Chris Bond, Yasemin Brett, Alev Cazimoglu, Erin Celebi, Lee Chamberlain, Bambos Charalambous, Jason Charalambous, Katherine Chibah, Lee David-Sanders, Dogan Delman, Nick Dines, Guney Dogan, Sarah Doyle, Christiana During, Peter Fallart, Krystle Fonyonga, Achilleas Georgiou, Alessandro Georgiou, Christine Hamilton, Ahmet Hasan, Elaine Hayward, Robert Hayward, Ertan Hurer, Suna Hurman, Jansev Jemal, Doris Jiagge, Eric Jukes, Nneka Keazor, Adeline Kepez, Joanne Laban, Bernie Lappage, Dino Lemonides, Derek Levy, Mary Maguire, Donald McGowan, Andy Milne, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykenner, Anne-Marie Pearce, Daniel Pearce, Vicki Pite, Michael Rye OBE, George Savva MBE, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Claire Stewart, Jim Steven, Doug Taylor, Ozzie Uzoanya and Glynis Vince

ABSENT Nesimi Erbil, Turgut Esendagli, Michael Lavender, Rohini Simbodyal and Haydar Ulus

112

ELECTION (IF REQUIRED) OF THE CHAIR/DEPUTY CHAIR OF THE MEETING

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

113

MAYOR'S CHAPLAIN TO GIVE A BLESSING

Father Jeffrey from Our Lady of Mount Carmel and Saint Georges Church gave the blessing.

114

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

The Mayor made the following announcements:

(a) Tragic Events in Paris

Council was informed, that following the recent tragic events in Paris, the Mayor had written jointly with Councillor Brett to the Mayor of Courbevoire, as one of Enfield's twinned councils and a suburb of Paris, to express sincere condolences to the families of the victims and the injured.

Mayor Jacques Kossowski had replied thanking all members of the Council for their thoughts and support. Given the close relationship between both councils, the Mayor invited all councillors to join him in observing a minute's silence in memory of the victims, which was undertaken at the meeting.

(b) New Year's Day Parade

The Mayor advised he was delighted to announce that Enfield's entry in the London New Year's Day Parade "Under Your Own Steam" had won the judge's award for best entry. He congratulated all those involved for their excellent achievement and advised he was looking forward to hosting a reception to formally present the medals and trophy to the participants with the event organiser.

(c) Other Engagements

The Mayor advised that it had been a busy period for Mayoral Engagements with particular highlights being the Chickenshed Theatre Peter Pan Christmas Show, the Local Government Dinner at the Mansion House, a student award ceremony at Latymer School and the retirement celebrations for the Bishop of Edmonton at St Paul's Cathedral.

(d) Holocaust Memorial Ceremony

The Mayor advised members he had been particularly honoured to have been invited to attend a moving ceremony at the Dugdale Centre to mark the 70th anniversary of the Holocaust Memorial Day. He also announced that Enfield was one of only 70 organisations across the UK to be awarded a special memorial candle in recognition of the anniversary which was lit at the event.

**115
MINUTES**

AGREED that the following minutes be confirmed and signed as a correct record:

- (1) normal Council meeting held on Wednesday 19 November 2014
- (2) first Extraordinary Council meeting held on Tuesday 23 December 2014
- (3) second Extraordinary Council meeting held on Tuesday 23 December 2014.

**116
APOLOGIES**

Apologies for absence were received from Councillors Turgut Esendagli, Michael Lavender, and Rohini Simbodyal.

Apologies for lateness were received from Councillors Lee Chamberlain, Lee David-Saunders and Nneka Keazor.

117

DECLARATION OF INTERESTS

The Mayor invited John Austin (Assistant Director Governance Projects) to make a short statement relating to the declaration of interests in respect of Agenda Item 9: Council Tax Support Scheme & Council and Business Tax Base 2015/16:

Council noted that under guidance now issued by the Department of Communities & Local Government members would not be required to declare a Disclosable Pecuniary Interest (DPA) in relation to the setting of the Council Tax, as local residents within the borough.

