



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY, 23RD MARCH,
2016 AT 7.00 PM**

MEETINGS THAT HAVE TAKEN PLACE SINCE THE LAST COUNCIL

Set out below is a list of meetings that have taken place since the last Council meeting. The contact names for the relevant officer are also included.

Name of Meeting	Date	Officer	Contact Telephone
Palmers Green Ward Forum	25/02/16	Clare Bryant	020 8379 5003
Turkey Street Ward Forum	29/02/16	Clare Bryant	020 8379 5003
Licensing Sub-Committee	01/03/16	Jane Creer	020 8379 4093
Conservation Advisory Group	01/03/16	Andy Higham	020 8379 3848
Child Sexual Exploitation & Associated Risk to Children and Young People Task Group	01/03/16	Koulla Panaretou	020 8379 4835
Health & Wellbeing Board	02/03/16	Penelope Williams	020 8379 4098
Local Plan Cabinet Sub-Committee	03/03/16	Koulla Panaretou	020 8379 4835
Audit Committee	03/03/16	Metin Halil	020 8379 4091
Southgate Green Ward Forum	08/03/16	Clare Bryant	020 8379 5003
Overview & Scrutiny Committee Meeting	08/03/16	Jane Juby	020 8379 1223
Health Scrutiny Standing Work Stream	09/03/16	Susan Payne	020 8379 6151
Overview & Scrutiny Committee Meeting	09/03/16	Jane Juby	020 8379 1223
Deaf Community Forum	10/03/16	Stacey Gilmour	020 8379 4187
North Central London Sector Joint Health & Scrutiny Committee	11/03/16	Andy Ellis	020 8379 4884
Cabinet	14/03/16	Jacqui Hurst	020 8379 4096
Licensing Sub-Committee	15/03/16	Jane Creer	020 8379 4093
Enfield Highway Ward Forum	16/03/16	Clare Bryant	020 8379 5003
Housing Board	17/03/16	Elaine Huckell	020 8379 3530
Chase Ward Forum	17/03/16	Clare Bryant	020 8379 5003
Councillor Conduct Committee	21/03/16	Penelope Williams	020 8379 4098
Crime Scrutiny Work Stream	22/03/16	Susan Payne	020 8379 6151
Planning Committee	22/03/16	Metin Halil	020 8379 4091

Members can obtain the minutes of the meetings through either the Council's web site (www.enfield.gov.uk) or the **Governance Team**.

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

Please Reply to: James Kinsella
Phone: (020) 8379 4041
Fax: (020) 8379 3177
Textphone: (020) 8379 4419
E-mail: James.Kinsella@enfield.gov.uk
My Ref: DST/JK

Date: 15 March 2016

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, 23rd March, 2016 at 7.00 pm for the purpose of transacting the business set out below.

Yours sincerely

Armat Hussain

Assistant Director Legal & Corporate Governance

1. **ELECTION OF CHAIR/DEPUTY CHAIR OF THE MEETING IF REQUIRED**
2. **MAYOR'S CHAPLAIN TO GIVE A BLESSING**
3. **MAYOR'S ANNOUNCEMENTS IN CONNECTION WITH ORDINARY COUNCIL BUSINESS**
4. **MINUTES OF THE MEETING HELD ON 24 FEBRUARY 2016** (Pages 1 - 22)

To approve the minutes of the meeting held on 24 February 2016 as a correct record.

5. **APOLOGIES**
6. **DECLARATION OF INTERESTS**

Members are asked to identify any disclosable pecuniary interests, other pecuniary or non-pecuniary interests relevant to items on the agenda.

7. OPPOSITION PRIORITY BUSINESS - THE FUTURE OF EDUCATIONAL ATTAINMENT AND CHILDREN'S SERVICES IN ENFIELD (Pages 23 - 32)

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

The Council rules relating to Opposition Business are also attached for information.

8. ADOPTION OF ENFIELD COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE (Pages 33 - 80)

To receive a report from the Director of Regeneration and Environment seeking Council's formal approval of the adoption of the Council's Community Infrastructure Levy (CIL) Charging Schedule operational as of 1 April 2016.

(Report No.198A)

(Key decision – reference number 4247)

Members are asked to note that the recommendations in the report are due to be considered for endorsement and recommendation on to Council, at the Cabinet meeting to be held on 15 March 2016.

The decision made by Cabinet on 15 March 2016 will be reported to Council on the update sheet tabled at the meeting.

9. SMALL HOUSING SITES PHASE 2 DELIVERY (Pages 81 - 92)

To receive a report from the Director of Regeneration and Environment setting out a number of recommendations to progress the small housing sites phase 2 delivery.

(Report No.199A)

(Key decision – reference number 4161)

The report will need to be read in conjunction with Report No: 201A on the Part 2 Council agenda.

Members are asked to note that the attached report is due to be considered by Cabinet on 15 March 2016. Subject to Cabinet approval of the recommendations, Council is being asked to approve the inclusion of the capital budgets for the scheme, in the HRA Capital Programme, as detailed in the Part 2 report.

The decision made by Cabinet on 15 March 2016 will be reported to Council on the update sheet tabled at the meeting.

10. AUDIT COMMITTEE CHANGE OF NAME AND TERMS OF REFERENCE (Pages 93 - 98)

To receive a report from the Assistant Director of Legal and Governance asking for approval to change the name of the Audit Committee to Audit and

Risk Management Committee and detailing amendments to the committee's terms of reference. (Report No: 208A)

To note that these changes were agreed by the Audit Committee on 3 March 2016 and have been cleared through the Member and Democratic Services Group.

11. HOUSING BOARD - CHANGES TO TERMS OF REFERENCE (Pages 99 - 108)

To receive a report from the Director of Regeneration and Environment seeking approval to the following changes to the Housing Board Terms of Reference as set out in Appendix A to the report.

(Report No: 207)

Members are asked to note that these changes have been cleared by the Member and Democratic Services Group.

12. MEMBERS ALLOWANCE SCHEME 2016/17

The Members' Allowances Scheme forms Part 6 of the Constitution. Paragraph 6.3 (c) states that "Annual Increases in allowances will be linked to average earnings, for the period ending the previous March of each year. New rates will be effective from the new Municipal year."

When considering the Scheme for the 2015/2016 financial year, Council resolved: "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 the 2015/16 financial year."

There is a need to consider the level of allowances payable under the scheme for 2016/17 with Council asked to consider the following recommendation.

RECOMMENDATION

Council is invited to confirm that the automatic increase in allowances by the average earnings as at March is again not implemented and to re-approve the current Members' Allowances Scheme for the 2016/2017 financial year, as set out in Part 6 of the Constitution, on that basis.

13. APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICER

Members may be aware that the Head of Democratic and Registration Services (Peter Stanyon) has been Deputy Electoral Registration Officer since 2009. The Chief Executive is appointed as Electoral Registration Officer.

As a result of the departure of the Head of Democratic and Registration Services from the Council's service with effect from 4 April 2016, there is a

need to appoint a new Deputy Electoral Registration Officer in accordance with the provisions of section 52(2) of the Representation of the People Act 1983.

As this role requires a full time resource it is recommended that the Interim Head of Elections and Governance (James Kinsella) be appointed as Deputy Electoral Registration Officer.

RECOMMENDATION

That Council formally approve the change in Deputy Electoral Registration Officer arrangements with the Interim Head of Elections and Governance (James Kinsella) being appointed with effect from 4 April 2016.

14. COUNCILLORS QUESTION TIME (TIME ALLOWED 30 MINUTES) (Pages 109 - 140)

15.1 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.

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

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

15. MOTIONS

15.1 In the name of Councillor Barry:

“If the Transatlantic Trade and Investment Partnership (TTIP) is agreed, the people of Enfield will lose many of the regulations that protect their environment, their food and their rights as workers.

A report commissioned by the Government concluded that TTIP offers “few or no benefits to the UK while having meaningful economic and political costs.”

This Council resolves:

- To call on the Government to put the national interests of our people above those of big businesses and to reject this agreement.
- To write to the Secretary of State for Communities and Local Government, local MPs, MLAs, and all London MEPs raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.
- To write to the Local Government Association to raise our serious concerns about the impact of TTIP on local authorities and ask them to raise these with Government on our behalf.
- To call for an impact assessment on the impact of TTIP on local authorities.
- To publicise the Council’s concerns about TTIP; join with other local authorities which are opposed to TTIP across Europe and work with local campaigners to raise awareness about the problems of TTIP.
- To contact the local authorities of municipalities twinned with Enfield asking them to consider passing a similar motion on TTIP.”

15.2 In the name of Councillor Nesil Cazimoglu:

“The country, particularly London, is facing a housing crisis and residents in Enfield are feeling the effects. This Council believes that the government’s Housing and Planning Bill will only make the situation worse; and that the only real solution is to build more homes.

House building is at its lowest since the 1920’s; private rents have increased by 37% in the past five years and the government continue to use billions of pounds of public money to subsidise private landlords through housing benefit.

The Housing and Planning Bill would:

- Forces ‘high-value’ council homes to be sold on the open market;
- Extend the right-to-buy to housing association tenants and
- Undermine section 106 requirements on private developers to provide affordable homes

There is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area.

This Council resolves that the Bill undermines localism by granting the Secretary of State the power to override local plans, to mandate rents for social tenants and to impose a levy on stock-holding councils, violating the terms of the Housing Revenue Account self-financing deal.

This Council calls on the government to grant local authorities the powers and financial ability to increase the supply of housing for our residents. Councils must be given the financial flexibilities they need to be able to scale up housing development, both in partnership and directly.”

15.3 In the name of Councillor Alessandro Georgiou:

“This Council recognises that the Union Flag of the United Kingdom of Great Britain and Northern Ireland is a symbol of Freedom and represents all that is great about the United Kingdom.

The Council will therefore have the Union Flag of the United Kingdom of Great Britain and Northern Ireland present in all full Council meetings. The flag will have a prominent place either hanging behind the Mayor of Enfield’s chair or on a flagpole to the right of the Mayor.”

15.4 In the name of Councillor Alessandro Georgiou:

“In view of the fact that the Council has not acquired the site at Chase Farm Hospital for which outline planning permission was given for a three form entry primary school, and the locally based Lime Trust is keen to develop a free school on the site, the Council instructs the Cabinet Member for Education and Children’s Services to write Department for Education to support the upcoming bid of the Lime Trust to open a primary free school with three forms of entry on the site”.

15.5 In the name of Councillor Alessandro Georgiou:

“Homelessness is an issue that all councillors should fight to eradicate. Helping those less fortunate is a pillar of civic service that is of the utmost importance. The Council therefore agrees to publish on its website and through other means the details of all homeless shelters in the borough and charities that can assist those that are homeless, in particular those that offer services during the winter months. This information will include contact details of homeless shelters and charities that are within the borough and other local authorities”

16. USE OF COUNCIL'S URGENCY PROVISION (Pages 141 - 142)

Council is asked to note the details provided of a decision taken under the Council’s urgency procedure relating to the waiver of call in and where necessary the requirement for notice on the Key Decision List along with the reasons for urgency. The decision has 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.

17. COMMITTEE MEMBERSHIPS

To confirm any changes notified to committee memberships.

Please note any changes notified once the final agenda has been published, will be tabled on the Council update sheet at the meeting.

18. NOMINATIONS FOR OUTSIDE BODIES

To confirm the following changes notified to the nominations on outside bodies:

1. Lee Valley Heat Network Ltd

The LVHN HoldCo Articles of Association provide for the appointment of up to three independent directors (Article 20). They may be appointed by ordinary resolution or by decision of the Board (Article 21).

By Article 21.3, the Council has the right to appoint the first two independent directors. Thereafter, the appointments are with the Board to make (based on a selection process it decides is appropriate).

Having been through a selection process, involving the Association of Decentralised Energy (ADE), and interviews with the LVHN Managing Director, Chair and LVHN HoldCo Board the following two candidates (who both have extensive experience in the operation of decentralised energy schemes) have been recommended for appointment:

Mr Michael King BSc MSc FRSA; and

Dr Tim Rotheray PhD, Bsc (Hons)

Council is therefore asked to agree the appointment of both candidates as Non Executive/ Independent Directors on the LVHN HoldCo Ltd Board.

The appointments will be for an initial 6 month term of office.

2. North London Waste Authority (NLWA)

Councillor N Cazimoglu to be replaced by Councillor Pite

Please note that any other changes notified once the final agenda has been published will be tabled on the Council update sheet at the meeting.

19. CALLED IN DECISIONS

None received.

20. DATES OF FUTURE MEETINGS

To note that the next meeting of the Council will be Annual Council and will be held on Wednesday 11 May 2016 at 7pm at the Civic Centre.

21. EXCLUSION OF 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 agenda on the grounds that it involves 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) as listed on the agenda.

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**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON WEDNESDAY, 24 FEBRUARY 2016****COUNCILLORS****PRESENT**

Patricia Ekechi (Mayor), Bernadette Lappage (Deputy Mayor), Abdul Abdullahi, Daniel Anderson, Dinah Barry, Chris Bond, Yasemin Brett, Alev Cazimoglu, Nesil Cazimoglu, Erin Celebi, Bambos Charalambous, Lee Chamberlain, Jason Charalambous, Katherine Chibah, Nesimi Erbil, 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, Michael Lavender, Derek Levy, Mary Maguire, 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, Jim Steven, Claire Stewart, Doug Taylor, Ozzie Uzoanya and Glynis Vince

ABSENT

Ali Bakir, Lee David-Sanders, Turgut Esendagli, Dino Lemonides, Donald McGowan and Haydar Ulus

131**ELECTION IF REQUIRED OF THE CHAIR/DEPUTY CHAIR OF THE MEETING**

The election of a Chair/Deputy was not required.

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

Iman Gulfranz from Edmonton Mosque gave the blessing.

133**MAYOR'S ANNOUNCEMENTS IN CONNECTION WITH THE ORDINARY COUNCIL BUSINESS**

The Mayor thanked Iman Gulfranz for his blessing and then made the following announcements:

She began by saying that she had been pleased to see so many people at the recent funeral of former councillor Bill Price and felt sure that his family would be blessed and comforted by this.

1. Update on Mayoral Engagements

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The Mayor advised that she had attended many engagements in the past month, the highlights being:

- A seminar on child protection
- A lunch for elderly people organised by the Lefkara Association
- The Cinnamon Faith Audit Report's Event on reviving churches in Enfield
- The Jack Petchey Awards Evening on 23 February 2016

2. London New Year's Day and Enfield's Christmas Parade of Light Cheque Presentation

This event was held to acknowledge the wonderful volunteers who supported both these parades. Enfield came eighth in the New Year's Day Parade this year and the Mayor gave thanks to ArtStart and everyone involved for their hard work.

3. Award to Enfield Public Safety Centre Team

The Enfield Public Safety Centre recently gained the Surveillance Camera Commissioner's certificate of compliance relating to public space CCTV, having been assessed as complying with the 12 guiding principles of the Surveillance Code of Practice.

At the ceremony, the work of the team was praised for providing a centre of excellence. Enfield was the first London borough to be given this award.

Enfield's Public Safety Centre monitored over 1000 surveillance cameras, not only street cameras but also cameras sited in council buildings, depots and other sites. It also provided safety monitoring for over 400 lone workers, including social services employees, security officers and housing staff who carry out vital work in the community.

The Mayor, on behalf of the Council, congratulated staff for their hard work and achievement and invited Alan Gardner, Public Centre Safety Manager, to come forward to receive the certificate of behalf of his team.

4. Mayor's Charity Ball – 12 March 2016

The Mayor reminded members that there were still tickets available for her Charity Ball taking place at Forty Hall on Saturday 12 March 2016. She asked them to contact Alison Brookes in the Mayor's Office as soon as possible in order to guarantee a ticket.

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**134
MINUTES**

AGREED that minutes of the meeting held on Thursday 28 January 2016 be confirmed and signed as a correct record.

**135
APOLOGIES**

Apologies for absence were received from Councillors Ali Bakir, Lee David-Sanders, Dino Lemonides, Don McGowan, and Turgut Esendagli.

Apologies for lateness were received from Councillors Katherine Chibah, Jansev Jemal and Ozzie Uzoanya.

**136
DECLARATION OF INTERESTS**

Before inviting members to declare any interests, the Mayor asked John Austin (Assistant Director Governance Projects) to make a short statement regarding the declaration of interests' requirements in relation to Item 7 Budget Report 2016/17 and Medium Term Financial Plan.

Council noted:

1. Under guidance issued by the Department of Communities and Local Government members would not be required to declare a Disclosable Pecuniary Interest (DPA) in relation to the budget or setting of the Council Tax. This was on the basis that Council Tax liability would apply to the borough's population as a whole, with councillors not having any unique position in that regard. The requirements within Section 106 of the Local Government Finance Act 1992 would, however, still apply, which required 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. No declarations in this respect were made at the meeting.
2. The Councillor Conduct Committee (May 2013) had also granted a dispensation for all members in terms of the declaration of Disclosable Pecuniary Interests relating to the setting of housing rents.

Subject to the requirements within Section 106 of the Local Government Finance Act 1992, this would allow all members to participate in the debate and vote on decisions relating to the setting of the Council Tax and Housing Rents.

Having noted the advice provided, the following declaration of interests were made at the meeting:

Agenda Item 7 (Budget Report 2016/17 and Medium Term Financial Plan):

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- Councillor Bernadette Lappage declared a disclosable pecuniary interest due to her husband's employment by the North London Waste Authority.
- Councillor Joanne Laban declared a non-pecuniary interest in relation to the GLA precept due her employment by the Deputy Mayor for London.

Agenda Item 9 (Review and Adoption of Statutory Pay Policy Statement)

- Councillor Claire Stewart declared a disclosable pecuniary interest as she was employed by Unison.
- Councillor Mary Maguire declared a disclosable pecuniary interest due to her employment by Unison.

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BUDGET REPORT 2016/17 AND MEDIUM TERM FINANCIAL PLAN

Before the item was taken Councillor Neville expressed concern that:

- a. The Council was being asked to consider the outcome of the Overview & Scrutiny budget consultation meeting (recommendation 2.14 of the report) after the other recommendations, when it would have made more sense to consider it before the other recommendations.
- b. The Overview and Scrutiny Budget meeting had been held the day before the final budget papers were due to be circulated which gave little time for any feedback from the meeting to be taken account of and any suggestions incorporated.

In response to the concerns raised, Councillor Taylor advised that the recommendations were not listed in any particular sequence so this could be taken before the other recommendations.

Councillor Taylor moved and Councillor Stafford seconded the report of the Director of Finance, Resources and Customer Services (171A) presenting for approval the Budget for 2016/17 and the Medium Term Financial Plan.

NOTED

1. Recommendations 2.1 – 2.14 had been endorsed and recommended onto Council for formal approval by Cabinet on 10 February 2016.
2. The report would need to be considered in conjunction with Report No: 178A on the Part 2 Council agenda (Min ??? refers).
3. The Leader of the Council's thanks to James Rolfe (Director of Finance, Resources and Customer Services and his officers for the preparation of the budget during such a difficult period for public finances.
4. The following comments highlighted by the Leader of the Council:

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- a. Concern was expressed at the significant reductions by Central Government in local authority funding and particularly adverse effect this would have on the most vulnerable in society;
- b. The ongoing pressures on the Council's budget as a result of the significant reduction in local government funding and continued austerity measures by Central Government, increasing level of demand on services and the negative impact of the Government's funding allocation damping mechanism, especially when compared to other local authorities such as Westminster and Kensington & Chelsea. As a result the Leader informed Council of his intention to launch a Fair Funding for Enfield Campaign in order to campaign for a fairer funding mechanism. The concerns highlighted in relation to the damping mechanism were shared by the Leader of the Opposition, who confirmed that the Opposition Group would support the campaign.
- c. The approach highlighted by the Leader of the Council towards management of the Council's resources and delivery of a balanced budget. Despite ongoing austerity, reductions in funding and pressures created locally by the current economic climate, significant efficiencies had been achieved with a focus on the need to protect services to residents for as long as possible whilst also providing investment in key projects and priorities.
- d. That whilst the Administration was committed to protecting services for residents, complying with legal obligations, making efficiencies where possible, investing in housing and jobs there were no longer, given the scale of funding reductions and savings already achieved, any easy options given the ongoing financial pressures on the Council.
- f. In terms of the proposed increase in Council Tax, this included the Government's 2% social care precept and was similar to increases being proposed all over London and factored into the Government funding proposals.
- g. The approach towards management of the Council's resources the Medium Term Financial Plan, which had been designed to reflect the Administration's key priorities, commitments and core aim of making Enfield a better place to live and work by delivering Fairness for All; Growth & Sustainability and Strong Communities.
5. 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 as highlighted by individual Cabinet Members.
6. The following issues highlighted by the Opposition Group:
 - a. Whilst supportive of the proposed fair funding campaign, efforts to lobby the Government on the damping mechanism as applied to Enfield, and

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accepting the need for a 2% social care precept, they could not support the proposed 1.78% general increase in Council Tax.

- b. The need to acknowledge that the current Administration had, up until now, been able to avoid any increase in council tax due to the financial support provided by the Government and strong financial position inherited in 2010 from the previous Conservative Administration.
- c. The need to recognise and welcome the reduction in the Mayor of London's precept and impact of the previous Labour Government's management of the economy in terms of the deficit not having to be addressed.
- d. The concern highlighted at the level of borrowing being undertaken by the current Administration and potential impact this may have on the Council's finances if the interest rates were to increase. It was felt that any further borrowing should be restricted to those corporate projects classified as essential.
- e. The need to acknowledge that better planning and work to reduce revenue expenditure at an early stage could have mitigated the impact of the current budget reductions being proposed.

Following a long debate the recommendations in the report were put to the vote and approved with the following results.

AGREED

- (1) To note the Council's Initial Efficiency Plan for new capital receipts (as detailed within Appendix 14 of the report).
- (2) To note the Government's 4 year funding offer with an acceptance deadline of 14 October 2016 and that a further report would be presented to Members once sufficient details to make a recommendation had been made available by the Government.
- (3) To note the feedback from the Overview & Scrutiny Committee Budget Consultation meeting held on 1st February 2016, as detailed in Appendix 1 of the report.
- (4) With regard to the revenue budget for 2016/17:
 - (a) to set the Council Tax requirement for Enfield at £107.915m in 2016/17;
 - (b) to approve the statutory calculations and resolutions set out in Appendix 10 of the report.
- (5) With regard to the Prudential Code and the Capital Programme:

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- (a)** To note the information regarding the requirements of the Prudential Code (as detailed in section 9 of the report).
- (b)** The approved Capital Programme for 2016/17 to 2019/20 as set out in section 9 and appendix 9 of the report. In addition to note the Indicative Capital Programme and agree that these indicative programmes be reviewed in the light of circumstances at the time.
- (c)** The inclusion of £6.325m one off funding for the transition to a “cloud” solution for the delivery of Enfield’s IT services as well as a £5.25m first year allocation of funding for the on-going Capital Investment Programme in the 2016/17 Capital Budget. The £6.325m had been recommended to Council by Cabinet on 10 February 2016. It was noted that the ongoing capital investment programme had hitherto been funded from the IT investment fund.
- (d)** To agree the Prudential Indicators, the Treasury Management Strategy, the Minimum Revenue Provision statement and the criteria for investments set out in section 9 and appendices 4 and 5 of the report.
- (6)** To agree the Medium Term Financial Plan and adopt the key principles set out in paragraph 10.11 of the report.
- (7)** With regard to the robustness of the 2016/17 budget and the adequacy of the Council’s earmarked reserves and balances:

 - (a)** To note the risks and uncertainties inherent in the 2016/17 budget and the Medium Term Financial Plan (as detailed in sections 10 and 11 of the report) and approve the actions in hand to mitigate them.
 - (b)** To note the advice of the Director of Finance, Resources and Customer Services regarding the recommended levels of contingencies, balances and earmarked reserves (as detailed in section 12 of the report) and to have regard to the Director’s statement (as detailed in section 13 of the report) when making final decisions on the 2016/17 budget.
 - (c)** To approve the recommended levels of central contingency and general balances (as detailed in section 12 of the report).
- (8)** To approve the Schools Budget for 2016/17 (as detailed within section 5.13 and Appendix 13 of the report).
- (9)** To approve the Fees and Charges for Adult Social Care Services for 2016/17 (as detailed within section 10.15 and Appendix 11 of the report), subject to consultation.
- (10)** That the New Homes Bonus be applied as a one-off contribution to the General Fund in 2016/17.

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- (11) To approve the policy for the calculation of Minimum Revenue Provision (as detailed within Section 9 and appendix 4 of the report).
- (12) To approve the adoption of the new flexible use of capital receipts as announced by the DCLG for 2016/17 to 2019/20.

In accordance with the Standing Order Regulations 2014 the vote recorded in relation to the decisions in (3) – (12) above was as follows:

For 54

Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Alev Cazimoglu
Councillor Nesil Cazimoglu
Councillor Erin Celebi
Councillor Lee Chamberlain
Councillor Bambos Charalambous
Councillor Jason Charalambous
Councillor Katherine Chibah
Councillor Don Delman
Councillor Nick Dines
Councillor Gurney Dogan
Councillor Sarah Doyle
Councillor Christiana During
Councillor Nesimi Erbil
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 Doris Jiage
Councillor Eric Jukes
Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Joanne Laban
Councillor Michael Lavender
Councillor Derek Levy
Councillor Mary Maguire
Councillor Andy Milne
Councillor Terry Neville
Councillor Ayfer Orhan

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Councillor Ahmet Oyken
Councillor Anne Marie Pearce
Councillor Daniel Pearce
Councillor Vicki Pite
Councillor Michael Rye
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

Abstentions 0

(13) With regard to the revenue budget for 2016/17, to set the Council Tax at Band D for Enfield's services for 2016/17 at £1,144.17 (as detailed within paragraph 8.1 of the report), based on a 1.99% general Council Tax increase (to ensure equivalent increases in all bands this equates to 1.98% in practice)

In accordance with the Standing Order Regulations 2014 the vote recorded in relation to decisions (13) above was as follows:

For 33

Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Yasemin Brett
Councillor Alev Cazimoglu
Councillor Nesil Cazimoglu
Councillor Bambos Charalambous
Councillor Katherine Chibah
Councillor Sarah Doyle
Councillor Christiana During
Councillor Nesimi Erbil
Councillor Krystle Fonyonga
Councillor Achilleas Georgiou
Councillor Christine Hamilton
Councillor Ahmet Hasan
Councillor Suna Hurman
Councillor Jansev Jemal
Councillor Doris Jagge

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Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Derek Levy
Councillor Mary Maguire
Councillor Ayfer Orhan
Councillor Ahmet Oykenen
Councillor Vicki Pite
Councillor George Savva
Councillor Toby Simon
Councillor Alan Sitkin
Councillor Andrew Stafford
Councillor Claire Stewart
Councillor Doug Taylor
Councillor Ozzie Uzoanya

Against: 21

Councillor Erin Celebi
Councillor Lee Chamberlain
Councillor Jason Charalambous
Councillor Don Delman
Councillor Nick Dines
Councillor Peter Fallart
Councillor Alessandro Georgiou
Councillor Elaine Hayward
Councillor Robert Hayward
Councillor Ertan Hurer
Councillor Eric Jukes
Councillor Joanne Laban
Councillor Michael Lavender
Councillor Andy Milne
Councillor Terry Neville
Councillor Anne Marie Pearce
Councillor Daniel Pearce
Councillor Michael Rye
Councillor Edward Smith
Councillor Jim Steven
Councillor Glynis Vince

Abstentions 0

(14) With regard to the revenue budget for 2016/17, to set the Council Tax at Band D for Enfield's services for 2016/17 at £1,144.17 (as detailed within paragraph 8.1 of the report), based on a 2.00% Adult Social Care Precept.

