



LONDON BOROUGH OF ENFIELD

**AGENDA FOR THE COUNCIL MEETING
TO BE HELD ON WEDNESDAY, 21ST
SEPTEMBER, 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 officers are included.

Name of Meeting	Date	Officer	Contact Telephone
Overview and Scrutiny Committee	14/07/16	Andy Ellis	0208 379 4884
Strategic Leadership Forum	18/07/16	Jacqui Hurst	0208 379 4096
Highlands & Town Ward Forum	18/07/16	Clare Bryant	0208 379 5003
Green Belt Forum	19/07/16	Stacey Gilmour	0208 379 4187
Planning Committee	19/07/16	Metin Halil/Jane Creer	0208 379 4091/ 0208 379 4093
Local Pension Board	20/07/16	Paul Reddaway	0208 379 4730
Southbury Ward Forum	20/07/16	Clare Bryant	0208 379 5003
Bowes Ward Forum	20/07/16	Clare Bryant	0208 379 5003
Safer Neighbourhood Board	21/07/16	Clare Bryant	0208 379 5003
Housing Repairs Scrutiny Workstream	25/07/16	Susan Payne	0208 379 6151
Licensing Sub-Committee	27/07/16	Jane Creer	0208 379 4093
Planning Committee	27/07/16	Metin Halil/Jane Creer	0208 379 4091/ 0208 379 4093
London Borough of Enfield/Enfield Racial Equality Council	28/07/16	Elaine Huckell	0208 379 3530
Appointment Panel	09/08/16	Metin Halil	0208 379 4091
Conservation Advisory Group	09/08/16	Andy Higham	0208 379 3848
Licensing Sub-Committee	10/08/16	Jane Creer	0208 379 4093
Member & Democratic Services Group	10/08/16	Jane Creer	0208 379 4093
Cabinet	16/08/16	Jacqui Hurst	0208 379 4096
Enfield Lock & Turkey Street Ward Forum	23/08/16	Clare Bryant	0208 379 5003
Planning Committee	30/08/16	Metin Halil/Jane Creer	0208 379 4091/ 0208 379 4093

Audit & Risk Management Committee	01/09/16	Metin Halil	0208 379 4091
Health & Wellbeing Board	06/09/16	Clare Bryant	0208 379 5003
Conservation Advisory Group	06/09/16	Andy Higham	0208 379 3848
Cabinet	06/09/16	Jacqui Hurst	0208 379 4096
Deaf Community Forum	08/09/16	Stacey Gilmour	0208 379 4187
Overview and Scrutiny Committee	08/09/16	Stacey Gilmour	0208 379 4187
Jubilee Ward Forum	13/09/16	Clare Bryant	0208 379 5003
Planning Committee	13/09/16	Metin Halil/Jane Creer	0208 379 4091/ 0208 379 4093
Overview and Scrutiny Committee	15/09/16	Stacey Gilmour	0208 379 4187
Chase Ward Forum	15/09/16	Clare Bryant	0208 379 5003
Housing Board	20/09/16	Elaine Huckell	0208 379 3530
Southgate Ward Forum	20/09/16	Clare Bryant	0208 379 5003
Lower Edmonton Ward Forum	20/09/16	Clare Bryant	0208 379 5003
Planning Committee	20/09/16	Metin Halil/Jane Creer	0208 379 4091/ 0208 379 4093

Members can obtain the minutes through either the Council's website www.enfield.gov.uk or the Democratic Services Team.

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

**Please
Reply to:** Penelope Williams

Phone: (020) 8379 4098

Textphone: (020) 8379 4419

E-mail: Penelope.Williams@enfield.gov.uk

My Ref: DST/PW

Date: 13 September 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, 21st September, 2016 at 7.00 pm for the purpose of transacting the business set out below.

Yours sincerely

Asmat Hussain

Assistant Director Legal & Corporate Governance

1. **ELECTION IF REQUIRED OF THE CHAIR/DEPUTY CHAIR OF THE MEETING**
2. **MAYOR'S RECOGNITION OF THE UNITED NATIONS INTERNATIONAL DAY OF PEACE**

The Council Choir will sing a song in recognition of the United Nations International Day of Peace.

3. **MAYOR'S ANNOUNCEMENTS IN CONNECTION WITH THE ORDINARY COUNCIL BUSINESS**
4. **MINUTES OF THE MEETING HELD ON 13 JULY 2016** (Pages 1 - 20)

To approve the minutes of the meeting held on 13 July 2016 as a correct record.

5. **APOLOGIES**

6. DECLARATION OF INTERESTS

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

7. PETITION (Pages 21 - 24)

To receive pursuant to Section 100B(4) of the Local Government Act 1972 (as amended) a report from the Director of Finance, Resources & Customer Services including details of a petition that has been received which meets the criteria (in terms of the number of signatures) for debate at Council.

(Report No: 85)

This report should be read in conjunction with Report No: 86 on the Part 2 agenda.

8. OPPOSITION BUSINESS - DEMOCRATIC DEFICIT (Pages 25 - 30)

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

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

9. BOUNDARY COMMISSION FOR ENGLAND PARLIAMENTARY CONSTITUENCY REVIEW 2018 (To Follow)

To receive a report from Director of Finance, Resources and Customer Services providing an update on the Boundary Commission for England's 2018 review of Parliamentary constituency boundaries as they affect Enfield.

10. MONTAGU ESTATE ASSET MANAGEMENT (Pages 31 - 52)

To receive a report from the Director of Finance, Resources and Customer Services setting out the preferred option for the Montagu Estate's redevelopment.

(Report No.69)

(Key decision – reference number 4357)

The report will need to be read in conjunction with Report No.74, on the Part 2 agenda.

Council is being asked to approve the additions to the Council's capital programme for as set out in recommendations 2.7 and 2.11 with further details in the Part 2 report and to note the other recommendations agreed by Cabinet at the meeting held on 6 September 2016.

11. OVERVIEW AND SCRUTINY ANNUAL WORK PROGRAMME AND WORKSTREAMS FOR 2016/17 AND DESIGNATION OF COUNCIL'S STATUTORY SCRUTINY OFFICER (Pages 53 - 66)

To receive a report from Overview & Scrutiny Committee setting out the Scrutiny Annual Work Programme and Workstreams identified for 2016/17.

Council is being asked to approve the report and to agree that the Head of Governance and Electoral Services be designated as the Council's Statutory Scrutiny Officer as detailed in section 6 of the report.

(Report No: 61)

12. RE-PROVISION 2 – CARE HOME CAPITAL FUNDING AND PROCUREMENT (Pages 67 - 80)

To receive a report from the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services summarising the need to secure additional high quality nursing supply for Enfield residents which is affordable and compliant with Care Quality Commission standards.

(Report No: 67)

(Key decision – reference number 4337)

The report will need to be read in conjunction with Report No.72 on the Part two agenda.

Members are asked to note that Council is being asked to note the recommendations approved by Cabinet at their meeting on 6 September 2016 and to approve the inclusion of the capital budgets for the scheme as in recommendation 2.2 and as detailed further in the Part 2 report.

13. ANNUAL TREASURY OUTTURN REPORT 2015/16 (Pages 81 - 90)

To receive a report from the Director of Finance, Resources and Customer Services to present the Council's Annual Treasury Outturn Report for 2015-16 in accordance with Treasury Management Practices. It is a regulatory requirement for Council to receive this report by 30 September each year.

(Report No: 29)

This report was accepted by Cabinet on 7 July 2016.

14. UPDATE FROM TRENT PARK WORKING GROUP (Pages 91 - 98)

To receive and note the report from the Trent Park Working Group setting out the work carried out by the Group since its first meeting.

(Report No: 81)

Members are asked to note that the working group was established by Council on 25 March 2015 with a requirement to report back to Council when the work was complete.

Members are asked to note that the report has been approved by the working group members, following their last meeting held on 23 August 2016.

15. AUDIT AND RISK MANAGEMENT COMMITTEE ANNUAL REPORT 2015/16 (Pages 99 - 110)

To receive the annual report from the London Borough of Enfield Audit and Risk Management Committee for 2015/16, covering the key issues dealt with by the Committee over the past year.

Members are asked to note that the report was approved for referral on to Council by the Audit and Risk Management Committee on 4 July 2016.

16. HOUSING GATEWAY LIMITED PROPERTY ACQUISITION (To Follow)

To receive a report from the Director of Finance, Resources and Customer Services seeking approval for an additional loan from London Borough of Enfield in order for Housing Gateway Limited to purchase a large property block.

(Report No: 83)

(Key decision – reference number 4326)

The report will need to be read in conjunction with the Report No: 84 on the Part 2 agenda.

17. MOTIONS

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.”

In the name of Councillor Alessandro Georgiou

“60,481 residents from across the London Borough of Enfield have voted to leave the European Union. They are joined by 17,410,472 or 52% of votes cast of the British electorate in leaving the European Union. As the country has voted to leave the European Union, this Council therefore will write to all three of the Borough’s Members of Parliament asking them to respect the democratic will of the British people.”

In the name of Councillor Taylor

“The Council notes the importance of motivated and properly supported junior doctors to the health of Enfield residents.

The Council calls upon the Secretary of State to negotiate with the BMA, in good faith, to ensure we have a safe NHS and for the Government to properly fund the NHS to meet public need.”

In the name of Councillor Delman

“This Council is very concerned that the majority of our libraries are being effectively downsized and their management handed over to volunteers and community groups. This is likely to lead to reductions in stock and poor service to our customers. Whilst we acknowledge that some changes are inevitable, we believe that it is possible to retain professional management at our libraries. We therefore call upon this Labour Administration to re-examine the available management options in order to establish if full professional management is feasible.”

In the name of Councillor Pite

“It is widely reported that an update to the Department of Education’s (DfE) Design in Fire Safety in Schools BB100 states that “Building Regulations do not require the installation of fire sprinkler suppression systems in school buildings for life safety”. All fire service professionals, the Chief Fire Officers Association, the Fire Brigades Union, the Fire Sector Federation, have condemned this bewildering, inexplicable and retrograde change to the regulations.

In recent years many children in Enfield have had the opportunity to learn in brand new buildings protected from the risk of fire by the appropriate installation of fire sprinklers under the guidance of BB100. There are many new schools to come and in future young people may not be afforded the same protection.

This Council believes that this is a cross party concern that affects many young people in Enfield and asks the Lead members of both parties to write to the Government requesting an explanation of the change and the reinstatement of the 2007 guidance in BB100 “Designs in Fire Safety in Schools” that established the “expectation that all new schools will have fire sprinklers fitted”.

In the name of Councillor Laban

“The Council resolves to hear the petition apparently containing approximately 3500 plus signatures relating to lease of 11 Mottingham Road, London, N9 8DX.”

18. COUNCILLOR QUESTION TIME

16.1 Urgent Questions (Part 4 - Paragraph 10.2.(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.

16.2 Councillors’ Questions (Part 4 – Paragraph 10.2(a) of Constitution – Page 4 - 8)

The list of 37 questions will follow and the responses will be published on Tuesday 20 September 2016, the day before the meeting.

19. USE OF COUNCIL'S URGENCY PROCESS (Pages 111 - 112)

Council is asked to note the details provided of decisions 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.

20. COMMITTEE MEMBERSHIPS

To confirm the following changes to the committee memberships.

Public Transport Consultative Group:

The membership, following the revisions to the group’s terms of reference at the last Council meeting, to be confirmed as follows:

Councillor Daniel Anderson
Councillor Dinah Barry
Councillor Chris Bond
Councillor Erin Celebi
Councillor Christiana During
Councillor Peter Fallart
Councillor Eric Jukes

Councillor Vicki Pite

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

21. NOMINATIONS TO OUTSIDE BODIES

To confirm any changes notified to the nominations on outside bodies.

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

22. CALLED IN DECISIONS

None received.

23. 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 any items of business moved to the part 2 on the grounds that they involve 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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COUNCIL - 13.7.2016

**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON WEDNESDAY, 13 JULY 2016**

COUNCILLORS**PRESENT**

Bernadette Lappage (Mayor), Christine Hamilton (Deputy Mayor), Abdul Abdullahi, Nesil Cazimoglu, Lee Chamberlain, Nesimi Erbil, Haydar Ulus, Daniel Anderson, Dinah Barry, Erin Celebi, Jason Charalambous, Katherine Chibah, Lee David-Sanders, Nick Dines, Sarah Doyle, Peter Fallart, Krystle Fonyonga, Alessandro Georgiou, Suna Hurman, Doris JIagge, Adeline Kepez, Bernadette Lappage (Mayor), Vicki Pite, Claire Stewart, Dogan Delman, Ali Bakir, Chris Bond, Yasemin Brett, Alev Cazimoglu, Bambos Charalambous, Christiana Doring, Patricia Ekechi, Achilleas Georgiou, Christine Hamilton (Deputy Mayor), Ahmet Hasan, Elaine Hayward, Robert Hayward, Ertan Hurer, Eric Jukes, Nneka Keazor, Joanne Laban, Michael Lavender, Dino Lemonides, Derek Levy, Terence Neville OBE JP, Ayfer Orhan, Anne-Marie Pearce, Daniel Pearce, Michael Rye OBE, George Savva MBE, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Doug Taylor and Glynis Vince

ABSENT

Guney Dogan, Turgut Esendagli, Jansev Jemal, Mary Maguire, Andy Milne, Jim Steven, Donald McGowan, Ahmet Oykenor and Ozzie Uzoanya

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

None required.

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

The Reverend Stuart Owen from All Saints Church, Edmonton gave the blessing.

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

The Mayor began her announcements by thanking the Reverend Stuart Owen for his blessing, the officers in the Mayoral Office, the Deputy Mayor, the Mayor's consort, the Deputy Mayor's consort for their support over the past month, and the people of Enfield for their invitations.

1. Engagements over the past month

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The Mayor announced that, in the past month, she had attended the following events and engagements:

- An event at Forty Hall, held to thank all the park volunteers for their commitment to the many parks and green spaces in the borough.
- The Capel Manor Garden Party and Open Day, for local residents, which she had hosted. This had also been attended by the Deputy Lieutenant and Mayors from several neighbouring boroughs. The event had been greatly appreciated by many.
- Capel Manor Awards Ceremony – watching young people who had been given life chances helping to fulfil their potential.
- Ponders End Community Event along with other local councillors.
- Events to celebrate the Queen's Birthday Weekend
- A visit to the Mayor's Parlour and Council Chamber from some children at Carterhatch School, which she had hosted.
- Judging the Glee Final at the Piccadilly Theatre – 18 Edmonton schools had taken part in the competition. The Mayor's award went to the pupils at West Lea School whose performance moved everyone.
- Armed Forces Day Commemorations, including taking tea with the participants at the British Legion.
- An afternoon garden party for elderly residents at Ingleborough Sheltered Housing, raising £750 for Macmillan Cancer Support.
- The opening of the Oncu Supermarket in Freezywater
- Barnet Arts Festival supporting the Enfield Harmony Singers, the Council's staff choir.
- The youth games at Crystal Palace: the female swimming team had come third and the boys' team sixth, in London. She congratulated all participants and reported that she was arranging a tea for them in the Mayor's Parlour.
- The Youth Launch of Enfield Sounds Great, attended by many of the borough's schools. The Mayor reported that she was now working on a music charter for young people and had been amazed at the enthusiasm and the quality of the performances of the young people involved.
- Other Music Events – Over the last month, the Mayor had also attended as many concerts as possible, including the Battle of the

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Bands, the Blues and Beer Event at Forty Hall, singing with the choir above the King's Head in the market square. She commented on how a famous composer had visited Enfield in the past month.

2. Future events

The Mayor announced the following future events:

- A Musical Instrument Amnesty to take place on Saturday 23 July 2016 starting at 11am between Pearson's and Marks and Spencer in Palace Gardens. People were being asked to bring along instruments they no longer needed so that they could be put to good use. Susie Dawson from Standard Life was thanked for her support of this project. Anyone who came along would be given an Enfield Sounds Great Badge – much sought after.
- An International Busking Day was also being held on that day.
- The Open Air Cinema Screening of Mamma Mia on 10 August 2016 for which tickets were available at the Dugdale Box Office.
- Enfield Racial Equality Council AGM, Thursday 14 July 2016 at 7pm at the Civic Centre.
- Music on the Lawn at Forty Hall on Sunday 17 July 2016 at 1pm with lots of music and activities for families.

3. Awards

The Mayor announced that the following Council teams had recently received awards:

3.1 Sustainability Service

Enfield Council's Sustainability Service had won Team of the Year at the prestigious Local Government Chronicle Awards at a ceremony at the Grosvenor House Hotel in March 2016. Competing against 98 other UK local authorities, Enfield's team had beaten off stiff competition to be named as the team of the year.

The team stepped forward. The Mayor congratulated them and presented them with their award.

3.2 CCTV Team

The CCTV team had received 9 awards from the Metropolitan Police as part of the Metropolitan Police Annual CCTV Awards Ceremony, hosted at New Scotland Yard. The awards had recognised the teams' efforts on a number of notable incidents across Enfield.

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The team came forward so that the Mayor could congratulate them present them with their awards.

4. Retirement of Les Bowman, Enfield London Fire Brigade Borough Commander

The Mayor announced that Les Bowman, the Enfield Borough Commander of the London Fire Brigade, had recently retired having spent many years working for the people of Enfield. The Mayor said that last week she had had the privilege of visiting Southgate Fire Station and had been impressed at the professionalism of the personnel and the sacrifice made by those individuals to the service of others.

She invited Les Bowman to come forward, so that she could thank him, in person, on behalf of the people of Enfield, and she then presented him with a small gift.

5. Commemoration of the Anniversary of the Battle of the Somme

The Mayor reminded members that, on 1 July 2016, it had been the anniversary of the date of the Battle of the Somme, and asked that there should be a pause with a minute's silence to remember the sacrifices of all those who fought and lost their lives in that conflict.

6. Death of Jo Cox, Labour MP for Batley and Spennings

The Mayor said that she had been shocked and saddened by the tragic death and circumstances of the death of Jo Cox. She also drew members' attention to the fact that a photograph, marking refugee week, donated to the parlour, by Councillor Brett had been dedicated to honour the memory of Jo Cox.

The Mayor and the Deputy Mayor stood and a minute's silence was held in honour of both those who had died at the Battle of the Somme and Jo Cox.

7. Changes to the Council Procedure Rules

The Mayor announced that the meeting was to be the first since changes to the Council procedure rules had been agreed. A copy of the new rules had been provided for all members at the meeting, she, herself had sent out an email including details of the changes and three briefing sessions for all members had been held. She asked everyone to be aware that there might be some teething problems as everyone adjusted to the new rules.

8. Comfort Break

The Mayor announced that she planned to continue to have, as had been introduced at recent meetings, a comfort break at a suitable time (likely to be at 8.30pm) during the proceedings: She suggested members used the time to view the new photographs of scenes, from each of the borough's 21 wards, displayed on the walls of the Council Chamber .

4

MINUTES OF THE MEETING HELD ON 8 JUNE 2016

The minutes of the meeting held on 8 June 2016 were agreed as a correct record.

5

APOLOGIES

Apologies for absence were received from Councillors Dogan, During, Esendagli, Jemal, Maguire, McGowan, Milne, Steven, Oykenner and Uzoanya.

Apologies for lateness were received from Councillor Lee David Sanders.

6

DECLARATION OF INTERESTS

None.

7

OPPOSITION BUSINESS - CUSTOMER SERVICE

Before the start of Opposition Business, it was reported that a petition of over 4,000 signatures had been received. The Assistant Director, Legal and Governance, advised members that the petition had been received on the day before the Council meeting, that officers were in the process of verifying signatures, that it was subject to legal proceedings but that it would be brought forward to a future Council meeting if appropriate.

Councillor Laban introduced the issues paper, prepared by the Opposition Group.

Issues highlighted were as follows:

1. She began by stating that Opposition Business enabled the opposition to bring forward issues affecting the community and that the level of customer service being provided was currently an issue of great concern to the local community.
2. She felt that the problems were acknowledged by all and well documented on social media. Members of the public were often being kept waiting, at times 42 and more minutes, to get through to the call centre. The main Council number was frequently engaged, callers received no automatic message, were often kept on hold for long periods, and in her opinion there was little chance of speaking to anyone.
3. Customers were being asked to use the new website, but the website was not working well. Problems logged on line were not responded to,

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the relevant pages did not appear and customers were sent backwards and forwards in a loop between the old and new websites. The online payment system was frequently out of order. There were long queues of people waiting to speak to officers on the reception desks, queues, on many occasions, out of the door. It was also taking members much longer than the agreed standard of eight days to get any response through the Member Enquiries System.

4. An organisation which did provide help to members of the public was being threatened with closure by the administration.
5. These problems could not be blamed on a Government lack of funding, as it had been the current administration's decision to adopt the transformation programme responsible. On top of this the people in charge of implementing the new services had since left or were due to leave the Council.
6. She felt that it was the poorest and most vulnerable residents who were suffering the most. This was a real issue for Enfield residents and particularly those that relied on the Council's help: the Council owed it to them to sort out the problems as soon as possible.

Councillor Levy, Chair of the Overview and Scrutiny Committee, responded on behalf of the Majority Group highlighting:

1. The Overview and Scrutiny Committee had set up a work stream to look into the Enfield 2017 Transformation Programme, including this area. On 14 December 2015, a paper had been considered setting out the scale and scope of the work. On 8 March 2016, a joint session with the Audit and Risk Management Committee had been entirely given over to an in depth study of the issues.
2. Work was also being carried out to look at the quality of communications including on a one to one basis and it had been found that they were not always as clear as they could be.
3. He felt that this was not a party political issue. The issues raised were already known and they were being taken in hand as part of the scrutiny process. If the Opposition group had had these specific concerns earlier, he felt that they should have raised them at the start and that they could have been included in the original scoping document for the scrutiny review.
4. The IT and the website did have shortcomings, Councillor Levy said he himself was an arch critic, but these were being addressed. He had visited the call centre in April, listened in to many calls and had been amazed at the patience and empathy of the staff, guiding people through the processes and dealing with these calls. There was no denying that some people had waited 42 minutes, but for others it was 42 seconds.

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5. Councillor Levy had also spent some time on the front desk with floorwalkers whom he saw as flexible and versatile, dedicated to helping people through the processes.

Other issues highlighted during the debate were as follows:

- a. The need highlighted by the members of the Opposition Group:
 - To recognise that the customer service provided over the past few months had been unacceptable and that people had been subjected to very long waits. Examples were put forward where vulnerable people in need of Council help had been subjected to severe delays over several months.
 - To recognise that there had been a failure of planning and management, that was not due to lack of money. Any change such as this should have been carefully planned and should have involved experienced staff, those with high levels of expertise capable of dealing with the public's issues.
 - To understand that changes were needed immediately, not following a slow and bureaucratic possible sixth month review.
 - To recognise that a responsible leadership would act immediately to resolve the problems: problems which were costing much officer time and money.
 - Although accepting that the current administration had acknowledged that things had gone wrong, members felt that this was not good enough, the Council was there to serve the residents and the service needed immediate improvement.
 - To admit the repercussions from reducing staff numbers by 792, as detailed in answer to Council Question 14, and the effect on standards that had not been handled well.
 - To acknowledge concern about the eviction facing the organisation in the Eastern part of the borough who were providing support and advice to people trying to access customer services.

