

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 7
NOVEMBER 2012**

COUNCILLORS

PRESENT Kate Anolue (Mayor), Chaudhury Anwar MBE (Deputy Mayor), Ali Bakir, Caitriona Bearryman, Chris Bond, Jayne Buckland, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, 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, Michael Lavender, Dino Lemonides, Derek Levy, Simon Maynard, Paul McCannah, Donald McGowan, Chris Murphy, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykenner, 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

ABSENT Alan Barker, Yasemin Brett, Yusuf Cicek and Henry Lamprecht

86

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

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

87

MAYOR'S CHAPLAIN TO GIVE A BLESSING

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

88

**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.

She welcomed the children from Merryhills Primary School who won the pan London Primary School's debating competition this year. They were attending the meeting to listen and to watch the debate on the evening.

The Mayor highlighted the following achievements:

- **Enfield Council 'Highly commended' at Law Society Awards**

Enfield Council's Legal Services Team had been 'Highly Commended' in the Practice Management Category at the Law Society Excellence Awards 2012 held on the 18 October 2012.

Enfield won the award for gaining the 'Lexcel' law accreditation quickly, becoming one of the fastest authorities to become compliant. They were also recognised for ensuring that their legal officers provided the highest management and customer care standards, whilst delivering best value.

The citation said: "The category judges found that the Enfield Legal Services team's commitment to best practice, in terms of both developing and maintaining effective approaches, was a key theme throughout their entry."

"The independent verification from internal and external contacts was impressive, proving their serious intention and dedication to being efficient and effective in all that they do."

This Commendation was a tribute to the professionalism and hard work of the Council's legal officers, and the Mayor congratulated them on the award.

- **Enfield in Bloom Award**

The London Gardens Society had awarded The Wakefield Trophy to Enfield in Bloom for showing pride in London by the cultivation of flowers and shrubs, but especially for The Affiliated Society placed first in the Special Awards Category of the All London Championship 2012. The Mayor congratulated all the supporters and volunteers.

The Enfield in Bloom representatives were presented with their trophy at the meeting.

- **Black History Month**

Black History Month had been highly celebrated in Enfield, and had the honour of being attended by the legendary Earl Cameron (aged 95) who was the first black person to break the colour bar in films. He had appeared in 40 films during his long career including starring with Sean Connery in Thunderball and with Dame Helen Mirren in The Queen. In 2009 he was awarded a CBE.

He was interviewed by Alex Pascall at the Civic Centre in the form of a conversation with an audience of over 80 attendees. It was a fascinating, interesting and appropriate conclusion to the borough's celebration of Black History Month.

- **Sickle Cell Fundraising Event**

The Sickle Cell event on the 19 October 2012, a fund raising evening in aid of one of the Mayor's charities had been very well attended. The Mayor thanked all councillors and friends who had supported her and said that donations were still open for those who were not able to attend.

The Mayor reminded members and officers that her Christmas Reception for councillors, freemen and officers was to be held on Friday 14 December 2012.

The Mayor's Charity Spring Ball would be held on Saturday 16th March at Forty Hall. She asked members to put the date in their diaries and to contact friends to make up a table.

89 MINUTES

AGREED that the minutes of the Council meeting held on Wednesday 19 September be confirmed and signed as a correct record.

90 APOLOGIES

Apologies for absence were received from Councillors Alan Barker, Yasemin Brett, Yusuf Cicek and Henry Lamprecht.

Apologies for lateness were received from Councillors Simon Maynard and Martin Prescott.

91 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 including, as an example any issues relating directly to their employing organisation such as a school.
- 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.

- If they considered they had a DPI or prejudicial interest 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).
- 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.

As a result of the advice provided the following interests were declared at the meeting:

1. Agenda item 7 - Opposition Business: Children's Services

- a Councillor Joanne Laban declared a pecuniary interest as one of her close relatives (brother) was employed by a free school in the borough.

She withdrew from the meeting during the consideration of this item.

- b Non pecuniary interests were declared by the following members as they were either school governors or had relatives employed in education in the borough - Councillors Catriona Bearryman, Lee Chamberlain, Bambos Charalambous, Andreas Constantinides, Denise Headley, Chris Murphy, Alan Sitkin, Edward Smith, Lionel Zetter and Ann Zinkin.

