

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 5 DECEMBER 2012**

COUNCILLORS

PRESENT Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Chris Bond (Cabinet Member for Environment), Bambos Charalambous (Cabinet Member for Culture, Leisure, Youth and Localism), Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health), Donald McGowan (Cabinet Member for Adult Services, Care and Health), Ayfer Orhan (Cabinet Member for Children & Young People), Ahmet Oykenler (Cabinet Member for Housing) and Andrew Stafford (Cabinet Member for Finance and Property)

ABSENT Del Goddard (Cabinet Member for Business and Regeneration)

OFFICERS: Rob Leak (Chief Executive), James Rolfe (Director of Finance, Resources and Customer Services), Ray James (Director of Health, Housing and Adult Social Care), Ian Davis (Director of Environment), Andrew Fraser (Director of Schools & Children's Services), Neil Rousell (Director of Regeneration, Leisure & Culture), Asmat Hussain (Assistant Director Legal), John Austin (Assistant Director - Corporate Governance), Simon Tendeter (Assistant Director Communities, Communications, Policy and Performance), Shahed Ahmad (Director of Public Health), Bridget Evans (Programme Director), Andrew Golder (Press and New Media Manager), Jeff Laidler (Head of Sustainability) and Clive Tritton (Interim Assistant Director for Programmes and Partnerships) Jacqui Hurst (Secretary)

Also Attending: Councillor Derek Levy.

**1
APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Del Goddard (Cabinet Member for Business and Regeneration) who was attending a Planning Panel meeting.

**2
DECLARATION OF INTERESTS**

There were no declarations of interest.

3

URGENT ITEMS

NOTED that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

4

DEPUTATIONS AND PETITIONS

NOTED that no requests for deputations (with or without petitions) had been received for presentation to this Cabinet meeting.

5

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED to refer the following item to full Council, for noting only, no decision would be required by Council:

1. Report No.121 – Annual Public Health Report

6

COUNCIL BUSINESS PLAN UPDATE

Councillor Achilleas Georgiou (Deputy Leader) introduced the report of the Chief Executive (No.119) seeking approval of the final draft version of the updated Council Business Plan.

NOTED

1. that Appendix A to the report set out the Council's achievements in 2011/12 and its priorities for 2012/13;
2. the report highlighted the Council's priorities, what had been achieved to date and the work that was still required;
3. in discussion, Members praised the positive impact that the Council was having on the Borough's residents. Members expressed their thanks and appreciation to officers throughout the Council who had worked hard to support Members in reaching the achievements set out in the report.

Alternative Options Considered: There was no longer a statutory duty to produce a Council Business Plan, but it demonstrated how the Council would deliver on the administration's aims and priorities, contained in "A Fairer Future for All".

DECISION: The Cabinet agreed to approve the final draft version of the updated Council Business Plan for publication.

Reason for recommendations: A published Business Plan provided information to staff, members and residents on actions being taken to achieve the Council's aims in "A Fairer Future for All".

(Key decision – reference number 3614)

7

QUARTERLY CORPORATE PERFORMANCE REPORT

Councillor Achilleas Georgiou (Deputy Leader) introduced the report of the Chief Executive (No.120) outlining progress made towards delivering the identified key priority indicators for Enfield.

NOTED

1. the progress made towards delivering the identified key priority indicators for Enfield;
2. that of the 68 performance indicators that had targets, 45 (66.2%) were at green; 14 (20.6%) were at amber; and 9 (13.2%) were at red;
3. the good performance overall and that individual Cabinet Members would be reviewing the targets within their own portfolio areas;
4. that both Albany and Southgate leisure centres had been closed for a period of refurbishment which had affected the indicators. Councillor Charalambous was confident that the performance targets in this area would therefore improve.

Alternative Options Considered: Not to report regularly on the Council's performance. This would make it difficult to assess progress made on achieving the Council's main priorities and to demonstrate the value for money being provided by Council services.

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

(Non key)

8

ANNUAL PUBLIC HEALTH REPORT

Councillor Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health) introduced the report of the Director of Public Health (No.121) presenting the Annual Public Health report.

NOTED

CABINET - 5.12.2012

1. that this was the last year that a joint Annual Public Health report would be produced by the Local Authority and NHS as the responsibility for public health was moving into the Local Authority with effect from April 2013. A key purpose of the 2012 Annual Public Health Report was to support the Council in its preparation for Public Health Transition; the Executive Summary of the Cabinet report set out the main elements of the published report;
2. Dr Shahed Ahmad, Director of Public Health, was invited to outline his report and highlight any issues for Members' particular attention, as set out below:
 - Chapter 1 of the report described the determinants of health and wellbeing. Figure 1.1 of the report was highlighted – this set out the determinants of health model.
 - Chapter 2 described the new Public Health System.
 - Chapter 3 set out what was known about health outcomes in Enfield. In particular the high level of health inequalities faced by Enfield's residents was noted.
 - Chapter 4 described some of the work undertaken by the Council's partners to improve Enfield's health and wellbeing.