In accordance with the Standing Order Regulations 2014 the vote recorded in relation to the decisions in (14) above was as follows:

For 55

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Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Yasemin Brett
Councillor Alev Cazimoglu
Councillor Nesil Cazimoglu
Councillor Erin Celebi
Councillor Lee Chamberlain
Councillor Bambos Charalambous
Councillor Jason Charalambous
Councillor Katherine Chibah
Councillor Don Delman
Councillor Nick Dines
Councillor Gurney Dogan
Councillor Sarah Doyle
Councillor Christiana During
Councillor Nesimi Erbil
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 Doris Jiage
Councillor Eric Jukes
Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Joanne Laban
Councillor Michael Lavender
Councillor Derek Levy
Councillor Mary Maguire
Councillor Andy Milne
Councillor Terry Neville
Councillor Ayfer Orhan
Councillor Ahmet Oykenner
Councillor Anne Marie Pearce
Councillor Daniel Pearce
Councillor Vicki Pite
Councillor Michael Rye
Councillor George Savva
Councillor Toby Simon
Councillor Alan Sitkin
Councillor Edward Smith

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Councillor Andrew Stafford
Councillor Claire Stewart
Councillor Jim Steven
Councillor Doug Taylor
Councillor Ozzie Uzoanya
Councillor Glynis Vince

Against 0

Abstentions 0

(15) To agree the Fees and Charges for Environmental Services for 2016/17
(as detailed within section 10.14 and Appendix 12 of the report).

In accordance with the Standing Order Regulations 2014 the vote recorded in relation to decision (15) above was as follows:

For 33

Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Yasemin Brett
Councillor Alev Cazimoglu
Councillor Nesil Cazimoglu
Councillor Bambos Charalambous
Councillor Katherine Chibah
Councillor Gurney Dogan
Councillor Sarah Doyle
Councillor Christiana During
Councillor Nesimi Erbil
Councillor Krystle Fonyonga
Councillor Achilleas Georgiou
Councillor Christine Hamilton
Councillor Ahmet Hasan
Councillor Suna Hurman
Councillor Jansev Jemal
Councillor Doris Jiagge
Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Derek Levy
Councillor Mary Maguire
Councillor Ayfer Orhan
Councillor Ahmet Oykenen
Councillor Vicki Pite
Councillor George Savva
Councillor Toby Simon
Councillor Alan Sitkin
Councillor Andrew Stafford

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Councillor Claire Stewart
Councillor Doug Taylor
Councillor Ozzie Uzoanya

Against: 0

Abstentions: 21

Councillor Erin Celebi
Councillor Lee Chamberlain
Councillor Jason Charalambous
Councillor Don Delman
Councillor Nick Dines
Councillor Peter Fallart
Councillor Alessandro Georgiou
Councillor Elaine Hayward
Councillor Robert Hayward
Councillor Ertan Hurer
Councillor Eric Jukes
Councillor Joanne Laban
Councillor Michael Lavender
Councillor Andy Milne
Councillor Terry Neville
Councillor Anne Marie Pearce
Councillor Daniel Pearce
Councillor Michael Rye
Councillor Edward Smith
Councillor Jim Steven
Councillor Glynis Vince

Councillor Bernadette Lappage declared a Disclosable Pecuniary Interest in relation to this item and withdrew from the meeting for the duration of the debate and above decisions.

Councillor Joanne Laban declared a non-pecuniary interest on this item, but remained in the meeting for the duration of the debate and participated on the vote in relation to the above decisions.

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MEETING ADJOURNMENT

As advised during her announcements, the Mayor adjourned the meeting at this stage for a short comfort break which ran from 21:40 and 21:50.

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139

HOUSING REVENUE ACCOUNT - 30 YEAR BUSINESS PLAN BUDGET 2016/17 RENT SETTING AND SERVICE CHARGES AND TEMPORARY ACCOMMODATION RENTS

Councillor Oykenor moved and Councillor Brett seconded the joint report from the Director of Regeneration and Environment and the Director of Finance, Corporate Resources and Customer Services (No:172A) setting out the proposed detailed budget for the Housing Revenue Account (HRA) or 2016/17.

NOTED

1. That the recommendations in the report were endorsed and approved for recommendation on to Council by Cabinet on 10 February 2016.
2. The report had been prepared in the context of the Government's Welfare Reform and Work Bill and Housing and Planning Bill which were progressing through Parliament.
3. The HRA budget and 30 year business plan had been rebalanced taking account of the proposals introduced by the Government in July 2015 to reduce social rents by 1% per year for 4 years from 2016/17.
4. Only minor amendments have been made since November 2015 when Cabinet approved the updated 30 year HRA Business Plan.
5. Thanks to officers for all their work on these proposals.
6. Since 2010 the Council had spent £206m on refurbishing council stock and £7.5m on efficiency bills. The Administration had promised to build £10,000 homes in its Manifesto and was on target to do so.
7. Whilst supportive of some of the recommendations in the report (2.1 d,e,f,g,h, and 2.2) concerns were raised by the Opposition Group regarding:
 - a. The fact that the Government's proposals for "pay to stay" and the "sell off" of high value housing stock had not been taken account of in the 30 Year Plan.
 - b. The large increase in leaseholder charges
 - c. The Housing Revenue Account Capital Programme and the ability of the authority to complete the current developments in the light of lack of progress on the small sites programme.
 - d. The lack of detail on the proposals for the Council's own housing association.

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8. In response to the concerns raised under 7 above the Cabinet Member for Housing and Housing Regeneration reminded members of the progress made by the current Administration in developing and implementing the rebuilding strategy.

Following a period of debate the recommendations in the report were put to the vote and approved as follows:

AGREED

- (1) To approve the Housing Revenue Account 30-Year Business Plan.
- (2) To approve the detailed HRA Revenue Budget for 2016/17.
- (3) To approve the HRA Capital Programme and Right to Buy (RTB) One for One Receipts Programme 2016/17 to 2020/21

For: 33

Against: 0

Abstentions: 19

The remaining recommendations were approved unanimously, as set out below:

- (4) To note the rent levels for 2016/17 for HRA properties (subject to the Welfare Reform and Work Bill receiving Royal Assent in April 2016) and Temporary Accommodation properties.
- (5) To increase rents for sheltered accommodation tenants in line with Government guidance. This would result in an average increase of 0.9% for Enfield's Sheltered Accommodation tenants.
- (6) To approve the level of service charges for those properties receiving the services.
- (7) To note the heating charges for 2016/17 for those properties on communal heating systems
- (8) To approve of the proposals for increases in garages and parking bay rents
- (9) To delegate authority to the Cabinet Member for Housing and Housing Regeneration and the Director of Regeneration and Environment to approve tenders for Major Works.

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140

ORDER OF BUSINESS AND EXTENSION OF COUNCIL MEETING

At this stage of the meeting Councillor Stewart moved and Councillor Taylor seconded the following procedural motions relating to the remaining business on the Council agenda:

- (a) to change the order of business on the agenda under paragraph 2.2 (b) of the Council's procedure rules in order to enable item 11.2 (Motion in the name of Councillor Maguire regarding cuts in Government funding) to be considered as the next item of business; and
- (b) in order to provide sufficient time for consideration of item 11.2, before the scheduled end of the agenda, that the time available for the meeting be extended by an additional period of 20 minutes (under Council Procedure Rule 11m).

The change in the order of the agenda and extension in time of the meeting was agreed after a vote, with the following result:

For: 33

Against: 19

Abstentions: 0

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

141

MOTIONS AND EXTENSION OF COUNCIL MEETING

Councillor Maguire moved and Councillor Nesil Cazimoglu seconded the following motion:

"This council is appalled that the services that our local communities rely on continue to face deep cuts in Government funding. Enfield Council has already shouldered £118m of cuts since 2010 and is faced with further cuts in excess of £50m by 2020.

This Labour Administration, in partnership with officers, has worked hard to find innovative ways to save money, to continue to deliver services and to give best value to the people of Enfield. This Council thanks officers and members for their dedication and commitment in dealing with those cuts in a sensitive and constructive manner.

However, further cuts to funding will leave this Council struggling to deliver the services that the people of Enfield need and deserve.

This Council resolves to work with the Local Government Association, politicians, trade unions, community organisations, the charity and voluntary sector, to expose the damaging and dangerous nature of these cuts and

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impress on the Government the need to reverse them and to fund local government properly.”

Following a short debate, Councillor Elaine Hayward moved and Councillor Neville seconded procedural motion 12.12 (a) (i) that the question be now put.

This was defeated after a vote with the following result.

For 18
Against: 33
Abstentions: 0

Councillor Stewart then moved and Councillor Taylor seconded a procedural motion (under Council Procedure Rule 11m) to further extend the time of the meeting by an additional 5 minutes, in order to complete the debate on the motion and allow sufficient time for the recorded vote that would be required on the Part 2 agenda item.

This was put to the vote and agreed, with the following result:

For: 32
Against: 13
Abstentions: 0

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

For: 33
Against: 13
Abstentions: 0

**142
DURATION OF 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.

**143
REVIEW AND ADOPTION OF STATUTORY PAY POLICY STATEMENT**

RECEIVED a report (Report No: 188) from the Assistant Director of Human Resources presenting the Council’s statutory Pay Policy Statement for consideration and approval.

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NOTED that the Pay Policy Statement had been considered and approved for recommendation onto Council, subject to the amendments identified, by the Remuneration Committee on 3 February 2016.

AGREED the amendments to the statutory Pay Policy Statement attached as Appendix 1 to the report.

Councillors Stewart declared a Disclosable Pecuniary Interest in this item. As the matter was dealt with under the guillotine they did not withdraw from the meeting but took no part in the decision made on the report.

Councillor Maguire declared a non pecuniary interest.

144

COUNCILLOR QUESTION TIME (TIME ALLOWED 30 MINUTES)

1.1 Urgent Questions

There were no urgent questions.

1.2 Questions by Councillors

NOTED the sixty four questions on the Council agenda and the written responses provided by the relevant Cabinet members.

145

MOTIONS

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

11.1 In the name of Councillor Barry:

“If the Transatlantic Trade and Investment Partnership (TTIP) is agreed, the people of Enfield will lose many of the regulations that protect their environment, their food and their rights as workers.

A report commissioned by the Government concluded that TTIP offers “few or no benefits to the UK while having meaningful economic and political costs.”

This Council resolves:

- To call on the Government to put the national interests of our people above those of big businesses and to reject this agreement.
- To write to the Secretary of State for Communities and Local Government, local MPs, MLAs, and all London MEPs raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.

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- To write to the Local Government Association to raise our serious concerns about the impact of TTIP on local authorities and ask them to raise these with Government on our behalf.
- To call for an impact assessment on the impact of TTIP on local authorities.
- To publicise the Council's concerns about TTIP; join with other local authorities which are opposed to TTIP across Europe and work with local campaigners to raise awareness about the problems of TTIP.
- To contact the local authorities of municipalities twinned with Enfield asking them to consider passing a similar motion on TTIP."

11.3 In the name of Councillor Nesil Cazimoglu:

"The country, particularly London, is facing a housing crisis and residents in Enfield are feeling the effects. This Council believes that the government's Housing and Planning Bill will only make the situation worse; and that the only real solution is to build more homes.

House building is at its lowest since the 1920's; private rents have increased by 37% in the past five years and the government continue to use billions of pounds of public money to subsidise private landlords through housing benefit.

The Housing and Planning Bill would:

- Forces 'high-value' council homes to be sold on the open market;
- Extend the right-to-buy to housing association tenants and
- Undermine section 106 requirements on private developers to provide affordable homes

There is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area.

This Council resolves that the Bill undermines localism by granting the Secretary of State the power to override local plans, to mandate rents for social tenants and to impose a levy on stock-holding councils, violating the terms of the Housing Revenue Account self-financing deal.

This Council calls on the government to grant local authorities the powers and financial ability to increase the supply of housing for our residents. Councils must be given the financial flexibilities they need to be able to scale up housing development, both in partnership and directly."

11.4 In the name of Councillor Alessandro Georgiou:

"In view of the fact that the Council has not acquired the site at Chase Farm Hospital for which outline planning permission was given for a three form entry

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primary school, and the locally based Lime Trust is keen to develop a free school on the site, the Council instructs the Cabinet Member for Education and Children's Services to write Department for Education to support the upcoming bid of the Lime Trust to open a primary free school with three forms of entry on the site".

146

USE OF COUNCIL'S URGENCY PROVISION

NOTED the details provided of a decision taken under the Council's urgency procedure. The decision has 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.

- Award of Contract - Leadership of Council's procurement and commissioning function.

147

COMMITTEE MEMBERSHIPS

AGREED to confirm the following changes to committee memberships:

1. Corporate Parenting Board

Following the Council decision on 28 January 2016 to increase membership of the Board by two members (split 1:1)

Councillor Bernadette Lappage and Councillor Glynis Vince were confirmed as the new board members.

148

NOMINATIONS FOR OUTSIDE BODIES

AGREED to confirm the following changes to memberships of Outside Bodies:

Hate Crime Forum: Councillor Laban to replace Councillor Rye

149

CALLED IN DECISIONS

None received.

150

DATE OF FUTURE MEETINGS

NOTED that the date of the next meeting of the Council will be held at 7.00pm on Wednesday 23 March 2016.

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151

EXCLUSION OF PRESS AND PUBLIC

AGREED in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for consideration of Item 1 listed on Part 2 of the agenda on the grounds that they involve 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).

152

BUDGET REPORT 2016/17 AND MEDIUM TERM FINANCIAL PLAN

Received a report from the Director of Finance, Resources and Customer Services (No.178A) seeking approval as part of the 2016/17 Budget and Medium Term Financial Plan to fees and charges for Environmental Services.

NOTED that the report had been submitted in conjunction with Report No: 171A on the Part 1 Council Agenda. The recommendation in the report had been endorsed and recommended on to Council at the Cabinet meeting held on 10 February 2016.

AGREED that the pest control, commercial waste, schedule 2 waste planning pre-application service, golf special offers and annual season ticket, events, passenger transport services, fleet services and schools health and safety, fees and charges for environmental services be approved as detailed in Section 3.1 and Appendix 1 to 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 12 A to the Local Government Act 1972 as amended).

In accordance with Standing Order Regulations 2014 the vote recorded in relation to the above decision was as follows:

For 33

Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Alev Cazimoglu
Councillor Nesil Cazimoglu
Councillor Bambos Charalambous
Councillor Katherine Chibah
Councillor Gurney Dogan
Councillor Sarah Doyle

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Councillor Christiana During
Councillor Nesimi Erbil
Councillor Krystle Fonyonga
Councillor Achilleas Georgiou
Councillor Christine Hamilton
Councillor Ahmet Hasan
Councillor Suna Hurman
Councillor Jansev Jemal
Councillor Doris Jiage
Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Derek Levy
Councillor Mary Maguire
Councillor Ayfer Orhan
Councillor Ahmet Oykenen
Councillor Vicki Pite
Councillor George Savva
Councillor Toby Simon
Councillor Alan Sitkin
Councillor Andrew Stafford
Councillor Claire Stewart
Councillor Doug Taylor
Councillor Ozzie Uzoanya

Against: 0

Abstentions: 12

Councillor Lee Chamberlain
Councillor Jason Charalambous
Councillor Don Delman
Councillor Nick Dines
Councillor Alessandro Georgiou
Councillor Elaine Hayward
Councillor Joanne Laban
Councillor Andy Milne
Councillor Terry Neville
Councillor Anne-Marie Pearce
Councillor Daniel Pearce
Councillor Glynis Vince

Councillor Bernadette Lappage declared a Disclosable Pecuniary Interest in this item. As the matter was dealt with under the guillotine she did not withdraw from the meeting but took no part in the process for dealing with the report and did not vote.

Opposition Priority Business – Council Meeting 23 March 2016

The Future of Educational Attainment and Children's Services in Enfield

1. Introduction

- 1.1 The Conservative Group has presented this paper as an opposition priority business because Educational and Service needs for our children is one of the most important and pressing issues the London Borough of Enfield currently faces. The Conservative group feels that this current Labour administration has not done everything in its power to tackle the educational and children's services needs that face Enfield today. Looking after the education, mental, and physical wellbeing of our young people should be at the zenith of priorities that any administration has, but sadly, this has not been the case since 2010.
- 1.2 Furthermore, the financial situation that Enfield Council now finds itself in could have been avoided in part if measures had been taken sooner in addressing the needs that our younger people have. It is now too late to save the borough from the financial recklessness that has meant an enormous leap in capital expenditure between 2010/11 and 2016/17, and the drastic cuts in Youth Services which will be discussed later.

2. Background

2.1 Free Schools and Academies

- 2.2 One of the myriad of exceptional policies to come from the Conservative led coalition, between 2010-15 and carried forward by the current Conservative government is the creation of Free Schools and the expansion of Academies, replacing grant maintained schools under Labour. Free Schools and Academies give parents, teachers, charities, businesses, and universities the opportunity to create an exceptional learning environment for our children. Furthermore, these schools also give the responsibility for teaching our children to those who know best, the outstanding teachers in the borough of Enfield.
- 2.3 Free Schools and Academies' greater level of autonomy also mean that outside of the core subjects of English, Maths and Science they are exempt from teaching the national curriculum. They can set term dates, and teachers pay, which itself allows each Free School to adjust to local demands, and they do not have to fit in with a one size fits all model. Free Schools were legislated for in the Academies Act 2010, an act which now ensures that all new schools either have to be an Academy or a Free School. However, local authorities still have the statutory obligation to meet local demand for school places.

2.4 Importantly, funding for Free Schools comes from central government, meaning no local authority funds are used in the acquisition of the land, or construction of any Free School. This means that the government is actively helping ease the financial burdens on local authorities when it comes to education. Furthermore, pupil funding on an annual basis is set at the same level as for Local Education Authority (LEA) schools. Enfield Council has benefited enormously from Free Schools in every aspect, especially with regards to finances. The examples of Free Schools in Enfield below and the total cost for their land/site acquisition and construction illustrate this point:

- Woodpecker Hall Primary Academy: £5,550,000
- Enfield Heights Academy: £3,410,925
- Kingfisher Hall Primary Academy: £6,206,390

2.5 To date nationally there are 385 Free Schools, and a further 188 with Department of Education (DfE) approval. Enfield has 6 currently educating our children with a further 3 with approval from the DfE. The figures below illustrate how excellent Free Schools are, in providing school places (Capacity) in Enfield:

- Woodpecker Hall Primary Academy: 420
- Enfield Heights Academy: 175
- Kingfisher Hall Primary Academy: 480

2.6 The London Borough of Enfield has taken an active political decision since 2010 to oppose Free Schools and Academies, and have only acquiesced in building them as a result of their statutory obligations under the Academies Act 2010. Current Labour Party policy is to oppose all new Free Schools and to reverse their expansion. This inertia and political mismanagement based on nothing more than ideology, has meant that the borough will face a strain on school places in the coming years, with a significant pressure for school places arising in 2020. If the authority had not been so politically obstinate and actually encouraged Free School providers to open new schools in the borough then Enfield could have not only provided more school places, but also given parents more choice in which schools best fit their child's needs. Lastly, the authority could have saved itself a significant amount of money, using money offered by central government instead of local resources.

2.7 One final conclusion that can be drawn from Labour's decision not to support the proliferation of Free Schools and Academies, is that they have no direct control over them. By having these schools out of the LEA remit, Labour cannot centralise power into their own hands.

3. **Capital Expenditure**

3.1 As mentioned above, if Enfield had planned better for school places since 2010 there would not be such a significant increase in capital expenditure in the rush to create school places in the borough. Instead the authority has opened itself up to increased borrowing costs which impact directly on Council Tax, simply because of the lack of political will to create more school places spread over a period of time.

3.2 Capital expenditure for Education and Children Services was £31,131,000 in 2015/16 but is planned to increase drastically to £50,498,000 for the financial year 2016/17. This enormous level of borrowing in one tranche comes with the prospect of significantly higher interest rates. Labour has already bankrupted this country nationally and now seeks to do it on a local level. In fact nationally, the UK spends

more on interest repayments to service the debt Labour ran up, than on the national education budget that is the scale of their financial mismanagement.

4. **Educational attainment**

- 4.1 Enfield as a local authority is doing well in terms of educational attainment at primary school level and the Conservative Group recognises this is a great success. Enfield's primary schools are currently above the English schools average in Writing, Reading, and Maths at Key stages 1&2.
- 4.2 However, one area of deep concern for the Conservative Group is the high level of absenteeism in Enfield's primary schools. DfE figures show that Enfield is significantly weaker than the rest of England when it comes to absence rates. As it currently stands the average absence rate in England is 3.9%, whereas in Enfield this rate is 5.2%. The persistent average absence rate in England is 1.9% and in Enfield this figure is 5.1%. This high level of long-term absence of students is shameful, especially when the council has the resources and tools to ameliorate this worrying trend.
- 4.3 The converse is true however when discussing secondary schools. Absence rates at secondary level are at the national average. The Conservative Group is alarmed however by the poor performance rates at secondary school level. To illustrate this point:

	5+ A*-GCSE's or equivalent including English and Maths	A*-C GCSE English and Maths
England state funded schools (Average)	57.1%	59.2%
Enfield (Average)	54.5%	56.3%

- 4.4 These figures should be a concern to the Labour administration and they should do everything in their power to make sure that all our pupils receive a good education. To be below the average in educational attainment at secondary level as an entire authority is unacceptable.
- 4.5 For Enfield to be average is in itself disappointing when it comes to educating our children. Enfield must strive to be better than the average by working with our teachers and parents, to ensure Enfield's pupils reach their full potential. Being below average is a disgrace and should be addressed immediately.

5. **English as a first and second language in education**

- 5.1 London suffers more acutely from the problems associated with mass immigration than any other part of the UK. One of the issues is the large number of pupils in Enfield's education system who have English as a second language. There are a majority of pupils in 1,755 schools in the UK where English is not their first language. This presents substantial difficulties for teachers in the classroom. A prominent teachers union, the Association of Teachers and Lecturers have also expressed concerns about the difficulty this issue poses. However, Enfield and all educational authorities have a statutory obligation to teach all young people in our schools. What is deeply concerning is how poorly Enfield does in ensuring those children having English as a second language perform, compared to pupils who

have English as a first language. Enfield's performance is not only poor, but the educational attainment gap between these two groups is the third highest in London. This in itself is a travesty. Below is a table of all London boroughs' educational attainment gap in this area:

	Pupils with English as a first language	Pupils with English as an additional language	Attainment gap
	% achieving 5+ A*-C GCSEs	% achieving 5+ A*-C GCSEs	
Haringey	73.2%	66.7%	6.5
Brent	72.4%	66.9%	5.5
ENFIELD	70.7%	65.5%	5.2
Ealing	70.5%	65.7%	4.8
Waltham Forest	67.7%	63.4%	4.3
Barnet	76.7%	73.5%	3.2
Croydon	68.3%	67.5%	0.8
Hackney	71.2%	71.0%	0.2
Harrow	71.3%	71.2%	0.1
Hammersmith and Fulham	73.4%	73.6%	-0.2
Redbridge	76.2%	77.6%	-1.4
Camden	67.2%	69.3%	-2.1
Hounslow	73.4%	75.6%	-2.2
Wandsworth	65.7%	68.3%	-2.6
Richmond upon Thames	73.2%	76.5%	-3.3
Havering	68.3%	71.9%	-3.6
Bromley	74.2%	78.7%	-4.5
Lewisham	57.4%	63.3%	-5.9
Newham	61.7%	68.0%	-6.3
Kingston upon Thames	76.4%	83.4%	-7
Hillingdon	65.8%	73.3%	-7.5
Westminster	71.7%	79.3%	-7.6
Lambeth	64.9%	73.2%	-8.3
Greenwich	67.6%	75.9%	-8.3
Sutton	78.7%	88.5%	-9.8
Southwark	67.3%	77.2%	-9.9
Kensington and Chelsea	74.4%	84.4%	-10
Barking and Dagenham	62.1%	72.3%	-10.2
Islington	64.1%	74.3%	-10.2
Bexley	68.3%	78.7%	-10.4
Merton	67.4%	78.1%	-10.7
Tower Hamlets	61.4%	72.1%	-10.7

- 5.2 As shown above, Enfield is the 3rd worst performing borough in London in levelling the educational attainment gap between pupils with English as a second language and those with English as their first. Furthermore, there are many London boroughs that actually perform better than Enfield even though they have more pupils with English as a second language, which highlights the shambles Labour have been in running the borough's education system.
- 5.3 This issue must be addressed immediately as we have many schools in the borough of which most pupils do not have English as a second language. For example, over 72% of pupils in 13 schools in the borough have English as a second language. In total there are 37 schools in the borough which have over 50% of pupils with English as a second language.

5.4 The urgency of this matter cannot be overstated, as not only those pupils who have English as a second language suffer from an educational perspective, but also pupils who are native English speakers. It is unfair to both groups that Labour are failing to provide adequate services and support to educational staff to tackle this pressing issue.

6. **Youth Services and Youth Centres**

6.1 Broadly speaking the Conservative Group agrees with the approach taken by the Interim Director of Children's Services as a methodology for tackling budget reductions. Statutory Services are allocated funding to ensure the Council's legal obligations are met, after which other services receive an allocation where possible. Our concerns lay in three key areas;

(a) the distinct probability of the false economy of removing funding from Youth Centres;

(b) there appears to be a lack of political will to lobby Government to deal with the conflicting issue of families "having no recourse to public funds" verses the statutory requirements of the Children Act; and

(c) the apparent lack of political will to address the issue of young male Albanian citizens seeking asylum in Enfield. Applications should be strongly vetted to ensure their legitimacy.

