



PUBLICATION OF DECISION LIST NUMBER 6/19-20

MUNICIPAL YEAR 2019/20

Date Published: 7 June 2019

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 Governance and 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 Governance and Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision, please refer to:
– Claire Johnson (ext.4239)

Phone 020 8379 then extension number indicated

INDEX OF PUBLISHED DECISIONS – 7 June 2019

List Ref	Decision Made by	Date Decision comes into effect	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page Number
1/6/19-20	Leader of the Council (Cllr Nesil Caliskan)	Tuesday 4 th June 2019	Parts 1 & 2 (para 3)	Variation of the Option Agreement with Dwyers regarding Orbital Business Park and Grant of Lease to Broadwick Venues Limited	Rule 16 – urgent decision Key Decision KD:U206/4930	Upper Edmonton	No	1
2/6/19-20	Cabinet Member for Environment and Sustainability (Cllr Guney Dogan)	Monday 17 th June 2019	Part 1	Bowes Park Controlled Parking Zone	Non Key	Bowes	Yes – Friday 14 June 2019	2-3
DECISIONS								
For additional copies or further details please contact Claire Johnson (020 8379 4239), Governance and Scrutiny Team.								

LIST REFERENCE: 1/6/19-20

SUBJECT TITLE OF THE REPORT:							
VARIATION OF THE OPTION AGREEMENT WITH DWYERS REGARDING ORBITAL BUSINESS PARK AND GRANT OF LEASE TO BROADWICK VENUES LIMITED							
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
Parts 1 & 2 (para 3)	UPPER EDMONTON	Leader of the Council (Cllr Nesil Caliskan)	Tuesday 4 th June 2019	None	Rule 16 – Key Decision KD:U206/4930	Simon Gardner 0208 379 3783 Simon.gardner@enfield.gov.uk	No
DECISION							
<p>AGREED: that the following decision came into effect on Tuesday 4 June 2019:</p> <ol style="list-style-type: none"> To vary the option agreement in accordance with the Deed of Variation substantially in the form attached as Appendix 1 to the Part 2 report (containing exempt information) and to delegate to Legal Services on behalf of the Director of Law and Governance to finalise and enter into the variation. To note that Lambert Smith Hampton have advised that these changes are unlikely to have any financial implications on the Council. Subject to the entry into the deed of variation with Orbital Business Park Limited, to recommend the approval of the grant of lease to Broadwick Venues and to delegate to Legal Services on behalf of the Director of Law and Governance to finalise and enter into the lease. 							
ALTERNATIVE OPTIONS CONSIDERED							
Do nothing which would mean that the Council do not gain Dwyers consent and the deal with Broadwick Venues cannot proceed and Field Day would have to be cancelled.							
REASONS FOR RECOMMENDATIONS							
Dwyers have indicated that by increasing the floor area they have as part of their option they would be happy to agree to the Broadwick Venues lease for occupation of the Orbital Sheds and that Field Day can proceed. The negligible impact of the variation is therefore outweighed by the advantages of granting the lease in terms of both recouping the Council's investment in the sheds, bringing them up to a leasable able standard and more importantly the placemaking advantages of having the Field Day festival and other events over the life of the Broadwick live lease. A further benefit to the Council will be the increase of the number of affordable units on the Council's retained land in order to maintain 40% proportion of affordable housing across the outline planning application. The emphasis on the additional affordable housing will be the inclusion of affordable rented units.							
BACKGROUND:							
Please note that a copy of the Part 1 report is available on the Council's Democracy pages. As the Part 2 report contains exempt information it will not be available to press and public.							

LIST REFERENCE: 2/6/19-20

SUBJECT TITLE OF THE REPORT:							
BOWES PARK CONTROLLED PARKING ZONE							
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	BOWES	Cabinet Member for Environment and Sustainability (Cllr Guney Dogan)	Monday 17 June 2019	None	Non Key	Jonathan Goodson 020 8379 3474 Jonathan.goodson@enfield.gov.uk	Yes – Friday 14 June 2019
DECISION							
<p>AGREED: that the following decision will come into effect on Monday 17 June 2019 subject to not being called in:</p> <ol style="list-style-type: none"> To make a traffic management order pursuant to Section 9 of the Road Traffic Regulation Act 1984 and undertake all other necessary steps to implement the parking scheme shown at Appendix B on an experimental basis, which includes: <ul style="list-style-type: none"> A controlled parking zone across the area shown, operating between 10am and 1pm, Monday to Friday Short sections of double yellow line at Whittington Road, Russell Road and Granville Road. To invite comments during the experimental period and to prepare a subsequent report to determine whether the scheme should be made permanent in the light of operational experience and feedback. To fund the estimated £20,000 cost of implementing the new controls from the 2019/20 Corridors and Neighbourhoods LIP allocation. 							
ALTERNATIVE OPTIONS CONSIDERED							
<ol style="list-style-type: none"> Do nothing – doing nothing fails to address the long-standing concerns of residents who have been proactive across recent years in seeking permit controls to offer residents a fairer chance of finding convenient parking space in their street relative to commuters and others. It is acknowledged that increasingly unfavourable local parking patterns have been a prompt in the community interest that has arisen. Given the good levels of support demonstrated, it would be unsatisfactory – and out of line with the typical response in other neighbourhoods – for no intervention to follow. Undertake further consultation on the amended zone boundary – the statutory consultation provided definitive information on the homes that would be eligible for permit sales. The public has not had the opportunity to comment on the revised boundary shown at Appendix B. The option of undertaking further consultation on the issue has been considered, but imposes further delay on a scheme being implemented. This issue is not anticipated to raise significant concerns. The option of proceeding under experimental powers is therefore likely to prove the most suitable. 							

