



PUBLICATION OF DECISION LIST NUMBER 52/15-16

MUNICIPAL YEAR 2015/2016

Date Published: Tuesday 19th January 2016

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 – 19th January 2016

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5/52/15-16	Cabinet Member for Environment (Cllr Anderson)	Wednesday 27 th January 2016	Part 1	A Statutory Consultation to Amend Tariffs to Resident and Business Permits in Controlled Parking Zones	Non-Key	All	Yes Tuesday 26 th January 2016	7
6/52/15-16	Cabinet Member for Housing & Housing Regeneration (Cllr Oyken)	Wednesday 27 th January 2016	Part 1 & 2 (Para 3)	Additional Funding, Freezywater External Enveloping and Communal Area Upgrades Scheme	Key Decision KD 3942	All	Yes Tuesday 26 th January 2016	8
7/52/15-16	Cabinet Member for Education, Children's Services & Protection (Cllr Orhan)	Wednesday 27 th January 2016	Part 1 & 2 (Para 3)	To Establish a Temporary Governing Body for Hazelbury Infants School, Hazelbury Road, Edmonton N9 9TT	Non-Key	All	Yes Tuesday 26 th January 2016	9

DECISIONS

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

CALL – IN UPDATE

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

List No.49 Issued on Friday 8th January 2016 with a Call-In date of Friday 15th January 2016

LIST REFERENCE: 1/52/15-16

SUBJECT TITLE OF THE REPORT							
APPROVAL OF THE LONDON BOROUGH'S GRANTS SCHEME FOR 2016/17							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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	Cabinet Member for Finance & Efficiency (Cllr Stafford)	Wednesday 27 th January 2016	None	Non-Key	Stan Barker 020 8379 4213	Yes Tuesday 26 th January 2016
DECISION							
<p>AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016</p> <ol style="list-style-type: none"> 1. That the Council agrees to formally accept the recommendations contained in the Report to London Council's Leaders Committee London Council's Grants Scheme Budget Proposals 2016/17 – Item 10 Leaders Committee 8th December 2015. 2. That the Council agrees the proposed revision to the scheme that reduces Enfield's commitment from £342,699 in 2015/16 to £323,630 in 2016/17, a reduction of £19,069. 3. If approved, the Council will notify London Councils of this decision not later than 16th January 2016. 							
ALTERNATIVE OPTIONS CONSIDERED:							
The alternative option would be not to approve the recommendation from the Leaders Committee. This would mean that the proposed reduction in the 2016/17 contribution would not be realised.							
REASONS FOR RECOMMENDATIONS:							
To confirm approval of the revised scheme agreed at London Council's Leaders Committee on 8 th December 2015 of the reduced contribution in 2016/17 of £19,069.							
BACKGROUND							
Please note that a copy of the Part 1 report is available via the Decision list link on the Council's Democracy pages.							

LIST REFERENCE: 2/52/15-16

SUBJECT TITLE OF THE REPORT							
THE REVISION OF THE LONDON BOROUGH OF ENFIELD CEMETERY REGULATIONS							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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	Cabinet Member for Environment (Cllr Anderson)	Wednesday 27 th January 2016	None	Key Decision KD 4243	Jonathan Stephenson 020 8379 5249	Yes Tuesday 26 th January 2016
DECISION							
<p>AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016</p> <ol style="list-style-type: none"> 1. The Report recommends the approval of new Cemetery Regulations for the Councils cemeteries. (See appendix 1 of the Report). 2. The Report also recommends that any future minor changes or variations to the regulations can be made by the Assistant Director for Public Realm in consultation with the Cabinet Member for Environment. 							
ALTERNATIVE OPTIONS CONSIDERED:							
<p>The alternative option to a revision of the current Cemetery regulations is to keep the existing regulations as they are. This option would not support a sustainable cemeteries service, with regards to being more inclusive to all, and to enable best practice standards within the industry to be reflected in the new regulations.</p>							
REASONS FOR RECOMMENDATIONS:							
<ol style="list-style-type: none"> 1. The existing Cemetery Regulations are over-prescriptive and no longer reflect the contemporary use of language. 2. The change in guidelines to permit non-residents to purchase exclusive rights of burial in graves and plots within the Council's cemeteries requires a revision of the Cemetery Regulations and will support a sustainable cemeteries service. 							
BACKGROUND							
Please note that a copy of the Part 1 report is available via the Decision list link on the Council's Democracy pages.							

