

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 24 JANUARY 2018**

COUNCILLORS

PRESENT Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts and Culture), Alev Cazimoglu (Cabinet Member for Health and Social Care), Krystle Fonyonga (Cabinet Member for Community Safety and Public Health), Dino Lemonides (Cabinet Member for Finance and Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development)

Associate Cabinet Members (Non-Executive and Non-Voting): Dinah Barry (Enfield West), Vicki Pite (Enfield North) and George Savva (Enfield South East)

OFFICERS: Ian Davis (Chief Executive), James Rolfe (Executive Director of Finance, Resources and Customer Services), Gary Barnes (Acting Executive Director of Regeneration and Environment), Bindi Nagra (Assistant Director of Health, Housing and Adult Social Care), Paul Sutton (Assistant Director, Youth and Service Development - Children's Services), Doug Wilson (Head of Strategy, Performance and Policy), Geoff Waterton (Head of Collection Services), Jayne Middleton-Albooye (Head of Legal Services), Sally Sanders (Head of Financial Assessment), Kayt Wilson (Housing Gateway), Peter Alekkou (Procurement and Commissioning), Andrew Golder (Press and New Media Manager) and Hari Pillai (Procurement and Commissioning) Jacqui Hurst (Secretary)

Also Attending: Councillor Derek Levy (Chair of the Overview and Scrutiny Committee) and Councillor Mike Rye

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Tony Theodoulou (Executive Director of Children's Services) and Jeremy Chambers (Director of Law and Governance).

2

DECLARATION OF INTERESTS

There were no declarations of interest in respect of any item listed 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 with the exception of the following reports:

Report Nos.135 and 140 – Addressing Member Review of Prevention and Early Intervention Contract Awards for Outcomes 3 and 6 (Minute Nos. 6 and 17 refer)

Report No.136 – Revenue Monitoring Report – November 2017 (Minute No.7 refers)

These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

AGREED, that these reports be considered at this meeting.

4

DEPUTATIONS

NOTED, that no requests for deputations had been received for presentation to this Cabinet meeting.

5

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED, that the following reports be referred to full Council:

1. Report No.137 – Council Tax Support Scheme for 2018/19 and the Council and Business Rate Bases 2018/19
2. Report Nos.139 and 141 – Housing Gateway Limited Annual Report 2016-17 (for information and noting only)

6

ADDRESSING MEMBER REVIEW OF PREVENTION AND EARLY INTERVENTION CONTRACT AWARDS FOR OUTCOMES 3 AND 6

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Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Executive Director of Health, Housing and Adult Social Care and Executive Director of Finance, Resources and Customer Services (No.135).

NOTED

1. That Report No.140 also referred, as detailed in Minute No.18 below.
2. That this report followed on from the previous Cabinet report in October 2017 when Cabinet had approved the appointment of organisations/consortia in respect of the Voluntary Community Sector tendering exercise; six contracts had been approved for award.
3. That following the October Cabinet meeting, it had been agreed with the Overview and Scrutiny Committee that the award of contracts to CommUNITY Barnet in respect of outcomes 3 and 6 would be referred back to Cabinet for further consideration.
4. That the key issues had related to transparency and confidence regarding CommUNITY Barnet's supply chain, the detail of which had not been included in the previous Cabinet report but had been included in their bid proposals. The detailed response to the issues raised had been addressed in the part two report (Report No.140, Minute No.18 below referred).
5. That the procurement exercise had been reviewed by the Council's Procurement and Commissioning Team, Legal Services and Adult Social Care Department; with Cabinet Members being provided with a number of briefings and additional information. The Procurement and Commissioning Hub had confirmed after a detailed review of the tender submission and evaluation process that a fair, transparent, open and legally compliant procurement process had been followed. Further assurance had also been provided by Legal Services and, confirmation of the importance of ensuring that the Council conducted the evaluation and award of the contract process in a fair, transparent, proportionate and non-discriminatory manner to comply with the Council's legal obligations.
6. The recommendations detailed in section 2 of the report were drawn to Members' attention. In relation to Outcome 3, it was proposed that this part of the procurement be abandoned due to the Council's continued financial challenges and a need to further review this outcome to better support independent living and avoidance of hospital admissions. Officers would be asked to review with Public Health colleagues and the Enfield CCG how to ensure that the specification could best deliver the objectives of the Council and key stakeholders.
7. In respect of Outcome 6, it was recommended that the previous Cabinet decision to award the Prevention and Early Intervention

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Contract to CommUNITY Barnet be confirmed. Members were asked to approve the recommendations and to note the additional information provided in the part two report (Report No.140, Minute No.18 below referred).