All of the above members remained in the meeting during the consideration of this item.

2. Agenda item 12.3 – Motion relating to parking charges in Enfield Town

- a. Councillor Simon declared a non pecuniary interest as a resident living within Enfield Town.

92

OPPOSITION BUSINESS - CHILDREN'S SERVICES

Prior to consideration of this item, John Austin (Assistant Director Corporate Governance) read out a statement in relation to conduct of the debate. Members were advised that the Opposition Business Paper had included reference to a compliance issue relating to sensitive personal data. This matter was the subject of potential legal proceedings and had also been referred to the Police & Information Commissioner for investigation. Given the ongoing investigations, it was felt that any debate on the issue would be premature at this stage. There was also a need to avoid prejudicing the outcome of these investigations and any subsequent legal proceedings and as a result the Opposition Group was asked to consider withdrawing and not referring to this element of Opposition Business during the debate.

Councillor Rye (responding as lead member on the Opposition Business) advised that as he had not had an opportunity to consider the statement and consult with the Leader of the Opposition in advance of the meeting the Opposition would not be prepared to withdraw the item. On the basis of the advice provided they would, however, refrain from referring to it in the debate. This approach was supported by Councillor Lavender (Leader of the Opposition Group).

Councillor Rye proceeded to introduce the issues paper, prepared by the Conservative Group.

- The purpose of the Opposition Business was to highlight a number of areas on which it was recommended that a full report should be prepared for consideration by Overview and Scrutiny Committee and then full Council setting out what actions were being taken to address concerns highlighted around the following issues: examination results, lack of nursery, primary and secondary school places and proposals to address the shortfall; compliance issues in relation to sensitive personal data; lack of support to aspiring organisations that wished to create free schools and the performance of the school letting service.
- The Opposition Group were keen to congratulate schools and pupils for the exam results that they had achieved, whilst recognising the challenge facing many schools at Key Stage 1 and 2, with some schools having a pupil turnover of over 50%. Despite this, however, it was felt that children at the primary level were generally achieving well with a high proportion achieving Level 5 or above at Key Stage 2 in English and Maths and achieving 2 levels of progress.
- At secondary level performance was much more of a concern. Even taking account of the recent Ofqual decision on GCSE English grades, which it was recognised had had an unfair impact on English results, the achievement levels at Key Stages 3, 4 and 5 were felt to be disappointing. At Key Stage 4 only 6 of the 18 secondary schools and academies in Enfield (33.3%) had achieved a percentage of pupils gaining 5 A*-C grades, including English and Maths that met, or was above the Fisher, Family Trust (FFT) D estimate. 5 of the 18 schools (27.8%) had met or exceeded the FFT D estimate for making 3 levels of progress in English and 8 of the 18 schools (44.4%) had met or exceeded the estimate for Maths. As a result the Opposition Group felt there was a need to look at the actions being taken under the Council's School Improvement Programme to address these concerns and improve the quality of education at secondary level.
- Concerns were also highlighted in relation to the action being taken to address the difficulties being experienced in relation to the provision of school places. Whilst the Council's Partner School Programme was seen as a way forward the Opposition Group felt that the Council should be doing much more to support and encourage the setting up of free

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schools and academies. Concerns were also highlighted at the failure to consider use of sites being disposed of by the Council, such as Carterhatch Depot and Southgate Town Hall, for direct educational provision and at the way in which these processes had been managed, which in the case of Carterhatch Depot had been subject to a separate call-in.

- Concerns were also raised over what the Opposition Group regarded as systemic failings in management of the School Lettings Service, particularly in relation to the issuing of invoices and collection of income for schools.

The Opposition Group felt that a full review of the issues raised needed to be undertaken with a report on the outcome and way forward being provided for consideration by Overview & Scrutiny Committee, prior to Council.

