

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 22 JULY 2015**

COUNCILLORS

PRESENT Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community Organisations and Culture), Nneka Keazor (Cabinet Member for Public Health and Sport), Ahmet Oykenner (Cabinet Member for Housing and Housing Regeneration), Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) and Andrew Stafford (Cabinet Member for Finance and Efficiency)

Associate Cabinet Members (Non-Executive and Non-Voting): Bambos Charalambous, Vicki Pite and George Savva (MBE)

ABSENT Alev Cazimoglu (Cabinet Member for Health and Social Care) and Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection)

OFFICERS: Rob Leak (Chief Executive), James Rolfe (Director of Finance, Resources and Customer Services), Tony Theodoulou (Interim Director of Children's Services), Asmat Hussain (Assistant Director Legal and Governance), Bindi Nagra (Assistant Director Strategy and Resources - Health, Housing and Adult Social Care), Paul Davey (Assistant Director, Council Homes - Regeneration and Environment), Andrew Thomson (Head of Drug and Alcohol Services - Health, Housing and Adult Social Care), Christine Williams (Public Health Commissioning Manager - Health, Housing and Adult Social Care) and David Greely (Corporate Communications Manager) Jacqui Hurst (Secretary)

Also Attending: Councillors Derek Levy, Ozzie Uzoanya and Mike Rye.

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Alev Cazimoglu (Cabinet Member for Health and Social Care) and Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection).

2

DECLARATION OF INTERESTS

There were no declarations of interest declared in respect of any items listed on the agenda.

3

URGENT ITEMS

NOTED that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

4

DEPUTATIONS

NOTED that no requests for deputations had been received for presentation to this Cabinet meeting.

5

ITEMS TO BE REFERRED TO THE COUNCIL

NOTED, that there were no reports to be referred to full Council.

6

REVENUE OUTTURN 2014-15

Councillor Andrew Stafford (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.24) setting out the overall Council General Fund and Housing Revenue Account outturn position for 2014/15.

NOTED

1. The level of savings that had been achieved to date and the savings targets for the coming years.
2. The position with regard to earmarked reserves as set out in section 4 of the report.
3. Members were advised of the continued financial pressures being faced by the Council and, noted the 2016/17 budget and financial outlook update set out in section 6 of the report.
4. The Council continued to achieve a balanced budget and demonstrated sound financial management and the effective use of resources.
5. In response to a question raised, James Rolfe (Director of Finance, Resources and Customer Services) explained the national issue with regard to National Non Domestic Rates (NNDR) set out in section 4.6 of the report, and the potential impact on the Council's finances.

6. With regard to the Medium Term Financial Plan, Members noted the impact of the deferral of the implementation of the Care Act 2014; and, the likelihood of interest rates rising by the end of the year, as recently indicated by the Governor of the Bank of England.

Alternative Options Considered: The Medium Term Financial Plan would be updated for the latest Government spending plans.

DECISION: The Cabinet

1. Noted the General Fund and Housing Revenue Account (HRA) outturn for 2014/15.
2. Agreed specific changes to reserves as set out in paragraph 4.3 of the report and detailed in the service appendices.
3. Noted the latest position regarding the 2016/17 Medium Term Financial Plan and budget outlook as reported in section 6 of the report.

Reason: To ensure that Members were aware of the outturn position for the authority including all major variances that had contributed to the outturn position. Cabinet needed to manage the 2016/17 financial planning process with particular regard to continuing reductions in public spending.

(Key decision – reference number 4103)

7

CAPITAL OUTTURN 2014-15

Councillor Andrew Stafford (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.25) informing Members of the capital investment undertaken in 2014/15, and the way in which it had been funded.

NOTED

1. That the report showed that in 2014/15 the Council's capital expenditure had amounted to £129.8m compared with the latest programme of £161.6m. The resulting favourable variance of £31.8m was comprised of £1.9m Housing projects and £29.9m of General Fund projects. This was mainly due to re-profiling of schemes where the resources would be carried forward to 2015/16 including £11.7m in respect of Meridian Water for the purchase of land in early April.
2. The Council's ambitious capital programme and the significant projects that had been undertaken as set out in the report and highlighted to Members at the meeting.

