



**LONDON BOROUGH OF ENFIELD**

**AGENDA FOR THE COUNCIL MEETING  
TO BE HELD ON WEDNESDAY, 24TH  
JANUARY, 2007**



**THE WORSHIPFUL THE MAYOR  
AND COUNCILLORS OF THE  
LONDON BOROUGH OF ENFIELD**

**Please  
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**My Ref:** DST/SA  
  
**Date:** 16 January 2007

Dear Councillor,

You are summoned to attend the meeting of the Council of the London Borough of Enfield to be held at the Civic Centre, Silver Street, Enfield on **Wednesday, 24<sup>th</sup> January, 2007 at 7.00 pm** for the purpose of transacting the business set out below.

Yours sincerely

Borough Secretary

- 1. ELECTION (IF REQUIRED) OF THE CHAIRMAN/DEPUTY CHAIRMAN OF THE MEETING**
- 2. MAYOR'S CHAPLAIN TO GIVE A BLESSING**  
The Mayor's Chaplain to give a blessing.
- 3. MAYOR'S ANNOUNCEMENTS (15 MINUTES APPROXIMATELY)**
- 4. MINUTES** (Pages 1 - 10)

To approve, as a correct record, the minutes of the Council meeting held on 8 November 2006.

**5. APOLOGIES**

**6. DECLARATION OF INTERESTS (Pages 11 - 12)**

Members of the Council are invited to identify any personal or prejudicial interests relevant to items on the agenda. Please refer to the guidance note attached to the agenda.

**7. STANDARDS COMMITTEE ANNUAL REPORT 2005/06 (Pages 13 - 20)**

To receive the Standards Committee Annual Report for 2005/06.  
(Report No. 206)

**8. REFERENCES FROM CONSTITUTION REVIEW GROUP (Pages 21 - 28)**

**8.1 Revision to the Standards Committee Terms of Reference**

To receive the report of the Director of Finance and Corporate Resources detailing changes to the Standards Committee Terms of Reference recommended by the Constitution Review Group.  
(Report No.207)

**8.2 Audit Committee – Annual Report**

Constitution Review Group (2 Nov 2006) agreed a recommendation from the Audit Committee that the Committee be required to produce an Annual Report, similar to that provided by the Standards Committee.

Council is asked to endorse the recommendation and amend the Council's Constitution accordingly.

**9. BEST VALUE SCRUTINY REVIEW (Pages 29 - 34)**

To receive the report of the Scrutiny Best Value Core Team detailing the final outcome and recommendations from the Best Value Review of Enfield Council's Scrutiny function.  
(Report No.208)

**10. FAIR TRADE (Pages 35 - 44)**

To receive the report of the Environment, Parks & Leisure Scrutiny Fair Trade Working Group updating Council on the action taken to address previous issues on the recommendation for the London Borough of Enfield to apply to become a "Fairtrade Borough".  
(Report No.209)

**11. REFERENCE FROM OVERVIEW & SCRUTINY COMMITTEE: CALL-INS - IMPLEMENTATION OF PARKING CHARGES 2006/07 (Pages 45 - 80)**

To receive a report from the Director of Finance & Corporate Resources detailing the referral of 2 call-ins by Overview & Scrutiny Committee on to Council for consideration. Both call-ins relate to the implementation of

parking charges 2006/07.

(Report No.210)

**12. CENTRAL LEESIDE BUSINESS AREA - JOINT AREA ACTION PLAN WITH THE LONDON BOROUGH OF HARINGEY (Pages 81 - 96)**

To receive the report of the Director of Environment, Street Scene and Parks, seeking the approval of Council for the production of a Central Leaside Joint Area Action Plan (CLJAAP) with the London Borough of Haringey.

(Report No.211)

**13. ADOPTION AND APPLICATION OF NEW DOG CONTROL ORDERS (Pages 97 - 110)**

To receive the report of the Director of Environment, Street Scene and Parks seeking authority to introduce Dog Control Orders, which replace the previous system of park byelaws for the control of dogs, and also dog fouling under the Dogs (Fouling of Land) Act, which has now been repealed.

(Report No.193)

**14. FREEDOM OF THE BOROUGH**

Council is asked to agree to a Special Meeting being convened on Monday 16th April 2007 to confer Honorary Freedom of the Borough on 8 citizens.

