

**MINUTES OF THE MEETING OF THE CABINET HELD ON WEDNESDAY, 16
SEPTEMBER 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), Alev Cazimoglu (Cabinet Member for Health and Social Care), Nneka Keazor (Cabinet Member for Public Health and Sport), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykener (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 (Enfield West)

OFFICERS:

Rob Leak (Chief Executive), Ian Davis (Director of Regeneration & Environment), James Rolfe (Director of Finance, Resources and Customer Services), Tony Theodoulou (Interim Director of Children's Services), Bindi Nagra (Assistant Director Strategy & Resources - Health, Housing & Adult Social Care), Paul Davey (Assistant Director Council Housing), Asmat Hussain (Assistant Director Legal & Governance Services), Suzanne Lindsay (Corporate Communications) and James Kinsella (Democratic Services).

Also Attending:

Councillors Derek Levy (Chair – Overview & Scrutiny Committee) and Abdul Abdullahi.

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors George Savva MBE (Associate Cabinet Member – Non Voting) and Vicki Pite (Associate Cabinet Member – Non Voting).

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**

AGREED that the following report be referred to full Council:

1. Report No.54 – Scrutiny Work Programme 2015/16

**6
ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

Scrutiny Work Programme 2015/16

Councillor Doug Taylor (Leader of the Council) welcomed Councillor Derek Levy (Chair of the Overview and Scrutiny Committee) to the meeting and invited him to present the report to the Cabinet.

Councillor Derek Levy introduced the report of the Overview and Scrutiny Committee (No.54) setting out the scrutiny work programme and work streams for 2015/16 for the Council's Overview and Scrutiny Committee, Health Standing Panel and Crime Standing Panel.

NOTED

1. The requirement within the Constitution for Overview & Scrutiny Committee (OSC) to propose a work programme for the scrutiny function for approval by Council, following consultation with Cabinet.
2. The work programme proposed by OSC included programmes for both the Standing Panels on Health & Crime as well as a list of the agreed workstreams prioritised for 2015/16 (Appendix 2) and additional list of potential workstreams identified by Members(Appendix 3). The aim, recognising the level of member and officer resource available, was to operate up to a maximum of five workstreams at any one time with new workstreams scheduled to commence once others were completed.
3. The important role of scrutiny with the context of the Council's governance arrangements and also in relation to member development.

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4. The more outcome based and flexible approach towards scrutiny provided through the workstreams and need identified to ensure consistency in membership in order to allow members to develop their knowledge and expertise in the areas being reviewed.
5. The wide ranging nature of the workprogramme and workstreams with the specific need identified:
 - a. to ensure that Cabinet Members were invited to engage in reviews relating to services within their portfolio as well as with OSC on a more systematic basis outside of the formal work programme;
 - b. to ensure, subject to available resources and time, that OSC were encouraged to take as wide a view as possible in terms of scrutiny's role around policy and service development including looking at areas of service not currently being provided and the justification for this.
6. In response to 5. above, the progress being made by Corporate Scrutiny to develop a template to guide and ensure a consistent approach towards the scrutiny review process.

Alternative Options Considered: No other options had been considered as the Overview and Scrutiny Committee was required, under the Council's Constitution, to present an annual scrutiny work programme to the Council for adoption.

RECOMMENDED TO COUNCIL that, subject to the comments identified, the proposed scrutiny work programme and work streams for 2015/16 be approved.

Reason: To comply with the requirements of the Council's Constitution.
(Non key)

7

REVENUE MONITORING REPORT 2015/16: JULY 2015

Councillor Andrew Stafford (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.55) setting out the Council's revenue budget monitoring position based on information to the end of July 2015.

NOTED

1. The £4.59m overspend revenue outturn projection. The key budget pressures had been identified within section 5 of the report with the demand on Children's Services identified as the most significant pressure. Whilst not just an issue being experienced in Enfield, the demand was focussed around the continued upward trend of demographic pressures and the increasing numbers of children presenting with complex needs

2. The pressures identified within the report would continue to be monitored and management action taken to mitigate and reduce them as far as possible throughout the year. As in previous years, Directors had also been requested to bring forward 2016/17 savings for early implementation as a further means of reducing the projected budget gap.
3. The key risks identified in relation to the current revenue outturn projection, as identified in section 12 of the report.
4. The summary of Treasury Management activity, as detailed within section 6.1 and Appendix B of the report.

Alternative Options Considered: Not applicable to this report.