7. **Youth Centres**

7.1 It is widely accepted that Youth Centres or Youth Clubs have a positive outcome for children and young people.

7.2 UK Youth have identified that the top three benefits of Youth Clubs or Youth Centres are;

1. A safe place to go.
2. Young people live happier and more fulfilling lives
3. Young people develop life skills

The top four issues affecting young people are:

1. Lack of aspiration.
2. Issues at home.
3. Peer pressure.
4. Lack of skills.

7.3 A survey conducted by Berkshire Youth has found that 82 per cent of children and young people who attend youth groups are happy, compared to 74 per cent of non-youth club users across a wide area.

The survey also found that 46 per cent of children and young people, who attend youth groups worry about their future, lower than the 57 per cent of non-youth club users.

In addition, 70 per cent of the 680 young people aged 8 to 18 surveyed, said they had volunteered in some way in an attempt to give something back to their local communities.

The survey is a huge reminder why funding cuts to youth services are so short-sighted. Youth clubs provide healthy, positive activities for young people, increasing their health, wellbeing, aspirations and engagement levels.

- 7.4 The Guardian has recently reported that there is a real risk of increased gang related crime with the demise of adequately and appropriately staffed Youth Centres.

The shift to a volunteer led model is an untested risk which may indeed lead to the closure of the Youth Centres by default. It should be noted that knife crime fell under the previous Conservative administration as a result of increased investment in Youth Services, following the deliberate policy adopted by Labour when they controlled the Borough in the late 1990s of cutting the service.

Youth work offers young people safe spaces to explore their identity, increase their confidence and think through the consequences of their actions. The shift from open access youth work in favour of targeted provision for the few presents a significant risk, not least that a proportion of the many will quickly shift to and swell the numbers of the targeted few, disproportionately driving up cost and eliminating any potential saving.

8. No Recourse to Public Finance

- 8.1 The recent budget papers state “As a local authority we have a statutory responsibility under s17 of the Children’s Act 1989 to support families who have no access to benefits because of their immigration status. As a result Enfield currently supports over 120 families who have had their asylum applications rejected or have overstayed on visas and are awaiting deportation. There is a continuing risk that the numbers of families we are supporting under s17 of the Children’s Act will continue to increase especially if proposed changes to benefits for European nationals mean they lose their entitlement. This pressure is currently being met from corporate contingency as agreed by Cabinet 17th September 2014. Enfield subscribes to the No Recourse to Public Fund Network Connect database allowing for timely information exchange with the Home Office to ensure applications are dealt with as speedily as possible”.

- 8.2 It is widely recognised that this issue disproportionately affects London Boroughs, but within London Enfield is itself disproportionately affected. In fact Enfield as a Borough is responsible for 8% of the total number of families in this category in the whole of London.

- 8.3 There is no mention of lobbying Government for additional funding to recognise that any delay in Home Office process has a continuing negative impact on Council budgets, or a review of Housing Policy to share the burden with other Boroughs. Moreover we have to ask the question why is Enfield a magnet for so many of these families and the Albanians referred to below. Is it because we are seen as a “soft touch”? The likes of Wandsworth somehow manage to avoid the problem on the scale we experience.

9. Young Albanian men seeking asylum

- 9.1 According to information provided to the Opposition Group, there is a cohort of young Albanian men from the same rural part of Albania who are seeking asylum and are centring their residency in Enfield. Whilst the vast majority of these young men appear to be model citizens and are achieving well at school, they are placing a considerable financial burden on the tax payers of Enfield and creating a significant budget pressure.

- 9.2. Some asylum claims are somewhat suspicious and clearly need to be looked at more closely. The Conservative Group will support any lobbying of the relevant agencies to restrict financial support to only those who have a genuine need, on the simple proposition that if we are seen to be lax in granting financial support, more and more will arrive here.

Recommendations

1. That the Council undertake and publish a full financial risk assessment of the effects of the budget reductions to Youth Centres
2. That the Administration reviews its Housing Allocations Policy to ensure it is not disproportionately affected by having to fund those with no recourse to public funds via the Children Act.
3. To lobby central Government to ensure adequate funding for London Local Authorities affected by having to fund those with no recourse to public funds via the Children Act, especially where process delays prolong the financial pressure.
4. The Council will engage with and embrace the Governments Academy and Free School programme to secure sufficient school places for our children.
5. That the Council supports future Free School bids that present themselves to the local authority.
6. That the Administration will begin to plan for future school places in a way that does not impose further unnecessary financial burdens on the taxpayer.
7. That the Council will take firm action to reduce the high rates of school absence.
8. That the Administration will work with the Opposition to find ways of tackling the attainment gap between pupils with English as a first language and pupils with English as a second language.
9. That the Council will actively support any school currently not an academy that wishes to become one.
10. That the Council reports back within one year of this meeting to show what steps have been taken in achieving the goals set out in this OPB.

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13. OPPOSITION BUSINESS

(Updated: Council 23/1/08 & Council 1/4/09 & Council 11/11/09 & Council 29/1/14)

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

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

(Updated: Council 11/11/09)

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

- (a) The second largest party shall submit to the Assistant Director, Corporate Governance a topic for discussion no later than 21 calendar days prior to the Council meeting. This is to enable the topic to be fed into the Council agenda planning process and included in the public notice placed in the local press, Council publications, plus other outlets such as the Council's web site.
- (b) The Assistant Director, Corporate Governance will notify the Mayor, Leader of the Council, the Chief Executive and the relevant Corporate Management Board member(s) of the selected topic(s).
- (c) Opposition business must relate to the business of the Council, or be in the interests of the local community generally.
- (d) If requested, briefings on the specific topic(s) identified will be available to the second largest party from the relevant Corporate Management Board member(s) before the Council meeting.
- (e) No later than 9 calendar days (deadline time 9.00 am) prior to the meeting, the second largest party must provide the Assistant Director, Corporate Governance with an issues paper for inclusion within the Council agenda. This paper should set out the purpose of the business and any recommendations for consideration by Council. The order in which the business will be placed on the agenda will be in accordance with paragraph 2.2 of Part 4, Chapter 1 of this Constitution relating to the Order of Business at Council meetings.
- (f) That Party Leaders meet before each Council meeting at which Opposition Business was to be discussed, to agree how that debate will be managed at the Council meeting. (Updated: Council 11/11/09)
- (g) The discussion will be subject to the usual rules of debate for Council meetings, except as set out below. The Opposition business will be

conducted as follows:

- (i) The debate will be opened by the Leader of the Opposition (or nominated representative) who may speak for no more than 10 minutes.
- (ii) A nominated member of the Majority Group will be given the opportunity to respond, again taking no more than 10 minutes.
- (iii) The Mayor will then open the discussion to the remainder of the Council. Each member may speak for no more than 5 minutes but, with the agreement of the Mayor, may do so more than once in the debate.
- (iv) At the discretion of the Mayor the debate may take different forms including presentations by members, officers or speakers at the invitation of the second largest party.
- (v) Where officers are required to make a presentation this shall be confined to background, factual or professional information. All such requests for officer involvement should be made thorough the Chief Executive or the relevant Director.
- (vi) The issue paper should contain details of any specific actions or recommendations being put forward for consideration as an outcome of the debate on Opposition Business.
(Updated: Council 22/9/10 & Council 29/1/14)
- (vii) Amendments to the recommendations within the Opposition Business paper may be proposed by the Opposition Group. They must be seconded. The Opposition will state whether the amendment(s) is/are to replace the recommendations within the paper or be an addition to them.
- (viii) 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.
- (ix) The Majority Group will then be given the opportunity to say if, and how, the matter will be progressed.
- (x) If requested by the Leader of the Opposition or a nominated representative, a vote will be taken. (updated Council: 22/9/10)

MUNICIPAL YEAR 2015/2016 REPORT NO. **198A**

MEETING TITLE AND DATE:

Cabinet: 15th March 2016
Council: 23rd March 2016

REPORT OF:

Ian Davis
Director - Regeneration
and Environment

CONTACT OFFICER:

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Agenda – Part: 1	Item: 8
Subject: Adoption of Enfield's Community Infrastructure Levy Charging Schedule	
Wards: All	
Key Decision No: 4247	
Cabinet Member consulted: Cllr Alan Sitkin – Cabinet Member for Economic Regeneration and Business	

1. EXECUTIVE SUMMARY

- 1.1 Cabinet recommended approval of the Community Infrastructure Levy (CIL) draft Charging Schedule to the 8th October 2014 meeting of Council, and to proceed to its examination and implementation. This report seeks Cabinet's endorsement of the Adoption of the Council's CIL Charging Schedule and recommendation to Council that it is formally adopted and operational as of 1st April 2016.
- 1.2 The CIL Charging Schedule will be used to raise contributions from developers to fund essential infrastructure needed to support planned growth in the borough such as transport improvements.
- 1.3 The Council submitted the CIL Draft Charging Schedule to the Secretary of State for the Examination in Public on 16th July 2015. Inspector Terrence Kemmann-Lane was appointed by the Secretary of State to conduct the examination. A public hearing session took place on 4th November 2015.
- 1.4 The Council received the Inspector's Report into the soundness and legal compliance of Enfield's CIL Draft Charging Schedule on the 18th December 2015. The Inspector concluded the Council's CIL Charging Schedule provides an appropriate basis for the collection of the levy in the borough. The Council has sufficient evidence to support the schedule and can demonstrate that the levy is set at a level that will not put future development in the borough at risk.

2. RECOMMENDATIONS

Subject to final approval and recommendation by Cabinet on 15th March 2016, Council is asked to approve:

- 2.1 The adoption of the Enfield Community Infrastructure Levy (CIL) Charging Schedule as recommended by the Inspector (**Annex 1**), to take effect on the 1st April 2016, in accordance with Section 213 of the Planning Act 2008 and Regulation 25 of the CIL Regulations.
- 2.2 The adoption of the Regulation 123 List (**Annex 2**) is to take effect on the 1st April 2016, in accordance with Section 216 of the Planning Act 2008, Regulation 123(4) of the CIL Regulations and the relevant sections of the National Planning Practice Guidance (NPPG) for CIL.
- 2.3 The adoption of the Instalment Policy (**Annex 3**), to take effect on 1st April 2016 in accordance with Regulation 69B of the CIL Regulations.

3. BACKGROUND

- 3.1 The CIL was introduced by the previous government as the recommended method for new development to contribute to the funding of infrastructure to serve the residents and occupiers of both new and existing development. It came into force in April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL Regulations).
- 3.2 The Government decided CIL, a tariff-based approach with charging rates determined locally by locally elected representatives based on viability, is fairer, faster, and provides greater certainty and transparency than the current system of seeking planning contributions through s.106 of the Town and Country Planning Act 1990.
- 3.3 At present, s.106 is generally agreed through negotiation on a development scheme by development scheme basis (with the Council's Revised Draft s.106 Supplementary Planning Guidance March 2015, used as a basis for negotiation. This document is currently out for consultation until Tuesday 23rd February 2016). CIL is designed to provide developers and communities with much more certainty 'up front' about how much funding will be expected through the development management process.
- 3.4 The use of CIL will ensure that the Council receives increased funding to help deliver major infrastructure, as CIL will apply to the majority of developments rather than just major developments which s.106 generally apply to.

- 3.5 Since April 2015, local authorities do not have the ability to collect the full amount of possible funding from new development. s.106 still exists, but with a much narrower focus, as a mechanism to deliver affordable housing and to mitigate the impacts of development within the immediate area of a development. CIL, on the other hand, will assist in the delivery of major strategic infrastructure across the borough.
- 3.6 The Mayor of London currently applies a 'Mayoral CIL' across London borough's requiring new development to contribute to the provision of Crossrail. The Council currently collects this on behalf of the Mayor of London and the rate that applies to Enfield is £20 per sq. m
- 3.7 Council officers have developed for Enfield a CIL 'Charging Schedule' (setting out the rates that will be applied to new development in the borough). As a statutory planning document the CIL charging schedule sits alongside the Council's Local Plan and will be used as the main tool to raise contributions from development occurring in the Borough.
- 3.8 The Enfield CIL Charging Schedule has been developed using the rates set out in the Draft Charging Schedules. The Draft Charging Schedule and the earlier Preliminary Draft Charging Schedule have previously been presented to Cabinet in May and September 2014.
- 3.9 The CIL will enable the Council to continue to address its manifesto commitments through infrastructure to support our growing communities, by listing the intended CIL spending items in the Regulation 123 List which is also included in this report, and being put forward for adoption, along with an instalments policy required to assist in the operation of the Enfield CIL.
- 3.10 The adoption of the CIL Charging Schedule will ensure that the Council continues to deliver and manage the demands of development on infrastructure and support growth and regeneration in the borough.

Enfield CIL Inspector's Report

- 3.11 The Enfield CIL Examination took place on 4th November 2015 in the Civic Centre; Terence Kemmann-Lane was the appointed Inspector. Three representations were initially received but subsequently withdrawn prior to the hearing.
- 3.12 The Inspector issued his report (**Annex 4**) to the Council on 18th December 2015. The report concluded that the Council's Community Infrastructure Levy Draft Charging Schedule provides an appropriate basis for the collection of the levy in the borough and the Council has sufficient evidence to support the schedule and can demonstrate the levy is set at a level that will not put the overall development of the borough at risk.

3.13 There were two modifications to the Draft Charging Schedule recommended by the Inspector including:

- The production of a Residential Charging Zones map with National Grid lines and reference numbers; and
- Making changes to remove unnecessary text and making the document concise.

Enfield CIL Adoption

3.14 If agreed and adopted by Cabinet and Council it is proposed that the Enfield CIL Schedule as modified by the Inspector and as it appears in **Annex 1** is implemented from 1st April 2016. This would then be commensurate with the start of the new financial year.

Regulation 123 List

3.15 Under Regulation 123 of the CIL Regulations, the Council is required to publish a list of infrastructure that it intends to fund, or may fund, through the levy. The purpose of the list is to differentiate between those types of infrastructure that the authority intends to fund through CIL and those areas where a s.106 planning obligation or Section 278 highway agreement will be sought to make the development acceptable in planning terms. This will ensure there is no 'double charging'.

3.16 The Draft Regulation 123 List in **Annex 2**, proposes that only rail improvements (Angel Road Station) and the Causeway in Meridian Water will be presently funded from CIL. The Council's specific approach to the inclusion of items on the draft regulation 123 List rather than listing a type of infrastructure such as 'health' or 'education' will provide flexibility to continue to seek contributions through s.106 agreements, subject to the legal tests set out in Regulation 122 and the pooling restrictions in Regulation 123 of the CIL Regulations (as amended).

3.17 s.106 will therefore continue to be sought for items of infrastructure such as 'education' subject to viability and legal considerations. The Council has a comprehensive process in place for the management of s.106 contributions and where necessary, s.106 contributions will continue to be negotiated with planning applicants in line with the legal tests set out in Regulation 122 based on items of infrastructure identified in the Council's Infrastructure Delivery Plan where:

- the infrastructure / development mitigation needs are proven;
- the other tests are met, as above;
- the pooling restriction has not yet been triggered; and
- subject to site-specific viability considerations where necessary.

- 3.18 Once CIL is implemented, the Regulation 123 List must be available to view on the Council's website. It can be reviewed and updated regularly, as funding streams and priorities change, subject to appropriate local consultation. Monitoring of CIL income and expenditure is required and results have to be published on an annual basis.

Instalment Policy

- 3.19 An Instalment Policy (**Annex 3**) will allow the payment of CIL in instalments on large developments and is consistent with the policy adopted by the Mayor of London in relation to the Mayoral CIL.

Enfield CIL Implementation

- 3.20 If adopted the Enfield CIL Charging Schedule will be implemented from 1st April 2016; however, it is likely to take between 12-18 months of collection before the Council begins to see significant levels of income being received. This is due to CIL payments becoming payable 60 days after the commencement of development and few developers start on site immediately upon securing planning permission.
- 3.21 As the CIL rates were developed through a cycle of growth and recovery from a period of economic uncertainty, an initial review of the charging schedule will be undertaken as required through two years after adoption, and will be reviewed thereon as required subject to conditions around Local Plan review, economic viability (rising land and property values), programming of Meridian Water project delivery and need for infrastructure over a wider area of the borough.
- 3.22 There are stringent auditing and operational requirements for s.106 and CIL. In accordance with Regulation 62 an annual report of CIL receipt and spend is required, guidance also recommends regular updates being made available on the Council website with detail of s.106 spend to ensure there is no double allocation on projects and the spend is as transparent as possible. The Council's revised s.106 Supplementary Planning Document (SPD) has been drafted to make it clear no double counting will exist between s.106 and CIL moving forward.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The intention to prepare a CIL Charging Schedule is set out in the Council's Local Development Scheme and the adopted Core Strategy. To solely continue with s.106 Agreements as the main source of developer contribution after the imposition of s.106 pooling restrictions from April 2015, has significantly reduce the revenues that can be raised to help deliver the growth and regeneration objectives proposed in the borough, as contained within the Local Plan.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Significant investment in infrastructure is needed to support the regeneration and growth planned as set out in the Council's Local Plan. With the introduction of restrictions on the pooling of contributions collected via s.106 agreements in April 2015, CIL will become the main source of securing developer contributions for significant infrastructure improvements. Adoption of the CIL Charging Schedule is crucial to advancing CIL and maintaining developer contributions.

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

6.1 Financial Implications

- 6.1.1 The proposed charging rates have been informed by an independent assessment of development viability undertaken by specialist consultants Dixon Searle Partnership. The recommended rates differ according to land use, and in the case of residential development, also by location. The charging rates in Tables 1 and 2 of the Charging Schedule exclude the Mayor's CIL charge and only related to Council CIL.

- 6.1.2 Annex 2 includes a draft 123 list of the type of infrastructure and projects that the Council intends will be partly or wholly funded through the Community Infrastructure Levy. The estimated amount of CIL the Council we receive is dependent on the planning applications submitted and these can vary for a number of factors such as the economic climate.

- 6.1.3 Under the CIL Regulations the role of s.106 agreements will be scaled back to those matters that directly relate to a specific site and are not set out on the infrastructure list, this will apply on the introduction of CIL or by April 2016. s.106 pooling restrictions will also impact on the level of developer contributions that the Council receives so the revenue raised from s.106 will be significantly reduced from April 2016. CIL will eventually replace most s.106 agreements in funding infrastructure associated with new development and CIL will be the main mechanism for collecting funds to support new infrastructure.

6.2 Legal Implications

- 6.2.1 The legislative framework for CIL is contained in Sections 205-225 of the Planning Act 2008, following which the Secretary of State published the CIL Regulations 2010 (as amended), which came in to force 6th April 2010.

- 6.2.2 Regulation 13(1) authorises the Council (being a 'charging authority') to set differential rates (a) for different zones in which development would be situated; (b) by reference to different intended uses of development.
- 6.2.3 Regulation 13(2) provides that a charging authority may set supplementary charges, nil rates, increased rates or reductions.
- 6.2.4 The Charging Schedule must be approved by a resolution of full Council and publicised in the local newspapers and notified to relevant persons in accordance with Regulation 25.
- 6.2.5 Regulations 122 and 123 place limitations on the use of s.106 contributions after the CIL charging schedule is adopted or in any event after April 2016 as set out in the body of the report.
- 6.2.6 The recommendations contained in this report are in accordance with the Council's powers and duties.

6.3 Property Implications

- 6.3.1 Property Services was consulted on the originally drafted geographical boundaries for the proposed charging bands, and agreed that the suggested boundaries reflect three broad categories of property value across the borough.
- 6.3.2 CIL enhances transparency in viability assessment and in the provision of future infrastructure requirements, and is welcomed. The inflationary effect of CIL charges on property transactions is potentially cancelled out, as it is a substitute for an existing instrument. Whilst it will be a factor in the location for new development, it will be one of many other factors and the CIL rates are not expected to distort market activity.
- 6.3.3 As stated above, the revised Government Guidance on CIL, issued in February 2014, recommends a sharper focus on strategic sites on which the local plan relies, where the impact of the levy is likely to be most significant. As a result of further viability work undertaken by consultants, it is apparent that residential development proposals within the Meridian Water Masterplan (MWM) area are constrained by the significant site preparation and infrastructure costs, and the intention to provide affordable housing at levels compliant with the Core Strategy.
- 6.3.4 Consequently, the intention to include the whole of the MWM area as a nil band for CIL contributions is justified in terms of viability, and will act as a stimulus to help bring forward development. However, it should be recognised that many of the infrastructure costs and other expenditure for Meridian Water set out in the Regulation 123 list, will need to be borne by development elsewhere in the borough through the wider application of CIL payments. The Mayor's CIL of £20 per square metre will still be paid on new market housing within the Meridian Water Masterplan area.

- 6.3.5 Government guidance makes it clear that planning obligations (under s.106) cannot be sought for infrastructure intended to be funded by the levy, and that closer scrutiny to such obligations will apply to ensure that they are fairly and directly related to the development proposed. Similar scrutiny will apply to Section 278 agreements, dealing with highway improvements, to ensure there is no 'double counting'.
- 6.3.6 The decision not to impose CIL on industrial and office development is welcomed, given the importance of business premises to the local economy. The absence of CIL also reflects the relatively limited s.106 contributions paid by new business development through current arrangements.
- 6.3.7 The non-residential CIL for retail (A1) and other uses appropriate to a shopping centre will only apply to new development in excess of 100 square metres. In view of the contraction of retail uses generally, it is anticipated that this will not yield substantial CIL payments for the foreseeable future. The retail units that are Council owned, are generally small units, proposals generally relate to changes of use (not liable for CIL) rather than re-development and expansion. This is a pattern that is reflected in respect of small shop units throughout the Borough. Government amendments to the Permitted Development regulations in April 2014 enable more flexible changes of use without the need for planning permission.

7. KEY RISKS

- 7.1.1 **Risk:** Under the CIL Regulations the pooling of s.106 developer contributions have been restricted to five developments on the establishment of CIL or by April 2015 (whichever is earlier). Contributions for infrastructure currently collected as part of s.106 agreements will be significantly reduced under this regime.

Mitigation: Adoption of the CIL charging schedule prior is therefore critical to the pooling of funds to help deliver the infrastructure required to support the growth proposed in the borough as detailed in the Local Plan.

- 7.1.2 **Risk:** In setting CIL charging rates there is a need to strike an appropriate balance between contributing to local infrastructure funding needs and development viability.

Mitigation: The wider costs of development, ongoing uncertain market conditions, affordable housing implications and variable land value levels require that very careful consideration is given to the setting of the CIL charging levels. The Council has engaged expert viability consultants to advise on the appropriate CIL charging rates for the borough.

- 7.1.3 **Risk:** Although under the CIL regulations affordable housing is not liable for CIL charging, if CIL rates were to be set too high there would be a danger that in order for schemes to remain economically viable the affordable housing component will be squeezed and the number of affordable homes delivered could fall.

Mitigation: The proposed CIL rates have been set to take into account the need for development to provide affordable housing to comply with the adopted Core Strategy and Development Management Document. This will ensure that the affordable housing target is met, reducing the risk to the delivery of affordable housing in the borough.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

- 8.1.1 CIL as a charging regime will be fairer to more in the borough. The CIL Charging Schedule will ensure fairness for all as from the outset a person applying for planning permission for a CIL liable development will know how much that they are expected to pay in developer contributions.

8.2 Growth and Sustainability

- 8.2.1 CIL will be instrumental in achieving sustainable growth in the borough through pooling developer contributions and spending monies accrued on the borough's regeneration infrastructure priorities.

8.3 Strong Communities

- 8.3.1 The CIL Amendment Regulations (2013) propose that a proportion of CIL monies be passed to neighbourhoods this is set at 25% uncapped of CIL receipts in an area with a Neighbourhood Plan, and 15% capped at £100 per existing dwelling in an area where there is no Neighbourhood Plan in place. For local authorities without Parish Councils such as Enfield, the spending of this proportion will be in consultation with the community, aiding the development of stronger communities. Communities concerned will not have direct control of the money.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 An initial Equalities Impact Assessment (EQIA) was carried out for the Preliminary Draft CIL Charging Schedule to ensure that equal opportunities were promoted in all aspects of consultation and production of the schedule. Representations received to the Preliminary Draft Charging Schedule were used to inform the Draft Charging Schedule that was submitted for independent examination.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 The CIL Charging Schedule will provide clear guidance on the levy to be paid on CIL liable developments on the implementation of planning permission. Preparation of the CIL and its collection will help to deliver the Council's Infrastructure Delivery Plan and contribute towards the achievement of the following priorities in the Council's Business Plan (2012 – 2015): Serve the whole borough fairly and tackle inequality, a clean, green and sustainable environment, bring growth, jobs and opportunity to the borough, listen to the needs of local people and be open and accountable, encourage active citizenship and work in partnership with others to ensure Enfield is a safe and healthy place to live.

11. PUBLIC HEALTH IMPLICATIONS

- 11.1 The Infrastructure Delivery Plan Review 2014 sets out the local commissioning priorities that are proposed to be delivered in partnership with the Council and NHS to support growth within the borough up to 2026; this includes new health care facilities at Meridian Water. It is important that CIL ensures developments mitigate for any adverse impacts on health infrastructure in the borough.

Background Papers

None

Annex 1: LBE CIL Charging Schedule

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IMPROVING
ENFIELD



Community Infrastructure Levy Charging Schedule

Adopted April 2016



ENFIELD'S COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Enfield Council is the charging authority for the Community Infrastructure Levy for the purposes of Part 11 of the Planning Act 2008 (as amended).

Statutory Compliance

This Charging Schedule has been issued, approved and published in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Part 11 of the Planning Act 2008.

This Charging Schedule takes effect on 1st April 2016.

Schedule of Rates

Table 1: Residential CIL Rates (Comprising all the C3 ¹ Residential Use Class ²)	
Zone	Rate
Meridian Water Masterplan area	Nil rate
Lower rate Eastern corridor (to include the following Wards: Turkey Street, Enfield Lock, Enfield Highway, Southbury, Ponders End, Jubilee, Lower Edmonton, Upper Edmonton, Edmonton Green, Haselbury and parts of the Bush Hill Park and Chase Wards).	£40 per square metre.
Intermediate rate Area south of the A406 and A110 Bowes Road, Bowes Ward and part Southgate Green. Enfield Town (with parts of adjacent Chase and Highlands Wards).	£60 per square metre.
Higher rate Remainder of the Borough.	£120 per square metre.