The exception to this guidance would, however, be any Member who was two or more months in arrears on their Council Tax. Under Section 106 of the Local Government Finance Act 1992 any member in this position would still need to declare their position and not vote on any issue that could affect the calculation of the budget or Council Tax.

Having noted the advice provided, there were no declaration of interests.

118

OPPOSITION BUSINESS - MANAGEMENT OF THE COUNCIL'S FINANCES

Councillor Neville introduced the issues paper, prepared by the Conservative Group. Issues highlighted were as follows:

1. Concerns were raised in relation to:
 - a. the increase in Council borrowing under the Labour Administration since 2010 and associated increase in the capital financing requirement in order to repay the debt and debt interest.
 - b. what was felt to be the unsustainable nature of the increase in borrowing identified.
 - c. the impact of the increased borrowing in terms of the additional pressure created on the Council's revenue budget as a result of debt repayments increasing and need, as a result, to generate further savings at a time of continuing austerity.
 - d. what was felt to have been the lack of financial planning and progress made in identifying and achieving the required level of savings under the Labour Administration, which it was felt had now resulted in the need for various small scale savings having to be sought that were having a significant impact on local residents.

COUNCIL - 28.1.2015

Examples given included proposals such as not locking park gates at night and reducing road gritting, whilst at the same time looking to license private sector landlords and prioritising spend on discretionary housing services rather than on other vulnerable sections of the community such as the elderly and disabled.

- e. the failure of the Labour Administration to make the significant and difficult financial decisions required to place the Council on a sound financial footing and reliance on the Leaner Programme, now referred to as Enfield 2017, introduced by the previous Conservative Administration as the main strategy for delivering the ongoing level of savings required, given what was felt to have been the lack of alternative options and progress to date.
2. The need to recognise that the increase in borrowing had been in addition to the earmarked reserves left by the previous Conservative Administration in 2010 and knowledge at the time that the incoming Administration would be faced with challenging financial circumstances.

Given the concerns raised, the Opposition Group were recommending as an outcome of the debate that the Council's Audit Committee be given (as an appropriate cross party committee) responsibility for reviewing the Council's accounting policies and all ongoing expenditure and borrowing proposals in order to ensure a sustainable approach.

Councillor Stafford, Cabinet Member for Finance, responded on behalf of the Majority Group highlighting:

1. The level of financial uncertainty nationally and impact this was having locally, given the fact that the Chancellor of the Exchequer had promised in 2010 to balance the books, but had not yet achieved this with the country still in austerity and the level of Government borrowing still increasing.
2. The action being taken by the Labour Administration to manage the Council's finances. The Council was not bankrupt, its External Auditors were satisfied and had cleared the accounts and public satisfaction ratings were good.
3. Whilst the Council had borrowed money to finance significant capital projects, these had been designed to benefit the borough. He also reminded members of the accusations made by the Opposition at the last Council meeting that the Administration had been too slow in delivering these capital projects, which they were now being criticised for borrowing funds to deliver. Examples of schemes already delivered included Green Towers, Ordnance Road Unity Centre, additional Primary School places, Palmers Green Library, Eco Park and Deephams Project.
4. The need to recognise:

COUNCIL - 28.1.2015

- the impact of the global economic crisis on the UK economy and instigation of policies such as quantitative easing to stimulate domestic growth; and
- that whilst the current Chancellor of the Exchequer had not been able to balance the budget nationally Enfield's Labour Administration had been able to carefully manage and balance the Council's budget, operating within prudential borrowing limits and this had been subject to verification by the External Auditors.

Other issues highlighted during the debate were as follows:

(a) The concerns raised by the Opposition Group in relation to:

- Management by the current Labour Administration of the reserves and balances inherited from the previous Conservative Administration, back in 2010. Despite being left with what was regarded as a sound financial position the budget gap under the Labour Administration had increased and was currently projected to be in excess of £84m.
- The failure of the Labour Administration to properly plan for and deliver the savings required to address the challenging financial position and increasing budget gap faced by the Council, since they had gained power in 2010, especially when set against increases in spending in areas such as the Residents Priority Fund.
- The approach adopted by the Labour Administration towards addressing the further reductions in local government spending, which as well as increasing borrowing now appeared to involve the identification of short term and relatively small scale savings but with high impact on local residents and minimal or no consultation e.g. unlocking of park gates at night, reduction in gritting programme etc. In addition concerns were expressed in relation to disposal of Council property assets and the potential outcome of consultation currently being undertaken around the Library Strategy and potential changes to the programme of domestic refuse collection given previous manifesto commitments
- The need for changes to the Council's accounting policies to be subject to detailed review and scrutiny.
- The significant increase in the level of borrowing to fund schemes such as the Lee Valley Heat Network and Housing Gateway which it was felt did not necessarily offer the Council Taxpayer value for money and ignored the fact that this would, irrespective of prudential borrowing limits, incur revenue costs that would increase the pressure on already limited budgets.

COUNCIL - 28.1.2015

- Management of the Council's overall borrowing requirement in relation to the limits set for prudential borrowing levels and impact any potential increase in interest rates may have.
 - The failure of the Labour Administration to utilise additional funding streams available for initiatives such as Free Schools and at the impact the Labour Administration's "salami slicing" approach towards budget management was having on areas such as the environment and street scene across the borough.
- (b) The need identified by the Opposition Group to recognise the impact of the previous Labour Governments policy in relation to the economic crash and progress made by the current Conservative led coalition Government in managing the delivery of sustainable economic growth.
- (c) Notwithstanding the concerns raised by the Opposition Group, cross party support was expressed at the need for continued lobbying in relation to the calculation of the Governments local government funding grant formula and impact of the "damping" mechanism, which it was recognised failed to take into account issues such as population growth and the level of demand being created by an increase in the elderly population in areas such as Enfield.
- (d) The need identified by the members of the Majority Group:
- To recognise what was felt to be the poor track record of the IMF (quoted in the Opposition Business Paper) in managing the response to the global economic crisis and fact that there were no longer any easy budget savings to be achieved, given the ongoing level of austerity measures.
 - To recognise that whilst the Opposition were claiming the previous Conservative Administration had left the Authority on a sound financial footing in 2010, there had still been a requirement for the Labour Administration taking over to identify and deliver a programme of savings in order to balance the budget moving forward.
 - To highlight, whilst not complacent, local residents support for the Labour Administration's approach towards management of the Council's budget, given the outcome of the 2014 local election.
 - To recognise the lack of evidence in the opposition business paper that the Council's finances were being badly managed and fact that the Council's Independent External Auditors had praised the Council's financial management.
 - To focus on the fact (not identified within the Opposition Business Paper) that since 2010, under a Conservative led coalition Government, the Council had been required to make savings

COUNCIL - 28.1.2015

totalling £70m with further significant budget reductions also identified as needing to be made over the next four year period. This was against a background of national debt continuing to increase, as the Government continued to struggle in managing its finances nationally and as a result seeking to transfer the burden onto Local Authorities and other public sector bodies.

- To recognise that despite criticism from the Opposition Group, the Enfield 2017 programme was progressing and delivering efficiencies. In addition the Council had also been successful in engaging a far higher number of local residents and stakeholders in the budget consultation process than the previous Conservative Administration.
- To support the fact that borrowing was being undertaken in order to fund significant capital projects such as providing school places, regenerating estates, building new homes and creating jobs that would, it was felt, have a lasting impact on the borough.
- To highlight the need for the Opposition Group, in view of the concerns raised, to provide an alternative budget with practical clear suggestions as to how they would identify and deliver the level of savings needing to be made in a way that would benefit local residents.

Councillor Neville summed up, on behalf of the Opposition Group, by re-stating the concerns raised in relation to the increase in level of borrowing by the Labour Administration given the ongoing impact in terms of not only repaying but also servicing the debt and additional pressure being placed on the revenue budget as a result. He felt the overall consequence of this would either be that either Council Tax would have to rise, which was not a realistic option, or further reductions in expenditure would need to be identified.