Members were advised by the Assistant Director Legal and Governance that this matter was sub judice as it was a live court proceeding and should not be discussed. Councillor Lavender asked for her to provide some written guidance.

- b. The need highlighted by members of the Labour Group:
 - To recognise that funding was paramount. The Council had suffered from £100m worth of Government cuts since 2010 and would be subject to a further £56m by 2020. Providing services in the light of these was a

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considerable challenge. The transformation was being dictated by the finances and would result in £28m worth of efficiencies.

- To recognise that this was a big and complex programme and that there had inevitably been teething problems. The Council dealt with 50,000 calls, 30,000 electronic communications and 16,000 face to face meetings every month. The average wait time for calls was 4 minutes.
- To acknowledge that the Labour councillors carried out ward surgeries and the Council had more libraries than any other London borough.
- Five extra members of staff had been employed as a stop gap. The website was continually being reviewed and feedback acted upon. Improved access and staff training was being carried out so that everyone met the required standard. Improvements were being made to make the buildings more accessible. The whole process was under review and more people would be bought in if needed. Processes were in place to ensure that the problems were addressed.
- To recognise that despite the challenges, customer satisfaction levels with services including waste, door step recycling, parks and open spaces had increased. There had been a 200% increase in on line reporting of incidents. New 24 hour, 7 day a week services were being introduced including the ability to upload pictures, to choose days for the collection of bulky waste items, booking for on line events and sports pitches. Thus empowering residents who could use IT and leaving officers free to help those who could not and needed more support. Officers who were effective, tactful and well informed.
- To agree with the Opposition that services must improve and to recognise that work was being done to achieve this.
- To understand that the plight of many residents was a result of the imposition of Government cuts. Demand for Council services was increasing because of this.

During the course of the debate, the time for Opposition Business was extended by 15 minutes.

At the end of the debate Councillor Neville summed up on behalf of the Opposition Group as follows:

- That there was no excuse for poor service and he did not feel that the administration had provided adequate responses to the Opposition concerns. Customer satisfaction levels and polls were not to be relied upon.
- That local people were very dissatisfied and the impact fell most heavily on those least able to help themselves.

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- It was the duty of the Opposition to hold members to account. The response that scrutiny would be reviewing the issues was not enough. Action was needed now.
- The speed of progress was insufficient and he felt that each of the Opposition's recommendations should be addressed together with an explanation as to what work was already taking place. Simply, he felt more staff were needed.

Councillor Achilleas Georgiou then summed up on behalf of the majority group by saying that

- He felt that the Opposition paper was unnecessary as the matter was already in hand. The Administration was already doing more to improve customer services than was proposed in the Opposition recommendations. All the recommendations were being acted upon.
- Services were improving. Customers were now able to access services 24 hours a day, 7 days a week. The Council was one of the first local authorities in England, possibly Europe, to use Amelia, a robot with artificial intelligence, to deal with customer queries.
- It was misleading to say that the changes were nothing to do with funding, savings had to be found. Services had to be transformed in order to find ways of continuing to provide excellent services in challenging financial circumstances, against a background of increasing demand. Increasing demand, the result of Government's policies, such as welfare reform.

As an outcome of the debate the Councillor Alessandro Georgiou requested that a vote be taken on the recommendations within the Opposition Priority Business Paper. In accordance with section 17.4 of the council procedure rules this was on a roll call basis, with the results as follows:

AGREED not to approve the following recommendations within the Opposition Priority Business Paper:

1. Recruit the necessary number of staff needed for the call centre to cope with the level of demand from our customers.
2. Review the new website to ensure that if it cannot show a certain information page, then the previous website can be accessed and used.
3. Carry out a full scale review of the effectiveness of the Gateway Services Hub.
4. Review of the number of Members' Enquiries (MEQ)s that are not responded to within the Service Level Agreement (SLA).

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5. Those departments that are not meeting the SLA from investigating MEQs will implement an action plan to improve the service as soon as possible.
6. Provide the necessary number of staff at the front desk of the Civic Centre to adequately deal with demand.
7. Establish a cross party working group on specific remit of customer services to report its work to Cabinet and the Overview and Scrutiny Committee.

In support of the recommendations: 20

Councillor Erin Celebi
Councillor Lee Chamberlain
Councillor Jason Charalambous
Councillor Lee David Sanders
Councillor Dogan 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 Terry Neville
Councillor Anne Marie Pearce
Councillor Daniel Pearce
Councillor Michael Rye
Councillor Edward Smith
Councillor Glynis Vince

Against the recommendations: 31

Councillor Abdul Abdullahi
Councillor Daniel Anderson
Councillor Ali Bakir
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 Pat Ekechi
Councillor Nesimi Erbil
Councillor Krystle Fonyonga

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Councillor Achilleas Georgiou
Councillor Ahmet Hassan
Councillor Suna Hurman
Councillor Doris Jiage
Councillor Nneka Keazor
Councillor Adeline Kepez
Councillor Dino Lemonides
Councillor Derek Levy
Councillor Ayfer Orhan
Councillor Vicki Pite
Councillor George Savva
Councillor Toby Simon
Councillor Alan Sitkin
Councillor Andrew Stafford
Councillor Claire Stewart
Councillor Doug Taylor
Councillor Haydar Ulus

Abstentions: 0

At the end of this item, the meeting was suspended for a 10 minute comfort break.

8

CHANGE IN THE ORDER OF BUSINESS

Following the item on Opposition Business, Councillor Stewart moved and Councillor Taylor seconded a proposal under paragraph 2.2(b) of the Council Procedure Rules to change the order of items on the agenda so that the following items were dealt with as the next items of business:

- Item 8 Urgent Motion in the name of Councillor Alev Cazimoglu regarding the situation at the North Middlesex University Hospital NHS Trust.
- Item 8.9 Motion in the name of Councillor Brett regarding community cohesion.

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

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

9

MOTIONS

1.1 Urgent Motion

Council was asked to note that the Mayor had agreed to accept an urgent motion under Part 4 paragraph 11.6 of the constitution.

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The decision was accepted as urgent, as notice as under Part 4, Paragraph 11 could not reasonably have been given for the following reason:

“Since the publication of the agenda and the inclusion of Councillor Anne Marie Pearce's Motion (Motion 8.5 on the agenda), there had been a major announcement from the Care Quality Commission (CQC), on 6th July 2016, in relation to fundamental changes to the Board, including the accountable officer being the Chief Executive Officer (CEO) of another out of borough hospital.

The matter was of immense concern to Enfield residents who would have expected their local representatives to respond to these changes and request action from the appropriate decision makers.”

Councillor Alev Cazimoglu moved and Councillor Abdulahi seconded the following as the urgent motion:

“The Care Quality Commission (CQC) report published on the 6th July 2016 rates the Urgent and Emergency Service at North Middlesex Hospital as inadequate. This Council is seriously concerned to learn of the failings identified in the report; and of the CQC's statutory Warning Notice issued to the trust requiring it to improve the care of patients in the Emergency Department (ED) by 26th August 2016.

The CQC's latest report follows their comprehensive inspection of the Trust in June 2014, which rated the Medical Care and ED as Requires Improvement.

This Council notes that North Middlesex Hospital A&E is one of the busiest Emergency Departments in London, serving a very deprived area with significant health needs. The Trust is under considerable strain, compounded by the financial underfunding of Enfield CCG; the lack of primary healthcare provision in Enfield; and government cuts to NHS services across the board.

This Council calls on the Secretary of State to urgently intervene to save our local hospital. The Secretary of State should ensure the Trust is adequately funded and supported in providing local people with safe, high quality services. We call on the Secretary of the State to guarantee the future of all current services at the hospital, including a fully functioning A&E department.”

During the debate Councillor Lavender put forward an amendment which was seconded by Councillor Neville.

The amendment was to delete the final paragraph of the motion and the words in the third paragraph following “The Trust is under considerable strain” and to replace these words with the following phrase “as a result of increased demand for services.” Also to add a new final paragraph “This Council calls on the new board to use the funds it receives efficiently in the best interests of the residents of Enfield”.

The Mayor advised that she was not willing to allow the amendment due to time constraints.

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Following a debate the substantive motion was put to the vote with the following result:

For: 28
Against: 19
Abstentions: 0

1.2 Motion 8.9 in the name of Councillor Brett

Councillor Brett moved and Councillor Fonyonga seconded the following motion:

“Enfield is one of the most diverse boroughs in London and we very much value community cohesion which has been achieved through the public, statutory bodies like the council and police and non-statutory sector working together for a harmonious community. Racism, xenophobia and hate crimes have no place in our borough and we condemn these unequivocally. We will not allow hate to become acceptable.

We reassure all people living in this area that they are valued members of our community.”

Before the full debate began Councillor Neville moved an amendment, seconded by Councillor Laban, in which he asked to combine the wording of his motion on hate crime (Motion 8.6 on the agenda) with this motion.

The amendment was put to the vote and defeated with the following result:

For: 18
Against: 28
Abstentions: 0

Following a debate the motion was agreed unanimously, without a vote.

1.3 Remaining Motions

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

In the name of Councillor Ahmet Oykener

“Homelessness is unacceptable and all central and local government bodies have a duty to eradicate it.

This Council recognises that:

Homelessness comes in many forms, from rough sleeping and street homelessness through to sofa surfing and those languishing in temporary accommodation. The loss of Council housing has added greatly to the desperate need for greater social housing.

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Homelessness is predominantly a London problem, yet the government funding to support Councils in tackling this serious issue is based on a Communities and Local Government funding model that is 15 years old. Enfield has the fifth worst homelessness problem nationally yet only received £550K from central government while other boroughs receive sums up to £8m per annum.

The Council therefore agrees to:

1. Publish on its website and through other means the details of all homeless shelters and charities that can assist those that are homeless, in particular those that offer services during the winter months.
2. Lobby the Minister of State for Housing and Planning to fund London Borough of Enfield fairly so to prevent homelessness.
3. Support the expansion and building of new council and social housing.”

In the name of Councillor Terry Neville:

“The Council notes the need for a last minute report to the Cabinet on 18 May 2016 seeking authority and substantial finance to purchase land at Meridian Water which the current owner had threatened to sell to a third party, and condemns the dilatory and potentially costly approach to assembling land for this “flagship development” shown by the administration over the past six years.”

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.”

In the name of Councillor Alan Sitkin:

“Since 2010, Enfield's local economy has gone from a position of under-performing and below the London borough average, to one of out-performing other London boroughs. This is the result of the Administration's proactive, pro-enterprise interventions in the construction of an entrepreneurial state in Enfield. This Council resolves to continue with its successful policies and role to grow Enfield's economy further.”

In the name of Councillor Anne Marie Pearce

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This Council is very concerned to learn of the failings identified in the recent Care Quality Commission Report on the Accident and Emergency Department at North Middlesex Hospital, particularly as it is the second finding of failure at the hospital in four years.

The Council believes that the residents are entitled to a better level of service from the Accident and Emergency Department and calls upon the North Middlesex University Hospital Trust to take firm action to restore public confidence in the services provided.

In the name of Councillor Terry Neville

This Council condemns the recent rise in "Hate Crime" which has no place in civilised society. In this connection the Council welcomes the recent statement from Commander Mak Chishty, Metropolitan Police outlining their plans for giving reassurance to communities and dealing firmly with those who commit these despicable offences.

In the name of Councillor Ayfer Orhan

"It is a grave concern of this Council that the Government has established Regional Schools Commissions to be responsible for making critical decisions and to take action in underperformance schools and yet they have no staff and no funding.

For example, the Regional Schools Commissioner for North-West London and South-Central is responsible for making decisions for 27 Local Authorities. Traditionally each Local Authority was responsible for school improvements. But this Council is gravely concerned that the current proposed Regional Schools Commission would be woefully lacking in the essential staff, localised expertise and funding to effectively support schools at a time they might need it the most.

We are fearful that the implications of this are that schools will be allowed to fail and so be exposed to a take-over by a large Academy chain.

This Council believes that this is a cross party concern and asks the Lead members of both party to write to the Government to change its mind on its proposal to centralise School Improvements by 2017 and to continue to fund Local Authorities, who are best placed, to continue to carry out this important and critical role."

In the name of Councillor Alessandro Georgiou

"60,481 residents from across the London Borough of Enfield have voted to leave the European Union. They are joined by 17,410,472 or 52% of votes cast of the British electorate in leaving the European Union. As the country has voted to leave the European Union, this Council therefore will write to all three of the Borough's Members of Parliament asking them to respect the democratic will of the British people".

10

COUNCILLOR QUESTION TIME

1.1 Urgent Questions

Two requests for urgent questions had been received but these had not been accepted as urgent by the Mayor.

1.2. Questions by Councillors

NOTED

- 1 The thirty seven questions on the Council agenda and written responses provided, by the relevant Cabinet Members.
- 2 The following supplementary questions and responses received, for the questions indicated below:

Question 1 (Camden Town Brewery) from Councillor Levy to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development

“By way of clarity, please can the Cabinet Member confirm how many of the borough jobs to be created by the Camden Town Brewery will be new and how many will be bought over from Camden?”

Reply from Councillor Sitkin

“There will be 250 – 300 new jobs in total. One hundred being brought up from Camden and 150-200 newly created in Enfield”.

Question 2 (Interim Appointments) from Councillor Neville to Councillor Lemonides, Cabinet Member for Finance and Efficiency

“Can Councillor Lemonides confirm that the Council employs no interims, as there are a number of officers that have “interim” in their title? If the Council does have interims, can he confirm how many there are?”

Reply from Councillor Lemonides

“A written answer will be provided.”

Question 4 (Cycle Enfield – Appointment of Traffic Consultants) from Councillor Neville to Councillor Anderson, Cabinet Member for Environment

“Does the Cabinet member not think that the appointment of Jacobs as traffic consultants, providing traffic modelling analysis for the Cycle Enfield Scheme, creates a perception in the mind of the public of a conflict of interest as they

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are an offshoot of the company already employed by the Council to carry out highway works? Would it not be better to get an independent analyst to undertake the traffic modelling?"

Reply from Councillor Anderson

"The contractors were appointed following a full open and compliant process. The Council originally had its own framework agreement to find the required traffic analysis services. The consultancy firm Sinclair Knight Merz (SKM) was called off from the framework agreement and helped pull the original mini Holland bid together. They were subsequently taken over by Jacobs.

The Council entered into a call off contract via LOPAC with Ringway Jacobs and they were the successful contractor for North East London, providing a wide range of services. Following the award and for continuity it made sense from both a technical and economic point of view to employ them. There are also efficiencies in having the design team and contractor working collaboratively. Council officers have been engaged at every stage of the process."

Question 6 (Failings at North Middlesex University Hospital Accident and Emergency Department) from Councillor Anne Marie Pearce to Councillor Alev Cazimoglu, Cabinet Member for Health and Social Care

"Does the Cabinet Member know if any meetings been put in place to monitor the future situation at the North Middlesex University Hospital Accident and Emergency Department?"

Reply from Councillor Alev Cazimoglu

"A meeting of the Programme Oversight Group would be held on Friday 15 July 2016 and this would include representation from the Council at the Director and Assistant Director level."

11

COUNCIL PROCEDURE RULE 9 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 9 would apply.

NOTED that in accordance with Council Procedure Rule 9 the remaining items of business on the Council agenda were considered without debate.

12

HEALTH AND WELLBEING BOARD TERMS OF REFERENCE

Received the report from the Chief Executive seeking approval for changes to the Health and Wellbeing Board terms of the reference. (Report No: 47)

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NOTED

1. That the changes proposed had been approved by the Health and Wellbeing Board at their meeting held on 21 April 2016 and had also been considered by members of the Member and Democratic Services Group.

AGREED that the revised Health and Wellbeing Board Terms of Reference be adopted by the Council.

13

PUBLIC TRANSPORT CONSULTATIVE GROUP TERMS OF REFERENCE

RECEIVED the report of the Director of Regeneration and Environment seeking Council approval for changes to the remit and membership of the Public Transport Consultative Group (Report No: 46)

NOTED that the changes had been considered by members of the Member and Democratic Services Group.

AGREED that

1. The following changes are made to the membership and terms of reference of the Public Transport Consultative Group:

1.1 New Membership

8 members of the Council (5 majority / 3 minority).

Representatives of the Voluntary Sector recommended by the Voluntary Sector Strategy Group and approved by the Cabinet Member for Environment.

One representative from each of Transport for London, the train operating companies providing services within the Borough and the London Borough of Enfield - Regeneration and Environment Directorate.

The chair shall be a member from the majority group of the Council.

The chair can invite, if deemed appropriate and necessary, other organisations to be members to make sure it reflects the demographic breakdown of the borough and those who regularly use the public transport network.

In addition the chair can invite guests where there are specific agenda items requiring their contribution.

1.2 Terms of Reference

- a. To consider and monitor the operation and provision of public transport facilities within the Borough.

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- b. To share information on key developments relating to the public transport network including receiving reports from representative forums and groups.
 - c. To identify strategic issues for public transport providers to address.
 - d. To provide input into the development of council policies and responses to relevant consultations.
2. To agree that corporate support is no longer provided for the Enfield Transport Users Group. Instead, there should be engagement with other groups which specifically represent transport modes, for example the Enfield Cycling Campaign and any community rail partnerships in the area.

It was noted that if there had been a vote on this matter, the Opposition Group would have voted against this decision.

14

USE OF COUNCIL'S URGENCY PROVISION

NOTED the details provided of decisions taken under the Council's urgency procedures. The decisions were made in accordance with the urgency procedures set out in Paragraph 30 of Chapter 4.1 (Council Procedure Rules), Paragraph 17.3 of Chapter 4.2 (Scrutiny) and Paragraph 16 of Chapter 4.6 (Access to Information) of the Council's Constitution.

- Decision taken by the Leader under the Council's urgent action procedure concerning the purchase of a site on Gibbs Road, Montagu Industrial Estate, N18 3PU as well as the call in waiver employed.
- Extension of the interim contract with Ernst and Young (EY) to deliver procurement and commissioning activities on behalf of the Council until a full tender had been awarded for this work.

15

COMMITTEE MEMBERSHIPS

AGREED the following changes to committee memberships:

- Councillor Ekechi to replace Councillor Brett on the Child Sexual Exploitation and Associated Risks to Young People Task Group.

16

NOMINATIONS TO OUTSIDE BODIES

There were no changes to nominations to outside bodies.

17

CALLED IN DECISIONS

None.

18

DATE OF FUTURE MEETINGS

NOTED that the next ordinary meeting of the Council was scheduled to take place on Wednesday 21 September 2016 at 7pm at the Civic Centre.

MUNICIPAL YEAR 2016/2017 REPORT NO.**85****MEETING TITLE AND DATE:**

**Council- 21st September
2016**

REPORT OF:

Director of Finance,
Resources & Customer
Services

Agenda – Part: 1**Item: 7**

**Subject: Petition - Support Your Local
Advice Centre**

Wards: Jubilee**Members consulted: Cllr Doug Taylor**

Contact officer and telephone number: Claire Johnson Acting Governance
and Scrutiny Manager, Telephone: 020 8379 4239
Email: Claire.Johnson@enfield.gov.uk

1. EXECUTIVE SUMMARY

1.1 This report details the petition received on 12 July 2016 containing the following:

“A request for Enfield Council to reconsider its decision not to renew the Lease of the Advice Centre a 11 Mottingham Road, Edmonton”.

1.2 Under the Council’s Petition scheme if more than 3,124 valid signatures are received it will be debated at Full Council. This petition has 3,382 verified signatures.

2 RECOMMENDATIONS

2.1 Council is asked to receive the petition from the Lead Petitioner, and in accordance with the Councils Petition scheme, allow consideration of the views expressed in the petition.

2.2 Council is requested to accept the petition in Part 1 and move to Part 2 for the debate, due to live court proceedings.

3. BACKGROUND

3.1 The Council’s Petition Scheme details that compliant petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take;
- The name and address and signature of any person supporting the petition;
- Petitions should identify the petition organiser.

3.2 The Council's Petition Scheme enables Petitions with 3,124 signatures (1% of the assessed population from the 2011 census as published by the Office of National Statistics) to be debated at Full Council.

4. PETITION

4.1 A petition from the Federation of Enfield Community Associations requesting that the Council reconsider its decision not to renew the Lease of the Advice Centre at 11 Mottingham Road, Edmonton on the 12th July 2016.

4.2 Both an E-petition and paper petition have been submitted with 3,719 signatures. These signatures have been checked for duplicates and incomplete information and there are sufficient numbers to trigger a full Council debate. This petition has 3,382 verified signatures.

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

5.1 Financial Implications

There are no obvious financial implications relating to the recommendations in this report.

5.2 Legal Implications

5.2.1 The recommendation set out within this report is within the Council's powers and duties.

5.2.2 The statutory duty to have a petition scheme was repealed under the Localism Act 2011. Upon abolition of this duty the Council resolved that its existing Petition scheme would remain in force in the interests of promoting democracy.

5.2.3 The Council has power under section 1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way. In addition, section 111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

5.2.4 The Council's Petitions Scheme provides that a petition can be referred to full Council for debate with 3,124 signatures, being at least 1% of the assessed population figure from the 2011 census as published by the Office of National Statistics. The Council should decide how to respond to the petition by taking the action the petition requests, not taking the action requested for reasons put forward in the debate, or commissioning further investigation into the matter.

5.2.5 Due to the live court proceedings against the organisation FECA, Council is asked to receive the petition in Part 1 and move to Part 2 for the debate, as a result of sub judice.

5.3 Property Implications

There are no property implications relating to the petition scheme.

6 KEY RISKS

Members of the Council note that the council petition scheme allows a debate at Full Council following the requisite number of signatures.

7. IMPACT ON COUNCIL PRIORITIES

7.1 Fairness for All, Growth and Sustainability, Strong Communities

The Council's Petitions Scheme ensures that the public are able to register their opinions on issues of importance to them.

8. EQUALITIES IMPACT IMPLICATIONS

Not applicable.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

There are no Performance Management Implications

10. PUBLIC HEALTH IMPLICATIONS

There are no Public Health implications related to the petition scheme.

Background Papers: None

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Opposition Priority Business – Council - 21 September 2016

Democratic Deficit at Enfield Council

Democratic Deficit

*(Government, Politics & Diplomacy) any situation in which there is believed to be a lack of democratic accountability and control over the decision-making process**

Introduction

Opposition Priority Business is time given to the Opposition Minority Group four times a year to table important matters affecting the community and the way in which Enfield Council delivers its services. The Conservative Group therefore brings forward this paper to discuss Enfield Council's current democratic deficit.

Petitions

A petition has been submitted to this council with approximately 4000 signatures supporting the renewal of a lease for a community organisation that currently operates from a council owned shop unit in Mottingham Road, Edmonton. This has to date not been heard in public at Full Council even though it was submitted prior to the previous meeting. The current response from the Council is that the petition can be heard in public only after the legal case has concluded. This could mean that the organisation could be made to move from the premises by the time of the next meeting rendering the petition out of date. This sends out the message that Enfield Council is not interested in the views of 4000 people on this matter even though it is important to a significant number of our community. The Full Council is the sovereign body of the London Borough of Enfield and so it should be allowed to determine whether or not the Local Authority proceeds with a court case that is so unpopular with large numbers of residents in Edmonton and across the borough. The Full Council can decide to halt legal proceedings and so the sub judice rule is not a relevant excuse for preventing a petition from being heard on this occasion. It is the Mayor's discretion whether petitions are heard and so the Mayor of the Borough should ensure that 4000 residents have their say.