¹ CLASS C3 Dwelling Houses - Use as a dwelling house (whether or not as a sole or main residence): -

a) by a single person or by people living together as a family, or b) by not more than 6 residents living together as a single household (including a household where care is provided for residents).

² The Use Classes Order for England 1987 (With amendments; 2005, 2006 & **2010**) puts uses of land and buildings into various categories known as 'Use Classes'.

The boundaries of the proposed charging zones are illustrated on the map below in Figure 1 (this map can be found and enlarged online at the Council's website).

Table 2 : Non Residential and Commercial CIL Rates	
Retail (A1), financial and professional services including betting shops (A2), restaurants and cafes (A3), drinking establishments (A4) and hot food takeaways (A5).	A borough wide rate of £60 per square metre.
All other uses – (including offices, industrial, hotels, leisure facilities, community and other uses).	£0 per square metre.

Mayoral CIL

In accordance with Regulation 10 of the Community Infrastructure Levy Regulations 2010 (as amended), Enfield Council is a collecting authority for the Mayoral CIL. This is currently set at a level of £20 per square metre (as adjusted for inflation) and will be levied in addition to the Enfield Council CIL rates expressed above.

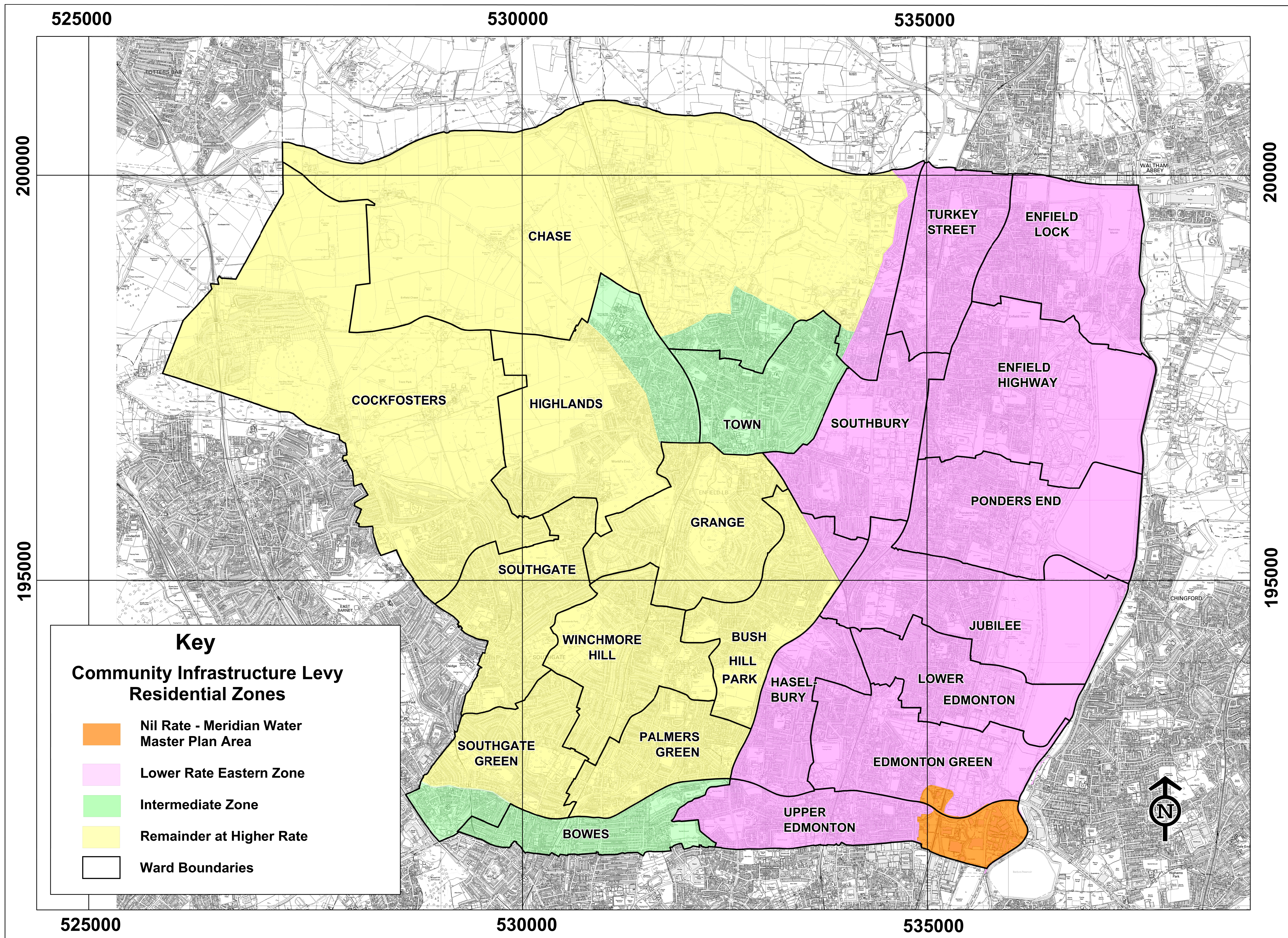
Calculation of the CIL Charge

The amount to be charged for each development will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended). For the purposes of the formulae in Regulation 40 (set out in Annex A), the relevant rate (R) is the rate for each charging zone shown in Tables 1 and 2.

Inflation and Indexation

As set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended), the above CIL rates shall be tied to the Royal Institution of Chartered Surveyors "All In Tender Price Index"; the rate of CIL charged will therefore alter depending on the year planning permission for the chargeable development is first granted.

Figure 1: Residential CIL Charging Zone Map



Annex A**Extract from the Community Infrastructure Levy Regulations 2010 (as amended)****40. Calculation of chargeable amount**

(1) The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.

(2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

(3) But where that amount is less than £50 the chargeable amount is deemed to be zero.

(4) The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.

(5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

Where —

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

I_p = the index figure for the year in which planning permission was granted; and

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

(6) In this regulation the index figure for a given year is—

(a) the figure for 1st November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors; or

b) If the All-in Tender Price Index ceases to be published, the figure for 1st November for the preceding year in the retail prices index.

(7) The value of A must be calculated by applying the following formula—

$$GR - KR \frac{(GR \times E)}{G}$$

Where—

G = the gross internal area of the chargeable development;

GR = the gross internal area of the part of the chargeable development chargeable at rate R;

KR = the aggregate of the gross internal areas of the following—

(i) retained parts of in-use buildings, and

(ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following—

(i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and

(ii) for the second and subsequent phases of a phased planning permission, the value Ex (as determined under paragraph (8)), unless Ex is negative, provided that no part of any building may be taken into account under both of paragraphs (i) and (ii) above.

(8) The value Ex must be calculated by applying the following formula—

$$EP - (GP - KPR)$$

where—

EP = the value of E for the previously commenced phase of the planning permission;

GP = the value of G for the previously commenced phase of the planning permission;
and

KPR = the total of the values of KR for the previously commenced phase of the planning permission.

(9) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may deem it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

(a) whether part of a building falls within a description in the definitions of KR and E in paragraph (7); or

(b) the gross internal area of any part of a building falling within such a description, it may deem the gross internal area of the part in question to be zero.

(11) In this regulation—

“building” does not include—

(i) a building into which people do not normally go,

(ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery, or

(iii) a building for which planning permission was granted for a limited period;

“in-use building” means a building which—

(i) is a relevant building, and

(ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development;

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings;

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect—

(i) at the time planning permission first permits the chargeable development, and

(ii) in the area in which the chargeable development will be situated;

“retained part” means part of a building which will be—

(i) on the relevant land on completion of the chargeable development (excluding new build),

(ii) part of the chargeable development on completion, and

(iii) chargeable at rate R.



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Annex 2: LBE CIL Regulation 123 Infrastructure List

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London Borough of Enfield Community Infrastructure Levy

Regulation 123 Infrastructure List

April 2016

Enfield Community Infrastructure Levy (CIL) Regulation 123 Infrastructure List

The CIL Regulation 123 Infrastructure List sets out the projects that the Council intends to fund in whole or part through the levy. s.106 developer contributions cannot be negotiated for items of infrastructure identified on the list. The intention of the list is to provide transparency and prevent developers being charged twice through CIL and s.106 for the same item of infrastructure.

The table below is a list of the infrastructure projects that the Council intends will be partly or wholly funded through the Community Infrastructure Levy.

Table 1: Community Infrastructure Levy Regulation 123 Infrastructure List

Draft Community Infrastructure Levy Regulation 123 Infrastructure List
Meridian Water (Rail and Causeway Infrastructure)

Neighbourhood Proportion

Fifteen per cent of Community Infrastructure Levy charging authority receipts are passed to neighbourhoods without a neighbourhood plan. This is capped at £100 per dwelling and is undertaken in consultation with the local community.

This figure increases to twenty five per cent uncapped for those neighbourhoods with a Neighbourhood Plan; accrued from developments taking place within the Neighbourhood Plan area and is undertaken in consultation with the local community.

Annex 3: Enfield CIL Instalment Policy

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Enfield Community Infrastructure Levy

Instalment Policy

This instalment policy has been prepared and published in accordance with regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended).

It takes effect on 1st April 2016.

The Council will allow payment of the Community Infrastructure Levy (CIL) required by the Council's CIL Charging Schedule and the Mayor of London's CIL Charging Schedule as follows:

Amount of CIL Liability	Number of Instalment Payments	Amount or proportion of CIL payable in any instalment/time at which payments are due
£500,000 or less	No Instalments	Total amount payable within 60 days of commencement of development.
£500,001 or more	Two	<ul style="list-style-type: none"> ▪ The greater of £500,000 or half the value of the total amount payable within 60 days of commencement of development ▪ The remainder within 240 days of commencement of development

Notes for Guidance

This instalment policy already applies in respect of payments of Community Infrastructure Levy (CIL) required by the Mayor's CIL Charging Schedule, which came into effect on 1st April 2012.

The amount of CIL due to both bodies is aggregated for the purpose of determining which payment trigger point/s applies. Regulation 70(2) defines the amount of CIL for the purposes of Regulation 70 as being the total amount payable to all charging authorities. The effect of this is that the Mayor's instalments policy is required to be applied to the total amount due to the Mayor and the borough combined, and therefore to the CIL payable to the borough as well as that payable to the Greater London Authority (GLA).

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**Annex 4: Report on Planning Inspectorate examination of LBE CIL
Charging Schedule**

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Report to the London Borough of Enfield Council

by Terrence Kemmann-Lane JP DipTP FRTPI MCMl

an Examiner appointed by the Council

Date: 18 December 2015

PLANNING ACT 2008 (AS AMENDED)
SECTION 212(2)

**REPORT ON THE EXAMINATION
OF THE DRAFT LONDON BOROUGH OF ENFIELD
COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE**

Charging Schedule submitted for examination on 16 July 2015

Examination hearing held on 4 November 2015

File Ref: PINS/Q5300/429/8

Non Technical Summary

This report concludes that the London Borough of Enfield Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the Borough. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

Two modifications are needed to meet the statutory requirements. These can be summarised as follows:

- Produce the Residential Charging Zones map with National Grid lines and reference numbers;
- Make changes to remove unnecessary text and make the document clearer.

The specified modifications recommended in this report are based on matters discussed during the public hearing and do not alter the basis of the Council's overall approach or the appropriate balance achieved.

Introduction

1. This report contains my assessment of the London Borough of Enfield Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance (Community Infrastructure Levy Guidance – February 2014).
2. To comply with the relevant legislation the local charging authority has to submit what it considers to be a charging schedule that sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district.
3. The basis for the examination, on which a hearing was held on 4 November 2015, is the Draft Charging Schedule (December 2014) (DCS) submitted for examination on 16 July 2015.
4. The Council propose a matrix approach to charging, as set out in the following tables.

Table 1: Residential CIL Rates (Comprising all the C3 ¹ Residential Use Class ²)	
Zone	Rate
Meridian Water Masterplan Area	Nil rate
Lower Rate Eastern corridor (to include the following Wards: Turkey Street, Enfield Lock, Enfield Highway, Southbury, Ponders End, Jubilee, Lower Edmonton, Upper Edmonton, Edmonton Green, Haselbury and parts of Bush Hill Park and Chase Wards).	£40 per square metre.
Intermediate rate Area south of the A406 and A110 Bowes Road, Bowes Ward and part Southgate Green. Enfield Town (with parts of adjacent Chase and Highlands Wards).	£60 per square metre.
Higher rate Remainder of the Borough	£120 per square metre.

¹ CLASS C3 Dwelling Houses – Use as a dwelling house (whether or not as a sole or main residence):-
a) by a single person or by people living together as a family, or b) by not more than 6 residents living together as a single household (including where care is provided for residents).

² The Use Classes Order for England 1987 (with amendments: 2005, 2006 & 2010) puts uses of land and buildings into various categories known as 'Use Classes'.

Table 2: Non Residential and Commercial Rates	
Retail (A1), financial and professional services including betting shops (A2), restaurants and cafes (A3), drinking establishments (A4) and hot food takeaways (A5).	A borough wide rate of £60 per square metre.
All other uses – (including offices, industrial, hotels, leisure facilities, community and other uses).	£0 per square metre.

Does the charging schedule meet the requirements of the Community Infrastructure Levy Regulations and Guidance?

The Residential Zoning Map

5. The submitted Draft Charging Schedule (DCS) complies with the CIL Regulations except in relation to the Residential Charging Zones Map. Where charges are to be differentiated by zones, Regulation 12(2) has to be followed. This states:

“(2) A draft charging schedule submitted for examination in accordance with section 212 of PA 2008 must contain—

 - (a) Where a charging authority sets differential rates in accordance with regulation 13(1)(a), a map which—
 - (i) identifies the location and boundaries of the zones,
 - (ii) is reproduced from, or based on, an Ordnance Survey map,
 - (iii) shows National Grid lines and reference numbers, (emphasis added) and
 - (iv) includes an explanation of any symbol or notation which it uses.

6. The Residential Charging Zones Map did not have the National Grid lines or reference numbers, as required by Regulation 12(2)(a)(iii). I drew this matter to the Council's attention, and whilst doing so, referred to the possibility of making the Map clearer and reducing the text in the Schedule by omitting out-of-date and other unnecessary elements and improving clarity.

7. The Council agrees to make the following changes to the Draft Charging Schedule:
 - i) Delete the consultation section at the front of the document;
 - ii) Delete the words “Proposed Draft” so that the title of the document reads “Enfield's CIL Charging Schedule”;
 - iii) Delete the sub section entitled “Schedule of Rates”;
 - iv) Delete the sub section entitled “Scope of CIL”;
 - v) Delete the sub section entitled “Payment Instalments”;
 - vi) Delete the sub section entitled “Discretionary Relief”;
 - vii) Move section entitled “Statutory Compliance” to the beginning of the document;
 - viii) Add National Grid lines to an Ordnance Survey base on Figure 1;
 - ix) Add a reference to the Charging Schedule indicating that Figure 1 can be found and enlarged online at the Council's website.

8. The resulting Charging Schedule is recommended for approval.

The Draft Regulation 123 List

9. The Council has published its Draft Regulation 123 Infrastructure List:

Draft Community Infrastructure Levy regulation 123 List
--

Meridian Water (Rail and Causeway Infrastructure)

10. This single item encompasses the relocation of the Angel Road station (the 'Rail' element) and the Causeway, which is a new spine road through Meridian Water. Meridian Water is the Council's flagship regeneration scheme in which a new community is proposed for the area on approximately 85 hectares of former industrial brownfield land. The delivery of a minimum of 5,000 homes is a corporate priority that will help the Council meet its housing target as set by the GLA. In June 2015 Meridian Water was approved as a Housing Zone by the Mayor of London. The area also forms part of the proposed route for Crossrail 2 which, if approved, will stop at Angel Road Station.
11. Within the representations there is concern raised about the content of the Regulation 123 List (R123list), with its single item, and how this relates to the general need for infrastructure and its impact on section 106 obligations and the 'pooling' rules. It is also a matter that immediately caught my attention when first examining the documents as part of the evidence base for the submitted DCS. Of course, the normal scope of my examination would not include more than that which is required to satisfy me that the R123list relates well to the Infrastructure Delivery Plan Review (IDPR)
12. Before going further in this respect, I draw on the advice in the government's National Planning Practice Guidance. (Emphasis added):

*"At examination, **the charging authority should set out a draft list of the projects or types of infrastructure that are to be funded in whole or in part by the levy.** The charging authority should **also set out any known site-specific matters for which section 106 contributions may continue to be sought.** This is to provide transparency about what the charging authority intends to fund through the levy and where it may continue to seek section 106 contributions. **The role of the list is to help provide evidence on the potential funding gap** – it is not the purpose of the examination to challenge the list.... "A charging authority may undertake additional infrastructure planning to identify its infrastructure funding gap... "Where infrastructure planning work which was undertaken specifically for the levy setting process has not been tested as part of another examination, it will need to be tested at the levy examination. **The examiner will need to test that the evidence is sufficient in order to confirm the aggregate infrastructure funding gap and the total target amount that the charging authority proposes to raise through the levy.**"*

(extracted from paragraph 017 Reference ID: 25-017-20140612)

13. In this connection, at the same time as the Council consulted on its draft Regulation 123 List, it published a Draft Revised S106 SPD (Document CILSD-01) for public consultation. This is intended to replace the adopted 2011 S106 Supplementary Planning Document. The Draft Revised S106 Supplementary Planning Document has contents that are very similar to the 2011 version. It includes a number of infrastructure types where financial obligations will be sought for what appear to be non-site specific requirements, such as Education where prescribed contributions are based on "child yield" times capital cost; and Libraries and other Council Community Facilities have a standard charge set out. Other infrastructure types such as health facilities, public realm and policing have more generalised requirements that will be sought on a "site by site basis".
14. Thus, whilst I am not examining the Draft Regulation 123 List as such, it is part of the evidence for me to take into account, and it is therefore important that I should have a proper understanding of its significance. As a consequence I wrote to the Council (Examination Document ED-4) seeking a better understanding of the basis on which it intended to charge CIL and seek s106 contributions post-CIL. The Council's reply to me is in Examination Document ED-08. I need not detail here the full response, but in brief and for the purposes of this part of my report I will simply record that:

"The Council's specific approach to the inclusion of items on the draft regulation 123 List rather than listing a type of infrastructure such as 'health' or 'education' will provide flexibility to continue to seek contributions through S106 agreements, subject to the legal tests set out in Regulation 122 and the pooling restrictions in Regulation 123 of the CIL Regulations (as amended). "S106 will therefore continue to be sought for items of infrastructure such as 'education' subject to viability and legal considerations. The Council is currently developing a pooling strategy that will inform how this will be managed going forward. Where necessary, S106 contributions will continue to be negotiated with planning applicants in line with the legal tests set out in Reg 122 based on items of infrastructure identified in the pooling strategy where:

- the infrastructure / development mitigation needs are proven;*
- the other tests are met, as above;*
- the pooling restriction has not yet been triggered and also;*
- subject to site-specific viability considerations where necessary."*

15. Having considered this response, I concluded that for the purposes of my examination, the important issue is whether the viability evidence made sufficient allowance for the scale of s106 obligations that are likely to be sought after CIL is introduced in the Borough. If sufficient allowance has been made, the restricted content of the R123list, the eventual form and content of the Council's Section 106 SPD, and how it deals with 'pooled' contributions, which are not matters for me, will then not further impact on the viability of development in the Borough. I took the opportunity to pursue this at the examination hearing.

16. The early assumption in the commissioned CIL Viability Assessment was that an allowance for section 106 payments (in addition to affordable housing), anticipated alongside CIL, would amount to £1,000 per dwelling. This is a fairly standard allowance assumed in many CIL viability studies. However, it was then recognised that the circumstances in Enfield Borough warranted a higher allowance. As a consequence, notional appraisals of larger schemes have been carried out, based on the current Section 106 SPD. Of necessity these appraisals are 'high level' because each individual site will present individual characteristics and demands. The results of these appraisals is that for residential scenarios up to, and including, 50 dwellings, the latest appraisals have included a notional sum of £3,000 per dwelling to allow for such s106 costs. For the 250 dwelling scenario, representing one-off development or perhaps a portion of a larger strategic development, this base assumption was increased to £7,500 per dwelling. It is considered by the viability consultants that this type of scenario could be relevant to regeneration or redevelopment. I agree.
17. In the light of the above I am satisfied that, although the R123list is very unusual, and it is necessary to guard against unfair charges for developments which do not come within the scope of that list, the Viability Assessment which is submitted to justify the proposed CIL charge levels has made adequate provision in the individual scenario assessments for the S106 obligations which are likely to arise from both the extant S106 SPD and from the successor document which is currently emerging.

Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

18. The London Borough of Enfield Core Strategy (CS) was adopted in November 2010 covering a fifteen to twenty year period. This sets out the main elements of growth that will need to be supported by further infrastructure during the plan period. An Infrastructure Delivery Plan (IDP) was published in March 2010 as part of the evidence base for the CS. Subsequently the Council has worked with service and infrastructure providers to update the IDP to support the introduction of CIL in the Borough – the Infrastructure Delivery Plan Review 2014 (IDPR). This identifies the known infrastructure requirements arising from the planned increase in new homes and jobs and the projected population growth within the Borough up to 2026 and beyond.
19. The IDPR identifies eleven infrastructure types: Transportation, Utilities and Renewable Energy, Water and Drainage, Education, Historic Environment and Public Realm, Health Care, Community Services, Leisure and Cultural Services, Parks and Open Spaces, Waterways. A funding gap for each of these infrastructure types is identified with a total estimated Funding Gap of £187.65m. It is pointed out that this figure should be considered an underestimate: I consider that it is a firm foundation for determining any funding gap.

20. Against this list of infrastructure needs, the Council has published its Draft Regulation 123 Infrastructure List: I have dealt with this extensively in paragraphs 9 to 17 above. I need say no more at this point about its content. The infrastructure on the R123 list is expected to be delivered within the five to ten year period. I am told that its total cost is likely to be £38.1m. Taking into account other funding streams, a funding gap of £22.1m is anticipated.
21. The potential income from CIL has been estimated by the Council as generating approximately £23m for the period 2016-2027. Enfield Council has been collecting CIL on behalf of the Mayor since April 2012. In estimating likely future receipts an exercise has been undertaken which looks at actual CIL receipts collected and transferred to TfL over the financial years 2013 – 2014 and 2014 –2015. These figures have then been translated using the rates proposed in the CIL Draft Charging Schedule into monies that the Council would have received if its own CIL had been in place. This exercise confirms that the Council would have received £726,714 in 2013/14 and £4,016,202 in 2014/15. On this basis, the £23m looks to be a conservative estimate. Nevertheless, against a total funding gap of circa £188m, the proposed charge would make a very modest contribution towards filling the likely gap. While the Meridian Water project is currently the sole item on the R123list, it is of course open to the Council to amend the list in future to include other items of infrastructure. The figures demonstrate the need to levy CIL.

Economic viability evidence

22. The Council commissioned a CIL Viability Assessment (VA), dated April 2013. The VA uses a residual land value method, involving calculating the value of completed schemes and deducting development costs such as build costs, fees, finance, and CIL plus developer's profit. This is a standard method used by developers when determining how much to bid for land – the residual amount is the sum left after the costs have been deducted from the value of the development. Levels of CIL have been tested in combination with the Council's planning requirements, including the provision of affordable housing and residual s106 obligations and the existing Mayoral CIL.

Conclusion

23. The draft Charging Schedule is supported by evidence of community infrastructure needs and a funding gap has been identified. Accepted valuation methodology has been used which was informed by reasonable assumptions about local sale values, rents and yields, etc. On this basis, the evidence that has been used to inform the Charging Schedule is robust, proportionate and appropriate.

Are the charging rates informed by and consistent with the evidence?

24. A representation suggests that the rates proposed for residential development are excessive and may put at serious risk future growth

within the Borough. I deal with the material points raised by the Representor in the following two paragraphs.

25. In particular it is said that the higher levy of £120 per sq. m within the 'remainder of the Borough' is not financially viable in certain areas. The Viability Assessment Market Update Information Supplementary Report (October 2014) refers to a significantly improved market and a Land Registry House Price Index pick-up of 14.8% (say 15%), quoted as presenting a *"relatively conservative picture in respect of some local level house price movements since information was gathered and assumptions were set for the Assessment first completed in 2013"*. The update also refers to an increase across both more expensive areas and typically lower value areas. This is misleading with respect to the generally mixed picture across the Borough in terms of values and relative viability. Insufficient evidence has been provided to determine how many schemes will be made unviable and that impacts are indeed 'highly localised'. In addition, insufficient evidence has been provided to suggest that the rates could go higher in terms of the margins of viability.
26. The seven main scheme scenario types tested do not sufficiently account for high-density residential led mixed-use schemes that incorporate retail floorspace (the maximum site coverage tested is only 200%). Here, the potential cumulative impact of the charging rates has not been addressed where the potential margin for CIL can be affected. This is of particular concern in relation to the 'remainder of the Borough', where both rates of £120 per sq. m for residential use and £60 per sq. m for retail floorspace can become chargeable.
27. The Council's response to this is that the VA that informed the rates was undertaken using well established and appropriately applied residual land valuation principles. The study tested the financial impact of conformity with the Council's Core Strategy and emerging Development Management Document (DMD) policies as detailed in the then Submission DMD, as well as other development costs in determining viable CIL rates for residential development in Enfield. The assessment work informed the development of the DMD document as well as the CIL proposals. In terms of residential development, the study assumed compliance with the Council's Core Strategy requirement that for developments of over 10 units, 40% of dwellings should be for affordable housing. Policy DMD 1 of the adopted DMD (CILSD-05) states that of this 40%, 30% should be intermediate housing and 70% social rent/affordable rent housing, as was tested.
28. I note that, for the area of the Borough where the higher CIL rate is proposed, residential rates could in fact have been set higher than the £120 per square metre proposed. This rate was set within the viability parameters so as to accommodate any local variations in property sales, land values and other factors that inherently vary from scheme to scheme. For value areas 4 – 7 which typify values in the west of the borough, the trial showed that a CIL rate of £120 per square metre represents just 2.5% to 3.33% of schemes' GDV. At

£140 per square metre the figures equated to between 2.92% and 3.89% of GDV. The proposed rates are within the percentage of GDV that is generally considered to be a good secondary indicator that a CIL rate is not excessive.