REASONS FOR RECOMMENDATIONS

1. Proceeding with the proposals alleviates the long-standing concerns about domestic parking raised across the zone, whilst minimising the drawbacks.
2. Recognising that a complex set of factors apply in this case – including doubts from some streets on the suitability of the chosen control hours – introducing a scheme under experimental powers allows the controls to be trialled before deciding whether it should be modified, made permanent or withdrawn. It also allows the extension of the zone boundary, covering the adjacent flats on Green Lanes, to be incorporated ahead of further consultation.

BACKGROUND:

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

SECTION 2: Notice of forthcoming Key Decisions for which it has not been possible to provide notice

This section lists the Key Decisions that are proposed to be taken by the Council, which require publication in accordance with the Local Government Act 2000. The decisions listed are those for which it has not been possible to provide 28 days' notice and need to comply with the Council's urgency procedure. There are two routes that can be followed in this instance to enable a decision to be taken.

1. Rule 15 – General Exceptions

This procedure is used in cases when:

- it is not possible to provide the required 28 days' notice of a key decision; but
- it is possible to provide a minimum of 5 working days' notice prior to the decision being taken;

2. Rule 16 – Special Urgency

This procedure should only be used in exceptional circumstances where it is not possible to:

- provide the required 28 days' notice prior of a key decision; and
- provide a minimum of 5 working days' notice prior to the decision needing to be taken;

These decisions will not be eligible for call-in.

If you have any queries or wish to obtain further report information or information on a decision please refer to: Claire Johnson 020 8379 4239

Date Decision to be Taken	Ref	Part 1/2	Decision Taken by	Decision Proposed under Rule 15 or 16	Proposed Key Decision	Affected Wards	Page No.
4 June 2019	Key Decision KD 4930/U206	Part 1 & 2 (Para 3)	Leader of the Council (Councillor Nesil Caliskan)	Rule 16	Variation of the Option Agreement with Orbital Business Park Ltd (Dwyers) regarding Orbital Business Park and grant of lease to Broadwick Venues Limited	Upper Edmonton	6

DETAILS OF KEY DECISION

Part 1/2 and reason	Date Decision Planned	Decision of	Proposed Key Decision	Ward/s affected by the decision	Contact Name and Number
Part 1 & 2 (Para 3)	4 June 2019	Leader of the Council Councillor Nesil Caliskan	Variation of the Option Agreement with Orbital Business Park Ltd (Dwyers) regarding Orbital Business Park and grant of lease to Broadwick Venues Limited	Upper Edmonton	Simon Gardner 020 8379 3783

Reasons for Urgency:

Orbital Business Park Limited (Dwyers) have an Option over part of the Orbital Business Park land on which the 'sheds' currently sit. The Council wishes to grant a 2 year lease on the sheds to Broadwick Venues to deliver the Field Day festival and a programme of other exciting and place-building events.

Under the terms of the Option, the Council is able to grant any property interest over the Option land and as such Orbital Business Park Limited have to provide consent to any lease that is put in place before their option is exercised. Orbital Business Park Limited have previously indicated that consent would be forthcoming for the Broadwick Venues lease however they have now withheld consent to grant the lease indicating that it wants an increase to the floor area of the residential block for which, under the terms of the Option agreement¹ the Council is delivering outline planning consent on the Option land.

When Officers met with Orbital Business Park Ltd (Dwyers) firstly on 8th May, having finally agreed the Heads of Terms with Broadwick Venues Ltd. they were seeking formal consent. Officers again were in discussion with Dwyers on the 15th May and lastly on the 28th May to try to obtain consent Dwyer's indicated that they were not now inclined to grant permission but indicated that they wanted to increase the benefits they could receive from the options land. This was done with limited time until the lease had to be agreed with Broadwick Venues and for them to allow the event to proceed on the 8th June 2019 Orbital Business Park Ltd (Dwyers) finally verbally agreed on the 31st May to the Broadwick Lease proceeding on the basis that the council agreed to the Deed of Variation. These timescales meant that the 28 day notice period could not be complied with whilst ensuring that the Field Day Festival goes ahead on the 7th June.

The reports seek permission to enter into a deed of variation that varies the option agreement so that Orbital Business Park Limited benefits from increased floor space in return for which Orbital Business Park Limited will consent to the grant of lease to Broadwick Venues Limited. The Deed of Variation must be entered into as a matter of urgency before 6th June 2019 if the 2019 Field Day festival to proceed on the 8th and 9th June 2019.

Background Papers:

No.	Description of Background Papers	Name and Telephone No. of Document Holder	Location/e-mail address
	None		