This is a prime example of democratic deficit because the decision to not hear the petition by the Administration at Full Council has silenced public debate on the matter. By doing this, it has removed its own public accountability on the matter which cannot be morally right in a western democracy.

Associate Cabinet Members

After the 2014 election, there was a reduction in the staff in the Scrutiny Team and there was reform in the way the Council's scrutiny function was conducted. It was one of the first actions of the council term and the rationale given was that all areas needed to share the burden of savings. This did not, of course, include the Labour majority side because it gave three more members of its Group a Special Responsibility Allowance (SRA) costing £22,842 per year. The Administration therefore reduced the scrutiny function and therefore its accountability whilst at the

*Collins English Dictionary

same time increased the power of the executive by giving three members of the majority party additional roles.

Question Time at Full Council

There are two areas relating to Question Time where there is democratic deficit:

1. The convenient and partisan altering of the order of business to make sure there is little or no chance of the getting to the agenda item within the time allowed
2. The newly imposed limit on the number of questions that can be asked

The Full Council order of business is conveniently altered to prevent the meeting getting to Councillors' Question Time. The Conservative Group believes it is simply not good enough if Councillors are not given an adequate opportunity to ask questions of Cabinet Members and Committee Chairmen in order to hold the executive to account. The public must be able to see the Cabinet brought to account in an open and transparent manner. The fact that we rarely get to Question Time sends a message that as a Council we do not care about the concerns of residents and alternative views on the strategic direction of the borough. If Enfield Council was truly open and transparent then Question Time at Full Council would be held.

The new procedures for Full Council meetings include a limit on the number of questions both Groups can ask. This change was not agreed by the Opposition the reason being that it restricts the right of any Councillor to ask questions to the Leader and Cabinet about issues affecting their ward. The limitation essentially reduces the democratic right of councillors to bring the Administration to account.

Housing Board

A further example of the democratic deficit within the Council is the way in which the Customer voice and Senate were set up. Although the Conservative Group strongly supported the establishment of tenant and leaseholder led bodies, we are concerned that members of these two bodies were appointed and not elected.

The Customer Voice and Senate were established by the Council as part of the review of housing governance following the decision to reintegrate Enfield Homes Arms length organisation back into the Council in April 2015. The Customer Voice which sends representatives to the Housing Board chaired by Cllr.Oykner, is the overarching housing representative body for tenants and leaseholders for the Borough of Enfield and has 15 members. It plays a central role in ensuring tenants' and leaseholders' views are taken into account buy the Council. The Senate which comprises 12 members focuses on service quality and performance and carries out reviews and oversees estate inspections.

When these bodies were set up, the Council argued that the members needed to be appointed in order to ensure that they were collectively competent and that they should therefore be selected on the basis of skills and commitment. The length of service for members of both bodies was originally set at 3 years maximum. This is

all very well, but in practice it has meant that individuals who had made a long standing contribution and who had served on the Board of Enfield Homes were told that their services were no longer required.

The Conservative Group can see that it made sense to give these two new bodies time to bed down. Many of the new members appear to be conscientious and able to make a useful contribution to the work of the Customer Voice and Senate. Nevertheless it cannot be right for members of independent bodies whose job is to hold the Council to account to be appointed by that self-same council. We strongly urge the Council therefore to make arrangements for elections to the Customer Voice and Senate to be held as soon as possible. We would suggest that the existing members also be allowed to stand at these elections so that the expertise they have gained is not lost.

Public Transport Consultative Group

The Public Transport Consultative Group has had its membership and remit reformed. This decision went through via the guillotine system at the last Full Council Meeting and so there was no opportunity for a full and democratic debate on this change. The rationale was to broaden the membership of the PTCG so it was more reflective of the diverse nature of our borough. The Conservative Group does not think anyone would not welcome this but many see these reforms as just a mechanism in which to remove certain residents' associations/groups from serving on the panel because in the past they may not have always agreed with the Administration.

The Conservative Group does recognise that the decision states that representatives from the voluntary sector can serve on the panel as long as the Cabinet Member approves and other groups by sanction of the Chair. Membership of the PTCG, apart from the councillors, is therefore down to the chosen few. Reforms that attempt to widen the membership of the PTCG and be more inclusive have actually excluded members of the community. The Conservative Group does not believe it is right for an Administration to exclude hard working community groups from the PTCG in order to create a more amenable panel for its transport policies. Hand picking groups to make the PTCG more reflective of the Administration's views on transport is in no way democratic at all.

Trading Companies

Enfield Council has created a number of trading companies including Housing Gateway, Independence and Well Being Services Ltd and Lee Valley Heat Network Limited. The papers relating to these companies are not published and certainly not readily available for other Councillors or the public to view. Opposition members had to fight hard in order to see documentation relating to Housing Gateway. Councillors who wanted to view Housing Gateway documents were met with questions from unelected Officers about why they wanted to see them. It cannot be right that elected Councillors have experienced difficulties from viewing the papers of Council owned companies that spend tax payers' money. The public has a right to know how their money is being spent and that there is proper accountability when it comes to these trading companies.

Conclusion

In conclusion, the examples given in this Opposition Priority Business show how the curtailment of public debate and a lack of accountability by the Labour Administration has produced a democratic deficit in the decision making process and the way in which the Council conducts its business. This cannot be acceptable if the residents of Enfield are to have faith in their elected representatives to listen to their concerns.

The Conservative Group recommends that the Administration implements the following as a matter of urgency to show a commitment to residents that their views matter:

1. Listen to the petition regarding the lease of 11 Mottingham Road in public.
2. Enhanced tenant and leaseholder engagement.
3. Make arrangements for elections to the Customer Voice and Senate to be held as soon as possible.
4. The limit on the number of questions asked at the Full Council meeting be abolished.
5. An agreement that we will get to Question Time at all Full Council meetings.
6. Greater transparency of council trading companies with papers published.
7. Allow additional groups to serve on the Public Transport Consultative Group and not just the chosen few.
8. The abolition of the three Associate Cabinet Member posts and the money reinvested into the Scrutiny Team.

15. OPPOSITION BUSINESS

- 15.1 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 first normal business meeting (in May /June), and then the third (September), fifth (January) and seventh (March) meetings (unless otherwise agreed between the political parties). A minimum of 45 minutes will be set aside at each of the four meetings.
- 15.2 All Council meetings will also provide opportunities for all parties and individual councillors to raise issues either through Question Time, motions or through policy and other debates.
- 15.3 The procedure for the submission and processing of such business is as follows:
- (a) The second largest party shall submit to the Monitoring Officer 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 Monitoring Officer 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 Monitoring Officer 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 Council Procedure Rule 2.2 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.
 - (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 councillor 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 councillor 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 councillors, 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 through 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.
- (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 on whether to approve the Majority Group's response.

MUNICIPAL YEAR 2016/17 – REPORT NO. 69

MEETING TITLE AND DATE:
CABINET – 6 September 2016
COUNCIL – 21 September 2016

Report of:

Director of Finance,
 Resources and Customer
 Services.

Agenda Part: 1	Item 10
Montagu Industrial Estate Redevelopment WARD: Edmonton Green KD - 4357	
Cabinet Members consulted: Cllrs Lemonides and Sitkin	

Contact officers:

Detlev Münster - 020 8379 3171 detlev.munster@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The Montagu Industrial Estate is located to the southeast of the borough just to the north of the A406 and is occupied by industrial buildings of varying ages and quality. The estate extends to 28 acres of which LBE owns about 66% for investment purposes.
- 1.2 The estate suffers from congestion, poor infrastructure, and buildings are in a state of decline. Generally, the estate does not provide the type and quality of buildings or services that maximise employment opportunity, value and income for the Council.
- 1.3 Consequently, the Council wishes to adopt a strategy that achieves a number of objectives viz.: maximise employment opportunities; maximise revenue; and provide the quality of environment and type of buildings that meet the demand characteristics of employment based occupiers.
- 1.4 This report sets out the preferred option for the Estate's redevelopment and the establishment of a vehicle that will deliver these objectives. In particular, the establishment of a joint venture vehicle is recommended which will assist with land consolidation, master-planning, the Estate's redevelopment and its future asset management.

2. RECOMMENDATION

- 2.1 To note that Cabinet has approved the various options available for the use of the Montagu Industrial Estate and the economic and financial rationale for the establishment of a joint venture special purpose vehicle;

- 2.2 To note that Cabinet has approved the redevelopment of the Montagu Industrial Estate for employment uses with the objective of securing wider economic and social regeneration benefits, as well as generating revenue funds for the Council to reinvest in Council services, and approves the demolition of Unecol House to facilitate the phased redevelopment of the Montagu Industrial Estate;
- 2.3 To note that Cabinet has approved the establishment of a special purpose vehicle, joint venture LLP, to take forward the redevelopment of the estate and delegates authority to the Director of Finance, Resources and Customer Services in consultation with the Assistant Director (Legal and Governance Services) and the Cabinet Member for Finance and Efficiency to enter negotiations, finalise the terms and enter into agreements associated with establishing the special purpose vehicle;
- 2.4 To note that Cabinet has approved the use of the Council's real assets (property) located in the Montagu Estate to be used as an equity stake for the Council in the Joint Venture special purpose vehicle and delegates authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency, and the Cabinet Member for Economic Regeneration and Business Development to transfer these assets into the special purpose vehicle as and when required (subject to compliance with the Council's Property Procedure Rules (PPRs));
- 2.5 To note that Cabinet has approved the procurement of a joint venture partner with which to form the special purpose vehicle and delegates authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to enter into negotiations, finalise the terms and enter into agreement with the procured recommended development partner;
- 2.6 To note that Cabinet had approved the addition to the Council's capital programme to fund the creation of the SPV that will manage the redevelopment of the Montagu Estate to be funded from Borrowing as detailed in the Part 2 report.
- 2.7 To approve as recommended to Council by Cabinet the addition to the Council's capital programme to fund the acquisition of property on the Montagu Estate, which is to be funded from Borrowing in the 2017/18 financial year.
- 2.8 To note that Cabinet has approved:
 - (a) the acquisition of land in the Estate subject to the PPRs and delegates authority to the Director of Finance, Resources and Customer Services (FRCS) in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to negotiate and agree the final terms of the acquisition and
 - (b) in principle the use of the Council's compulsory purchase powers (CPO) to acquire such land that may be needed to facilitate the area's redevelopment and agrees to the commencement of background work. Noting that negotiations will be conducted with landowners and a resolution to make the CPO will be brought back to Cabinet at an appropriate time.

- 2.9 To note that Cabinet has approved and delegated authority to the Director of Finance, Resources and Customer Services to submit a planning application for demolition work at Unecol House and to obtain planning permission for the site's future development.
- 2.10 To note that Cabinet has approved the delegated authority to the Director of Finance, Resources and Customer Services to demolish this building.
- 2.11 To approve as recommended by Cabinet an addition to the Capital Programme for the demolition of Unecol House as detailed in this report.

3. BACKGROUND

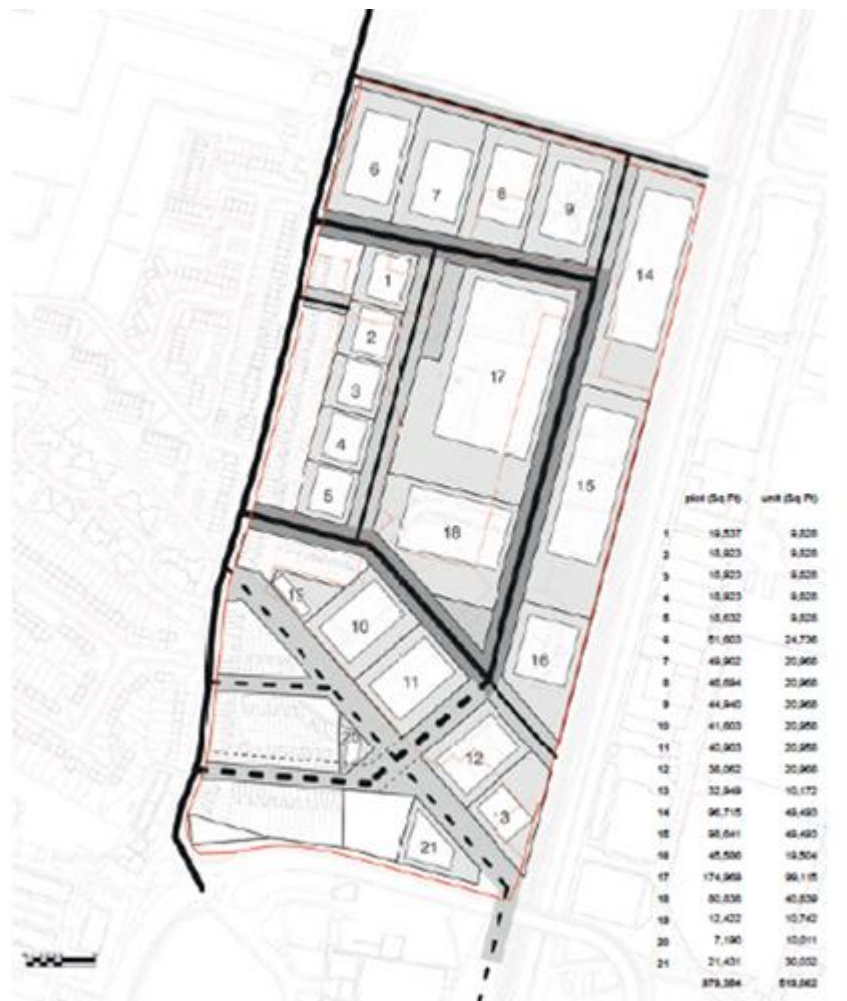
- 3.1 The Montagu Industrial Estate (MIE) is located just to the north of the A406 in Edmonton Green Ward, and is occupied by industrial buildings of varying ages and quality. The Estate is approximated 28 acres.
- 3.2 The Estate is part of an important employment use area within greater London (the Lee Valley employment use corridor). The bulk of the Estate is designated within the London Plan as Strategic Industrial Land; with both the LPA and GLA pointing out that its employment use needs to be safeguarded.
- 3.3 The Estate is occupied by a variety of businesses in different economic sectors, which in instances are not complementary, and their premises appear to be no longer fit for the intended economic purposes they were originally intended for. The estate suffers from congestion as the businesses have outgrown the original infrastructure and many of the buildings are in a poor state. The estate no longer provides the type and quality of buildings or services that maximise employment opportunity and value. Unecol House in particular, is structurally poor and in a state of disrepair, with the bulk of it in a seriously dilapidated state. The building also does not comply with Health and Safety legislative requirements and poses a threat to the Council; legally, financially and reputationally.
- 3.4 The Council currently owns 18.3 acres, almost 66% of the Montagu Industrial Estate and this is held for investment purposes. Rental income to the Council is just in excess of £1m per annum.
- 3.5 An asset review of the estate has established that its redevelopment with a well-planned "fit for purpose" estate, can maximise revenue for the Council, maximise employment opportunities and could catalyse economic regeneration.
- 3.6 Economic analysis of the commercial/industrial sector and commercial property sector reveal that the investment performance of UK commercial property has been steadily moving back to core fundamentals. Property yields are stabilising and the occupier markets are performing well benefiting from robust demand, tight supply and steady rates rental growth. The economic outlook and performance of the property market provides a positive background that supports the redevelopment of

the Estate (see PART 2 Appendix A: Options Report and Market Commentary which provides further information about the economic outlook and the property market).

4. PROPOSAL

The Concept

- 4.1 The Council intends adopting an asset management strategy that provides a well-planned employment hub that encourages growth and maximises employment. This will be achieved by matching the needs of employers from both SME and corporate occupiers in terms of:
- The specification, size and versatility of space offered;
 - The tenure structures that will be offered that support employment growth;
 - Providing the opportunity to 'trade up' and 'trade down' as businesses respond to economic conditions;
 - Encouraging the development of incubator accommodation and workspace that support start-ups and encourages cross fertilisation, agile and co-working.
- 4.2 Evidence drawn from other areas in London shows that the typologies of accommodation required to meet demand and maximise employment are as follows:
- Office type space – small, medium and large space users
 - Managed workspace
 - Incubator/accelerator/ co-working space
 - Studio type space
 - Creative studios
 - Industrial/warehouse space – small, medium and large space users
- 4.3 These uses have differing needs and environmental requirements and in response the vision for Montagu is to create a mixed use environment that will offer a range of accommodation within a well-planned and accessible estate. Similar activities will be grouped to co-locate in buildings or zones that are designed to meet the specific needs of the occupiers and in this way support operational needs and business growth.
- 4.4 As part of the viability assessment, a variety of conceptual layouts were considered, and the option that maximises built floor area and optimises income is shown in Figure 1. This conceptual plan will need to be developed into a detailed masterplan that will guide the redevelopment of the estate and the proposed partnership.



- 4.5 The conceptual scheme noted has a gross footprint of 620,000 sq.ft, but there is opportunity to increase this footprint to c. 795,000 sq.ft by altering the unit typologies. The comprehensive, yet phased, redevelopment of the Estate is proposed.
- 4.6 To facilitate the phased redevelopment of the estate, it is proposed that Unecol House is demolished as soon as possible. This is because not only is the building in a perilous state and a financial liability to the Council, it cannot be reused economically. It should also be borne in mind that Unecol House is in a key position; with prominent street frontage facing a busy secondary road and as the northern access to Montagu Industrial Estate. Demolition therefore facilitates land consolidation and sets the scene for a gateway development that sets the new development tone for the entire Estate.

Land Assembly Implications

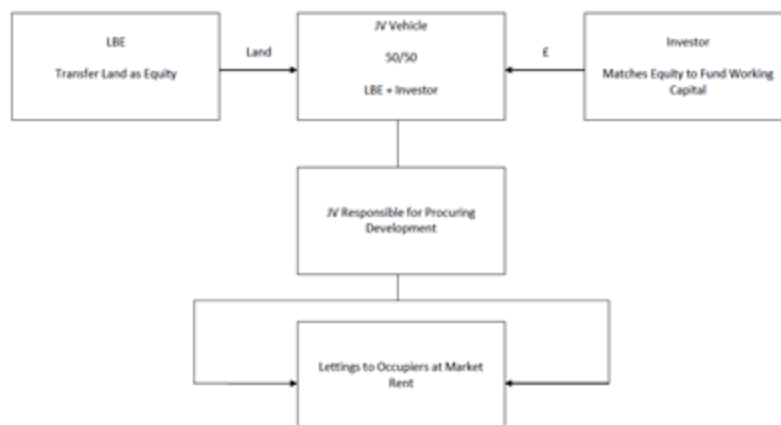
- 4.7 The Council's ownership is occupied by over 60 tenants generating £1.16m in annual rent with the majority of leases expiring around 2020, some leases go on to the period between 2030 – 2040. The remainder comprises eleven interests held by third parties.
- 4.8 Completing land assembly to secure vacant possession of the estate will be a combination of freehold and leasehold purchase and business disturbance on a

temporary or permanent basis. With a phased approach to development it is envisaged that certain businesses could be relocated locally and thereby mitigate business disturbance to temporary disruption and not total extinguishment. However, total extinguishment of certain businesses is expected to take place.

- 4.9 To help facilitate the acquisition of land, and ensure the comprehensive redevelopment of the Estate it is recommended that the Council uses its compulsory purchase order (CPO) powers. In this regard a detailed business case, town planning framework and a clearly defined delivery strategy will be needed which will support the CPO case.
- 4.10 To minimise the risk that vacant possession will not be secured for the sites that are subject to existing leases and licences it is proposed that responsibility for estate management of the estate transfers to the SPV from the point of set up. Net rents will continue to be received by the Council to maintain income levels.

Delivery Mechanism – Joint Venture

- 4.11 Appendix A of PART 2 of this report provides a detailed analysis of the various delivery options available to redevelop the Estate and these are briefly outlined in Section 5.
- 4.12 Based on this analysis, it is proposed that a partnership with a development partner is established. To facilitate the partnership, a Joint Venture (JV) vehicle would be formed with a likely term of c. 20 years. See diagram below.



- 4.13 The JV would be structured as an LLP. The partners will have 50/50 decision making powers with equal executive membership and a deadlock structure in case of fundamental disagreement. Revenue distribution will be determined by equity participation. The value of the land transferred into the JV would represent the Council’s equity share in the JV. The JV partner’s equity share is expected to be equivalent to the outstanding land assembly costs, pre-development and delivery costs, which the partner will fund.
- 4.14 The partners would share the net revenues (net of JV operating costs) into the JV achieved through industrial lettings. Annual revenues would be shared by each partner equivalent to their equity share.

4.15 The JV would adopt an over-arching set of objectives and operating structure (The Strategic Plan). It is envisaged that the costs of fulfilling these objectives will be financed by the partner and the direct operating costs of the JV would be funded by each party as working capital. The Strategic Plan objectives would include:

- Master plan consent
- Phase detailed planning consent
- Phase delivery and financial plan
- Land assembly by agreement
- Infrastructure agreement
- Estate management

4.16 It is envisaged that the Council would only transfer a long-term property interest into the JV on a phase by phase basis subject to certain Conditions Precedents (CPs) being satisfied. CPs would include, amongst others: master plan consent and detailed planning consent (on a phase by phase basis).

4.17 The advantages and disadvantages of this delivery mechanism are highlighted in the following table.

Advantages	Disadvantages
LBE has control over design principles, quality and programme through The Strategic Plan and 50/50 decision making	Likely to be OJEU procured process as there is positive obligation to develop by the JV and this increases up front resourcing and procurement costs to LBE
Creates revenue and market value led growth through JV share	Exit options uncertain as freehold interest is held by the JV. LBE will own its equity % of the JV and on expiry of the JV will have to acquire the partners share to own 100% of the freehold.
In case of market failure the damage to LBE is reducing revenue and unlike the head lease cannot fall into negative returns	LBE executive resourcing during the life of the JV
Partnering with an established industrial developer enhances marketability as the scheme can benefit from the partners wider brand, experience and existing tenant bank.	
LBE do not directly carry construction costs risk	
LBE being seen to be participating in development in the Borough in a well managed way.	
LBE can maintain existing net revenue levels and implement high quality estate management and land stewardship strategy through the JV principles.	

4.18 If a partner wishes to exit the JV during its operating term, either party would be allowed to sell its share (usually after a minimum term) subject to agreement and subject to a pre-emption option. On winding-up the JV, the parties would have a pre-emption or default to sell the JV interest and distribution of receipts by equity stake proportions. The parties could also agree to extend the JV.

Procurement Approach

4.19 The procurement of an appropriate development partner is of critical importance to the Council achieving its objectives. The selection of a partner will therefore need to be vigorous, transparent and robust. To achieve this, a land transaction based procurement approach is envisaged. Details of the other procurement approaches considered are reported in Appendix A of PART 2 of this report.

4.20 This approach will:

- Encourage a wide group of interested parties to participate and this will maximise competition for the JV role;
- Be faster and more cost effective for the Council;
- Allow the Council to exercise a satisfactory level of design and delivery control using alternative methods such as through town planning powers and through the lease terms.