29. The Viability Market Update Report of October 2014 (document CIL-06) supplements and updates the market information provided in the VA undertaken in April 2013. The update shows that there had been a significant uplift in property values by approximately 15% as recorded by the Land Registry House Price Index since the original assessment was undertaken, and that this indicates a trend of improving stability and strength in the market. Whilst the future trajectory of the market is uncertain, there is a wide range of market reporting and forecasting supporting the reasonable possibility of a continued strong market in the coming few years.
30. As for points about mixed-use developments, the Council's Core Strategy and Area Action Plans make reference to such developments, particularly on potential development sites within or adjacent to town centres. However, these are an indication of the type of development envisaged - so as to encourage the consideration of mixed use developments in appropriate locations. This is a part of the general strategy approach but no specific mix, percentage splits of uses or other particular criteria, accompany these sites: the scenarios posed are currently high level and indicative.
31. My conclusion on all these matters is that the VA and the Council's balanced view on it is reasonable, and nothing raised suggests that the rates will prevent the majority of schemes within the highest value areas from going ahead.

Alma Estate Regeneration

32. Concern has been expressed about the impact of the CIL proposals on the viability of the Regeneration of the Alma Estate. The Alma Estate Regeneration project is located within the Council's North East Enfield strategic growth area and in the priority Regeneration Area of Ponders End. The site also occupies a key position in a wider growth area that includes the London-Stansted-Cambridge growth corridor and the Upper Lee Valley Opportunity Area. The draft North East Enfield Area Action Plan (NEAAP) identifies the Alma Estate as the flagship housing renewal project for the Council that is also anticipated to act as a catalyst for the regeneration of the wider Upper Lee Valley and Ponders End area. The Alma Estate has been identified by the Council's housing estate renewal strategy as one of the most unpopular estates in the borough, which is costly to maintain and suffers from structural defects.
33. The Representor has agreed with the Council to provide funding for community uses outside of the S106 obligations. This funding totals £480,000 (index linked). The scheme proposes the demolition of the existing Estate in a phased programme of decant, demolition and new build. The demolition includes four 21-storey tower blocks plus low-rise maisonettes, all of which will

require asbestos removal. When complete the scheme will provide a total of around 990 new homes, plus a new gym, retail units and a medical centre. The regeneration will also include the rebuilding of the Ponders End Youth Centre and Welcome Point Community Centre on South Street. Possible planning obligations for strategic and site-specific infrastructure for the Alma Estate include:

- Affordable Housing
- Transport / sustainable transport measures
- Education
- Climate change
- Health facilities and services
- Childcare
- Public realm provision
- Public art, culture and community infrastructure
- Business and employment initiative
- Built heritage
- Open space and recreation
- Green infrastructure and landscape
- Biodiversity
- Policing and fire and emergency services

34. A supporting viability assessment report has been submitted confidentially separately to the main representation document and this demonstrates that the proposed development cannot afford the proposed local CIL. In fact the assessment demonstrates that the scheme is currently unviable. The considerations that have justified zero-rating Meridian Water apply equally to the Alma Estate. Normally the CIL charge is intended to be deducted from the land value paid for sites, but here the land value agreed with the Council is based on the scheme's viability position – if the land value is calculated as nil without applying the CIL charge, there is nowhere to offset the CIL levy, which becomes an additional cost undermining the scheme's viability. The Draft CIL Charging Schedule should identify the Alma Estate as a specific zone subject to a Nil rate for residential and retail development.
35. The viability assessment report for the Alma Estate, referred to in paragraph 34 above was submitted to the Council, in the response to the consultation on the DCS, as "confidential". Since it was not a document in the public domain, it could not be provided to me. Nevertheless, I wrote to the Council saying that I would wish there to be exploration, with the Representor, of any means by which the general conclusions of the confidential assessment could be provided to me (and therefore in public), with perhaps the 'headline' outputs that might be published. I noted that, on a previous occasion, I have been provided with an officers' assessment of confidential viability evidence that was sufficient to enable me to place some reliance upon it. I asked that the Council assist in ensuring that I have the best evidence available for my deliberations. As a result, in due course, I was provided with a statement from the Council, informing me that the Representor had agreed to CIL calculations, (document ED-16), which were detailed to me. It is not necessary to set out

the results of these calculations in detail: it is sufficient for my report to record the following:

Phase	Mayoral CIL	Enfield LBC CIL	Total CIL
1A	£47,931	£91,884	£139,816
2A(i)	£0	£0	£0
2A(ii)	£63,945	£78,120	£142,066
2B	£23,985	£47,970	£71,956
3A	£16,081	£32,163	£48,245
3B	£72,998	£145,996	£218,994
4	£36,609	£73,219	£109,828
Total	£261,552	£469,355	£730,907

36. In fact, in all likelihood planning permission for Phase 1A of the development will be in place before the implementation of Enfield's CIL. This will reduce the total payable as Enfield CIL to £377,470, bringing the total CIL to £639,023. On the basis of these calculations the Representor agreed that the draft CIL charges accord with their CIL calculations.

Undercroft and multi-storey car parking

37. Representations propose that ancillary car parking in the form of undercroft and multi-storey car parking should be zero rated and, for the avoidance of doubt, be specifically mentioned within the charging schedule. In line with sustainable planning policies that promote the efficient use of land, developers are seeking to build schemes that are flexible and make the best use of land. Many operators will therefore explore potential options for providing car parking and will seek to incorporate undercroft or decked car parking within their scheme. It would prejudice the best and efficient use of land if these forms of ancillary parking were included within the gross internal area of commercial floorspace (employment, retail, sui generis uses) for CIL charging purposes. This has been acknowledged by an Examiner in his report on the examination for the draft Barnet CIL. A zero rating for ancillary undercroft/decked car parking should be specified within the CIL Charging Schedule.
38. The Council responds that schemes in Enfield are varied: open or other relatively inexpensive forms of car parking provision are generally expected to be provided on development schemes throughout the Plan period. Looking at the potential impact on viability of particular types of ancillary car parking provision, the Council's view is that in most cases the development receipts (including enhanced revenue as a result of the car parking provision) balance out and justify the particular type of provision selected. Furthermore, whilst basement car parking is expensive to construct and may be regarded as an abnormal construction cost, it is only likely to be brought forward where the overall sales or rental values justify it as part of the overall viability equation.

In terms of the viability of undercroft type ancillary car parking this is relatively inexpensive to provide, so the overall impact on viability is minimal. This is because such schemes generally result in an optimised density; an increased level of development achieved and value created and/or a lower land-take to achieve a similar level of development compared with traditional open car parking provision. It is also possible that increased security and other benefits can be achieved, to enhance a scheme's marketability and values.

39. I accept the Council's response as being reasonable, and I have nothing that provides evidence to the contrary. I do not see that there is any similarity within Enfield to the situation, as described to me, in Barnet. I see no justification for setting a separate Nil CIL rate for undercroft and multi-storey car parking.

Does the evidence demonstrate that the proposed charge rates would not put the overall development of the area at serious risk?

40. The Council's decision to have a matrix approach is based on reasonable assumptions about development values and likely costs. The evidence suggests that development will remain viable across most of the area if the charges are applied.

Conclusion

41. In setting the CIL charging rates the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in the London Borough of Enfield. The Council has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority's area.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and (subject to the modifications I recommend) the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Core Strategy and Infrastructure Delivery Plan and is supported by an adequate financial appraisal.

42. I conclude that subject to the modifications set out in Appendix A the London Borough of Enfield Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

Terrence Kemmann-Lane

Examiner

This report is accompanied by:

Appendices A and B (attached) – Modifications that the examiner specifies so that the Charging Schedule may be approved.

Appendix A

Modifications that the examiner specifies so that the Charging Schedule may be approved.

Modification number	Modification
EM1	<p>Make the following amendments to the existing Draft Charging Schedule:</p> <ul style="list-style-type: none"> i) Delete the consultation section at the front of the document; ii) Delete the words "Proposed Draft" so that the title of the document reads "Enfield's CIL Charging Schedule"; iii) Delete the sub section entitled "Schedule of Rates"; iv) Delete the sub section entitled "Scope of CIL"; v) Delete the sub section entitled "Payment

	<p>Instalments”;</p> <p>vi) Delete the sub section entitled “Discretionary Relief”;</p> <p>vii) Move section entitled “Statutory Compliance” to the beginning of the document;</p> <p>viii) Add National Grid lines to an Ordnance Survey base on Figure 1;</p> <p>ix) Add a reference to the Charging Schedule indicating that Figure 1 can be found and enlarged online at the Council’s website.</p>
EM2	Replace Figure 1 Residential Charging Zones boundaries Map with the version set out in Appendix B

Appendix B

The modified Figure 1 Residential Charging Zones boundaries Map that the examiner specifies so that the Charging Schedule may be approved.

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MUNICIPAL YEAR 2015/2016 REPORT NO. 199A

MEETING TITLE AND DATE:

Cabinet – 15 March 2016
Council – 23 March 2016

REPORT OF:

Director – Regeneration &
 Environment

Agenda – Part: 1	Item: 9
Subject: Small Housing Sites Phase 2: Group A Delivery	
Wards: Enfield Lock and Highlands	
Key Decision No: 4161	
Cabinet Member consulted: Cllr Oyken	

Contact officer and telephone number: Nick Fletcher, 0208 379 1781

E mail: nick.fletcher@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 In March 2015, Cabinet authorised the expenditure of an outline budget in the “*Small Housing Sites (Phase 1): Further Sites Report*” (KD4007) to develop four small sites for new housing; at Ordnance Road in Enfield Lock ward, and Padstow Road, Perry Mead & Hedge Hill in Highlands ward. That report delegated authority to the Director of HHASC (now Director – Regeneration & Environment) and the Director of Finance, Resources & Customer Services, to authorise the final scheme budget required.
- 1.2 Since Cabinet approved the previous report, scheme designs have evolved based on client feedback, extensive pre-application discussions with Development Management, and resident consultation. Separate planning applications for all four schemes have now been submitted with one determined favourably, and three awaiting a decision, with 28 homes being proposed in total across the four sites.
- 1.3 Since Cabinet approved the previous report, the economic environment has become more certain, and as a consequence it is now proposed that the homes to be constructed on the three sites at Padstow Road, Perry Mead, and Hedge Hill should all be disposed of as private sale properties.
- 1.4 It remains the intention to hold the homes to be constructed on the Ordnance Road site within the Housing Revenue Account.
- 1.5 The Small Housing Sites Rolling Programme now includes approximately 15 sites where the Housing Development and Renewal team are presently working on design proposals. It is intended that a further report will be presented to Cabinet in June for the next group of sites that based on current design proposals will deliver in excess of 100 additional homes.

2. RECOMMENDATIONS

Council is asked to note that Cabinet on 15th March 2016 is being asked to:

- 2.1 Agree the proposal to dispose of the homes to be constructed on the sites at Padstow Road, Perry Mead, and Hedge Hill as private homes.
- 2.2 Agree that in the event that additional GLA Grant Funding can be secured, this funding be used to make as many of the 13 new homes at Padstow Road, Perry Mead and Hedge Hill more affordable and to be sold as shared-equity or shared ownership homes.
- 2.3 Delegate authority to the Director – Regeneration and Environment to appoint a sales agent to assist with the disposal of these new homes, and note that homes will be marketed to local residents first.
- 2.4 Delegate authority to the Assistant Director Legal and Governance Services to enter into agreements for the disposal of these new homes.
- 2.5 Agree to set the rents on the Ordnance Road development of 15 new homes at affordable rent levels, as per the explanation at paragraph 3.22-3.25.
- 2.6 Delegate authority to the Director – Regeneration and Environment, and the Assistant Director Legal and Governance Services to agree the terms and enter into such other agreements as are required to ensure the completion and occupation on the new homes to be constructed on the sites at Ordnance Road, Padstow Road, Perry Mead, and Hedge Hill.
- 2.7 Authorise the proposed approach to governance for the next groups of Phase 2 sites within the Small Housing Sites Rolling Programme as explained in paragraph 3.26-3.30.

The detailed recommendation for consideration by Council in relation to Capital funding is included within the accompanying Part 2 report.

3. BACKGROUND

- 3.1 In March 2015, Cabinet authorised the expenditure of an outline budget in the “*Small Housing Sites (Phase 1): Further Sites Report*” (KD4007) to develop four small sites for new housing; at Ordnance Road in Enfield Lock, and Padstow Road, Perry Mead & Hedge Hill in Highlands. That report delegated authority to the Director of HHASC (now superseded to the Director – Regeneration & Environment) and the Director of Finance, Resources & Customer Services, to authorise the final scheme budget required.

SCHEME PROGRESS TO DATE

Scheme design development

- 3.2 Since Cabinet approved the previous report, scheme designs have evolved based on client feedback, extensive pre-application discussions and correspondence with Development Management, and resident consultation.
- 3.3 All of the sites have constraints which have had to be addressed for the submission of a planning application while ensuring that the quantum and level of accommodation proposed is financially viable.
- 3.4 The scheme designs for each of the four sites have responded proactively to the site constraints, providing accommodation at an appropriate density in a contemporary architectural style.

Consultation for Ordnance Road scheme

- 3.5 A consultation event was held on the evening of 17th February 2015 at the Enfield Lock Ward Forum. Peter Barber Architects presented an exhibition of display boards of the proposed scheme and Council officers were also present to answer questions from members of the public.
- 3.6 Officers have been engaged with members of the public as the scheme design has evolved and are attempting to allay and mitigate concerns as far as possible. Concerns are predominantly around car parking, access to the new mews and how it is controlled, and boundary treatments.
- 3.7 The Design & Access Statement which is part of the planning application addresses concerns from residents on a number of issues such as overshadowing, overlooking and car parking.

Consultation for Padstow Road, Perry Mead & Hedge Hill schemes

- 3.8 A consultation event was held on the afternoon/evening of 30th April 2015 at the Holtwhites Sports & Social Club.
- 3.9 Peter Barber Architects presented an exhibition of display boards of the proposed schemes for each of the three sites, and Council officers and the Council's planning consultant were also present to answer questions from members of the public.
- 3.10 Officers have been engaged with members of the public as the scheme design has evolved and are attempting to allay and mitigate concerns as far as possible. Concerns are predominantly around car parking, disruption from construction activity, and boundary treatments.

3.11 The Design & Access Statements which are part of each of the planning applications addresses concerns from residents on a number of issues such as overshadowing, overlooking and car parking.

Planning Applications & Proposed Accommodation Schedule

3.12 Separate planning applications for the four schemes were all submitted during December 2015 and January 2016, with 28 homes being proposed across the four sites.

3.13 The planning application for the Ordnance Road development was favourably determined at the Planning Committee on 26th January 2016.

3.14 Planning applications for the proposed developments at Padstow Road, Perry Mead, and Hedge Hill are currently being determined and are expected to go to planning committees during March and April.

Phase 2a: Accommodation Schedule			
Site	Unit type & GIA	Quantity	Proposed tenure
Ordnance Road	1b2p (53-59m ²)	4	Affordable Rent
	3b5p (103-110m ²)	11	Affordable Rent
Padstow Road	2b4p (84-92m ²)	6	Private Sale
Perry Mead	2b4p (84m ²)	1	Private Sale
	3b5p (96-107m ²)	3	Private Sale
Hedge Hill	1b2p (54m ²)	1	Private Sale
	2b3p (70m ²)	1	Private Sale
	2b4p (73m ²)	1	Private Sale
Total Homes		28	

DEVELOPMENT STRATEGY

Funding and viability

3.15 The overarching objectives for the Phase 2a project are to maximise the level of affordable housing and to contribute Right to Buy One for One Replacement Scheme receipts towards the cost of the new homes on the Ordnance Road development. If the Right to Buy receipts are not spent on providing new social rented homes then they will have to be returned to government with added interest.

3.16 As per the previous report that was approved by Cabinet (KD4007), the Ordnance Road development will be for all affordable housing, and the Padstow

Road, Perry Mead and Hedge Hill sites will be for private housing. It is now proposed that the 13 private units are disposed of individually as market sale homes when completed, rather than as private rented homes.

- 3.17 By optimising the values from tenure across the four sites, the Council is able to achieve approximately 54% affordable housing and spend a greater amount of its Right to Buy One for One Replacement receipts than it would otherwise if tenure on each site was mixed. The Council is able to spend approximately £1m of Right to Buy receipts through the government's One for One Replacement Scheme.
- 3.18 The details of the financial appraisal are included in Part 2 of this report.

Ordnance Road - Affordable rent levels

- 3.19 For the Ordnance Road scheme, it is proposed that rents are set at affordable rent levels based on a percentage of market rent. This improves the viability of the project and revenue for the Housing Revenue Account given the recent government imposed rent reduction on the Council's 30-year HRA Business Plan.
- 3.20 It is proposed that rents will be set at up to **80%** of market rent for the 1-bed houses, and up to **60%** of the market rent for the 3-bed houses.
- 3.21 These rent levels would fall below the current Local Housing Allowance for Enfield.
- 3.22 The rent levels will also be sense checked at the time that the units are let so that they remain within 30% of the average gross household income for Enfield Lock (which is £38,600, as estimated by CACI in 2012).

Construction contract and tendering

- 3.23 Two separate procurements are being undertaken to appoint building contractors. The contractors will be appointed by the Council by way of a JCT Design & Build contract.
- Lot 1: Ordnance Road development
 - Lot 2: Perry Mead, Padstow Road & Hedge Hill
- 3.24 The Council appointed Mott MacDonald (KD 3920, 18th March 2015) and they are acting as the quantity surveyor, and also as the employers agent for both Lot 1 and Lot 2 construction projects.

Programme

3.25 The following indicative milestones are based on an outline programme;

Milestone	Month
Ordnance Road planning consent granted	Feb 2016
Perry Mead planning consent granted	March/April 2016
Padstow Road planning consent granted	March/April 2016
Hedge Hill planning consent granted	March/April 2016
Lot 1: Invitation to quote issued	March 2016
Lot 1: Building Contractor Appointed	June 2016
Lot 2: Invitation to quote issued	March 2016
Lot 2: Building Contractor Appointed	July 2016
Lot 1: Start on Site	August 2016
Lot 2: Start on Site	September 2016

PROPOSED GOVERNANCE FOR FURTHER SMALL SITES SCHEMES

- 3.26 The Council's architects are making good progress with feasibility studies and resident consultation for a number of sites, and it is anticipated that further package of sites which can deliver approximately 100 units across 10 sites can be in planning by the end of summer 2016.
- 3.27 To expedite delivery of these schemes, a more streamlined approach to reporting and governance is proposed.
- 3.28 Rather than seeking Cabinet approval for a group of schemes which are based on feasibility stage drawings, and therefore subject to change after pre-application discussions and design iterations, it is proposed that Cabinet approval for a group of schemes in terms of funding and procurement, is sought at a later stage when more detailed design (with RIBA Stage 3 drawings ready for planning submission) has been undertaken and pre-application discussions have been held so the unit numbers are not subject to change. At this point, cost and value information for financial appraisals is more reliable and less will be required in consultants' fees and officer time.
- 3.29 It is recommended that Cabinet delegate authority to the Director – Regeneration & Environment to authorise expenditure of architectural design fees and any associated surveys and reports for each scheme so that a single report to Cabinet can be based on more detailed design, accurate assumptions and projects can be delivered to a more efficient and timely programme.
- 3.30 Consultation events will be held for each emerging scheme proposals to inform and invite comments from local residents and stakeholders.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Doing nothing was not considered to be viable for the Council as the currently underutilised sites have capacity for new homes, of which there is an acute undersupply.
- 4.2 Private rent rather than private sale on the three sites was considered and previously preferred however given the opportunity to generate immediate cross subsidy in the form of a capital receipt on the Padstow Road, Perry Mead, and Hedge Hill sites, this can offset a large proportion of the cost of the Ordnance Road scheme and reduce the impact on the HRA Business Plan which is currently constrained.
- 4.3 If for any reason the homes do not sell at a price that can sustain the approach recommended in this report, the decision to sell the properties can be reviewed and instead the private properties can be rented at private rents.
- 4.4 100% affordable rent: While this option would spend a greater proportion of Right to Buy Receipts, it would fail to capitalise on the value of the sites and capital receipt, and put further pressure on the HRA Business Plan.
- 4.5 100% Council rent: While this option would spend a greater proportion of Right to Buy Receipts, it would fail to capitalise on the value of the sites and capital receipt, and put pressure on the HRA Business Plan.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The project will deliver 28 new homes across the four sites, with at least 54% of the homes being affordable. The 15 much needed affordable rented homes will be owned by the Council, and can be funded from within the HRA business plan.

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

6.1 Financial Implications

- 6.1.1 All costs of this scheme will be funded using HRA resources, with any grant funding, capital receipts and rental income flowing back into the HRA in later years after the initial outlay.
- 6.1.2 The proposed development at Ordnance Road meets the requirements of the Government's Right to Buy One for One Replacement scheme and will allow the Council to utilise £1m or more of those receipts to contribute towards the scheme costs.

- 6.1.3 Further financial commentary on the scheme and its associated budgets is included in the Part 2 report.
- 6.1.4 The costs of appointing a sales agent and undertaking the legal work associated with the proposed disposals will be met from the sale proceeds.
- 6.1.5 Setting rents at affordable levels on the Ordnance Road scheme will assist with scheme viability and increase the income received in the HRA. Rent levels will need to be agreed through the correct decision making processes prior to the properties being let.
- 6.1.6 The costs of architectural design as described in paragraph 3.32 will be recouped through the developments that proceed as professional fees within each project development appraisal.

6.2 Legal Implications

- 6.2.1 Under section 8 of the Housing Act 1985 the Council as local housing authority has a duty to keep under review the provision of housing in its area, and has power under section 9 to provide housing accommodation through erecting or acquiring houses. Local authorities also have a general fiduciary duty to Council Tax payers and must therefore take whatever is the overall most reasonable and cost effective course of action in order to deliver best value from these sites. In addition, the general power of competence in s.1(1) of the Localism Act 2011 states that a local authority has the power to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. The recommendations within this Report are in accordance with these powers.
- 6.2.2 The procurement of the building contractors must be carried out in accordance with EU/UK law and the Council's Contract Procedure Rules.
- 6.2.3 The legal documentation implementing the recommendations contained in the Report must be in a form approved by the Assistant Director of Legal and Governance.
- 6.2.4 The Council has a general power under the Housing Act 1985 to dispose of property held for housing purposes. By section 32 of the 1985 Act a voluntary disposal requires government consent but the situation here is covered by the 2013 General Consent issued by the Department of Communities and Local Government which will permit the Council to dispose of the new dwellings at market value.

6.3 Property Implications

- 6.3.1 Property Services supports the proposal to bring forward the development of new homes on what are presently underutilised sites.
- 6.3.2 The proposed development strategy includes both construction and development risks.
- 6.3.3 The Council is proposing to mitigate the construction risk by engaging experienced employers agents to assist with and help manage both the contractor procurement and the construction processes. A single stage tender procurement is proposed. This procurement route should bring cost certainty for an early stage prior to appointment of the contractor. Although it is likely that the tendering contractors will qualify some cost elements and the cost risk for these elements will pass to Council. The likely risks that are likely to remain with the Council include such issues as ground conditions and remediation. The Council has undertaken geo-tech/soil testing and the reports will be passed on to the contractors to help them understand and price for the works required.
- 6.3.4 The biggest development risk is that the proposed private sale homes do not bring in the receipts that have been budgeted for. In the current rising market this might be considered unlikely however, these properties are unlikely to come to market for at least another year by which market conditions may have changed. The Council is reserving its position in the event that this happens and as an alternative the properties could be rented on the private market via one of the Council's housing SPV's.
- 6.3.5 An independent valuation has been obtained to support the budget estimate of sales values used in the development appraisals for the group of sites. Advice on specification has been sought from independent private homes sales specialists. Other work such as checking of legal titles, planning history of the sites, and ground conditions has been undertaken to help ensure that the properties when completed can be readily marketed for sale.
- 6.3.6 The proposed disposal of the private homes will have to follow the requirements for disposal set out in the Property Procedure Rules.

7. KEY RISKS

- 7.1 Key Risks are included in Part 2 of this report.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

- 8.1 New development will have an impact on surrounding residents, particularly in the short term with disruption from construction, and potentially changes to car parking provision. There may also be a loss of communal space or amenity space resulting from proposals.
- 8.2 To mitigate any negative effects as far as possible, the Council and the appointed architects will work with affected residents to find effective design solutions. New development proposals will aim to provide higher quality landscaping, public realm and amenity space for existing residents.

8.2 Growth and Sustainability

- 8.3 The project aims to increase housing supply, and to maximise affordable and family housing. The proposed developments will, subject to viability, aim to achieve the tenure and bedroom mix of the Council's Core Strategy.
- 8.4 The project aims to achieve high quality architectural and landscape design which can positively contribute to the built environment of communities. The new homes will achieve a high level of energy efficiency and sustainability.

8.3 Strong Communities

- 8.5 The project will see investment into Enfield communities to provide much needed new housing. Local communities will be involved in the process and consulted on design proposals.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 An Equalities Impact Assessment has yet to be undertaken for this project. Council owned homes will be allocated in accordance with the Council's existing allocations and lettings policies while any private sale homes will be disposed of by a marketing agent.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1 There are no Performance Management implications arising from this report.

11. HEALTH AND SAFETY IMPLICATIONS

11.1 There are no Health & Safety implications arising from this report.

12. HR IMPLICATIONS

12.1 There are no HR implications arising from this report.

13. PUBLIC HEALTH IMPLICATIONS

13.1 There are a number of public health implications arising from new housing development schemes because housing is a major determinant of health.

13.2 Across the sites, the new homes will be designed to meet Code for Sustainable Homes Level 4 or equivalent standards for energy and water use. This will result in lower energy bills for residents. The building standards for these houses will help protect resident's health through reduced expenditure.

13.3 The design of the homes complies with the London Housing Design Guide and with consideration of Lifetime Homes. Across the sites, the new houses will be dual aspect to ensure adequate daylight, and all include either private gardens or generously sized private courtyard spaces.

Background Papers

None

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MUNICIPAL YEAR 2015/2016 - REPORT NO. 208A**AUDIT COMMITTEE**

3 March 2016

COUNCIL

23 March 2016

Agenda - Part: 1

Item: 10

Subject: Audit Committee Name Change and Review of Terms of Reference.

REPORT OF: Asmat Hussain

Assistant Director of Legal and Governance.

Contact officer and telephone number:

E mail: Asmat.Hussain@enfield.gov.uk

Tel: 020 8379 6438

Cabinet Member consulted:

1. EXECUTIVE SUMMARY

1.1. To propose a change to the name of the Audit Committee to reflect the terms of reference, remit and purpose of the Committee.

