



PUBLICATION OF DECISION LIST NUMBER 10/22-23

MUNICIPAL YEAR 2022/23

Date Published: 29 July 2022

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 contact democracy@enfield.gov.uk

INDEX OF PUBLISHED DECISIONS – 29 July 2022

List Ref	Decision Made by	Date Decision came/ 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 No.
1/10/22 -23	Cllr Tim Leaver (Cabinet Member for Finance & Procurement)	Monday 08 August 22	Part 1	Covid-19 Additional Relief Fund Scheme	KD 5491	All	Yes Friday 5 August 22	3-4
2/10/22 -23	Sarah Cary (Executive Director Place)	Monday 08 August 22	Part 1 & 2 (Para 3)	Approval to enter into a Sale Agreement for 27 homes with Vistry Partnerships.	KD 5472	Upper Edmonton	Yes Friday 5 August 22	5
3/10/22 -23	Cllr Rick Jewell, (Cabinet Member for Environment)	Monday 08 August 22	Part 1	Clean Air Route	Non-Key	Upper Edmonton	Yes Friday 5 August 22	

DECISIONS

For additional copies or further details please contact the Governance Team.

LIST REFERENCE: 1/10/22-23

SUBJECT TITLE OF THE REPORT:							
COVID-19 ADDITIONAL RELIEF FUND SCHEME							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes into 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	All	Cllr Tim Leaver (Cabinet Member for Finance & Procurement)	Monday 08 August 22	None	KD 5491	Bridgette Cowley Head of Income and Debt bridgette.cowley@enfield.gov.uk Tel: 02045267091 Heather Adeyemi Interim Income & Debt Team Manager Heather.Adeyemi@enfield.gov.uk Tel: 020 8132 0403	Yes Friday 5 August 22

DECISION

AGREED subject to not being called in:

- The Council proposes to award this relief to all office, business units, and non-retail hereditaments that qualify for the relief based on the government eligibility criteria. In addition to the legislated ineligible types of property this report proposes that advertising hoardings, cash ATM's and banks are also excluded because these types of hereditaments were not subject to the level of adverse effects of the pandemic that were suffered by the other business types. The following options were considered based on the eligible groups of businesses.
- Option 1:** Office Premises. The CARF relief came about because large offices requested a reduction in their rateable value claiming it was a material change of circumstances (MCC). As a result of this an option to only award to offices was considered. The combined rateable value of offices in Enfield eligible for this relief is £9,879,850.
- Option 2:** There is clear evidence that factories, warehouses, and other such premises constitute a large part of the business rates base in Enfield. These businesses were also adversely affected by the pandemic while being ineligible for any other government grants or discounts. The rateable value of such businesses in Enfield eligible for this relief is £79,742,940.
- Option 3:** The third and recommended option is to award relief to both groups as described in 3 and 4 above as it seemed each group

was as badly affected as the other. Local authorities can award the relief without an application process. It is therefore proposed to automatically award the relief to all those eligible properties. The Council will at the time of award write to each business requiring them to confirm if they have not been adversely affected by the premises. It became public that the VOA intended to accept this argument and issue RV reductions of between 20% and 65% on all different property types, including office and retail properties.

5. Business rates is a key component of local authority income and is administered through the government's Business Rate Retention scheme. Reductions of the level suggested by the rating agents would have required local authorities to set aside large rateable value appeal provisions and if the rateable value reductions were subsequently agreed by the VOA would have resulted in there being insufficient income within the Rate Retention system to support local government funding.
6. Following representations from Local Authorities including some London boroughs Central government decided that the pandemic could not be regarded as a Material Change of Circumstance (MCC) and the proposed rateable value reductions would not go ahead. The government indicated that alongside the requisite legislative change to put this into effect, it would provide a separate national discretionary funding scheme of £1.5bn to mitigate the effect on businesses.
7. The Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Act 2021 was passed in December 2021 followed by guidance on implementing the new discretionary relief. The discretionary scheme was entitled "Covid19 Additional Relief Fund (CARF)".

Item	Relevant Date
Key Decision ref 5491 published	29/06/22
28 day notice period expires	28/07/22
DAR to be submitted to Democratic Services with signatures and Legal / Financial Implications	15/07/22 (no later than 5 days before the notice expiry date)
Allow for call-ins	05/08/22 (5 days after the notice expire date)
Decision to be implemented if no call-ins	08/08/2022

8. The relief will be applied to the relevant accounts and letters sent to the ratepayers after the call-in period expires on 05/08/2022.

