

**MINUTES OF THE MEETING OF THE COUNCIL  
HELD ON WEDNESDAY, 4 JULY 2012**

**COUNCILLORS**

**PRESENT** Kate Anolue (Mayor), Chaudhury Anwar MBE (Vice-Chair), Jayne Buckland, Alan Barker, Ali Bakir, Caitriona Barryman, Chris Bond, Yasemin Brett, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, Yusuf Cicek, Christopher Cole, Andreas Constantinides, Ingrid Cranfield, Christopher Deacon, Dogan Delman, Christiana During, Marcus East, Patricia Ekechi, Achilleas Georgiou, Del Goddard, Jonas Hall, Christine Hamilton, Ahmet Hasan, Elaine Hayward, Robert Hayward, Denise Headley, Ertan Hurer, 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, Chris Murphy, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykener, Anne-Marie Pearce, Daniel Pearce, Martin Prescott, Geoffrey Robinson, Michael Rye OBE, George Savva MBE, Rohini Simbodyal, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Doug Taylor, Glynis Vince, Ozzie Uzoanya, Tom Waterhouse, Lionel Zetter and Ann Zinkin

**26**

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

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

**27**

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

Father Emmanuel – Parish Priest of St Edmonds Church, Edmonton, gave the blessing.

**28**

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

The Mayor made the following announcements:

- She thanked Father Emmanuel for offering the blessing.

The Mayor highlighted the following achievements:

1. **National Municipal Journal award – Democratic Services Team of the Year**

The Mayor was delighted to announce that the Council's Scrutiny and Outreach team had won a prestigious national award from the Municipal Journal in recognition of the work done with councillors to re-enforce their role as elected community leaders in Enfield. This had been based on the work undertaken to reach out and place community engagement at the heart of the council's democratic core, linked to scrutiny and the decision making process.

The Mayor highlighted the work she had personally undertaken with the team, focussed around the engagement of young people and felt that without their input it would not have been possible to deliver the Hanlon Centre or Parent Engagement Panel.

In winning this award the team were competing against the highest number of entries ever received from Councils all over England Scotland and Northern Ireland and the award recognised that the work being undertaken by the team was some of the best in the country.

The Mayor felt that the Council should all be very proud of what the team had achieved for the community, Council and themselves.

Mike Ahuja and members of the Corporate Scrutiny & Outreach Team were then formally presented with the award.

## **2. Enfield Town Football Club and QEII Stadium**

The Mayor was pleased to introduce Paul Millington, Chairman of Enfield Town Football Club, who had been invited to attend the meeting in recognition of the success achieved by the Club in gaining promotion to the Ryman Premier League in May 2012.

This promotion had followed the clubs move to the QEII stadium following completion of refurbishment works in November 2011, with only one home league game having been lost following relocation.

The refurbishment had included a new athletics track and related athletics facilities, refurbished changing rooms for the sports pitches on Enfield Playing Fields, facilities for Enfield Town FC and a new bar café in the stadium. The car park and access road had also been improved as part of the works.

The total cost of the works had been approximately £3.5 million and would ensure that local residents had the ability to take part in sport and physical activity at the stadium for many years to come. In addition to the football club the stadium was being well used for athletics by local schools and sports clubs and would soon be available during popular times for open public sessions.

External funding towards the works was generously provided by The Football Foundation (£500,000), Play Sport London (The Office of the Mayor of London, £250,000) and the London Marathon Trust (£150,000).

## **COUNCIL - 4.7.2012**

The Mayor, on behalf of the Council formally congratulated Enfield Town FC and took the opportunity to wish them the best of luck for next season.

Paul Millington then took the opportunity to formally thank the Council for its support of the club and the work undertaken to complete the refurbishment of the Stadium, which he highlighted was a fantastic facility. He paid tribute to the members and officers who had been involved in the process and presented the Mayor, by way of thanks, with a framed photograph of the team celebrating promotion.

Further announcements followed:

- The Mayor advised that she had attended the London Youth Games at Crystal Palace on Sunday 1<sup>st</sup> July. It had been a great event and she was delighted to have had the opportunity to see the borough's teams in action. Enfield had achieved another successful Youth Games, an Olympic and Paralympic inspired 3rd place and she expressed her thanks to everyone involved, including not only the staff, volunteers, clubs, coaches, parents but also the borough's wonderful young people who had performed so well.
- The Mayor reminded all members that her Civic Service and Thanksgiving would be taking place at 2pm on Sunday 22 July at St Edmunds RC Church. All members were welcome and any members who had not already done so were asked to let the Mayor's Secretary know if they would be attending.

