

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 23 JANUARY 2013**

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), Del Goddard (Cabinet Member for Business and Regeneration), 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 Oykener (Cabinet Member for Housing) and Andrew Stafford (Cabinet Member for Finance and Property)

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), Asmat Hussain (Assistant Director Legal), Michael Sprosson (Service Manager Procurement (Health and Adult Social Care)), Jeff Laidler (Head of Sustainability), Stuart Dennison (Assistant Director - Revenues, Benefits and Systems), Geoff Waterton (Head of Collection Services), Richard Tyler (Assistant Director of Finance), David Greely (Corporate Communications Manager), Jayne Middleton-Albooye (Principal Lawyer), Paul Walker (Assistant Director, Regeneration, Planning & Programme Management) and Neil Isaac (Assistant Director - Waste Management) Jacqui Hurst (Secretary)

Also Attending: Councillors Ingrid Cranfield, Derek Levy and George Savva.

1

APOLOGIES FOR ABSENCE

There were no apologies for absence.

2

DECLARATION OF INTERESTS

Members were reminded, by the Assistant Director Legal, of the need to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

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Following a discussion by Members, Councillor Andrew Stafford (Cabinet Member for Finance and Property) declared a disclosable pecuniary interest in Report No.138 – Council Tax Support Local Scheme Update (Minute No.7 below refers). Councillor Stafford took no part in the discussion and left the room for the item.

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 that the following items be referred to full Council:

1. Report No.138 – Council Tax Support Local Scheme Update (note: a revised report to be presented to Council seeking agreement to the Council Tax Support Local Scheme)
2. Report No.139 – A Tenancy Strategy for Enfield
3. Report No.141 – Enfield Joint Carers Strategy 2013-16
4. Report No.142 – Enfield 2020 Sustainability Programme and Action Plan

6

NOVEMBER 2012 REVENUE MONITORING REPORT

Councillor Andrew Stafford (Cabinet Member for Finance and Property) introduced the report of the Director of Finance, Resources and Customer Services (No.137) setting out the Council's revenue budget monitoring position based on information to the end of November 2012.

NOTED

1. that table 1 in the report set out the financial performance overview; the risk ratings for September, October and November were noted;

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2. that table 2 in the report set out the net controllable budget by department. The departmental monitoring information outlining both budget pressures and projected savings were set out in section 5 of the report. The majority of pressures were either demand led or due to the economic circumstances;
3. the current position with regard to the achievement of savings as set out in section 8 of the report;
4. that there had been no deterioration in the financial position of the Authority and plans were in place to balance the Medium Term Financial Plan (section 11.1 of the report referred);
5. in response to questions raised regarding the current inclement weather and the effect on the environment budget, it was noted that the winter maintenance budget was in place. It was too early to forecast the costs involved and would depend on the extent of any bad weather in February and March. Other potential effects on the budget would be a reduction in parking receipts and road surface damage (potholes). If necessary the Council could call upon its reserves to meet any additional costs not covered by the winter maintenance budget.

Members took this opportunity to express their thanks and appreciation of the good work undertaken by the environment gritting crews and the refuse collection teams.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet

1. noted the £412k underspend revenue outturn projection after noting the shortfall in income (as detailed in paragraph 5.2 of the report);
2. agreed that departments reporting pressures should continue to manage budgets in order to eliminate any overspend in 2012/13.

Reason for recommendations: To ensure that Members were aware of the projected budgetary position for the Authority, including all major budget pressures and underspends which had contributed to the present monthly position and that were likely to affect the final outturn.

(Key decision – reference number 3580)

7

COUNCIL TAX SUPPORT LOCAL SCHEME UPDATE

Councillor Doug Taylor (Leader of the Council) introduced the report of the Director of Finance, Resources and Customer Services (No.138) updating Members on the Council Tax Support Local Scheme.

Alternative Options Considered: The Local Scheme included three main variants which were set out in the report and had been subject to extensive consultation on the basis of a fully funded scheme. A do nothing option was not feasible as the Government's Default Scheme unamended would apply leaving a funding gap. Adopting the recently announced Government scheme of transitional grant for one year with restriction in reductions to 8.5% would not produce a fully funded scheme as the grant is insufficient. The Cabinet decision in July 2012 was to consult on the basis of a fully funded scheme, as the Government's scheme of transitional grant did not exist at that time.

DECISION AND RECOMMENDATION TO COUNCIL: Cabinet agreed to instruct the Director of Finance, Resources and Customer Services to prepare and recommend a local council tax support scheme to the Council on 30 January 2013 including proposals for council tax technical changes, the council tax and business rate tax base.