LIST REFERENCE: 3/52/15-16

SUBJECT TITLE OF THE REPORT

BLUE POINT LONDON ELECTRIC VEHICLE CHARGING POINTS NOVATON AGREEMENT

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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	Cabinet Member for Environment (Cllr Anderson)	Wednesday 27 th January 2016	None	Non-Key	Katie Pudney 020 8379 3563	Yes Tuesday 26 th January 2016

DECISION

AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016

1. That the Council sign a Novation Agreement to recognise the de facto new Pan Source London Scheme provider BluePoint London Limited.
2. That authority is delegated to officers to undertake further negotiations with a view to the Council signing an agreement for BPL to take over the responsibility for electric vehicle charging points in Enfield.

ALTERNATIVE OPTIONS CONSIDERED:

There are two alternative options:

1. Do not sign the BPL Novation Agreement and no longer be a part of the Source London Network which would require the Council to maintain the existing network and if demand requires, establish new Electric Vehicle Charging Points in the future. Currently the Council does not have the resources or expertise to undertake this whereas BPL will implement, maintain and be liable for new charging points at nil cost to the Council and old charging points, subject to LBE agreeing BPLs requests in due course to replace specified EVCPs with new technology and equipment.
2. A second alternative would be not only to exit the Source London Network altogether but to remove all existing EVCPs in the borough as well. This would have resource, reputational and political implications; in particular it would appear that the Council is making policy decisions which do not accord with national or regional thinking.

REASONS FOR RECOMMENDATIONS:

1. Following a process of tender, TfL transferred its management and operation of the Scheme (and its associated Scheme assets excluding charge points) to the New Scheme Operator pursuant to an asset purchase agreement between the New Scheme Operator and the Authority on 11 December 2013. The ownership of the Source London contract in its entirety went to the successful bidder; BluePoint London Ltd. As part of this process, boroughs were asked to sign a Novation Agreement to accept that the scheme had now been bought and secured by BPL and would be under their operation from September 2014. This didn't affect the contract with Elektromotive as funding was still available to secure this through TfL until it expired in September of this year. However, the Council has yet to sign the Novation Agreement, and, in order to ensure that Enfield has the option of remaining in the Source London scheme; the Council must sign the Novation Agreement, ideally by the end of December this year.
2. To highlight, there is currently no arrangement in place to run or maintain the Council's existing electric vehicle charge points, leaving the Council liable for all costs, including any accidental or other damage. The Council also currently pays for the cost of electricity used by these points. Signing the Novation Agreement would provide an opportunity to remove liability from the Council for all operating costs and enable the network to expand in the future, under BPL.
3. By continuing to be an active partner in the Source London network, the Council is helping to deliver aspects of both the Mayor's Transport Strategy and its own Air Quality Action Plan. The UK Government is currently having infraction procedures brought against it for being in breach of EU air quality targets with London being the biggest perpetrator. The uptake of electric vehicles features heavily in the plans of central government, the Greater London Authority and TfL, in order to help improve air quality, achieve targets and avoid fines. Should this not happen, the Government is able to hand the fines down to local authorities under the Localism Act. Although this is some time away, it would look favourable if the Council places themselves in a position that shows efforts are being made to reduce emissions from transport in the borough. By supporting the uptake of electric vehicles, there is a real opportunity to reduce emissions from transport and improve air quality in the borough.

BACKGROUND

Please note that a copy of the Part 1 report is available via the Decision list link on the Council's Democracy pages.