8. Members expressed their support for the proposed way forward and noted the extensive and detailed discussions which had taken place, including involvement of the voluntary sector and public health.
9. That a number of representatives from and users of Enfield Disability Action (EDA) were present. Members noted that there had been no formal deputation request for this meeting and that it would not be possible for any comments to be received from any of the bidders who had been involved in this process or regarding the bids themselves. Councillor Taylor invited a local resident to address the Cabinet and express her concerns and questions to the meeting. Issues raised included clarification regarding the equality impact assessment undertaken; health and safety issues; and, the need for continued provision in an easily accessible location in the Borough.
10. The procurement process that had been undertaken was outlined and officers present responded to the issues raised. Services would continue to be provided within the London Borough of Enfield; all bidders had been required to meet health and safety requirements and a full equality impact assessment had been carried out. Extensive consultation and engagement had been carried out with a variety of voluntary sector organisations and groups, including those with sensory impairments. Further detailed responses would be provided to the resident concerned by the relevant Officers.
11. Members' attention was drawn to the executive summary of the report which outlined the details of the four outcomes which had previously been approved together with the two remaining outcomes being re-considered in this report.
12. That the Council would continue to work closely with the voluntary sector and deliver the outcomes that had been jointly worked on. Members highlighted the impact of Government funding policies on service provision and the resulting financial restrictions on the Council.

Alternative Options Considered: As detailed in Report No.140, Minute No.18 below refers.

DECISION: The Cabinet agreed, subject to reviewing the information provided in the part two report (Report No.140, Minute No.18 below referred) to:

1. Confirm the decision (key decision – reference number 4555) of Cabinet to award the Prevention and Early Intervention funding contract to CommUNITY Barnet for Outcome 6 (Increased and

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improved information provision) to deliver the service in line with their proposals submitted in their tender submission.

2. Abandon the procurement process for Outcome 3 (Supporting people to improve their health and wellbeing/improving self-management).

Reason: NOTED, the detailed reasons for the recommendations as set out in section 6 of the report.

(Key decision – reference number 4555)

7

REVENUE MONITORING REPORT - NOVEMBER 2017

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.136) setting out the Council's revenue budget monitoring position based on information to the end of November 2017.

NOTED

1. That the revenue budget forecast reflected an improved outturn position of £4.0m overspend for 2017/18. This improved position was a result of a review of corporate items which had resulted in the application of corporate contingency items to specific overspends within Children's Services and identification of further corporate budget items which were forecast to be available to deal with departmental overspends.
2. The continued budget pressures and mitigating actions as set out in section 5 of the report. The Council would continue to work towards a balanced position.
3. A typographical error in paragraph 5.2 of the report in respect of "traveller" and a correction to Appendix A2 of the report in respect of Regeneration and Environment, Commercial Services Parks which should record an adverse rather than favourable variation of £72k.
4. The pressures on the budget for Older People and Physical Disabilities as outlined in Appendix A4 of the report. Members noted that the service was projecting care purchasing overspends due to demand led services, especially within residential.
5. Within Children's Services (Appendix A5 of the report referred) the overspend on SEN transport was noted, and the pressures faced by this demand led service. Officers were continuing to look at ways in which to reduce this as far as possible. Numbers of pupils requiring transport continued to increase. Members were advised of the developments currently progressing and under consideration for more specialist educational provision within the Borough in order to reduce

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the need for pupil placements out of Borough. Members noted that the Council worked closely with parents and carers in order to meet the needs of these pupils and to identify flexible ways in which to effectively deliver the required services. Whilst provision within the Borough would be maximised as far as possible, it would not be possible to meet the needs of all specialist educational provision and the need for some out Borough placements would continue.

6. The continued pressures on Children's Services budgets and the need for increased Government funding allocations to enable the Council to adequately meet the identified requirements and statutory service provision.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed to note

1. The £4.0m overspend revenue outturn projection.
2. That Cabinet Members would continue to work with Executive Directors to implement action plans to reduce the forecast overspend in 2017/18.
3. The mitigating actions proposed to date by Executive Directors of overspending departments as set out in Appendix A of the report.