4.21 The procedure to be adopted to identify a JV partner under this basis would be as follows:

- High profile marketing to identify a partner which is willing to enter into a JV arrangement with LBE on a 50/50 deadlock basis within an LLP structure. Revenue share of the JV by reference to the equity participation of the partners.
- Marketing will describe the strategic and operating proposition which will become embedded in the JV agreement which is signed up to by the Partners. The proposition is that the parties enter into a JV agreement which incorporates the following rights & obligations:
 - JV takes responsibility for estate management of the existing estate;
 - The JV partner accepts development management (DM) responsibility to appoint appropriate professional consultants to secure master plan permission for the estate as agreed between the JV partners (Master Plan proposals received as part of the selection procedure);
 - LBE accepts an obligation to seek to secure CPO powers over third party owned sites (secured in the Conditional Land Transfer Agreement (see below));
 - JV partner DMs the obtaining of planning permission and funds land assembly and the pre-development costs of securing permission;
 - JV secures planning permission and the parties agree a Phasing Agreement based on the Master Plan;
 - Site wide viability assessment is undertaken based on the master plan consent and substantiated by detailed market commentary, cost advice and site investigation to generate an estate wide land valuation based on a Long lease value (999 years) with vacant possession and the benefit of planning permission;
 - Business Plan approved by JV partners based on the agreed land valuation, pre-development costs, expected delivery costs, JV DM costs partner finance rates and all other cost to show the expected revenues to the JV parties;

- Equity share of the JV agreed by reference to the Business Plan proportions of land value in comparison to the pre-development and delivery costs incurred by the JV partner;
- LBE receives 'loan note' finance return in lieu of land value payable from the date of transfer as priority return on revenue to JV (% rate secured at procurement);
- JV Partner receives finance return on pre-development costs (% rate secured at procurement) as 2nd priority;
- JV Partner receives finance return on development costs as 3rd priority;
- JV Partner funds the shortfall in LBE revenue from the existing estate during the pre-development period and guarantees a minimum revenue of £850,000 per annum to LBE;
- JV approves the Business Plan;
- JV partner DMs the securing of detailed planning permission for phase 1;
- LBE is obliged to grant an Agreement for Lease to the JV in accordance with the Conditional Land Transfer Agreement;
- JV partner procures construction subject to agreed procurement policy of the JV;
- JV appoints letting agents;
- JV appoints managing agents;
- JV partner manages the lettings & management teams;
- Agent costs funded out of JV revenue;
- JV net revenue distributed in accordance with the priority returns and the equity shares;
- JV reviews the Business Plan on an annual basis.

4.22 Setting-out the procedures, rights and obligations of the JV from the outset enhances transparency and signals to the market the Council's intent and willingness to proceed with this development as speedily as possible. In addition, it also ensures the procurement process is clearly laid out, is unambiguous and allows the Council to clearly evaluate bids.

Conditional land transfer agreement (CLT)

4.23 For the JV to be successful, the parties will need to enter into a CLT in parallel with the JV agreement on the basis of the Council granting an agreement for Lease and 999 years lease which will need to impose the following rights and obligations:

- LBE undertakes to seek to secure CPO powers for third party interests;
- LBE undertakes to secure vacant possession of LBE owned areas in accordance with the Phasing Agreement;
- LBE grants an Agreement for Lease (AFL) in accordance with the Phasing Agreement when pre-conditions are met, such as:
 - CPO powers secured;
 - LBE secures vacant possession of the phase area;
 - Detailed Planning Permission is obtained by the partner;
 - AFL would have a long stop date for completion of the development in accordance with the planning permission. It is important to note that the AFL user clause would be to only implement the planning permission, and as such is not a positive development obligation;

- The AFL conditions state that on satisfactory completion of the development a 999 year lease is granted to the JV on a peppercorn basis and with User restrictions for continued employment uses.

4.24 The demolition of Unecol House and the consolidation of adjoining land by the Council will enhance the Council's commercial position in establishing the JV. This is because a significant liability would have been removed prior to the asset being transferred. In addition, consolidating the land also enhances its value as there is a greater percentage of developable land mass.

Financial Overview

4.25 The current gross income level the Council receives from the Estate is £1.16m from a variety of short and long term leases. Given the age of the buildings on the estate and legislative changes, it is highly likely that compliance with the legislation will require significant expenditure and extended void periods. While this has not been quantified, the exercise is regarded to be futile as the building stock can be considered to be redundant and will not attract stronger businesses that will support future economic and employment growth. Hence, additional expenditure will not be matched by increased rental value.

4.26 Notwithstanding the disadvantages of maintaining the status quo, the option was financially modelled and net revenue is expected to reduce to below £600k in 2020 and never exceed £1.28m even after 20 years.

4.27 Our property consultant (LSH) in consultation with our tax adviser (Grant Thornton) and legal adviser (Browne Jacobson) have carefully considered the legal and financial implications with the respective delivery mechanisms and the following table compares the returns for the respective options.

4.28 to 4.44 PART 2 ONLY

Envisaged Timetable

4.45 Work undertaken to date has provided a conceptual framework and feasibility analysis for the redevelopment of the Montagu Industrial Estate. Further work is now required to steer its implementation through procurement and set-up.

4.46 The following table provides an indicative timetable for the project's delivery.

Milestone	Date
Commence land assembly	Oct 2016
Prepare informal master plan	Oct 2016
Interested Party day	Oct 2016
Market Launch	Oct 2016
Registration of interest	Nov 2016
Short list of parties	Jan 2017

CPO process commences	Jan 2017
Submission of demolition PA	Jan 2017
Final offer	Mar 2017
Close and set up of JV	May 2017
Procure demolition contractor	Jun 2017
Unecol House demolition completed	Dec 2017
Commence Phase 1	Jan 2019

Project Governance and Management

- 4.47 A project Board consisting of Council officers (from Property Services, Legal Services, Finance, Economic Development and Regeneration) and external consultants will be established within Strategic Property Services (SPS). The Project Board is to be co-chaired by the Director (FRCS) and Director (Environment and Regeneration).
- 4.48 External consultants will be drawn from the Council's existing Co-sourcing arrangements for Legal, Property, Financial and Procurement support. In addition, consultants will also be called-off directly from the CCS Framework Agreement.
- 4.49 Overall day-to-day project management will be externalised but will be supported with a project manager from SPS.
- 4.50 The Project Board will report by exception to the Asset Performance Group, which in turn will escalate matters for consultation to the Corporate Asset Management Group or for decision to CMB/Cabinet.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The Council could elect to retain the Estate in its current form. However, this is not considered viable as future rental growth will be prejudiced by buildings in its ownership becoming obsolete, and the retention of older buildings not attracting new occupiers. Net income levels are likely to reduce due to buildings no longer meeting the requirements of their occupiers, and attracting small businesses vulnerable to failure. Management costs are also expected to increase as buildings become obsolete and attract higher repair costs. In particular, it is important to note that the Energy Act 2011 places restrictions on the leasing of commercial premises that do not comply with minimum energy efficiency standards, and it is highly likely that compliance with these requirements will require significant expenditure and extend void periods.
- 5.2 Four alternative options were also considered for Unecol House, viz.: Dispose building; rent asset; retain as is; and develop for an alternative use. None of these options were considered viable for a variety of reasons ranging from health and safety issues, income generation, cost reduction, and planning viability.

- 5.3 A lack of intervention will also result in the local environment continuing to suffer from congestion and urban decay, which may place the area at risk of increased anti-social behaviour.
- 5.4 Alternative land use options were also considered, but given the area's planning designation and current planning policy, the probability of a shift away from employment uses is considered to be highly unlikely. Similarly, alternative layout options and unit typologies were also considered for the site, and whilst a conceptual plan was drawn-up aimed at maximising net lettable area, it will require further refinement.
- 5.5 A variety of options were also considered with respect to the delivery mechanisms that could be used to redevelop the Estate, viz.: head lease to an investor, joint venture, and LBE direct development. These options present very different risk/reward relationships, and the following tables summarise the various comparative assessments that were considered in recommending the preferred option.

Criteria	Head Lease	JV	Direct Development	Status Quo
Council control	High level of control over design and delivery	High level of control over design and delivery	High level of control over design and delivery	Only piecemeal infill development possible
Ease of procurement & risk	Land investment deal, non OJEU and minimal risk subject to DD being available	OJEU process, 12 month programme. Minimal risk of success	N/A	N/A
Market interest	Very strong for whole, strong for LBE interest	Extremely strong for whole, very strong for LBE interest	N/A	N/A
LBE construction risk	LBE carry risk through the annuity rent structure	Minimal, managed through JV procurement	LBE carry risk	N/A
LBE letting risk	LBE hold full letting risk	Minor, managed through JV delivery phasing	Full letting risk to LBE	Minimal but will grow with continued obsolescence
Maximise revenue to LBE	LBE standards of delivery drive the market rent which is discounted by the fixed head lease rent	JV standards of delivery drive the market rent and LBE receive share based on equity share	LBE standards of delivery drive the market rent received in full by LBE	Net revenue expected to reduce in real terms
Intensity of LBE resourcing	Medium – initially in marketing & close and following development LBE will have asset and management responsibilities	Limited to JV management and governance	Intense direct resourcing and managing DM and property management services	Minimal
Flexibility to expand scope	None	Flexible	Subject to financial exposure	None

Criteria	Head Lease	JV	Direct Development	Status Quo
Time to procure and set up	6 months	6 – 12 months	6 months	Ongoing
Indicative preference ranking, subject to detailed financial modelling	2	1	4	3

5.6 Whilst the financial modelling of the options suggested that the Head-lease option might provide higher returns, the risk analysis noted that a JV option presented lower risks and better certainty (see table below).

Risk	Head Lease	JV	Direct Development	Status Quo
Availability of LBE resources to scheme delivery & ongoing management	Medium – LBE will have to provide/procure DM services to secure delivery	Low – resources provided/procured by the JV partner	Medium – LBE will have to provide/procure DM services to secure delivery	Low – limited to property management & piecemeal development
Maintain credible marketing and management brand in the long term	High – not LBE core business	Low – adopt the established brand of the partner	High – not LBE core business	High – brand will not overcome the quality of the estate
LBE revenue vulnerable to market conditions	High – LBE will have to adjust terms to remain competitive	Medium – Development partner expertise, brand and tenant bank will mitigate deteriorating tenant demand	High – LBE will have to adjust terms to remain competitive	High – poorer specification/condition property suffer more in deteriorating market conditions.
LBE revenue could become negative through commitment to pay head rent	Medium – Market values would have to fall by around 60% but this could be envisaged as the estate becomes older	Low – LBE returns can reduce but not become negative	Medium – revenues could, in extreme conditions fall below the finance costs of delivery	Low – because no head/ground rent
LBE exposed to construction cost risk	Medium – pre-development services provide some protection	Low – partner has direct delivery experience and LBE not directly exposed	High – pre-development services provide some protection	N/A
Scheme design fails to match market requirement and does not optimise returns	Medium – pre-development services provide some protection	Low – partner has direct delivery experience	Medium – pre-development services provide some protection	N/A
LBE exposed to unforeseen and extraordinary pre-development costs	Medium – pre-development services provide some protection	Low – partner has direct delivery experience	High – pre-development services provide some protection	N/A
Summary of risk	Medium to High	Low to medium	High	N/A

- 5.7 The various options were also tested in the market to determine market interest and appetite for such a development. The findings add weight to the course of action proposed in this report.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The Montagu Industrial Estate is in a state of decay, and land on the Estate could be used more efficiently.
- 6.2 Comprehensive phased development of the whole Estate is considered to have advantages in terms of:
- Enabling estate wide master-planning that will maximise density by re-configuration of road access;
 - Comprehensive phased development will maximise market appeal thereby optimise values, growth marketability and Investor interest;
 - Increasing scale will enhance the opportunity for community infrastructure and estate wide facilities;
 - A well planned estate will mitigate the adverse effects of employment uses on residential neighbours;
 - A Larger estate creates service charge and management efficiencies.
- 6.3 The benefits of redevelopment can be summarised as follows:
- Asset management: As the market commentary in Appendix A suggests, a new well planned estate developed on a phased basis should enjoy steady demand and be a source of income that is secure in real terms through rent review structures. In this way rental income/growth is further enhanced by capital value growth. Redevelopment enables the adoption of an estate management strategy to assure fit for purpose infrastructure and energy efficiency and ensure that management expenditure costs are effective, minimised and recoverable.
 - Economic: Enables the estate to provide accommodation that matches demand requirements and through this, support economic activity and sustainable growth in the Borough.
 - Finance: Redevelopment will generate higher business rates and the retention of this revenue post 2020 diversifies and assists to stabilise the borough's finances.
 - Socio-economic: New accommodation will enhance job creation and safeguarding close to an area of local labour. In turn this will lead to consumer spending and assist in promoting local well-being and pride, and address anti-social behaviour in the area.
 - Environmental: The estate is close to key transport routes and a comprehensive scheme will enable an estate wide travel plan to be adopted leading to more efficient and reduced travel for employees. Redevelopment

also facilitates an improved urban fabric and minimises the bad neighbour effects of industrial activities on local residents and businesses. This positive approach will also improve perception of the borough in its environmental responsibility. The proposed redevelopment of this site with an industrial scheme is considered to be financial viable and feasible in planning terms. The scheme will also generate much needed income for the Council.

- 6.4 The demolition of Unecol House will remove a significant liability for the Council as the structure and installations within are in a very poor to dangerous condition, with asbestos containing materials, and periodical repair and maintenance is not recommended. Its future use as Open Storage on the site is considered viable and revenue from this activity is estimated at over £50k per annum (based on 2015 assessments). This use will not compromise any emerging plans for the Montagu Industrial Estate in the future by integration of the master plan and may make the site more appealing to investors at a later date.
- 6.5 The use of Unecol House as Open Storage is proposed as a short-medium term solution for the Council as it will: result in a secure site that will generate an income; transfer liabilities to an occupier; reduce ongoing management costs once demolished; and will stop illegal encampments on the site and reduce rough sleeping in the immediate area.

7. KEY RISKS

- 7.1 A project of this scale has numerous risks and as such will need to be closely monitored and managed. This will be the primary responsibility of the project team and in particular the project manager. Significant risks and issues will be escalated to the Asset Performance Group and CMB/Cabinet by exception.
- 7.2 The Council's existing risk management protocols will be used and this will be tempered using Prince2 methods and techniques.
- 7.3 Key lower level risks are outlined in section 5.5, whereas the table below identifies the key strategic risks associated with the project.

Economic Risk	This is a long-term project and therefore difficult to predict the future's economic outlook. Hence, there is inherent risk associated with the UK's and London's economic outlook particularly in light of the recent Brexit decision. Current analysis suggests that the market's fundamentals and those of the London property market in this sector are strong and will remain robust. However, the proposed scheme builds in flexibility by adopting a phased approach, thereby allowing the development to be altered over time if needed.
Market Risk	Scheme fails to match market requirements and does not optimise returns. Much of this risk can be mitigated by selecting an appropriate, skilled and experienced development partner as the partner will be directly involved in delivering a viable scheme.
Planning Risk	Scheme fails to obtain planning permission. This risk is considered low as the area's use as employment land is

	established and the scheme does not depart from planning policy. Indeed it will improve the area. However, the emerging North London Waste Management Plan does have the potential to restrict the future employment use potential of the area and it is imperative that an appropriate agreement is reached regarding the provision of waste facilities in north London that does not prejudice the Council's economic regeneration aspirations for the area and borough as a whole.
Financial Risk	Cost pressures could render the project unviable or depress the share to the Council and its JV partner. The project will need to closely monitor various cost elements associated with the project, such as land assembly and disturbance payment costs, finance costs, construction costs, and operational costs. Mitigation will include preparing detailed budgets, particularly for land assembly.
Duration Risk	The project takes longer than envisaged. This will primarily have the effect of deferring future income streams to the JV, while increasing operating costs over the shorter term. Mitigation will include lightly resourcing the JV thereby ensuring operating costs are minimised.
Procurement Risk	The procurement approach is challenged and/or the market does not respond favourably to the opportunity affecting our ability to select a suitable partner. Legal advice has been obtained and the approach to be adopted is considered to be sound. Soft market testing was undertaken to determine market appetite and to temper the proposition. Responses have been very favourable and the approach will facilitate/improve our ability to obtain a suitable partner.
Resource Risks	Availability of resources to deliver the project. The Council has limited capacity and capability to deliver this project in-house. The JV role allows the Council to draw upon the partners resources for delivery. In addition, the Council will bring in the necessary resources through its co-source partners.
Environmental and Public Health Risks	Unecol House's building fabric has asbestos containing materials (ACMs). Risk associated with demolition therefore appropriate surveys need to be undertaken and appropriately qualified contractors will need to be used to demolish the structure.
Public Health Risks	While Unecol House has been secured to prevent trespass, the longer the building stands empty, the greater the risk of trespass and vandalism. The Council has a statutory duty to ensure the building is appropriately safeguarded.

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

8.1 Financial Implications

8.1.1 SEE PART 2

8.2 Legal Implications

- 8.2.1 Section 1 of the Localism Act 2011 provides the Council with a general power of competence to do anything which an individual generally may do so long as it is not restricted under s.2 of that Act. The establishment of a Joint venture with a private sector partner for this development is within the powers of the Council under its general power of competence (GPOC).
- 8.2.2 However, it is sometimes argued that local authorities do not have the power to establish or be a partner in limited liability partnerships (LLP). This is as result of the wording of section 4 of the Localism Act 2011 which states that if a Council does something under its GPOC for a commercial purpose then it must do so either through a company or cooperative and benefit society and not an LLP. LLPs must however be established by two or more (legal) persons with a view to profit, if the Council is not establishing the partnership with a view to a profit then the courts have historically considered that no partnership exists. Nonetheless many Councils have taken the view that provided they are establishing an LLP not for a commercial purpose then they are permitted to establish an LLP. This view has not been challenged and has led to a number of LLP joint ventures being established by local authorities around the country. To this end the Cabinet should be minded when reaching its decision, that the Council would be primarily pursuing the joint venture by way of an LLP not for a commercial purpose but for the wider social regenerative benefits that this scheme should bring.
- 8.2.3 The report confirms that the Council intends to market the opportunity to become the joint venture partner by way of an open and transparent competition but not in accordance with the full requirements of the Public Contracts Regulations 2015 (PCRs). Provided that the underlying contractual relationship is not procurable under the PCRs then an open and transparent competition should meet the requirements of the Commission Interpretive Communication on Public Procurement and Concessions to Institutionalised Public Private Partnerships. In order to achieve this it is necessary for the underlying transaction to be structured as a land sale (which is not covered by the PCRs) and not as a development agreement (which would be covered by the PCRs). A land transaction means that the competition does not have to comply with the PCRs and thus is less encumbered by those rules however, in order to achieve this the Council must accept that the level of contractual control and influence over the delivery of the scheme will be limited largely to its statutory planning and other controls rather than through a contractual route. We understand that for this scheme (which is employment rather than residential based) this level of control is acceptable to the Council.
- 8.2.4 Notwithstanding the above, the opportunity must be fully, widely and fairly advertised to ensure that the financial contribution of the Council is opened up to the market, properly valued and that there can be no question of any undervalue being received by the Council for its land and any other support financial or otherwise provided by it.
- 8.2.5 Land based transactions (i.e contracting authorities' transactions purely concerning an 'interest in land') fall outside of the regulatory framework of EU procurement law (and domestic procurement law derived from it and thus are not regulated under

the Public Contracts Regulations 2015 (“ the Regulations”). Any land based transaction, such as that described in the report, must however, ensure that the transaction’s purpose can be said, at all times, to be based on the transfer of an ‘interest in land’, in order to escape the risk of the transaction being challenged as a public contract, or works concession contract masquerading as an ‘interest in land’ transaction.

- 8.2.6 By virtue of s.120 of Local Government Act the Council has the power to acquire land by agreement for the purposes of the benefit, improvement or development of their area. The contract for the acquisition of land must be in a form approved by the Assistant Director (Legal and Governance)
- 8.2.7 Under section 226 (1) (a) of the Town and Country Planning Act 1990 a local authority has a general power to make a compulsory purchase order for the acquisition of any land in their area in order to facilitate the carrying out of development, redevelopment or improvement in relation to the land. In exercising these powers the Council must demonstrate that the proposed development/improvement is likely to contribute towards the promotion or improvement of the economic or social or environmental well-being of their area. When pursuing a CPO the Council is expected to negotiate with landowners and demonstrate that there are no financial or planning impediments to development. Further Legal Implications of utilising CPO powers will be included in future reports.
- 8.2.8 The report notes that land in the Council’s ownership will be transferred on a phased basis to the special purpose vehicle. By virtue of s.123 the Council may dispose of land held by them in any manner it wishes subject to obtaining the best consideration reasonably obtainable, and in accordance with the Council’s PPR’s. Therefore at the time of disposal the Council must ensure that the value attributed to the land meets the Council’s s.123 obligations.
- 8.2.9 The Council has a responsibility to all visitors and trespassers under the Occupiers Liability Act 1957 & 1984. In addition, the Health and Safety at Work Act 1974 creates a duty of care to all employees, members of the public and contractors who are present on Council property. For vacant properties the Council will be the duty holder with responsibility for ensuring the health and safety of persons on sites.
- 8.2.10 A coherent policy that is reviewed regularly in light of obligations and is well executed with sufficient funding will go some way to evidencing that the Council takes seriously its responsibilities to individuals on its property howsoever they come to be on site.
- 8.2.11 All goods/works/services associated with the demolition of Unecol House must be procured in accordance with the Council’s Constitution, in particular Contract Procedure Rules and contracts will need to be in a form approved by the Assistant Director of Legal and Governance Services.
- 8.2.12 The Council’s intentions for Unecol House constitute ‘development’ within the meaning contained in the Town and Country Planning Act 1990 and as such an appropriate application will need to be submitted to the Local Planning Authority seeking planning permission.

8.3 Property Implications

- 8.3.1 The project is considered to be financially viable and feasible in planning terms. Economic and property market conditions over the foreseeable future suggest that the fundamentals are in place to support the redevelopment of the Montagu Industrial Estate.
- 8.3.2 The Estate is in a poor condition and future R and M liabilities are expected to increase. These increases will not be matched by rising rents as the stock on offer is of poor quality and no longer fit-for-purpose. If the status quo is maintained, future income from this asset is expected to remain capped at £1.28m per annum with difficult trading conditions. Redeveloping the estate is expected to secure wider economic and social benefits and will also generate much needed income just short of £4m per annum for the Council.
- 8.3.3 A tenancy schedule for the Estate has been prepared and passed on to our property consultants. There are a variety of short and long term leases with the majority of leases expiring around 2020. The JV will therefore need to carefully consider how it will terminate these leases and appropriate notices will need to be issued.
- 8.3.4 It is envisaged that the Joint Venture partner will take over responsibility for the asset and property management of the Council's current property portfolio at the Montagu Estate. This will require all leases/licences to be transferred to the JV partner and for all tenants to be notified of this arrangement. Transferring the asset and property management function will ensure the JV has control over achieving VP in line with its development plans. In addition, it will ensure the Council will continue to receive a guaranteed stream of income during the decommissioning and development of phase 1.
- 8.3.5 A decision to proceed with the project will have a negative, albeit short-term, impact on this Estates rent roll. This is because any tenancies due for renewal prior to December 2018 or potential vacancies that may arise during the intervening period before vacant possession is required to facilitate development will be for a short period in poor quality stock and will not attract strong covenants. However, this impact is mitigated by the JV partner providing a minimum net rent guarantee (set at the Council's current rent roll) to the Council.
- 8.3.6 By transferring the property portfolio to the JV, the JV will be responsible for ensuring revenue is optimised during the intervening period, costs are minimised, and the Council continues to fulfil its Corporate Landlord responsibilities within the context of a larger development programme.
- 8.3.7 To facilitate the project, land assembly will need to be undertaken under the shadow of the Council exercising its compulsory purchasing powers.
- 8.3.8 Unecol House is no longer fit for purpose. Refurbishing the asset is not an option, as this would not be a good return on the investment required. Bringing the building back into limited use would require the following works:

- Replacement of the profiled asbestos cement roof covering and wall panelling with composite insulated profiled metal sheet roof covering
- Replacement of un-insulated bituminous felt flat roof covering with insulated pvc roofing membrane roof covering
- Replacement of single glazed steel framed windows with thermally broken aluminium double glazed windows
- Disabled facilities, installation of lift and disabled WC to first floor
- Contingency/Asbestos Management
- Unforeseen works

8.3.9 Retaining and refurbishing Unecol House is therefore not considered to be a viable option and the cost of holding Unecol House in its current and perilous state can no longer be sustained.