Whilst the criticism in relation to lack of progress on certain housing and regeneration capital projects remained, the Opposition Group were not opposed to investment in schemes that could be seen to deliver long term benefits to the borough such as infrastructure improvements, job or wealth creation. The concern expressed was related to investment on projects which it was felt would not provide value for money. As a result the Opposition Group felt that the Council should only be borrowing what was necessary, could be seen as a good investment in terms of the outcomes identified and was affordable.

Given the concerns raised, it was felt the proposal to task the Audit Committee with a review and appraisal of the Council's borrowing and accounting policies would be sensible and beneficial.

In response, Councillor Stafford highlighted the fact that the monitoring procedures recommended within the Opposition Business Paper were already in place. As Cabinet Member for Finance he met regularly with the Director of

Finance, Resources and Customer Services and Council's external Financial Advisors to review the Council's Treasury Management policy and borrowing requirement. In addition Cabinet received regular revenue and capital budget monitoring update reports with Audit Committee already having the ability to monitor the Council's accounting and Treasury Management policies without the need for any additional powers. For these reasons he advised that the Majority Group were not minded to support the recommendation in the Opposition Business Paper.

As an outcome of the debate the Leader of the Opposition requested that a vote be taken on the following recommendation within the Opposition Business Paper:

- (1) In view of the serious problems it faces the Council agrees to instruct the Audit Committee, being a cross party committee, to specifically review the accounting policies of the Council, monitor its borrowing levels, regularly review the Council's financial position and review the whole budget consultation process to ensure it is meaningful and democratic going forward.

The above recommendation was put to the vote and not approved, with the following result:

For: 20
Against: 35
Abstentions: 0

119

EXTRAORDINARY COUNCIL MEETING - TUESDAY 23 DECEMBER 2014: ADJOURNED ITEM OF BUSINESS

Before moving on to consider this item, the Mayor reminded members that it had been agreed at the second Extraordinary Council Meeting held on Tuesday 23 December 2014, to adjourn the debate on the motion set out below.

In agreeing to adjourn the debate (under Council Procedure Rule 12.12 (a) (iii)) it had been specified that the motion should be placed at the start of the agenda for the next (January 2015) Council meeting, for consideration following Opposition Priority Business.

Whilst the motion had been moved and seconded at the Extraordinary Council meeting, the Mayor felt it would be appropriate, for the sake of completeness, if the process for considering the motion was started from the beginning and therefore invited Councillor Fonyonga to once again move the motion, summarising the points made when originally moving the item.

Councillor Fonyonga therefore moved and Councillor Taylor seconded the following motion:

COUNCIL - 28.1.2015

“Council notes that:

- 1) Working people are now £1,600 plus a year worse off than in 2010
- 2) Business investment trails our international competitors
- 3) The 1% tax cut for top earners takes £3 billion away from vital public services
- 4) The need for food banks in Enfield is growing

Council further notes the unfunded tax pledges of the Conservative Government in the Autumn Statement, and the Deputy Prime Minister’s accusation that the Government was ‘Kidding the public’.

The Council agrees that any political group represented on the Council is irresponsible if it does not appreciate the calamity of Government economic and fiscal policy and its impact on ordinary people in Enfield.

Council condemns any politicians, local or National, who seek to ignore the impact of Government cuts on the difficult decisions Councils have to take.

Council agrees:

- a) to take a responsible approach to budget setting in 2015-18 and expects any suggestions for growth, or protected spending, to be aligned with proposals for reductions elsewhere in the budget, to meet the £75 million plus pressures on the Councils’ budget.
- b) to write to the 3 local MPs asking them to confirm their opposition to the Conservative Government’s plan for excessive future cuts to public services as identified by the IFS, and to call for adequate funding for the London Borough of Enfield to preserve vital public services.”

During the debate on this item, Councillor Rye moved and Councillor Neville seconded the following amendment to the original motion:

1. To delete all word from “Council notes that...” up to and including “Councils have to take....” and replace with:

“In the face of further reductions in Government Grant for 2015-18, the Council agrees:”

2. Delete all of sub para (b) and replace with the following wording:

“To lobby the government (involving both political parties) to revise the formula for determining the revenue support grant to tackle residuary issues arising from “damping” and other factors within the formula, which deny Enfield a fair proportion of Local Government grant having regard to its growing population and consequent demands on services.”

