

MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 9 NOVEMBER 2011

COUNCILLORS

PRESENT Christiana During (Mayor), Kate Analue (Deputy Mayor), Jayne Buckland, Chaudhury Anwar MBE, Alan Barker, Ali Bakir, Caitriona Bearyman, Chris Bond, Yasemin Brett, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, Yusuf Cicek, Christopher Cole, Andreas Constantinides, Ingrid Cranfield, Dogan Delman, Marcus East, Patricia Ekechi, Achilleas Georgiou, Del Goddard, Jonas Hall, Christine Hamilton, Elaine Hayward, Robert Hayward, Denise Headley, Tahsin Ibrahim, Chris Joannides, Eric Jukes, Jon Kaye, Nneka Keazor, Joanne Laban, Henry Lamprecht, Michael Lavender, Dino Lemonides, Derek Levy, Simon Maynard, Paul McCannah, Donald McGowan, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykener, Anne-Marie Pearce, Martin Prescott, Geoffrey Robinson, Michael Rye OBE, Rohini Simbodyal, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Doug Taylor, Ozzie Uzoanya, Tom Waterhouse, Lionel Zetter and Ann Zinkin

ABSENT Christopher Deacon, Ahmet Hasan, Ertan Hurer, Chris Murphy, Daniel Pearce, George Savva MBE and Glynis Vince

72

ELECTION (IF REQUIRED) OF THE CHAIRMAN/DEPUTY CHAIRMAN OF THE MEETING

The Mayor apologised for the late start of the meeting, which had been delayed until 7:45pm. This had been due to an urgent briefing provided for the Opposition Group and subsequent cross party discussions relating to the Barnet, Enfield & Haringey Clinical Strategy.

The election of a Chairman/Deputy Chairman of the meeting was not required.

73

MAYOR'S CHAPLAIN TO GIVE A BLESSING

Father Richard from St Matthews Church gave the blessing.

74

MAYOR'S ANNOUNCEMENTS (IF ANY) IN CONNECTION WITH THE ORDINARY COUNCIL BUSINESS

The Mayor made the following announcements:

- She thanked Father Richard for offering the prayers.

- The Mayor asked members to stand for one minutes silence in memory of the men and women who had lost their lives in service of their country and, following the recent sad losses of past Mayor, Eric Smythe, and Veronica Groves, tenant Board member of Enfield Homes. The Council then rose to observe the minutes silence.

Councillor Doug Taylor, Leader of the Council, and Councillor Ann Marie Pearce, gave eulogies in respect of past Mayor, Eric Smythe, who would be fondly remembered by all who knew him.

The Mayor then moved on to announce:

- She had attended an event as part of the Black History Month, which had also been attended by His Excellency Mr Anthony Johnson, High Commissioner of Jamaica. She had had great pleasure in unveiling the Slavery Plaque which hangs in the Conference Room, with copies also hanging in Edmonton Green Library and Community House.
- Members from both groups and past Mayors had joined her at the Mayor's Harvest Festival at St Matthews Church, Ponders End, on 2 October, which had been made more poignant as Eric Smythe had also attended.
- She had attended a '100 hours volunteering event' in October and continued to be amazed and full of admiration for the number of people who volunteer within the community. She expressed her thanks and appreciation to all of them.
- She had attended the Dharma Mindir in celebration of the Hindu Festival of Lights – Diwali.
- She had attended the Enfield Youth Parliament results evening and welcomed young people coming forward to embrace the challenges in the borough and wanting to make a difference.
- The Mayor, the Deputy Mayor and Brigadier Paul Orchard-Lisle, Representative Deputy Lieutenant for Enfield, would be attending the Remembrance services taking place throughout the borough on Remembrance Sunday.
- The Deputy Mayor would be joining the Association of Jewish Ex-Service Men and Women for their Remembrance Service in Southgate Synagogue on Saturday 19 November.
- The Mayor's Charity Festival Night would be held on Friday 25 November from 7pm at St Edmund's Church Hall, Edmonton. Tickets cost only £25 and all were encouraged to attend. Tickets were available from the Mayor's Office.

- She would be hosting a get together of past Mayors in the Parlour on Thursday 8 December.
- The Mayor's Christmas Party would be held on Friday 16 December and all were very welcome.