8.3.10 Additional "Risk Assessments" to identify works necessary to de-commission this asset prior to demolition will be required.

8.3.11 A Thames Water pumping station is located within the property. Further discussions and additional due diligence work will be required prior to demolition at a cost to the Council.

8.3.12 Once the asset has been demolished open storage presents the best short to medium term opportunity for the site with a rental income.

8.3.13 SPS shall conduct a soft marketing exercise to identify potential occupiers for the site once demolished. It is proposed that this marketing exercise will be done in tandem with the demolition programme.

9. PERFORMANCE MANAGEMENT IMPLICATIONS

9.1 The project will be managed by Strategic Property Services and a project team will consist of both Council officers and external consultants. The project team will report directly to the Head of Property. The Council's Asset Performance Group will act as the projects governance board and will provide strategic guidance and assist with the co-ordination of resources within the Council. Issues will be escalated to CMB/Cabinet by exception.

9.2 The Council's project management protocols will be used and these will be tempered with other Prince2 techniques.

9.3 The procurement process for a development partner will be clearly outlined from the outset and key conditions and obligations are outlined in sections 4.19 to 4.24. This will ensure that the JV partnership will have key performance indicators outlined from the start of the partnership. These will be monitored by SPS, but additionally the Council will be represented on the JV Partnership board with officers acting as non-remunerated Directors on the board.

10. EQUALITIES IMPACT ASSESSMENT

- 10.1 An equalities impact assessment will be undertaken as part of the masterplanning exercise, which will be the responsibility of the JV and will be managed by the JV partner. At this point in time, a strategic assessment has revealed that the redevelopment of the Montagu Estate may result in the temporary or permanent extinguishment of businesses currently located on the Estate. These extinguishments will therefore need to be sensitively treated and will need to be dealt with in accordance with the appropriate legislation.
- 10.2 However, equality issues will be included in the procurement process of a development partner. The tender documents will therefore ensure that the potential future partner will adhere with the Council's policies.
- 10.3 In the event of an illegal occupation of vacant properties, such as Unecol House, the Council may need to undertake welfare checks and ensure no human rights issues are engaged. The Council must also ensure that its sites are safe and secure and or prohibit access to unauthorised individuals.

11. HR IMPLICATIONS

- 11.1 Delivering this project together with various other projects in the pipeline will require additional resources. In-house support will be augmented from our co-sourcing partnering arrangements.
- 11.2 The establishment of a JV delivery vehicle will require officers to be appointed as Directors on the newly established company's management board. It is envisaged that these positions will not be remunerated, but that appropriate costs, such as insurance liabilities and travel expenses will be covered by the Council.

12. PUBLIC HEALTH IMPLICATIONS

- 12.1 The Montagu Industrial Estate suffers from high levels of pollution and ground contamination due to the activities undertaken by certain businesses currently located on the Estate. The redevelopment of the Estate will consequently have a positive impact on the environment, surrounding residents and the estate's new workforce.
- 12.2 Many of the current structures on the estate have asbestos containing materials. As a result, appropriate investigations will need to be undertaken prior to any demolition. In particular, an R and D Asbestos Survey will need to be undertaken for Unecol House.
- 12.3 The Management of Health & Safety at Work Regulations (HWSA) 1999 requires employers to manage health and safety by assessing risk. The main reason for conducting risk assessments is to ensure that adequate consideration is given to things that can go wrong. Adequate risk assessments are therefore fundamental for ensuring the effective management of Health & Safety Risks. Under the Managements of Safety Work Regulations 1999 (MWHSR) regulation 7, the Council as an employer will need to appoint one or more competent persons to assist in

undertaking the measures required for compliance, factoring in at all times the prohibitions imposed by legislation.

12.4 The Joint Venture will become the principal client for the purposes of the CDM regulations. This will however be managed by the development partner.

13. IMPACT ON COUNCIL PRIORITIES

13.1 Fairness for All

The proposed redevelopment of this site will significantly enhance the working environment of the estate's workforce. It will also have a positive impact on the surrounding neighbouring residents, particularly those residing on the estates boundary, as the built environment will significantly improve and relate better to adjacent residential units.

The uses will significantly improve can provide additional accommodation to a much higher standard. There will also be an increase in the supply of much needed new housing for different tenures and income levels.

13.2 Growth and Sustainability

The proposed redevelopment will provide a greater range of commercial employment use space. This will allow SMEs to be provided with suitable accommodation within the borough and also permit business to expand or shrink as required.

The provision of new commercial space will also allow the borough to attract new businesses and given the range of unit typologies to be provided, will support businesses in their growth trajectories. The retention of employment use space within the borough will also benefit the borough's workforce by providing employment opportunities in close proximity to where they live. Additionally, the creation of new jobs will also improve spending power within the borough.

13.3 Strong Communities

Local residents, businesses and key stakeholders within and in close proximity to the Estate will be consulted about the scheme.

A significant economic multiplier effect is envisaged, and it is estimated that c. 2520 jobs could be created and safeguarded by the development, and it would generate c. £4m of business rates annually.

Background Papers

None

MUNICIPAL YEAR 2016/2017 REPORT NO. **61**

MEETING TITLE AND DATE:

OSC
 -25 May 2016
 CMB
 -19 July 2016
 Cabinet
 - 6 September 2016
 Council
 -21 September 2016

REPORT OF:

Overview & Scrutiny Committee
 Contact officer and telephone number:
 Claire Johnson Interim Governance Manager Tel: 020 8379 4239
 e-mail: Claire.johnson@enfield.gov.uk

Agenda - Part: 1	Item: 11
Subject:	
SCRUTINY WORK PROGRAMME 2016/17	
WARDS: None Specific	
Cabinet Members consulted: Cllr Georgiou Other Members consulted – Cllr Levy	

1. EXECUTIVE SUMMARY

- 1.1 This report and Appendix 1 sets out the Scrutiny work programme and workstreams for 2016/17 for the Council's Overview & Scrutiny Committee (OSC), Health Standing Panel and Crime Standing Panel.
- 1.2 The Council's Constitution requires that the work programme proposed by OSC is adopted by Council on the recommendation of the Overview & Scrutiny Committee, following consultation with the Cabinet and the Corporate Management Board (CMB).
- 1.3 In addition the report is also seeking approval from Council, to reassign the Council's Statutory Scrutiny Officer role in accordance with Section 9FB of the Local Government Act 2000.

2. RECOMMENDATIONS

- 2.1 Council is asked to approve the scrutiny work programme and workstreams for 2016/17.
- 2.2 Council is asked to approve that the Head of Governance & Electoral Services is designated as the Council's Statutory Scrutiny Officer as detailed in section 6 of the report.

3. BACKGROUND

- 3.1 The Overview and Scrutiny Committee sets its own work programme for the year, taking into consideration wider consultation with Cabinet, CMB, and stakeholders.
- 3.2 OSC consists of one overarching Overview & Scrutiny Committee, 2 Standing Panels on Health and Crime, with an OSC Chair and 5 members, 4 majority and 2 opposition. Each member of the committee will lead on a workstream, therefore there will be up to 5 workstreams operating at any one time, with the option of 6 workstreams if the Chair decides to lead on an area.
- 3.3 Workstreams, being task and finish groups, are by definition of varying durations with some being more condensed than others. Therefore, to enable a wider span of effective coverage in each municipal year, subject to support resource capacity, OSC has an ongoing 'waiting list' of pre-agreed additional topics or themes ready to replace workstreams once they have been fully concluded. This provides continuity and ensures that a forward plan is in place from the start of and for the whole of the forthcoming year, as occurred in 2016/17.

4.0 OVERVIEW & SCRUTINY COMMITTEE

- 4.1 OSC met on the 25 May 2016 and agreed the workstreams for 2016/17. The Crime Standing Panel and the Health Standing Panel met and agreed their work programme on the 5th July 2016 and the 6th July 2016 respectively. The OSC work programme, Crime and Health Standing Panel work programmes are shown at Appendix 1; the agreed workstreams are shown as Appendix 2.
- 4.2 Membership of the workstreams will be agreed with the OSC leads and party whips, allocating non-executive councillors to the workstreams who have expressed an interest in undertaking scrutiny in those areas. Membership of the workstreams is cross party and will reflect political proportionality. However membership numbers can be flexible on the workstreams, and once the workstream has finished, the membership is disbanded.
- 4.3 The workstreams on Health and Crime will particularly draw their members from an agreed pool of councillors who have expressed an interest to be involved in those areas. This will remain constant for the whole year and will be on a politically proportionate basis. This consistency in membership will allow these workstreams to develop a watching brief in these issues and build up a level of knowledge and expertise amongst members.

5.0 ENGAGEMENT PROTOCOL

- 5.1 The Protocol to engage and involve Directors, Chairs of Boards, statutory bodies and other key stakeholders was agreed by CMB. Therefore CMB is consulted, and the Scrutiny work programme will be an item for information on

the agenda for the Health & Wellbeing board and the Safer and Stronger Communities Board. In addition, the work programmes will be sent to key stakeholders such as Health, the Police, CCG, and EVA.

5.2 Cabinet is asked to note that before beginning its work, each workstream will agree a scope for the review including:

- Terms of reference
- Desired outcomes
- Key stakeholders
- Training/information required for members to prepare for the review
- Timescale for the review
- Resources required (member and officer)
- Co-optees

6. STATUTORY SCRUTINY OFFICER ROLE

6.1 Section 9FB of Local Government Act 2000 makes provision for the appointment of a Statutory Scrutiny Officer. At present this falls under the remit of the Head of Electoral, Registration and Governance Services.

6.2 As a result of the previous Head of Service having left the Council, there is now a requirement to reassign this statutory role. Council approval is therefore being sought to place the Statutory Scrutiny officer role within the remit of the newly created Head of Governance and Electoral Services post, which has now replaced the previous Head of Electoral, Registration and Governance Services position.

7. COMMENTS FROM CABINET

7.1 Cabinet noted the proposed work programmes for the Health and Crime Standing Scrutiny Panels together with the work streams which had been identified. Members were advised of the detailed work which was being undertaken by Scrutiny.

7.2 Members commended the effective scrutiny work that was undertaken and expressed their thanks and appreciation to Councillor Levy as Chair of the Overview and Scrutiny Committee. The importance of the Scrutiny role within the Council was recognised.

8 COMMENTS FROM CMB

8.1 CMB noted the Overview and Scrutiny Committee proposed work programme and workstreams for 2016/17.

9. REASONS FOR RECOMMENDATIONS

To comply with the requirements of the Council's Constitution, as the workprogramme has to be formally adopted by Council. In addition, scrutiny is essential to good governance. It enables the voice and concerns of residents

and communities to be heard, and provides positive challenge and accountability.

10. ALTERNATIVE OPTIONS CONSIDERED

No other options have been considered as the Overview & Scrutiny Committee is required, under the Council's Constitution, to present an annual scrutiny work programme to Council for adoption.

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

11.1 Financial Implications

Any cost implications of undertaking the Scrutiny workstreams must be contained within budgeted resources.

11.2 Legal Implications

The recommendations within this report for adoption of the annual Scrutiny Workstream Programme are lawful and will help support the Council in meeting its statutory obligations for effective overview and scrutiny.

The Council has statutory duties within an existing legal framework to make arrangements for scrutiny of its decisions and service delivery and the areas of crime and health, which are covered within these recommendations.

The setting of the annual Scrutiny Workstream Programme is a matter for the Council, following consultation with directors, members and key stakeholders within an agreed protocol. These requirements are set out in the Council's Constitution.

The Council should consider its ongoing duties under the Equality Act to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and advance equality of opportunity between people who share a protected characteristic and those who do not and consider how its decisions will contribute towards meeting these duties.

The recommendation to designate the Head of Governance and Electoral Services as the statutory scrutiny officer will secure compliance with the Council's duty under s31 Local Democracy, Economic Development and Construction Act 2009 and Section 9FB of the Local Government Act 2000 to designate an officer as Statutory Scrutiny Officer.

11.3 Key Risks

There are no key risks associated with this report. Any risks relating to individual scrutiny workstreams will be identified and assessed through the scoping process.

12. IMPACT ON COUNCIL PRIORITIES

12.1 Fairness for All

OSC will monitor the scrutiny work programme to ensure that it addresses issues affecting a wide range of Enfield residents and that services provided are fair and equitable.

12.2 Growth & Sustainability

As part of the approach towards scrutiny, reviews will consider issues relating to sustainability.

12.3 Strong Communities

OSC will ensure that the work programme continues to include active participation from residents and that reviews contribute to building strong communities.

13. EQUALITIES IMPACT IMPLICATIONS

Equalities impact assessments relating to individual scrutiny workstreams and their recommendations will be assessed through the scrutiny process.

14. PERFORMANCE MANAGEMENT IMPLICATIONS

OSC will monitor the work programme and ensure that review recommendations are acted on and implemented by departments.

15 PUBLIC HEALTH IMPLICATIONS

There are no direct public health implications of this report, but rather what happens as a result of scrutiny.

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OSC WORK PROGRAMME 2016/17

Appendix 1

WORK	Lead Officer	25 May (Planning)	14 July	8 Sept	11 th Oct	10 Nov	19 Jan	23 Feb	27 April
Work Programme									
Setting the Overview & Scrutiny Annual Work Programme 2016/17	Andy Ellis	Agree Work Programme							
Selection of New Workstreams for 2016/17 and 2017/18	Andy Ellis	Review and Approve Workstreams 16/17	Receive Scoping and discuss Enfield 2017 WS Scoping with Cllrs Georgiou and Lemonides						Consider/ Propose New Workstreams 17/18
Workstreams Update (standing and time-limited)	Andy Ellis			Update		Update		Update	Update on Adoption Workstream recommendations
Scrutiny Workstream Reports									
Agenda Planning	Andy Ellis								
Standing Items									
Children's and Young People's Issues	Tony Theodoulou / Julian Edwards			Looked After Children/Children in Need/ Child Protection - Tony Theodoulou, Julian Edwards Local Auth Designated Officer/		Fostering and Adoption		Troubled Families Maria Kelly SEND Janet Leech	Adoption Regionalisation

WORK	Lead Officer	25 May (Planning)	14 July	8 Sept	11 th Oct	10 Nov	19 Jan	23 Feb	27 April
				Ind Review Officer Anne Stocker					
Monitoring/Updates									
Child Sexual Exploitation Task Group	Anne Stoker							Update	
Scrutiny Involvement in Budget Consultation 17/18	Andy Ellis				Cllr Lemonides to give an overview of progress		Budget Meeting		
Safeguarding Annual Report - Adults Services	Marion Harrington (Independent Chair) Sharon Burgess (Head of Safeguarding Adults)					Report			
Safeguarding Annual Report - Children's Services	Geraldine Gavin (Independent Chair) Head of Safeguarding Children					Report/Action Plan			
Equality and Diversity Annual Report	Ilhan Basharan							Report	
Annual Corporate Complaints Report	Nicholas Foster							Report	
HR Issues – How do we recruit and support people with disabilities and mental	Julie Mimmagh								Report

WORK	Lead Officer	25 May (Planning)	14 July	8 Sept	11 th Oct	10 Nov	19 Jan	23 Feb	27 April
health issues									
Scrutiny Monitoring									
Scrutiny Annual Report	Claire Johnson								
Other Items/Specific Topics:									
Care Act	Bindi Nagra					6 month update on Care Act 2014 –Bindi Nagra			Update
Better Care Fund	Richard Young			6 month update Richard Young					Update
Town Centres and High Streets	Ian Davis							Update on the Inward Investment Strategy	
Housing Repairs	Ian Davis		Update						
Female Genital Mutilation	Dr Allison Duggal		Report						
Housing Allocations Policy	Sally McTernan					REPORT			

Note: Provisional call-in dates:- 7th & 30th June, 26th July, 3rd & 24th August, 29th September, 11th & 26th October, 22nd November, 13th December, 17th January, 16th February

Additional Items to be considered:- Local Plan Review/ Housing Benefit

Please note that the above programme may be subject to change during the course of the year

CRIME STANDING WORKSTREAM: WORK PROGRAMME 2016/2017

WORK	Lead Officer	Tuesday 5 July (Work Planning)	Thursday, 20 Oct	Wednesday 11 Jan	Wednesday, 22 Mar
Work Programme					
Panel Work Programme 2016/17 – To consider the work programme	Sue Payne	Agree work programme			
Standing Items					
SSCB Partnership Plan & Strategic Priorities – To review and participate in the development of the Plan and strategic priorities for 2017 – 18.	Andrea Clemons/ Sue Payne		6 month update- on current plan and progress update –		Progress Update –
SSCB Performance Management – provide a monitoring overview on performance of SSCB	Andrea Clemons/ Sue Payne		Monitoring Update	Monitoring Update	Monitoring Update
Update on Police numbers	Supt Carl Robinson		Update	Update	Update
Briefings, Monitoring & Updates:					
Prostitution	Andrea Clemons			Report	
Gangs	Andrea Clemons				Report
Begging	Andrea Clemons			Report	
Domestic Abuse	Andrea Clemons		Report		
Update on the effects of the 24 hour tube	Andrea Clemons, Carl Robinson				Update
Hate Crime	Andrea Clemons		Report		

Update on the effectiveness of MOPAC Estate Policing Contract	Andrea Clemons, Carl Robinson			Update	
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Please note that the above programme maybe subject to change during the course of the year.

HEALTH STANDING SCRUTINY WORKSTREAM: WORK PROGRAMME 2016/2017

Work Programme	Lead Officer	Wednesday 5 th October 2016	Thursday 5 th January 2017	Thursday 23rd March 2017
Deadline for sending papers to Scrutiny Team		26th September	16th December	10th March
Annual Items				
Agree Annual Work Programme 2015/16	Andy Ellis	To agree		
NHS Trust Quality Accounts B&CF(RF), NMUH, BEHMHT, NL Hospice (in liaison with NCL JHOSC)	Trust Reps			If papers available
Monitoring Items				
Dental Services				Report
Community Pharmacy Services			Report	
North Middlesex Hospital	Libby McManus	Single item meeting		update
CCG Item	Sarah Thornton		Urgent Care Review. PAU review	Sustainability and Transformation Plan
Agenda Planning	Andy Ellis			
Scrutiny Workstream Reviews				
Sensory Impairment - Access to Services		Update	Update	Update

Agreed Scrutiny Workstreams 2016/17

APPENDIX 2

Subject	Scope	Workstream Lead and membership	Scrutiny contact
Quality of Communications	<ul style="list-style-type: none"> • Assess how we can compose letters to residents, partners and stakeholders that have a more personal feel. Letters should show our appreciation, respect and empathy when conveying bad or negative information. • Review the standard guidance available to all staff, is it appropriate? • Is there a role for Councillors – should they return poor communications back to the author? • Eradicate jargon from written correspondence and reports • Is our initial contact with personal visitors or telephone callers of an appropriate standard? 	<p>Derek Levy (Chair) Dinah Barry, Chris Bond, Erin Celebi (Vice Chair), Nick Dines, Vicki Pite</p>	Andy Ellis
Housing Repairs	<p>To understand any issues and suggest improvements and solutions, including looking at:</p> <ul style="list-style-type: none"> • Key performance indicators • Benchmarking with similar boroughs • Members case work examples • The involvement of the Customer Voice • The reporting process • Examples of good practice 	<p>Katherine Chibah (Chair), Erin Celebi, Lee Chamberlain (Vice Chair), Bambos Charalambous, Jansev Jemal, Mary Maguire</p>	Sue Payne
Child and Adolescent Mental Health Services (CAMHS)	<p>To understand any issues and suggest improvements and solutions, including looking at:</p> <ul style="list-style-type: none"> • Are any children referred for mental health support turned away without help in Enfield • Reducing waiting times for assessment and treatment and improving access to service • To ensure best use of resources and equal access to services • To explore ways of reducing the stigma associated with mental health 	<p>Nneka Keazor (Chair), Nesil Cazimoglu, Christiana During, Mike Rye, Ozzie Uzoanya, Glynis Vince</p>	Sue Payne

Enfield 2017	<ul style="list-style-type: none"> • Project Management of Enfield 2017 up to going live • Is this demand driven? Are customers getting access to the services they need? • Rate of return on investment- financial analysis 	Edward Smith (Chair) , Vicki Pite, Don McGowan, Andrew Stafford, Claire Stewart, David Lee Sanders	Sue Payne
Property Services	<p>The aim of the workstream is to review the strategic direction of the LBE property portfolio. Members will require information on the following</p> <ul style="list-style-type: none"> • Income generation • Vacancy factors • The billing process • The property register • The process for sales and acquisitions • Contract arrangements with the 3 property management companies (agricultural, retail and industrial) 	Joanne Laban (Chair) , Ali Bakir, Adeline Kepez, Mary Maguire, Toby Simon, Andy Milne	Andy Ellis

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MUNICIPAL YEAR 2016/2017 REPORT NO. 67**MEETING TITLE AND DATE;**

Cabinet – 6 September
2016
Council - 21 September
2016

JOINT REPORT OF:

Director of Health,
Housing and Adult Social
Care and the Director of
Finance, Resources and
Customer Services

Agenda – Part: 1**Item: 12**

**Subject: Re provision 2 - Care Home
Capital Funding and Procurement**

Wards: All**Key Decision No: KD 4337**

**Cabinet Member consulted: Cllrs
Cazimoglu and Lemonides.**

Contact officers and telephone numbers:

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Jemma Gumble jemma.gumble@enfield.gov.uk x2380

1. EXECUTIVE SUMMARY

- 1.1 On the 21st October 2015 Cabinet agreed the strategic approach of building a new care home with nursing within the next 3 years and authorised officers to commence feasibility, scoping, planning and commissioning.
- 1.2 This report summarises the need to secure additional good quality nursing supply for Enfield residents which is affordable and compliant with Care Quality Commission (CQC) standards.
- 1.3 A full Borough wide site search was undertaken and reported within the Delegated Authority Report KD 4283. In May 2016 under the KD 4283, the preferred option of the Coppice Wood Lodge as a location for the new care home was approved and an initial sum of monies was allocated for appointment of Architects to undertake design and detailed feasibility together with supported survey work in support of a Planning Application.
- 1.5 Levitt Bernstein have been appointed as architects for this scheme and have undertaken feasibility, and undertaken a pre-application meeting with the Local Planning Authority.
- 1.6 The current scheme design has gone through detailed feasibility. The brief for the project has been based on the scheme on the former Elizabeth House site with the aim to provide the same core spaces and similar number of welfare facilities. However, as the design has developed, the brief has been adapted to suit site requirements and design aspirations. The results of which are presented within this report.
- 1.7 In 2015 it was projected that over 1300 older people were living in a residential care home (with or without nursing care) in Enfield and this number is projected to rise to 1780 in 2025. With the increasing number of people in the Borough aged over 65 years and continuing to rise even further over the next 10 years, securing beds for nursing and dementia care for Enfield residents at an affordable rate is a high priority for the Council.