COUNCIL - 28.1.2015

In response to a query from the Leader of the Council, John Austin (Assistant Director Governance Projects) ruled that the amendment was valid, in terms of the Constitution, as it was seeking to amend rather than negate the original motion.

Following this advice, Councillor Stewart then immediately moved and Councillor Achilleas Georgiou seconded procedural motion 12.12 (a) (ii) in relation to the amendment “that the question be now put”. John Austin advised members that before this procedural motion was put the meeting the Mayor would need to be satisfied that the amendment had been sufficiently discussed. As members had indicated they wished to speak on the amendment the Mayor allowed a short debate, during which the Leader of the Council indicated that whilst supportive of the need for continued cross party lobbying in relation to the revenue support grant formula and to address the issues around “damping” the Majority Group could not support the remainder of the amendment.

Following this debate, procedural motion 12.12 (a) (ii) “that the question be now put” was agreed, without a vote. The amendment to the motion was then put to the vote and lost, with the following result:

For: 21
Against: 31
Abstentions

The debate then continued on the (unamended) substantive motion and following a further period of debate the motion was put to the vote and agreed, with the following result:

For: 34
Against: 20
Abstentions: 0

In agreeing the motion, the Leader of the Council advised that the Majority Group would, as a result of the discussion on the amendment, seek to ensure that lobbying of the Government continued (on a cross party basis) around the need to revise the formula for determining the revenue support grant in order to address the impact of damping and other factors within the current formula on Enfield.

120 ORDER OF BUSINESS

Councillor Stewart moved and Councillor Taylor seconded a proposal to change the order of business on the agenda under paragraph 2.2 (page 4-6) of the Council Procedure Rules to enable the meeting to take the following as the next item of business:

Item 14.4: Motion in the name of Councillor Barry seeking support on the campaign for tax justice.

The change in the order of the agenda was agreed, without a vote.

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

121
MOTION

Councillor Barry moved and Councillor Bambos Charalambous seconded the following motion:

“While many ordinary people in Enfield face falling household incomes and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local Governments such as ours in the UK and others in developing countries would all benefit from a fairer tax system where multinational companies pay their fair share, enabling authorities around the world to provide quality public services. The UK Government must listen to the strength of public feeling and use its powers effectively to end the injustice of tax dodging by large multinational companies in developing countries and the UK

The council therefore resolves to support the campaign for tax justice, for the benefit of those living in Enfield and beyond.”

During the subsequent debate, Councillor Hurer moved and Councillor Rye seconded the following amendment to the motion:

To delete all remaining wording after “avoiding billions of pounds of tax” and replace with the following:

“Multi-National companies based in the UK employ hundreds and thousands of British nationals both directly and indirectly, through the payment of Employers’ National Insurance, VAT, Business Rates, Stamp Duty, Corporation Tax and a whole raft of other taxes contribute billions of pounds in taxes to the public purse and their presence in the UK is welcome.

A small number of these companies however use legitimate tax avoidance schemes to minimise the Corporation Tax they pay on profits they generate in the UK to move these profits into low tax territories.

Between 1997 and 2010 the Blair and Brown Labour Governments failed to deal with this practice.

This Council therefore welcomes George Osborne’s “diverted profits tax” which will put an end to this practice and encourages other nations to copy the coalition governments example.”

Given the changes proposed, a ruling was sought by the Majority Group on the validity of the amendment. Having considered the matter the Mayor

advised that he was minded to rule out the amendment on the basis that he did not feel it related directly to the Council's powers or duties or was worded in such a way as to be regarded as an issue directly affecting the Borough.

The amendment was therefore ruled out for consideration and debate on the substantive motion continued. Following a short debate the motion was put to the vote and agreed, with the following result:

For: 32
Against: 21
Abstentions: 0

122

COUNCIL TAX SUPPORT SCHEME & COUNCIL AND BUSINESS RATE TAXBASE 2015/16

Councillor Stafford moved and Councillor Taylor seconded the report of the Director of Finance, Resources & Customer Services (No.154) reviewing and seeking approval to the local Council Tax Support Scheme for 2015/16, which the Council was required to produce under Section 13A (1) (a) and Schedule 1A of the Local Government Finance Act 1992. In addition approval was being sought to the Council Tax and Business Rate Taxbases for 2015/16.