2.2. This report summarises the proposed changes to the Audit Committee Terms of Reference. These were last amended in July 2014 and to review to ensure that they reflect the current duties and responsibilities and are up to date for the Committee. The proposed changes have been approved for recommendation on to Council by Audit Committee on 3rd March 2016 and have also been cleared via Members & Democratic Services Group.

2. RECOMMENDATIONS

2.1. That the name of the Audit Committee be amended to the ***Audit & Risk Management Committee***, to better reflect the role played by the committee in the governance of the Council.

2.2. That members agree the changes to the Audit Committee Terms of Reference, as detailed within the attached Appendix.

3. BACKGROUND

Audit Committee – Name Change

- 3.1. At the 19 January, 2016 Audit Committee meeting, the Chair and Members of the Audit Committee agreed that the name of the committee did not adequately reflect the committee's wide ranging remit and the variety of work carried out.
- 3.2. Whilst much of the committee's work relates to oversight of the Council's financial affairs, the committee also plays a monitoring role. The committee monitors governance of the organisation and the Council internal controls.
- 3.3. The Chair had attended a recent networking meeting with other Audit Committee Chair's. It was whilst attending this meeting the Chair established the names of equivalent committees in other local authorities which had shown that risk management work that is carried out is reflected in the committee titles. It is proposed therefore that in order to more accurately reflect the wide ranging remit of the Audit Committee and the role it plays in the Council, it is renamed the ***Audit & Risk Management Committee***.

Audit Committee – Terms of Reference

- 3.4. The Audit Committee provides a key role in the Council's governance structure. It's purpose is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes and provides independent challenge across a number of areas to ensure that the Council's assurance framework is fit for purpose and operating as designed.
- 3.5. The Audit Committee receives reviews and challenges reports from the Council's Internal Audit and Risk Management service and the previous external auditors, Grant Thornton LLP and new external auditors, BDO. Examples of the work undertaken by the Audit Committee include:
 - Reviewing the internal Audit Plan and the adequacy of the control environment of the Council – a primary role of Internal Audit;
 - Building a good relationship with the external auditors of the Council, working together to maximise the contribution to the assurance process.
 - Review and approval of the Council's annual accounts;
 - Reviewing the Annual Governance Statement and working across the Council to assess overall governance arrangements;
 - Receiving and reviewing the Council's risk registers and the management of targeted risks; and

- Covering specific areas of interest chosen by the Committee, for example, the Contract Procedure Rules, Property Procedure Rules and the work of Corporate Procurement, review of internal audit against the CIPFA Code of Practise, International Financial Reporting Standards (IFRS).

3.6. The current Terms of Reference for the Audit Committee were last amended in July 2014.

3.7. The tracked revised Terms of Reference approved by the Audit Committee can be seen in Appendix A. There have not been any significant changes; the majority have been to provide clarification on specific activities and to reflect the change in title of some of the Council's functions. The document has been left with the tracked changes, for ease of reference.

3.8. Members are asked to agree the changes to the Terms of Reference.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There are no other options which can be considered as these matters need to be reported to the Audit Committee.

5. REASONS FOR RECOMMENDATIONS

5.1 The current Terms of Reference for the Audit Committee were last amended in July 2014. The revision of the Terms of Reference is to ensure that they are aligned to the current role and responsibilities of the Committee.

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

6.1 Financial Implications

6.1.1 There are no specific financial implications relating to this report.

6.2 Legal Implications

6.2.1 There are no specific legal implications relating to this report.

6.3 Property Implications

6.3.1 There are no specific property implications relating to this report.

7. KEY RISKS

- 7.1 Any large, complex organisation needs to have a well-established and systematic risk management framework in place to identify and mitigate the many risks it may face. Enfield Council has such a system, and the Audit Committee plays a key role in ensuring the adequacy and effectiveness of the risk management framework in place.

8. IMPACT ON COUNCIL PRIORITIES

- 8.1 The proper maintenance of the council's internal control system brings an assurance to the community as to the integrity, value and robustness of Council's arrangements to protect the public purse.
- 8.2 The Council's assurance framework, including the Audit Committee, contributes to the corporate objective of delivering excellent services by monitoring, reducing and managing risk across the Council.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

- 9.1 There are no specific performance management implications relating to this report.

10. HEALTH AND SAFETY IMPLICATIONS

- 10.1 There are no specific health and safety implications relating to this report.

Background Papers

None.

3. **Audit & Risk Management Committee**

COMPOSITION

Updated: Council 19/11/14)

The Audit & Risk Management Committee is composed of nine Members, comprising seven members of Council and up to two ~~two~~ Independent non voting Members (members who are not a Councillor) with the Chair and Vice Chair being appointed at full Council. Membership to be drawn from the non-executive element of the Council and by law remain politically balanced.

QUORUM

The quorum for the Committee is 3 Members.

PURPOSE

(updated: Council 02/03/11)

The Council has established an Audit & Risk Management Committee whose primary purpose is to ensure best practice in corporate governance and to enable the Council to discharge its fiduciary responsibilities in preventing fraud and corruption, and arranging proper stewardship of public funds.

The Committee will generally meet at least five times per year, with dates included in the Council calendar. Further meetings can be arranged on an ad hoc basis as appropriate.

The Committee will operate within the requirements of the Access to Information Act but will at times have to consider certain 'exempt' issues in private session.

The Committee will report annually directly to full Council.

TERMS OF REFERENCE

To consider:

Internal Audit

- i) The annual Internal Audit Report, including the Head of Internal Audit and Risk Management's Annual Opinion over the Council's assurance framework and internal control environment.
- ii) The annual risk-based plan of internal audit work, from which the annual opinion on the level of governance, risk management and internal control can be derived. The plan will include the budget requirement and resource plan in terms of audit days needed to deliver the programme of work.
- iii) The internal audit charter, defining the service's purpose, authority and responsibilities— . The charter will cover arrangements for appropriate resourcing, define the role of internal audit in fraud-related work and set out arrangements for avoiding conflicts of interest.
- iv) Regular updates from the Head of Internal Audit and Risk Management on audit and investigation activities. These will include progress on delivering the annual programme of work, emerging themes, risks and issues and management's responsiveness in implementing recommendations and

responding to Internal Audit. In line with requirements of the Public Sector Internal Audit Standards, performance of the Internal Audit Service and the results of quality assurance and improvement activities will also be reported.

- v) Specific ~~i~~Internal ~~a~~Audit reports agreed between the Chair and the Director of Finance, Resources & Customer Services or the Chief Executive.
- vi) The Council's policies on 'Raising Concerns at Work' and the 'Anti fraud and corruption strategy'.
- vii) The implementation of relevant legislation relating to fraud and corruption.

External Audit

- i) The External Auditor's Annual Letter and relevant reports.
- ii) Specific reports as agreed with the External Auditor.
- iii) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- iv) ~~To consider t~~The External Auditor's Report to those charged with governance from the audit of the accounts.

Risk Management

- i) ~~To monitor th~~The strategy for effective development and operation of risk management and corporate governance in the Council to ensure compliance with best practice.

ii) Departmental and corporate risk registers.

Procurement and Contracts

- i) ~~To maintain a~~An overview of the Council's Constitution in respect of contract procedure rules, financial regulations and relevant codes of conduct and protocols.
- ii) ~~To consider r~~Reports on waiving of contract procedure rules.

Other issues

- i) ~~To approve t~~The Council's annual Statement of Accounts.
- ii) Any matters referred to it from the Monitoring Officer's meetings.
- iii) ~~To review a~~Any issue referred to it by the Chief Executive or a Director, or any Council body for determination.

~~iv) Adopt Enfield's Council Tax base.~~

- ~~v)iv) To prepare a~~An Annual Report, for submission to Council, ~~The Annual Report will contain information on~~summarising the work done by the Committee over the past year and outlineing work to be done in the year to come.

- ~~vi)v) The Council's Annual Governance Statement and to formally agree it.~~

- ~~vii)vi) To review q~~Quarterly updates on the use of Regulation of Investigatory Powers Act 2000 (RIPA).

- vii) To eCommissioned work from internal and external audit, the Director of Finance, Resources and Customer Services or other Council officers.

MUNICIPAL YEAR 2015/2016 REPORT NO. **207**

MEETING TITLE AND DATE:

Council – 23 March 2016

REPORT OF: Ian Davis

Director of Regeneration and Environment

Contact officer and telephone number:

Helen Waring 0208 379 4058

E-mail: Helen.waring@enfield.gov.uk

Agenda - Part: 1	Item: 11
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Subject: Enfield's Housing Board - Changes to Terms of Reference

Cabinet Member consulted: Cllr Oykenor

1. EXECUTIVE SUMMARY

- 1.1 This report seeks approval to change the Terms of Reference for Enfield's Housing Board. The Group is chaired by the Cabinet Member for Housing and Housing Regeneration and also includes the Deputy Leader and the Shadow Cabinet Member for Housing.
- 1.2 The proposed changes will increase the number of tenant and leaseholder representatives (from three to four), increase independent representation (from one to three), delete the Chair of Enfield Homes Board as a member of Housing Board, and create three sub-groups which will sit below the main Board.
- 1.3 The changes have been considered and agreed by Housing Board and also cleared via Members & Democratic Services Group and are needed following the dissolution of Enfield Homes, to ensure that workstreams which were previously reported into Enfield Homes Board continue to be reported at an appropriate level, and to ensure that strong links between residents, officers and Council Members are maintained. It is also deemed important to continue to maintain independent representation given that the Council Housing service is now required to operate on a more commercial footing.

2. RECOMMENDATIONS

That the proposals to increase the representation of tenants and leaseholders (from three to four), increase the representation of independent members (from one to three), delete the Chair of Enfield Homes, and to create three sub-groups to sit below the main Board, are approved, as detailed in the Terms of Reference attached as Appendix 1.

3. BACKGROUND

3.1 Following the reintegration of Enfield Homes back into the Council, Housing Board has discussed how to update its Terms of Reference throughout the 2015/16 year and has agreed the following:

- That the number of resident members on the Housing Board should be increased to three tenants and one leaseholder and that there should be three independent members of the Housing Board
- That the resident members should be nominated by the Customer Voice (the HRA tenant and leaseholder representative body) , using a process agreed by them, and that the independent members should be recruited via advertisement and interview
- That the Board should have an overarching, strategic role in managing the Council Homes business, with three sub groups operating below it looking in more depth at Finance, Performance and new policy. These three sub-groups will be as follows:
 - a. HRA sub-group (Policy Development and Review) – different subjects will require different people for consultation, advice and decision-making
 - b. Performance – this will be managed through the current Customer Voice and Customer Senate processes
 - c. Finance & Audit – Council officers will look at the membership of this group

4. ALTERNATIVE OPTIONS CONSIDERED

An alternative option identified in March 2015 was to extend the role of the current Housing Board to include the additional elements identified above but with a flat rather than Sub Group structure. The Sub Group structure has been identified as the preferred option as it is felt that this will better enable the Board to maintain its key strategic focus around the Council Housing Business, whilst also providing a mechanism to oversee management of the wider Council housing function, allowing more detailed input to be provided by the Sub Groups.

5. REASONS FOR RECOMMENDATIONS

- 5.1 To enable the Housing Board to maintain its strategic oversight of the Council Housing business, whilst allowing the sub groups to have more detailed involvement in important aspects of the business such as Finance, performance and policy development.
- 5.2 To ensure strong links are maintained between the Customer Voice, the Customer Senate, officers and Members of the Council. This will enable residents to be part of, and influence, decision making.
- 5.3 To maintain an independent involvement on the Board, allowing for good challenge and a wider understanding of the approaches being used elsewhere in the Housing sector.

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

6.1 Financial Implications

The HRA is a significant business with an annual revenue income of £65m. The HRA manages some 16,000 properties and has a capital programme totalling £238m over the next five years. In addition, the HRA has borrowing of £159m and this will rise to £198m over the next five years.

The proposed governance arrangements have been designed to reflect the significance of the HRA business and will be managed within existing resources and adhering to financial regulations.

6.2 Legal Implications

The recommendations contained within this report are in compliance with the Council's existing governance arrangements under the Local Government Act 2000 (as amended).

In accordance with the Localism Act 2011 the Council must ensure compliance with the statutory guidance for social landlords - The Regulatory Framework for Social Housing in England 2012. The framework requires boards and councillors governing the service delivery of housing management provisions to be responsible for ensuring that the Council meets certain standards. One of these standards is that tenant panels, elected councillors and MPs have a role in scrutinising the Local Authority as a landlord.

To ensure compliance with the 2012 Framework it is imperative that the Customer Voice which provides a tenant based consultative body and the Customer Senate which provides a scrutiny function both inform and are considered by the decision making body or bodies as co-regulators.

7. KEY RISKS

The key risks identified in relation to this review are as follows:

Governance arrangements post reintegration not compliant with Council's existing structures – mitigated by governance options being developed in consultation Legal & Democratic Services, Enfield Homes and the Community Engagement Team. The reintegration plan has also been included on Internal Audit Plan for additional assurance.

Members perceive a reduced level of governance post reintegration – this will be mitigated by the final governance option identified being subject to consultation with members prior to approval and implementation.

Tenant concerns regarding a perceived reduction in engagement post reintegration – this is being mitigated through consultation with the Customer Voice on the governance options being developed and representation of the Community Engagement Team on the review process.

Confusion between the roles of the Housing Board, Customer Voice, Customer Senate and Council's scrutiny function – this will be mitigated as all groups will operate under clearly defined Terms of Reference to ensure the necessary links are established and duplication of roles and work avoided.

- 7.2 In addition, there is an opportunity to ensure that new governance arrangements will build on existing structures and offer the potential to reinvigorate the tenant engagement function.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The amended Terms of Reference have been designed to ensure that transparency and openness in relation to the Council's decision making process are clearly defined and maintained.

8.2 Growth and Sustainability

The amended Terms of Reference have been designed to maintain the strategic focus of the Housing Board around the Housing Revenue Account 30 year Business Plan and Asset Management Strategy, which will govern the growth and sustainability of the housing stock and service.

8.3 Strong Communities

The amended Terms of Reference have been designed to safeguard the tenant engagement process post reintegration and maintain an effective channel of communication between the existing tenant engagement structures and Council's Executive

9. EQUALITIES IMPACT IMPLICATIONS

The amended Terms of Reference respond to recommendations from the Council's Customer Voice, the HRA tenant and leaseholder representative body. This group specifically requested that tenant and leaseholder representation should be increased on the Housing Board, to ensure that the level of input encouraged through the ALMO Board was not lost following the reintegration of Enfield Homes. The Customer Voice has also been given responsibility for nominating tenant and leaseholder representatives to the Housing Board.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

The options developed around the governance arrangements have been designed to assist the Council in managing its business in as efficient and effective a way as possible.

11. PUBLIC HEALTH IMPLICATIONS

Housing is one of the key determinants of health. By continuing to provide high quality and effective housing management and maintenance services and a structure for engaging residents on these issues, there will be a positive impact on the health and wellbeing of residents across the borough.

Background Papers: None

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Housing Board Terms of Reference

1. OVERVIEW

The Housing Board (HB) will be an Advisory Body to the Council's Executive providing:

- a. a key strategic overview of the management of the Council's Housing Revenue Account (HRA) business and associated strategies and policies, including quality & performance.
- b. a key consultation mechanism and representative voice between the Council's Executive and Tenant/Leaseholder engagement structure on all HRA management matters including, but not exclusive to, rent setting, capital programme, service levels, repairs, customer satisfaction and complaints.

It will also decide how some of the budgets within the HRA will be spent, for example, the Area Estate Improvements budgets. These delegated decisions will be made in the context of the Council's Financial Regulations.

2. BACKGROUND

The HB will combine the roles of the existing Housing Board and the now disbanded Enfield Homes Board, providing a link to the newly established tenant and leaseholder engagement structure (Customer Voice).

The Board will have the ability to establish Sub Groups to lead on specific areas of work, but given its strategic focus there will not be a requirement to consult with the Board on every decision relating to the Council's housing management function.

3. MEMBERSHIP

In line with the Council's commitment to inclusive working, the HB will be a joint forum comprising of three Councillors, senior officers of the Council, independent representatives and tenant/leaseholder representatives from the engagement structures.

Where a member is unable to attend a meeting an alternative representative may be nominated to attend on their behalf.

The HB reserves the right to invite/co-opt other relevant people to assist with activities as appropriate.

The Chair of the Board will be the Cabinet Member for Housing & Housing Regeneration.

Quorum will be four members to include at least one councillor and one tenant & leaseholder representative.

Membership of the Sub Group structure will be determined by the Housing Board.

Councillor Representation:

Cabinet Member for Housing & Housing Regeneration

Deputy Leader

Opposition Lead Member for Housing

LBE Representation:

Director of Health, Housing & Adult Social Care

Director of Regeneration & Environment

AD Finance

AD Community Housing

AD Council Housing

Tenant, Leaseholder and Independent Representation:

Four resident (three tenants and one leaseholder) representatives nominated by the Customer Voice.

Three independent members whose posts to be appointed through an advertising and recruitment process.

4. TERMS OF REFERENCE

The Board will act as an advisory body to the Council's Executive with a key role in the development and management of the HRA Business Plan and review of the Council's housing management objectives and performance.

The Board will provide a channel of communication between tenants and leaseholders, officers and Executive Members of the Council.

Whilst the Board is without executive function its membership affords it the capacity to provide the strategic direction that is central to facilitating an inclusive approach to service delivery.

The Board will be responsible for the following functions:

- (a) Monitoring housing service quality & performance.
- (b) Providing a strategic overview on delivery of the Council's HRA Business Plan.
- (c) Monitoring the process for identification and management of risk as this impacts on the development and delivery of housing services and the HRA Business Plan.
- (d) Commenting and advising on:
 - development of housing policy, the setting of Housing Rents and Service Charges;
 - the Council's 30-year HRA Business Plan and Asset Management Strategy, and the assumptions that underpin it;
 - the risks, challenges and opportunities associated with the Business Plan and Housing Strategy;
 - Council's policy framework for social housing;
- (f) Requesting and reviewing reports on activity associated with the delivery of the business objectives.
- (g) Providing reports and making recommendations to the Cabinet Member for Housing and Housing Regeneration, Cabinet, Director of Health Housing and Adult Social Care and Director of Regeneration and Environment in relation to policy issues, consultation or areas identified in relation to performance or service development.
- (h) Facilitating and developing effective communication and engagement with tenants and leaseholders. This to include considering reports and issues referred from both the Customer Voice & Senate engagement structures.
- (i) Developing a bidding process and deciding on the allocation of some HRA budgets, for example the Area Improvement budgets.

The Board will delegate the following functions to Sub Groups, which will be required to provide updates to the main Board on a regular basis:

- (a) Performance – to receive updates from the Customer Voice on housing service performance against KPIs and reports on current activity associated with the business commissioned from Senate representatives by the Customer Voice.
- (b) Policy Development & Review (HRA Sub Group) – to assist in shaping development of the Council's Housing Strategies and Policies.

- (c) Finance and Audit – To undertake review of the financial detail of the HRA Business Plan, consider the annual budget, rent-setting and service charge proposals and respond to any financial risk or pressure that may arise so that the HRA Business Plan remains in balance.

5. OPERATION OF THE BOARD

The Board will meet at least four times a year. Sub Groups will meet at a frequency to be determined by the Groups themselves, but at least once per year.

Agendas and papers for meetings will be circulated 5 working days prior to each meeting.

Minutes and action points from each meeting will be recorded and circulated to all members if the HB within ten days of the meeting date. These documents will be reviewed at the beginning of each meeting.

6. REVIEW

The Board will review its operation and terms of reference on an annual basis.

Council Questions – 23 March 2016

Section 1 – Questions for Cabinet Members

Question 1 from Councillor Chibah to Councillor Anderson, Cabinet Member for Environment

Can the Cabinet Member for Environment please update the Council on the recent work undertaken by the Consumer Protection team?

Reply from Councillor Anderson:

Indeed I can. The Consumer Protection Team has a long and successful track record of protecting the public using robust enforcement action. They often prosecute for fraud and other very serious offenses, resulting in large fines and custodial sentences. They also use the Proceeds of Crime Act to recover assets and money that has arisen from the criminality.

Some of their most recent significant successes include:

- Two individuals were each imprisoned for in excess of 4 years for importing and selling counterfeit designer handbags and one of them convicted also for perverting the course of justice.
- Prosecution of two individuals for selling counterfeit gyms products – resulting in a 12-month prison sentence (suspended for 2 years), 250 hours of unpaid work and ordered to pay £90,000 under the Proceeds of Crime Act and over £35k of Council costs.
- A nationally significant project regarding the importation and distribution of unsafe electrical goods resulting in a massive raid led by the Council's trading standards officers including Her Majesty's Revenue and Customs (HMRC) and police officers leading to the seizure of over 29,000 products and freeze of the company accounts.
- Have been awarded over £135K in the last year using the Proceeds of Crime Act.
- Seized over 260,000 illegal and smuggled cigarettes and 10 tonnes of illegal hand-rolled tobacco leading to reviews of premises licences, which has resulted in 4 licences being revoked so far to date.
- Prosecution of a toy manufacturer and importer for the sale of loom bands that were falsely marked as being safe and charms for children's bracelets that contained a cancer-causing chemical.
- Prosecution of a company and the Director for the sale of dangerous skin lightening creams – over £16,000 fine including costs.

- Prosecution of a retailer for selling sofas that failed to comply with fire safety regulations. The company was fined £6,000.
- Intervention by trading standards saved residents almost £400K from being handed over to rogue traders for unnecessary or extortionately priced home repairs.
- Prosecution of a rogue trader resulting in a community order to undertake 200 hours of unpaid work, and ordered to compensate victims £7,000 and pay a confiscation order of £23,000.
- Prosecution of another rogue trader under the Fraud Act resulting in 26 weeks imprisonment (suspended for 12 months) and 200 hours unpaid work after charging a 70-year old resident £10,000 for labour which should have cost £2,000.
- Confiscated over 250 unsafe hover-boards.
- Prosecuted a company director for serious health and safety offences - magistrates fined him £12,000 plus £10,000 costs after a man fell from a restaurant roof whilst cleaning it and was seriously injured.
- In another health & safety prosecution for an accident involving an employee who lost 3 fingers in a food mincing machine – the Crown Court Judge sentenced the company director to 9 months imprisonment suspended for 2 years, 600 hours unpaid work, a fine of £20,000 and reimbursement of our costs of £10,000.
- Prosecuted a privately-owned leisure centre for a mice infestation – the magistrates fined them £10K and ordered reimbursement of our costs.
- Prosecuted an entertainment venue for very poor hygiene resulting in a £4,000 fine and the award of over £2,000 costs.
- Robust enforcement including the closure of 13 food businesses, prosecutions and the serving of over 120 improvement notices, raising the compliance of food businesses with food hygiene requirements from 68% in April 2015 to 83% in February 2016.
- 9 reviews of premises licences in the last year which resulted in 6 being revoked and the Council's Licensing Committee added licence conditions for 3 other premises, such as reduced hours and licensable activities, and removal of designated premises supervisors.

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

Could Councillor Taylor tell the Council since May 2014, how many general dispensations, shown by subject matter, have been given for debates in Council or

elsewhere, specifying the nature of the debate for which the dispensation has been given?

While I have absolutely no objection to members owning housing for letting, can he specify, in respect of housing matters, which affect letting in the private sector (where I am aware a number of dispensations have been given), since in order to come to a view that it is necessary to grant the general dispensation, because if not granted the numbers of people involved may affect the outcome of a vote in terms of political control, how many of his members own houses/flats in the borough which are available for letting and identify them in the same way that they would be identified if they were making an individual declaration?

Reply from Councillor Taylor:

The following general dispensations have been given to allow for:

- (a) Where members of the decision making body have disclosable pecuniary interests in a matter that would “impede the transaction of the business.
- (b) That without the dispensation, the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of any vote on the matter.

From May 2014 to date there have been 11 dispensations granted in total. Five have been granted in relation to Cycle Enfield, two in relation to Opposition Priority Business on the cost of temporary accommodation, one on the additional licensing scheme for private sector landlords, one in relation to a Council motion on trade unions, and two on a Council motion on the Housing and Planning Bill.

On the specifics of housing dispensation, individual property ownership is part of member interest declaration held by the Member Support officer, and published on the Council website. However dispensations have also taken into consideration circumstances where members have a relationship with someone else who is a property owner eg family, close friend. In such cases the advice has been that those members should seek a dispensation even though they have no direct property ownership.

Question 3 from Councillor Abdullahi to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development

Can the Cabinet Member for Economic Regeneration and Business Development update the Council on discussions about the future of Montagu Road Industrial Estate?

Reply from Councillor Sitkin:

Enfield has a proud and long standing industrial heritage and has been the birth place of many inventions that have revolutionised modern society. The demand and need for employment use land remains very strong along the Lee Valley corridor and industrial estates within our borough are of strategic importance within Greater

London's landscape, and indeed nationally.

With the borough's population expected to increase by about 40,000 in 20 years, we need to ensure that we promote sustainable settlements that allow people to have access to work in close proximity to where they live. Many of our industrial estates date back to the 1950s and there is a sharp contrast between those that are in private ownership and those still retained by the Council. The high demand for industrial land within the M25 requires us to consider a fresh approach to the management of our industrial estates, and officers are now actively identifying the options that are available to us. Much of this is commercially sensitive at present, but I intend to bring proposals to Cabinet before the summer break.

Question 4 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

In view of the fact the Mayor of London and Transport for London (TfL) have apparently now reached an accord with the trade unions over the running of certain underground lines, through the night at weekends, which we understand will start during May 2016 and include the Piccadilly Line, this plainly will attract a number of users from outside the borough.

Can he tell the Council what steps he is taking, or has taken, to consider a review of parking arrangements around the stations affected, during the extra running time of the trains at weekends?

Reply from Councillor Anderson:

The need for additional parking controls around the Piccadilly Line stations will be reviewed once the night tube commences and we are clear about its impact. However, we have been in discussion with Transport for London (TfL) about taxi rank provision.

Question 5 from Councillor N Cazimoglu to Councillor Keazor, Cabinet Member for Public Health and Sport

Can the Cabinet Member for Public Health and Sport update the Council on what opportunities there are in the borough for talented young sports people, and the steps the borough has taken to ensure that talented sports people with disabilities also have the best possible opportunities?

Reply from Councillor Keazor:

In partnership with Fusion the Council operates a scheme whereby talented young athletes competing at national level or ranked in the top 10 at County level in their respective sport are allowed to use the leisure centres free of charge to assist with their training.

The London Youth Games Finals, a sporting competition between the 33 London boroughs, enables talented athletes to take part in competition in 30 different sports. Trials take place to choose teams for the 30 sports and approximately 150 young

people from Enfield are chosen to take part in the finals.