- 1.8 Enfield has twelve nursing care homes which are at full capacity. The Authority faces stiff competition for beds from neighbouring London Boroughs. It is therefore beneficial for the Council to own care homes and ensure that there is a sufficient and an affordable local supply available.
- 1.9 The key aim of this report is for Cabinet to approve and agree the build of a new care home on the current site of Coppice Wood Lodge, Grove Road, Enfield, N11 1LX together with the business case as presented in the Part 2 of this report.
- 1.10 To support the financial cost of developing the new care facility it is proposed that existing care home sites will be disposed of or free for other Council uses, subject to authority, to reduce and pay down the capital borrowing required for this development.

2. RECOMMENDATIONS

- 2.1 To note that Cabinet has approved the delegation to the Director(s) of Health, Housing and Adult Social Care and Finance, Resources and Customer Services, in consultation with Cabinet member(s) for Health and Social Care and Finance and Efficiency, the approval to appoint a contractor(s) to deliver the demolition and redevelopment of the Coppice Wood Lodge site for the purposes of a new care home.
- 2.2 To note that Cabinet has approved the redevelopment of the Coppice Wood Lodge Care Home Facility and recommended to Council the approval of additional funds to the Capital Programme as detailed within Part II of this report.
- 2.3 To note that Cabinet has delegated authority to the Director of Health, Housing and Adult Social Care to approve the submission of a planning application for a new care facility at Coppice Wood Lodge Site.
- 2.4 To note that Cabinet has delegated authority to the Director(s) of Health, Housing and Adult Social Care and Finance, Resources and Customer Services in conjunction with Cabinet Member(s) for Health and Social Care and Finance and Efficiency to appoint a service provider.
- 2.5 To note that Cabinet has approved the capital expenditure for Pre-construction services up to Contract Award from the Capital Programme as detailed within Part II of this report.

3. BACKGROUND

- 3.1 On 21st October 2015 Cabinet agreed the strategic approach of building a new care home with nursing within the next 3 years and responsibility was delegated to the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services to approve the site for a new care home.
- 3.2 Strategic Property Services were commissioned to conduct a search of Council owned locations within the borough. This site needed to be approximately 1 acre in size, with good public transport links and to be available for the development of a new build care home to be operational as soon as possible to ensure that the Council is able to increase nursing care capacity. A full Borough wide site search was undertaken and reported within the Delegated Authority Report KD 4283.
- 3.3 Several alternative options were considered including existing care home sites, sites both in private and public ownership; however due to the strategic location of CWL site in terms of need and transport infrastructure and planning sense this location suited the client requirements.
- 3.4 The site of Coppice Wood Lodge is owned freehold by the Council and lies on a plot approximately 0.38 hectares (1 acre), located to the south-west of the Bowes Road and Cross Road junction. Please see appendix 1 for site plan. The site is not located within a Conservation Area and there are no statutory listed buildings within close proximity of the site.
- 3.5 Vehicular and pedestrian access to the site is provided from Grove Road to the west, with a public right of way from Bowes Road to the north providing a further pedestrian approach. The existing nursing care home varies between one and three storeys in height and is located at the centre of the site.
- 3.6 In May 2016 under the KD 4283, the preferred option of Coppice Wood Lodge as a location for the new care home was approved and an initial sum of monies was allocated for appointment of Architects to undertake design and detailed feasibility together with supported survey work in support of a Planning Application.
- 3.7 Levitt Bernstein Design Consultants has been appointed to undertake feasibility, initial massing and design up to RIBA stage 3i for the designs for the new care home. In June 2016, a pre- planning application for the scheme was submitted.
- 3.8 The existing Coppice Wood Lodge facility is below Care Quality Commission (CQC) standards and in need of modernisation. To

facilitate this, the current residents of the building will be decanted into the new care home on the former Elizabeth House site on Old Road (off Hertford Road), a new dual registered home due for completion early 2017. After this, Coppice Wood Lodge will be demolished to make way for the new nursing care home building due to open late 2018.

- 3.9 The Council confirmed a requirement with the architect for a nursing care home of seventy to eighty beds with associated ancillary and staff areas. This represents a significant increase from the existing thirty-eight unit residential care home currently on the site.
- 3.10 An alternative option was also requested in order to optimise and seek assurance of the development potential of the site and the introduction of a small number of houses should be explored. As such, Levitt Bernstein has produced two feasibility studies; one looking at a three storey nursing care home spread over the site, and a four storey nursing care home with part of the site allocated to new housing.
- 3.11 Both options were submitted to the LPA for a Pre-application meeting to garner feedback. The client's preference to make an efficient nursing care home that works laterally as well as vertically is predicated upon a three –storey home that produces the optimum care ratio, ensuring unit size is of adequate numbers to enable efficient staffing levels. For these reasons the option to include a row of four townhouses will be excluded moving forward.
- 3.12 The brief for the project has been based on the Elizabeth House scheme with the aim to provide the same core spaces and similar number of welfare facilities. However, as the design has developed, the brief has been adapted to suit site requirements and design aspirations.
- 3.13 The design of the nursing care home has an important influence on the residents' quality of life. Design should be geared to satisfying the needs of residents and staff providing care within the home and will seek to:
 - provide a safe and secure environment for residents;
 - ensure residents' privacy and provide their own personal space under their own control;
 - protect residents' dignity;
 - offer residents a stimulating setting for daily activities;
 - enable residents to have easy access around the home; minimise residents' difficulties in understanding their surroundings;
 - provide a work setting which enables staff to deliver high quality care;
 - meet the standards relating to the design and fabric of residential and nursing care homes required by law, regulations and directives

- 3.14 The results of the feasibility show floorplans and massing block diagrams. These show that the feasibility undertaken and the comments received back from the LPA demonstrate the site can yield 70-80 beds (subject to final design) in a three storey formation.
- 3.15 On current programme, the delivery of the care home to the client is circa August/September 2018.
- 3.16 The Council's appointed cost consultants, Stace LLP, have submitted a high level cost plan for the proposed new build care home at CWL. The purpose of a feasibility cost plan is to establish a realistic cost limit for the development. The aim is to inform the overall budget required to complete this project.



The nursing home is arranged as three households over three storeys.

The main entrance and drop-off zone is accessed off Grove Road.

Communal/visitor facilities are located on the ground floor close to the main entrance to allow for ease of access and security.



Ground Floor Sketch – Levitt Bernstein

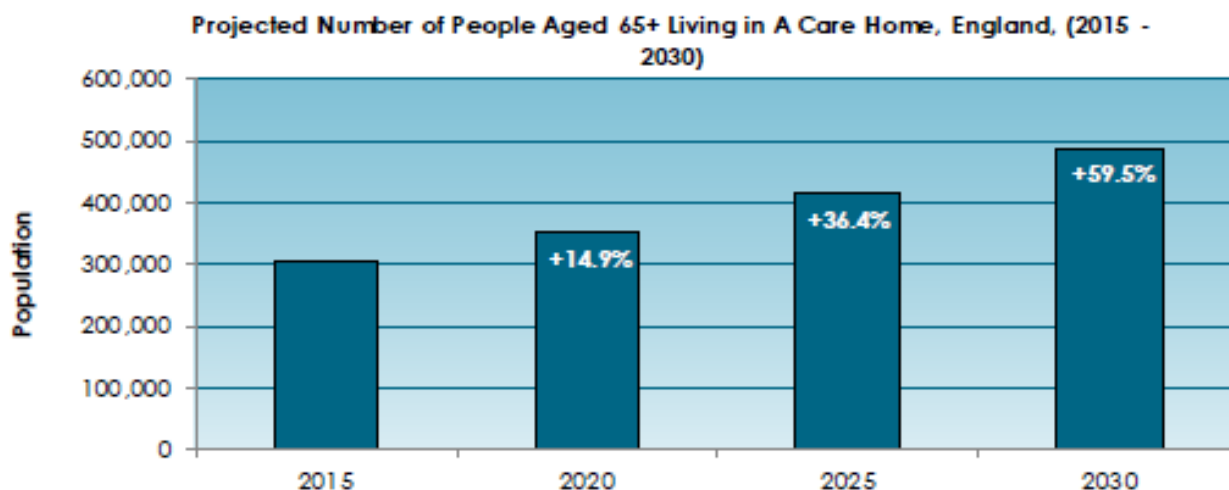


View from Bowes Road – Artists Impression, Levitt Bernstein

4. MARKET ANALYSIS

Residential Care

- 4.1 There are an estimated 5,153 nursing homes and 12,525 residential homes in the UK. According to the latest Laing and Buisson survey, there are 426,000 elderly and disabled people in residential care (including nursing), approximately 405,000 of whom (95%) are aged 65+ which equates to approximately 4.2% of the total population aged over 65 years. The resident care home population is also ageing: in 2011, people aged 85 and over represented 59.2% of the older care home population compared to 56.5% in 2001.
- 4.2 Research suggests that the median period from admission to a care home to death is 462 days, (15 months). Around 27% of people lived in care homes for more than three years. Projected recourse to a residential care home setting for England, suggests that there could be almost a 60% increase on current levels by 2030.



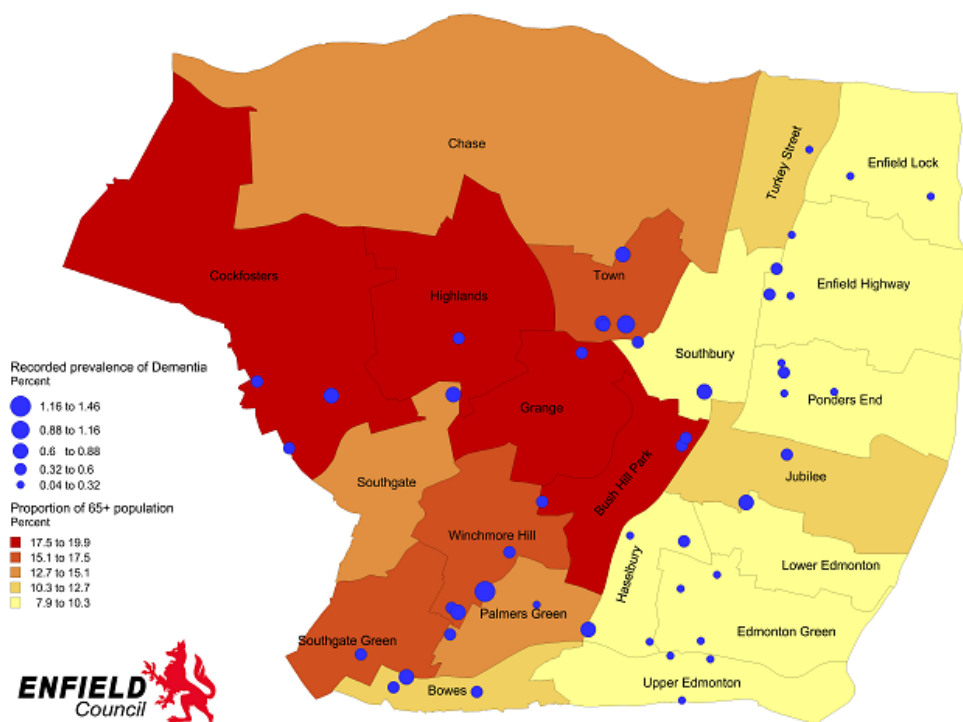
- 4.3 Alternatives to residential care are emerging all the time, in the form of care villages, assisted living, (or 'extracare') schemes and supported housing. Research in to population trends within these is somewhat limited. It is believed that there are circa 110 care villages in the UK, and overall there are fewer than 20,000 retirement village properties in the UK, the majority of which are located in the more affluent areas of the south of England.

5. STRATEGIC LOCAL NEED

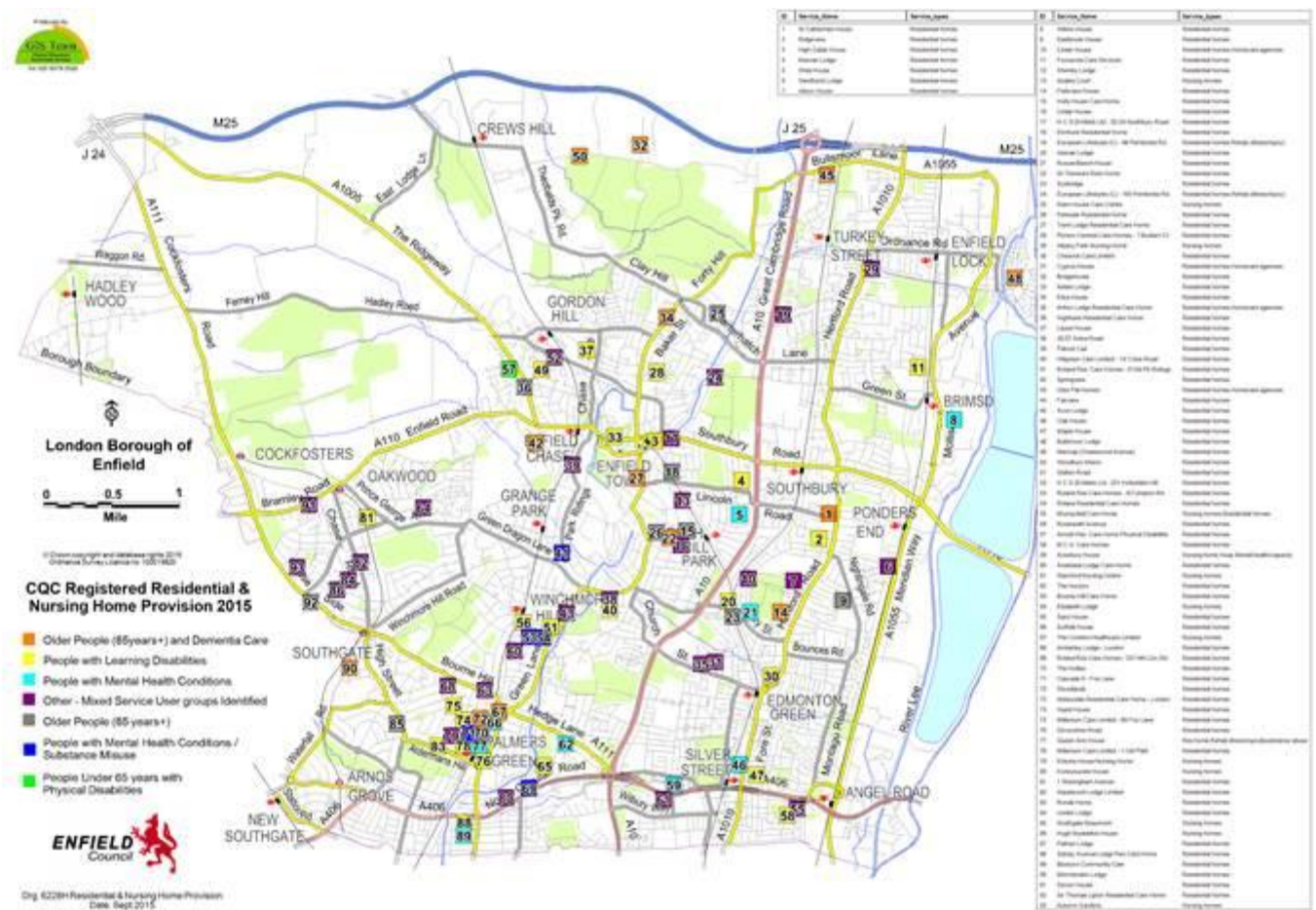
- 5.1 Enfield's nursing and residential dementia care homes market is highly competitive with private funders, neighbouring authorities and health services all seeking placements at increasing rates, reducing Enfield Council's ability to access supply. There are currently 99 residential

and nursing care homes located in the borough that are registered with the Care Quality Commission, providing a total of 2,016 bed capacity. In respect of service type, 745 beds are registered as providing nursing care.

- 5.2 The number of people in the borough over 65 years of age is forecast to increase by 23% in the next 10 years – from 42,400 in 2015 to 52,500 in 2025. This increase is slightly above the overall percentage increase of England (21%) and poses a significant local challenge in terms of developing services to meet future demand. In 2015 it was projected that over 1300 older people living in a residential care home (with or without nursing care) and this number is projected to rise to 1780 in 2025. In 2015/16 a total of 624 older people aged 65+ known to adult social care services as placed were in residential care (155 self-funded and 469 council funded) and 282 were placed in nursing care provision (64 self-funded and 218 council funded).
- 5.3 The number of people with dementia in Enfield continues to increase. There are currently over 3,100 and with improving rates of early identification and diagnosis, this is likely to increase further. The demand for high quality and value for money residential and nursing care provision for people with dementia for both the Local Authority and Enfield CCG continues to exceed the available supply which has placed significant upward pressure on price with associated pressures on both Council and CCG budgets. New placements in 2015/16 for nursing and dementia care saw price increases of 13% and 17% respectively.
- 5.4 The dementia graph outlined below provides a current understanding of the demographic distribution of dementia in the borough.



5.5 The map below shows a current understanding of residential and nursing care provision in the borough.



5.6 There is an ever increasing significant shortage of affordable nursing elderly dementia care beds in Enfield. It is important to note that vacant bed spaces fell to single figures on numerous occasions and dropping to one vacant bed during the winter periods of 2014 and 2015. This combined with competition from other parties, who often pay higher prices, makes supply even more scarce and difficult to secure. The ongoing shortage of nursing care beds in the Borough has placed upward pressure on care purchasing budgets, has also contributed towards delays in the timely and appropriate discharge from acute hospital beds. Securing additional high quality nursing supply for Enfield residents is, therefore, a priority.

6. ALTERNATIVE OPTIONS CONSIDERED

6.1 Do Nothing

6.1.1 As there is a significant shortage of affordable nursing care beds in Enfield, if the Council was to adopt this approach there would be

significant increased revenue pressure upon the Council and additional pressures placed on the market.

6.2 Purchase care home beds out of borough

6.2.1 The opportunity for the Council to purchase nursing dementia residential care from neighbouring areas does not afford the Council a cost effective solution as prices are at a higher rate than Enfield's mean market average.

6.2.2 In addition the Council Adult Social Care function is governed by the 'Directive on Choice' statutory guidance which requires the Council to afford individual services users choice of accommodation. The Care Act (2014) places a duty on Local Authority commissioners to facilitate development of a diverse and sustainable provider market in their local area; able to support the whole community. Purchasing services out of the Borough at the expense of developing a much needed local resource for Enfield residents with complex care needs and in need of local authority support would undermine this statutory duty.

6.3 Utilise alternative procurement method for construction contract

6.3.1 Due to the requirement to deliver the new care home as soon as possible to ensure capacity in the nursing care market, the timescales associated with a two stage tender process were unfavourable. In addition, two stage tenders are associated with increased costs as the contractor is appointed at an earlier stage and therefore the main lever of competitive peer-to-peer competition is lost. See part 2 report for further details.

7. REASONS FOR RECOMMENDATIONS

7.1 The site currently occupies a care home, Coppice Wood Lodge, which will be closing at the end of 2016. The site is of adequate size and is an strategic location in terms of need and geography - as it is not only on the opposite side of the borough to the new home currently being built on the former Elizabeth House site, but it is also in a quadrant of the borough which has a higher prevalence of dementia. Furthermore, the site is very accessible by car and also public transport.

7.2 Due to the requirement to build a new care home to increase nursing care capacity as soon as possible, it is important to source a location and approve funding for the new build care home in a timely manner to ensure that design and procurement can be undertaken; one of the key factors in deciding upon CWL as the best option.

7.3 The securing of extra beds in the Borough is a high priority and a duty falls on of the Council to ensure that there is a sufficient and affordable

supply of care services locally for users and carers under the Care Act 2014.

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

8.1 Financial Implications

8.1.1 Please refer to Part Two report for financial implications noting this is an addition to the existing capital programme.

8.2 Legal Implications

8.2.1 Under s.111 of the Local Government Act 1972 the Council has power to do anything which is conducive to its functions as a local authority. The provision of a care home is within that power. Additional powers are given for this by s.1 of the Localism Act 2011.

8.2.2 Although planning consent will be required for any redevelopment it should be noted that the use of the proposed site as a care home is in line with the existing authorised use of the site.

8.2.3 Where the Council procures works, supplies or services in connection with the proposals contained in this report it must comply with UK/EU procurement legislation where applicable, and the Council's Contract Procedure Rules. In addition, all legal agreements consequent upon the procurement exercise must be in a form approved by the Assistant Director of Legal Services.

8.3 Property Implications

8.3.1 Following the Referendum, held on 23 June 2016, concerning the U.K's membership of the EU, a decision was taken to exit. The property market has been in a period of uncertainty since Quarter 1 2016 which continues post the Referendum Vote, with many factors affecting the property market as a whole.

8.3.2 In "thin" transactional markets, by their nature, there is less certainty to be attached to valuation. With fewer transactions, there is less market evidence to provide definitive price guidance at any time, and this coupled to volatility in financial markets, creates additional risk. Strategic Property Services would, therefore, recommend that the assessment in this report is reviewed regularly particularly while this uncertainty remains.

- 8.3.3 Legal due diligence has confirmed there are no restrictions, wayleaves or rights of way across the Coppice Wood Lodge Site.
- 8.3.4 All Repairs and Maintenance scheduled on this property should be brought down to a minimal level where only urgent items in need of repair and health and safety issues are prioritised in the lead up to decant.
- 8.3.5 Adequate interim security measures need to be put in place as soon as the Property is vacant until contractors start on site to prepare for demolition.
- 8.3.6 The Council must ensure that any future lease/service contract for any new operator to operate the Care Home must have a full repairing clause within the terms so as to ensure the fabric of the new care home is maintained after warranties expire.
- 8.3.7 To meet statutory requirements it is vital to ensure that the Council's financial accounts do not include buildings (or parts of buildings) that have been demolished. To ensure we have high quality records and meet our statutory obligations HHASC Project Manager's will complete a demolition notification form and return to Property Services. This will enable Strategic Property Services to advise Insurance, Finance (Asset Register) energy management teams and various other departments within the Council of the changes.
- 8.3.8 Strategic Property Services are to be sent the new data being generated for the new care home. These will include floor plans with room data for the purposes of the Asset Management System, Atrium.
- 8.3.9 Planning permission when gained for the new build, Building Regulations will be adhered to as part of the infrastructure enabling and construction works. The oversight of this will fall under the Council's Contract Administrators (CA's).
- 8.3.10 Once the development is completed, Building Control will need to sign off on the completed development. All warranties and guarantees will be available in the event that building failure occurs. These guarantees will be assigned after practical completion occurs and held on behalf of the Council by Legal Services.
- 8.3.11 There should be a requirement upon the contractor at certain set dates for snagging inspections. These inspections will be organised by the Council's CA's.

