

**MINUTES OF THE MEETING OF THE CABINET
HELD ON TUESDAY, 12 MARCH 2019**

COUNCILLORS

PRESENT Nesil Caliskan (Leader of the Council), Daniel Anderson (Deputy Leader of the Council), Yasemin Brett (Cabinet Member for Public Health), Achilleas Georgiou (Cabinet Member for Children's Services), Nneka Keazor (Cabinet Member for Community Safety and Cohesion), Dino Lemonides (Cabinet Member for Housing) and Mary Maguire (Cabinet Member for Finance and Procurement)

Associate Cabinet Members (Non-Executive and Non-Voting): Ahmet Hasan (Enfield North)

ABSENT Alev Cazimoglu (Cabinet Member for Health and Social Care), Guney Dogan (Cabinet Member for Environment) and Ahmet Oykener (Cabinet Member for Property and Assets), Dinah Barry (Associate Cabinet Member – Enfield West), George Savva (Associate Cabinet Member – Enfield South East)

OFFICERS: Ian Davis (Chief Executive), Tony Theodoulou (Executive Director People), Fay Hammond (Interim Executive Director Resources), Jeremy Chambers (Director of Law and Governance), Nicky Fiedler (Director - Commercial), Doug Wilkinson (Director of Environment & Operational Services), Steve Durbin (Data Protection Officer) and Andrew Golder (Press and New Media Manager) Jacqui Hurst (Secretary)

Also Attending: Councillor Derek Levy and Councillor Elaine Hayward

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care), Councillor Ahmet Oykener (Cabinet Member for Property and Assets), Councillor Guney Dogan (Cabinet Member for Environment), Councillor Dinah Barry (Associate Cabinet Member – Enfield West), and Councillor George Savva (Associate Cabinet Member – Enfield South East).

Apologies for lateness were received from Councillor Daniel Anderson (Deputy Leader) and Ian Davis (Chief Executive).

2

DECLARATION OF INTERESTS

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

**3
DEPUTATIONS**

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

**4
A REGIONAL ADOPTION AGENCY FOR NORTH LONDON**

Councillor Achilleas Georgiou (Cabinet Member for Children's Services) introduced the report of the Executive Director – People (No.185) seeking approval to formally join the Adopt London North Regional Adoption Agency.

NOTED

1. That this followed an initial report that had been considered by Cabinet in November 2016 when it had been agreed in principle to join a London Regional Adoption Agency subject to further detailed work, as set out in the report.
2. The proposal to create a Regional Adoption Agency (RAA) for “Adopt London North” combining the adoption services for the North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey and Islington. It was proposed that the London Borough of Islington would host the Regional Adoption Agency.
3. A decision to formally join the Adopt London North Regional Adoption Agency was now required; it was anticipated that the go live date would be 1 July 2019. All local authorities were expected to become part of a RAA by April 2020.
4. The detailed work which had been undertaken by the local authorities involved in developing the proposals going forward for Adopt London North RAA as set out in the report. The anticipated strategic benefits from the establishment of the RAA were highlighted and discussed.
5. The proposed staffing arrangements for the RAA. The impact on Enfield staff was explained in detail. Enfield would be transferring two members of staff to the RAA as set out in 3.8 of the report.
6. In response to questions raised by Members, Tony Theodoulou (Executive Director – People) provided further clarification on the detailed arrangements, including the following issues. It was explained that the responsible local authority would still be making the decision on whether a child under their responsibility was to be put forward for

CABINET - 12.3.2019

adoption. The RAA would then approve the adopters for the child. In summary, decisions relating to the child would remain with the responsible local authority and, the decisions on the prospective adopters would transfer to the RAA.