Councillor Ayfer Orhan, Cabinet Member for Children and Young People, responded on behalf of the Majority Group, highlighting:

- what was felt to be the negative nature of the Opposition Business Paper and disappointment at its failure to focus on the creation of a future strategy and vision to improve the quality of education in the Borough.
- The Administrations commitment towards an inclusive education agenda and vision where all children and young people in Enfield should be able to do as well as they can, irrespective of their background and status.
- Delivery of the vision was recognised as a challenge in current circumstances and had been made even more difficult by the changes made by Ofqual to grade boundaries in the marking of this year's English GCSE exams. Given the high level of concern, Enfield was part of a consortium including other local authorities, professional bodies, schools, and individuals seeking to challenging the process, via Judicial Review. In relation to school performance, strategies were already in place to drive improvement which included support around implementation of the new modular examination system and changes in grading boundaries. It was pointed out that if the late change in these boundaries had not been implemented, Enfield's achievement in relation to performance against the Fisher Family Trust Level D base rating would have been much higher.
- As regards school places, confirmation was provided that there was no shortage of nursery places. Shortfalls had been experienced in relation to Primary School Places but the Council had developed a robust strategy to address the rising demand for primary places. This was based around a Primary Expansion Programme (PEP) designed to provide an additional 2,400 permanent high quality primary places at local schools. In terms of reference to use of Carterhatch Depot, members were reminded that this was not currently an empty or vacant site. When the site had been vacated the receipts from its disposal would

be used to contribute towards the capital funding required to deliver the PEP. In addition Southgate Town Hall was not felt to be an appropriate venue for the provision of educational facilities in view of the space limitations on the site and other potential safeguarding reasons.

- In response to concerns about support for the establishment of free schools and academies, a recent survey carried out by the Greater London Authority, listed Enfield in joint first position as the borough with the highest number of free school and academy places in London.

Other issues highlighted during the debate were as follows:

- The concerns raised in relation to the Schools Letting Service had first been highlighted in July and despite an assurance being provided in September that the matter would be resolved, problems were still being experienced despite Service Level Agreements being in place. Delays in the collection and payment of monies were affecting school budgets with it being reported that one school was currently owed £90,000. In response to these concerns the Deputy Leader assured members at the meeting, that all payments due via the Schools Letting Service, would be made by the end of the month.
- The cross party support towards delivering improvements in education attainment.
- The need to recognise that improving educational standards and school performance was not only related to attainment or leadership and teaching but was also heavily influenced by socio economic factors such as child poverty. In addition there was a need to consider educational policy in its widest sense, including changes in the applied curriculum, to ensure that young people were being equipped with the right skills.
- Looking at current levels of performance the results being achieved at academies and free schools were not felt to be much better than those at local authority schools. The current Administration would be willing to work with academies and free schools but this would be on the basis that the necessary structures and arrangements were in place in order to provide facilities that were fit for purpose and where possible this was linked to the local authority for support.
- The need to address the fact that educational standards in the UK appeared to be falling behind improvements in educational standards in competing nations.
- The ideological differences between members from both Groups in relation to the creation of academies and free schools as a means of delivering improvements in educational standards and attainment and their cost.

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- The need to ensure that a more joined up and holistic approach was adopted in terms of the action being taken to deliver improved standards in schools and the identification and use of resources to support this process.
- The need to recognise the impact that the late change in exam grade boundaries by Ofqual had had on GCSE results across the borough and support for the challenge being made to the process as a result.
- Whilst supportive of measures being taken to increase the provision of Primary School places, concerns were raised about the impact on existing schools where space and facilities were being used as a means of providing additional places.

Councillor Rye summed up on behalf of the Opposition Group. Whilst there were elements relating to the improvement of educational standards that both Groups supported, the Opposition Group felt that the Council should be doing more to support the establishment of free schools and academies in the borough. Concerns remained in respect of the provision of school places, especially at primary level as there were currently 178 primary school children unplaced. Whilst supporting the concerns highlighted in relation to the impact of the changes made by OFQUAL on the English GCSE exam grade boundaries, there was still a need to recognise and address the concerns highlighted around overall exam performance at secondary level within the borough and in relation to the Schools Letting Service. For these reasons it was felt appropriate to seek a detailed report for consideration at Overview & Scrutiny Committee.

In response to the debate and recommendations made within the Opposition Business paper, Councillor Doug Taylor (Leader of Council) highlighted that action was already being taken to expand the number of primary school places and to improve pupil performance. While the Administration had some reservations about the use of free schools and academies, they were willing to work with the Government policy on the issue and with free schools and academies. In addition he pointed out that the Children's Services Scrutiny Panel was already working to scrutinise work being undertaken to raise pupil attainment within the borough. He felt this, alongside the usual Cabinet and Council process, meant that the necessary democratic arrangements were already in place to consider these issues, without the need for further debate at the Overview and Scrutiny Committee. The Majority Group were not therefore minded to support the recommendation within the Opposition Business Paper.