LIST REFERENCE: 4/52/15-16

SUBJECT TITLE OF THE REPORT							
PROVISION OF SEN AND SOCIAL CARE SMALLER VEHICLE (TAXI AND DRIVER) TRANSPORT SERVICES							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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 & 2 (Para 3)	All	Cabinet Member for Environment (Cllr Anderson)	Wednesday 27 th January 2016	None	Key Decision KD 4233	Jacqui Smith 020 8379 2012	Yes Tuesday 26 th January 2016
DECISION							
<p>AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016</p> <ol style="list-style-type: none"> 1. To approve the award of the contact to “Contractor A” who is the successful tenderer, as detailed in the Part Two Report. 2. To approve the commencement of the contract from 22nd January 2016 to the 21st January 2017 with the option to extend for a further period of up to 2 x 1 year periods (22nd January 2017 to 21st January 2019). 3. To approve Contractor A’s tendered price detailed in the Part Two report. 							
ALTERNATIVE OPTIONS CONSIDERED:							
<p>The alternative options are detailed in full in Section 4 of the Report and include:</p> <ul style="list-style-type: none"> • Do nothing • Bring the service in-house • Pursue sub-regional collaborative opportunities • Conducting a mini-competition. <p>Due to the time constraints the recommended option was to undertake a single stage competitive open tender procurement process.</p>							

REASONS FOR RECOMMENDATIONS:

1. The successful provider returned a compliant bid and scored highly on the price/quality assessment process.
2. The successful provider's submission was evaluated by the project team and considered to cover all the requirements of the Contract and have the required expertise and capacity to fulfil their contractual obligations.
3. The successful provider's submission represents Value for Money to the Council.
4. The recommended provider has provided the Most Economically Advantageous Tender as detailed in the Part Two Report.

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: 5/52/15-16

SUBJECT TITLE OF THE REPORT							
A STATUTORY CONSULTATION TO AMEND TARIFFS TO RESIDENT AND BUSINESS PERMITS IN CONTROLLED PARKING ZONES							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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	Cabinet Member for Environment (Cllr Anderson)	Wednesday 27 th January 2016	None	Non-Key	David Morris 020 8379 6556	Yes Tuesday 26 th January 2016
DECISION							
<p>AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016</p> <ol style="list-style-type: none"> 1. To undertake a statutory consultation to change tariffs for a Controlled Parking Zone (CPZ) to implement changes to: <ol style="list-style-type: none"> i. Remove the current CO2 Permit charges tariff and replace with a scheme based on vehicles engine size. ii. Remove the current over 65 permit discount of 50%. iii. To make the service cost neutral (cover the current permit deficit). 2. To ensure cost recovery when enforcing CPZ's. 							
ALTERNATIVE OPTIONS CONSIDERED:							
The detailed alternative options are set out in full in section 6 of the report,							
REASONS FOR RECOMMENDATIONS:							
<ol style="list-style-type: none"> 1. To make the permit scheme fair for all motorists. 2. To make the administration and enforcement of the permit scheme cost neutral and the charge chosen has been calculated by reference to the cost of operating the schemes. 3. If after covering the cost of administration and enforcement any such surplus made as a result of parking fees can be applied in accordance with the Road Traffic Regulation Act 1984 Section 55 (4). 							
BACKGROUND							
Please note that a copy of the Part 1 report is available via the Decision list link on the Council's Democracy pages.							