Reason: To ensure that Members were aware of the projected budgetary position, 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 4548)

8

COUNCIL TAX SUPPORT SCHEME FOR 2018/19 AND THE COUNCIL AND BUSINESS RATE BASES 2018/19

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.137) recommending the Council Tax Support Scheme for 2018/19.

NOTED

1. That the report recommended the Council Tax Support Scheme for 2018/19, maintaining the current minimum contribution for working age households not in a protected group at 26.5%, introducing an income threshold for universal credit claimants and a further protected group for care leavers.

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2. That in recognition of the difficulties faced by local households, the Council introduced and had maintained a discretionary Council Tax Hardship Scheme, as detailed in paragraph 4.3 of the report. During the financial year 2017/18, the Council had awarded more than £100,000 in small grants.
3. Members expressed their appreciation and support to the Cabinet Member for Finance and Efficiency and his officers for maintaining the support for vulnerable groups within the scheme and, the introduction of a further protected group for care leavers. The Council would continue to monitor the way this scheme had worked for local people and would consider future options.
4. The impact of the Government's welfare reforms and the significant financial pressures being faced by individual residents. The Council Tax Hardship Scheme was discussed as outlined in the report, and the potential financial pressures on the Council in meeting demand of residents in need of such support now and in the future.
5. The detail of the Council Tax base 2018/19 as set out in Appendix D of the report; and, the Business Rate Base 2018/19 outlined in Appendix E of the report. The calculations and assumptions set out in Appendix D resulted in a Band D equivalent tax base for 2018/19 of 96,005 properties, an increase of 962, resulting in an increase of £1.4m.
6. That the introduction of the London business rate pool by the Government would give a share to the Council of 64% of the estimated business rate income for 2018/19; the figure was currently 30%.
7. Members' attention was drawn to the main elements set out in Appendix E including the Discretionary Rate Relief Policy and its impact. The Policy would ensure the Government funded reductions for small businesses, pubs and those businesses facing the steepest increases in their business rates bills, as a result of the 2017 revaluation were maximised. During 2017/18 relief was worth over £1m for local businesses who were struggling, with over £500,000 available for next year.
8. That a "Money Day" was being held on 25 January 2018 with the Council working jointly with the Enfield Job Centre and Citizens' Advice Bureau to provide budgeting advice to local residents.

Alternative Options Considered: NOTED, that the Council had considered the alternative option of maintaining the current council tax support scheme for Universal Credit cases but as Universal Credit included working tax credit the range of income levels within the Universal Credit award would increase the cost of the council tax support scheme considerably.

RECOMMENDED TO COUNCIL

1. That Council agrees the Local Council Tax Support Scheme for 2018/19 to provide financial support for households on low incomes in paying their Council Tax taking into account the consultation responses (Appendix C to the report) and the Equality Impact Assessment (Appendix B to the report).

For the 2018/19 scheme:

- the minimum contribution for working age households not in a protected group would be maintained at 26.5%.
 - the maximum earned income for Universal Credit claimants to receive council tax support would be £1264.99 net per month for 2018/19 (This taper was decided as no-one was currently entitled to Council Tax Support where their income was more than £1264.99 per month)
 - Care leavers up to the age of 25 would be added to the existing protected groups.
 - Administrative changes set out in paragraph 6.3 be incorporated into the scheme to improve service delivery
2. Pursuant to this report (as detailed in Appendix D for full detail) and in accordance with the Local Authorities (Calculation of the Tax Base) (England) Regulations 2012, the amount calculated by the London Borough of Enfield as its Council Tax Base for 2018/19 should be 96,005 Band D equivalents.
 3. Agree the Department for Communities and Local Government NNDR1 Business Rate base return for 2018/19 (Appendix E of the report referred).
 4. Agree the amendment to the discretionary rate relief scheme as set out at 2.2 of Appendix E to the report.
 5. Delegate authority to the Executive Director of Finance, Resources and Customer Services, in liaison with the Cabinet Member for Finance and Efficiency, to agree minor amendments to the 2017-19 scheme and to agree the 2019-21 scheme at the appropriate time.

Reason: The recommendations follow an assessment of options, experience of operating the scheme to date, the Equality Impact Assessment and the consultation. The recommended changes introduced in 2014 for defined protected groups and the further extension of care leavers under the Equality Impact Assessment support the Council's aims to build strong, stable communities and were recommended to be continued next year.