As an outcome of the debate no request was made by the Leader of the Opposition for a vote to be taken on the recommendation within the Opposition Business Paper.

93

DRAFT REVISED ALLOCATIONS SCHEME FOR ENFIELD FOR ALLOCATING SOCIAL RENTED HOMES IN ENFIELD

Councillor Oykenor moved and Councillor Georgiou seconded the report of the Director of Health, Housing and Adult Social Care (No.96A) seeking approval of the Council's revised allocations scheme for social rented homes in Enfield.

NOTED

1. The Allocations Scheme had been endorsed by Cabinet on 5 November 2012 and recommended to Council for approval.
2. The thanks expressed by both Groups to officers for their hard work in developing the scheme, with specific reference made to the efforts of Susan Sharry & Liz Smalle (Strategic Development – Community Housing Services).
3. The scheme had been designed to take account of changes in Government legislation and to respond to the rising demand for housing in the Borough
4. The challenging national, regional and local context within which the scheme had been developed in relation to the pressure on housing finance and the housing market as a result of increased demand and the impact of changes being implemented to welfare benefits.
5. The key aims and features of the revised Allocations Policy as detailed in section 3 of the report.
6. Development of the scheme had been subject to an extensive consultation process involving a wide range of partners.
7. The support expressed by Councillor Smith (as Opposition lead) on the Revised Allocation Scheme and concise nature of the report presented to Council on such a complex and technical subject. Whilst reservations remained in relation to some aspects of the revised scheme the Opposition were supportive of recent changes incorporated as a result of the consultation process in relation to its application to working families and ex service personnel. It was also felt there was a need to recognise the flexibility provided to local authorities in terms of these changes, as a result of the Localism Act. The Housing, Growth & Regeneration Scrutiny Panel would continue to closely monitor the impact of the revised scheme.

Following a further period of debate the recommendations in the report were agreed unanimously without a vote.

AGREED that

- (1) Enfield's new Allocations Scheme be approved.
- (2) To approve an ongoing review of the Allocations Scheme, during the first year of operation from the full implementation date, with major changes reported back to Cabinet at the end of one year for a decision on whether to take to full Council.
- (3) To authorise the Cabinet Member for Housing to approve minor changes to the Allocations Scheme to address practical issues revealed by the on-going review or made necessary due to further legislation or case law.

94

NEW STANDARDS REGIME: APPOINTMENT OF INDEPENDENT PERSON

NOTED the update provided on the recruitment process for the appointment of Independent Person(s) required under the new Standards framework introduced under the Localism Act 2011.

Following on from the update, Councillor Constantinides moved and Councillor Waterhouse seconded the recommended appointment of Lawrence Greenberg as one of the London Borough of Enfield's Independent Persons, for a term of office lasting until 30 June 2013.

The appointment was unanimously approved without a vote.

95

USE OF THE COUNCIL'S URGENCY PROCEDURES

Councillor Simon moved and Councillor Sitkin seconded the update provided by the Assistant Director Corporate Governance on use of the Council's urgency procedures.

NOTED

1. The impact of the recent changes introduced by the Government, at relatively short notice, to the Executive Arrangements including requirements in relation to use of the urgency procedures.
2. The safeguards built into the urgency procedures to ensure they were only used in appropriate circumstances and followed the required process.
3. The details of the following decisions taken under the Council's urgency procedure relating to the waiver of call-in and, where necessary, the list of key decisions 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:

- a. Affordable Housing Programme – 167/167A South Street
- b. Temporary Closure of Barrowell Green Household Waste and Recycling Centre for Essential Repairs.
- c. Receipt of GLA Outer London Fund Round 2 Capital and Revenue.