7. The Benefits Diagram, Service Schedule and Governance Chart outlined in Appendices 1, 2 and 3 of the report. Tony Theodoulou (Executive Director – People) would be a member of the Partnership Board. It had not yet been decided whether Councillors would also be members. This issue had been raised for further consideration and determination.
8. A detailed discussion took place on the proposed staffing arrangements, the impact on existing Enfield staff, and how the transfer of staff had been determined. Members were advised of the range of work currently undertaken and the areas of responsibility that would remain within Enfield.
9. The scope and vision of the new regional adoption agency as set out in section 3.2 of the report. Clarification was sought and assurances provided of the work undertaken and principles followed in seeking suitable adoption “matches” in relation to a child’s ethnicity. The processes undertaken were very thorough and detailed; decisions were always taken in the best interests of the child. The legal position in relation to adoption matches was outlined in Members. The RAA would enable the local authorities to pool their resources and number of prospective adopters available. Members were advised of the priority groups for adoption and noted the difficulties experienced in recruiting enough suitable adopters who were willing to adopt the children concerned.
10. In response to a question raised, assurances were provided of the thorough work and consideration given to ethnicity issues. However, it was noted that an element of external scrutiny could be considered and this matter would be fed back to the Partnership Board.
11. Members questioned whether the new arrangements would result in an improvement in waiting times. It was explained that Enfield and North London in general had been strong performers regarding adoption and, it was therefore anticipated that there would be limited improvements. There was no evidence base that a RAA would result in such improvements but was possible within RAAs covering areas where waiting times had previously required improvement.
12. That the RAA would have responsibility for inter-country adoption assessments and post approval and post order support.
13. The significant and valuable work undertaken by members of the Adoption Panel was highlighted and acknowledged. The Cabinet expressed their sincere thanks and appreciation to all those who had

CABINET - 12.3.2019

been a member of the Adoption Panel in previous years and currently; and, noted the importance of the role and the significant time commitment required.

Alternative Options Considered: NOTED, the alternative options that had been considered as set out in section 4 of the report and summarised below:

- Do nothing – this was not viable as the local authority could risk government intervention.
- Create a new model – there was not the time nor the funding to progress this option.
- Join another regional adoption agency – contact had been made with several other regional adoption agencies as set out in section 4 of the report.
- Creation of a new single entity – this was time consuming and costly and not a preferred option elsewhere with regional adoption agencies already live.

DECISION: Cabinet agreed to

1. Approve the service and financial model for Adopt London North Regional Adoption Agency.
2. Agree to join the Adopt London North Regional Adoption Agency.

Reason: The joining of a regional adoption agency was mandatory by April 2020 and if not progressed there was a risk of government intervention. There were operational benefits to Enfield staying in the consortium that outweigh any of the alternative options detailed in the report (section 5 of the report referred).

(Key decision – reference number 4814)

5

EXTENSION OF THE INTEGRATED SEXUAL HEALTH COMMUNITY SERVICES CONTRACT

Councillor Yasemin Brett (Cabinet Member for Public Health) introduced the report of the Executive Director – People (No.186) seeking approval to the extension of the Integrated Sexual Health Community Services Contract.

NOTED

1. That Report No.191 also referred as detailed in Minute No.14 below.
2. That in July 2015 the Cabinet had approved the award of contract for Integrated Sexual Health Community Services in Enfield to the North Middlesex University Hospital NHS Trust (NMUH) for an initial period of 3 years, 5 months, with options to apply two further extensions of 2 years to a maximum period of 7 years and 5 months. The contract was due to come to an end on 31 March 2019 and a further extension of 2

CABINET - 12.3.2019

years was sought to ensure stability in service provision. NMUH had agreed to reduce the value of the block arrangement by £200k per annum should the first 2 year extension to the contract be enacted, as detailed in the report. There would be no negative impact on service provision and it was anticipated that there would be increasing access of services to Enfield residents.

3. That the Council had a statutory duty to provide Integrated Sexual Health Services as part of its Public Health England requirements. This was a demand-led service.

Alternative Options Considered: NOTED, that alternative options would include re-tendering the service at the end of this initial contract period of 31 March 2019 or removing the block element of the contract by being fully compliant with a payment by results mechanism. As performance had continued to improve and North Middlesex University Hospital was offering to reduce the value of the block these options had been discounted.

DECISION: The Cabinet agreed to approve

1. The extension of the Integrated Sexual Health Community Services Contract with North Middlesex University Hospital for a further two years on a reduced block payment.
2. Delegation of authority to the Executive Director – People to extend the contract for a further two years in 2021 subject to satisfactory performance.

Reason: Extending the contract would be both a cost-saving for the London Borough of Enfield and provide certainty to the NHS provider for a further two years. It would afford efficiency gains for the Council addressing the steady growth of 13.5% and 7.5% in activity across year 1 and 2 respectively of this extension. North Middlesex University Hospital would be required to continue to increase in-borough activity for the GUM Service, leading to a reduction in out of borough activity thereby providing further efficiencies for the Council.

