

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 22 JANUARY 2014**

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 Oykenler (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), Ian Davis (Director of Environment), Andrew Fraser (Director of Schools & Children's Services), Ray James (Director of Health, Housing and Adult Social Care), Neil Rousell (Director of Regeneration, Leisure & Culture), Asmat Hussain (Assistant Director Legal), Peter George (Senior Project Manager), Dr Shahed Ahmad (Director of Public Health), Keezia Obi (Head of Public Health Strategy), Andrew Thomson (Strategy Manager), Elizabeth Paraskeva (Solicitor) and Laura Berryman (Press Officer) Jacqui Hurst (Secretary)

Also Attending: Councillor Derek Levy.

1

APOLOGIES FOR ABSENCE

There were no apologies for absence.

2

DECLARATION OF INTERESTS

There were no declarations of interest registered in respect of any items on the agenda.

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

NOTED that there were no items to be referred to full Council.

6

REVENUE MONITORING REPORT 2013/14: NOVEMBER 2013

Councillor Doug Taylor (Leader of the Council) varied the order of the agenda with this report being considered following Report No.165 as detailed in Minute No. 10 below. The minutes follow the order of the published agenda.

Councillor Andrew Stafford (Cabinet Member for Finance and Property) introduced the report of the Director of Finance, Resources and Customer Services (No.161) setting out the Council's revenue budget monitoring position based on information to the end of November 2013. The report forecast an outturn position of £0.606m overspend for 2013/14.

NOTED

1. Tables 1 and 2 of the report which set out the summary performance overview and forecast outturn table – net controllable budget/projected outturn figures.
2. The budget pressures of the Schools and Children's Services Department as set out in section 5.6 of the report. Andrew Fraser (Director of Schools and Children's Services) highlighted the national demands and challenges and those facing Enfield in particular. Members noted a projected overspend of £432k based on 94 families which the Authority was currently supporting who had no recourse to public funds. Decisions were awaited from the Border Agency on the future immigration status of these families. The Authority was lobbying ministers on this matter and also had the support of local Members of Parliament. Members discussed their views and concerns and highlighted the need for the matter to be resolved as soon as possible with Government funding being forthcoming to support these families.
3. Members also noted the projected overspend of £176k in Schools and Children's Services on unaccompanied asylum seekers as set out in the report.

4. The increasing demands and challenges also being faced by Adult Social Care services.
5. The Treasury Management and Cash Flow Analysis set out in section 6 of the report.
6. The position with regard to the achievement of savings as detailed in section 8 of the report. To date 97% of savings were classified as blue or green which were on course for full achievement.
7. There had been no deterioration in the financial position of the Authority.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet

1. Noted the £0.606m overspend revenue outturn projection;
2. Agreed to direct departments reporting pressures to formulate and implement action plans to ensure that they remain within budget in 2013/14.

Reason: To ensure that Cabinet were aware of the projected budgetary position for the Authority for the current year including all major budget pressures and underspends which had contributed to the present monthly position and that were unlikely to affect the Council's finances over the period of the Medium Term Financial Plan.

(Key decision – reference number 3761)

7

THE JOINT HEALTH AND WELLBEING STRATEGY 2014-19 (DRAFT)

Councillor Donald McGowan (Cabinet Member for Adult Services, Care and Health) introduced the report of the Director of Health, Housing and Adult Social Care (No.162) seeking comments on the draft Joint Health and Wellbeing Strategy 2014-19.

NOTED

1. The significant amount of work which had been undertaken to produce the Strategy which was now being presented for consideration and comment by Cabinet prior to final approval by the Health and Wellbeing Board.
2. An extensive and well-received consultation exercise had been carried out with over 2,000 responses being received to date.