### **29 MINUTES**

**AGREED** that the minutes of the Council meetings held on Wednesday 4 and Thursday 24 May 2012 be confirmed and signed as a correct record.

### **30 APOLOGIES**

An apology for lateness was received from Councillor Marcus East.

### **31 CHANGE IN ORDER OF BUSINESS**

Councillor Brett moved and Councillor Waterhouse seconded 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 as the next items of business:

- Item 16: The Localism Act 2011 – Replacing the Standards Regime

Council noted that the change in order of business was moved on the basis of advice from the Assistant Director Corporate Governance as it would enable

the Council to consider and agree the new Member Code of Conduct, detailed within the report. The new arrangements, including the requirements in relation to declaration of interest, could then (subject to approval) be applied for the remainder of the meeting.

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

**32**

**THE LOCALISM ACT 2011 - REPLACING THE STANDARDS REGIME**

Councillor Simon moved and Councillor Brett seconded the report from the Director of Finance, Resources & Customer Services (No.20A) on the changes to the current standards regime, Members' Code of Conduct and new arrangements for dealing with issues around councillor conduct.

**NOTED**

1. The new arrangements set out for approval within the report had been subject to consideration at both the Members' & Democratic Services Group (6 June 2012) and Councillor Conduct Committee (13 June 2012).
2. Following publication of the report, further advice had been received from Bob Neil, as Parliamentary Under Secretary of State for Communities and Local Government, setting a time limit of June 2013 as the period of office for which former independent members of the Standards Committee could serve in the new role as an Independent Person. This had conflicted with earlier advice received and had not therefore been reflected within the report.
3. As a result of 2.above, further clarification was being sought from the Parliamentary Under Secretary of State, requiring an amendment to:
  - a. section 6.3 of the report to remove reference to the specific timescale and term of office for the Independent Person; and
  - b. recommendation 2.4 to allow the final term of office to be agreed by the Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair), once clarification on the position had been received.
4. The need for further review of the proposed annual allowance to be paid to the Independent Person(s) in order to ensure a fair reflection of the duties and responsibilities that would accompany the new role. For this reason, it was recommended that a final review of the allowance also be undertaken, and as in 3.b above this also be delegated to the Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair) for final approval.

**AGREED**

- (1) To approve the new Code of Conduct for Councillors and co-opted members of the Council, as set out in Appendix A of the report.
- (2) To approve the procedure for dealing with complaints against councillors and co-opted members, as set out in Appendix B of the report.

- (3) To approve the contents of the recruitment pack, as set out in Appendix C of the report (with subsequent additions underlined) and request the Councillor Conduct Committee to select two prospective Independent Persons in accordance with the requirements of the Localism Act and recommend their appointment to the next Council meeting on 19 September 2012.
- (4) The Chair of the Councillor Conduct Committee (in consultation with the Vice-Chair) be given delegated authority to agree the term of office and allowance for the Independent Person(s), subject to:
  - (a) clarification of the regulations relating to their appointment currently being sought from the Parliamentary Under Secretary of State for the Department of Communities and Local Government
  - (b) the outcome of this process being reported back to Council in September 2012 for endorsement.
- (5) The documents included in Appendices A and B of the report, be the subject of review by the Councillor Conduct Committee and the Members' and Democratic Services Group with a report to be submitted to Council on 27 March 2013.

### **33 DECLARATION OF INTERESTS**

John Austin (Assistant Director Corporate Governance) advised members that as the Council had now approved the new Member Code of Conduct, all councillors would be required to comply with the new arrangements relating to the declaration of interests. The code had introduced a new category of disclosable pecuniary interests (DPIs) which in effect had replaced the previous category of prejudicial interests.

Members were advised that:

- these interests extended not only to themselves but also to those of their spouse, partner, civil partner, family members or persons with whom they had a close association or personal relationship, and where they were aware that they had an interest.
- when considering registering or disclosing any interests, they would still need to consider whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it would be likely to prejudice their judgement of the public interest and if so the interest should be declared.
- The definition of what would now constitute a DPI had been set out in section 25 of the new Member Code of Conduct.
- If they considered they had a DPI in any matter being considered at a meeting of the authority they would need to declare that interest and must leave the meeting until the conclusion of the matter under discussion. They would not be permitted to discuss or vote on the matter

in question and would also need to ensure that the Monitoring Officer was notified of the interest (if not already declared).

- Failure to register a DPI could be a breach of the Code and a criminal offence.
- The new Code had also introduced the category of other pecuniary interests and other non pecuniary interests, which also needed to be declared at any meetings, although (in the case of non pecuniary interests) members could still remain and vote at meetings.

