



## **PUBLICATION OF DECISION LIST NUMBER 40/15-16**

### **MUNICIPAL YEAR 2015/2016**

Date Published: Friday 13<sup>th</sup> November 2015

This document lists the Decisions that have been taken by the Council, which require publication in accordance with the Local Government Act 2000. The list covers key, non-key, Council and urgent decisions. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

A valid request for call-in is one which is submitted (on the form provided) to the Scrutiny Team in writing within 5 working days of the date of publication of the decision by at least 7 Members of the Council.

Additional copies of the call-in request form are available from the Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision please refer to:

– James Kinsella (ext.4041)

*Phone 020 8379 then extension number indicated*

## INDEX OF PUBLISHED DECISIONS – 13<sup>th</sup> November 2015

List Ref	Decision Made by	Date Decision to come into effect	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page Number
1/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Petition – Protection of Green Belt Land and Wildlife at Enfield Road	Non-Key	Highlands	No	1
2/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Opposition Business – Safeguarding the Green Belt From Residential Development	Non-Key	All	No	2
3/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part	Approval of Enfield’s Gambling Act 2005 Policy and ‘No Casinos’ Resolution	Key Decision KD 4199	All	No	3
4/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Child Sexual Exploitation Task Group – Progress Update	Non-Key	All	No	4
5/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Enfield Safeguarding Adults Board Annual Report 2014/15	Non-Key	All	No	5
6/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Enfield Safeguarding Children’s Board Annual Report 2014/15	Non-Key	All	No	6
7/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Motions	Non-Key	All	No	7-8
8/40/15-16	Council	Wednesday 11 <sup>th</sup> November 2015	Part 1	Nominations to Outside Bodies	Non-Key	All	No	9

List Ref	Decision Made by	Date Decision to come into effect	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page No.
9/40/15-16	Cabinet Member for Housing & Housing Regeneration (Cllr Oykener)	Monday 23 <sup>rd</sup> November 2015	Part 1 & 2 (Para 3)	Housing Gateway Head Lease	Key Decision KD 4206	All	Yes Friday 20 <sup>th</sup> November 2015	10-11
10/40/15-16	Cabinet Member for Finance & Efficiency (Cllr Stafford) & Cabinet Member for Housing & Housing Regeneration (Cllr Oykener)	Monday 23 <sup>rd</sup> November 2015	Part 1 & 2 (Para 3)	Investment in Private Rented Sector – Loan Instalments 5	Key Decision KD 4230	All	Yes Friday 20 <sup>th</sup> November 2015	12-13

## DECISIONS

For additional copies or further details please contact James Kinsella (020 8379 4041), Governance Team.

## COUNCIL DECISIONS – 11<sup>th</sup> November 2015

### 1. Reasons for Recommendations & Alternative Options considered

Please refer to the Council agenda for 11<sup>th</sup> November 2015 and relevant reports, which summarise the reasons for each recommendation and alternative action considered in relation to each decision.

### 2. Withdrawal of Item

Please note that Item 13 – Request for extension of 6 month rule on Councillor attendance was withdrawn at the meeting.

## CALL – IN UPDATE

Please note no decisions have been called in for review from the following lists:

**List No.37 Issued on Thursday 5<sup>th</sup> November with a Call-In date of Friday 12<sup>th</sup> November 2015**

**LIST REFERENCE: 1/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
PETITION – PROTECTION OF GREEN BELT LAND AND WILDLIFE AT ENFIELD ROAD							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non- Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	Highlands	Council	Wednesday 11 <sup>th</sup> November 2015	* see below	Non-Key	Claire Johnson 020 8379 4239	No
<b>DECISION</b>							
<p><b>AGREED</b> to receive and note the petition along with the fact that any planning application received in relation to development of the site would need to be assessed against relevant national, regional and local planning policy having regard to site circumstances and representations received and in accordance with the statutory planning framework.</p>							
<b>BACKGROUND:</b>							
Please refer to Item 7 on the Council Agenda for 11 <sup>th</sup> November 2015.							

\* The following members declared non-pecuniary interests: Councillors Lee David-Saunders; Alessandro Georgiou; Joanne Laban; Michael Lavender; Dino Lemondies; Terrence Neville; Ann-Marie Pearce; Michael Rye; Edward Smith & Glynis Vince.