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3. Dr Shahed Ahmad (Director of Public Health) outlined the vision, principles and priorities of the Health and Wellbeing Strategy as set out in section 4 of the report. The Strategy was the statutory responsibility of the Health and Wellbeing Board and was based on the findings of the Joint Strategic Needs Assessment.
4. Members' attention was drawn to the draft Strategy document and noted the purpose of the Strategy, the definition of Health and Wellbeing, a summary on the many influences on health and wellbeing.
5. The consultation which had been undertaken was praised by Dr Ahmad which had resulted in a high level of engagement. He suggested that the consultation would be submitted to Public Health England as an example of good practice.
6. Councillor Taylor (Leader of the Council) highlighted the need for the final Strategy and its summaries to be produced in accessible formats. Members were advised of the proposals for producing the executive summary in plain English and easy to read versions.
7. Councillor Charalambous (Cabinet Member for Culture, Leisure, Youth and Localism) drew attention to section 5 of the Strategy which set out the success criteria and questioned if they were achievable and sufficiently challenging. Councillor McGowan assured Members of the value of the success criteria which were challenging and aimed to make a difference to the benefit of the local community. The outcomes would inform Clinical Commissioning Group strategic plans. Current activities had been taken into account and the Strategy would challenge the effective and efficient delivery of services and agreed criteria.
8. Councillor Hamilton (Cabinet Member for Community Wellbeing and Public Health) expressed her appreciation, on behalf of the Cabinet, to Keezia Obi (Head of Public Health Strategy) and her team for the significant work which had been undertaken and the progress which had been made in Enfield in this area of work.

Alternative Options Considered: It was a statutory requirement to produce a Joint Health and Wellbeing Strategy.

DECISION: The Cabinet

1. considered and commented on the draft Joint Health and Wellbeing Strategy 2014-19 as set out in 1 above, for consideration by the Health and Wellbeing Board in approving the final Strategy at its meeting on 13 February 2014.
2. Noted the outcome of the consultation on the Joint Health and Wellbeing Strategy as detailed in the report.

Reason: It is a statutory duty on local authorities to produce a Joint Health and Wellbeing Strategy. Health and Wellbeing Boards were required to involve the local community in the preparation of this Strategy.

(Key decision – reference number 3838)

8

ESTATE RENEWAL LEASEHOLDER FRAMEWORK REPORT

Councillor Ahmet Oykenar (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care (No.163) seeking agreement to the Estate Renewal Leaseholder Framework.

NOTED

1. That the report considered the impact upon leaseholders across estate renewal sites. It set out the principles which would govern how the Council re-purchases leaseholders on these estates and future estate renewal projects as detailed in the report.
2. The following set of four principles which would govern the approach to leaseholders across all existing and future estate renewal sites (section 4.6 of the report referred):
 - (a) When purchasing a property that is comparable leaseholders should not be financially disadvantaged.
 - (b) Provide an opportunity for resident leaseholders to remain in the regeneration area.
 - (c) Provide resident leaseholders with a fair choice.
 - (d) Encourage resident leaseholders to exercise financial responsibility and have access to independent financial advice.
3. That the report set out how the proposals aligned with the Council's corporate objectives. Members had listened to the views previously expressed by leaseholders. The framework would ensure fairness for all leaseholders.
4. The estate renewal projects were aimed at revitalising communities and ensuring that local residents benefitted from the developments.

Alternative Options Considered: There was no statutory requirement for the Council to extend the offer to leaseholders beyond the statutory minimum offer described in the report. The alternative option was therefore to restrict the offer to leaseholders to the statutory minimum. The report explains that improving the range of options available to resident leaseholders ensure greater compliance with the Council's corporate objectives.

A second alternative option was to increase the options available to non-resident leaseholders. This would invariably necessitate a public subsidy of investors and could not be justified as a good use of public resources.

DECISION: The Cabinet

1. Approved the guiding set of leaseholder principles included in paragraph 4.6 of the report.
2. Noted the intention for each estate renewal project to have an individual leaseholder booklet which would all be governed by the same principles.
3. Agreed to delegate to the Director of Health, Housing and Adult Social Care and the Director of Finance, Resources and Customer Services the authority to approve the estate specific leaseholder booklets.
4. Agreed to establish an Exceptions Panel, as set out in paragraph 4.11 of the report, and to delegate to the Assistant Director of Council Housing, the Assistant Director of Community Housing Services and the Assistant Director of Property Services the authority to make decisions on the Exceptions Panel in accordance with the financial limits prescribed in the respective schemes of delegation.