Comments and feedback from Members was invited.

3. a discussion took place with regard to the childhood obesity figures set out in the report for both reception year and year 6 pupils. There was no correlation in the figures at present. There was a strong correlation between childhood obesity and child poverty. It was noted that the statistics were not always consistent as parents could choose whether or not to have their child weighed. Members noted the work which was already taking place in schools and the need to consider effective community initiatives to address the wider health issues. In response to a concern raised, it was acknowledged that this was an issue which required sensitivity and that it was important not to "label" children and stigmatise any individuals;
4. Members highlighted the value of campaigning on the negative health effects of high sugar and salt intakes. Dr Ahmad outlined the discussions which were taking place and recognised the further work that was required in this area;
5. the importance of physical activity was noted and the need to encourage greater participation in the Borough in activities such as walking. Many people were not confident enough to participate in a number of physical activities;
6. Councillor Orhan highlighted the initiatives which were taking place in schools including walking buses; healthy menus for school meals; sensitively managing obesity; increasing sports activities through the Olympic legacy. There was a need to engage with parents on healthy

CABINET - 5.12.2012

eating in relation to packed lunches provided for their children. Every child was important and a co-ordinated effort was needed with the Council's stakeholders and partners;

7. that a number of the initiatives were long-term. Councillor Taylor asked which elements were likely to improve or worsen over the next 12 months, recognising the challenging economic period and welfare reforms taking place. Dr Ahmad expected childhood obesity figures to improve and markers for long-term improvements in life expectancy through increased monitoring of blood pressure and cholesterol levels. A greater understanding of health and wellbeing would be promoted. It was noted that Cabinet reports now included a section on public health implications; it was intended to strengthen these as much as possible. GPs would be encouraged to refer more people to support services such as "stop smoking";
8. the work that was being co-ordinated by the Health and Wellbeing Board and the Primary Care Strategy which should have a positive impact;
9. Andrew Fraser (Director of Schools and Children's Services) highlighted the need to focus on improving the infant mortality rates in the Borough.

Alternative Options Considered: Not applicable.

DECISION: The Cabinet agreed to note the Annual Public Health Report and to ensure that future strategic decisions were mindful of the wider determinants of health and informed by the findings of the report.

RECOMMENDED TO COUNCIL that the report be noted (for information only).

Reasons for recommendations: It would be considered good practice for councils to receive the Annual Public Health Report and be mindful of the findings.

(Non key)

9

PRIMARY EXPANSION PROGRAMME

Councillor Ayfer Orhan (Cabinet Member for Children and Young People) introduced the report of the Director of Schools and Children's Services and Director of Finance, Resources and Customer Services (No. 122) progressing the primary expansion programme.

NOTED

1. that the report set out the work that had been carried out to implement the Strategy and sought approval of the budget for the programme to

CABINET - 5.12.2012

proceed to the award of contracts (paragraph 1.1 of the report referred);

2. that the demand for primary pupil places had increased significantly at a time of extreme pressures and funding cuts. The Council was committed to providing a place for every child;
3. that section 3.7 of the report set out the detailed programme and the schools which would be providing additional places and/or capacity;
4. the consultation exercises which were taking place;
5. the overall estimated cost of the Primary Expansion Programme and the various funding sources as set out in the table in section 6.1.3 of the report. Section 3 of the report set out the procurement processes which had been followed. The programme was currently on budget and on schedule; the programme was innovative;
6. the Programme was significant and aimed to provide an additional 2,100 pupil places by September 2013. The report set out in detail how this would be achieved. Members set the programme in the context of the extreme budget pressures and funding cuts from central government and the need for the Council to be proactive and creative in meeting the significant increase in demand;
7. that traffic mitigation measures on each of the schemes would be carried out (section 11 of the report referred). The importance of addressing the traffic issues was highlighted by Members.

Alternative Options Considered: Enfield Council had a statutory responsibility to provide the necessary school places. This revised strategy provided the additional capacity and expertise to ensure that this programme was delivered on time and provided best value for the Council. Not providing places could not be considered an option. The following proposals had been considered but rejected:

- Increasing class sizes to over 30 pupils. Current legislation stipulates that Key Stage One classes cannot exceed 30 pupils with only one qualified teacher. This does not apply to Key Stage two. However, school accommodation does not normally allow for more than 30 pupils in one class base.
- The use of community halls as emergency class bases. This option had been explored with a number of head teachers in relation to the development of the Partner School initiative. However, the revised strategy seeks to deliver a programme of permanent expansions.