**75
MINUTES**

AGREED that the minutes of the Council meeting held on 21 September 2011 be confirmed and signed as a correct record

**76
APOLOGIES**

Apologies for absence were received from Councillors Ahmet Hasan, Ertan Hurer, Chris Murphy, Daniel Pearce, George Savva and Glynis Vince. Apologies for lateness were received from Councillor Bambos Charalambous.

**77
DECLARATION OF INTERESTS**

Councillor Joanne Laban declared a personal interest in item 7 – Opposition Business – Supporting the Formation of Free Schools in Enfield, as her brother (Matthew Laban) was a Governor at the Woodpecker Hall Primary Academy, Kingfisher Hall Primary Academy and Cuckoo Hall School.

Councillor Waterhouse declared a personal interest in items 11 – Review of Parliamentary Constituency Boundaries – and 14.4 Motion in the name of Councillor Lavender, as he was Senior Parliamentary Assistant to Nick de Bois MP.

Councillor Chamberlain declared a personal interest in Item 14.4 – Motion in the name of Councillor Lavender, as his son had recently been robbed by a person with a knife

**78
OPPOSITION BUSINESS - SUPPORTING THE FORMATION OF FREE SCHOOLS IN ENFIELD**

Councillor Kaye introduced the issues paper prepared by the Conservative Group, encouraging the Council to more proactively embrace Government policy relating to the creation of Academies and Free Schools in the borough.

In introducing the paper he highlighted the case for making Free Schools & Academies a central element in urban regeneration. He also felt they could:

- Provide increased educational opportunities for disadvantaged children;
- Offer good quality and diverse educational choices for children as demonstrated by the outstanding success of Cuckoo Hall School in

- Edmonton and associated new Woodpecker and Kingfisher Free Schools;
- Greatly improve standards in low performing schools, as demonstrated by the Mossborn Academy in Hackney.

The Opposition Group felt there was a need for the Council to actively encourage the creation of Academies or Free Schools in the borough as it did in attracting new businesses to the borough, with the following benefits highlighted:

- Nationally 24 free schools, with 10,000 pupils, had been set up over the past year. Such schools would drive up educational standards to enable children to achieve higher grades in GCSEs and equip them to compete in the global market;
- The ability to offer parents more choice in the education of their children, as well as helping to alleviate pressure on school places.

It was also felt that the Council had missed an opportunity in not making available the old Southgate Town Hall site for Academy or Free School use.

Councillor Orhan, Cabinet Member for Children and Young People, responded on behalf of the majority group. She advised that Government cuts in funding, children and educational services being particularly vulnerable, had placed huge pressure on the Council in protecting high quality local services. In light of continuing uncertainty about future revenue funding the Administration therefore believed it was essential that all schools were fairly funded through a local funding formula. The requirement for Local Authorities to transfer stewardship of land to Academies or Free Schools was also a matter of concern.

She also highlighted how the Administration had invested in and achieved highly rated educational and children's services, by developing a family of schools with professional staff delivering quality services. This quality of education was delivered irrespective of postcode and in response to local demand. It was felt that Academies and Free Schools could potentially destabilise this success and fragment education provision. Planning for the future needed to be flexible based on the creativity and drive of local teachers and parents in the established family of schools.

Labour, both nationally and locally, was relentlessly focused on ensuring educational quality to equip children with the skills needed to enable them to reach their full potential and compete in a global market.

Following a lengthy debate, Councillor Kaye summed up on behalf of the Opposition Group, requesting that the Administration create the appropriate environment where new and experienced groups would be encouraged to establish new schools within the borough.

In response to the debate and recommendations made within the Opposition Business paper, Councillor Georgiou highlighted that:

1. the Administration would continue to support schools in achieving excellence;
2. the progress made by the Administration in delivering on their commitments in relation to young people, including the introduction of uniform grants, a pilot for free school meals and the establishment of a Youth Parliament;
3. a number of Free Schools in the borough, such as Cuckoo Hall School, had previously been successful schools under local authority funding;
4. the Council was already supporting Free Schools, through for example, the provision of various assets and was complying with everything they were statutorily required to do;
5. The drive and lead being provided by the Cabinet member for Children & Young People in undertaking these activities

With the agreement of both Groups no vote was taken on the outcome of this item.