Reason: To be fully aligned with the Council's strategic priorities.
(Key decision – reference number 3773)

9

ALMA ESTATE REGENERATION COMPULSORY PURCHASE ORDER (CPO)

Councillor Ahmet Oykenar (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services (No.164) regarding the preparation of the Alma Estate Regeneration Compulsory Purchase Order.

NOTED

1. That it was intended that the compulsory purchase order would only be used as a measure of last resort should the Council fail to reach a negotiated settlement with leaseholders and commercial lessees, as detailed in the report. Every effort would be made to reach negotiated settlements.
2. The Council had now selected Countryside Properties as the Council's development partner to redevelop the Alma Estate. The Council was obligated, under the contract with Countryside Properties, to achieve vacant possession on a phased basis.
3. That negotiations would be guided by the Estate Renewal Leaseholder Framework report, Minute No.8 above refers.

Alternative Options Considered: An alternative option would be for the Council to draw up one CPO for Phase 1 and another for Phases 2-4. As

explained in the report, this strategy would weaken the Council's case at a public enquiry. If the Council decided not to seek CPO powers, the delivery of the whole regeneration would be significantly undermined as there would be a very high risk that vacant possession would not be achieved within the timescales as leaseholders might decide to not sell back, or hold out for unreasonable and unrealistic offers from the Council.

DECISION: The Cabinet

1. Resolved to use CPO powers and authorised officers to carry out all CPO preparatory work for the London Borough of Enfield (Alma Estate Regeneration) Compulsory Purchase Order 2014 to effect acquisition of land and new rights within the areas described in the report and shown edged red (bold) on the Plan attached to the report (the proposed "Order Land"). The Council being of the view that the proposed acquisition of the Order Land would:
 - (a) Facilitate the carrying out of the development/redevelopment or improvement on or in relation to the Order Land: and
 - (b) Would contribute to the promotion or improvement of the economic, social and environmental well-being of the Borough.
2. Noted that a further report would follow later in 2014, attaching the draft Order and Statement of Reasons, seeking a resolution from Cabinet at that future point in time that the Council proceed to make the London Borough of Enfield (Alma Estate Regeneration) Compulsory Purchase Order 2014.
3. Delegated to the Director of Health, Housing and Adult Social Care with the approval of the Assistant Director of Finance, Resources and Customer Services (Property Services), whereby the level and terms of such approval may be agreed in accordance with the Property Procedure Rules:
 - (a) To prepare a Statement of Reasons based on the purpose and justification set out in the report, finalise the Order Plan and effect any other procedural and/or preparatory requirements.
 - (b) To acquire any interests in land within the Order Land by agreement and the making of payments equivalent to the market value of the property interest being acquired plus any statutory payments and disturbance compensation or the provision of property or services in lieu of the market value of the property interest being acquired and any statutory payments and disturbance compensation, in contemplation of the Order being made.

Reason: This Compulsory Purchase Order (CPO) was required to provide the Council with a legal option to ensure that it could commit to obtaining vacant possession of the Alma Estate, as obligated in the Development Agreement, prior to the phased handover to Countryside Properties to commence demolition and construction. The CPO provides the Council with a fall-back

position should it not be able to buy back leasehold interests via negotiation. The CPO would also ensure that public money was spent fairly and consistently.

(Key decision – reference number 3800)

Councillor Oykenner took this opportunity to express his thanks and appreciation to Peter George (Senior Project Manager – Development and Estate Renewal Team) and his colleagues for the significant work which had been undertaken in connection with this report and Report No.163 as set out in Minute No.8 above.

10

AWARD OF CONTRACTS FOR THREE SERVICES FOR SUBSTANCE MISUSE PROVISION IN ENFIELD

Councillor Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Public Health (No.165) seeking approval to the award of three contracts for substance misuse provision in Enfield.

NOTED

1. That Report No.167 also referred as detailed in Minute No.20 below.
2. A full tender process had been implemented which adhered to Corporate Procurement Procedures and EU Procurement Regulations. The new contracts included an initial contracting period of three years with optional extensions on a two yearly basis rolling up to a further four years, as set out in the report.
3. The financial and performance elements of the contracts as detailed in the report.
4. Councillor Hamilton expressed her thanks and appreciation to Bindi Nagra (Joint Chief Commissioning Officer) and Andrew Thomson (Strategy Manager – Drug and Alcohol Action Team).

