

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 24 APRIL 2019**

COUNCILLORS

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

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

ABSENT Guney Dogan (Cabinet Member for Environment),

OFFICERS: Ian Davis (Chief Executive), Sarah Cary (Executive Director Place), Tony Theodoulou (Executive Director People), Fay Hammond (Interim Executive Director Resources), Joanne Drew (Director of Housing and Regeneration), Cidi Greenaway (Principal Regeneration Officer), Jayne Middleton-Albooye (Head of Legal Services), Jennifer Price (Principal Development Manager) and Andrea De Lucy (Press and New Media Officer) Jacqui Hurst (Secretary)

Also Attending: Councillors Derek Levy, Edward Smith, Gina Needs, Ian Barnes, Hass Yusuf, Lindsay Rawlings, Christine Hamilton, Glynis Vince, Alessandro Georgiou and Claire Stewart

1

APOLOGIES FOR ABSENCE

There were no apologies for absence.

Apologies for lateness were received from Councillor Nneka Keazor (Cabinet Member for Community Safety and Cohesion), Councillor Dinah Barry (Associate Cabinet Member – Enfield West) and Councillor George Savva (Associate Cabinet Member – Enfield South East).

2

DECLARATIONS OF INTEREST

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
QUARTERLY CORPORATE PERFORMANCE REPORT**

Councillor Daniel Anderson (Deputy Leader of the Council) introduced the report of the Executive Director – Resources (No.211) presenting the quarterly Corporate Performance report.

NOTED

1. That the report presented the quarter three performance for 2018/19 in comparison to the Council's performance in quarter three in 2017/18.
2. That Appendix 2 of the report provided an ongoing commentary on areas of specific concern; Officers had been asked to provide an action plan with delivery timeframes to demonstrate what was being done in each service area to address underperformance. Members noted the information provided and the improvement actions proposed in relation to Planning Applications; Homelessness; Complaints, Freedom of Information Requests and Members' enquiries; and, Sickness Absence. Members noted and discussed the specific actions in relation to each of the areas and the work being undertaken to assess and meet the challenges being faced.
3. In relation to Homelessness, Members were advised of the grant funding that the Council had received to help address and reduce homelessness in the Borough, as detailed in the report.
4. A discussion followed on the performance indicators as set out in Appendix 1 of the report with points of clarification raised by Members on specific issues.
5. Members discussed the Housing and Council Homes indicators; the good work being undertaken was noted together with the further improvements being sought on a range of complex issues including rent arrears, homelessness and responsive repairs. Members were encouraged by the indicators regarding responsive repairs; the significant numbers involved were acknowledged. The delays that were sometimes experienced by individual tenants was noted; these were often highlighted through Ward Councillors casework. Members were not complacent and stated the importance of responding to and addressing such issues on a case by case basis. Members were pleased to note the positive introduction of the Council's MOT responsive repairs service. The aims of the service were reiterated and Members noted the

importance of ensuring that the needs of vulnerable people in the Borough were being met.

6. The importance of housing in a good state of repair in relation to public health was highlighted. The repairs service was valuable in not only addressing housing issues but highlighting any vulnerable residents who required additional support from the Council. This information was fed through to the relevant Council department for appropriate action.
7. The provision of decent homes was a Council priority and the actions being progressed were noted.
8. Councillor Achilleas Georgiou (Cabinet Member for Children's Services) took this opportunity to highlight the positive outcome of a recent Ofsted inspection in Enfield with Children's Services being judged to be "good" in all areas and "outstanding" in some. This was the most positive outcome that Enfield Council had ever achieved following an inspection of Children's Services. This confirmed Enfield's position within the top third of local authorities for performance in this area, despite the significant financial challenges and increasing pressures being experienced. Members expressed their thanks and appreciation to Officers for this significant achievement. The Council was not complacent and would continue to strive for further improvements. A detailed report would be presented to a future Cabinet meeting.
9. In relation to the Ofsted inspection, Councillor Georgiou had corresponded with the Government's Children's Minister who had offered their congratulations to Enfield Council. Enfield had offered its assistance to other local authorities as part of the "Partners in Practice" improvement programme. Enfield was in a good position to support other local authorities. Councillor Caliskan (Leader of the Council) reiterated the significance of this positive achievement and expressed thanks to Officers across the Council.
10. The positive indicators relating to leisure services and physical activity; this was significant at a time of the obesity issues being experienced nationally. Thanks were expressed to the Officers involved in this area of work.

Alternative Options Considered: Not to report regularly on the Council's performance. This would make it difficult to assess progress made on achieving the Council's main priorities and to demonstrate the value for money being provided by council services.

DECISION: The Cabinet agreed to note, for information only, the progress being made towards achieving the identified key priorities for Enfield.

Reason: To update Cabinet on the progress made against all key priority performance indicators for the Council.

(Non key)

5

CUSTOM BUILD PROGRAMME IN ENFIELD – SITES DISPOSAL

Councillor Dino Lemonides (Cabinet Member for Housing) introduced the report of the Executive Director – Place (No.212) seeking approval to the disposal of the sites identified for the delivery of the Custom Build Homes Scheme in Enfield.