Alternative Options Considered: None stated.

DECISION: The Cabinet agreed that

1. The achievements and improved outcomes resulting from the Council's investments in capital projects be noted.
2. The funding of the Council's capital expenditure for 2014/15 as set out in paragraph 5.3 of the report be agreed.
3. The outturn for the Council's prudential indicators, set out in section 6 of the report, be noted.

Reason: To inform Members of the final position on capital expenditure and financing for the year and to note the prudential indicators.

(Key decision – reference number 4104)

8

ANNUAL TREASURY MANAGEMENT OUTTURN REPORT 2014/15

Councillor Andrew Stafford (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.26) reviewing the activities of the Council's Treasury Management function over the financial year ended 31 March 2015.

NOTED

1. The key points set out in the report as summarised in section 1.2 of the report. Whilst the level of total debt outstanding and net borrowing had increased slightly, there were no issues for concern and the Council was within its authorised borrowing limits.
2. The Council's treasury management strategy was creative and innovative but also prudent and well-managed.

Alternative Options Considered: None. This report was required to comply with the Council's Treasury Management Policy statement, agreed by Council in February 2014.

DECISION: The Cabinet agreed to accept the Treasury outturn report.

Reason: To inform the Council of the Treasury Management performance in the financial year 2014/15.

(Non key)

9

QUARTERLY CORPORATE PERFORMANCE REPORT

Councillor Achilleas Georgiou (Deputy Leader) introduced the report of the Chief Executive (No.27) outlining the progress made towards delivering the identified key priority indicators for Enfield.

NOTED

1. That the report provided the latest available performance data at the end of May 2015, although the majority of indicators showed performance at the end of quarter four 2014/15.
2. That 80 performance indicators were being reported, of which 77 had targets. Of these, 52 (67.5%) were at green; 14 (18.2%) were at amber; and 11 (14.3%) were at red.
3. A number of specific performance indicators were drawn to Members' attention including: all performance indicators relating to finance were green; the Council was on target for the percentage of persistent absence in state funded secondary schools; the good attendance levels on sporting activities which would help to tackle the issue of childhood obesity; and, the green target for the percentage of 16 to 19 year olds who were not in education, employment or training (NEET). There were a number of good results within the performance indicators although it was recognised that there was still work to be done on a number of areas.
4. A discussion followed and Members raised a number of issues for further consideration. The current employment rates in Enfield were noted. Whilst there had been improvements in recent years there was still further improvement to be made in this area.
5. Members discussed the continuing issue of tackling childhood obesity and highlighted the related concern of the high level of dental decay in children. Discussions had taken place regarding the potential fluoridisation of water but it was noted that there were significant difficulties faced in London and, the areas served by London, in introducing such a measure, as it would require the agreement of all areas served by London's water supply. Members were advised of a programme currently in place of dental varnishing to prevent child tooth decay. Members recognised that there were long-term lifestyle issues to be addressed in tackling such matters.
6. Members' attention was drawn to the indicator relating to stage one council complaints scheme, and noted that there had been a decline in performance levels. Councillor Stafford requested further information on this indicator and the measures that were being taken to improve current performance levels.

Alternative Options Considered: Not to report regularly on the Council's performance. This would make it difficult to assess progress made on achieving the Council's main priorities and to demonstrate the value for money being provided by Council services.

DECISION: The Cabinet agreed to note progress made towards delivering the identified key priority indicators for Enfield.

Reason: To update Cabinet on the progress made against all key priority performance indicators for the Council.

(Key decision – reference number 4167)

10

CONTRACTING WITH LEE VALLEY HEAT NETWORK FOR PROVISION OF HEAT ON ENFIELD'S HOUSING ESTATES

Rob Leak (Chief Executive) advised Members that Report No.28 – Contracting with Lee Valley Heat Network for the Provision of Heat on Enfield's Housing Estates had been deferred to a future Cabinet meeting. There were a number of items currently under negotiation and more information would therefore be available for Members' consideration at a future meeting.