There is a school/sports club scheme in place whereby pupils who enjoy a particular sport at school and would like to progress in that sport are directed to a linked sports club so that they can continue to play and develop at that sport.

Talented sports people with disabilities

The Borough currently enters teams into Pan-London events including Panathlon which is predominantly for those with physical disabilities and severe learning difficulties as well as specialised events for visually impaired, deaf and power-chair users. Enfield enters this annually and takes part in events including Football, New Age Kurling, Boccia, Table Cricket and Swimming. We enter teams into both the primary competitions and secondary age groups and usually enter participants from local Special Schools. Enfield always does well within these competitions and is regularly present at the finals which are held at the Copperbox arena. All participants that take part thoroughly enjoy this event and look forward to it every year.

Enfield also enters into all London Youth Games competitions for disabled young people, events under the Para-Games include Football, Athletics, Swimming, Boccia, Tennis and IZ Basketball. Again we enter teams from the local Special Schools and the athletes take great pride in competing for their Borough. We always do particularly well in the Male Football, Tennis and Athletics.

Approximately 100 people with disabilities take part.

We have great links with local clubs to signpost the participants on to keep up their training and always have talent ID at events and competitions to ensure that talented young people are recognised.

Question 6 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

With reference to the consultation on the Cycle Enfield proposals for Enfield Town, the consultation for which closed on 18th December 2015 (and which you declined despite my requests to extend), can you explain to Council why given that the consultation pro-forma was very much shorter than that for the A105, it has taken so long to disclose to the public the results of that consultation.

Reply from Councillor Anderson:

We haven't. We received over 2,700 responses to the Enfield Town consultation and it obviously takes time to carry out even an initial analysis of the many comments received. Nonetheless, there was less than a six-week gap between the end of the consultation (18th December) and the announcement of the initial findings (26th January), a period that included the Christmas break. Regarding your request for a consultation extension this was clearly unnecessary as the high number of responses demonstrated.

Question 7 from Councillor Jiaage to Councillor A Cazimoglu, Cabinet Member for Health and Social Care

Can the Cabinet Member for Health and Social Care update the Council on how it is engaging with the recent concerns about North Middlesex University Hospital NHS Trust?

Reply from Councillor A Cazimoglu:

There have been a number of concerns about the timeliness and quality of care and treatment at North Middlesex University Hospital in recent months.

The Council has sought to understand the underlying issues, seek assurance from the Trust Leadership about improvements and where appropriate offer support as part of the wider health and social care system locally.

In addition to discussions with the Scrutiny Work-stream a further public discussion is planned for the next meeting of the Health and Wellbeing Board.

In the interim, leading members and officers have continued to meet with the Trust, including supporting work from leading national experts to help review the challenges faced by the Emergency Department at the Hospital. It is to their credit that throughout the leadership of the Hospital have sought to ensure an open and constructive dialogue that is not defensive but focused on ensuring hardworking and committed frontline NHS staff are supported to deliver high quality care at the right time in the right place, in many cases this is likely to be in primary care rather than the hospital.

I will continue to offer both support and constructive challenge that focuses on helping ensure this important local hospital returns to providing the timely, high quality care local people need and deserve. Inevitably this will also require a more appropriate funding settlement for local health and social care services that fully funds local need.

Question 8 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

I have obtained under a Freedom of Information request FOI 20952/15 the fact that in relation to Enfield Town cycling proposals, the consultation revealed that

Proposal	Fully support	Partially support	Do not support	Not sure	No opinion	Total
Enfield Town Option 1	806	103	1749	36	13	2707
Enfield Town Option 6A	370	398	1872	50	17	2707
Southbury Road	359	48	283	10	1	701

A roughly 60:40 ratio against the proposals.

I note however that in a press statement in the week commencing 29 February 2016 you quote an even higher figure against.

Will the Cabinet Member

1. Confirm which set of figures is accurate, if either?
2. In the light of the fact that whichever figure is correct, there is clearly a substantial majority against, and therefore he will not be proceeding at all with these proposals?
3. Confirm to Council what alternative proposals he has in mind, if any?

Reply from Councillor Anderson:

1. The different figures are a result of people being able to comment on both options rather than being forced to pick only one. The higher figures used in the press statement relate to the number of responses opposed to each individual option for Enfield Town. However, when amalgamating all the responses it is also true to say that 40% of respondents were in favour of one or other option and most respondents recognised the benefits of some change.
2. I have attempted to explain to Councillor Neville on numerous occasions that there is a difference between a consultation, which this was, and a referendum, which this wasn't. The progression of any of the schemes is not and never has been dependent on there being majority support.
3. As we have said from the outset we will be analysing the numerous responses to the consultation, together with discussion with the Mayor's Office and TfL, to amend our proposals and so produce the best possible scheme for Enfield Town. This work is ongoing and with 2,707 responses to consider it will take many more weeks to complete.

Question 9 from Councillor Pite to Councillor A Cazimoglu, Cabinet Member for Health and Social Care

Can the Cabinet Member for Health and Social Care update on the level of demand on Enfield Social Care Services over recent months?

Reply from Councillor Cazimoglu:

The demand for adult social care services has continued to grow year on year at the rate of between 3% and 4%. We know that the rate of general population growth is just over 1% every year but:

- That our population is getting older with increasing numbers of people with dementia
- There are increasing numbers of people with mental ill health
- Increasing numbers of people with a learning disability
- More younger adults with physical disabilities who need our help
- An increasingly aging carer population who need our help to manage and to keep on caring where they can

But the pressures are not all down to increasing numbers of people but also the number of cases the Council is having to work with around deprivation of liberty safeguards, in completing best interest mental capacity assessments to ensure where people are placed in a restricted setting (usually residential), that it is in their best interests to be so. A recent court ruling has resulted in a significant increase within this area of work (66 cases last year and over 800 predicted for this year).

Of course all of this must be considered in the light of the extensive cuts applied by Central Government. Given social care expenditure is such a high % of total Council spending it must be subject to cuts.

Our enablement service which works with people both to avoid hospital and to support discharge, has doubled the number of people it works with over the last three years. They've also been very successful in helping more people to achieve independence with fewer residential and nursing placements and over 70% of the service users requiring no further support from us after receiving the service. So the message is a positive one and testament to the dedication and hard work of our front line staff but I need to end with a word of caution.

- Adult Social Care is facing significant funding reductions
- The number of people who need our help will continue to increase and our funding to meet that need will decrease
- These will bring with them a level of risk which we will do our very best to manage

Question 10 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

Can the Cabinet Member for Environment tell the Council in connection with the Cycle Enfield proposals for Enfield Town why, given that he has not announced

publically, or at all, the results of the consultation on the Enfield Town proposals, which revealed a 60/40 result against those proposals, the current key decision list on our website lists KD 4112 Approval of Cycle Enfield Proposals for Enfield Town, indicating that the Cabinet are due to make a decision on this, not before the 1 June 2016.

Perhaps you can tell the Council the nature of that decision and when you propose to announce publicly the results of the consultation.

Reply from Councillor Anderson:

Councillor Neville is mistaken. As I have already stated in my response to Question 6, the initial results have already been announced publicly with a press statement released on the 26th January. This resulted in the front page story in the Enfield Advertiser on the 27th January. A results summary has also been available on the Cycle Enfield website since last month.

Question 11 from Councillor Hamilton to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development

Can the Cabinet Member for Economic Regeneration and Business Development update the Council on the efforts the London Borough of Enfield is making to facilitate greater employability for individuals with learning disabilities and/or mental health problems?

Reply from Councillor Sitkin:

Employability support for individuals with learning disabilities and/or mental health problems is yet another area where the government has neglected its responsibilities to support the most vulnerable in our society. The mainstream provision from Job Centres and even the Work programme is not geared up to support individuals most in need.

In Enfield we do what we can with very limited amounts of funding. Where we can secure grant funding, for our job brokerage service Jobsnet, then we can use it to improve mainstream delivery by facilitating activity between the Job Centres and Adult Social Services to provide support for residents with health barriers, including mental health issues and learning disabilities. At a recent Department for Work and Pensions organised job fair held at Southgate College, we had a Jobsnet stand promoting support options for those with disabilities.

Where funding can be secured, the Council's Skills for Work Service will deliver support activities for those with learning disabilities and/or mental health problems. There is an ongoing specialised work experience placement programme delivered in partnership with the mental health team.

Skills Funding Agency contract funding has been secured to establish a Supported Internship programme for young people aged 16-25 with learning difficulties. The programme has been developed with schools and employers and was recently launched through a briefing session for all potentially interested parties wanting to be

part of the partnership on 24th February at Forty Hall. There are 15 young people due to start in September and over time the service will seek to support more young people.

Question 12 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

Can he tell the Council:

- Why in the case of the A105 consultation on cycle proposals for that route, which ended on 9 October 2015 and was itself a complex consultation, comprising of some 20 pages, you were able to announce a result with some fanfare on 9 November 2015?
- Why in the case of Enfield Town, where the consultation was much simpler and ended on 18 December 2015, as at 1 March 2016, has no public pronouncement yet been made?

Reply from Councillor Anderson:

Actually, the initial findings for the Enfield Town consultation were released just as quickly as for the A105 when taking the Christmas break into account. As I have already stated in my responses to Questions 6 and 10 above a public announcement was made on the 26th January 2016 resulting in the front page story in the Enfield Advertiser on 27th January 2016. A results summary has also been available on the Cycle Enfield website since last month.

Question 13 from Councillor Barry to Councillor Orhan, Cabinet Member for Education, Children's Services and Protection

Can the Cabinet Member for Education, Children's Services and Protection inform the Council of the Government's recently announced reforms for social work services to children and families in Enfield?

Reply from Councillor Orhan:

In January, the government issued a document entitled 'Children's Social Care Reform: A Vision for Change'. This provides information about a series of changes that the government is proposing are made within this area of our work.

The changes are grouped into three broad categories:-

- People and leadership
- Practice and systems
- Governance and accountability

The government will be expanding the number of places available for students to qualify as social workers, including an expansion of the Frontline programme, for which Enfield has been one of the lead authorities. There will also be a new

Accreditation process for social workers who are dealing with vulnerable children and their families

The government is keen to remove some of the extensive regulations, as was recommended by Professor Eileen Munro, which currently can inhibit social workers in responding to families. A number of local authorities will be chosen to work with the Department for Education (DfE) on de-regulating existing practices and innovating new methods of service intervention, in order to develop new ways of working with said families. A new body for children's social care will also be commissioned to develop, initiate and disseminate best practice, working to a similar model to that developed by NICE (National Institute for Clinical Excellence).

The government is also keen to encourage local authorities to share services across traditional boundaries and/or develop new frameworks, such as 'not for profit' Trusts, to deliver these services. The first set of changes will be in the area of Adoption Agencies where a new set of arrangements for London are currently being prepared.

If Members wish to read a full copy of this report, it is available via the DfE website or through the hyperlink below

[Hyperlink](https://www.gov.uk/government/publications/childrens-social-care-reform-a-vision-for-change)

<https://www.gov.uk/government/publications/childrens-social-care-reform-a-vision-for-change>

Question 14 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

I note that up until the date on which the Cabinet Member announced an extension of the period for consultation on Southbury Road cycle proposals, only 149 people had responded. 133 of those appear to be persons who presently are able to park outside their houses and so it is perhaps unsurprising that they form the bulk of the objectors. The following questions arise:

1. What thought was given by the Cabinet Member when approving these proposals for consultation as to how the parking in Southbury Road would be accommodated?
2. In the Cabinet Member's view what do these numbers say about public awareness of the Council's proposals for Southbury Road?
3. Does he still seriously believe that this section of Cycle Enfield should be proceeded with?
4. Can he confirm that both he and the relevant officers actually inspected Southbury Road before these proposals were launched and when?

Reply from Councillor Anderson:

Councillor Neville is, once again, mistaken. The Southbury Road consultation has not been extended. Alas, Councillor Neville seems to be confusing the consultation for the A1010 South (Hertford Road) with the Southbury Road consultation (A110),

which ended on the 18th December 2015 and received a healthy 701 responses. Perhaps, Councillor Neville isn't familiar with the eastern part of the borough?

Regarding the parking on Southbury Road this was carefully considered by our consultants before the draft scheme went out for public consultation. However, as with all our schemes, we are carefully considering the extensive consultation responses before we bring forward any amended proposals. To that end, we are in discussion with the Mayor of London's Office and TfL, and there will be no progression unless and until we are all agreed on the best way forward.

Question 15 from Councillor Dogan to Councillor Keazor, Cabinet Member for Public Health and Sport

Can the Cabinet Member for Public Health and Sport update the Council on how Enfield Council is working with NHS North Central London (NCL) to develop sustainability and transformation plans?

Reply from Councillor Keazor:

The NCL Transformation Programme Board has been established with representation from all relevant partners (including Clinical Commissioning Groups (CCGs), boroughs, providers, NHS England and Healthwatch). We are keen to ensure ongoing involvement of members and officers in governance structures. Officers have pressed the importance of early and meaningful engagement with Health and Wellbeing Board. I look forward to continuing to work with Councillors Taylor, Cazimoglu and Orhan and others on the Health and Wellbeing Board to make sure plans lead to improvements for local people. Public Health across the NCL area has been requested to provide input and support to the Sustainability and Transformation Plan (STP) development process.

The five identified key opportunity areas for prevention are:-

1. Children and young people
2. Diabetes and Stroke
3. Ageing well and independence
4. Mental Health
5. Sexual Health

Enfield's Public Health team is providing leadership in the diabetes and stroke focus area across the NCL area. To this end Public Health in Enfield has also been pivotal in the setting up and initial activities of the NCL Hypertension Leadership Group which is chaired by Enfield's Director of Public Health. We have also been heavily engaged with the Pan-London Hypertension Leadership Group which is also chaired by Enfield's Director of Public Health.

Question 16 from Councillor Neville to Councillor Anderson Cabinet Member for Environment

Can he tell the Council specifically what consultation was made with London Buses about:

- a) The cycling proposals for the A105
- b) The cycling proposals for Enfield Town
- c) The cycling proposals for Southbury Road/A1010
- d) Was their response a written one, and if so will he produce it in answering this question for the benefit of the council, and the public?

Reply from Councillor Anderson:

Once again, I think Councillor Neville has confused Southbury Road (A110) with the Hertford Road South (A1010). Nonetheless, London Buses are an integral part of TfL's approvals process for Mini Holland schemes. Numerous discussions have been held with London Buses to ensure that all our schemes clear this approvals process and these discussions will continue throughout the design period. TfL are responsible for London's entire bus service and clearly would not approve any scheme that prevented its efficient operation.

Question 17 from Councillor Simon to Councillor Anderson, Cabinet Member for Environment

Can the Cabinet Member for Environment please update the Council on the progress of Cycle Enfield?

Reply from Councillor Anderson:

Indeed I can. I'm pleased to report that our first main road cycle route, for the A105, was approved by Cabinet on the 10th February 2016 and cleared the subsequent call-in before Overview & Scrutiny on the 9th March 2016. Furthermore, in response to a request that funding for the A105 scheme be withheld, the Mayor of London has made clear in a letter to David Burrowes, that he does not want to see the scheme cancelled and confirmed that the Council has followed all the correct procedures, adding that Transport for London's legal advice is that there is no basis for refusing to release funding. Implementation is, therefore, expected to start by the summer, if not sooner, and I look forward to Enfield setting a shining example to the rest of the country of how to encourage cycling, improve health and wellbeing and enhance our town centres.

Regarding our consultations for Enfield Town and Southbury Road (A110), we had a fantastic response and are now carefully analysing all the feedback in discussion with the Mayor of London's Office and TfL to ensure that we are all agreed on the best way forward in order to deliver the best possible schemes for the borough.

Consultation for the A1010 South (Hertford Road) was always going to be more difficult given the traditionally low level of responses to consultation exercises in the area, e.g. Deephams and the Waste Incinerator, and so has been extended to accommodate further efforts to encourage responses from this often hard to reach part of the borough. Lessons learned will then be applied when we consult on the A1010 North in the summer.

Question 18 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

At the meetings of the Partnership Board, the Project Board and the Cabinet, assurances were given that as regards the cycling proposals for the A105, there would be full consultation with the London Ambulance Service which up to the date of the Cabinet does not appear to have taken place – the phrase being used being “they had not engaged”. What steps is he taking, to ensure that one of the most important emergency services is properly consulted about those proposals?

Reply from Councillor Anderson:

Prior to the meeting of Cabinet on 10 February 2016 officers made the following attempts to engage with the London Ambulance Service:

- Email dated 4/09/2015 to stakeholders, including the Metropolitan Police, London Ambulance Service and London Fire Brigade, inviting them to participate in the A105 consultation. The email included a link to the scheme drawings and questionnaire on the Cycle Enfield website.
- Email dated 30/09/2015 to the London Ambulance Service, advising that Police and Fire representatives are available to meet on 8 and 9/10/2015.
- Email dated 6/11/2015 to London Ambulance Service, London Fire Brigade and Metropolitan Police suggesting new meeting dates of 12, 13, 16 and 18/11/2015
- Meeting invitation dated 16/11/2015 to Fire, Police and Ambulance. The responses were as follows: London Ambulance Service – one officer declined and another did not reply, Metropolitan Police –declined, London Fire Brigade – tentative, another officer gave no reply and Leslie Bowman declined.

Subsequent to the Cabinet meeting on the 10th February:

- Email dated 1/03/2016 to London Ambulance Service, advising of the difficulties engaging with London Ambulance Service and further opportunities to influence the final designs during the detailed design phase and statutory consultation. Requested contact details of the relevant officer to meet before 9/03/2016.
- Email dated 3/03/2016 from the London Ambulance Service, apologising for the difficulties getting hold of someone in the LAS. He put this down to a restructure within the Trust and colleague’s moving to other roles.
- On 8/03/2016 officers met with an officer from the London Ambulance Service to discuss the A105 proposals and response times. He confirmed that any potential issues can be worked through as the A105 plans are developed and that he is the LAS contact for Cycle Enfield consultations.

During the detailed design phase and statutory consultation, we will make further efforts to engage with the London Ambulance Service.

Question 19 from Councillor Fonyonga to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development

To what does the Cabinet Member for Economic Regeneration and Business Development attribute the fact that for the fifth month running, Enfield's employment rate has shot up above the London average?

Reply from Councillor Sitkin:

There are a number of factors contributing to this sharp improvement in Enfield's economic fortunes.

In terms of job opportunities here in Enfield, one factor is the Economic Development department's pursuit of direct, un-intermediated relationships with all companies, big and small. We are constantly being congratulated by the business community for this entrepreneurial attitude, one they tell us is very rare in the UK today. Employers like the fact that the Department is always proactively asking how it can facilitate all kinds of business operations locally. The net effect is to raise Enfield's profile and create greater desire on companies' part to move into our borough and/or to expand operations they are already running here.

Beyond Enfield, I am also very proud that our residents are doing so much better in the wider labour market, successfully competing for jobs at all levels in the economy. When Enfield's employment rate rises more quickly than other London boroughs do – as has been the case in recent month – what this signals is our success in creating positive change supporting residents who have in the past found it more difficult to access the jobs market.

It is worth noting, for instance, the efforts of LBE Jobsnet colleagues working in job centres, taking referrals from Job Centre Plus (JCP) Work Coaches and delivering outreach employability services through Edmonton and Unity Hub libraries. Otherwise, we also laud the Skills for Work Service, which uses externally funded contracts to deliver employability skills support to adults in the community and to deliver apprenticeships. Not to mention work done in conjunction with Enfield's excellent Youth Services department to augment the work-readiness of our school leavers, or our strong collaboration with Enterprise Enfield, sustaining entrepreneurship among our residents. A goal we are also reaching in certain early phase manufacturing sectors through our strong support for Building Bloqs and other friendly bodies.

On top of this, the Economic Development department has also developed a particularly strong partnership with colleagues at Department for Work and Pensions (DWP) job centres, one aspect of which has been a DWP staff secondment to Enfield. This has improved our knowledge of different opportunities and helped us to ensure that Enfield residents get the first chance to access those jobs. Sharing JCP information and data through regular bulletins on claimant data has also allowed us to better target efforts in some of our more deprived areas, starting with Edmonton.

Note that much of this activity is dependent on external funding sources. Meaning that we will only be able to increase the scale of the useful support we have been providing if further grants and/or contracts are secured.

Question 20 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

At the meetings of the Partnership Board, the Project Board and the Cabinet, assurances were given that as regards the cycling proposals for the A105, members were told in the written report that the London Fire Brigade had raised no concerns.

Can he specifically confirm to Council that this statement was accurate as I am informed that the London Fire Brigade locally had simply had a meeting with officers but had not made a formal response?

If a written response exists, please produce it in answering this question.

For his convenience the relevant paragraph of the report to Cabinet is set out below:

Impact on Blue Light Services

On 18 November 2015, officers met with the London Fire Brigade (LFB) to discuss the proposals and impacts on response times. LFB did not raise any concerns at the meeting or via the consultation. Despite repeated attempts, the London Ambulance Service have not so far engaged in the design process, although there will be a further opportunity for any comments to be considered as part of the statutory consultation process. It is anticipated that in the absence of feedback that the requirements of one blue-light service will not be different from that of another blue-light service. (Extract from Report No: 174 Para 4.17 considered at Cabinet on 10 February 2016).

Reply from Councillor Anderson:

As I stated in my response to Question 18, on 4/09/2015 officers sent an email to stakeholders, including the Metropolitan Police, London Ambulance Service and London Fire Brigade, inviting them to participate in the A105 consultation. The email included a link to the scheme drawings and questionnaire on the Cycle Enfield website. Earlier this week, Commander Leslie Bowman advised that London Fire Brigade (LFB) headquarters had not replied to the A105 consultation. Officers met with LFB on 18/11/2015 to discuss the A105 proposals and impacts on response times. LFB did not raise any concerns.

Question 21 from Councillor Levy to Councillor Anderson, Cabinet Member for Environment

Can the Cabinet Member for Environment please update the Council on his progress in seeking to address resident concerns about the safety of the Parsonage Lane/Baker Street crossing?

Reply from Councillor Anderson:

Indeed I can. A feasibility study has been commissioned and the early indications from the traffic modelling are that it should be possible to introduce an 'all-red' pedestrian phase with countdown at the junction. I think that pedestrian safety is of paramount importance and funding has been allocated from the 2016/17 LIP programme to allow this scheme to be progressed.

I am, however, conscious that any new pedestrian facilities will take some time to deliver, in large part because TfL already have a significant number of traffic signal schemes in the pipeline. In the short-term, contrasting anti-skid surfacing will therefore be installed on all of the junction approaches to improve safety for all road users.

Question 22 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

At the meetings of the Partnership Board, the Project Board and the Cabinet, assurances were given that as regards the cycling proposals for the A105, the Cabinet report said there had been consultation with the Metropolitan Police and there were no concerns as to response times. A glance at the paper submitted by the Metropolitan Police Traffic Management Unit attached to the Cabinet Papers makes no reference to response times, perhaps unsurprisingly, since that unit, as its title implies is "traffic management". Is he satisfied that the police have been properly consulted about the effect on their response times along the A105 if these proposals are implemented, particularly given the volume of emergency calls they are required to attend which involve use of that route?

Reply from Councillor Anderson:

The role of the Traffic Management Unit is to provide the Metropolitan Police response when consulted by highway authorities on new highway designs and changes to infrastructure and speed limits where there is a statutory duty for the highway authority to consult police. The Traffic Management Unit highlights potential safety issues, together with any aspect of the proposal that may impact on operational policing or enforcement.

As I have already stated in my response to Questions 18 and 20, on 4/09/2015 officers sent an email to stakeholders, including the Metropolitan Police, London Ambulance Service and London Fire Brigade, inviting them to participate in the A105 consultation. Although the Metropolitan Police did not return a completed questionnaire, they met with officers on 24/11/2015 to discuss the A105 proposals and did not raise any concerns about response times.

I am, therefore, satisfied that the police have been properly consulted about the effect on their response times along the A105.

Question 23 from Councillor Jemal to Councillor Taylor, Leader of the Council

Can the Leader of the Council comment on the implications of the Chancellor of the Exchequer's budget for Enfield?

Reply from Councillor Taylor:

The Chancellor's Budget will be announced on Wednesday the 16 March 2016 which is after the date for publication of answers to Council questions. I will provide an update to Council on the night if there are any significant Budget 2016 announcements that change our understanding of the Local Government Finance Settlement in February. For now I would refer Councillor Jemal to my answer to Councillor Kepez at the last meeting regarding the 2016/17 Settlement.

Question 24 from Councillor Neville to Councillor Stafford, Cabinet Member Finance and Efficiency

Could you please let me have the following information:

1. How many staff will be retiring/resigning/or being made redundant with effect from 31 March 2016 shown by department and grade?
2. Excluding those in (1) above, in the 12 months ended 31 March 2016 please confirm
 - a. How many posts have been formally made redundant?
 - b. How much compensation has been paid?
 - c. How many have been replaced in a different guise or by agency cover?

Reply from Councillor Stafford:

1. At this moment in time it is not possible to predict the numbers retiring/resigning/ or being made redundant as consultation has just commenced and will continue through April 2016 on potential restructures throughout the Council. The experience of last year is that the consultation results in a number of alternative options eg: natural wastage.
2.
 - a. How many posts have been formally made redundant - 349 members of staff have been made redundant.
 - b. How much compensation has been paid - The redundancy payments were £2.3 million.
 - c. How many have been replaced in a different guise or by agency cover? The employee headcount for the Council (including Enfield Homes) was 4,049 in March 2015 and 3,624 in March 2016. The headcount for agency staff was 869 in March compared to 699 in March 2016. The overall reduction of 549 in headcount is greater than the 349 and has been achieved through a number of alternative strategies including the freezing of posts.

Question 25 from Councillor Kepez to Councillor Keazor, Cabinet Member for Public Health and Sport

Can the Cabinet Member for Public Health and Sport update the Council on what activities young people in Enfield can look forward to during the Easter break?

Reply from Councillor Keazor:

Both the Council and Fusion Lifestyle, the operator of the leisure centres in the borough, run holiday activities for young people over Easter.

The Council's Easter activity brochure includes athletics, cheerleading, dance, gymnastics, football, trampolining and horse riding.

There is a full programme of various activities being carried out by Fusion at the leisure centres which include numerous swimming pool, sports hall and fitness based activities. More information on all the activities taking place is available on the Fusion website www.fusion-lifestyle.com/enfield.