NOTED

1. That Report No.215 also referred as detailed in Minute No.14 below.
2. A correction to the table detailed in paragraph 3.31 of the report, which should contain 15 sites, not 16 as stated. The Ingersoll Road Garages had been included twice.
3. That this was a pilot scheme funded by the GLA which enabled the development of difficult garage and car parking sites into homes that could be self-finished by local first-time buyers at a market discount. Through the scheme the Council partnered with a not-for-profit developer to assemble and sell land for homes, pending planning obtained by the developer.
4. That disposal of these sites had previously been approved in 2016, however a new Cabinet approval was required to agree a change from a leasehold model to a full sale model as a result of a change in government policy since the original model had been proposed.
5. The detail of the scheme set out in full in the report. Restrictive covenants would be put in place regarding sale and purchase of the properties as outlined in the report and Heads of Terms.
6. That it was proposed to proceed with 7 sites immediately.
7. The background to the developer, Naked House Community Builders which was supported by the GLA. There were currently no other providers and funders in the market for this pilot scheme. This was an important and exciting scheme in supporting the Council's priority of providing more affordable housing within the Borough.

Alternative Options Considered: NOTED, the alternative options that had been considered as detailed in section 4 of the report and including: Do nothing; disposal of the sites at full market value on the open market; direct development of the sites for new housing by the Council; work with Housing Gateway or Enfield Innovations to deliver the scheme; and, bring the sites back into use as garages or parking areas.

DECISION: The Cabinet agreed to

1. The disposal of sites listed in the report on a freehold basis to Naked House Community Builders (CIC); based on affordable housing site valuations; with appropriate agreements and restrictive covenants to enable affordable custom build development of the sites.
2. Delegate to the Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing, the authority to add or adjust the list of sites for participation in the scheme.
3. The appropriation of the sites agreed with Naked House for planning purposes, subject to the Developer entering into an indemnity to cover the Council's costs.
4. Delegate authority to the Director of Law and Governance to seek the Secretary of State's consent for the disposal of the sites.
5. Delegate authority to the Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing, to finalise the eligibility policy for Custom Build Homes which aligns with the Council's Draft Intermediate Housing Policy.
6. Delegate to the Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing; and the Director of Law and Governance, authority to finalise the commercial terms including the final disposal price to enable the disposals to be completed.

Reason: The detailed reasons for the recommendations were set out in section 5 of the report.

(Key decision – reference number 4613)

6

MERIDIAN WATER – MERIDIAN ONE DEVELOPER PROCUREMENT

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Executive Director – Place (No.213) seeking approval to enter into a development agreement with the highest scoring bidder to develop the site in accordance with the terms of the procurement.

NOTED

1. That Report No.216 also referred as detailed in Minute No.15 below.
2. The background to the proposals as outlined in the report. In July 2018 the Cabinet had agreed to bring forward three early sites from the Meridian Water project for development. The first of these three sites was Phase 1 at Willoughby Lane which already had the benefit of an outline planning consent for 725 residential units.

3. That Cabinet had agreed to the procurement of developers to deliver Meridian One using the London Development Panel. The report detailed the procurement processes followed and the results of the evaluation. The report recommended that the Council enter into a Development Agreement with the highest scoring bidder to develop the site in accordance with the terms of the procurement. The specific requirements that had been required by the Council as part of the procurement process were noted.
4. The community engagement events in the local area that had been held to date and, those to take place in the future.
5. The further required discussions and negotiations that would take place with the chosen developer, as outlined in the report.
6. In response to questions raised, the volume and timing of the provision of affordable housing as part of this phase of the development was discussed and explained to Members in detail. This included the provision of affordable rented units.
7. Councillor Caliskan (Leader of the Council) expressed her thanks and appreciation to colleagues and officers for the significant amount of work that had been undertaken over the last 12 months, and previously. The current administration had been very clear on its priorities and vision for the Meridian Water development and had been pleased with the interest received from potential developers.

Alternative Options Considered: NOTED, the detailed alternative options that had been considered as set out in section 4 of the report including: end current procurement and re-procure; end current procurement and the Council self-deliver; and, end current procurement and sell land.

DECISION: The Cabinet agreed to

1. Approve the selection of Bidder A as the Preferred Developer and authorise the Programme Director – Meridian Water (In consultation with the Director of Law and Governance and the Director of Finance) to enter into a Development Agreement and ancillary documents for Meridian One.
2. Prior to signing the Development Agreement authorise the Executive Director – Place (in consultation with the Director of Law and Governance and Director of Finance) as far as was permitted to enter into discussions with Bidder A to secure up to 50% affordable housing with the Council retaining at least 75 affordable rented units on the site.
3. That at the conclusion of the discussions referred to above, authority be delegated to the Leader (in consultation with the Executive Director – Place, the Director of Law and Governance and Director of Finance) to confirm the level of affordable housing for inclusion in the

Development Agreement which must fall within a range of 35%-50% in addition to the Council retaining at least 75 affordable rented units.