(Key decision – reference number 4794)

6

UPDATE ON THE COUNCIL'S APPROACH TO FUNDING THE REMAINDER OF ENERGETIK'S BUSINESS PLAN

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Director – Commercial (No.187) seeking agreement on the shareholder strategy and approval of the preferred funding route for the Company to take forward.

NOTED

1. That Report No.192 also referred, as detailed in Minute No.15 below.

2. That this report set out the different funding options that had been explored and the reasons the alternative options had been discounted. It sought agreement on the shareholder strategy and approval of the preferred funding route for the Company to take forward. A further report would be presented to a future Cabinet meeting by Autumn 2019, to secure the second tranche of investment for Energetik's business plan and, to agree the final investment decision.

Alternative Options Considered: NOTED, that overall, doing nothing was not possible as energetic had current commitments to its existing customers and clients at its active and in development heat networks. A delayed decision to invest would mean significant cost increases to the Company to deliver its infrastructure due to the expiry of a fixed price agreement with its design and build contractor. In turn this reduced the potential retained earnings in the business and increased the amount of loans required.

DECISION: The Cabinet agreed to

1. Note the contents of the report.
2. Note that a further report would be submitted to Cabinet by Autumn 2019 to agree the actual investment decision once the outcomes of the preferred funding option had been approved and the due diligence on the updated Company Business Plan was complete.

Reason: As detailed in Report No.192, Minute No.15 below referred.
(Key decision – reference number 4859)

7

DATA PROTECTION OFFICER REPORT

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Acting Director of Customer Experience and Change (No.188) on the Data Protection Officer report.

NOTED

1. That the report set out the Council's compliance with the new General Data Protection Regulations (GDPR) which became law on 25 May 2018. Members noted the data breaches outlined in the report and the actions that had been taken.
2. That there was a legal requirement to provide an annual report to the Cabinet.
3. In response to questions raised, it was noted that two training sessions had previously been held for Members, and that further sessions could be arranged if required. Members also felt that it would be helpful for

appropriate information to be included on the Council's website for residents; and, for appropriate contact to be made with the Borough's voluntary sector to ensure that all concerned were clear on the requirements of the legislation, particularly in relation to advocacy cases.

4. The Council's Data Protection Officer would continue to provide training and raise awareness, understanding and compliance, as set out in the report.
5. The data breaches outlined in the report were noted and that Enfield appeared to be comparable with other local authorities. It was noted that there had not previously been a requirement to record such breaches and therefore comparisons could not be made with previous practice.
6. The requirements for reporting data breaches to the Data Protection Officer were set out in policy, there was a no blame policy within the Council to help ensure open reporting.
7. In response to questions raised, the Data Protection Officer clarified the processes followed in assessing the levels of risk and determining the appropriate action that needed to be taken when a data breach occurred. This would include an assessment of whether an individual could be harmed by the breach.
8. Members raised points of clarification regarding potential breaches and the appropriate actions to be taken. In conclusion, it was agreed that further training sessions would be provided to Members to continue to raise awareness and compliance.

Alternative Options Considered: NOTED, that the provision of an annual report was a required action by the law, and as such no alternative option had been considered.

DECISION: The Cabinet agreed to note the report.

Reason: The Data Protection Act 2018 adopted and adapted the Applied General Data Protection Regulation 2016/EU679 into UK Law. Article 38(3) of the General Data Protection Regulation required that "...The data protection officer shall directly report to the highest management level of the controller...". This report fulfilled this obligation and followed the guidance issued by the Article 29 Working Party on the role of the Data Protection Officer.

(Non key)

CABINET - 12.3.2019

Councillor Yasemin Brett (Cabinet Member for Public Health) introduced the report of the Director of Law and Governance (No.189) providing the final report of the Loneliness and Social Isolation Scrutiny Work stream.

