

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 26 APRIL 2017**

COUNCILLORS

PRESENT Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts and Culture), Alev Cazimoglu (Cabinet Member for Health and Social Care), Krystle Fonyonga (Cabinet Member for Community Safety and Public Health), Dino Lemonides (Cabinet Member for Finance and Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development)

Associate Cabinet Members (Non-Executive and Non-Voting): Bambos Charalambous (Enfield West), George Savva (Enfield South East)

ABSENT Vicki Pite (Associate Cabinet Member – Enfield North)

OFFICERS: Rob Leak (Chief Executive), James Rolfe (Executive Director of Finance, Resources and Customer Services), Ian Davis (Executive Director of Regeneration & Environment), Ray James (Executive Director of Health, Housing and Adult Social Care), Anne Stoker (Acting Assistant Director of Children's Services), Asmat Hussain (Assistant Director Legal & Governance Services), Jayne Middleton-Albooye (Head of Legal Services), Paul Gardner (Regeneration and Environment), David Greely (Corporate Communications Manager), Mohammed Lais (Senior Asset Management Surveyor) and Alan Fleming (Meridian Water Programme Director) Jacqui Hurst (Secretary)

Also Attending: Councillor Derek Levy (Chair of the Overview and Scrutiny Committee)

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Vicki Pite (Associate Cabinet Member - Enfield North) and Tony Theodoulou (Executive Director of Children's Services). An apology for lateness was received from Councillor Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection).

2

DECLARATIONS OF INTEREST

There were no declarations of interest 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 with the exception of Report Nos. 259 and 260 – Disposal of Land at Chase Farm Hospital, The Ridgeway, Enfield (Minute Nos. 9 and 19 below refer). These requirements state that agendas and reports should be circulated at least 5 clear working days in advance of meetings.

AGREED, that the above reports be considered at this meeting.

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 be referred to full Council from this meeting. Report Nos. 255 and 257 – Meridian Water: Land Acquisition had been deferred to a future Cabinet meeting (Minute Nos. 7, 15 and 17 below referred).

6

QUARTERLY CORPORATE PERFORMANCE REPORT

Councillor Achilleas Georgiou (Deputy Leader) introduced the report of the Chief Executive (No.254) showing the latest available performance at the end of the third quarter of 2016/17.

NOTED

1. For information only, the progress being made towards achieving the identified key priorities for Enfield. Councillor Georgiou highlighted a number of the indicators including the following:
 - Housing and Homelessness: The number of households presenting as homeless had been sustained; there was likely to be further risk in the light of the Government's welfare reform. The positive indicators relating to overall satisfaction with the repairs service provided by Council homes; and, the level of rent collected by Council homes were highlighted.
 - Adult Social Care: The number of adults receiving secondary mental health services in employment had improved.
In response, Councillor Brett highlighted the training that had been given to front-line staff from the Department of Work and Pensions, with regard to mental health issues. This had had positive results.
 - Arts and Culture: A number of the positive performance indicators in this area were noted. However, it was further noted that the number of library users was reducing.
 - Planning: The number of major planning applications that had been processed within 13 weeks had reduced. Members were advised of the reasons for this and assurance provided that the annual target of 80% should be met.
 - Waste, Recycling and Cleanliness: The positive indicators with regard to recycling rates were highlighted.
 - Sport and Leisure: Members were pleased to note that a number of the indicators in this area were being exceeded.

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.

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

7

MERIDIAN WATER: LAND ACQUISITION

NOTED, that this report had been deferred for consideration at a future meeting of the Cabinet. Cabinet Members had requested that further due diligence work be undertaken prior to a decision being made (Minute No.17 below also referred).

8

MERIDIAN WATER ZONE 1: HIGHWAY COMPULSORY PURCHASE ORDER (CPO)

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.256) recommending the making of the London Borough of Enfield (Leeside Road and Willoughby Lane) Compulsory Purchase Order (CPO) 2017.