OPTIONS CONSIDERED

1. See above

REASONS FOR PROPOSAL

1. The government has provided business rate relief of over £66m and grants totalling more than £120m to businesses in the retail, hospitality, and leisure sectors over the past two years of the pandemic. The businesses described here have largely been ineligible for any of this assistance.
2. The allocation of £6,337,949 has been provided to the Council to distribute based on specific eligibility criteria. All the businesses in the proposals above would qualify based on the government criteria.
3. The recommended option is to award relief to offices and other non-retail businesses since both groups have been impacted adversely by the pandemic and have not qualified for any of the previously provided government reliefs and grants. The guidance makes it clear that

local authorities can award the relief without an application process. It is therefore proposed to automatically award the relief to all the eligible properties. The Council will at the time of award write to each business requiring them to confirm if they have not been adversely affected by the pandemic and / or have exceeded the Subsidy Control limitation. This process will avoid the resource and time implications of trying to administer some 1,500 applications. The proposed scheme enables an accurate assessment of relief to be granted, therefore ensuring that our funding allocation is fully utilised and not exceeded (any excess cost would need to be met by the Council).

BACKGROUND

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

Publication of Decision List 1/10/22-23
29 July 2022

LIST REFERENCE: 2/10/22-23

SUBJECT TITLE OF THE REPORT:

APPROVAL TO ENTER INTO A SALE AGREEMENT FOR 27 HOMES WITH VISTRY PARTNERSHIPS

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes into 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 & 2 (Para 3)	Upper Edmonton	Sarah Cary (Executive Director Place)	Monday 08 August 22	None	KD 5472	Amena Matin Head of Regeneration & Growth Amena.matin@enfield.gov.uk 0208 148 4384	Yes Friday 5 August 22

DECISION

AGREED subject to not being called in:

1. Authorise expenditure to be committed in 2022/2023 for the acquisition of 27 newbuild homes on Meridian Water Phase 1 for London Affordable Rented.
2. Delegate authority to the Director for Housing and Regeneration in consultation with the Acting Director of Law and Governance, Director of Development (Meridian Water) and Executive Director for Resources to agree the purchase and ancillary documents related to the purchase.
3. Approve associated bid and acceptance of grant under the GLA Building Council Homes for Londoners affordable housing grant programme.
4. Submit claim for 100% relief in respect of Stamp Duty Land Tax to HM Revenue & Customs together with appropriate Options to Tax to maximise tax reliefs as these are assumed in the financial modelling.

OPTIONS CONSIDERED

1. The council has promoted the opportunity on Meridian Water to a range of Registered Providers, to acquire the homes, prior to expressing an interest in acquiring Block E2 and B1. As Phase 2 is a 100% affordable scheme owned and managed by a Housing Association and a private registered provider is purchasing the shared ownership units on Phase 1 (A1), there was little interest from other Registered Providers. By the Council being the “RP” for the affordable homes on Phase 1 it is minimising the risk of multi-landlord estate management strategy which can see conflicts in standards arise and overall will enable the high quality of housing management and place shaping.

REASONS FOR PROPOSAL

1. On 24th April 2019, Cabinet approved the appointment of Vistry Partnerships as developer for Meridian One (KD 4864). Vistry submitted planning applications for 977 homes across Phase 1, of which 50% will be affordable. Phase 1a was approved under Reserved Matters Application (20/03821/RM) for 300 new homes and Phase 1b submitted as a full planning application is currently under determination (21/04742/FUL) and subject to planning committee later in the year.
2. Phase 1a works have commenced on site and the build for Block E2 where the 27 shared ownership units are located achieved “Golden Brick” stage on 30 June 2022, which means the first course of bricks are now laid above the foundation and residential build is fully underway. The

Council is also considering acquiring an additional 92 units (B1) for Shared Ownership within Phase 1B, subject to grant and a separate authority. The anticipated grant of headlease of the relevant Block (B1) in Phase 1B is expected by September 2022, subject to planning.

3. The Council will be acquiring Shared Ownership units outside of the mechanics of the Development Agreement. These homes were expected to be acquired by a Registered Provider(s) (also known as Housing Association) but following a marketing process, only one block (A1) was acquired which enabled the Council to make an offer on the shared ownership homes adjacent to the Council's homes already under contract. Block E2 is currently shared ownership but as the majority are large family homes (3bed and 4beds) the Council has secured additional grant to convert these to social housing. An application for a Non-Material Amendment to the planning permission will be submitted by the Council to change the tenure from shared ownership to social housing, noting the homes remain affordable in perpetuity. Block B1 is subject to a grant bid and if approved, these will be brought into the housing development programme as affordable home ownership and offered in line with the Intermediate Housing Policy.
4. Phase 1a is 93% affordable which is above the planning obligation of 35% which means the Council is securing more affordable housing for the Borough. Block E2 (Phase 1) will deliver 27 social housing units, which remains a priority tenure in the borough. If authorised under this report, Block E2 will be owned and managed by the Council which alongside the existing Council housing homes, secures a significant stake in the long-term management of Meridian Water Phase 1.
5. The Council is acquiring the 27 shared ownership units to provide as social housing outside of the Development Agreement mechanism which already contains provision for the Council to acquire affordable housing units. Pursuant to the terms of the development agreement the Council may acquire 242 affordable housing units on Phase 1 which will transfer from the General Fund to Housing Revenue Account by appropriation on completion. This will be the subject of a separate cabinet report at the time.
6. The Council has negotiated a competitive price for the newbuild homes and subject to contract will progress to initially purchase 27 homes on Phase 1a (Block E2) The Council is able to seek SDLT relief on the purchase price if grant is used to acquire the properties.
7. The Council entered into contract under the Building Council Homes for Londoners (BCHFL) programme in 2019. The BCHFL contract requires that any slippage has to be replaced with substitute units and deliver starts as per the original allocation. The 27 homes are proposed as substitutions for Dendridge Close to maintain the overall grant allocation. Following a procurement exercise last year, Dendridge has had a limited tender response with a single bid above the approved budget. Negotiations with the GLA, the Council has secured additional grant to secure the earlier starts and replace Dendridge with these 27 units, which are currently designated as Shared Ownership by the planning consent. The Council intends to let them as social housing, there will need to be an application by the Council for a non-material amendment to change the tenure. This is anticipated to be submitted by the Council and approved before the first let next year.