In response to queries by members regarding potential interests on items due to be considered at the Council meeting, the Assistant Director Corporate Governance advised that guidance and case law was still awaited on the detailed interpretation of the new requirements. Members would therefore need to apply the wording of the code as literally as possible and if they felt they had an interest, declare it at the meeting.

The following interests were declared in agenda item 7 - Opposition Business: Helping Enfield's High Street Shops & Businesses

- Councillor Tashin Ibrahim declared a disclosable pecuniary interest as he was an employee of Enfield Retail Business Association Ltd, providing advice to local businesses and retailers.
- Councillor Toby Simon declared a disclosable pecuniary interest as a local resident with a property adjacent to Enfield Town CPZ.

Both members withdrew from the meeting during the consideration of this item and did not vote.

- Councillor Chris Bond declared a non pecuniary interest as a council appointed representative on the Old Enfield Charitable Trust.

### 34

### **OPPOSITION BUSINESS - HELPING ENFIELD'S HIGH STREET SHOPS & BUSINESSES**

Councillor Neville introduced the issues paper prepared by the Conservative Group, seeking a review of the imposition of Sunday parking charges and consideration of the introduction of a free 20 minute on-street parking period at all times.

In introducing the paper he highlighted the case for carrying out measures which would help to address the economic downturn currently being experienced across many town centres, including those in Enfield. The key issues raised included:

- The need to recognise High Streets and retail shopping generally as a very important contributor to the local economy.
- The correlation between free unlimited parking in shopping centres and the volume of retail spend, as supported in separate research undertaken for the Labour Government in 2009 and more recently by the Portas Review

- The impact which the imposition of Sunday parking charges had had in terms of discouraging people from shopping in Enfield Town and in encouraging those who did come to stay for less time and therefore spend less money. The impact on churchgoers in Enfield Town was also highlighted as an issue of concern.
- The impact of the availability of parking provision to attract retailers to new developments and alternative choice now available to shoppers in terms of the increase in the number of large out of town stores with free parking and growth in internet shopping.
- The need to consider the recommendations within the Opposition Business Paper within the context of the extended downturn in the national economy and need for the Council to assist retail in looking to promote economic success across the borough.
- Whilst shopping centres outside of Enfield Town were not affected by Sunday parking charges, the impact of the increase in parking charges was also highlighted. As a means of assisting smaller businesses in local shopping centres to attract passing trade, the recommendation was also made that consideration be given to introducing a short period of free on-street parking where controls currently existed.

In order to demonstrate the level of local concern on the issues highlighted Councillor Neville then submitted a petition, which he advised contained over 7500 signatures from local residents, shoppers, retailers and churchgoers.

Councillor Neville then introduced the following representatives from local businesses in Enfield Town, who had been invited to address the Council under Opposition Business, in order to highlight their views on the issues raised:

- (a) Erdal Mehmet: Chairman of Enfield Business Association – who highlighted the support amongst local traders in Enfield Town that he had recently surveyed towards the following proposals:
  - The reduction in parking charges for those staying for less than 4 hours on Mon - Sat;
  - An increase in parking charges for shoppers staying for more than 4 hours on Mon - Sat;
  - The removal of Sunday parking charges in Enfield Town; and
  - The introduction of Pay on Exit within car parksA further petition was presented containing signatures from local retailers and their customers.
- (b) Patricia Blair: Chairman of Palace Gardens Traders Association – who highlighted, as a representative of traders within Palace Gardens Shopping Centre:

- The 2.81% decrease in footfall experienced by the main anchor retailers within Palace Gardens since the start of 2012, with a 12.44% decrease experienced on Sundays.
  - The downturn being experienced across the town centre, with 3 vacant units in Palace Gardens.
  - The detrimental impact which retailers felt the introduction of Sunday parking charges was having on trade and support for the proposals outlined by Erdal Mehmet as a means of helping to maintain the vibrancy of the Town Centre.
  - The open letter that she had written to the Mayor highlighting these concerns and the unanimous support amongst Palace Garden retailers for the removal of Sunday parking charges.
  - The concerns being raised were not politically driven, and had been based on the desire to maintain Enfield Town as a vibrant and thriving town centre.
- (c) Chris Theodoulou: representing independent traders in Enfield Town who highlighted:
- The impact of the current economic downturn on his business, as one of the longest independent traders in Enfield Town with parking charges identified as one of the major issues.
  - The support amongst independent traders for the proposed actions identified by Erdal Mehmet.