Reasons for recommendations: This report resulted from Government legislation to replace the national Council Tax Benefit scheme with a locally agreed scheme with reduced grant support.

(Key decision – reference number 3588)

Councillor Taylor (Leader of the Council) advised Members that following the production of the above report, a full and amended report had been prepared for the Council meeting on 30 January 2013, which had been published the previous day and was available for Cabinet Members this evening for consideration.

James Rolfe (Director of Finance, Resources and Customer Services) gave a short presentation to Members on the Council Tax Support Scheme as set out in the report to full Council, as follows:

The Government as part of its welfare reform agenda is scrapping the current national Council Tax Benefit scheme and replacing this with Council Tax Support which Councils have to determine locally and with reduced levels of Government funding. Pensioners are protected from the scheme and impact of the reduced support falls upon working age benefit cases. Enfield has developed a number of models and the Council will be asked to determine which model should be adopted for 2013/14 and will need to agree this before the end of this month.

The Council has carried out a full 12 week consultation on four different schemes all of which passed on the reductions in the forms of reduced support to working age cases to produce a fully funded scheme. At the very end of the consultation period, the Government announced a Transitional Grant scheme limiting reductions in support subject to certain criteria. This announcement was far too late to be included in the consultation and although such a scheme would not be fully funded the Council had developed this as further scheme options. The Council also has up to date information on the Government funding available and upon the slowing in the rate of caseload

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growth which change the amount but not the principle of each of the scheme models upon which Enfield consulted.

The Council report before Members this evening showed the results of the consultation and whilst there were some differences in response from those responding who currently received benefit to those who do not, there is broad support for the design principles consulted upon following the July 2012 Cabinet meeting. In terms of the scheme model the picture was more mixed.

The six models of reduced support are as follows:

A – a flat rate reduction of £200 per annum

B – a percentage reduction of 19.5%

C – a variable percentage reduction of 11.5% for those in employment and of 23% for those who are unemployed

D – paying cases in Council Tax bands A to C as now, applying a 25% reduction in band D and no paying anything to bands E to H

E – taking the Government's Transitional Grant and limiting reductions to 8.5% and making up the funding gap

F – as E but as the Transitional Grant funding announced is for one year only, taking the Government's Transitional Grant for one year and in 2014/15 applying a 19.5% reduction as in model B

Of the options subject to consultation, those responding who are current benefit cases and are those directly affected by the reductions favoured option B, a reduction of 19.5% irrespective of Council Tax band and a scheme which is fully funded. If the Council takes the Government's Transitional Grant funding, the reduction is 8.5% but the Council will have to find additional funding to pay for the scheme.

Whichever reduction scheme model the Council chooses will apply to people on low income many of whom will also be affected by the Government's other welfare reforms so there are no easy answers but it needs to be decided next week at Council.

Cabinet were not being asked to make any decision this evening, this would be a matter for full Council at its meeting on 30 January 2013. However, Members were invited to discuss the options and raise any questions of clarification or concerns.

Councillor Taylor (Leader of the Council) invited questions from the Cabinet Members. The following issues arose:

1. Councillor Charalambous expressed concerns regarding Option D and the effect on residents living in large properties who would be affected by other Government welfare reforms. It was noted that Options E and F would require the Council to find additional savings. James Rolfe advised that the funding shortfall, in addition to current budget savings, would be £800k in year one and £1.5m in year two.

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2. Councillor Hamilton noted that Option B was the option favoured through the consultation and would be nil cost to the Council.
3. Councillor Taylor noted that the table on page 9 of the Council report illustrated the impact of the four different approaches in Options A – D using the information in the consultation documentation. These were the updated figures.
4. Councillor Goddard sought clarification on Option D and the formula used in calculation. James Rolfe outlined the requested detail. The Council report set out the key equalities implications for each of the scheme options and an evaluation of the options, sections 6 and 7 of the Council report referred.
5. Councillor Taylor raised an issue for discussion regarding a Member's opportunity, if they so wished, to raise an alternative option for consideration at the Council meeting. A full and detailed discussion took place on such a scenario including governance issues and a potential increased risk of challenge due to lack of consultation on such an option. It was noted that Members had had an opportunity to come forward with comments as part of the consultation processes undertaken. A lengthy decision making process had been applied with a number of opportunities for challenge previously. Members noted that a decision had to be made by 31 January otherwise the Council's default scheme would apply. Officers would not recommend that Members consider an option that had not been subject to the full processes as set out in the Council report.
6. Councillor Charalambous stated that he would not be in support of Option A or Option C.
7. In conclusion, Councillor Taylor stated that this was a very difficult decision for the Council to take as the scheme would either have to be fully funded by the residents affected or a partially funded scheme would result in a reduction in council services or an increase in the level of council tax to meet any gaps in funding. Councillor Taylor highlighted the proposed hardship scheme (section 7 of the Council report) that the Council intended to develop to offer as much support as possible within the constraints of the Council's budget.