The following member declared a Disclosable Pecuniary Interest: Councillor Jansev Jemal

**LIST REFERENCE: 2/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
<b>OPPOSITION BUSINESS – SAFEGUARDING THE GREEN BELT FROM RESIDENTIAL DEVELOPMENT</b>							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non- Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	Cllr Laban (non pecuniary) & Cllr Jemal (Disclosable Pecuniary Interest)	Non-Key	James Kinsella 020 8379 4041	No
<b>DECISION</b>							
<p>The following recommendations in the Opposition Business Paper were approved:</p> <ol style="list-style-type: none"> <li>1. The Administration agreed to comply with the criteria laid down by Government and the Mayor to protect the rural character of the Green Belt and not allow residential or other inappropriate development on it.</li> <li>2. The Administration agreed to publish the terms and scope for the Local Plan review, including the start and proposed completion dates and when public consultation will be undertaken.</li> </ol> <p>The remaining recommendations in the Opposition Business Paper were not agreed</p>							
<b>BACKGROUND:</b>							
Please refer to Item 8 on the Council Agenda for 11 <sup>th</sup> November 2015.							

**LIST REFERENCE: 3/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
APPROVAL OF ENFIELD'S GAMBLING ACT 2005 POLICY AND 'NO CASINO' RESOLUTION							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	None	Key Decision KD 4199	Ellie Green 020 8379 8543	No
<b>DECISION</b>							
<p><b>AGREED:</b></p> <ol style="list-style-type: none"> <li>1. To note the results of the public consultation and amendments made thereafter to the proposed Statement of Principles (policy) under the Gambling Act 2005.</li> <li>2. To approve the Statement of Principles (policy), under the Gambling Act 2005, attached as Appendix 1 in the report.</li> <li>3. To resolve not to issue casino premises licences under the Gambling Act 2005.</li> </ol>							
<b>BACKGROUND:</b>							
Please refer to Item 9 on the Council Agenda for 11 <sup>th</sup> November 2015.							

**LIST REFERENCE: 4/40/15-16**

**SUBJECT TITLE OF THE REPORT**

**CHILD SEXUAL EXPLOITATION TASK GROUP – PROGRESS UPDATE**

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non- Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	None	Non-Key	Anne Stoker 020 8379 4075	No

**DECISION**

**AGREED:**

1. To note the complex nature of this area of safeguarding and thank the partnerships and front line staff for their commitment to tackling Child Sexual Exploitation.
2. All members be actively encouraged to get involved by increasing their awareness of this matter and attending future safeguarding presentations that are being put into place specifically for members.

**BACKGROUND:**

Please refer to Item 10 on the Council Agenda for 11<sup>th</sup> November 2015.

**LIST REFERENCE: 5/40/15-16**

**SUBJECT TITLE OF THE REPORT**

ENFIELD SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2014/15

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non- Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	None	Non-Key	Georgina Diba 020 8379 4432	No

**DECISION**

**AGREED** to note the progress being made in protecting vulnerable adults in the Borough as set out in the Annual report of the Safeguarding Adults Board.

**BACKGROUND:**

Please refer to Item 11 on the Council Agenda for 11<sup>th</sup> November 2015.



**LIST REFERENCE: 6/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
ENFIELD SAFEGUARDING CHILDREN'S BOARD ANNUAL REPORT 2014/15							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non- Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	None	Non-Key	Anne Stoker 020 8379 4075	No
<b>DECISION</b>							
<p><b>AGREED</b> to note the Enfield Safeguarding Children's Board Annual Report, including the summary of achievements</p>							
<b>BACKGROUND:</b>							
Please refer to Item 12 on the Council Agenda for 11 <sup>th</sup> November 2015.							

## LIST REFERENCE: 7/30/15-16

SUBJECT TITLE OF THE REPORT							
MOTIONS							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non- Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	* see below	Non-Key	James Kinsella 020 8379 4041	No
DECISION							
<p>The following motions were approved:</p> <p>15.3 In the name of Councillor Chibah:</p> <p>“That this Council recognises the positive contribution that Trade Unions and Trade Union members make in our workplaces. This Council values the constructive relationship that we have with our Trade Unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.</p> <p>This Council notes with concern the Trade Union Bill which is currently being proposed by the Government and which would affect this Council’s relationship with our Trade Unions and our workforce as a whole. This Council rejects this Bill’s attack on local democracy and the attack on our right to manage our own affairs.</p> <p>This Council is clear that facility time, negotiated and agreed by us and our Trade Unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.</p> <p>This Council is happy with the arrangements we currently have in place for deducting Trade Union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy to administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.</p>							

Publication of Decision List 7/40/15-16 –13<sup>th</sup> November 2015

**DECISION (continued)**

## DECISION (continued)

The Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.

The Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.”

15.5. In the name of Councillor Barry (as altered):

“Many people in Enfield may soon be disenfranchised.

In May, 217,537 people were registered to vote in Enfield. Now over 8,700 of those are at risk of being removed from the register on 30 November.

Acting against the advice of the Electoral Commission, the Government has ended the transition period to the new individual electoral registration (IER) system in December 2015. This is one year earlier than originally planned.

On 1 December those people that have yet to provide the necessary evidence to remain registered will be taken off the electoral roll.

This council believes that the right to vote is a key foundation of our democracy and a fundamental human right. It condemns government’s action which has been taken at the expense of democracy for political advantage.”

## BACKGROUND:

Please refer to Item 15 on the Council Agenda for 11<sup>th</sup> November 2015.

- \* Dispensation granted for all members of the Majority Group in relation to the declaration of any Disclosable Pecuniary Interest under Motion 15.3 - Trade Union Bill in relation to sponsorship.
- \* Disclosable Pecuniary Interest declared on Motion 15.3 – Trade Union Bill: Councillors Daniel Pearce & Claire Stewart (falling outside dispensation)
- \* Non-Pecuniary Interest declared on Motion 15.3 – Trade Union Bill: Councillors Elaine Hayward; Robert Hayward & Michael Rye.

Publication of Decision List 7/40/15-16 –13<sup>th</sup> November 2015

**LIST REFERENCE: 8/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
<b>NOMINATIONS TO OUTSIDE BODIES</b>							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non- Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1	All	Council	Wednesday 11 <sup>th</sup> November 2015	None	Non-Key	James Kinsella 020 8379 4041	No
<b>DECISION</b>							
<p>AGREED the following change:</p> <p>1. <u>Old Enfield Charitable Trust</u></p> <p align="center">Councillor Bond to be reappointed for a further term of office.</p>							

<b>BACKGROUND:</b>
Please refer to Item 17 on the Council Agenda for 11 <sup>th</sup> November 2015.

**LIST REFERENCE: 9/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
HOUSING GATEWAY HEAD LEASE							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision comes in to effect</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1 & 2 (Para 3)	All	Cabinet Member for Housing & Housing Regeneration (Cllr Oykenner)	Monday 23 <sup>rd</sup> November 2015	None	Key Decision KD4206	Victoria Gardner 020 8379 8254	Yes Friday 20 <sup>th</sup> November 2015
<b>DECISION</b>							
<b>AGREED:</b> subject to no call-in being received, the following decisions will come into effect on Monday 23 <sup>rd</sup> November 2015:							
That the Council grants individual head leases to Housing Gateway for vacant Council homes, where those properties would otherwise remain vacant in order to avoid granting a secure tenancy that would limit future development.							
<b>ALTERNATIVE OPTIONS CONSIDERED:</b>							
The Council could consider a number of options for the use of its vacant properties on renewal estates:							
<p><b>1. Do Nothing:</b> Doing nothing would not present an opportunity for the Temporary Accommodation team to house tenants or bring much needed income to the HRA in terms of rent and additional recovery of communal maintenance and servicing costs. Nor would it reduce the HRA's own liability for Council Tax from vacant properties on renewal estates. These are significant financial incentives to proceeding with the proposed structure which referred to in the financial implications in the Part Two Report.</p> <p><b>2. Let to Managing Agents</b> The Council could market the opportunity to prospective landlords. This option has been considered and discounted. The Council has already attempted this approach and the Council is in contract with Tando for 17 properties. While this approach works it has it has been proven to be very labour intensive, there is limited scope for adding additional properties into the contract without undertaking further procurements, and as a result lacks the flexibility that the Council requires to be able to sub-let homes as they become vacant. Under the proposed leasing arrangement with Housing Gateway the amount of upfront expenditure will only be limited by the requirement to meet a pre-determined financial return for Housing Gateway. This should enable many more homes to be brought back into use.</p>							

**REASONS FOR RECOMMENDATIONS:**

1. Reducing temporary accommodation costs and reducing Council Tax liability and increasing the collection of funds which are spent on communal services for the block by way of service charges are three of the significant economic incentives for the Council in leasing out its vacant properties to Housing Gateway for sub-letting.
2. There are social benefits of bringing these properties into use albeit for a temporary period of time.
3. It is recognised that the proposed leasing of these properties to Housing Gateway using the proposed lease structure will be at less than the full market rental value of the properties. The proposal to include a Council nomination right, at LHA rental levels will limit the rental value of the properties. The proposal to require the upfront payment of the capital cost of bringing the homes up to an acceptable standard for letting will also limit the market rental value of the properties. The proposal to require upfront payment of the capital costs of bringing the homes up to an acceptable standard for letting will also limit the market rental value of the properties. Taken together it is considered that both these factors that limit the rental value of the property justify the proposed lease of the properties to Housing Gateway.