(Key decision – reference number 4555)

9

UPDATE ON WORK OF THE INFORMATION GOVERNANCE BOARD (IGB)

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.138) updating Cabinet on the work of the Information Governance Board and explaining the changes to data protection rights and obligations which would be introduced by the General Data Protection Regulation.

NOTED

1. That the General Data Protection Regulation (GDPR) had been adopted by the EU in April 2016 and would replace current EU Data Protection Directive 95/46/EC on 25 May 2018. The GDPR would introduce new obligations to data processors and data controllers, including those based outside the EU so would not be impacted by Brexit. A number of issues were highlighted for Members' attention as set out in the report. There would be a need to appoint a data protection officer with expert knowledge of data protection. The GDPR required a very high standard of consent, as explained in the report. There would be increased enforcement powers with an increase in the maximum fines up to 20 million euros for data controllers and data processors.
2. That there would be an extensive training programme for both Officers and Members. The need to ensure that new Members were trained as part of the induction programme following the Council elections in May 2018 was highlighted. It was noted that Members would have clear responsibilities to meet as data controllers. In addition to organised training sessions, computer based training would also be made available.
3. Members commended the work of the Information Governance Board and legal services in the work being undertaken and the progress which had been made to date.

Alternative Options Considered: To do nothing would put the Council at reputational and financial risk.

DECISION: The Cabinet agreed to note

1. An overview of the changes which would be brought about by the General Data Protection Regulation (GDPR) and the Data Protection Bill.
2. The progress of the Information Governance Board (IGB) to date, and any deadlines, contained within the implementation plan, to implement the GDPR.

3. The inspection of the NHS auditors.
4. The comments on the National Audit Office Guidance.

Reason: The GDPR would mean huge changes for the Council in the way it processes data and the penalties for not implementing GDPR correctly were vastly increased. Member oversight of the implementation process would demonstrate the Council's commitment to protecting residents' data.

(Non key)

10

HOUSING GATEWAY LIMITED ANNUAL REPORT 2016-17

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.139) presenting the Annual Report for 2016/17.

NOTED

1. That Report No.141 also referred as detailed in Minute No.19 below.
2. That Housing Gateway Limited (established in March 2014 and operational by June 2014) was successfully enabling the Council to discharge its statutory homeless duties into the private sector whilst reducing the temporary accommodation budget pressures.
3. That 414 properties purchased had significantly exceeded the indicative target of 300 purchases by the end of year 3. In doing so Housing Gateway Limited had achieved its four-year target one year early. By March 2017 the Council had realised £2.5m cost avoidance by moving families out of expensive nightly paid accommodation in Housing Gateway Limited properties.
4. The detail of the Year 3 business case; strategic progress; operational progress and recognition as set out in the report. The standard of the accommodation provided was very high. The challenges faced due to external factors (section 7 of the report referred), including a continued increase in house prices; and, a freeze on the Local Housing Allowance which had meant that the rent received by the company had not increased in line with other costs.
5. That during the third year of operation, Housing Gateway Limited had purchased a block of 124 flats in the Borough which was leased to the Council for use as temporary accommodation (section 8 of the report referred).
6. The recognition that the company had received as outlined in section 9 of the report.

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7. In response to questions raised, clarification was provided on the key statistics set out in paragraph 5.5 of the report.
8. Members discussed the provision of suitably adapted properties to meet the identified care needs of potential tenants. Members' attention was drawn to paragraphs 3.3 and 7.5 of the report. Housing Gateway had embarked on a project involving Enfield Council's Learning Disability team with regard to the provision of homes for tenants with learning difficulties enabling them to live independently. Suitable accommodation was also being sought for residents with disabilities that the private sector market could not provide because of their complex needs. Members were also advised of the use of the Mayor's Housing Fund where possible to assist with independent living solutions.
9. The success of Housing Gateway Limited and the continued innovative work taking place to meet a wide range of needs in the Borough. It was noted that other London Boroughs were interested in the Enfield's approach and practices.
10. Members' request for the report to be referred up to full Council for information and noting.

Alternative Options Considered: NOTED that alternative options were not available. Housing Gateway Limited was required to report to the sole shareholder via an Annual report.

DECISION: The Cabinet agreed to note the contents of the Housing Gateway Limited Annual Report 2016-17.

RECOMMENDED TO COUNCIL for information and noting only, the Housing Gateway Limited Annual Report 2016-17.