**15. COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES) (Pages 111 - 136)**

**15.1 Urgent Questions (Part 4 - Paragraph 9.2.(b) of Constitution – Page 4-9)**

With the permission of the Mayor, questions on urgent issues may be tabled with the proviso of a subsequent written response if the issue requires research or is considered by the Mayor to be minor.

Please note that the Mayor will decide whether a question is urgent or not. The definition of an urgent question is "An issue which could not reasonably have been foreseen or anticipated prior to the deadline for the submission of questions and which needs to be considered before the next meeting of the Council."

A supplementary question is not permitted.

**15.2 Councillors' Questions (Part 4 – Paragraph 9.2(a) of Constitution – Page 4 - 8)**

The twenty six questions and responses are attached to the agenda.

**16. URGENT DECISIONS REQUIRING THE WAIVING OF THE CALL-IN PROCEDURE (PART 4.2 – PARAGRAPH 17.3 – PAGE 4-34)**

Council is asked to note the decisions taken and the reasons for urgency. The decisions set out below were made in accordance with the Council's Constitution and Scrutiny Rules of Procedure (Paragraph 17.3 – relating to the waiving of the requirement to allow a 5-day call-in period):

i. Supply of Electricity – Civic Centre.

Decision:

To accept a tender for the supply of electricity at the Civic Centre as advised by the Council's agent.

Reason for Urgency:

The Council's utility agent for the Civic Centre, the Office of Government Commerce (OGC) were seeking tender prices from its framework supplier for the supply of electricity to the Civic Centre and were due to report back mid September 2006. The contract start date was the 1<sup>st</sup> October 2006. Such was the volatility of the utilities market, OGC had advised that it would be advantageous for the Council to be able to electronically accept the prices within a matter of hours. Failure to do so could have resulted in higher costs.

ii. Supply of Gas

Decision:

To accept a tender for the supply of gas as advised by the Council's agent.

Reason for Urgency:

The Council's agent, L.A.S.E.R, were seeking tender prices for the supply of gas and were due to report back on the 11<sup>th</sup> September 2006. The contract start date was the 1<sup>st</sup> December 2006. Such was the volatility of the utility market, L.A.S.E.R advised that it may be advantageous for the Council to accept the prices earlier than anticipated, on the 11<sup>th</sup> September 2006 or at a date near to this time as recommended by the Council's agent.

iii. Responsive Maintenance, Building Works, Mechanical and Electrical Engineering Services – Alteration to proposed Arrangements.

Decision:

To approve the extension of the current (non housing) term contracts for responsive maintenance, building works, mechanical & electrical engineering services for a further year from the dates of their commencement.

Reason for Urgency:

These contracts provide the Council's frontline response to its reactive day-to-day repair and maintenance needs for its corporate and education portfolios. The contractors had all agreed to an extension of their contracts for a further year and continued to provide services in accordance with the contracts in good faith, even though they had technically expired. If approval under the urgency procedure had not been given, it would not have been possible to obtain the necessary approvals before November 2006. This would have placed these important contractual relationships under

considerable strain, and may also have resulted in some disruption in payment.

iv. Implementation of Additional SAP Software (Managers' Self Service and Employees' Self Service)

Decision:

To approve the acquisition of additional SAP software & licenses (Mangers' Self Service and Employees' Self Service)

Reason for Urgency:

The advantageous pricing on the SAP MSS/ESS (Managers' Self Service & Employees' Self Service) Licences was only available until 29<sup>th</sup> December 2006. It had not been possible to include the item in the Forward Plan as the opportunity had arisen within a short timescale, following discussions on the SAP Strategy for Enfield with SAP UK.

**17. MOTIONS – (NO TIME LIMIT – SEE PART 4 – PARAGRAPH 10 – PAGE 4-9)**

17.1 In the name of Councillor McCannah

“Enfield Leisure Centres Ltd. is currently in Liquidation. The Liquidators are in the process of completing their inquiries and, in due course, may report to the Department of Trade and Industry on the conduct of the company and its directors. When this process is completed it is vital that the public of the Borough are able to examine the reasons for the failure of the company and the Council resolves to set up a special scrutiny commission, at a date to be decided following the completion of the Liquidators' work and the conclusions of the DTI, to examine the reasons for and the consequences of the insolvency of Enfield Leisure Centres Ltd.”

