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OVERVIEW & SCRUTINY COMMITTEE - 22.8.2018

MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE HELD ON WEDNESDAY, 22 AUGUST 2018

COUNCILLORS: Derek Levy (Chair), Gina Needs (Vice-Chair), Huseyin Akpinar, Susan Erbil, Lee David-Sanders, Glynis Vince.
PRESENT

STATUTORY CO-OPTES 1 vacancy (*Church of England diocese representative*), Mr Simon Goulden (*other faiths/denominations representative*), Mr Tony Murphy (*Catholic diocese representative*), Alicia Meniru & 1 vacancy (*Parent Governor representative*) – *Italics Denotes absence*

OFFICERS: Sarah Cary (Executive Director Place), Gary Barnes (Director of Property), Fay Hammond (Director of Finance), Doug Wilkinson (Director of Environment and Operational Services), Bindi Nagra (Director of Adult Social Care), Doug Wilson (Head of Strategy & Service Development), Lia Markwick (Service Development & Commissioning Manager), Andy Ellis (Scrutiny Officer), Elaine Huckell (Scrutiny Secretary).

Also Attending Councillor Ahmet Oykenar (Cabinet Member for Property and Assets), Councillor Joanne Laban (Leader of the Opposition) one member of the public and five councillors.

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WELCOME & APOLOGIES

Councillor Levy welcomed all attendees to the meeting. It was noted that Councillor Glynis Vince was substituting for Councillor Edward Smith. Apologies for absence had been received from Co-optees -Simon Goulden and Tony Murphy.

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DECLARATIONS OF INTEREST

There were no declarations of interest.

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CALL-IN OF REPORT: GENOTIN ROAD CAR PARK, ENFIELD TOWN

The Committee received a report from the Chief Executive outlining details of a call-in received on the Cabinet decision taken on Genotin Road Car Park, Enfield Town.

NOTED that this report was considered in conjunction with the information in the part 2 agenda.

The Chair invited Councillor Laban to outline the reasons for call-in. It was noted that this discussion was held in public under Part 1 section of the meeting. Further discussion took place under the Part 2 section of the meeting.

Councillor Laban outlined the reasons for call-in:

- That the report agreed by Cabinet at its meeting on 25 July 2018 to enter into a development agreement with Metaswitch Networks Ltd set out risks involved in carrying out the proposed office development. Although some of the points were covered in the response from officers, Councillor Laban felt that some issues still needed to be 'ironed out'. She agreed that it was important for Metaswitch to remain in Enfield, however she would like reassurance that agreements would clearly set out who would be liable for any risks involved. This included any risks should Metaswitch leave following the end of the 15 year lease period.
- The report did not give details of any alternative locations considered for the development other than the Genotin Road car park site.
- As Genotin Road is the most popular of the town car parks there needed to be consideration of how the public could be persuaded to make use of other car parks in the town. Councillor Laban suggested whether using the Portcullis car park had been considered and said it was important there are sufficient spaces around the Christmas period. She said there does not appear to be a clear parking vision for the town.
- The report does not make reference to the Enfield Town Centre, Framework Master Plan's proposals around Enfield Town station i.e. the possibility of the station frontage being repositioned in the future.
- Reassurance was needed that financial details including the rental figures referred to in the report were sound.

The Chair stated that this issue had been the subject of pre-decision scrutiny by this committee and he noted that many of the points raised by OSC had been given consideration in the Cabinet report. It was confirmed that mention had previously been made that the Genotin Road car park was the most popular car park used in the town.

The Chair invited Councillor Oykenner as Cabinet Member for Property and Assets, Place to respond to the points raised by Councillor Laban:

Councillor Oykenner said the report to Cabinet had reflected comments made by OSC during pre-decision scrutiny. He felt that most of the points raised by Councillor Laban had been covered in the report and for reasons of transparency they have been included in the Part 1 report. He said it was important that Metaswitch remains in Enfield and that the scheme has the potential to help revive the town centre.

Sarah Cary referred to ongoing negotiations and discussions concerning risks and said that the council were seeking to mitigate against any risks involved. She reminded the meeting that in any lease agreements the issue of penalty clauses would be examined.

Gary Barnes said discussions with Metaswitch had focused on potential sites in Enfield Town, this included the possibility of using the Enfield police station which is sited next to the Civic Centre, however, the timing for a possible move here would not have been viable. There were limited options for other sites. The Genotin Road car park has 115 spaces, and he mentioned that surface parking is more popular for the public to use than multi storey car parks. He stressed that there is spare capacity within our remaining car parks.