Councillor Bond, Cabinet Member for Environment, responded on behalf of the Majority Group, highlighting that:

- The decision to introduce Sunday parking charges in Enfield Town had been implemented following discussions with retailers, residents and churchgoers and had been designed to discourage people from parking all day who were not shopping, thereby increasing parking capacity in the town centre.
- The need to recognise that the majority of people coming into Enfield Town on Sunday travelled on foot and by public transport. Only 43% travelled by car.
- Whilst recognising the importance of parking it was felt this needed to be seen within the context of other wider local issues affecting the High Street, including the quality of the retail offer and environment.
- The current Administration's borough wide approach towards improving town centres, which had also included use of funding generated through the Parking Places Reserve Account, to refurbish the Palace Gardens Shopping Centre car park and introduce CCTV.
- The introduction of Sunday parking charges had not been a new concept, with the previous Administration also having considered the proposal.

- The introduction of these charges in December 2012 had always been subject to a further period of review. The petition submitted and comments made by local traders during the meeting would now be considered as part of that process. The Cabinet member for Environment advised that he would be willing to meet with local traders and residents as part of the review process and thanked them for attending the meeting to highlight their views.

Other issues highlighted during the debate were as follows:

- The need for immediate action, in order to address the reported decline in footfall within Enfield Town and increasing number of vacant retail units;
- The lack of consensus on the direct correlation between parking charges and the displacement of shoppers to other out of town shopping centres;
- The need to recognise the broad range of issues needing to be addressed as part of an overall strategy recognising the impact of the current economic climate and decline in disposable income alongside the quality of the retail offer, local choice, environment and parking.
- The need to address and avoid high levels of vacant retail units;
- The need to bring forward a measured response in relation to the action required to address the downturn currently being experienced within High Streets. This would need to be based on a full analysis and evaluation of all related issues with individual local solutions identified for each town centre. The review identified by the Cabinet member for Environment had been designed to feed into that process.

After a brief period of debate, the Mayor advised members that 45 minute period set aside for Opposition Business had expired. Council was therefore asked to consider, under Council Procedure Rule 13.1 if they wished to extend the time available to allow further debate. On being put to the vote this was not agreed:

For: 25

Against: 31

Abstention: 0

Councillor Lavender summed up on behalf of the Opposition Group. Whilst recognising the need for the issues to be considered in the widest possible context and review process identified, he also felt there was a need for the Council to focus immediately on those areas within its direct control as a means of addressing the issues raised, which included parking and parking charges within Enfield Town, particularly on Sunday. Without immediate action to address the reported decline in footfall, including the removal of Sunday parking charges, he felt it would be difficult to alter people's shopping habits and attract people back to the town centre on a long term basis.

In response to the debate and recommendations made within the Opposition Business paper, Councillor Bond highlighted his commitment to the review of Sunday parking charges. He advised that this would be commenced with

immediate effect and include the comments and proposals outlined by the local business representatives at the meeting and as part of the petition that had also been submitted by the Opposition Group. On this basis, he was not minded to support the recommendations within the Opposition Business paper but reiterated that the comments and proposals highlighted during the meeting would be included for consideration as part of the review process.

The Leader of the Opposition requested that a vote was taken on the following recommendations within the Opposition Business paper:

- (1) that the decision of the Cabinet and subsequently the Cabinet Member for Environment to impose charges on Sunday parking be immediately reversed
- (2) that the Council introduces across the borough free parking for a period of up to 20 minutes where on street parking controls exist.

If the Council is not minded to make these decisions now:

- (3) that the Council refers the decision of the Cabinet and subsequently the Cabinet Member for Environment to impose charges on Sunday parking to the Overview and Scrutiny Committee;
- (4) that the Council refers the question of the introduction across the borough of free parking for a period of up to 20 minutes where on street parking controls exist to the Overview and Scrutiny Committee;
- (5) that a full report be prepared for the Overview and Scrutiny Committee by officers that explores fully the costs and benefits of the above two options;
- (6) that the Conservative opposition be permitted to present the report to the Overview and Scrutiny Committee.

The above recommendations were then put to the vote and not agreed, with the following result

For: 26

Against: 31

Abstentions: 0

**35**

## **NEW LIBRARY STRATEGY**

Councillor Charalambous moved and Councillor Constantinides seconded the report of the Director of Regeneration, Leisure & Culture (No.14) seeking approval of the Council's updated Library Strategy.