17.2 In the name of Councillor Boast

“Enfield Council calls upon the Government to repeal any laws or regulations stemming from the European Working Time Directive that impede the emergency services in the performance of their duties.”

17.3 In the name of Councillor Chamberlain

“By 2007 the Government's Housing Revenue “claw back” will have effectively taken £10 million from the pockets of Enfield Council tenants, using the Government's own rent formula. In doing so it takes council house rent money from Enfield residents who can ill afford it and redistributes where this Government considers people to be more deserving.

The Council abhors this practice and calls upon the Boroughs MP's to condemn the redistribution and lobby against it.”

17.4 In the name of Councillor Brown

“This Council acknowledges that it has a duty under the Race Relations Act 1976 (as amended in 2001), to promote good race relations in the London Borough of Enfield. It considers that the comment by Councillor Michael Lavender at the Council meeting on 8 November 2006 that Edmonton is “just a UN feeding station”, contravenes that duty and it therefore no longer has any confidence in him as Deputy Leader of the Council.”

## **18. MEMBERSHIPS**

To confirm the following changes to committee memberships:

### **18. Joint Borough Committee Barnet Enfield and Haringey Clinical Strategy**

To reduce the Council's membership on the Committee from 4 to 3 with Councillor Adams ceasing to be a member.

#### **18.2 Education Statutory co-optee**

To appoint Mrs Alicia Meniru to fill the vacancy of Parent Governor Representative.

#### **18.3 School Appeal Panel (Community & Voluntary Aided Schools)**

To remove Mr Roger Vince & Mr John Egan from the pool of Panel members (parents or persons experienced in education).

## **19. NOMINATIONS TO OUTSIDE BODIES**

To confirm the following changes to nominations on outside bodies:

### **Capel Manor Governing Body**

To appoint Mr Graham Eustance OBE as the Local Authority representative for a 3 year term of office to expire on 14 December 2009.

## **20. CALLED IN DECISIONS**

Please refer to item 11 above.

## **21. DATE OF NEXT MEETING**

The next meeting of the Council will be held on Wednesday 21 February 2007 at 7.00 p.m. at the Civic Centre.

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COUNCIL - 8.11.2006

**MINUTES OF THE MEETING OF THE COUNCIL  
HELD ON WEDNESDAY, 8 NOVEMBER 2006**

**COUNCILLORS****PRESENT**

Tony Dey (Mayor), Don Delman (Deputy Mayor), Pamela Adams, Christopher Andrew, Kate Anolue, Gregory Antoniou, Chaudhury Anwar MBE, Alan Barker, John Boast, Yasemin Brett, Kris Brown, Jayne Buckland, Lee Chamberlain, Bambos Charalambous, Christopher Cole, Andreas Constantinides, Don Delman ((Deputy Mayor)), Tony Dey ((Mayor)), Annette Dreblow, Christiana During, Peter Fallart, Norman Ford, Achilleas Georgiou, Vivien Giladi, Del Goddard, Jonas Hall, Ahmet Hasan, Elaine Hayward, Robert Hayward, Denise Headley, Ruth Hones, Ertan Hurer, John Jackson, Chris Joannides, Eric Jukes, Matthew Laban, Henry Lamprecht, Bernadette Lappage, Michael Lavender, Dino Lemonides, Paul McCannah, Donald McGowan, Kieran McGregor, Chris Murphy, Terence Neville, Ayfer Orhan, Ahmet Oykenner, Henry Pipe, Martin Prescott, Geoffrey Robinson, Jeff Rodin, Michael Rye, Eleftherios Savva, George Savva, Toby Simon, Edward Smith, Terence Smith, Doug Taylor, Glynis Vince, Kate Wilkinson and Ann Zinkin

**ABSENT**

Chris Bond, Jon Kaye, Anne-Marie Pearce and Andrew Stafford

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**MAYOR'S CHAPLAIN TO GIVE A BLESSING**

The Mayor's Chaplain, the Reverend John Paul gave a blessing on the Council.

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**MAYOR'S ANNOUNCEMENTS**

The Mayor made the following announcements:

1. Death of Clive Goldwater

It is with regret that I remind members of the recent death of Clive Goldwater.