DECISION: The Cabinet agreed

1. to approve the budget of £24.993 million to proceed with the primary expansion programme through to completion and noted that the £1.8 million of pre-construction costs included in this total had been

CABINET - 5.12.2012

approved through a portfolio report (KD3599) under the rule 16 (special urgency) procedures;

2. that the Cabinet Members for Finance and Property and Children and Young People and the Directors of Schools and Children's Services and Finance, Resources and Customer Services continue to have delegated powers to approve the construction contracts as the programme progresses;
3. that following Cabinet Member approval (as per decision 2 above), the Directors of Schools and Children's Services and Finance, Resources and Customer Services are given delegated authority to sign the individual contracts for works at each Phase One primary expansion project school;
4. noted that following the portfolio report of 14 August 2012 and the completion of the informal consultation phase regarding proposed expansions, statutory notices had been published for expansions at Garfield, Walker, Prince of Wales, Grange Park, Worcesters, George Spicer, Highfield, Houndsfield and Edmonton County schools. Portfolio decisions in December and early January would be made following the end of the statutory consultation process.

Reasons for recommendations: The Council has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand. The strategy will deliver the additional places required in the areas of the highest demand (section 5 of the report refers).

(Key decision – reference number 3598)

10

SPECIAL PURPOSE VEHICLE, LEE VALLEY HEAT NETWORK

Councillor Chris Bond (Cabinet Member for Environment) introduced the report of the Director of Environment (No.123) seeking in principle approval to establish a Special Purpose Vehicle to deliver the Lee Valley Heat Network (LVHN) by March 2013.

NOTED

1. that approval was being sought for expenditure of up to £20,000 (shared with the London Borough of Haringey) as set out in the report;
2. that the Lee Valley Heat Network (LVHN) would initially use hot water and steam from the Energy from Waste facility at the Edmonton EcoPark;
3. the reasons for the recommendations as set out in section 5 of the report;
4. the impact on Council priorities as set out in section 8 of the report.

Alternative Options Considered: The full range of delivery options for the Special Purpose Vehicle will be considered in a subsequent Cabinet paper, for which specialist legal advice will be sought.

DECISION: The Cabinet agreed

1. in principle, to approve the establishment of a Special Purpose Vehicle to deliver the Lee Valley Heat Network (LVHN) by March 2013, subject to further Cabinet approval of:
 - A robust business case to establish the viability of delivering LVHN;
 - Appropriate Special Purpose Vehicle (SPV) structure and governance arrangements;
 - Enfield investment in the SPV to build and operate the LVHN.
2. to approve expenditure of up to £20,000 (shared with the London Borough of Haringey) to cover initial legal advice to identify the appropriate SPV structure and governance arrangements.
3. to immediately and jointly establish an off the shelf “paper” company with the London Borough of Haringey, with authority for this decision delegated to the:
 - Cabinet Member for Environment
 - Cabinet Member for Business and Regeneration; and
 - Director – Environment

This will provide further market testing, ahead of Cabinet approval of the full LVHN business case.

Reasons for recommendations: The SPV is required to be able to deliver the LVHN project, which is forecast to deliver significant economic, environmental and social benefits greater than would otherwise be achieved by individual decentralised energy schemes. These benefits include:

- Inward investment and new jobs
- Affordable low carbon heat for businesses, industries, the public sector and local residents
- Tackle fuel poverty
- Reduce London’s carbon footprint

(Key decision – reference number 3583)

11

LADDERSWOOD ESTATE RENEWAL - COMPULSORY PURCHASE ORDER

Councillor Ahmet Oykenner (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care, Director of

CABINET - 5.12.2012

Regeneration, Leisure and Culture and the Director of Finance, Resources and Customer Services (No.124) recommending that Cabinet make the Ladderswood and New Southgate Industrial Estate CPO 2012.

NOTED

1. that Minute No.22 below also referred;
2. that CPO would only be used should the Council fail to reach a negotiated settlement, as set out in the report.

Alternative Options Considered: An alternative option considered is for the Council not to make a CPO for Ladderswood and the New Southgate Industrial estate. This would place the Council in breach of its obligations under the Development Agreement.

DECISION: The Cabinet

1. noted the statement of reasons appended to the report which sets out the justification for making the Ladderswood and New Southgate Industrial Estate CPO 2012.
2. noted the indicative timeline for the CPO process for the Ladderswood and New Southgate Industrial Estate CPO 2012 appended to the report as Appendix A;
3. agreed to make the Ladderswood and New Southgate Industrial Estate CPO 2012 under section 226(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (the "1990 Act").
4. agreed to authorise the Director of Health, Housing and Adult Social Care in consultation with the Director of Finance, Resources and Customer Services, to take all the necessary steps consequent to the making of the Ladderswood and New Southgate Industrial Estate CPO 2012.