NOTED

1. The Strategy had been endorsed by Cabinet on 20 June 2012 and recommended to Council for approval.
2. The Strategy had been updated, following the previous strategy 2007-12, to reflect the substantial change and development of the service and ensure that over the next 3-5 years it was able to continue engaging local people through the provision of accessible, high quality and relevant services.
3. The public consultation undertaken on the updated strategy, as detailed in section 4 and 5 of the report, with key actions identified in relation to books and reading, lifelong learning and literacy, digital services and access to information & buildings and community space.
4. The updated strategy had not included the closure of any libraries, which was supported by all members of the Council.
5. The resource issues identified in terms of delivery of the strategy, as detailed in section 10 of the report.
6. Whilst supportive of the overall principles and objectives within the strategy, the Opposition Group were concerned to ensure that specific details were provided on the actions planned to address the resource issues identified in relation to future delivery of the strategy.

Following a further period of debate Councillor Brett moved and Councillor Constantides seconded that the report be put to the vote. This was agreed without a vote.

The recommendation in the report was then agreed unanimously without a vote.

**AGREED** that the new Library Strategy be approved.

## 36

### STANDARDS COMMITTEE ANNUAL REPORT 2011/12

Lawrence Greenberg, Independent member and former Chair of the Standards Committee, moved and Councillor Simon seconded the final annual report of the London Borough of Enfield's Standards Committee 2011/12.

In moving the report Lawrence Greenberg highlighted:

1. that this would be the final report to be produced by the Standards Committee, which had now been replaced by the new standards regime introduced under the Localism Act and Councillor Conduct Committee.
2. the role of independent members had been removed under the new regime with the new position and role of Independent Person introduced in their place. It was hoped that the new arrangements introduced following the Act and adopted by the Council would provide a more streamlined process for dealing with complaints against members.

3. his thanks to all members and officers (particularly the Monitoring Officer and his staff) involved in supporting the independent members and Committee, for their contributions over the last year.

Councillor Simon thanked Lawrence Greenberg and the other Independent members of the Standards Committee (Dr Elliot Finer and Simon James) for their effort and work over the last year. In addition, specific thanks were extended to Lawrence Greenberg for his efforts and assistance in developing the new standards framework and local arrangements adopted by the Council.

**AGREED** to endorse the 2011/12 Annual Report from the Standards Committee.

### **37**

#### **CHANGE IN ORDER OF BUSINESS**

Councillor Brett moved and Councillor Constantides seconded 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 as the next items of business:

- Item 20.3: Motion in the name of Councillor Hamilton (Police numbers within the borough)

This was agreed with the following result:

For: 30

Against: 25

Abstentions: 0

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

### **38**

#### **MOTIONS**

Councillor Hamilton moved and Councillor Rye seconded the following motion:

"This Council deplores the 100s of police vacancies, plus secondments out to other boroughs that is the current situation in Enfield, which is having a detrimental impact on Safer Neighbourhood teams especially in our most deprived wards.

Knife and gang crime is a serious concern and the Council is opposed to any shortfall and reduction to police numbers in the borough which would limit the ability to apprehend offenders who are members of gangs and carry and use knives.

We urge the GLA and MOPAC to review the policing numbers in Enfield and raise staffing levels to the numbers required to meet the Borough's policing priorities.

This Council also believes that imprisoning people for violent knife crime is only half the battle. It is vital that the criminal justice system provides the resources and expertise required to rehabilitate all young offenders rather than allowing them to languish in prison and become hardened criminals."

During the debate it was noted that Councillor Hamilton (as Cabinet member for Community Wellbeing and Public Health) would:

- inform Councillor Rye (as Chair of the Crime & Safety and Stronger Communities Scrutiny Panel) of the representation to be submitted to the GLA and MOPAC regarding the review of police numbers within the borough; and
- be willing to provide Councillor Rye with the opportunity to co-sign the representation, should he be minded to support its wording.

Following a short debate on the motion Councillor Lavender moved and Councillor Neville seconded that the motion be put to the vote. This was agreed without a vote.

The motion was then put to the vote and agreed unanimously.

### **39**

#### **CHANGE IN ORDER OF BUSINESS**

Councillor Neville moved and Councillor Lamprecht seconded 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 as the next items of business:

- Item 13 (Part 1 Agenda) & Item 2 (Part 2 Agenda): Depot Relocation

The proposed change in order of business was put to the vote, with the following result:

For: 26

Against: 32

Abstention: 0

The change was not agreed and consideration of the business continued in the order set out on the agenda

### **40**

#### **DEVELOPMENT OF A JOINT SERVICE CENTRE**

Councillor Charalambous moved and Councillor Brett seconded the joint report from the Director of Health, Housing and Adult Social Care and Director

of Finance, Resources and Customer Services (No.241) regarding the development of a Joint Service Centre.