Members noted that the report would be considered and decided upon at the Council meeting scheduled to take place on 30 January 2013.

8

A TENANCY STRATEGY FOR ENFIELD

Councillor Ahmet Oykenner (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care (No.139) presenting Enfield Council's Tenancy Strategy 2013-2018.

NOTED

1. that there was a statutory requirement under the Localism Act 2011 for local authorities to have a Tenancy Strategy in place by January 2013;
2. that the Strategy set out a range of issues that Registered Providers (Housing Associations and Enfield Homes) with social rented housing stock in Enfield should have regard to when formulating their Tenancy Policies, although it could not be imposed on them. The Strategy reflected the Council's position that longer term tenancies were the best approach for addressing housing need and building strong neighbourhoods and sustainable communities. The Strategy aligned with the Council's other Housing Strategies.

Alternative Options Considered: Publication of a Tenancy Strategy was a statutory requirement.

DECISION: The Cabinet

1. agreed Enfield's new Tenancy Strategy;
2. noted the requirement for a Tenancy Policy to be developed for Registered Providers with housing stock in the borough, including Enfield Homes.

RECOMMENDED TO COUNCIL to approve the Tenancy Strategy.

Reasons for recommendations: Enfield's Tenancy Strategy provides Registered providers with a broad statement of the objectives and aims of the Council in relation to tenancies, aims and objectives that will reflect the local circumstances existing in Enfield. It is vital that the strategic direction provided to housing providers on the use of fixed term tenancies is endorsed by the Council. The policies developed by housing providers will influence key corporate objectives, including sustainable communities. During 2013, a Tenancy Policy for the Council's own housing stock will be developed in partnership with Enfield Homes, in line with this Tenancy Strategy.

(Key decision – reference number 3527)

9

HEALTH AND ADULT SOCIAL CARE, VOLUNTARY & COMMUNITY SECTOR STRATEGIC COMMISSIONING FRAMEWORK 2013-16

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.140) seeking agreement to the new three year strategic commissioning framework for adult social funding objectives and outcomes provided by the voluntary and community sector.

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NOTED

1. that the new framework had been developed in partnership with a wide range of stakeholders, as set out in paragraph 1.2 of the report. Extensive consultation had been undertaken;
2. the seven key joint commissioning aims as detailed in full in section 3.6 of the report;
3. the wide range of projects currently funded by the voluntary and community sector including (paragraph 3.4 of the report refers):
 - Information and Advice
 - Advocacy
 - Prevention and Early Intervention
 - Re-ablement and Enablement, support into employment
 - Day centres, customer respite, transport
 - Core funding and running costs
4. In discussion, Members welcomed the report and direction of travel and raised the need to continue to ensure that good employment practices were developed within the third sector. In response, Ray James (Director of Health, Housing and Adult Social Care) outlined to Members the developments which were taking place including the introduction of a scheme of peer brokers to share experience and the promotion of local employment;
5. Members noted the key risks outlined in section 7 of the report. Councillor McGowan and Ray James assured Members of the effective measures that were in place for both customers and stakeholders;
6. that in response to questions raised by Members, Ray James detailed the structures in place and the options available to individual customers in ensuring that they had the most effective option available to them to meet their individual needs. Customers would be given as much choice as possible.

Alternative Options Considered: Do nothing – the current adult social care grant system could not be continued. Many of these current grants had been in place for a number of years. There had not been a consistent and regular monitoring and review process to evaluate outcomes and benefits delivered and during this time strategic priorities had changed.

DECISION: The Cabinet

1. noted and agreed the Adult Social Care Strategic Commissioning Framework;
2. noted the extensive consultation undertaken in developing the framework;

3. noted the shared principles to underpin new commissioning arrangements set out at paragraph 3.15 of the report.

Reasons for recommendations: The reasons for recommendations were set out in full in section 5 of the report.

(Key decision – reference number 3583)

10

ENFIELD JOINT CARERS STRATEGY 2013-16

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.141) proposing the agreement of a joint Enfield Carers Strategy between Enfield Council and NHS Enfield.

NOTED

1. that the Strategy had been subject to a three month period of consultation with carers, key partners and the voluntary and community sector, as detailed in the report;
2. that the Strategy set out how Enfield would develop and deliver carers services to implement the National Carers Strategy, the “Caring for the Future” white paper and Care and Support Bill. The five key strategic objectives of the Strategy were set out in section 3.15 of the report;
3. the number of adult and young carers currently in Enfield, paragraph 3.2 of the report refers. Members were pleased to note the objective that children and young people would be protected from inappropriate caring and have the support they need (section 3.16 refers).