**79
CHANGE IN THE ORDER OF BUSINESS**

Councillor Brett moved a proposal to change the order of business on the agenda under paragraph 2.2 (page 4-5) of the Council's procedure rules to enable the meeting to take the following (in the order listed) as the next items of business:

- Item 12: Changes to the Council's Constitution.
- Item 11: Review of Parliamentary Constituency Boundaries
- Item 14: Motions

This was agreed by the Council. Please note the minutes reflect the order in which the items were dealt with at the meeting.

**80
CHANGES TO THE COUNCIL'S CONSTITUTION**

Councillor Simon (as Chair of the Governance Review Group) moved and Councillor Georgiou seconded the report from the Director of Finance, Resources & Customer Services (No.132) recommending a number of changes to the Council's Constitution, referred following consideration by the Governance Review Group on 1 September & 17 October 2011.

NOTED

1. The main changes proposed related to:
 - a. the rules of debate at Council and Committee meetings

- b. the Terms of Reference and name of the Governance Review Group
- c. provision for substitute members on Overview & Scrutiny Committee
- 2. The concerns raised by the Opposition Group relating to the impact that it was felt the proposed changes to the rules of debate at both Council and Committee meetings would have on the democratic process and at the drafting of the proposed amendment to Para 12.14 (Personal explanation).
- 3. The proposed changes had been subject to detailed consideration and had been approved for referral onto Council by all members (from both Groups) present at the Governance Review Group. In response to the concerns raised, it was pointed out that the changes had been recommended as a means of making the democratic process run more efficiently and effectively with the aim of allowing debate to flow more smoothly and without interruption (unless this was required to address a specific breach of the rules).
- 4. The Governance Review Group would continue to keep the operation of any changes agreed to the rules of debate under review.

AGREED

- (1) to approve the following changes to the Rules of Debate at Council meetings in the Council's Constitution:
 - (a) When a member may speak again (Paragraph 12.6 in Chapter 4.1 of the Constitution – Page 4-12) amend to include as (h) under para 12.6: “to allow the mover of an amendment to also have a right to sum up. Such speeches to be limited to three minutes.”
 - (b) Points of order and personal explanation (Paragraphs 12.13 & 12.14 in Chapter 4.1 of the Constitution – Page 4-15) – amend only to allow points of information and personal explanation to be made at the end of a speech to which they relate, with the relevant paragraphs amended to read:
 - Para 12.13 Point of Order – “A member may only raise a point of order at the end of the speech to which it relates. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule of law and the way in which he/she considers it has been broken. The members speech will be limited to one minute, with any additional time to be agreed at the discretion of the Mayor. The ruling of the Mayor on the matter will be final.”
 - Para 12.14 Personal explanation – “A member may only make a point of personal explanation at the end of the speech **to** which it

relates. A personal explanation may only relate to some material part **of the** earlier speech by the member, which may appear to have been misunderstood in the present debate. The members speech will be limited to one minute, with any additional time to be agreed at the discretion of the Mayor. The ruling of the Mayor on the admissibility of a personal explanation will be final.” – this wording includes amendments (highlighted in bold) agreed during the debate to address the issues raised on its original drafting.

The above resolution (1b) was put to the vote and approved with the following result:

For: 30

Against: 22

Abstention: 1

- (c) Time limit of members speeches (Paragraph 12.5 in Chapter 4.1 of the Constitution – Page 4-12) – to extend this provision so that the time limit of ten minutes to introduce an item and 5 minutes on other occasions be extended to all committee meetings. Any additional time would be at the discretion of the Committee Chair, with the following provisions to be included within Chapters 4.2 (Scrutiny Procedure Rules) and 4.5 (Operating Rules for Committees) – Content/length of speeches:

“Speeches must be directed to the question under discussion. The time limit for a speech to introduce an item should be no longer than 10 minutes with a 5 minute time limit in all other instances, with any additional time required being at the discretion of the Committee Chair.

Please note this will not apply to Council meetings.”