11

FUTURE NURSING AND RESIDENTIAL DEMENTIA CARE PROVISION AT HONEYSUCKLE HOUSE

Bindi Nagra (Assistant Director Strategy and Resources, Health, Housing and Adult Social Care) in the absence of Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care), introduced the report of the Director of Health, Housing and Adult Social Care (No.29) outlining proposals for the future nursing and residential dementia care provision at Honeysuckle House.

NOTED

1. That Report No.32 also referred, as detailed in Minute No.21 below.
2. That Honeysuckle House comprised of 30 beds for people with dementia in need of nursing care. Care UK had managed Honeysuckle House for a number of years.
3. The background to the procurement process was highlighted for Members' consideration, as detailed in the report. Following long and complex negotiations the Council had now reached agreement with Care UK for continued provision of nursing and residential dementia care services as outlined in the part one and part two reports (Minute No.21 below also referred).
4. In discussion, Members requested that a progress report also be presented to Cabinet when appropriate on the progress of the re-provision project on the site of the former Elizabeth House. A report had previously been considered by the Cabinet on this issue at its meeting held on 17 June 2015.

Alternative Options Considered: NOTED that a risk and contingency workshop had been held in March 2014 which had explored a range of

options consistent with the long-term options as part of the original Cabinet decision in June 2013, as set out in section 4 of the report.

DECISION: The Cabinet agreed that

1. Approval be given to issue a three year interim contract to Care UK, subject to satisfactory performance being maintained. This interim contract should be for a two (2) year initial term with an option to extend for one (1) further year.
2. The interim contract would be consistent with the outcome of recent negotiations that were detailed in the accompanying part two report (Minute No.21 below refers).
3. Definitive long-term recommendations for future care provision at Honeysuckle House be brought before Cabinet for approval for its meeting in October 2015; as also stated in the accompanying part 2 report (Minute No.21 below refers).

Reason: The detailed reasons for the recommendations were set out in section 5 of the report. The recommendations represent the most financially sustainable means of securing much-needed supply at rates that were below the market average for residential nursing dementia care services.

(Key decision – reference number 4159)

12

AWARD OF CONTRACT FOR ENFIELD INTEGRATED SEXUAL HEALTH COMMUNITY SERVICES

Councillor Nneka Keazor (Cabinet Member for Public Health and Sport) introduced the report of the Director of Health, Housing and Adult Social Care (No.30) seeking approval to the award of contract for Enfield Integrated Sexual Health Community Services.

NOTED

1. That Report No.33 also referred, as detailed in Minute No.22 below.
2. The tender process that had been completed for the provision of the Enfield Integrated Sexual Health Community Services contract as set out in the report. The process had been thorough and transparent. The new contract would provide for increased access to services in the Borough from a number of sites.

Alternative Options Considered: NOTED that there were no alternative options to tendering externally as Enfield Council had been unable to directly provide such a specialist service in-house within a competitive price range. There had been no option to extend the existing contracts as this would leave the Council vulnerable to challenge as the opportunity to extend had not been detailed during the tender process. Additionally, the Council could not report

on adequate performance and value from the existing contractor that had been transferred from the NHS.

DECISION: The Cabinet agreed to

1. Note that the tender process had adhered to Corporate Procurement Procedures, EU Procurement Regulations and the new contract would afford the Council with on-going year on year performance and value for money benefits.
2. Note the procurement process and endorsed the award of the contract to the preferred bidder, as outlined in part 2 of this report (No.33, minute number 22 below refers), for an initial period of three (3) years, five (5) months with the option to apply extensions on a two (2) yearly basis rolling up to four (4) further years.

Reason: NOTED the detailed reasons for the recommendations as set out in section 5 of the report.

(Key decision – reference number 4160)

13

ENFIELD RESIDENTS' PRIORITY FUND

Councillor Yasemin Brett (Cabinet Member for Community Organisations and Culture) introduced the report of the Chief Executive (No.31) outlining the recommendations of the Enfield Residents' Priority Fund Cabinet Sub-Committee.