Clive was Mayor in 1981-1982 and prior to becoming Mayor he had represented the residents of Edmonton's Church Street Ward for over 10 years. Whilst he was a member he served on most of the Council's Committees. He lost his seat in 1994. During his mayoralty he raised a huge amount of money for the Enfield Scanner Appeal, which was formed to purchase body scanners and other medical equipment for the benefit of patients in Enfield hospitals. I along with former Mayors attended the funeral at the Western Synagogue Cemetery, Bulls Cross on Wednesday 18<sup>th</sup> October.

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If anyone would like to make a donation in his memory the family have chosen the RNLI Lifeboats Special Appeal. My Secretary Rhoda Aldridge has the details.

2. Death of Mrs. Gwen Milner former Mayoress

I have also been advised of the death of Mrs Gwen Milner last Wednesday. She was Phyllis Oborn's sister and was her Mayoress in 1982/83.

Would you all please stand as a mark of respect.

3. Forthcoming Events

Do you enjoy singing carols? If you do please Come along to St. Paul's Church, Winchmore Hill on Thursday 7<sup>th</sup> December any time from 4.00p.m. - 8.00p.m. Please join in as many or as few carols as you like and help to raise money for the Mayor's Charity Appeal.

I will be holding the annual Christmas Party at Forty Hall on Saturday 9<sup>th</sup> December. We plan to have Carols by the Christmas Tree and Festive Fayre. The Ice Rink will be open for those of you who would like to skate.

The Mayor's Charity Dinner and Dance will be held on Friday 16<sup>th</sup> March 2007 at Trios.

4. Enfield in Bloom wins the Wakefield Cup

Enfield in Bloom has been awarded the much-coveted 'Wakefield Trophy' in the London Garden Society Awards this year for accumulating the highest points in classes entered making them overall winners.

I would like to welcome and thank Mr & Mrs Lushey, Mr Fletcher and Mrs Fernandez and her daughter who have joined us this evening. They have all worked particularly hard this year but have succeeded admirably with their determination in both the Enfield and London in Bloom Competitions.

With their contribution we have won this prestigious trophy. I would also like to thank Karen Gurrey Enfield in Bloom Co-ordinator and Graham Deal the Chairman of Enfield in Bloom for all their hard work.

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**PERSONAL STATEMENT MADE BY COUNCILLOR E SMITH**

Councillor E Smith addressed the Council regarding the comments he made at the last Council meeting and made the following statement:

"The term liar has several shades of meaning. In common parlance it means a low and habitually dishonest person. It was never my intention to categorise

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either the Labour group or individual members of it in this way and I therefore unreservedly apologise for any offence caused.”

**72**

**MINUTES**

AGREED that the minutes of the meeting held on 20 September 2006 be agreed and signed as a correct record.

NOTED the update given by Councillor Barker, Cabinet Member for Adult Social Services on Minute Number 53 – Fair Care Motion (Agenda Item No. 18.1), confirming that he had received a response from one of the Borough’s MP’s and he hoped that the others would respond.

**73**

**APOLOGIES**

Apologies for absence were received from Councillors Bond, Kaye and Pearce. Apologies for lateness were received from Councillor Taylor.

**74**

**DECLARATION OF INTERESTS**

NOTED the declaration of interests set out below made at the meeting in respect of the items indicated:

Item No. 14.2 – Motions

Councillor Hurer declared a personal and prejudicial interest, as he owned a property in the area with the benefit of the restricted covenant.

Item No. 14.4 – Motions

Councillor Brett declared a personal interest being a member of the Primary Care Trust. Councillor Anolue declared a personal interest being a midwife at the North Middlesex Hospital.

Item No. 10 – Memorandum of Understanding for a Joint Waste Development Plan

Councillor Lappage declared a personal and prejudicial as her husband was employed by North London Waste.

**75**

**SCHOOL ADMISSION APPEALS - APPOINTMENT OF PANEL MEMBERS**

NOTED that consideration of the report had been deferred at the Constitution Review Group meeting held on 2 November 2006. The report had therefore been withdrawn from this agenda and would be considered at a future Council meeting.