**NOTED**

1. The recommendations in Report No.241 had been approved by Cabinet on 25 April 2012. The item was accompanied by a separate Part 2 report (No.243), which had also been approved by Cabinet on 25 April 2012 and contained a recommendation to Council seeking approval for the addition of the scheme to the Council's Capital Programme.
2. In view of 1.above members were advised that Report No.241 had only been included on the Council agenda for information, as background to the recommendation made to Council.
3. The development of the proposal, following its initial consideration by the Health Scrutiny Panel in 2010, to include not only the delivery of improved primary care facilities in the form of a new GP practice but also a new dental practice and improved facilities for the current Ordnance Road Library and Kettering Hall.
4. The concerns expressed by the Opposition Group at the natural synergy of the services proposed and location of the proposed site.
5. The outcome of the feasibility study undertaken in relation to each site, as detailed in section 3 of the report, along with the fact that further public consultation on the preferred option would be undertaken following approval of the outline business case.

In view of the concerns identified Councillor Rye moved and Councillor Headley seconded an amendment to recommendation 2.1 in the report requiring that public consultation be undertaken on the location of the new GP and dental practice prior to any approval being given to proceed further with development of the Joint Service Centre.

The Assistant Director Corporate Governance advised Council that the recommendations in Report No.241 (on which the amendment had been moved) had already been approved by Cabinet. He reminded members that the report had only been included on the Council agenda for information, as background to the recommendation to Council contained in Report No.243 on the Part 2 agenda. For this reason, the proposed amendment was ruled out.

The debate then continued before Councillor Lavender moved and Councillor Lamprecht seconded that the report be put to the vote. This procedural motion was put to the vote, with the following result:

For: 26

Against: 31

Abstention: 0

The motion was not agreed.

Following a further period of debate, Councillor Lavender again moved and Councillor Lamprecht seconded that the report be put to the vote. This procedural motion was put to the vote, with the following result:

For: 23  
Against: 33  
Abstention: 0

The motion was not therefore agreed and the debate continued on the report.

At the conclusion of the debate, Council was asked to note (as background information to the recommended addition of the scheme to the Council's Capital Programme contained in the Report No.243 on the Part 2 agenda) the recommendations that had been approved by Cabinet on 25 April 2012. This was agreed without a vote

**AGREED** that Council note the decisions taken by Cabinet on 25 April 2012, as detailed in sections 2.1 – 2.4 of the report.

#### **41**

#### **COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING**

The Mayor advised the meeting that in accordance with Council Procedure Rule 8 (page 4-8 – Part 4), the meeting was due to end at 10:18pm.

In view of concerns raised by the Opposition Group in relation to the decision being sought on Agenda Item 13 (Part 1 Agenda) & Agenda Item 2 (Part 2 Agenda) - Depot Relocation, the Leader of the Council advised that he was minded to agree an extension to the time of the meeting in order to allow these concerns to be identified.

Councillor Lavender therefore moved and Councillor Lamprecht seconded a procedural motion under Council Procedure Rule 8 to extend the time of the meeting for an additional period of 30 minutes. This was agreed by Council, without a vote.

#### **42**

#### **CHANGE IN ORDER OF BUSINESS**

Councillor Rye moved and Councillor Lamprecht seconded 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 25: Exclusion of the Press & Public
- Item 2 (Part 2 Agenda) - Depot Relocation
- Item 13: (Part 1 Agenda) - Depot Relocation

This was agreed by the Council, without a vote. Please note the minutes reflect the order in which the items were dealt with at the meeting.

**43**

## **EXCLUSION OF THE PRESS & PUBLIC**

**AGREED** to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**44**

## **DEPOT RELOCATION**

Councillor Bond moved and Councillor Brett seconded the joint report from the Director - Environment & Director of Finance, Resources & Customer Services (No.17) seeking approval to the arrangements for consolidation of the Council's depot functions onto a single site.

**NOTED**

1. The recommendations in Report No.17 had been approved for recommendation onto Council by Cabinet on 20 June 2012. The item was accompanied by a separate Part 1 report (No.16), which had also been approved by Cabinet on 20 June 2012.
2. The following concerns highlighted by the Opposition Group in relation to the proposals contained in the report:
  - a. the financial implications and costs associated with the terms of the proposal, as detailed within sections 4.6 and 7 of Report No.17;
  - b. the basis of the legal advice and opinion obtained in relation to the potential use of Compulsory Purchase powers, with specific reference to powers available under the Highways Act 1980.
3. Whilst noting the concerns raised, the Leader of the Council supported by the Cabinet member for Finance & Property confirmed that external legal opinion had been sought on the proposals outlined in the report which were felt to provide an effective solution and way forward. In view of the concerns raised, however, it was agreed that further clarification would be sought on the basis of the legal opinion obtained with the Cabinet member for Environment to inform the Opposition lead member on Environment on the outcome.