Alternative Options Considered: There were no alternative options to tendering externally as Enfield Council was unable to directly provide such a specialist service in-house within a competitive price range. There was no option to extend the existing contracts as this would leave Enfield Council vulnerable to a challenge as the opportunity to extend was not detailed during the last tender process and two of the contracts did not contain such provision.

DECISION: The Cabinet

1. Noted that the tender process had adhered to Corporate Procurement Procedures, EU Procurement Regulations and the new contracts would

afford the Council with on-going year on year performance and value for money benefits.

2. Noted the procurement process and endorsed the award of the three contracts to the preferred bidders, as outlined in part 2 of the report (Minute No.20 below refers), for an initial period of three years, with the option to apply extensions on a two yearly basis rolling up to four further years.

Reason: It was important that the Council sustained substance misuse provision to: reduce the levels of harm caused by substance misuse to health and especially address the health inequalities in the Borough; reduce drug and alcohol related crime and anti-social behaviours; ensure that the Council's residents had direct access to services to help them make a positive and direct contribution towards the community; to ensure that young people had the best opportunity to stay safe, achieve and made a positive contribution; and, to ensure that substance misusing residents had direct access to high quality services that deliver the best interventions in the most cost effective community settings.

(Key decision – reference numbers 3736/3737/3738)

11

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY PANEL/SCRUTINY PANELS

NOTED that no issues had been raised for consideration at this meeting.

12

CABINET AGENDA PLANNING - FUTURE ITEMS

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

13

NOTICE OF KEY DECISION LIST

NOTED that the Notice of Key Decision list was due to be published on 31 January 2014, this will be effective from 1 March 2014.

14

MINUTES

AGREED that the minutes of the previous meeting of the Cabinet held on 11 December 2013 be confirmed and signed by the Chairman as a correct record.

15

MINUTES OF POLICY CABINET SUB-COMMITTEE - 4 DECEMBER 2013

NOTED the minutes of a meeting of the Policy Cabinet Sub-Committee held on 4 December 2013.

16

MINUTES OF ENFIELD RESIDENTS' PRIORITY FUND CABINET SUB-COMMITTEE - 5 DECEMBER 2013

NOTED the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 5 December 2013.

17

ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

Members received a written update on the Enfield Strategic Partnership (Report No.166) which provided a summary of the minutes of the Board meeting held on 10 December 2013.

NOTED

1. Councillor Goddard (Cabinet Member for Business and Regeneration) highlighted the issues which had been considered and noted the discussion which had taken place at the previous Cabinet meeting with regard to the future strategic direction of the Enfield Strategic Partnership.
2. Councillor Orhan (Cabinet Member for Children and Young People) took this opportunity to highlight a successful event which had taken place earlier in the day with the newly elected Enfield Youth Parliament. It had been a well organised event with the Youth Parliament meeting with Cabinet Members. The engagement and influence of the Youth Parliament was increasing and the Council was listening to the feedback which they received. Councillor Stafford had allocated a £5k budget for the Youth Parliament which they could decide how to spend and report back to Cabinet. Members of the Youth Parliament had expressed a desire to shadow Cabinet Members and senior officers. Volunteers were being sought.

18

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet was scheduled to take place on Wednesday 12 February 2014 at 8.15pm.

19

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 item of business listed on part 2 of the agenda on the grounds that it involves the likely disclosure of confidential information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information) of Part 1 of Schedule

12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

20

AWARD OF CONTRACTS FOR THREE SERVICES FOR MISUSE PROVISION IN ENFIELD

Councillor Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Public Health (No.167).

NOTED

1. That Report No.165 also referred as detailed in Minute No.10 above.
2. The additional information contained in the report in support of the recommendations detailed in Report No.165, Minute No.10 above refers.
3. In response to a question raised it was noted that the terms of the contracts did allow for payment by results in the future. The specific terms were outlined for Members' information.

Alternative Options Considered: As detailed in Minute No.10 above.

Reason: As detailed in Minute No.10 above.

(Key decision – reference numbers 3736/3737/3738)

(Exempt information as detailed in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))