9. KEY RISKS

- 9.1 There is a risk that if the Elizabeth House build programme or transition of service users is delayed this could result in a delay to this project. However, this will be mitigated through monitoring of key milestones of both projects to ensure that the impact is mitigated or minimised where possible.
- 9.2 Planning is a risk that should be highlighted at the start of the process as this is not a guaranteed outcome – the site is on the edge of a conservation area. This will be mitigated by early consultation with planners plus a pre planning application.
- 9.3 Brexit - Regarding the decision to leave the European Union; this has created a high level of uncertainty regarding investment decisions, sale evidence. All appraisals as to value and viability/cost should be re-evaluated every 6 months.

10. IMPACT ON COUNCIL PRIORITIES

10.1 Fairness for All

Approval of these recommendations ensures continued provision of high quality, affordable and accessible care services to all sections of Enfield's community.

10.2 Growth and Sustainability

Approval of these recommendations gives Enfield's citizens continued access to much needed provision for some of the Borough's most vulnerable people. The project will seek added community value within the build/ service provision through initiatives such as apprenticeships and training opportunities. These recommendations create business and partnership opportunities for developing innovative care services in the Borough: supporting the Council's statutory obligation to shape a vibrant and sustainable local care market.

10.3 Strong Communities

The new service will contribute to the community by providing a quality service to vulnerable older people in the Borough, and support maintenance of family relationships, may provide employment opportunity to borough residents and potentially be of benefit to other local businesses.

11. EQUALITIES IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is not required at this stage to approve the report and the

recommendations set out for delegation. However it is recommended that a Predictive Equalities Impact Assessment be undertaken at the various stages as appropriate to ensure that the works and the service benefit the community and that it is fully accessible particularly by those in the protected characteristic groups. Equalities advice will be given as required to support this.

12. PERFORMANCE MANAGEMENT IMPLICATIONS

A new nursing residential dementia care unit will contain adequate contract provision to ensure that the required performance management measures are met to deliver quality provision and service user satisfaction to optimum effect. The additional capacity in the new care home will contribute to national performance indicators, including minimising delayed transfers of care (DToc).

13. PUBLIC HEALTH IMPLICATIONS

Provision of nursing care homes is a core part of maintaining the health and well-being of Enfield residents with dementia and complex needs.

Background Papers

None

MUNICIPAL YEAR 2016/2017 REPORT NO. 29**MEETING TITLE AND DATE:**

Cabinet: 7th July 2016
Council – 21 September 2016

REPORT OF:

Director of Finance, Resources
& Customer Services

Contact officer and telephone no:

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Agenda – Part: 1	Item: 13
Subject: ANNUAL TREASURY MANAGEMENT OUTTURN REPORT 2015/16	
Wards: All	
Cabinet Member consulted: Cllr Lemonides	

1. EXECUTIVE SUMMARY

1.1 This report reviews the activities of the Council's Treasury Management function over the financial year ended 31 March 2016.

1.2 The key points of the report are highlighted below:

- All of the principal on the Heritable Bank (£5m) has been recovered together with £99k of interest on deposit (see section 5)
- Debt outstanding increased to £438m - an increase of £125m from 2014/15. Much of this was borrowed to fund major regeneration at Meridian Water (£61.4m) and property acquisitions by Housing Gateway Ltd and Enfield Innovations Ltd (£34.7m) (see para 6.2). These are projects which generate long term financial benefits for the authority and help to alleviate homelessness pressures in the borough
- Net borrowing increased by £155.5m in 2015/16 to £410m which reflects a reduction in deposits (as detailed in para 11.8)
- Average interest on total debt outstanding is 4.21% - a reduction of 0.15% from 2014/15
- Interest earned on deposits in 2015/16 was £454k - a decrease of £151k from 2014/15 (see para 11.5)

2. RECOMMENDATIONS

2.1 Council is recommended to accept the Treasury Outturn report.

3. BACKGROUND

- 3.1 This report presents the Council's Annual Treasury Outturn Report for 2015/16 in accordance with the Council's treasury management practices. It is a regulatory requirement for this outturn report to be presented to Council by 30th September each year.
- 3.2 The statement requires the Director of Finance, Resources & Customer Services to report on the preceding year's treasury management activities. In accordance with best practice, the Director's report includes information about borrowing levels and costs, as well as the impact of the cash flow management arrangements on the Council's financial position.

The Council has fully adopted the recommendations in CIPFA's Code of Practice on Treasury Management in the Public Services. Specifically this includes:

Creation of a Treasury Management Policy Statement.

Development and maintenance of Treasury Management Practices setting out how the treasury objectives will be met.

Production of reports to Council including annual strategy in advance of the start of the year, a mid-year review and an annual review following the year-end.

Delegation to the Director of Finance, Resources & Customer Services for the responsibility of implementing and monitoring the policies and practices, as well as the execution and administration of the treasury management decisions.

4. NATIONAL CONTEXT

- 4.1 Market expectations for the first increase in Bank Rate moved considerably during 2015/16, starting at quarter 3 2015 but soon moving back to quarter 1 2016. However, by the end of the year, market expectations had moved back radically to quarter 2 2018 due to many fears including concerns that China's economic growth could be heading towards a hard landing; the potential destabilisation of some emerging market countries particularly exposed to the Chinese economic slowdown; and the continuation of the collapse in oil prices during 2015 together with continuing Eurozone growth uncertainties pending the outcome of the referendum. Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for seven years.

5. THE HERITABLE BANK

- 5.1 Heritable Bank (a UK financial institution) went into administration on 7th October 2008 as a direct result of its Icelandic parent Landsbanki failing. The Authority held a £5 million deposit. This deposit was made on 9th January 2008 for 364 days.

- 5.2 The Council has been vigorously chasing recovery of our funds and lodged claims with the Heritable Bank administrator. Since this time the Authority has received regular distributions as set out below.

Table 1: Dividends received on Heritable Bank	Pence in the pound	£000s
Total received as at 31 st March 2016	98.2p	5,099
Outstanding interest balance on deposit	1.8p	93
Final sum including principal & full interest (sec 5.3)	100.00	5,192

- 5.3 The Authority has now recovered all of the principal (£5 million) from the Heritable Bank Administrator and £99k of interest. The administrator is still holding a balance so we would expect to receive further distributions. The Authority has also made a claim on the parent bank for the recovery of the outstanding sum (£93k). It is still anticipated that the Council will receive 100% of its claim on Heritable Bank (£5.192m).

6 BORROWING IN 2015/16

- 6.1 The Council's Treasury Management strategy continues to follow the same direction as it set since the financial collapse in October 2008, whereby capital expenditure is funded wherever possible by using the Council's internal cash reserves. This has a beneficial impact on the interest charges because of the large differential between long-term fixed borrowing and the interest rate on short term deposits, which has meant the 'cost of carry' would have been approximately 4%.
- 6.2 The Council increased its overall borrowing by £125 million as detailed in Table 2. This includes £30.0m on loans raised to fund Housing Gateway Ltd (HGL) property acquisitions in order to alleviate the homelessness pressures within the borough. HGL will be repaying the loan and interest payments in semi-annual instalments over 35 years. A further £4.7m borrowing relates to funding for Enfield Innovations Ltd for developing small sites in the borough for the provision of affordable housing. Loans totalling £61.4m were required to fund land acquisitions at Meridian Water; these loans will be repaid in instalments when the land is transferred in line with the development agreement which is being finalised with the chosen Meridian Water Development Partner.
- 6.3 £86m of new borrowing in 2015/16 was short term loans with an average interest rate of 0.52%. The decision to borrow short term follows the advice of our treasury advisors as short term rates continue to be very favourable and have suited the profile of our capital expenditure. This remains well within our prudential indicators as demonstrated in section 11. Markets are closely monitored in liaison with our advisors to assess at what point a move to longer term borrowing would be preferable, if interest rates are expected to rise significantly and in line with the requirements of the capital programme. Longer term loans were taken out where rates were attractive, helping to spread the profile of the council's borrowing (see Table 4).

- 6.4 During the year the Authority also borrowed £6m from the EIB and £6m from LEEF to finance the Lee Valley Heat Network project. A further £4m borrowed from EIB was used to help finance the school expansion programme.

Table 2: Movement in year	Debt 1 April 2015	Debt Repaid	New Debt Raised	Debt 31 March 2016
	£000	£000	£000	£000
Temporary Borrowing (less than 12 mth).	40,500	(40,500)	86,000	86,000
	40,500	(40,500)	86,000	86,000
Public Work Loan Board loans (PWLB)	230,031	(2,553)	60,000	287,478
Commercial Loan	30,000	-	-	30,000
Local Authority borrowing	10,000	-	8,000	18,000
European Investment Bank	-	(149)	10,000	9,851
LEEF	-	(150)	6,000	5,850
Salix loan – renewal energy	2,501	(1,039)	-	1,462
	272,532	(3,891)	84,000	352,641
Total Debt Outstanding	313,032	(44,391)	170,000	438,641

7. INTEREST ON TOTAL DEBT OUTSTANDING

- 7.1 The average rate paid on total external debt in 2015/16 was 4.21% (4.36% in 2014/15).
- 7.2 Table 3 shows the interest paid (i.e. the cost of borrowing) by the Council during the year:

Table 3: Cost of Borrowing	2015/16	2014/15
	£000	£000
Public Work Loan Board loans (PWLB)	11,604	11,099
Commercial Loan	2,143	2,143
Local Authority loans	282	34
EIB	170	-
LEEF	77	-
Salix Loan	-	-
Total Interest on Debt	14,276	13,276
Short Term Loans	185	201
Total interest paid :Total Cost of Debt	14,461	13,477
Cost Attributed to:		
Housing Revenue Account	8,174	7,327
Capitalised interest on Meridian Water	1,027	-
Interested charges to HGL & EIL	633	52
Cost Attributed to General Fund	4,627	6,098
Total Cost of Debt	14,461	13,477

8. DEBT MATURITY STRUCTURE

8.1 The Council has 66 loans spread over 50 years with the average maturity being 20 years. This maturity profile allows the Council to spread the risk of high interest rates when debt matures in any one year.

8.2 Table 4 shows the maturity structure of Enfield's long-term debt:

Table 4: Profile of Maturing Debt	Debt Outstanding as at 31 March 2016	Debt Outstanding as at 31 March 2015
Years	£m	£m
Under 1 year	90.8	43.6
1- 5	64.5	47.6
5-10	14.2	8.7
10-15	7.0	0.0
15-25	39.0	20.1
25-30	10.0	10.0
30-40	133.3	123.2
40+	79.8	59.8
	438.6	313.0

9. DEBT RESTRUCTURING

9.1 Debt restructuring normally involves prematurely replacing existing debt (at a premium or discount) with new loans in order to secure net savings in interest payable or a smoother maturity profile. Restructuring can involve the conversion of fixed rate interest loans to variable rate loans and vice versa.

9.2 No debt restructuring was undertaken during the year. The Council will continue to actively seek opportunities to re-structure debt over 2016/17.

10. TREASURY MANAGEMENT PRUDENTIAL INDICATORS: 2015/16

10.1 Throughout 2015/16 total loan debt was kept within the limits approved by the Council at its meeting in February 2015 against an Authorised Limit of £550 million and an Operating Limit of £500 million. The Authorised Limit (as defined by the Prudential Code) was set at £550 million as a precaution against the failure, for whatever reason, to receive a source of income or to incur major unexpected expenditure. In the unlikely event of this happening, the Council would need to borrow on a temporary basis to cover the shortfall in cash receipts. In practice, it is the Operating Limit by which the Council monitors its borrowing; any significant breach must be reported to Council.

10.2 The Council held no variable interest rate debt during 2015/16. The Council's Prudential Code however does allow for up to 25% of the debt to be held in variable interest rate debt.

10.3 The Prudential Code allows up to 25% of its debt to mature in one year (£109.7million). This limit was not breached; the actual position as at 31 March 2016 was £90.8m (20.7%).

11. DEPOSITS

- 11.1 The Council manages its deposits arising from cash flow activities in-house and deposits within the institutions listed in the Authority's approved lending list. It can deposit for a range of periods approved in the Annual Treasury Strategy Report. The Council acts as the treasury manager for many of Enfield's schools within the HSBC banking scheme. The Council produces a three year cash flow model (based on daily transactions) which projects the cash flow movements of the Council linked into the Council's medium term financial plan. This allows the Treasury Management team to make more informed decisions on borrowing and lending.
- 11.2 All deposits entered into by the Authority during 2015/16 were fully compliant with the Annual Investment Strategy. The strategy makes clear that the priority is given to security of principal then liquidity over yield. To this extent all deposits have only been made with counterparties of high credit quality. Appendix 1 sets out the deposits with £28.49m held as at 31 March 2016 (£58.4m 2014/15).
- 11.3 Total cash balances during 2015/16 varied considerably, predominantly as a result of the significant peaks and troughs arising from payment profiles of business rates collection, DWP payments and housing benefit payments.
- 11.4 Liquidity was managed through call accounts and money market funds. The authority used termed deposits for non-core cash. Through careful cash management control (i.e. the ability to accurately predict the daily out/inflows of cash) the Treasury Management team have limited the Council's overdraft costs in the year to £31.
- 11.5 In 2015/16 the Council received £0.454 million in interest on money lent out to the money markets; a decrease of £151k from 2014/15. This was as a result of lower cash balances and holding in more liquid accounts. The average cash balance held by the Council during the year was £62million compared to £102million in 2014/15, when the longer duration of deposits has allowed the Authority to gain higher interest rates on balances. This is set out in table 5 below:

Table 5: Interest Receipts	2015/16	2014/15
	£000	£000
Total Interest Receipts	454	605
HRA balances	(250)	-
Section 106 Applications	(30)	(22)
Other Funds	(2)	(5)
Total Interest to General Fund	172	578

11.6 Table 6 shows the maturity structure of Enfield's deposits. The Authority continues to adopt a very prudent approach and the 2015/16 strategy allowed deposits up to 12 months with financial institutions that met our credit rating requirements.

Table 6: Duration of Deposits	Deposits as at 31 March 2016	No of Deals	Deposits as at 31 March 2015	No of Deals
Months	£000's		£000's	
On demand	18,990	2	33,370	4
Within 1 Month	2,000	1	25,000	4
Within 3 Months	7,500	1	-	-
Within 6 Months		-	-	-
Within 9 Months		-	-	-
Within 12 Months		-	-	-
Deposits held at 31st March	28,490	4	58,370	8

11.7 The Treasury Management team achieved an average interest rate of 0.5% (0.6% 14/15), out-performing the benchmark (Inter-Bank 7-day lending rate of 0.35%). This was achieved by adopting an active treasury policy. The average interest rate fell due to banks reducing interest rates on our call accounts.

Net Borrowing

11.8 The Council's net borrowing increased in 2015/16 as Table 7 demonstrates. This recognises that future capital expenditure will need to be financed from external borrowing and will create pressure on the revenue budget. This impact has been recognised in the Council's Medium Term Financial Plan.

Table 7: Trend in Net Borrowing	2011/12	2012/13	2013/14	2014/15	2015/16
	£000	£000	£000	£000	£000
Total Borrowing	264,136	294,204	298,624	313,032	438,641
Total Deposits	(43,600)	(40,200)	(63,350)	(58,370)	(28,490)
Net Borrowing	220,536	254,004	235,274	254,662	410,151
Annual change in net debt	32,189	33,468	(18,730)	19,388	155,489

11.9 The Capital Financing Requirement reflects the Council's underlying need to borrow to fund its capital programme (Table 8). The CFR has increased from £453.2 to £577.7m in 2015/16, reflecting a high level of capital expenditure funded from borrowing. However temporary use of internal funds (reserves) means that we have not needed to borrow up to the level of the CFR.

Table 8: Capital Financing Requirement (CFR)	31 March 2016	31 March 2015
	£m's	£m's
General Fund	420.0	295.5
Housing Revenue Account	157.7	157.7
Total	577.7¹	453.2

12. ALTERNATIVE OPTIONS CONSIDERED

12.1 None. This report is required in order to comply with the Council's Treasury Management Policy statement, agreed by Council in February 2014.

13. REASONS FOR RECOMMENDATIONS

13.1 To inform the Council of Treasury Management performance in the financial year 2015/16.

14. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES & CUSTOMER SERVICES

14.1 Financial Implications

Financial implications are set out in the body of the report.

14.2 Legal Implications

The Council has a statutory duty to ensure the proper administration of its financial affairs and a fiduciary duty to tax payers to use and account for public monies in accordance with proper practices.

The Statement has been prepared in accordance with the CIPFA Code of Practice.

14.3 Key Risks

Extending the maximum period of deposits will increase the level of risk of default. This fact must be considered against the backdrop that deposits will still be restricted to countries outside the UK with a sovereign rating of AAA and that deposits will be made only with financial institutions with a high credit rating.

15. IMPACT ON COUNCIL PRIORITIES

15.1 Fairness for All

Effective financial management provides the basis for the Council to achieve its priorities and objectives. This report explains a key part of effective financial management and the progress that has been made during the year.

¹ A further technical accounting adjustment may be required as part of the completion of the accounts which will need to be agreed with External Auditors. This is in respect of the Ladderswood financial accounting model and may increase the CFR by approximately £3.1m in respect of an existing long term lease credit arrangement. This will not involve additional borrowing or revenue expenditure.

15.2 Growth and Sustainability

Effective financial management provides the basis for the Council to achieve its priorities and objectives. This report explains a key part of effective financial management and the progress that has been made during the year.

15.3 Strong Communities

Effective financial management provides the basis for the Council to achieve its priorities and objectives. This report explains a key part of effective financial management and the progress that has been made during the year.

16. PERFORMANCE MANAGEMENT IMPLICATIONS

16.1 The report provides clear evidence of sound financial management, efficient use of resources, promotion of income generation and adherence to Best Value and good performance management.

17 PUBLIC HEALTH IMPLICATIONS

17.1 There are no public health implications directly related to this report.

18 EQUALITIES IMPACT IMPLICATIONS

18.1 The Council is committed to Fairness for All to apply throughout all work and decisions made. The Council serves the whole borough fairly, tackling inequality through the provision of excellent services for all, targeted to meet the needs of each area. The Council will listen to and understand the needs of all its communities.

18.2 Financial reporting and planning is important in ensuring resources are used to deliver equitable services to all members of the community.

Background Papers:

None

APPENDIX 1: DEPOSITS OUTSTANDING AT 31ST MARCH 2016

Call Accounts	Amount lent (£000)	Interest rate	Maturity Date
HSBC	11,990	0.40%	On demand
Handlesbanken	7,000	0.50%	On demand
Deposits			
Lloyds bank	7,500	1.00%	5 May 2016
Santander 31 Days' Notice Account	2,000	0.65%	31 Days
Total	28,490		

MUNICIPAL YEAR 2016/2017 - REPORT NO. **81**

MEETING TITLE AND DATE
Council 21 September 2016

Agenda - Part: 1	Item: 14
Subject: Trent Park Working Group Report back to Council	
Wards: Cockfosters	
Key Decision No: Not required	
Cabinet Members consulted: Councillors Alan Sitkin, Daniel Anderson and Bambos Charalambous (Associate Cabinet Member) Other Members: Councillors Terry Neville, Joanne Laban, Anne Marie Pearce and Jason Charalambous.	

REPORT OF:

Director of Finance, Resources and Customer Services
Contact officer: Penelope Williams
Tel: 020 8379 4098
E mail: penelopewilliams1958@gmail.com

1. EXECUTIVE SUMMARY

The report attached as Appendix A summarises and reports back to Council on the work of the Trent Park Working Group. The working group was a cross party group made up of three members from each political party. It was set up by Council to monitor the situation with regard to the former Middlesex University buildings and land at Trent Park.

2. RECOMMENDATIONS

2.1 To note the contents of the report as set out in Appendix A.

3. BACKGROUND

3.1 At the Council meeting held on March 2015 members received a petition from local residents concerned about the fate of the former Middlesex University Buildings in Trent Park. They were keen to make sure that the historic mansion house was preserved and that the grounds could be accessible to the general public.

- 3.2 In response the Council decided to set up a working group to monitor the situation. The working group was a cross party group made up of three members from each of the political parties and chaired by Councillor Bambos Charalambous (Associate Cabinet Member).
- 3.3 At the time the site was in the hands of receivers, JLL (Jones Lang LaSalle Incorporated). They then sold the property to a housing developer, Berkeley Homes.
- 3.4 Over the past year the working group has met with senior representatives from Berkeley Homes and monitored the development of the proposals for the house and grounds. These include restoring the mansion and other historic buildings, recreating the landscape gardens, removing the former 60's and 70's university buildings as well as building new homes for sale in keeping with the parkland setting.
- 3.5 Plans are also being put together to open up some of the stately rooms within the mansion for a museum and community space.
- 3.6 Berkeley Homes are now ready to submit a planning application for their proposals.
- 3.7 Throughout the proceedings the working group members were aware that they were not part of the formal planning process.
- 3.8 At the end of the process the Chair commented that he had been impressed by the level and quality of the public consultation carried out.
- 3.9 Council is asked to note the work carried out as set out in further detail in the attached report. Appendix A.

4. ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

5. REASONS FOR RECOMMENDATIONS

To report back to Council on the issues considered by the Working Group.

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

6.1 Financial Implications

There are no financial implications to note at this stage of the report.

6.2 Legal Implications

Any proposed development of the site will require planning permission pursuant to section 57 of the Town and Country Planning Act 1990 and perhaps in addition, due to the fact that the house and numerous other structures are grade II listed, listed building consent pursuant to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 may also be required.

Statutory consultation for any such proposals will be carried out by the Local Planning Authority pursuant to the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7. KEY RISKS

The working group was set up to enable the Council to monitor the fate of the former Middlesex University buildings and grounds, to ensure that they were not neglected and that a viable solution could be found so that they could be preserved for the benefit of the local community and future residents of the borough.

There was a risk if a developer had not been found who was prepared to take on the restoration that the buildings could have been neglected and fallen into disrepair. Another risk was the development proposed would have taken no account of the historic aspects or denied the public access to the site.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All, Growth and Sustainability and Strong Communities

The Council were concerned to find a solution which would ensure the sustainability of the grounds and buildings, whilst allowing access to the wider public enabling everyone to use and enjoy this area adjacent to the country park.

The development, if planning permission is granted, will restore the mansion and grounds, provide 263 new homes, as well as new footpaths and cycle routes and other public facilities linking into the main country park.

9. EQUALITIES IMPACT IMPLICATIONS

An Equalities Impact Assessment was not required.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Not applicable.

11. PUBLIC HEALTH IMPLICATIONS

Not applicable

Background Papers

None

London Borough of Enfield

Trent Park Working Group Report to Council



1. INTRODUCTION

Following the taking into receivership of the site of the former Middlesex University Trent Park Mansion and grounds, the Council agreed to set up a working group to consider how best to secure long term public use, and maintenance of, the listed mansion and grounds.

The issue was discussed at the Council meeting held on 25 March 2015 following the receipt of a 3,700 signature petition asking for the site to be granted the status of an asset of community value, and a motion requesting the same, as well as an amendment to the planning rules to grant permanent public access across the grounds, active encouragement of a long term public use for the listed mansion and grounds and a re-evaluation of the management and strategic vision of the Trent Country Park as a whole.

The working group was entirely separate from the process and determination of any planning applications for the site.