Having provided (as requested) an opportunity for the Opposition Group to highlight their concerns on this item, Councillor Taylor moved and Councillor Constantinides seconded that the report be put to the vote. This was agreed without a vote.

The recommendations in the report were then put to the vote, with a roll call requested by the Opposition Group. The results were as follows:

For : 35

Councillors Anwar, Bakir, Bearryman, Bond, Brett, Buckland, Cazimoglu, Charalambous, Cicek, Cole, Constantinides, Cranfield, Deacon, During, Ekechi, Georgiou, Goddard, Hamilton, Hasan, Ibrahim, Keazor, Lemonides, Levy, McGowan, Murphy, Orhan, Oykener, Robinson, Savva, Simodyal, Simon, Sitkin, Stafford Taylor and Uzoanya.

Against: 22

Councillors Barker, Chamberlain, Delman, E Hayward, R Hayward, Hurer, Joannides, Jukes, Kaye, Laban, Lamprecht, Lavender, Maynard, McCannah, Neville, A M Pearce, D Pearce, Rye, Smith, Vince, Waterhouse and Zetter.

Abstained: 0

**AGREED**

- (1) The relocation of the operations from the existing depots at Carterhatch, Advent Way and Bury Street West to Murphy's site at Morson Road, Enfield.
- (2) The Council enters into an agreement to lease the Morson Road site from Murphy on the terms set out in the report, and the lease to be completed after the depot has been constructed by Murphy.
- (3) To approve the necessary capital and revenue expenditure with provision to be made within the Council's Medium Term Financial Strategy process for the required expenditure to be incurred.
- (4) To delegate minor amendments to the Cabinet Member for Environment in consultation with the Director – Environment.

The meeting then moved back into Part 1 and Council noted that the above decision incorporated the recommendations also detailed in the accompanying report (No.16) on the Part 1 Agenda.

**45**

**COUNCIL PROCEDURE RULE 8 - DURATION OF COUNCIL MEETING**

NOTED that in accordance with Council Procedure Rule 8 (page 4-8 – Part 4), the remaining items of business on the Council agenda were considered without debate, as the time available for the meeting (as extended) had elapsed.

**46**

**HOUSING REVENUE ACCOUNT (HRA) ASSET MANAGEMENT STRATEGY**

RECEIVED the report of the Director of Health, Housing & Adult Social Care (No.11A) seeking approval to the HRA Asset Management Strategy.

NOTED that the Strategy had been considered and approved for recommendation onto Council by Cabinet on 20 June 2012.

**AGREED**

- (1) To approve the HRA Asset Management Strategy.
- (2) To note that the document was integral to the further development of the Council's HRA Business Plan, which was due to be presented to Cabinet in July and will then sit alongside it as a complementary document.
- (3) To note that an Estate Renewal/Area Improvement Framework, which would set out the proposed estate/area investment direction for the next 30 years, would be presented to Cabinet in the autumn.
- (4) To note that a fully costed five year capital programme would also be presented to Cabinet in the autumn.

**47**

**ENFIELD'S HOUSING STRATEGY 2012-2027**

RECEIVED the report of the Director of Health, Housing & Adult Social Care (No.12) seeking approval to Enfield's 15 year Housing Strategy.

NOTED that the Strategy had been considered and approved for recommendation onto Council by Cabinet on 20 June 2012.

**AGREED** to approve Enfield's Housing Strategy 2012-2027 and Delivery Plan

**48**

**DRAFT FINANCIAL REGULATIONS**

RECEIVED a report from the Director of Finance, Resources & Customer Services (No.230A) detailing the outcome of a review of the Council's Financial Procedure Rules and amendments recommended as a result.

NOTED that the amended Financial Procedure Rules had been considered and approved by Audit Committee on 4 April 2012, for recommendation onto Council.

**AGREED** that the redrafted Financial Regulations be approved and incorporated into the Council's Constitution, as set out in Appendix 2 of the report, subject to the inclusion of an additional regulation 10 (d) (as detailed in section 3.6 of the report) to ensure that adequate budget provision had been made before proceeding to invitation tender stage for the contractual provision of goods and services.

**49**

**REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - POLICY & PROCEDURE**

RECEIVED a report from the Director of Finance, Resources & Customer Services (No.233A) detailing the results of a review of the Council's policy and procedure relating to the use of the Regulation of Investigatory Powers Act 2000 and changes being recommended as a result.

NOTED that the revised RIPA policy and procedures had been considered and approved by Audit Committee on 4 April 2012 for recommendation onto Council.