DECISION: Cabinet agreed that departments reporting pressures should formulate and implement action plans to ensure that all possible actions were undertaken to remain within budget in 2015/16.

Reason: To ensure that Members were aware of the projected budgetary position for the Authority, including all major budget pressures and underspends which had contributed to the present monthly position and that were likely to affect the final outturn.

(Key decision – reference number 4148)

8

CAPITAL PROGRAMME MONITOR FIRST QUARTER JUNE 2015: BUDGET YEAR 2015-16

Councillor Andrew Stafford (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.56) informing Members of the current position up to the end of June 2015 regarding the Council's Capital Programme (2015-19) taking into account the latest information for all capital schemes including the funding arrangements.

NOTED

1. Overall expenditure on the 2015/16 Council's Capital Programme was currently projected at £164.6m for the General Fund and £59.7m for the Housing Revenue Account (HRA).
2. The amendments to the figures within Table 3 (Financing of Capital Expenditure) and Appendix A (4 year Approved Programme) of the report tabled at the meeting.
3. The significant scale of the Capital Programme and key projects being progressed during 2015/16. Whilst delivery of these schemes remained on track, there had been a need to update and reprofile some of the

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associated expenditure projections, as detailed within section 4 of the report.

4. The negative impact of the change in the Decent Homes funding arrangements. As the Council no longer received Decent Home funding the programme of works to improve stock was now being funded mainly from HRA general resources along with an element of Government "Right to Buy One for One Replacement Scheme" receipts.
5. It was felt the Capital Programme remained affordable with the level of borrowing having actually decreased from the previous quarter and the Council remaining within its authorised borrowing limit, operational boundary and estimated Capital Financing Requirement for 2015/16, as detailed within section 7 of the report.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed

1. The additions to the General Fund Capital Programme totalling £5.6m in 2015/16 (Table 1 of the report – to be primarily funded from grants, contributions and earmarked resources) and noted that this would not materially increase capital financing costs. Cabinet also agreed the additions to the HRA Programme totalling £0.1m (funded from grant).
2. The updated four year programme including proposed reductions be agreed subject to indicative estimates included in later years (Section 5 of the report).

Reason: To inform Members of the current position up to the end of June 2015 regarding the Council's Capital Programme (2015-19).

(Key decision – reference number 4153)

9

ENFIELD'S LOCAL IMPLEMENTATION PLAN (LIP) SPENDING PROPOSALS FOR 2016/17

Councillor Daniel Anderson (Cabinet Member for Environment) introduced the report of the Director of Regeneration and Environment (No.57) outlining Enfield's proposals for spending the 2016/17 grant funding to be provided by Transport for London (TfL) to help implement the Mayor's Transport Strategy.

NOTED the balance achieved in terms of the priorities identified across the three main programmes of investment required under the Local Implementation Plan (LIP).

Alternative Options Considered: NOTED that alternative options considered as set out in section 5 of the report regarding constraints on the proposals and consultation.

DECISION: The Cabinet agreed to approve

1. The expenditure proposals for 2016/17 outlined in Tables 1 to 5 (appendix 1 of the report referred) for submission to Transport for London and for these proposals to be implemented.
2. The expenditure of 2016/17 funding allocated by TfL for the on-going Major Schemes set out in paragraph 4.4 of the report and, if successful, for the new Major Scheme proposed in paragraph 4.5 of the report.
3. Delegation of authority to the Cabinet Member for Environment to make any changes necessary to the programme should there be any change to the allocation from TfL or for any other operational reason.

Reason: To seek the necessary approvals that would enable Enfield's Local Implementation Plan (LIP) funding proposals for 2016/17 to be submitted to Transport for London. This submission of the proposals to TfL was essential in order to obtain release of the allocated funds ready for expenditure in the financial year 2016/17.

(Key decision – reference number 4186)

10

DUJARDIN MEWS DEVELOPMENT - APPROPRIATION FOR PLANNING PURPOSES

Councillor Ahmet Oykenner (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director of Regeneration and Environment (No.58) seeking approval for the Council to use its powers to appropriate for planning purposes the site at Dujardin Mews.

NOTED the update on development of the Dujardin Mews scheme, with negotiations having been completed to permit access to the private road through Gardiner Close and acquisition of the public footpath on the western edge of the site achieved through confirmation of a Compulsory Purchase Order.

Alternative Options Considered: Not appropriating the land for the planning purposes could result in serious delays if a third party sought to assert any rights over the development site.