BACKGROUND

Please note that a copy of the Part 1 report is available on the Council's democracy pages. As the part 2 appendix contains exempt information it will not be available to press and public.

Publication of Decision List 2/10/22-23
29 July 2022

LIST REFERENCE: 3/10/22-23

SUBJECT TITLE OF THE REPORT:

CLEAN AIR ROUTE

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes into 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	Upper Edmonton	Cllr Rick Jewell, (Cabinet Member for Environment)	Monday 08 August 22	None	Non-Key	Richard Eason Healthy Streets Programme Director Richard.Eason@enfield.gov.uk 0208 132 0698	Yes Friday 5 August 22

DECISION

AGREED subject to not being called in:

1. That the design shown at Annex 1 is implemented on a permanent basis.
2. That the necessary permanent traffic orders are made based on the draft traffic orders TG52 / 1489 which were advertised on 9th February 2022 and are included at Appendix 1.

OPTIONS CONSIDERED

3. The alternative options summarised in Table 1 have been considered.

Table 1: Alternative options considered

Option	Comment
Do nothing	This is not recommended as this project is a key part of delivering against climate change and health & wellbeing objectives. This option would also contradict the priorities of the Council to invest in the Angel Edmonton area to support growth.
Extend the closure of Grove Street westwards beyond the junction with Snells Park	While this option would provide the maximum benefits for active travel users by further reducing any motor traffic travelling between Grove Street and Snells Park and creating a

	better link to the active travel route link to Joyce Avenue, it would likely exceed the available budget and increase the removal of parking spaces.
Close a section of Grove Street on a part-time basis rather than full-time (i.e., pedestrian and cycle zone during start and end of the school day)	While this option would maintain motor vehicle movements through Grove Street throughout the majority of the day and reduce the removal of parking spaces, it would provide significantly less benefits for active travel users, result in minimal public realm gain, lead to reduced air quality improvement, and not align with the GGF bid criteria.
Utilise the existing footpath at the west side of St James Open Space for the active travel route part of the project that links Grove Street with Joyce Avenue	<p>This route alignment would be longer, less direct, and less logical for active travel users to follow.</p> <p>To access this path from the proposed School Street on Grove Street, a new footway would need to be provided at St James Open Space behind the existing perpendicular parking bays of Grove Street, therefore reducing green space.</p> <p>As this path would need to be widened to a minimum of 3m, an existing tree would need to be removed or relocated. Alternatively, the path could be diverted to the east of the tree, but that would require additional land from the public green space and would introduce a blind spot on the approach to the tree in both directions.</p> <p>This option would also bear a higher implementation cost due to the need for a new footway.</p>

1.

REASONS FOR PROPOSAL

1. The Council has declared a climate emergency with a commitment for the Borough to become carbon neutral by 2040. Transport accounts for 39% of the Borough emissions, and therefore it is essential that this sector plays a key role in reducing emissions. Enabling an increase in active travel will form part of this response.

2. The Healthy Streets programme consists of a comprehensive range of interventions that collectively will enable more sustainable transport choices. As projects are knitted together and a coherent network of quiet streets and safe walking and cycling infrastructure on primary roads is delivered, longer-term change will be enabled.
3. Clean Air Route forms part of the Enfield Healthy Streets programme. Therefore, this report sets out the contribution this project can make to the wider context described above.
4. The project will directly respond to issues identified through engagement activity with the local community and mentioned in the Angel Edmonton Town Centre Action Plan¹. These issues include poor quality public space, lack of space to dwell, and large volume of motor traffic.
5. It also aligns strongly with the objectives of the Enfield Council Plan², as detailed in paragraphs **Error! Reference source not found.** to **Error! Reference source not found.**, and the emerging Economic Development Strategy which includes delivering public realm improvements to drive footfall and dwell time and offer greater accessibility via sustainable modes of transport.

BACKGROUND

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

Publication of Decision List 3/10/22-23
29 July 2022

¹ <https://letstalk.enfield.gov.uk/angeledmontonap>

² <https://new.enfield.gov.uk/services/your-council/enfield-council-plan-2020-to-2022-your-council.pdf>