Alternative Options Considered: The Strategy sets out the delivery of services and support to carers and how the Council and NHS Enfield will work in partnership to identify carers. It proposes an approach to commissioning Carers Services that is consistent with forthcoming legislation, current legislation and guidance and is in line with existing Council and NHS Enfield strategies.

RECOMMENDED TO COUNCIL to approve the Enfield Joint Carers Strategy 2013-16 and associated delivery plan.

Reasons for recommendations: The strategy was intended to meet the government’s key objectives for the delivery of services to meet the needs of carers and meet the requirements to assess and support carers as specified in the “Caring for the Future” and the draft Care and Support Bill. The support of carers was a long term cost effective option for the Council and Health.

(Key decision – reference number 3591)

11

ENFIELD 2020 SUSTAINABILITY PROGRAMME AND ACTION PLAN

Councillor Chris Bond (Cabinet Member for Environment) introduced the report of the Director of Environment (No.142) seeking approval, for recommendation to full Council, of the Enfield 2020 Sustainability Programme and Action Plan.

NOTED the extensive consultation which had taken place to date, as set out in the report. The feedback had been positive, with broad support. Enfield 2020 is an ambitious sustainability programme, which is forecast to deliver significant benefits for all of Enfield's stakeholders. It has a strong fit with all three of the Council's aims. Members' attention was drawn to the themes set out in the 2020 Vision as detailed in Appendix 1 to the report. The Action Plan contains 50 strategic sustainability projects, which provide clear evidence of the Council leading by example. Members welcomed the report.

Alternative Options Considered: Doing nothing would lose the opportunities to significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020, and to deliver significant economic, environmental and social benefits for all of Enfield's stakeholders.

RECOMMENDED TO COUNCIL to approve the final designed version of the Enfield 2020 Sustainability Programme and Action Plan.

Reasons for recommendations: Enfield 2020 provides a Sustainability Strategy through to 2020 and an Action Plan which already contains 50 strategic sustainability projects. Programme management support is provided by the Sustainability Service, which is on track to more than cover its costs from March 2015. Enfield 2020 had the opportunity to significantly improve the sustainability of the Borough of Enfield and Enfield Council by 2020 delivering significant economic, environmental and social benefits for all of Enfield's stakeholders.

(Key decision – reference number 3562)

12

HIGHMEAD - APPROPRIATION FOR PLANNING PURPOSES

Councillor Ahmet Oykenner (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Regeneration, Leisure and Culture (No.143) seeking approval for the Council to use its powers to appropriate the land required for the Highmead development for planning purposes.

NOTED the need for the Council to appropriate the land in order to allow the development of Highmead to proceed, as detailed in the report.

Alternative Options Considered: None.

DECISION: The Cabinet agreed in accordance with section 122 of the Local Government Act 1972 to appropriate the sites set out in Appendix 1 of the report and shown outlined on the plans at Appendix 2 of the report from their present holding purposes to planning purposes and in particular the purposes set out in section 237 of the Town and Country Planning Act 1990.

Reasons for recommendations: The Development Agreement entered into by the Council included a requirement, as a condition precedent, for the Council to use its powers to appropriate the land for planning purposes. If the Council did not appropriate the land for planning purposes the developer could terminate the Development Agreement.

(Key decision – reference number 3440)

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 29 January 2013, this would be effective from 1 March 2013.

16

MINUTES

AGREED that the minutes of the previous meeting of the Cabinet held on 5 December 2012 be confirmed and signed by the Chairman as a correct record.

17

MINUTES OF THE ENFIELD RESIDENTS' PRIORITY FUND CABINET SUB-COMMITTEE - 11 DECEMBER 2012

NOTED the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 11 December 2012.

18

MINUTES OF LOCAL PLAN CABINET SUB-COMMITTEE - 17 DECEMBER 2012

NOTED the minutes of a meeting of the Local Plan Cabinet Sub-Committee held on 17 December 2012.

19

**MINUTES OF ENFIELD COMMUNITY CAPACITY BUILDING FUND
CABINET SUB-COMMITTEE - 3 JANUARY 2013**

NOTED the minutes of a meeting of the Enfield Community Capacity Building Fund Cabinet Sub-Committee held on 3 January 2013.

20

ENFIELD STRATEGIC PARTNERSHIP UPDATE

NOTED a written update on the recent Enfield Strategic Partnership Board meeting held on 4 December 2012 (Report No. 144).

21

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet was scheduled to take place on Wednesday 13 February 2013 at 8.15pm.