**BACKGROUND**

Please note that a copy of the Part 1 report is available via the decision list link on the Council's democracy pages. As the Part 2 report contains exempt information it will not be available to the press or public.

**LIST REFERENCE: 10/40/15-16**

<b>SUBJECT TITLE OF THE REPORT</b>							
INVESTMENT IN PRIVATE RENTED SECTOR – LOAN INSTALMENT 5							
<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by decision</b>	<b>Decision taken by</b>	<b>Date Decision comes in to effect</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>
Part 1 & 2 (Para 3)	All	Cabinet Member for Finance & Efficiency (Cllr Stafford) and Cabinet Member for Housing & Housing Regeneration (Cllr Oykenner)	Monday 23 <sup>rd</sup> November 2015	None	Key Decision KD4230	Kayt Wilson 020 8379 4566	Yes Friday 20 <sup>th</sup> November 2015
<b>DECISION</b>							
<p><b>AGREED:</b> subject to no call-in being received, the following decisions will come into effect on Monday 23<sup>rd</sup> November 2015:</p> <ol style="list-style-type: none"> <li>To note that Cabinet delegated authority to the Director of Finance, Resources and Customer Services; Director of Health, Housing and Adult Social Care; Cabinet Member for Finance &amp; Efficiency and Cabinet Member for Housing &amp; Housing Regeneration, to finalise the timing, profile of acquisitions and the detail of the funding arrangements for each phase of the portfolio development, based on the most viable finance stream available, type and level of housing need at the at time, and the Council's best interests (KD 3782).</li> <li>To note that the terms of the Facility Letter were agreed by the Director of Finance, Resources and Customer Services; Director of Health, Housing and Adult Social Care; Cabinet Member for Finance &amp; Efficiency and Cabinet Member for Housing &amp; Housing Regeneration, in September 2014 and the Housing Gateway Board of Directors in April 2014.</li> <li>To agree to access the next instalment of the loan and on-lend this Housing Gateway Limited in accordance with the Facility Letter.</li> <li>To note that the treasury management decisions regarding the Council's borrowing to enable the on-lending to Housing Gateway Limited will be subject to the Council's existing arrangements for Governance and specialist advice.</li> </ol>							
<b>ALTERNATIVE OPTIONS CONSIDERED:</b>							
<ol style="list-style-type: none"> <li>As outlined in KD 3782, a number of alternative options were considered in the development of the Investment in Private Rented Sector business case.</li> <li>In the development of the Facility Letter a number of alternative options were also considered, including a loan with a single instalment or the absence of a formal agreement. These options were discounted, as a formal agreement safeguards the interests of both the Council and Housing Gateway and the ability to access the loan in instalments provides greater flexibility.</li> </ol>							

**REASONS FOR RECOMMENDATIONS:**

1. Cabinet approved the business case, financial model and overall financial envelope in February 2014 as per KD 3782.
2. Housing Gateway Limited was established in February 2014 and the company is now fully operational. The acquisition process is well established and the next phase of the loan is required to enable the acquisition to continue.
3. A facility Letter has been agreed by the Council and Housing Gateway Limited which sets out the terms of the loan agreement and provides clear terms of repayment. This was drafted by Trowers and Hamlin acting on behalf on both the Council and Housing Gateway Limited.
4. The Facility Letter enables Housing Gateway Limited to access the fifth instalment of the loan in a series of instalments, under Schedule 3 of the Facility Letter. This will enable the company to access funding to coincide with the speed of acquisition and better manage its cash flow.
5. A six month review has been undertaken by Social Finance which reviewed the assumptions in the original business case and progress to date. This concluded that the business case remains undiminished and measureable progress has been made in all areas of the company's operation.

**BACKGROUND**

Please note that a copy of the Part 1 report is available via the decision list link on the Council's democracy pages. As the Part 2 report contains exempt information it will not be available to the press or public.