NOTED

1. The success of the fund; over the four years, more than 750 projects worth £6.1m had been devised by residents working with ward councillors. Councillor Brett extended her thanks and appreciation to the members of the Cabinet Sub-Committee and the officers who had supported it for the benefit of community led projects and developments within the Borough's wards.
2. The funding had now come to an end and the Cabinet Sub-Committee had made a recommendation on the preferred way forward to deal with the small amount of unallocated funding from 2014/15, as set out in the report. This represented the most viable and transparent way forward, as detailed in decisions 1 and 2 below.

Alternative Options Considered: To continue with the Enfield Residents' Priority Fund until the funding had been allocated. It was felt that, given the small amount of money and the amount of officer and Member time to effectively deliver the programme, this was not feasible.

DECISION: The Cabinet agreed to approve

CABINET - 22.7.2015

1. The closure of the Enfield Residents' Priority Fund (ERPF) and that the £63,115 unallocated funding from the 2014/15 ERPF be returned to the General Fund.
2. Following decision 1 above, that £63,115 be redirected to Environment and Regeneration to fund additional environmental improvements to be delivered in the wards (as directed by the ward councillors) for the unallocated ward funding as set out in Appendix 1 of the report. An earmarked reserve will be set up and managed by the Director of Regeneration and Environment.

Reason: To provide clear direction.
(Non key)

14

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED, for information, the provisional list of items scheduled for future Cabinet meetings.

15

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

NOTED, that no issues had been submitted for consideration at this meeting.

16

MINUTES

AGREED that the minutes of the previous meeting of the Cabinet held on 17 June 2015 be confirmed and signed by the Chair as a correct record.

17

MINUTES OF ENFIELD RESIDENTS' PRIORITY FUND CABINET SUB-COMMITTEE

NOTED, for information, the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 1 July 2015.

18

ENFIELD STRATEGIC PARTNERSHIP UPDATE

NOTED that there were no written updates to be received at this meeting.

19

INFORMATION UPDATES

A number of information updates were provided by Members as follows:

1. **Devolution to London**

Councillor Doug Taylor (Leader of the Council) advised Members of the continuing discussions that were taking place with London Councils, the Mayor of London and the Secretary of State on how to increase the level of devolution of services to London. The progress made in other areas of the country was noted as was the complexity of the issues for London.

Discussions would continue on a range of issues to explore the opportunities for increased devolution, and to address the difficulties currently being faced. The potential for the future delivery of services at lower cost was recognised. Areas under discussion included those relating to employment and skills such as Job Centre Plus; and, housing and, health and adult social care services.

2. Additional and Selective Licensing Scheme

Councillor Ahmet Oykenner (Cabinet Member for Housing and Housing Regeneration) made the following statement to Cabinet:

“On Thursday, 9th July, I announced that the Court of Appeal had granted Enfield permission to appeal the judgment that quashed the decisions taken in April and November 2014, to implement a borough wide Additional and Selective Licensing Scheme.

The decision to grant permission to appeal further supports our view that the appeal was well founded.

Counsel’s Advice has been taken on the merits and the likely success of proceeding with an appeal at this stage, and how this would impact on the Council’s ability to lawfully implement a scheme. We have had to consider the length of time the judicial review process has taken and whether the original evidence base and our reasons for the basis of a scheme are still applicable.

We are also required to address the new legal reforms. From 1st April 2015, two changes were made to the Housing Act 2004 that significantly impacts on how local authorities implement selective licensing schemes.

The introduction of the Selective Licensing of Houses (Additional Conditions) England Order 2015 has extended the eligibility criteria to include poor property conditions, high levels of inward migration, deprivation and crime. These conditions specified in the Order are in addition to the two sets of general conditions contained in the Act (S80 Housing Act 2004) – low housing demand or a prevalence of anti-social behaviour in the private rented sector. Furthermore, the general approval has been amended preventing the implementation of borough wide selective licensing schemes without the prior approval of the Secretary of State.

The Council may be deemed to be acting unreasonably if it fails to take into consideration any procedural requirements stipulated in this new legislative reform.

Furthermore, we have regard to the possibility that the Court of Appeal process may be lengthy and prolonged.

In the light of these issues, I have asked Officers to review the evidence base for selective licensing in the private rented sector including single family rented properties and in relation to additional licensing of HMOs not already subject to mandatory licensing against the new legislative framework with particular reference to the various options and existing measures available to the council. This will allow us to consider how we wish to proceed in addressing any emerging issues and how we can best improve the quality of the private rented sector in Enfield.