2. MEMBERSHIP

Councillors

Councillors: Bambos Charalambous (Chair), Daniel Anderson, Jason Charalambous, Joanne Laban (until May 2016), Terry Neville, Anne Marie Pearce (from May 2016) and Alan Sitkin,

Officers

The following officers provided support to the working group: John Austin (Assistant Director Governance Projects until June 2016), Joanne Woodward, (Team Leader – Planning Policy - until December 2015), Andy Higham (Head of Development Management), Doug Ashworth (Development Manager (Property – Asset Management), Ian Davis (Director of Regeneration & Environment) Keith Crocombe (Assistant Director Strategic Property Services) and Penelope Williams (Committee Administrator).

3. TERMS OF REFERENCE

Council set up the working group agreeing the following:

“To establish a working group with equal representation from both political parties to consider how best to secure the long term public use and maintenance of the listed mansions and grounds”.

4. MEETINGS AND VISITS

The Working Group held eight meetings on the following dates: 27 May 2015, 22 July 2015, 13 October 2015, 15 December 2015, 22 February 2016, 10 May 2016, 7 July 2016, 23 August 2016, visited the mansion house site with the receivers, JLL, and

also met the receivers in their London offices.

5. THE WORK PROGRAMME

The overall work of the group was to monitor development options for the site, monitor the nature and progression of the development proposals once Berkeley Homes had been appointed and ensure effective consultation with local residents and groups.

The main items considered are listed below:

Before the site was sold, the working group and officers worked closely with the receivers JLL to ensure that a suitable purchaser could be found.

A joint planning brief was agreed between the Council and the receivers; this was used by the receivers JLL when considering expressions of interest in the site.

There had been 5 interested parties, all of whom appeared sensitive to the views being expressed by the Council and the community including retention of public access and protecting the heritage of the site.

The working group also received regular updates on the progress of the work to repair damage to the terrace and other urgent works to maintain the historic fabric of the building.

Berkeley Homes were the successful bidders. They had purchased the house and grounds in order to create a housing led development but also acknowledging the desire to open up the site to the public.

Senior representatives from the company attended their first meeting in October 2015. At this and each subsequent meeting they reported on progress in respect of the following:

- a) The masterplan to identify developable areas taking account of key constraints and the need to enhance the setting of the mansion house ensuring that new development did not interrupt key views and park areas.
- b) The retention of heritage aspects and proposals for the future use of the mansion house including options for public access, the walled garden, stables buildings, the dower house/Vice Chancellors house, the wisteria walk, the lime tree avenue, the orangery and the outdoor swimming pool.
- c) The overall landscape Strategy with plans for improving the views through to the country park, opening up features such as the lake in front of the terrace, removing some and planting more trees.
- d) Proposals for Public Access to maximise access to the grounds and the area of the development involving a new network of footpaths and cycle routes through the area linking in to the rest of the Country Park as well as providing access to historic parts of the mansion house; namely, the ground floor and basement,

particularly the rooms containing Rex Whistler murals and those used in the intelligence operation conducted from the house in World War Two.

- e) The approach to parking and traffic generation particularly around the Snakes Lane junction with Bramley Road , a shuttle bus connection to Oakwood Underground Station, and the level and location of parking to safeguard the open setting of the site.
- f) The approach to consultation and engagement with local residents, local groups and other stakeholders. This has included establishing a Community Council, creating a website, producing on line newsletters and holding public consultation events in several different venues giving local residents the opportunity to put forward their views on the proposals for the site. Berkeley Homes have also worked closely with local organisations as well as attending meetings of the Conservation Advisory Group and the Green Belt Forum. In addition, there has been extensive dialogue with Historic England.

Representatives from the following specialists involved in the project also attended some meetings, Natasha Brown (Giles Quarm Architects), John Murdoch (Murdock Wickham Landscape Architects), Robbie Kerr (Adam Architecture), Ian Rhind (Nathaniel Lichfield and Partners, Planning Consultants), Jamie Connors (WSP Transport Consultant).

Working Group members questioned the representatives from Berkeley Homes, guiding the debate and feeding in to the development of the proposals, representing their residents in providing a Council view on the proposals.

6. FUTURE PLANS

The proposals were now complete and Berkeley Homes are due to submit their planning application to the Council in mid September. If Planning Permission is approved, work on site will start next year.

7. RECOMMENDATION

Council is asked to note the work carried out by the Working Group.

8. CONCLUSION

As Chair, I would like to take this opportunity to thank Piers Glandford, Lucy Bird, Glen Jones and Patrick Joyce from Berkeley Homes, for the time they have taken to provide information to the working group as well as my fellow working group members for their contributions.

On behalf of the Trent Park Working Group, I would also like to thank the officers of the Council who have supported the work of this Group.

Councillor Bambos Charalambous (Chair)

**Audit & Risk
Management
Committee Annual
Report
2015/16**

CHAIR'S INTRODUCTION

I am very pleased to present this Audit Committee Annual Report for 2015/16 to both the Committee and to full Council.

The report shows that the Audit Committee has undertaken its role effectively covering a wide range of topics and ensuring that appropriate governance and control arrangements are in place to protect the interests of the Council and the community in general.

I would like to thank all the members who served on the Committee during 2015/16. My thanks also go to Grant Thornton (external auditors), BDO (external auditors) and to Council officers who have supported the work of the Committee and more specifically me in my role as Chair.

Councillor Dino Lemonides
Chair

1. TERMS OF REFERENCE AND MEMBERSHIP

The Terms of Reference of the Audit & Risk Management Committee are set out in the Council's Constitution (see Chapter 2.7 – paragraph 5). Our 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 Terms of Reference have been assessed against CIPFA guidance.

We met 6 times during 2015/16, in addition to holding briefing sessions, as the need was identified. (See section 21).

During 2015/16 our membership was:

Councillor Dino Lemonides Chair

Councillor Mary Maguire Vice Chair

Councillors Guney Dogan, Robert Hayward, Jansev Jemal, Terence Neville OBE JP and Doris Jiagge.

2. THE COMMITTEE'S WORK PROGRAMME

We agree a comprehensive work programme each year covering all aspects of our terms of reference. Members have a direct input into the content of this programme which is reviewed and monitored at each meeting. Items can be added if the Committee feels it appropriate.

The work undertaken during 2015/16 continued to support the following key areas:

- The Internal Audit Plan and the adequacy of the control environment of the Council – a primary role of Internal Audit.
- The relationship with the external auditors of the Council, working together to maximise the contribution to the assurance process.
- The Annual Governance Statement and working across the Council to assess overall governance arrangements.
- Risk Registers, the management of risk relating to the corporate and departmental risk registers, specific risk monitoring and promotion of risk awareness.

Specific areas that the Committee focussed on over the year are set out in Appendix A which lists the work undertaken by the Committee during 2015/16.

3. THE 2014/15 INTERNAL AUDIT ANNUAL REPORT

In July 2015 we considered the 2014/15 Internal Audit Annual Report. This summarised the work of the Internal Audit section for the year 2014/15 and included the Head of Internal Audit and Risk Management's annual opinion on the system of internal control.

We received a positive assurance that, in general:

- The opinion of the Head of Internal Audit and Risk Management was that the arrangements for risk management, internal control and governance provided reasonable assurance that material risks, which could impact upon the achievement of the Council's services or objectives, were being identified and managed effectively.
- The 2014/15 Internal Audit programme had resulted in 70% of audits with positive assurance, compared to 30% with Limited or No assurance.
- The approved Internal Audit Plan for 2014/15 included a total of 72 audits. As a result of changes made to the approved plan, a total of 75 assignments were undertaken in 2014/15, including 10 new reviews, seven of which substituted for cancelled or deferred audits.
- Management had continued to engage with Internal Audit and, through a strengthened process to track progress with the implementation of agreed actions. By the end of the year, 85% of high priority recommendations and 82% of medium priority recommendations had been implemented.
- As the Council continues to transform, the focus on maintaining a relevant and proportionate control environment is important to ensure that it can achieve both its strategic and operational objectives. The organisation must continue to ensure that the control framework and compliance with this continues to safeguard asset, finances and service users.

4. THE INTERNAL AUDIT PLAN and INTERNAL AUDIT CHARTER 2016/17

The Internal Audit Strategy, Plan and Internal Audit Charter 2016/17 was considered at our meeting on 3 March 2016. The Audit Plan represents a key area of interest for the Committee and covers the activities around controls, assurance and governance arrangements within the Council. The Plan showed how the resources of the Internal Audit team were to be applied to cover the key controls of the Council and address the risks that the Council faces during 2016/17. Regular reports throughout the coming year will monitor the plan itself or specific aspects of activity around the Council's control environment. The Internal Audit Charter set out the purpose, authority and responsibilities of Enfield Council's internal audit service.

5. INTERNAL AUDIT SERVICE

The Committee has continued to monitor the work undertaken by the internal audit service to achieve the 2014/15 Internal Audit Plan, with monitoring updates provided for each meeting. We focussed on progress with the number of reviews, reviewed details of issues identified that resulted in limited or no assurance outcomes, monitored managers' progress with the implementation of internal audit recommendations and received summaries of work undertaken by the Counter Fraud Team.

Throughout the year, internal audit activity has conformed to the International Standards for the Professional Practice of Internal Auditing, as confirmed by an independent peer review of the service, which was undertaken by the London Borough of Croydon. This concluded that the Council's internal audit service 'fully conforms' with the Public Sector Internal Audit Standards, and achieves the outcomes described in the Definition of Internal Auditing and Code of Ethics.

6. RELATIONSHIP WITH THE EXTERNAL AUDITORS

Representatives of our External Auditors (Grant Thornton) have continued to attend all meetings, making a welcome contribution to governance processes within the Council and the development of committee members. We have considered the following reports/publications on a variety of issues including:

- Where Growth Happens
- Update paper including the following:
 - a. A summary of emerging National issues and developments.
 - b. A number of items for consideration in respect of these emerging issues.

In line with the Chartered Institute of Public Finance & Accountancy's 'A Toolkit for Local Authority Audit Committees' we also held a private discussion with the external auditors and Head of Internal Audit & Risk Management.

Grant Thornton also met regularly with the Section 151 Monitoring Officer and the Head of Internal Audit & Risk Management to discuss and monitor matters of mutual interest.

7. THE ANNUAL GOVERNANCE STATEMENT

In July and September 2015 we considered the 2014/15 Statement of Accounts which included the Annual Governance Statement. The Committee has continued to monitor progress in dealing with objections and closure of the accounts.

8. INDEPENDENT MEMBER – MRS CHAITALI ROY

The Chair welcomed Mrs Chaitali Roy to the meeting held on the 23 September 2016, as the Audit & Risk Management Committee

Independent Person. The Chair recommended the appointment of Mrs Roy at Full Council and this was seconded by Cllr Terry Neville.

9. CONTRACT WAIVER MONITORING AND PROCUREMENT SPEND 2014/15.

On 23 September 2015, we considered the contract waiver monitoring and procurement spend 2014/15.

The number of waivers for the period September 2014 to August 2015 was 40 which represented a total contract value of £6,545,909.

Overall the number of waivers had decreased by 40% per annum since August 2013, with a reduction in the total contract value of 30%.

The Committee agreed that the reduction in waivers, was moving in the right direction. More larger contracts to be broken down into smaller lots to reduce waivers further as required by the Public Contracts Regulations 2015. Where Local authorities have to justify why large value contracts are not broken into lots.

10. COUNTER FRAUD WORK

On the 9 July 2015 there was an update on the Counter Fraud Service and on 5 November 2015 we considered the Counter Fraud Strategy & Anti-Fraud Action Plan.

We have continued to take a close interest in the work being undertaken by the Counter Fraud Team with updates provided for each meeting on the activity being undertaken, and outcomes achieved in relation to housing and housing benefit fraud and internal fraud. We were pleased to note that by 31 March 2015:

- 45 individuals had received sanctions, including 17 prosecutions, for benefit fraud.
- Overpayments of Housing Benefit, Council Tax Benefit, and Council Tax Support totalling £977k had been identified
- Working with Enfield Homes, the joint team had recovered 67 properties that had been illegally sub-let. The investigations Team had also recovered 6 sub-let housing association properties and 14 properties used as Temporary Accommodation. The total value of these recoveries to the Council was estimated at more than £1.4m.
- 17 individuals were prosecuted for benefit offences, with overpayments of around £349k.
- Through participation in the National Fraud Initiative benefit over payments in excess of £103,000 had been identified as awarded to students.

In line with the revised Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice for Treasury Management and Prudential Indicators, we considered the Treasury Management Strategy Statement & Investment Strategy 2016/17 at its meeting on 3 March 2016. The report referenced the economic climate which looked and considered the Council's borrowing requirements and the Council's investments.

Issues raised and discussed by members included:

- The HRA borrowing limit
- Interest rates if the UK left the EU
- Council exposure to the European Investment Bank (EIB)
- Financial reporting transparency and clarity
- Cost of borrowing

12. ENFIELD 2017 PROGRAMME UPDATE

At the meeting held on 9 July 2015, there was an update on the Enfield 2017 Programme, showing a brief overview of the progress made by the Enfield 2017 team. The agenda items for the presentation included:

- Overall Structure
- Progress to date – 2015/16
- Key challenges

The 12 major key programme activity areas had been completed and Enfield 2017 was now responsible for these areas i.e. the Care Act 2015. The Committee requested a further Enfield 2017 update for the 19 January 2016 meeting. The committee requested that the update should not only cover the general progress of Enfield 2017 but also include:

- Issues encountered regarding the rationalisation of back office functions.
- What are the new systems that have or are to be implemented
- What the new systems are called and their functions.

So as to avoid repetition the Chairs' of both Audit & Risk Management Committee and OSC agreed to have a joint meeting on 8 March 2016, to hear a special Enfield 2017 report. This Enfield 2017 update replaced the item that was proposed to be heard at the 19 January 2016 Audit & Risk Management Committee meeting.

The Committee continues to receive updates on progress with the delivery of the Enfield 2017 programme.

13. FINANCIAL RESILIENCE CAPACITY BUILDING PROGRAMME

At the meeting held on the 5 November 2015, the Committee heard a verbal update from Grant Thornton (external auditors) regarding the progress of the Financial Resilience Capacity Building Programme. The programme was designed to help local authority finance officers to develop and move away from a transactional processing approach to a more dynamic business advisory role supporting service quarters.

Finance officers stated that the programme was a very positive experience, which lasted for a period of 6 days.

Grant Thornton will look to deliver the same programme again. The Council would be recommending that some of its senior officers attend the programme.

14. HOUSING SUPPLY AND HOMELESSNESS

At the meeting held on 5 November 2015, the Committee heard an update report regarding the Council's housing supply and homelessness. One of the matters arising from the meeting held on 4 March 2015, was how long it was taking the Council to process homeless applications.

The report highlighted the fact that the housing team were taking approximately 89 days to process housing applications whilst people were in temporary accommodation. This was against a target of 33 days.

Issues raised in response to the report by the Committee included the following:

- That the housing team may not be as rigorous as they should be in applying relevant tests in deciding if people are eligible for re-housing or not. In particular, that the local connection test was not being robustly applied to applicants and not viewing their passports.
- The private rental market in Enfield and how it was being exploited by other Boroughs' who are displacing local residents.
- The high numbers of homeless people was as a result of a lawful breakdown of private rented tenancies (80%) with the tenant playing no hand in these breakdowns.
- London Councils statistics showed that Enfield and Croydon consistently appeared in terms of absorbing people from outer London Boroughs.

An action arising from the 5 November meeting requested if there was a breakdown of how many people were new arrivals in the Borough and what the numbers were. People arriving in the Borough, with no recourse to public funds were not dealt with by the homelessness service but with the Homeless & Immigration Team. Therefore, at the 19 January 2016 meeting a report was heard by the Homeless and Immigration Service, providing this information.

15. DEPARTMENTAL & CORPORATE RISK REGISTERS UPDATE.

At the meeting held on 5 November 2015, the Committee received an update of the Council's Departmental and Corporate Risk Registers.

The Council's Risk Management Strategy allows for the regular review of departmental and corporate risks.

Issues raised in response to the report by the Committee included the following:

- Regeneration & Environmental departmental risk regarding the failure to achieve key rail and other enabling infrastructures regarding the proposed Meridian Water Enhanced Station.
- Departmental risk within the Chief Executive's office relating to the workforce and succession planning.
- The graduate recruitment programme.

- The use of extracts from risk registers which did not show the time lines for mitigating risks.
- The FMS balanced budget risk 2015/16 and inappropriate procurement process risk.

A further update report was also heard at the 3 March 2016 meeting regarding departmental and corporate risk registers.

In line with the Audit Committee 2015/16 work programme, the reports provided an update on the risks recorded in the departmental and corporate risk registers. Further updates are being provided for the Committee on an annual basis.

16. DEPRIVATION OF LIBERTY SAFEGUARDS (DoLS) UPDATE

There had been a DoLS audit completed in August 2015, which had identified a number of areas of limited assurance. The Committee requested an update report and this was heard at the 19 January 2016 meeting, outlining the current position regarding DoLS applications and assessments.

Issues raised in response to the report by the Committee included the following:

- The DoLS backlog and number of DoLS authorised applications.
- New Law Commission legislation to allow hospitals to self-certify patients for longer periods of time.
- DoLS steering group, which combats a range of issues under the Mental Health Act and DoLS.
- The HHASC risk register, where management monitor DoLS.

The Chair requested that a DoLS update be heard in 6 months, at the July 2016 Audit and Risk Management meeting.

17. THE CARE ACT 2014

On the 19 January 2016, the Committee considered an information update on the implementation and progress of the Care Act 2014.

Part 1 of the Care Act 2014 related to how the Council discharged its care and support functions, which came into force in April 2015.

Part 2 of the Care Act 2014 related to funding reforms, due to come into force in April 2016. This had now been postponed by Central Government until 2020.

Due to the postponement of the funding reforms to 2020, the Council's focus had moved away from the preparation of part 2 to the continuation of embedding part 1 of the Act.

The Council had moved the Care Act forward and had satisfactorily met the key duties.

Issues raised in response to the report by the Committee included the following:

- Clarity regarding the delivery of the Care Act under Enfield 2017.
- Achievements made in implementing part 1 of the Care Act 2014.

Officers concluded that the Council were already in a very good position as regards the implementation of phase 1 of the Act. Much of phase 1 was about best practise and the first 6 months was about making sure that the Council's information systems, assessment processes and safeguarding processes complied with best practise. The Committee agreed that officers had done a good and had complied with the requirements of the Care Act and guidance.

18. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

The Committee has also continued to receive quarterly reports on the Council's use of its powers under RIPA.

19. TRAINING AND BRIEFING SESSIONS

The following sessions were held during 2014/15:

- Audit Committee Induction/Training – Role of the Audit Committee/External Audit/Internal Audit – 3 July 2014
- Audit Committee Induction/Training – Role of the Audit Committee/External Audit/Internal Audit – 8 January 2015
- Audit & Risk Management Training – Scoring risks, use of Matrix system and how risks are monitored/quantified – 4 March 2015.

We propose to continue to hold regular update/briefing sessions on issues within our terms of reference throughout 2015/16.

20. WORK PROGRAMME 2015/16

We have agreed our work programme for the current year.

21. CONCLUSION

Overall we feel that we fulfilled our role and responsibilities successfully during 2015/16. We would like to express our appreciation to staff both within the Council and our External Auditors who have contributed to our work and supported us throughout the year.

BDO LLP have now taken over from Grant Thornton as the Council's external auditors.. Grant Thornton attended up to and including the January 2016 Audit Committee.

The Committee would like to thank Grant Thornton for their support as External Auditors.

**Summary of Audit & Risk Management Committee Work Programme
2015/16**

Date of Meeting	Reports Considered
9 July 2015.	<ul style="list-style-type: none"> • Update of protocol guidance on conduct and objection to the 2014/15 Draft Statement of Accounts. • 2014/15 Annual Statement of Accounts, Draft Pension Fund Accounts 2014/15 & Draft Annual Governance Statement (AGS). • Scrutiny of RIPA Statistics. • Enfield 2017 Programme Update. • Counter Fraud Service 2014/15. • Corporate Risk Management Strategy. • Anti-Money Laundering Policy and Guidance. • Internal Audit Annual Report 2014/15. • External Audit Progress Update – Grant Thornton. • Audit Committee Annual Report 2014/15.
2 September 2015	<ul style="list-style-type: none"> • Draft Statement of Accounts 2014/15 and Draft Annual Governance Statement 2014/15.
23 September 2015	<ul style="list-style-type: none"> • External Auditors Annual Report to those Charged with Governance (ISA260) – 2014/15. • LBE Audited Council Statement of Accounts 2014/15 & Annual Governance Statement 2014/15. • Contract Waiver Monitoring and Procurement Spend 2014/15. • Scrutiny of RIPA Statistics Update. • Updated Audit & Risk Management Committee Annual Report 2014/15. • 2015/16 Audit and Risk Management Service Progress Report. • Audit & Risk Management Committee Independent Person – Mrs Chaitali Roy.
5 November 2015	<ul style="list-style-type: none"> • External Audit – Annual Audit Letter 2014/15 Annual Audit Letter 2013/14 • 2015/16 Audit and Risk Management Service Progress Report. • Counter Fraud Strategy. • Departmental and Corporate Risk Registers. • Housing Supply and Homelessness – Update from 4 March 2015 meeting. • Information Governance Update – 2014/15. • Scrutiny of RIPA Statistics Update. • Financial Resilience Capacity Building Programme Update.

19 January 2016	<ul style="list-style-type: none"> • Housing Supply & Homelessness – Update. • Deprivation of Liberty Safeguards (DoLS) Update. • 2015/16 Audit and Risk Management Service Progress Report. • Audit Committee Self- Assessment of Effectiveness. • Care Act 2014 – Progress Update. • Grant Thornton – Grant Certification Report. • BDO – Validation & Substantiation of Property Valuations. • Enfield 2017 Update. • Monitoring of The Property Procedure Rules. • RIPA Update.
3 March 2016	<ul style="list-style-type: none"> • 2016/17 Draft Audit Planning Report – BDO. • Treasury Management Strategy and Prudential Indicators 2015/16 • 2015/16 Audit & Risk Management Service Progress Report. • Draft 2016/17 Internal Audit Plan and Internal Audit Charter. • Whistleblowing Policy. • Departmental and Corporate Risk Registers – Update Report. • Local Authorities Trading Companies Update. • Audit Committee Name Change and Review of Terms of Reference.

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: Housing Quarterly Electricity Contract Renewal

Reason for Urgency:

Enfield buys electricity and other energy utilities through LASER which is the approved buying agent representing a consortium of local authorities including Enfield. Being part of this consortium enables the Council to access energy at a best value price, taking advantage of the bulk buying powers of a larger group.

The contract for the supply of electricity to housing sites billed on a quarterly basis is due for renewal on 1 October 2016. LASER has put together a tender for this contract and a decision on the new contract was due on 6 September 2016. Prices were received by 2pm and had to be signed off by 4pm that same day. This did not leave enough time to allow for clearance of the 5 day call-in process, which usually follows a decision, before it can be formally implemented. Waiting for the call-in period to pass, would have prevented the Council from securing electricity at the best possible price. For this reason a call-in waiver was sought.

This situation occurs when dealing with other electricity and gas purchases and so a general call-in waiver for future decisions on contracts for the supply of gas and electricity under the above arrangement was agreed by the previous administration. Agreement for a continuation of this arrangement, including water supplies, was also agreed.

The use of the Council's Waiver of Call in procedure was approved by the Chair of Overview and Scrutiny Committee on 16 August 2016.

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