4. Subject to the above negotiations being concluded and valuation advice being finalised to delegate authority to:
 - (a) The Cabinet Member for Finance and Procurement to approve the valuation of the retained affordable rented units to be appropriated to the Housing Revenue Account and the necessary accounting adjustments between the General Fund and the Housing Revenue Account; and
 - (b) The Cabinet Member for Housing to approve the appropriation of the retained affordable rented units to the Housing Revenue Account.
5. Approve the addition, subject to the agreement of the Preferred Developer, of an option in the Development Agreement for the Council to buy-back any remaining unsold residential units prior to the Developer marketing them overseas which they were only permitted to do 12 months after the completion of the homes.
6. In the event that the Developer discharges the Planning Condition but the Council fails to discharge any of its Conditions Precedent by the long stop date, and the Development Agreement was consequently terminated, approve the payment by the Council to the Developer a fair value for the intellectual property rights of any work conducted by the developer related to the reserved matters planning consent.
7. Approve the Council underwriting any potential Carbon Off-Setting costs under the terms of any planning consent for all future phases as detailed in the report until such time as Energetik connects to the low-carbon supply.
8. Delegate authority to the Executive Director – Place, in consultation with the Director of Law and Governance, to enter into a purchase agreement for the Pressure Reduction Station (PRS) land from National Grid on the terms set out in the report subject to a satisfactory Red Book valuation and business case.

Reason: Recommendation to enter into Development Agreement with Bidder A on the terms offered: Acceptable land value offered; timely delivery of homes; quality design of housing and social infrastructure in lien with Meridian Water vision; setting benchmark for continue development of Meridian Water, maintaining market confidence in the Council and the scheme.

(Key decision – reference number 4864)

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

**8
MINUTES**

AGREED, that the minutes of the previous meeting of the Cabinet held on 12 March 2019 be confirmed and signed by the Chair as a correct record.

**9
MINUTES OF LOCAL PLAN CABINET SUB-COMMITTEE**

NOTED, for information, the minutes of a meeting of the Local Plan Cabinet Sub-Committee held on 26 March 2019.

**10
MINUTES OF SHAREHOLDER BOARD**

NOTED, for information, the minutes of a meeting of the Shareholder Board held on 2 April 2019.

**11
DATE OF NEXT MEETING**

NOTED, that this was the last scheduled meeting of Cabinet in the current municipal year. The Council's calendar of meetings for the new municipal year was due to be agreed at the Annual Council meeting in May 2019.

**12
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).

**13
CUSTOM BUILD PROGRAMME IN ENFIELD - SITES DISPOSAL**

Councillor Dino Lemonides (Cabinet Member for Housing) introduced the report of the Executive Director – Place (No.215).

NOTED

1. That Report No.212 also referred as detailed in Minute No.5 above.
2. The financial implications and draft Heads of Terms as detailed in section 6 and Appendix 1 of the report.
3. A detailed discussion followed on the financial implications of the proposals and the Heads of Terms, including the restrictive covenants to be included.
4. Members supported the proposals and recommendations for going forward as set out in the report and in Report No.212, detailed in Minute No.5 above.

Alternative Options Considered: As detailed in Report No.212, Minute No.5 above referred.

DECISION: The Cabinet agreed to

1. Note the financial implications detailed in paragraph 6.1 of the report.
2. Note the Draft Heads of Terms detailed in Appendix 1 of the report.
3. Approve the recommendations detailed in Report No.212, Minute No.5 above referred.

Reason: As detailed in Report No.212, Minute No.5 above referred.
(Key decision – reference number 4613)

14

MERIDIAN WATER - MERIDIAN ONE DEVELOPER PROCUREMENT

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Executive Director – Place (No.216).

NOTED

1. That Report No.213 also referred as detailed in Minute No.6 above.
2. The identity of Bidder A as detailed in the report. The report provided further exempt information on the developer procurement process and results.
3. Members discussed the proposals in detail and Officers provided clarification on issues raised and, reassurances on going forward. Further on-going discussions would take place with the approved

developer on various aspects of the development as set out in the report.

4. The background to and due diligence undertaken in respect of the Preferred Bidder including the expertise that had been sought from external advisers to the Council. The proposals for going forward were outlined in detail at the meeting and reassurances provided by Officers in response to questions raised.
5. The detailed business model for the phase one development and mixture of housing to be provided in relation to sale and rental and, affordable housing provision.
6. The support and involvement of the GLA development panel.
7. The advantages of following a phased development approach to the Meridian Water sites.
8. The detailed financial and legal implications and key risks as set out in the report. A discussion took place on the key risks and mitigation measures outlined.
9. In conclusion, following a detailed discussion and reassurances provided, Members reiterated their support of the selection of Bidder A (Minute No.6 above also referred).

Alternative Options Considered: NOTED, the alternative options that had been considered as set out in Report No.213, Minute No. 6 above referred.

DECISION: The Cabinet

1. Agreed the recommendations as set out in Report No.213, Minute No.6 above referred.
2. Noted the identity of Bidder A as detailed in recommendation 2.2 of the report.

Reason: NOTED the reasons for the recommendations as set out in section 5 of the report.

(Key decision – reference number 4864)