I reiterate my concerns about increasing areas of privately rented properties in the borough which may not be of adequate standards. My intent is to see an improvement in the management of these properties and a reduction of levels of anti-social behaviour, to ensure good quality properties, respect for the neighbourhoods, while maintaining a good relationship with responsible landlords”.

3. Death of Former Leader of Haringey Council

Councillor Doug Taylor (Leader of the Council) was sorry to inform Members of the recent death of Councillor George Meehan, former Leader of Haringey Council. Cabinet Members extended their condolences to his family.

20

DATE OF NEXT MEETING

NOTED

1. That the next meeting of the Cabinet was scheduled to take place on Wednesday 16 September 2015 at 8.15pm.
2. That a provisional meeting had been scheduled for 12 August 2015 should any urgent matters arise for Cabinet consideration over the summer period which could not await the next scheduled meeting. Councillor Doug Taylor (Leader of the Council) confirmed that at the present time no August Cabinet meeting would be required.

21

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the items 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).

22

FUTURE NURSING AND RESIDENTIAL DEMENTIA CARE PROVISION AT HONEYSUCKLE HOUSE

Bindi Nagra (Assistant Director Strategy and Resources, Health, Housing and Adult Social Care) in the absence of Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Director of Health, Housing and Adult Social Care (No.32).

NOTED

1. That Report No.29 also referred as detailed in Minute No.11 above.
2. The background to the previous tendering process and the negotiations which had since taken place with Care UK as detailed in the report. The potential medium to long-term proposals and the recommendation to bring forward a report to the October Cabinet meeting on the future of Honeysuckle House were noted.
3. The recommendations being presented to Members this evening would secure the on-going management of the home over the next three years.
4. The potential financial implications set out in section 6.1.3 of the report.
5. The detailed contract prices set out in section 3 of the report and the background information to this. It was noted that Councils were not permitted to run nursing homes.
6. The legal implications set out in section 6 of the report and the potential implications for the Council.

Alternative Options Considered: NOTED the alternative options considered as set out in section 4 of the report, containing exempt information.

DECISION: The Cabinet agreed that the content of the report be approved and noted the requirement to bring forward a recommendation to Cabinet in October 2015 on the future of Honeysuckle House as detailed in section 5.2 of the part one report (Minute No.11 above refers).

Reason: NOTED the reasons for the recommendations as set out in section 5 of the report containing exempt information. The recommendations represent the best value to the Council in comparison to the other available options.

(Key decision – reference number 4159)

23

AWARD OF CONTRACT FOR ENFIELD INTEGRATED SEXUAL HEALTH COMMUNITY SERVICES

Councillor Nneka Keazor (Cabinet Member for Public Health and Sport) introduced the report of the Director of Health, Housing and Adult Social Care (No.33).

NOTED

1. That Report No.30 also referred, as detailed in Minute No.12 above.
2. The details of the completion of the procurement process for the award of contract as set out in full in the report. The contract was initially for a period of 3 years 5 months, as outlined in the report.
3. A detailed discussion took place on the proposed locations for the service provision. It was noted that the clinics would provide a range of health services. Members highlighted the need for discussions to take place with appropriate organisations in the locality of the proposed clinics including for example, schools and the Enfield Charitable Trust. The intention was to maximise the use of facilities in the Borough and deter residents from using out of borough services for which the Council was charged.
4. The detailed evaluation of the tenders received and the reasons for the chosen provider which represented the best value overall per level of service provided. The detailed cost breakdowns were noted.
5. The importance of monitoring the success of the contract as it progressed. Cabinet suggested that this matter be considered by a Scrutiny working group at the appropriate time.

Alternative Options Considered: As detailed in Report No.30, Minute No. 12 above refers.

DECISION: The Cabinet agreed to note the additional information contained within the part two report in support of the part one report recommendations and approved the award on the contract to the preferred bidder as set out in the report.

Reason: As detailed in Report No.30, Minute No. 12 above refers.
(Key decision – reference number 4160)