NOTED

1. That the report summarised the findings of the scrutiny workstream, chaired by Councillor Derek Levy, to look at the issue of loneliness and social isolation in Enfield. The impact of loneliness and isolation on mental and physical health was widely acknowledged. It was a growing issue affecting all age groups. The workstream had focussed on finding low cost measures that the Council could take to tackle the issue. It was not just a public health issue, but one that cut across all departments.
2. That the workstream had found that one of the best ways of tackling loneliness was by bringing people together through shared activities and events. A sense of place, community and a feeling of belonging was very important to people's wellbeing. The report set out 11 recommendations with the officer responses to the recommendations provided in Appendix A of the report.
3. Councillor Brett invited Councillor Derek Levy, as Chair of the workstream, to address the Cabinet. The Chair's foreword to the report was highlighted to Members. Councillor Levy expressed his thanks and appreciation to Penelope Williams, Scrutiny and Governance Team, for her active participation and contributions to the workstream and report. Several points were highlighted by Councillor Levy including the following: this was a strategic issue that cut across departments and Council strategies. The local authority had an important role as an enabler and facilitator of others. The workstream had recommended low cost and no cost initiatives for consideration and action. Personal quotations had been included in the report, and the impact on a range of age groups and individuals highlighted. It was an important review that challenged the impact of future actions and strategies.
4. In response, the Cabinet acknowledged and recognised the detailed work that had been undertaken and that the information was now being considered as part of the Cabinet's collective decision-making processes on behalf of the Council as a whole.
5. That loneliness and social isolation affected all age groups. The importance of effective partnership working with other agencies including health provision, was highlighted.
6. Members expressed their thanks and appreciation to the workstream and acknowledged the wider issues of social isolation. An individual could still feel "alone" even when among other people. The potential negative impact of social media was also noted. There was a range of

CABINET - 12.3.2019

complex issues that could affect the health and wellbeing of individuals. This was a challenging long-term issue.

Alternative Options Considered: None.

DECISION: The Cabinet agreed to note the recommendations put forward in the review and noted the responses provided by Directors and Executive Directors as set out in Appendix A of the report.

Reason: The reasons for the recommendations were included in the report. (Non key)

9

CABINET AGENDA PLANNING - FUTURE ITEMS

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

10

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 13 February 2019 be confirmed and signed by the Chair as a correct record.

11

MINUTES OF SHAREHOLDER BOARD - 29 JANUARY 2019

NOTED, for information, the minutes of a meeting of the Shareholder Board held on 29 January 2019.

12

DATE OF NEXT MEETING

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 24 April 2019 at 7.15pm.

13

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and 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 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).

14

EXTENSION OF THE INTEGRATED SEXUAL HEALTH COMMUNITY SERVICES CONTRACT

Councillor Yasemin Brett (Cabinet Member for Public Health) introduced the report of the Executive Director – People (No.191).

NOTED

1. That Report No.186 also referred, as detailed in Minute No.5 above.
2. The contractual and financial information set out in the report in support of the recommendations.

Alternative Options Considered: As detailed in Report No.186, Minute No.5 above referred.

DECISION: The Cabinet agreed to approve (as set out in Report No.186 and Minute No.5 above):

1. The extension of the Integrated Sexual Health Community Services Contract with the North Middlesex University Hospital for a further two years on a reduced block payment.
2. Delegation of authority to the Executive Director – People to extend the contract for a further two years in 2021.

Reason: As detailed in Report No.186, Minute No.5 above referred.
(Key decision – reference number 4794)

15

UPDATE ON THE COUNCIL'S APPROACH TO FUNDING THE REMAINDER OF ENERGETIK'S BUSINESS PLAN

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Director – Commercial (No.192).

NOTED

1. That Report No.187 also referred, as set out in Minute No.6 above.
2. The summary of the progress so far; the current position; the preferred funding route; the next steps; and, timetable as set out in detail in section 3 of the report. Appendix 1 to the report set out the tranche 2 funding options.

CABINET - 12.3.2019

3. The impact of Meridian Water as set out in paragraph 3.9 of the report.
4. The proposed funding options were discussed in detail together with the anticipated timescales and potential future opportunities and developments for the Company.
5. The financial implications of the proposals were explained, as set out in the report.
6. That a further report would be presented to Cabinet by Autumn 2019 to agree the final investment decision.
7. The work that was being undertaken to develop Energetik's business plan and, the opportunities and challenges that existed in moving forward. Future funding opportunities were also discussed, as set out in the report.

Alternative Options Considered: NOTED, the alternative options that had been considered as set out in section 4 of the report.

DECISION: The Cabinet agreed, in addition to the recommendations set out in the part one report (Report No.187, Minute No.6 above referred):

1. To approve that Officers pursue the recommended option with the preferred funding route. In outline, the preferred option for the council was as set out in recommendation 2.2, points a – e of the report (containing exempt information).
2. To note that subject to the decision above (recommendation 2.2 of the report), the other funding options would be discounted from further investigation at this time.

Reason: As set out in section 5 of the report.
(Key decision – reference number 4859)