DECISION: Cabinet resolve, in accordance with section 122 of the Local Government Act 1972, to appropriate the site at Dujardin Mews (as set out in Appendix 1 of the report) from its present holding purposes to planning purposes and to authorise the exercise of the Council's powers set out in section 237 of the Town and Country Planning Act 1990 to override all adverse rights.

Reason: To provide the 38 homes as part of the planning application, the Council must ensure that the whole site as set out in Appendix 1 of the report would be held for the purpose of section 237 to enable the development to continue ahead without the encumbrance of third party rights.

(Key decision – reference number 3734)

11

NEW AVENUE ESTATE REGENERATION COMPULSORY PURCHASE ORDER

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director of Regeneration and Environment and the Director of Finance, Resources and Customer Services (No.59) seeking approval to the making of a Compulsory Purchase Order.

NOTED

1. The progress made in the design and development of the New Avenue Estate Regeneration scheme.
2. Whilst approval was being sought to use of Compulsory Purchase Order powers in relation to obtaining vacant possession of the development site, as identified within Appendix 1 of the report, the intention was that these should only be used as a measure of last resort should it not be possible to reach a negotiated settlement with all parties who had property interests in the development site.

Alternative Options Considered: No alternative option had been considered. Without compulsory purchase order powers the delivery of the whole New Avenue Regeneration Programme would at best be delayed or even put at risk. Depending entirely on successful negotiations between the Council and lessees would make the Council/scheme very vulnerable to a small minority of lessees who might otherwise decide either not to sell or seek to hold the Council/scheme to ransom.

DECISION: The Cabinet agreed to:

1. Resolve to make a Compulsory Purchase Order under section 226 1 (a) of the Town and Country Planning Act 1990 (as amended). The London Borough of Enfield (New Avenue Estate Regeneration) Compulsory Purchase Order 2015, to effect acquisition of land and new rights in respect of the land detailed in the report and outlined on the plan in Appendix 1 of the report.
2. Note the generic draft Statement of Reasons (Appendix 2 to the report) which set out the justification for making the Compulsory Purchase Order in relation to the Order Land referred to in Appendix 1 of the report.
3. Delegate authority to the Director of Regeneration and Environment, acting in consultation with the Director of Finance, Resources and Customer Services, to take all necessary steps consequent to the making of a Compulsory Purchase Order, on the basis that there was a compelling case in the public interest to make the Order, including:

- (a) To publish the draft Compulsory Purchase Order, referred to within this report, to seek confirmation of the Secretary of State and if confirmed, implement the Order.
- (b) To modify the statement of Reasons and the Order Plan and effect any other procedural requirements including (but not limited to) the publication and service of all notices and the presentation of the Council's case at any public inquiry.
- (c) To acquire any interests in land within the Order Land by agreement and the making of payments equivalent to the market value of the property interest being acquired plus any statutory payments and disturbance compensation or the provision of property services in lieu of the market value of the property interest being acquired and any statutory payments and disturbance compensation, in contemplation of the Order being made.
- (d) If and when the Order is confirmed then to acquire by compulsion and make payments of statutory compensation, if voluntary agreements cannot be reached.

Reason: To enable the development of New Avenue. To provide the Council with a legal option to ensure that it can commit to obtaining vacant possession of the New Avenue Estate, as would be obligated in the Development Agreement, prior to the phased handover to Countryside Properties to commence demolition and construction. To provide the Council with a fall-back position should it not be able to buy back property interests via negotiation. To ensure that public money is spent fairly and consistently (section 5 of the report referred).

(Key decision – reference number 4136)

12

LARGE VOLUME NEW SUPPLY OF TEMPORARY ACCOMMODATION

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services (No.60) seeking approval to start accommodation provider market engagement to explore the opportunity to secure large volume temporary accommodation supply in partnership with three other Boroughs.

NOTED

1. The impact of the current demand for housing within Enfield and across London as a whole. Whilst demand continued to rise, Enfield had already introduced a number of innovative measures designed to increase the supply of affordable housing for local residents. These included the small sites developments; regeneration of housing estates; creation of Housing Gateway and Enfield Innovations to bring forward stock as an alternative to the use of temporary accommodation and the Meridian Water development.