96

CHANGE IN ORDER OF BUSINESS

Councillor Taylor moved and Councillor Georgiou 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 12.1: Motion in the name of Councillor Charalambous on Olympic & Paralympic Games
- Item 12.4: Motion in the name of Councillor Hamilton on funding for North London Rape Crisis Centre and police numbers
- Item 12.3: Motion in name of Councillor Neville on Sunday parking charges in Enfield Town.
- Item 12.6: Motion in name of Councillor Bond on impact of EU budget on Enfield residents.
- Item 12.5: Motion in name of Councillor McGowan on impact of reduction in local authority funding.
- Item 12.7: Motion in name of Councillor Taylor on Council Tax and the removal of damping mechanism.
- Item 12.2: Motion in name of Councillor Lavender on Council Tax freeze.

Whilst this was agreed without a vote, the Leader of the Opposition expressed concern about the management of the Council agenda in this way. He pointed out that the submission of an urgent Opposition question on Sunday parking charges had been rejected by the Mayor, on the basis that there would be opportunities to raise the issue elsewhere on the agenda. These options had included Supplementary Council Questions as well as Motion 12.3 but it was felt the change in order of agenda would now prevent use of these, given the remaining time available at the meeting.

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

97

MOTIONS

- 1.1 Councillor Charalambous moved and Councillor Zinkin seconded the following motion:

“Enfield Council recognises the stunning success of the London 2012 Olympic and Paralympic Games respectively and congratulates the torch bearers,

volunteers, athletes and participants with a connection to Enfield who were involved in making the Games such a spectacular and inspirational global event and in turn proving the sceptics and naysayers so wildly wrong.”

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

1.2 Councillor Hamilton moved and Councillor Cranfield seconded the following motion:

“Enfield Council calls on the Mayor’s Office for Police and Crime (MOPAC) to continue to support the North London Rape Crisis Centre and not to reduce the financial support as implied. This is not a Pan London approach and is unfairly penalising Boroughs who are trying to protect residents.”

The Community Safety Fund has already been cut by 59% over the last two years and the Mayor expects hard pressed local authorities to increase their contributions to the Rape Crisis Centre.

The Mayor of London has backtracked on sharing Borough Commanders. He should now also backtrack on other cuts to the Met Police, including the reduction in police numbers.”

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

For: 32

Against: 23

Abstention: 0

98

COUNCIL PROCEDURE RULE 8 - DURATION OF THE 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 had elapsed.

99

MOTIONS

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

12.2 In the name of Councillor Lavender

“Enfield Council welcomes the Government’s support not to increase Council tax for the third year running and undertakes to support this policy and Enfield Council tax payers.”

12.3 In the name of Councillor Neville

“Enfield Council congratulates Councillor Bond on his partial U turn on Sunday car parking charges in Enfield Town. The Council welcomes a free 3 hour car parking period on Sundays in Enfield Town in the weeks from around Christmas 2012 and urges Councillor Bond to complete his U turn and offer free car parking all day all year on Sundays in Enfield Town.”

12.5 In the name of Councillor McGowan

“The Council notes the scandalously poor handling of the economy by the Chancellor and his allies in Government. The Council is concerned that despite unprecedented cuts to public services, this economic mismanagement will result in even further cuts to local authorities.

The Council agrees to write to the 3 local MPs asking them to write to the Chancellor expressing opposition to any further cuts to local government, and Enfield in particular, whether in terms of cuts to core funding, recalculations of entitlements, or to specific grants.”

12.6 In the name of Councillor Bond

“The impact of Government cuts is impacting on Enfield residents and the Council should advise the Government on alternatives. Therefore the Council calls upon the Prime Minister to vote against any increase in the EU budget. Hard working Enfield families will not accept any increase in the EU budget.”

12.7 In the name of Councillor Taylor

“Enfield Council recognises the partial funding for a Council Tax freeze in 2013/14 but calls upon the Government to properly fund Enfield Council including the removal of damping.”

100

COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)

1.1 Urgent Questions

The Mayor advised that she had received a request for an issue to be considered as an urgent question. This had been rejected as it was not felt to have met the urgency criteria.

1.2 Questions by Councillors

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

101
MEMBERSHIPS

AGREED the following changes to committee memberships

- a. **Conservation Advisory Group** – Councillor Ibrahim to fill the current vacancy.

102
NOMINATIONS TO OUTSIDE BODIES

There were no nominations to outside bodies.

103
CALLED IN DECISIONS

None received.

104
DATE OF NEXT MEETING

NOTED that the next meeting of the Council would be held at 7.00pm on Wednesday 30 January 2012 at the Civic Centre.