Reasons for recommendations: To provide the Council with a legal option to ensure that vacant possession of the site can be achieved to enable the regeneration of the area to take place. The New Ladderswood LLP requires the Council to make the Ladderswood and New Southgate Industrial Estate CPO 2012 in order to reduce the risk of not achieving Vacant Possession. If the Council did not progress the making of the CPO then this would place the Council in breach of its obligations under the Development Agreement.

(Key decision – reference number 3487)

12

PROPOSAL FOR THE RENEWAL OF HOUSING RELATED SUPPORT CONTRACTS

CABINET - 5.12.2012

Councillor Ahmet Oykenar (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care (No.125) seeking approval to renew the Housing Related Support Contracts.

NOTED

1. that Minute No.23 below also referred;
2. that since 2010 there had been a programme of re-tendering, renegotiation and re-modelling of services, generating £1.3 million of budget reductions and savings for Housing Related Support; or approximately 11.6% of the budget;
3. that the approach proposed to re-tendering was aimed to generate further savings, whilst ensuring continuity of support and care for existing vulnerable service users.

Alternative Options Considered: Re-tendering all the remaining services immediately would present considerable resource implications for the Council and Providers, would destabilise the market, and possibly affect client care.

DECISION: The Cabinet

1. noted the contents of the report and the need to achieve the savings proposed without destabilising the market in the short term.
2. considered, reviewed and approved renewing contracts to cover the proposed savings timetable.

Reasons for recommendations: The renewal of the current contracts would:

- Enable the Council to ensure that appropriate contractual and monitoring arrangements are in place whilst services are reviewed in the context of the Personalisation Agenda and the Adult Social Care Commissioning Strategy
- Stabilise market rates and give greater control on service quality
- Provide continuity of care for existing providers
- Permit the Council to focus resources on other major re-tendering and procurement projects to deliver savings and efficiencies.

(Key decision – reference number 3603)

13

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY PANEL/SCRUTINY PANELS

NOTED that no items had been received for consideration at this meeting.

14

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED the provisional list of items scheduled for future Cabinet meetings.

15

NOTICE OF KEY DECISION LIST

NOTED that the next Notice of Key Decision List was due to be published on 21 December 2012, this would be effective from 1 February 2013.

16

MINUTES

AGREED that the minutes of the previous meeting of the Cabinet held on 14 November 2012 be confirmed and signed by the Chairman as a correct record.

17

MINUTES OF ENFIELD RESIDENTS' PRIORITY FUND CABINET SUB-COMMITTEE - 12 NOVEMBER 2012

NOTED the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 12 November 2012.

18

MINUTES OF POLICY CABINET SUB-COMMITTEE - 21 NOVEMBER 2012

NOTED the minutes of a meeting of the Policy Cabinet Sub-Committee held on 21 November 2012.

19

ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

RECEIVED a written update on the recent Enfield Strategic Partnership conference which had taken place on 11 October 2012. Members noted the issues which had been discussed.

20

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet was scheduled to take place on Wednesday 23 January 2013 at 8.15pm.

21

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED in accordance with 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 involve the likely disclosure of confidential information as defined in Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

22

LADDERSWOOD ESTATE RENEWAL - COMPULSORY PURCHASE ORDER

Councillor Ahmet Oykenar (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Regeneration, Leisure and Culture and Director of Finance, Resources and Customer Services (No.127).

NOTED

1. that Minute No.11 above also referred;
2. the schedule for the remaining leaseholders, Appendix 5 to the report, who may be affected by the Ladderswood and New Southgate Industrial Estate CPO 2012 should the Council fail to reach a negotiated settlement;
3. the schedule for the remaining commercial leaseholders, Appendix 6 to the report, who may be affected by the Ladderswood and New Southgate Industrial Estate CPO 2012 should the Council fail to reach a negotiated settlement.

Alternative Options Considered: As detailed in Minute No.11 above.

Reason: As detailed in Minute No.11 above.
(Key decision – reference number 3487)

23

PROPOSAL FOR THE RENEWAL OF HOUSING RELATED SUPPORT CONTRACTS

Councillor Don McGowan (Cabinet Member for Adult Services, Care and Health) introduced the report of the Director of Health, Housing and Adult Social Care (No.128).

NOTED the contents of the report (Minute No.12 above also referred).

Alternative Options Considered: As detailed in Minute No.12 above.

DECISION: The Cabinet considered, reviewed and approved renewing the contracts under a contract Deed of Variation and waiver of Contract Procurement Rules in order to deliver the savings proposed.

Reason: As detailed in Minute No.12 above.
(Key decision – reference number 3603)