**76**

**GAMBLING ACT 2005:- STATEMENT OF PRINCIPLES, RESOLUTION NOT TO ISSUE CASINO LICENCES, SETTING OF FEES AND DELEGATION OF SMALL SOCIETY LOTTERY REGISTRATIONS**

Councillor Neville moved and Councillor E Savva seconded the report of Director of Environment, Street Scene and Parks (No. 149) outlining how the Council proposes to meet the requirements of the Gambling Act 2005 that will be fully implemented on 1 September 2007.

NOTED that the council, as licensing authority, will be required to issue licences and permits under the Act. The Council was also required to prepare, consult upon and agree (and subsequently publish by 3 January 2007) a Statement of Principles (Licensing Policy) under section 349 of the Gambling Act 2005.

AGREED

1. To approve the statement of principles shown in Appendix 1.
2. To resolve not to issue casino premises licences with immediate effect.
3. To agree delegation for the setting of fees for premises licences to 'authorised persons' as listed in Appendix 2.
4. To delegate the responsibility for the registration of small society lotteries to the Licensing Committee and 'authorised persons' as listed in Appendix 2.

Resolutions 1, 3 and 4 above were agreed unanimously by the Council. Resolution 2 was put to the vote with 49 in favour of the recommendation and 8 against.

**77**

**BROOMFIELD HOUSE**

NOTED that consideration of the report had been withdrawn from this agenda.

**78**

**MEMORANDUM OF UNDERSTANDING FOR A JOINT WASTE DEVELOPMENT PLAN**

Councillor Neville moved and Councillor E Savva seconded the report of the Director of Environment, Street Scene and Parks (No. 150) seeking the approval of Council for a Memorandum of Understanding (MoU) for the production of the North London Joint Waste Development Plan Document (JWDPD).

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AGREED to approve the Memorandum of Understanding for the production of a Joint Waste Development Plan Document (JWDPD) between the London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest, and endorses the involvement of Enfield Council in the preparation of the JWDPD.

**79**

**RECRUITMENT OF CHIEF EXECUTIVE AND DIRECTOR OF FINANCE & RESOURCES – ENFIELD HOMES (ALMO)**

Councillor Laban moved and Councillor Fallart seconded the report of the Director of Finance and Corporate Resources (No. 143) seeking the Council's endorsement to the process for the recruitment and appointment of the two posts of Chief Executive and Director of Finance and Resources for Enfield Homes, the Council's Arms Length Management Organisation (ALMO) for housing.

NOTED

1. The view of Councillor Oykener that the proposed two stage recruitment process could lead to conflict and a difference of opinion between the Shadow Board and the Council.

2. That Councillor Buckland was concerned that the proposed process was different to that originally described to the Shadow Board, the Shadow Board believed they were interviewing candidates and making an appointment.

AGREED that the Council endorses the process set out in the report for the recruitment and appointment of the posts of Chief Executive and Director of Finance and Resources for Enfield Homes, the Council's Arms Length Management Organisation (ALMO) for housing.

**80**

**INTEGRATED COMMISSIONING STRATEGY FOR CHILDREN'S SERVICES**

Councillor Vince moved and Councillor E Hayward seconded the report of the Director of Education, Children's Services and Leisure (No.143) presenting an Integrated Commissioning Strategy for Children's Services for the Cabinet's consideration and approval.

NOTED that the report was endorsed at the Cabinet meeting held on 1 November 2006.

AGREED to adopt the Integrated Commissioning Strategy for Children's Services.

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**COUNCILLORS' QUESTION TIME**

1. Urgent Questions

NOTED the receipt of an urgent question from Councillor Headley. The Mayor confirmed that he had decided not to take the question as it did not meet the criteria for urgency. The Mayor confirmed that the Borough Secretary would write to Councillor Headley with a response.

2. Questions by Councillors

NOTED

1. the 14 questions, on the Council's agenda, which received a written reply by the relevant Cabinet Member.

2. the following supplementary questions received for the questions indicated below:

**Question 1**

Councillor R Hayward to Councillor Neville, Cabinet Member for Environment and Street Scene:

"What do these proceedings mean for the residents of Southgate Ward?"