He said the development represents a good asset management proposal. It would not be a bespoke building for Metaswitch. The design would allow the building to be let on a floor by floor basis should this be necessary.

Further discussion was held under Part 2 of the agenda.

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CALL-IN OF REPORT: REARDON COURT EXTRA CARE HOUSING

The Committee received a report from the Chief Executive outlining details of a call in received on the Cabinet decision taken on Reardon Court Extra Care Housing.

NOTED that this report was considered in conjunction with the information in the part 2 agenda

All the discussion on this item took place in the part 2 section of the meeting.

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MINUTES OF MEETINGS HELD ON 12 JULY 2018 AND 26 JULY 2018

AGREED the minutes of the meetings held on 12 July 2018 and 26 July 2018.

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DATES OF FUTURE MEETINGS

Noted the dates as follows

Provisional Call-Ins

Thursday 13 September, 2018

Thursday 11 October, 2018

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Thursday 8 November, 2018
Thursday 6 December, 2018
Thursday 20 December, 2018
Thursday 7 February 2019
Tuesday 12 March 2019
Tuesday 26 March, 2019
Thursday 11 April, 2019

The business meetings of the Overview & Scrutiny Committee will be held on:

Wednesday 5 September, 2018
Wednesday 7 November, 2018
Tuesday 12 February, 2019
Wednesday 3 April, 2019

The Overview & Scrutiny Budget Meeting will be held on:
Tuesday 15 January, 2019

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EXCLUSION OF PRESS & PUBLIC

Resolved in accordance with the principles of Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of the Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006.

704

PART 2 AGENDA CALL IN OF REPORT: GENOTIN ROAD CAR PARK, ENFIELD TOWN

The Committee received the information provided on the call in report: Genotin Road Car Park which had been included in the Part 2 section of the agenda.

Following discussions the Overview & Scrutiny Committee considered the reasons provided for the call-in and response provided by Councillor Oykenner (as relevant Cabinet member).

Councillor Oykenner confirmed that should negotiations between the Council and Metaswitch not progress as intended and as discussed with this Committee, a further report to Cabinet would be provided, detailing any final agreement.

With this commitment noted, the Committee and Councillor Laban agreed to allow the original Cabinet decision to be confirmed without the need to vote.

“2.1 To delegate authority to the Executive Director Place in consultation with Executive Director Resources to agree Heads of Terms and enter into a contract on those term for an agreement for lease, including arrangement for lease, including arrangements for the funding of the development of an office on land known as Genotin Road Car Park. On completion of the development, Metaswitch will enter into a business lease for a minimum of 15 years . The Council will retain the freehold of the property. The car park will be made available for public use at the weekend and evenings.

2.2 The contract (whether it be a development agreement, lease or contract for sale) to be in a form approved by the Director of Law and Governance. “

AGREED

The Committee and Councillor Laban agreed there was no requirement to record a vote and the original decision by Cabinet was therefore agreed.

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PART 2 AGENDA - CALL-IN OF REPORT: REARDON COURT EXTRA CARE HOUSING

The Committee received the information provided on the call in report: Reardon Court Extra Care Housing which had been included in the Part 2 section of the agenda. The Chair stated that it was a matter of regret that no Cabinet member was available to respond to the issues raised. Officers provided answers to the points raised by Councillor Laban.

Overview & Scrutiny Committee considered the reasons provided for the call-in and responses provided Having considered the information provided the Committee agreed to confirm the original Cabinet decision:

“2.1

- approve removal of the Reardon Court site from the Council’s current disposals list
- approve a Council led demolition, design and redevelopment of the Reardon Court site for the provision of modern, accessible, self-contained Extra Care Housing Provision
- approve the appointment of design expertise to develop architectural plans and support an application to the Local Planning Authority
- grant permission for officers to tender for a building contractor to develop the scheme
- approve indicative borrowing requirements for development capital, subject to securing a capital contribution from the Greater London Authority
- delegate to the Executive Director Place, in consultation with Adult Social Care, Legal and Procurement Services, the appointment of a design team
- receive a further report to:
 - appoint a building contractor to develop the scheme

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- tender and appoint a provider of support and care services (as required)”

AGREED

The Committee and Councillor Laban agreed that there was no requirement to record a vote and the original Cabinet decision was therefore agreed.

Councillor Levy thanked everyone for attending the meeting.