NOTED

1. That Report No.258 also referred as detailed in Minute No.18 below.
2. That the Council had conducted extensive investigations into the areas of land required to deliver Zone 1 and had not been able to ascertain any ownership interests or occupiers in the land, which was unregistered. Therefore, the only course available to the Council was to exercise its powers of compulsory purchase, bringing these plots of land into Council ownership and enabling Zone 1 development to go ahead without impediment, as set out in the report.

Alternative Options Considered: To not pursue this CPO at this time. This might result in delays to starting development due to uncertainty on the part of the Developer around land ownership interests on the Order Land. This might result in significant delays to implementing development and delays to the economic and social benefits the scheme would bring.

DECISION: The Cabinet agreed

1. To resolve to make a Compulsory Purchase Order for the acquisition of unregistered land in the Zone 1 development at Meridian Water, entitled "The London Borough of Enfield (Leeside Road and Willoughby Lane) Compulsory Purchase Order 2017.
2. That there was a compelling case in the public interest to justify the making of a CPO to include specific land interests that must be acquired to facilitate the redevelopment of Zone 1 at Meridian Water for the reasons detailed in the report and the draft Statement of Reasons.
3. Delegate to the Executive Director – Regeneration and Environment, the power to effect the making, confirming and implementation of the CPO and to take all necessary steps to give effect to the CPO in respect of the land shaded on the plan at Appendix 2 of the report including, but not limited to, the following procedural steps:
 - (a) Making such amendments and additions to the draft Statement of Reasons as deemed necessary to properly reflect the Council's

position regarding the proposed CPO so as to properly present the Council's case.

- (b) Making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making.
 - (c) Monitoring of negotiated agreements with land owners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the CPO, including where appropriate seeking exclusion of land or new rights from the CPO.
 - (d) Seeking confirmation of the CPO by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981), including the preparation and presentation of the Council's case at any Public Inquiry which might be necessary.
 - (e) Publication and service of notices of confirmation of the CPO and thereafter to execute and serve any General Vesting Declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area; and
 - (f) Referral and conduct of disputes, relating to compulsory purchase compensation, at the Upper Tribunal (Lands Chamber).
4. To note that although no persons had been identified as occupying or having an interest in the land, that the public interest in enabling the Zone 1 development to proceed outweighs any possible interference with convention rights.

Reason: The detailed reasons for the recommendations were set out in section 5 of the report. Acquisition of the Order Lands would enable the Council to exercise control over the land required to implement development of Zone 1 of the Meridian Water regeneration area.

(Key decision – reference number 4484)

9

DISPOSAL OF LAND AT CHASE FARM HOSPITAL, THE RIDGEWAY, ENFIELD

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.259).

NOTED

- 1. That Report No.260 also referred as detailed in Minute No.19 below.
- 2. The background to the proposals as set out in detail in the report regarding the areas of land in question to enable a primary school development to come forward. Extensive negotiations had culminated in an agreement for the disposal of the freehold interest in the land to the Education Funding Agency and Members agreement to the terms of the disposal were sought. It was further noted that all costs borne by

the Council including all acquisition related costs would be met by the purchaser.

3. Councillor Orhan extended her appreciation to officers for their hard work in seeking a successful conclusion to the negotiations and welcomed the provision of a school on this site for the benefit of residents and children in the area to meet pupil place demand. As set out in the report, it was noted that approval had been granted to the Limes Trust in June 2016 for the provision of a free school.

Alternative Options Considered: Not applicable as the Council could not develop a new school as it would be contrary to the Academies Act 2010 where any new school developed should either be an Academy or a Free School.

DECISION: The Cabinet agreed

1. To approve the disposal of the Council's freehold interest of land parcels Ca and Cb at Chase Farm Hospital to the Education Funding Agency (Secretary of State for Communities and Local Government) (DCLG) on the terms as detailed within the part two report (Minute No.19 below refers) together with full reimbursement of the Council's acquisition and sale costs.
2. To delegate authority to the Assistant Director – Strategic Property Services to negotiate any non-material changes to the transaction in accordance with the Property Procedure Rules.
3. To delegate authority to the Assistant Director – Legal and Governance to approve the legal form of contracts for the sale.
4. To note the agreement to the release of Targeted Basic Need funding to the Education Funding Agency.
5. To note that the proposals would contribute to the delivery of a much needed Primary school and delivery of a new hospital.