LIST REFERENCE: 6/52/15-16

SUBJECT TITLE OF THE REPORT							
ADDITIONAL FUNDING, FREEZYWATER EXTERNAL ENVELOPING AND COMMUNAL AREA UPGRADES SCHEME							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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 & 2 (Para 3)	All	Cabinet Member for Housing & Housing Regeneration (Cllr Oykener)	Wednesday 27 th January 2016	None	Key Decision KD 3942	Andrew Batty 020 8375 8269	Yes Tuesday 26 th January 2016
DECISION							
<p>AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016</p> <ol style="list-style-type: none"> 1. To approve additional funding of £638,443.20 in respect of additional works, over the approved contract sum of £2,491,836.50. The anticipated maximum final account paid to the contractor will be £3,130,279.70. 2. To approve additional professional fees at 2.8% over £69,771.42 based on the contract sum. The anticipated maximum fees payable to the consultants will be £87,647.83, an increase of £17,876.41. 3. To note the reasons for the overspend as described in the Part Two of the Report. 							
ALTERNATIVE OPTIONS CONSIDERED:							
<p>The deferral or omission of the remaining additional identified works was not feasible, due to the additional work being discovered only when roof coverings were removed or degraded concrete was exposed. At such an advanced stage it was impossible to reinstate the removed materials.</p>							
REASONS FOR RECOMMENDATIONS:							
<p>The additional expenditure was incurred during delivery of the contract on site, and approval given by the then Director of Technical and Property Services, Enfield Homes to ensure continuation of the works and payments to the contractor. This report seeks formal approval of the final account figure.</p>							
BACKGROUND							
<p>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.</p>							

LIST REFERENCE: 7/52/15-16

SUBJECT TITLE OF THE REPORT							
TO ESTABLISH A TEMPORARY GOVERNING BODY FOR HAZELBURY INFANTS SCHOOL, HAZELBURY ROAD, EDMONTON N9 9TT							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	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	Cabinet Member for Education, Children's Services & Protection (Cllr Orhan)	Wednesday 27 th January 2016	None	Non-Key	Theresa Palmer 020 8379 3321	Yes Tuesday 26 th January 2016

DECISION

AGREED: subject to no call-in being received, the following decisions will come into effect on Wednesday 27th January 2016

1. Arrangements for the governance of the School be adopted for the Temporary Governance Body in line with the proposed Instrument of Government for Hazelbury Infant School;
2. The Temporary LA Governors has been appointed to the Temporary Governing Body as detailed in the Report.
3. The Temporary Parent Governors have been appointed to the Temporary Governing Body as detailed in the Report.
4. The Temporary Staff Governor has been appointed to Temporary Governing Body, as detailed in the Report.
5. The substantive Headteacher of the Infant School becomes the Headteacher Governor on the Temporary Governing Body;
6. The remaining nominations for appointments to the Temporary Governing Body as Temporary co-opted Governors, as detailed in the Report.
7. On the date of dissolution, the Temporary Governing Body of the de-federated School shall be incorporated as the governing body of the Hazelbury Primary School as given in a new Instrument of government which the LA shall issue effective from 1st April 2016;

ALTERNATIVE OPTIONS CONSIDERED:

The process for establishing a temporary governing body is dictated by legislation, therefore there are no alternative options available.

REASONS FOR RECOMMENDATIONS:

1. The School Governance (Federations) (England) Regulations 2012 makes provision for the dissolution of federation on discontinuance of federated Schools (regulation 41 and 42);
2. In line with the Regulations where one (or more) federated schools are to be discounted and only one federated school in the federation is not to be discounted the Local Authority must before the discounted date.
 - i. Establish a temporary governing body in respect of the school that is not to be discounted (“ the de-federated school”) in accordance with Part 3 and 4 of the New Schools regulation and;
 - ii. Issue a new instrument of government for the school in accordance with part 5 of the Constitution Regulations;
3. On the date of dissolution the temporary governing body of the de-federated school is incorporated as the governing body of the expanded Hazelbury Infant School under a new Instrument of government and shall be named the Hazelbury Primary School;
4. The School Governance Miscellaneous Amendments (England) (Regulations) 2015 require that the LA must determine the size of the Temporary Governing Body and that this must include at least 7 temporary Governors;
5. The LA therefore, on notification from the Governing Body of the Hazelbury Learning Community of its decision to de-federate following its meeting on 8th December 2015, seeks to establish a Temporary Governing Body, the size of which shall be to 12, as detailed in Section 5.5 in the report.

BACKGROUND

Please note that a copy of the Part 1 report is available via the Decision list link on the Council’s Democracy pages.