NOTED

1. As part of the Government's welfare reform programme, the Council had adopted (in January 2013) a local Council Tax Support Scheme and was now required, on an annual basis, to consider whether it wished to revise or replace its scheme.
2. Having reviewed operation of the scheme and undertaken a programme of consultation (as detailed in sections 4 and 5 and Appendix C of the report) along with an Equalities Impact Assessment (as detailed in Appendix B of the report) no change had been recommended to the Council Tax Support Scheme for 2015/16, other than to include statutory regulation amendments and national uprating of social security benefit rates.
3. The full Council Tax Support Scheme had been included as Appendix A to the report.
4. In relation to the Business Rate Taxbase for 2015/16
 - a. the business rates announcements within the Chancellors Autumn Statement affecting future business rates, as set out in section 5 of Appendix E (Business Rate Taxbase Return 2015/16).
 - b. as a result of the benefits the announcements referred to in a. above were expected to provide for small and high street businesses it had

COUNCIL - 28.1.2015

been recommended that the Discretionary Rate Relief Policy should be amended to reflect the proposed changes.

5. In response to a request for clarification from the Leader of the Opposition, the Cabinet Member for Finance confirmed that the consultation followed in relation to the Council Tax Support Scheme was felt to have complied with the Supreme Court judgement delivered in October 2014 around the required consultation process for Council Tax Support Schemes.

The recommendations in the report were then put to the vote and agreed as follows

AGREED

- (1) The Local Council Tax Support Scheme for 2015/16 (as detailed in Appendix A to the report).
- (2) Pursuant to the report and in accordance with the Local Authorities (Calculation of the Tax Base) (England) Regulations 2012, the amount calculated by the London Borough of Enfield as its Council Tax Base for 2015/16 shall be 91,714 Band D equivalents (as detailed in Appendix D of the report).
- (3) The Department for Communities and Local Government NNDR1 business rate base return for 2015/16 (as detailed in Appendix E of the report).
- (4) The amendment to the discretionary rate relief scheme as set out in 2.2 of Appendix E to the report.
- (5) The extension of the business rate transitional scheme as detailed in 2.3 of Appendix E to the report.

In accordance with requirements introduced in February 2014, under the Standing Order Regulations 2014, a recorded vote was taken in relation to decisions **(1)** – **(5)** above, given their relevance to the budget setting process, with the result as follows:

For: 56

Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Yasemin Brett
Councillor Alev Cazimoglu
Councillor Erin Celebi
Councillor Lee Chamberlain
Councillor Bambos Charalambous

COUNCIL - 28.1.2015

Councillor Jason Charalambous
Councillor Katherine Chibah
Councillor Lee David-Saunders
Councillor Don Delman
Councillor Nick Dines
Councillor Guney Dogan
Councillor Sarah Doyle
Councillor Christiana During
Councillor Pat Ekechi
Councillor Peter Fallart
Councillor Krystle Fonyonga
Councillor Achilleas Georgiou
Councillor Alessandro Georgiou
Councillor Christine Hamilton
Councillor Ahmet Hasan
Councillor Elaine Hayward
Councillor Robert Hayward
Councillor Ertan Hurer
Councillor Suna Hurman
Councillor Jansev Jemal
Councillor Eric Jukes
Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Joanne Laban
Councillor Bernie Lappage
Councillor Dino Lemonides
Councillor Derek Levy
Councillor Mary Maguire
Councillor Don McGowan
Councillor Andy Milne
Councillor Terence Neville OBE JP
Councillor Ayfer Orhan
Councillor Ahmet Oykenner
Councillor Ann Marie Pearce
Councillor Daniel Pearce
Councillor Vicki Pite
Councillor Michael Rye OBE
Councillor George Savva
Councillor Toby Simon
Councillor Alan Sitkin
Councillor Edward Smith
Councillor Andrew Stafford
Councillor Claire Stewart
Councillor Jim Steven
Councillor Doug Taylor
Councillor Ozzie Uzoanya
Councillor Glynis Vince

Against: 0

Abstention: 0

123

LICENSING POLICY STATEMENT UNDER THE LICENSING ACT 2003

Councillor Bond moved and Councillor Laban seconded a report from the Director of Regeneration and Environment (No. 155) seeking approval to the revised Licensing Policy Statement, which the Council had a statutory duty, under the Licensing Act 2003 to determine and publish every 5 years.