Reason: This was the only viable site now and in the future that could support a 3FE Primary School that would come forward in this Pupil Planning Area to satisfy the need. The disposal of the land at Chase Farm would satisfy the requirements for space standards as set out within the guidance set by the Department for Education (BB103) and the terms of the transaction would satisfy the requirements of best value under s123 of the Local Government Act 1972.

(Key decision – reference number 4473)

NOTED, that there were no items to be considered at this meeting.

11

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED, the provisional list of items scheduled for future Cabinet meetings. The list would be revised in the light of the proposed additional meeting of Cabinet on 9 May 2017 and the cancellation of the proposed meeting on 24 May 2017.

12

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 15 March 2017 be confirmed and signed by the Chair as a correct record.

13

MINUTES OF ENFIELD COMMUNITY SUPPORT FUND CABINET SUB-COMMITTEE - 29 MARCH 2017

NOTED, for information, the minutes of a meeting of the Enfield Community Support Fund Cabinet Sub-Committee held on 29 March 2017.

14

ENFIELD STRATEGIC PARTNERSHIP UPDATE

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

15

DATE OF NEXT MEETING

AGREED, that a meeting of the Cabinet be convened to take place on Tuesday 9 May 2017 at 6.30pm. There would be no Cabinet meeting on the proposed date of Wednesday 24 May 2017. Dates of future meetings of the Cabinet would be confirmed following approval of the calendar of meetings for the municipal year 2017/18 at the Annual Council meeting on 10 May 2017.

16

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).

17

MERIDIAN WATER: LAND ACQUISITION

NOTED, that this report had been deferred for consideration at a future meeting of the Cabinet. Cabinet Members had requested that further due diligence work be undertaken prior to a decision being made (Minute No.7 above also referred).

18

MERIDIAN WATER ZONE 1: HIGHWAY COMPULSORY PURCHASE (CPO)

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.258).

NOTED

1. That Report No.256 also referred as detailed in Minute No.8 above.
2. The detailed financial information with regard to potential compensation payments as set out in the report.

Alternative Options Considered: As detailed in Report No.256, Minute No.8 above refers.

DECISION: The Cabinet agreed to provide authorisation to release all compensation and associated costs with undertaking of this CPO, noting that should they be incurred they could be absorbed from within the Meridian Water capital programme budget for land acquisition and associated fees at no additional cost to the Council.

Reason: As detailed in Report No.256, Minute No.8 above refers.
(Key decision – reference number 4484)

19

DISPOSAL OF LAND AT CHASE FARM HOSPITAL, THE RIDGEWAY, ENFIELD

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.260).

NOTED

1. That Report No.259 also referred as detailed in Minute No.9 above.
2. The proposed Heads of Terms including the overage provisions. A detailed discussion took place on item 16 within the Heads of Terms. It was noted that this element was subject to further discussion and was not conditional on the sale of the parcels of land in question. Members noted the status of the land and potential future uses.

Alternative Options Considered: As detailed in Minute No.9 above.

DECISION: The Cabinet agreed to

1. Approve the disposal of the Council's freehold interest of land parcels Ca and Cb at Chase Farm Hospital to the Education Funding Agency (Secretary of State for Communities and Local Government) (DCLG) for the sum detailed in recommendation 2.1 of the report, and otherwise on the terms as detailed within appendix 1 of the report and in addition:
2. Approve full reimbursement of the Council's full acquisition and sale costs which were in addition to the purchase price.
3. Delegate authority to the Assistant Director – Strategic Property Services to negotiate any non-material changes to the transaction in accordance with the Property Procedure Rules.
4. Delegate authority to the Assistant Director – Legal and Governance to approve the legal form of contracts for the sale.
5. Note the agreement to the return of Targeted Basic Need funding to the Education Funding Agency in the sum detailed in recommendation 2.5 of the report (subject to formal EFA approval) which was net of all costs incurred by the Council in respect of the temporary provision of school places at Suffolk's primary school.

Reason: As detailed in Minute No.9 above.
(Key decision – reference number 4473)