Reason: The Council was the sole shareholder of Housing Gateway Limited and it had been agreed that an Annual Report would be presented to update the Council on the progress made by the company. The information held in the Annual Report (part one) would also be used to inform the annual Chairperson's report which was published on the company's website.

(Non key)

11

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

NOTED, that there were currently no issues arising from the Overview and Scrutiny Committee for consideration at this meeting.

12

CABINET AGENDA PLANNING - FUTURE ITEMS

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

13

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 20 December 2017 be confirmed and signed by the Chair as a correct record.

14

ENFIELD STRATEGIC PARTNERSHIP UPDATE

NOTED, that there were no written updates to be received at this meeting.

15

INFORMATION ITEMS

Tribute to Mr Donald Smith

Councillor Taylor paid tribute to Donald Smith who had died unexpectedly on New Year's Day. Mr Smith had been an asset to the community in Palmers Green. He had been a long-standing member of the Over 50's Forum and a true gentleman who had had a keen interest in his local community. He had pursued particular interests in health and local transport issues, had given thought to issues and had spoken passionately about them. He would be greatly missed. Members acknowledged and recognised his significant contribution and expressed their condolences.

Local Government Insurance Mutual

James Rolfe (Executive Director of Finance, Resources and Customer Services) advised Members of the progress and development of a Local Government Insurance Mutual which Enfield was proposing to join as one of the 17 founding Members. A detailed report would be presented to a future Cabinet meeting for Members' approval.

It was anticipated that the development of such a mutual could lead to lower insurance costs for local authorities with the potential to develop into other service areas as well.

Councillor Taylor advised that there was no risk to the Council and no financial or legal liability. The Local Government Association would be putting the necessary start-up funding in place. Members were supportive of the proposals and noted that a detailed report would be presented to a future Cabinet meeting.

16

DATE OF NEXT MEETING

AGREED, that the next meeting of the Cabinet take place on Wednesday 14 February 2018 at 8.15pm.

17

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and the public from the meeting for the items listed on part two of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 (information relating 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).

18

ADDRESSING MEMBER REVIEW OF PREVENTION AND EARLY INTERVENTION CONTRACT AWARDS FOR OUTCOMES 3 AND 6

Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Executive Director of Health, Housing and Adult Social Care and Executive Director of Finance, Resources and Customer Services (No.140).

NOTED

1. That Report No.135 also referred as detailed in Minute No.6 above.
2. The response to the concerns which had been raised by Members, and the full details of all bids evaluated following the invitation to tender.
3. The expectations and aspirations of Members and the future monitoring that would take place.
4. The comprehensive review which had been undertaken and the changes which had been made in response to concerns expressed by Members and stakeholders.
5. The proposed way forward and the timescales for confirmation of the decision on completion of the required governance processes.
6. In response to questions raised by Members it was noted that there would be no gap in service provision. Paragraph 11.3 of the report

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required amendment to clearly reflect the financial arrangements in place. A discussion took place on the funding during the transitional period as outlined in the report and the report previously presented to Cabinet in October 2017. The Director of Adult Social Care would provide Cabinet Members with further details on the organisations concerned and the funding provision that had been made.

Alternative Options Considered: NOTED, the alternative options which had been considered as set out in section 6 of the report.

DECISION: As detailed in Report No.135, Minute No.6 above referred. The Cabinet noted the full details of all the bids evaluated following the invitation to tender (ITT) as set out in the report, in support of the recommendations set out in the part one report.

Reason: NOTED, the reasons for the recommendation as detailed in section 7 of the report.

(Key decision – reference number 4555)

19

HOUSING GATEWAY LIMITED ANNUAL REPORT 2016-17

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.141).

NOTED

1. That Report No.139 also referred as detailed in Minute No.10 above.
2. The detailed financial performance of Housing Gateway Limited as set out in the report including the year 3 company progress; business case; strategic progress; and, operational progress. A discussion took place on all financial aspects of the company as outlined in the report.

Alternative Options Considered: As detailed in Report No.139, Minute No.10 above referred.

Reason: As detailed in Report No.139, Minute No.10 above referred.
(Non key)

20

MERIDIAN WATER: PROGRESS UPDATE

Gary Barnes (Acting Executive Director of Regeneration and Environment) provided a verbal update to Members on the progress of the Meridian Water project setting out the current position and the next steps. Members would

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receive further detailed briefings prior to any reports being presented to a future Cabinet meeting for consideration.