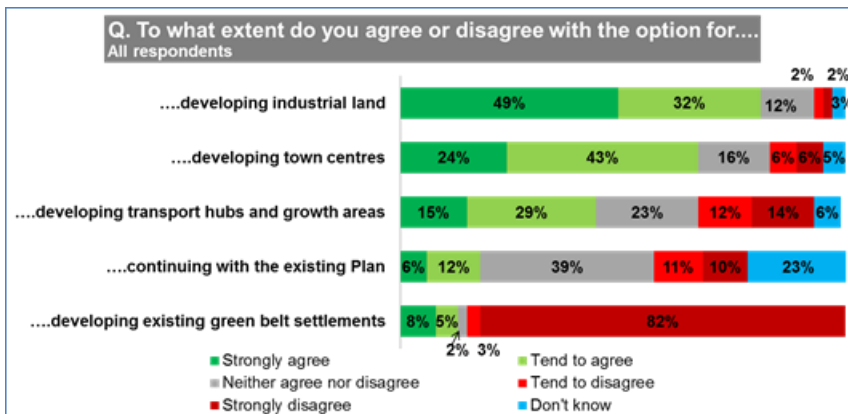
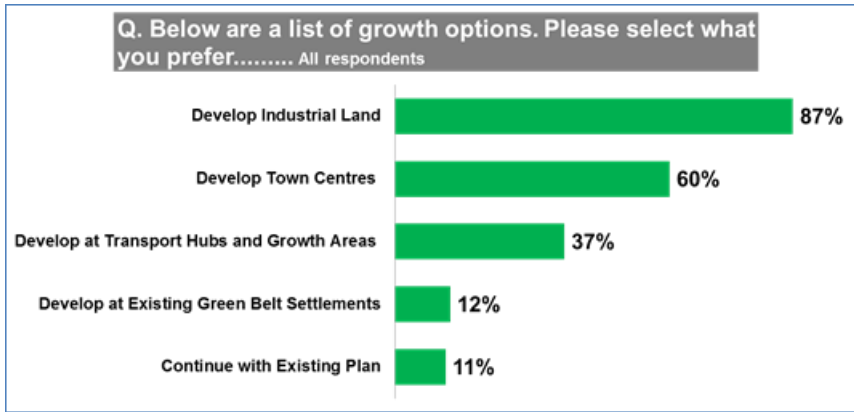
Free swimming is also available to young people aged Under16 at all leisure centres in the borough over the Easter holidays.

Question 26 from Councillor Vince to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development

Would the Cabinet Member for Economic Regeneration and Business Development inform the Council how many responses there were to the Local Plan consultation and what was the general view of those responses?

Reply from Councillor Sitkin:

The Local Plan was subject to consultation from 18th December to 12th February 2016 . 915 comments were received. Most of the responses include detailed text responses which will take several weeks to analyse. In terms of quantitative feedback the following charts show results on the growth scenarios section. This shows a clear preference for developing industrial land (87%) followed by developing at town centres (60%) and developing at transport hubs and growth areas (37%) (Note: more than one answer could be selected).



It should be noted that a large proportion of these responses have made reference to a single site within the Green Belt and support the stance recommended by Enfield Road Watch on their website. It would also be useful to ascertain the extent to which members of this one body dominated the sample of respondents – and conversely, whether many responses were received from the many more Enfield residents who do not live in the North of our borough. Further analysis will be important in helping set a spatial vision and informing next stage of plan production which will involve consultation on a detailed Issues and Options document in the Autumn.

Question 27 from Councillor During to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business

Can the Cabinet Member for Economic Regeneration update the Council on efforts being made to use digital education to address unemployment in Edmonton Green?

Reply from Councillor Sitkin:

Through a joint initiative with Barnet and Southgate College and community representatives, the Council has been working to establish a Digital Hub in the vicinity of Edmonton Green. The aim is to deliver an innovative traineeship programme that will equip participants with the skills required to progress on to Apprenticeships and into sustainable employment. Barnet and Southgate College has secured a BIS digital technology fund to support projects involving cutting-edge IT equipment.

Question 28 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

Please could the Cabinet Member for Environment inform the chamber how many front line staff from his department will go as a result of the budget set at the last full council meeting?

Reply from Councillor Anderson:

Two front line staff.

Question 29 from Councillor Pite to Councillor Oyken, Cabinet Member for Housing and Housing Regeneration

The last time I was at Ladderswood Estate during the General Election, the buildings were being demolished.

Please could the Cabinet Member for Housing and Housing Regeneration update the Council on progress in the short time since then? Is it possible to provide pictorial evidence of the development? Could the Cabinet member also supply a similarly illustrated update for Dujardin Mews, the works in progress in Exeter Road and in Lychett Way?

Reply from Councillor Oyken:

Ladderswood

Since the General Election Ladderswood has seen a substantial amount of works being progressed on site.

Due to an ageing heating system the Council agreed to decant nine tenants from Curtis House into Betspath House. Once we achieved vacant possession in August 2014 the block was handed over to the developer for demolition. Additionally in January 2015 we obtained vacant possession of both Danford House and the industrial estate and both have now been demolished and cleared, again all ahead of the original schedule.

The basement in the first block has been prepared to enable the new Combined Heat and power unit (CHP) to be installed and we have been working closely with Energetic to enable this to happen.

Phase 1 is well advanced and progressing well. Currently sewer and gas diversions works are in progress and set to last until the end of April. Site preparation in commencement of Phase 2 will formally start in April 2016.

Dujardin Mews

This scheme of 38 homes is the first part of the Alma Estate regeneration programme. Homes are being made available to tenants and leaseholders moving

from the Alma estate. All residents moving to Dujardin Mews have selected finishes including flooring colour and type, kitchens, worktops and handles. The homes are a mix of houses, maisonettes and flats. They will be the first that the Council has built in over 20 years.

Thirty eight homes will be built; 19 for Council rent and 19 for shared equity. Completion is due this summer.

Lytchet Way

The Lytchet Way Housing estate consists of 440 homes arranged across 17 medium rise (3 and 4 storey) blocks in Enfield Highway ward.

The blocks have previously had Decent Homes works undertaken internally (such as new kitchens and bathrooms) and now the external improvements are about to commence. These works will include brickwork repairs, new windows, IRS, communal decorations and roof / external wall insulation. This programme will also complete the internal works to any kitchens and bathrooms still needing upgrading in the rented units on site.

The blocks will be rendered and painted from a pastel palette to unify the appearance of the estate. In addition there will be a landscaping upgrade providing rain gardens, new permeable parking and bike storage.

In addition to the extensive refurbishment works to this estate we are also undertaking the construction of 25 new roof top homes for rent on three of the existing blocks.

Twelve other blocks on this estate will also be converted from the existing flat roof configuration to pitched roofs, in one of the largest roofing conversion schemes ever undertaken to social housing stock in the UK.

Exeter Road

The Exeter Road Housing estate consists of 200 flats arranged across four high rise (13 storey) blocks and 30 units in two low rise blocks each of four storeys. It is located along the southern edge of Durant's Park.

The high rise blocks have previously had major Decent Homes works undertaken internally (such as new kitchens and bathrooms) and now the external improvements are near to completion. These works have included concrete repairs, new windows, communal decorations and roof / external wall insulation.

The Council has primarily funded these works from the Housing Revenue Account (HRA), however we have also attracted approximately £1m of external funding for the Insulation works via the Energy Company Obligation (ECO) initiative which has on this occasion been funded by British Gas.

The final phase of the planned works on the estate is the replacement of the failing underfloor electric heating system. The new heating system is part of the Capital

Works programme included in the Council's (HRA business plan. The low rise blocks will also have Decent Homes works undertaken in 2016/17.

Question 30 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

Please could the Cabinet Member for Environment inform the chamber how many managers will go from his department as a result of the budget set at the last full Council meeting?

Reply from Councillor Anderson:

This cannot be determined until the completion of further reviews and consultation, which make up a 'part-year' effect of the identified savings". These are not due until the mid-point of the financial year.

Question 31 from Councillor Doyle to Councillor Orhan, Cabinet Member for Education, Children's Services and Protection

Can the Cabinet Member for Education, Children's Services and Protection update the Council on how the Authority is doing in regards to the numbers of schools judged 'Good' and 'Outstanding' in Enfield?

Reply from Councillor Orhan:

Members will know how passionate I am about ensuring all Enfield children receive the very best education they can have and I am therefore delighted to see the rapid improvement in the proportion of our schools which are now judged to be Good or Outstanding and I pay tribute to the hard work and determination of officers and schools in achieving this outcome.

Colleagues will be aware we implemented our School Intervention and Support Strategy in 2012 and have continued our investment in an effective School Improvement Service to deliver it. This Strategy provides a mechanism, working jointly with our schools, for assessing their effectiveness. This is based not only on previous Ofsted outcomes but on the school's self-evaluation and the local authority's wealth of local and current knowledge, the outcome of which results in the provision and brokering of appropriate support to drive further improvement, even in our most effective schools.

The most recent official data on Ofsted outcomes (August 2015) shows that the percentage of our pupils attending a school judged to be Good or better at 89% is above the national and London figures. This is a significant increase on the 2012 figure of 72%.

	% Pupils attending a school judged to be Good or better	% of schools	No. of schools
Enfield	89%	87%	83
National	81%	84%	17,750
London	88%	88%	2,169

In the last two weeks 2 more Enfield schools have been judged to be good by Ofsted. Once these results have been validated, this will take our results to well above national and London percentages and several more schools are ready and desperate for a visit from Ofsted to demonstrate how good they are and increase that proportion still further.

Once these results have been validated, this will take our results to well above national and London percentages and several more schools are ready and desperate for a visit from Ofsted to demonstrate how good they are and increase that proportion still further.

Question 32 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment?

Please could the Cabinet Member for Environment inform the chamber of the changes planned for Whitewebb's Golf Course?

Reply from Councillor Anderson:

Councillor Laban's colleague, Councillor Smith, has, I believe, proposed that the site be used for housing; however given this is not an appropriate use of the site officers are looking at options to improve the golfing offer and will bring these forward in due course subject to viability. Therefore there are no current planned changes.

Question 33 from Councillor Esendagli to Councillor Oyken, Cabinet Member for Housing and Housing Regeneration

On 22 January 2016 an article by Ruth McKee was published in the Enfield Advertiser, describing a Decent Homes development designed to use underground energy sources to heat up to 170 homes that was just starting at the Exeter Road Estate.

Could the Cabinet Member for Housing and Housing Regeneration provide the Council with an update on these underground works and the accompanying major works programme at Exeter Road?

Reply from Councillor Oyken:

Exeter Road

The Exeter Road Housing estate consists of 200 flats arranged across 4 high rise (13 storey) blocks and 30 units in 2 low rise blocks each of 4 storeys. It is located along the southern edge of Durant's Park.

The tower blocks are currently benefitting from approximately £1m of external investment by way of ECO funding from British Gas to provide partial funding of the new windows and External Wall Insulation.

The final phase of the planned works on the estate is the replacement of the failing

underfloor electric heating system. The new heating system is part of the Capital Works programme included in the Council's Housing Revenue Account (HRA) business plan; however the choice of replacement system was restricted due to funding pressures.

The heating solution chosen entails the drilling of 60+ bore holes to depths of over 200 metres under both HRA land and also a small area of adjoining land in Durants Park to install the new 'Ground Source Heat Pumps', which will in turn power a new 'wet' heating system in the flats.

This innovative solution attracts funding under the Renewable Heat Incentive (RHI) scheme and upon completion of the works the scheme will attract nearly £1m of additional ECO funding for the Council as well as RHI payments in excess of £2.0m over the 20 year post completion period (subject to the amount of heat actually used).

Although the 'bore' drilling and heat pump installation is being carried out by a specialist contractor, the domestic plumbing works in the blocks and individual flats has been sub-contracted to an Enfield based plumbing and heating contractor thereby protecting local jobs..

The combined insulation and heating measures are estimated to save in the region of 60% of the total fuel bill, which could be as much as £600 per family, per annum.

This development of a Domestic Ground Source Heat Pump system for a major social housing landlord is the first in England.

Question 34 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

Could the Cabinet Member for Environment inform the chamber of the fly tipping levels since the launch of the Don't be a Tosser / Don't mess with Enfield communications campaign?

Reply from Councillor Anderson:

Enfield Council's 'Don't be a Tosser' fly tipping campaign started in mid-January 2016. Tonnage figures for the 4th quarter for fly tipping will not be available until April 2016, but the positive response we have received to the campaign from residents has been encouraging. This has included good levels of engagement on social media, widespread press coverage and an increase of traffic to our website – 4,592 fly tipping-related views since January. Other campaign activity includes a high impact poster campaign and adverts in the local press.

Question 35 from Councillor Hasan to Councillor A Cazimoglu, Cabinet Member for Health and Social Care

Can the Cabinet Member for Health and Social Care update on progress of the new Care Home on the Hertford Road?

Reply from Councillor Cazimoglu:

We are now at the halfway point in the build programme (week 30) and practical completion remains on target at the end of October 2016. The steel frame will be fully erected by the end of the month and work on the precast planks and facing brickwork will commence in April. Morgan Sindall, the build contractor, continues to undertake community engagement including monthly newsletters to neighbouring residents, school visits and have also attended a construction careers day at the College of Haringey, Enfield and North East London. Furthermore, will are also exploring opportunities for apprentices to be involved in the project where possible. The procurement for the service provider to run the new facility is underway, with completed submissions due by 21st March 2016.

Question 36 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

Could the Cabinet Member for Environment inform the chamber of the number of fines issued from our litter wardens for December 2015, January and February 2016?

Reply from Councillor Anderson:

Month	No. of Litter FPNs	No. of spitting FPNs
December 2015	581	53
January 2016	642	38
February 2016	723	45

Question 37 from Councillor Lemonides to Councillor Anderson, Cabinet Member for Environment

Can the Cabinet Member for Environment please update the Council on the number of littering enforcement actions taken in the last 12 months?

Reply from Councillor Anderson:

Over the last 12 months, 7,316 Fixed Penalty Notices (FPNs) for littering have been issued and 205 litter prosecutions taken place. In addition, the litter enforcement officers have issued 186 FPNs for spitting and we have prosecuted 8 individuals for spitting in contravention of the bye-law.

Question 38 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

Does the Cabinet Member for Environment not agree that a £650 increase for a memorial bench is excessive when the price of a mausoleum was reduced by £1000.00?

Reply from Councillor Anderson:

The pricing and service offer for parks and cemeteries memorial benches has been

aligned. The rate for parks now includes the provision of a 10-year lease and maintenance plan. The rate has been benchmarked and is comparable to others for a similar provision. The rate for mausoleums has reduced following a review of competitor rates and demand.

Question 39 from Councillor Stewart to Councillor Keazor, Cabinet Member for Public Health and Sport

Can the Cabinet Member for Public Health and Sport update the Council on how many people in Enfield have diabetes now and how many are estimated to have it in 2030?

Reply from Councillor Keazor:

Recorded prevalence of diabetes in 2014/15 in Enfield was 7.1% (17,477 patients [over 17]) which was higher than the national and regional prevalence; and it is an increase of 1.7% since 2008/09. Estimated prevalence (diagnosed and undiagnosed) for 2015 is 8.3% (20,343 in number) and is predicted to rise to 10.4% (27,000 patients with diabetes) by 2030.

The estimates are calculated from the prevalence modelling developed by Yorkshire and Humber Public Health Observatory (now part of Public Health England).

Question 40 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

As the Cabinet Member for Environment's ward has litter-pickers in back streets, could he commit to every ward having such a service, therefore delivering the Council's key priority of fairness for all?

Reply from Councillor Anderson:

If Councillor Laban had told me that she was intending to visit my ward, I would have taken her on a tour round culminating in a coffee at a local cafe. The Council has a scheduled street cleansing service and with a limited reactive response service, which has been targeted at areas of the borough where standards of cleansing deteriorate quickly due to higher density of housing. This resource has been used to maintain equitable standards across the borough. However, from April, as a result of the savage cuts imposed by George Osborne and this Tory Government, alas, this resource will be taken out. I would hope that Councillor Laban would join me in writing to the Chancellor condemning his cuts policy.

Question 41 from Councillor Maguire to Councillor Taylor, Leader of the Council

Can the Leader of the Council give an update on the timescale for the work of the West Anglia Taskforce and the impact it will have on Enfield?

Reply from Councillor Taylor:

The Taskforce is due to publish its report on improvements on the West Anglia mainline in June. Ahead of that a Prospectus has just been published which sets out the case for a range of rail investments.

In terms of the impact of the Taskforce on Enfield, the borough benefits in the short term by being a key member of a nationally recognised Taskforce (representatives of which recently met the Chancellor of the Exchequer) focused on improving rail services along the Upper Lee Valley. In addition, following the delivery of new tracks and a station at Meridian Water, the Taskforce is pushing for improvements which address the problems caused by level crossings and increase how often trains call at Enfield's stations; both of which would have a very positive impact on our residents.

Question 42 from Councillor Laban to Councillor Anderson, Cabinet Member for Environment

Could the Cabinet Member for Environment set out the number of reports and enquiries made by the public in relation to his department, broken down by telephone and via the website?

Reply from Councillor Anderson:

Since 1 January 2016 there have been the following reports relating to Environment Services:

Old e-forms – 3,420
New e-forms – 2,032
E-forms completed by the call centre – 1,430
Calls into 1000 number - 6,325

Question 43 from Councillor Pite to Councillor Oyken, Cabinet Member for Housing and Housing Regeneration

At the last Full Council meeting, questions were raised regarding progress on the small sites developments in Chase ward amongst others. Please could the Cabinet Member for Housing and Housing Regeneration provide a comprehensive update?

Reply from Councillor Oyken:

Since the last Full Council meeting Kier have had to review the programme for the Small Sites after their main subcontractor Climate Energy Homes Limited (CEH) went into administration on the 9th December 2015.

This caused a temporary suspension of further construction. However I am pleased to say that works have commenced back on site and that Kier remain committed to meeting their contractual obligations to the Council in delivering the 94 new homes at the earliest opportunity.

Since December Kier have secured and insured the sites, taken measures to mitigate against potential health and safety risks and the risk of damage caused by the weather, concluded legal matters with the administrator and appointed Airey Miller Construction Management (AMCM) to operate under delegated powers to help deliver the scheme.

AMCM were instructed to undertake a considered assessment of the position at all seven sites and to produce a programme to complete all the works as quickly as possible. Council officers continue to work with the developer to seek to accelerate matters if and where possible.

The pre-construction audit is still ongoing on some sites however construction work has re commenced on site at both St George's Road and Parsonage Lane. Kier remain committed to fulfilling its obligation to Enfield Council and are continuing to work with AMCM to agree and publish a comprehensive programme for all seven sites.

Question 44 from Councillor Neville to Councillor Taylor, Leader of the Council

Following the presentation at Audit Committee by the Director of Finance, Resources and Customer Services on the London Borough of Enfield Wholly Owned Subsidiaries, can he indicate to the Council, how many more such companies will be formed and what steps he proposes to take to ensure proper accountability of those companies by arranging for representation from the opposition on their boards.

Reply from Councillor Taylor:

Enfield Council currently has three companies:

- Housing Gateway Limited
- Enfield Innovations Limited
- The Lee Valley Heat Network, trading as "Energetik"

A fourth company – focusing on housing - is being formed as a result of the Cabinet decision in November 2015. A further company may be formed in order to further develop and trade the Council's IT offer, and this was agreed in the Cabinet paper of 10 February. Further companies may be set up, as the need and opportunity arises. Council will be kept fully abreast of progress with Cabinet invited to agree to their formation.

All of these companies, and any set up in future under this Administration, will follow the best possible governance principles. Each company has and will have a board of directors and a company secretary, accountable under law for the proper running of those organisations. Each company uses non-executive directors to provide external stimulus and challenge to the board, so that, again, the companies are informed by the best possible advice and guidance in making their decisions. All companies will be governed under their Articles of Associations and Memorandum of Associations. As they grow, more staff, with the appropriate expertise, are recruited and, in the case of LVHN, this company already has a managing director recruited from the private sector. Where decisions are particularly complex, external advice is

sought as appropriate. In addition to the effective running of these companies, they produce annual reports for Council.

Question 45 from Councillor McGowan to Councillor Taylor, Leader of the Council

Can the Leader give an update on the timescale for Crossrail 2 and what opportunities it has for Enfield?

Reply from Councillor Taylor

The Crossrail 2 website has the following information on timescales:

“Crossrail 2 cannot be built before we have formal consent from the Government, the funds to pay for it and the necessary land has been acquired. The process of applying for consent will involve a public examination of the scheme and consideration of objections before any decision can be made.

We expect to seek permission to build the new line in late 2017 and the process would last about two years. If we get the go ahead, construction is expected to start around 2020, with the new line opening from 2030.”

Section 2 – Questions to Associate Cabinet Members

Question 46 from Councillor Chamberlain to Councillor Savva, Associate Cabinet Member for South East Enfield

Could the Associate Cabinet Member please tell the Council what meetings he has attended and with whom since last Council meeting?

Reply from Councillor Savva:

Thank you to Councillor Chamberlain for his question to me as he is still in doubt of my work and contribution to the local authority and I would like to put his mind at rest as I, along with other ACMs, have worked our socks off together with Cabinet Members and officers to put right what his Tory Government and the Tories messed up during their administration in Enfield with their unworkable policies making the rich richer and poor poorer with their short sighted and unworkable policies and lack of understanding of people's needs. As they say the Tories have been, and still are, penny wise and pound foolish. Not to mention Google or Amazon, the list is endless.

I have visited Bury Lodge Park and Firs Farm wetlands and met people there. I have met on site at Hermitage Lane N9 with Daniel Anderson, the Cabinet member for Environment, and members of the public. I have attended the Cycle Enfield update sessions and I am glad Mayor Johnson gave us the go ahead to introduce Cycle Routes in Enfield.

I have met Junior doctors and members of the public on the Picket Line at North Middlesex Hospital who are fighting to Save the NHS and joined the Demo against the housing bill being introduced by an uncaring and out of touch government.

I have attended Corporate Asset Management at the Civic Centre with Cabinet Members, the Chief Executive, directors and officers and Firs Farm Governing Body on the appointment of a new Headteacher.

I attended strategic Leadership meeting, Cabinet meeting, Corporate Management Board - no less than 3 licensing hearings during the day.

I have visited the Minchenden Site.

CAPE for Haselbury meeting - another Governing Body.

I have also attended the Advice Surgery for Haselbury ward, have visited residents and answered numerous phone calls from residents phoning up asking me to deal with various issues.

Question 47 from Councillor Neville to Councillor Bambos Charalambous, Associate Cabinet Member for West Enfield

Could the Associate Cabinet Member please tell the Council what meetings he has attended and with whom since last Council meeting?

Reply from Councillor Bambos Charalambous:

Since the last Council meeting on 24 February 2016 I have attended the following meetings in my capacity as ACM.

8 March 2016 - Southgate Green Community Forum
10 March 2016 - Opening of Firs Farm wetlands

In that same period, I have also attended various informal meetings with the Director and Assistant Directors of Environmental Services along with other officers on a number of different matters.

I am also scheduled to attend Cabinet on 15 March 2016 and Broomfield House Partnership Board on 22 March 2016.

Question 48 from Councillor Laban to Councillor Pite, Associate Cabinet Member for Enfield North

Could the Associate Cabinet Member please tell the Council what meetings she has attended and with whom since last Council meeting?

Reply from Councillor Pite

For future reference my diary is kept up to date electronically in the Labour Group Office and available for scrutiny.

Week beginning 22 February 2016

Planning Committee

Lock Ward Forum – with residents and ward councillors

Meeting regarding the Albany Community Hub with residents and officers.

Supported Internships Meeting with officers, headteachers and local employers

Developing Enfield's Health and Social Care Market - position statement with officers, community groups and carers.

Learner's Forum CONEL (College of Haringey, Enfield and North London) meeting with students and teaching staff from CONEL

Associate Cabinet Member Meeting and Strategic working with Friends of Parks, officers and other ACMS

Cycle Enfield Meeting officers and Councillor Anderson

Week beginning 29 February 2016

Turkey Street Ward Forum with residents and ward councillors

Dragon's Den Community Enterprise at Enfield County School with pupils, staff and Envision

Public Transport Consultative Group

Cycle Enfield Meeting Officers and Councillor Anderson

Week beginning 7 March 2016

Exchanging Places briefing with Transport Police

Corporate Asset Management Strategic Meeting with officers and Cabinet

Ponders End Partnership Meeting – with officers, ward councillors, residents and local community representatives.

Ecobuild Exhibition Excel Centre - Networking.

Cycle Enfield meeting with officers, Councillor Anderson and Jacobs.

Week beginning 14 March 2016

Minchenden School & Southgate Library Site Visit regarding the secondary autism provision with officers and Cabinet members

Greater London Authority Meeting Cycle Enfield with Andrew Gilligan, Transport for London, Jacobs, Officers and Councillor Anderson,

Strategic Leadership Forum

Full Cabinet Meeting

Council Management Board /Cabinet Strategic Development Meeting

Cycle Enfield with officers and Councillor Anderson

Date to be confirmed - Meeting about sharing good practice in strategic development with officers and members from Hounslow and GVA

Week beginning 21 March 2016

Meeting with the Director of Regeneration & Environment & Cabinet Member for Environment regarding congestion and air quality in North Enfield

Cycle Enfield meeting with officers, Councillor Anderson and Jacobs.

Use of the Council's urgency processes involving a waiver of the Call-In process.

Council is asked to note the decision taken and the reasons for urgency.

1. Decision: Electric Quarter – Ponders End (Start on Site)

1.1 Reason for Urgency:

The Cabinet is due to approve (15 March 2016) the grant of a lease for Phase A of the Electric Quarter – Ponders End scheme.

The reasons for urgency in terms of implementation of the decision were as follows:

It was necessary to grant the lease before the end of March 2016, so that the lessee could have an interest in the land, so that they could sign the Section 106 agreement to secure the planning permission for the Electric Quarter. Planning permission had been granted, subject to a Section 106 agreement.

Work had to start on site before the end of March 2016, to secure a £845,000 grant from the Greater London Authority.

Start on site could not have commenced without the planning section 106 agreement being finalised and this could not have been signed by the lessee without the lease being granted.

For these reasons there was not enough time, before the end of March 2016, to allow for the normal call in period to elapse and a possible call in meeting to be arranged. It was therefore requested that the call-in be waived, to secure the £845,000.

This was not dealt with earlier, as the Council was reliant on the lessee producing information, conditional on the discharge, which was only made available in March 2016.

The use of the Council's Waiver of Call in Procedure was approved by the Chair of Overview and Scrutiny Committee on 10 March 2016.

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