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2. As a further measure, Enfield was also working in partnership with three other neighbouring boroughs – Waltham Forest, Redbridge and Newham in order to use combined purchasing power to procure additional large volume supply of temporary accommodation, with approval now being sought to commence an engagement process with the market to explore the potential opportunities in more detail.
3. The concern expressed at the figure of £81m quoted in relation to costs within Enfield for temporary housing within a recent press article. The figure had been provided in response to a Freedom of Information (FOI) request and had represented the gross costs. When adjusted to include the income received from rent and other charges the net figure was closer to £10m and as a result the Council would be requesting a correction from both the BBC and The Independent.

Alternative Options Considered: NOTED the following alternative options considered as detailed in section 4 of the report:

1. Continue As-Is: The Council was establishing a dynamic purchasing system (agreed by Cabinet in March 2015) to increase the supply of properties under contract and reduce the cost of temporary accommodation arrangements; however, this alone was not anticipated to ease all of the pressure on the temporary accommodation budgets.
2. Do nothing: As the authority had a statutory duty to place homeless applicants into emergency accommodation, there would always be a need to secure some level of temporary accommodation from private agents/landlords. To ensure effective supply the Council needs to take innovative approaches to create and/or identify cost efficient temporary and permanent housing solutions.

DECISION: The Cabinet agreed to

1. Approve both targeted and general marketing to draw interest from the provider market for temporary accommodation supply in partnership with the London Boroughs of Waltham Forest, Newham and Redbridge as set out in paragraph 3.9 of the report.
2. Delegate the decisions on individual contracts, to the Director of Health, Housing and Adult Social Care, Director of Finance, Resources and Customer Services with the Cabinet Member for Housing and Housing Regeneration and the Cabinet Member for Finance and Efficiency.

Reason: The continued pressure to provide temporary accommodation for those facing housing emergencies and homelessness, was placing significant financial pressure and ongoing risk to the Council's finances. This report set out the intention to take the Council requirements to the market to seek solutions intended to manage the current risk posed by the high reliance on short term contracts for the provision of accommodation.

(Key decision – reference number 4187)

13

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED the provisional list of items scheduled for future Cabinet meetings, subject to:

1. The Director of Finance, Resource and Customer Services being requested to examine the potential to bring forward the update on Tranche 6 of the Disposals Programme from the Cabinet in November to October.
2. The report on the development of proposals for an artificial pitch in Pymmes Park now being provisionally scheduled for Cabinet in November.
3. The Leader of the Council's proposal to establish a Cabinet Sub Committee in order to consider the plans announced by the Government in response to the current refugee crisis and bring forward recommendations in terms of developing the Council's own response. Members would initially meet informally to consider and develop the Council's response, prior to final recommendations developed being considered at a formal Sub Committee meeting for referral onto Cabinet.

AGREED to establish a Cabinet Sub Committee to consider the plans announced by the Government in response to the current refugee crisis and bring forward recommendations in terms of developing the Council's own response. The Sub Committee to be chaired by Councillor Brett and include Councillors Orhan, Oykenner and Taylor as the other members.

14

MINUTES

AGREED that the minutes of the previous meeting of the Cabinet held on 22 July 2015 be confirmed and signed by the Chair as a correct record.

15

MINUTES OF LOCAL PLAN CABINET SUB-COMMITTEE - 7 AND 15 JULY 2015

NOTED, for information, the minutes of meetings of the Local Plan Cabinet Sub-Committee held on 7 and 15 July 2015.

16

MINUTES OF ENFIELD COMMUNITY SUPPORT FUND CABINET SUB-COMMITTEE - 9 JULY 2015

NOTED, for information, the minutes of a meeting of the Enfield Community Support Fund Cabinet Sub-Committee held on 9 July 2015.

17

LOCAL LONDON - PROPOSALS FOR NORTH/EAST LONDON DEVOLUTION GOVERNANCE

Councillor Doug Taylor (Leader of the Council) introduced the report of the Chief Executive (No.61) setting out the process for formalising the Local London governance arrangements.

NOTED the process and progress in formalising the Local London governance arrangements, as set out in the report.

Alternative Options Considered: The Local London councils could retain their current informal relationship. However, it is unlikely that the Government would consider any devolution of functions and resources without there being a formal governance arrangement.

Reason: Formalising the Local London governance arrangements would place the north and east London sub regional grouping in a stronger position to bid for the devolution of functions and resources to the sub-region or individual boroughs as appropriate.

(Non key)

18

ENFIELD STRATEGIC PARTNERSHIP UPDATE

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

19

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet was scheduled to take place on Wednesday 21 October 2015 at 8.15pm.