The above resolution (1c) was put to the vote and approved with the following result:

For: 30

Against: 21

Abstention: 2

- (2) To approve the revised Terms of Reference and change in name for the Governance Review Group to the Members & Democratic Services Group (as detailed in section 3.3 of the report).
- (3) To agree the inclusion (as detailed in section 3.5 of the report) of substitute arrangements for membership of the Overview & Scrutiny Committee so that if a member of the Committee cannot attend a particular meeting, a substitute may attend in their place

As a result of the above decisions, the Assistant Director Corporate Governance confirmed that the changes agreed to the rules of debate at

Council would apply with immediate effect, including the remainder of the meeting.

81

REVIEW OF PARLIAMENTARY CONSTITUENCY BOUNDARIES

Councillor Stafford (as Cabinet member for Finance & Property) moved and Councillor Waterhouse seconded the report from the Chief Executive (No.130) outlining representations drafted by the Electoral Review Panel on 11 October 2011, on behalf of the Council, for submission to the Boundary Commission for England. These were in response to the Commissions proposals for review of the Parliamentary Constituency boundaries.

NOTED

1. The amendment tabled at the meeting, moved by Councillor Stafford, to the 1st bullet point of the proposed submission to the Boundary Commission in section 3.6.1 of the report. This amendment was seconded by Councillor Waterhouse and was approved by Council.
2. The cross party and unanimous support for the representations (as amended) set out in section 3.6.1 of the report and concerns relating to the Commission's proposals for Enfield, which were not felt:
 - a. to be in the best interests of the people of Enfield and its surrounding area;
 - b. to have recognised:
 - the nature of the geographical boundaries between Edmonton & Chingford or lack of historic and local ties between both areas;
 - the demographic differences between Edmonton & Chingford; and
 - the strength of historical ties between Edmonton & Enfield.
3. The following additional recommendation moved by Councillor Rye and seconded by Councillor Prescott during the debate, for consideration as part of the Council's final submission:

"Representations also be made to London Councils seeking development of a pan London response to the Commission's proposals aimed at producing a more co-ordinated approach between Borough and Parliamentary boundaries."

This additional recommendation was agreed by Council.

AGREED that subject to the following amendments, the representations set out in paragraph 3.6.1 of the report be approved by the Council for submission to the Boundary Commission for England:

- (1) First bullet point to read "We believe that the sub regionalisation of London into London North East and London North West does not work in

the best interests of Enfield, particularly as the bulk of the borough is to the west of the River Lee, which the Commission has considered as a geographical boundary in its considerations.

- (2) Representations also be made to London Councils seeking development of a pan London response to the Commission's proposals aimed at producing a more co-ordinated approach between borough and Parliamentary boundaries.

82 MOTIONS

- 1.1 Councillor Goddard moved and Councillor Cicek seconded that the motion relating to the Deephams site, listed as agenda item 14.1, be withdrawn. This was approved by Council:
- 1.2 Councillor Taylor moved and Councillor Lavender seconded that the motion relating to Chase Farm Hospital, listed as agenda item 14.2 be withdrawn. This was approved by Council

In moving withdrawal of the item it was noted that:

- The original purpose of the motion was to allow Council to be informed of the approach being developed in response to the final decision of the Secretary of State for Health on the Barnet, Enfield & Haringey Clinical Strategy;
- Since the Council agenda had been dispatched, the Council had given notice to the Secretary of State for Health and NHS bodies of its willingness to initiate legal proceedings seeking to challenge decisions taken on the Clinical Strategy, if its requirements were not met. It was not therefore felt appropriate to undertake any further discussion of this issue at the meeting;
- A further progress update would be provided for Cabinet on 23 November 2011;
- The Opposition Group, having been briefed on the matter immediately prior to the Council meeting, had expressed in principle support for the course of action initiated.

- 1.3 Councillor Hamilton moved and Councillor Brett seconded the following motion:

"This Council deplores the decrease in sergeant numbers in Safer Neighbourhood Teams in Enfield as a result of a decision taken by the Conservative lead Metropolitan Police Authority (MPA). This is at a time when local intelligence is of immense importance as evidenced by the unfortunate events of August."