**AGREED** that the revised RIPA Policy and Procedure be approved, as set out in the Appendix of the report

**50**

**SCRUTINY ANNUAL REPORT 2011/12**

RECEIVED a report from the Overview & Scrutiny Committee (No.25) presenting the Scrutiny Annual Report covering the 2011/12 Municipal Year.

NOTED that the Annual Report had been agreed for endorsement by Council at the Overview & Scrutiny Committee on 19 April 2012.

**AGREED**

- (1) The Scrutiny Annual Report 2011/2012 be approved for publication.
- (2) To note the areas identified as future challenges for Enfield's scrutiny function within the Annual Report.

**51**

**USE OF THE COUNCIL'S URGENCY PROCEDURES**

NOTED the details of the following decisions taken under the Council's urgency procedure relating to the waiver of call-in and, where necessary, the Forward Plan along with the reasons for urgency. These decisions had 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:

1. Application to the Enfield Residents Priority Fund: N21 Festival
2. Application to the Enfield Residents Priority Fund: Queens Diamond Jubilee celebrations

**52**

**COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)**

**1.1 Urgent Questions**

None received.

**1.2 Questions by Councillors**

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

**53**

**MOTIONS**

The remaining motions listed on the agenda, as set out below, lapsed due to lack of time:

**1.1 In the name of Councillor Lavender**

This Council recognises the important role played by the Green Belt in:

- (i) providing passive open space,
- (ii) providing publicly accessible recreation (particularly enjoyed by those who otherwise do not have access to private gardens),
- (iii) maintaining a sustainable environment for wildlife,
- (iv) inhibiting inappropriate development and arresting climate change and
- (v) preserving a sense of history and identity to Enfield, Edmonton and Southgate.

This Council recognises that its ability to maintain, preserve and provide such facilities and/or attributes is enhanced when its powers as planning authority are combined with the proper exercise of its power as landlord.

This Council notes the uproar and concern caused by recent decisions of the Labour Council to dispose of interests in the Green Belt within the London Borough of Enfield.

This Council therefore resolves not to make any further decision to dispose of any property interest within the Green Belt applicable to any land within the boundaries of the London Borough of Enfield:

- (i) without a full impact assessment being published in relation to the above issues; and
- (ii) unless such decision is made by cabinet and is not subject to delegation to members or officers.

**1.2 In the name of Councillor Neville**

This Council notes its failure to recover over 40% (£2.5m) of penalty charges issued in the financial year 2011-2012 and also notes the fact that over £1.2million of housing benefit was overpaid by the council due to its own errors in the financial year 2011-2012. It also notes that in total £5.8m of housing benefit was overpaid and not recovered in the financial year 2011-2012.

This Council regrets its failure to properly safeguard public resources particularly at a time of severe austerity and instructs the Overview and Scrutiny Committee to investigate the causes of these failures and to provide a report to council.

**54**

**MEMBERSHIPS**

**AGREED** the following changes to committee memberships

- a. **Crime, Safety and Stronger Communities Scrutiny Panel** – Councillor Chamberlain to replace Councillor Hall
- b. **Councillor Conduct Committee** - Councillor Murphy to replace Councillor Cranfield
- c. **Green Belt Forum** – Councillor D.Pearce to replace Councillor East and Councillor Laban to replace Councillor Waterhouse.
- d. **Schools Forum** - Councillor Simbodyal to replace Councillor Orhan.

**55**

**NOMINATIONS TO OUTSIDE BODIES**

**AGREED** the following change to the Council's nominations on outside bodies:

- a. **Edmonton United Charities** - Councillor Hall to replace Councillor Chamberlain on expiry of his term of office (18 July 2012).

**56**

**CALLED IN DECISIONS**

None received.

**57**

**DATE OF NEXT MEETING**

**NOTED** that the next meeting of the Council would be held at 7.00pm on Wednesday 19 September 2012 at the Civic Centre.

**58**

## **EXCLUSION OF THE PRESS & PUBLIC**

**AGREED** to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**59**

## **DEVELOPMENT OF A JOINT SERVICE CENTRE**

RECEIVED the joint report from the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services (No.243) regarding the development of a Joint Service Centre.

NOTED the recommendations in Report No.243 had been approved by Cabinet on 25 April 2012. Council was subsequently being asked to note the decisions made and consider the addition of the scheme to the Council's Capital Programme.

### **AGREED**

- (1)** To note the decisions taken by Cabinet on 25 April 2012, as detailed in section 2.5 – 2.6 of the report.
- (2)** To approve the addition of the scheme to the Council's Capital Programme.

The meeting ended at 10:45pm