NOTED

1. The Policy Statement had been considered and approved for recommendation to Council by the Licensing Committee on 19 November 2014
2. The revised Policy Statement included retention of the cumulative impact policy and four cumulative impact policy areas. The main changes had been as follows:
 - a. removal of Section 15 (Olympic & Paralympics) as the section was now historical and was no longer required; and
 - b. the extension of the terminal hours for pubs/bars, off licences and music and/or dancing within the cumulative impact policy areas from 11pm to midnight.

The recommendation in the report was then put to the vote and agreed, without a vote.

AGREED to approve the new edition of the licensing policy statement attached as Appendix A to the report.

124

ORDER OF BUSINESS

With the agreement of the meeting, the Mayor advised that he was changing the order of the agenda, under paragraph 2.2 (page 4-6) of the Council Procedure Rules, on order to take the following as the next item of business:

Item 13.1: Urgent Questions – Councillors Question Time

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

125

COUNCILLORS' QUESTION TIME - URGENT QUESTION

The Mayor advised that in accordance with the criteria set out in the Constitution, he had accepted the following as an urgent question:

From Councillor Neville to Councillor Taylor, Leader of the Council

“As is now public knowledge, Councillor Nesimi Erbil was convicted last year of two fraud related offences. Can the Leader tell the Council:

- (1) When did he first learn of the then pending prosecution of Councillor Erbil for two fraud related offences?
 - (a) On learning of such pending proceedings (if he did) what action did he take as to the allocation to Councillor Erbil of committee places, having regard to the serious nature of the pending proceedings and in particular his membership of the Licensing Committee?
 - (b) When did he first learn of the conviction of Councillor Erbil for the two fraud related offences, which I understand took place last September at Southwark Crown Court?
 - (c) On learning of those convictions, what action did he take to remove Councillor Erbil from, in particular, the Licensing Committee where in the ordinary nature of the work of that committee, Councillor Erbil, a convicted fraudster (for offences connected with his own licenced taxi,) would be sitting in judgement on the licensing of others?
 - (d) When did he report Cllr Erbil to the Councillor Conduct Committee, if at all?

What other action did he take, if any?

- (2) Does he agree with me that in the light of the conviction of Councillor Erbil for two offences of effectively dishonesty, that Councillor Erbil is in those circumstances not fit for public office and that there is no place for him on this Council and that he should therefore resign his seat?”

Councillor Taylor provided the following written response, tabled at the meeting:

“I have dealt with this set of issues in exactly the same way I would deal with all such issues and allegations of misconduct. This is in line with advice and the rules from my National party.

On receipt of any allegations I discuss with the Chief Whip of my group the allegations and the member is interviewed by the Chief Whip. If the matter is of a nature which is beyond the remit of the local group it is referred by the Chief Whip to the National party. They take a view as to the best course of action. Such a referral took place promptly after the member informed me of the matter on January 21st.

On 22nd January, the National Party decided to issue an administrative suspension and the Councillor has been removed from all of the committees

he sits upon. As you will be aware this requires the Council to approve the changes which it will do this evening. The National Party statement re the suspension has been widely covered in the press and there is no benefit in me simply repeating it.

It is now for the National Party to take the action it sees fit and it is not a matter of local group determination.

With regards to any reference to the Councillor Conduct Committee I understand that the Monitoring Officer is seeking clarification of the issues raised in the press coverage before considering what course of action should be followed.

Of course, like Councillor Neville, I treat the reputation of the Council most seriously but I recall that in the case of Councillor Joannides, it took some time for the Conservative Party to carry out a full review after he was suspended, presumably because it was following due process. While I recognise there was no conviction in that case I simply make the point that rules of natural justice and a proper investigation should always take place. I would anticipate that being concluded in the near future.