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

For: 29

Against: 20

- 1.4 In view of the limited time available for the remainder of the meeting, Councillor Lavender moved and Councillor Waterhouse seconded that the motion relating to legislation on custodial sentences for knife crime, listed as agenda item 14.4 be withdrawn. This was approved by Council

83

IMPLEMENTING THE ENFIELD FOOD STRATEGY

Councillor Goddard (as Cabinet member for Business & Regeneration) moved and Councillor Bond seconded the report of the Director of Regeneration, Leisure & Culture (No.102) seeking approval to the development of the Enfield Food Strategy 3 Year Action Plan.

NOTED the recommendations set out in the report had been endorsed by Cabinet on 12 October 2011.

AGREED

- (1) To approve the development of the Enfield Food Strategy 3 Year Action Plan incorporating consultation feedback.
- (2) The Food Sector Board, as the body to manage the Enfield Food Strategy 3 Year Action Plan.

84

THE ENFIELD DECLARATION ON BECOMING A "GLOBAL BOROUGH"

Councillor Brett moved and Councillor Orhan seconded the report from the Director of Schools and Children's Services (No.104) seeking agreement to the Enfield Declaration on becoming a "Global Borough".

NOTED

1. the recommendations set out in the report had been endorsed by Cabinet on 12 October 2011 and had also been subject to consideration at the Town Twinning & Tourism Working Party.
2. The key aims and objectives behind the Declaration, which included links to the education sector; partnership working, Fair Trade as well as training and development for staff.
3. The Council's involvement in promoting collaborative and positive relationships locally, nationally and globally and members thanks to officers for their work in preparing the Declaration.
4. The concerns highlighted by the Opposition Group at the drafting of section 8.2 within the report, for which the wording appeared to be incomplete.

AGREED to approve the Enfield Declaration on becoming a “Global Borough

The above resolution was put to the vote and agreed with the following result:

For: 30

Against: 17:

Abstentions: 2

85

COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING

NOTED in accordance with Council Procedure Rule 8 (page 4-7 – Part 4), the Mayor advised the Council that the time available for the meeting had now elapsed and the remaining items of business would be dealt with in accordance with the expedited procedure.

The remaining items of business were then considered without debate.

86

REVIEW OF PARLIAMENTARY POLLING DISTRICTS & PLACES

RECEIVED the report from the Chief Executive (No.130) seeking approval to the final recommendations arising from the statutory review of Polling Districts and Polling Stations undertaken by the Electoral Review Panel in order to comply with the requirements of the Representation of the People Act 1983.

AGREED to adopt the recommendations arising from the review of Parliamentary Districts and Polling Places undertaken by the Electoral Review Panel, as set out in paragraph 3.6 of the report.

87

COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)

NOTED the forty eight questions on the Council's agenda which had received a written reply from the relevant Cabinet Member.

88

MEMBERSHIPS

AGREED

(1) the following changes to committee memberships

- (a) Planning Committee – Councillor Buckland to be replaced by Councillor Cranfield
- (b) Children & Young People Scrutiny Panel – Councillor Cranfield to be replaced by Councillor Bakir

- (c) Conservation Advisory Group – Councillor Cranfield to be replaced by Councillor Buckland
 - (d) Enfield Council Working Group on the Olympic & Paralympic Games – Councillor Cranfield to be replaced by Councillor Levy
 - (e) Green Belt Forum - Councillor Brett and Councillor Hasan to be replaced by Councillor During and vacancy (name to be notified)
- (2) To note the appointments made to the following positions:

Champions

Animal Welfare & Wildlife	Councillor Brett
Cycling	Councillor Sitkin
The Arts	Councillor Buckland
Road Safety	Councillor Hasan
Diversity	Councillor Anwar
Older People	Councillor Cole

89

NOMINATIONS TO OUTSIDE BODIES

None received.

90

CALLED IN DECISIONS

None received.

91

DATE OF NEXT MEETING

NOTED

1. The next meeting of the Council would be held on 25 January 2012 at 7.00pm at the Civic Centre.
2. A date for the Council (budget setting) meeting in February 2012 was currently being considered, as part of a process being co-ordinated across London, through London Councils.

AGREED that subject to the outcome of 2. above, authority be delegated to the Assistant Director Corporate Governance to set a date for the Council (budget setting) meeting in consultation with the Mayor, Leader of the Council & Leader of the Opposition Group.