From my recollection when Councillor Joannides was suspended from the Conservative group it was anticipated that the investigation would last about five weeks which I am sure was to ensure a fair and proper process was followed. I believe that it took a significantly longer time for it to reach a conclusion within the Conservative Party.

I trust that this makes clear that as far as the local Labour group is concerned this is a matter for the National Party.”

126

COUNCIL PROCEDURE RULE 8 - DURATION OF THE COUNCIL MEETING

The Mayor advised, at this stage of the meeting, that the time available to complete the agenda had now elapsed so Council Procedure Rule 8 would apply.

NOTED that in accordance with Council Procedure Rule 8 (page 4-8 – Part 4), the remaining items of business on the Council agenda were considered without debate.

127

DELEGATED AUTHORITY WITHIN THE REGENERATION AND ENVIRONMENT DEPARTMENT

RECEIVED a report of the Director of Regeneration and Environment (No: 156) setting out the delegated authority arrangements within the Regeneration and Environment Department and updating arrangements in respect of delegated powers within the divisions for Community Safety, Planning,

Highways and Transportation, Public Realm, Economic Development and Regeneration as a consequence of changes in structures, posts and legislation.

AGREED the delegated authorities as set out in Appendices A – H of the report.

128

SCHOOLS FORUM - AMENDMENT TO THE TERMS OF REFERENCE

RECEIVED a report from the Director of Schools and Children's Services (No: 157) seeking approval to changes in the Terms of Reference for the Schools Forum. The amendments followed enactment of the School and Early Year's Finance (England) Regulations 2014 and inclusion of the School Business Manager as an observer.

NOTED that the amendments to the Terms of Reference had been considered and approved by the Schools Forum for recommendation on to Council.

AGREED following enactment of the School and Early Years Finance (England) Regulations 2014, to approve the amended Terms of Reference for the Schools Forum as set out in the report.

129

COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)

1.1 Questions by Councillors

NOTED the seventy seven questions on the Council's agenda and written responses provided by the relevant Cabinet Member, Associate Cabinet Member and workstream lead on Overview and Scrutiny Committee.

130

MOTIONS

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

1.1 In the name of Councillor Laban:

In light of recent events in relation to consultation, the Council calls upon the Leader of the Council to implement a review across all departments in order to provide residents with greater confidence in the way Enfield Council conducts consultation.

1.2 In the name of Councillor Laban:

The Council calls upon the Cabinet Member for Environment and Community Safety to improve the relationship with the Friends of the Parks Groups by agreeing to consult them on council projects and decisions that relate to parks

in our borough in recognition of their status as a key partner in the delivery of our parks service.

1.3 In the name of Councillor Maguire:

This Council calls on Conservative Members and Enfield Conservative MPs Nick De Bois and David Burrowes to exert maximum pressure on the Conservative led Government to reverse its tax cut for millionaires.

This Council believes that the decision to cut the top rate of tax from 50p to 45p was misguided and irresponsible.

This Council agrees that the money raised from reinstating the 50p top rate of tax should be used to invest in Council and Health Services that would benefit all the people, including the many thousands in Enfield who rely on them.

131

MEMBERSHIPS

AGREED the following changes to committee memberships:

- (1) Licensing Committee – Councillor Erbil to be replaced by a vacancy (replacement name to be notified).
- (2) Staff Appeals Panel – Councillor Erbil to be replaced by a vacancy (replacement name to be notified).
- (3) Standing Council for Religious Education (SACRE) - Councillor Erbil to be replaced by a vacancy (replacement name to be notified).
- (4) Tourism and Twinning Working Party - Councillor Erbil to be replaced by a vacancy (replacement name to be notified). **Post meeting note: Councillor Lappage nominated to fill vacancy**

132

NOMINATIONS TO OUTSIDE BODIES

No changes were notified.

133

CALLED IN DECISIONS

None received.

134

DATE OF NEXT MEETING

NOTED the next meeting of the Council would be held at 7.00pm on Wednesday 25 February 2015 at the Civic Centre.