Reply from Councillor Neville:

"The Southgate and Winchmore Hill controlled parking zone reviews undertaken last year are not affected by this process. Any other proposed changes to CPZ boundaries will not be progressed until the strategic parking review has been undertaken. We acknowledge that we have serious problems with growth of traffic, we need to encourage the use of public transport, but there is no easy solution. We have a duty to review parking in a coordinated way and we need a long-term solution. I can assure residents in Southgate and Winchmore Hill that the reviews of their CPZ's will go ahead."

**Question 3**

Councillor Pipe to Councillor Neville, Cabinet Member for Environment and Street Scene:

"Can he provide an update on the actions related to fireworks?"

Reply from Councillor Neville:

"This seasons joint Council / Police firework patrols are proving successful with fewer incidents, a total of 14 fixed penalty notices have been issued. I would like to thank officers for responding to calls late at night. I am pleased with the success of the group and the publicity in the media for leading the way in London in dealing with this nuisance. Some large fireworks have been recovered which could cause injury. One handed in by the Mayor was legal,

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however I will be making representations on the inappropriate fireworks that can be legally sold to the public.”

**Question 8**

Councillor Georgiou to Councillor Rye, Leader of the Council:  
“David Burrowes MP has produced a leaflet that incorrectly named a park as having green flag status, will Councillor Rye apologise for this error?”

Reply from Councillor Rye:

“I have no locus for leaflets produced by David Burrowes, I am sure the debate on the tabled motion will help on this issue.”

**Question 11**

Councillor Rodin to Councillor Lavender, Deputy Leader of the Council:  
“Would he agree with me that it would be inappropriate for Members to use the ground floor car park at the Civic Centre for private use and can he confirm why his car was parked there on 12, 13, 16, 20 and 31 October as well as on 1 and 6 November?”

Reply from Councillor Lavender:

“I am at the Civic Centre most days on Council business and on 4 of the days you have highlighted I was in hospital receiving unplanned treatment. I would be happy to write a cheque to the Mayor’s Charity for the £47.”

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**MOTIONS**

14.1 In the name of Councillor Rye:

“Enfield Council believes that the Government’s proposals to grant the Mayor of London greater powers will undermine the authority of London’s boroughs and damage democracy in London by taking decision-making away from local communities and their locally- elected representatives.

This Council further believes that the Government’s proposals giving the Mayor greater powers over planning and housing will erode the role of borough’s planning and development control committees in making decisions about what is built and will reduce the extent to which local people can influence what is built in their neighbourhoods, and will see planning decisions imposed on communities by the Mayor of London.

Enfield Council resolves to:

- (a) make representations about its concerns and opposition to the Government’s proposal to grant further powers to the Mayor in the formal Consultation process;
- (b) write to the local MPs and GLA member to ask them to raise these concerns in Parliament and at the London Assembly; and

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(c) work with other London Boroughs through the ALG in lobbying against these proposals.”

Councillor Rye moved and Councillor Neville seconded the above motion.

After a lengthy debate the motion was put to the vote with the following result:

For: 31

Against: 23

AGREED that the above motion be approved by the Council.

14.2 In the name of Councillor Rodin

“This Council is mindful of the concerns of residents that Broomfield Park should remain protected from commercial activities by covenant.

It therefore resolves that if it is successful in persuading the Lands Tribunal to amend the existing covenant on 5 acres of the park (including Broomfield House), it will immediately instruct the Council’s Legal Department to draw up a new covenant that will ensure that commercial activity can only be carried on in the area covered by the footprint of Broomfield House and the proposed extension to Broomfield House”.

Councillor Rodin informed the Council that he wished to withdraw the motion.

14.3 In the name of Councillor Charalambous

“This Council accepts that there is a connection between the large rise in the levels of worklessness in parts of Enfield (particularly the east and south of the borough) and the significant reduction in the Council resource made available for regeneration and employment creation since 2002.

It therefore resolves to significantly increase the amount of Council resources for regeneration as part of its 2007 budget process.”

Councillor Charalambous moved and Councillor Rodin seconded the above motion.

After a lengthy debate the motion was put to the vote with the following result:

For: 25

Against: 30

AGREED that the above motion be not carried by the Council.

14.4 In the name of Councillor McGregor

“Council acknowledges the need to reconfigure local health services and to redistribute the provision of non-essential services into the community.



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However Enfield Council believes that a fully functional District General Hospital with an A and E and Women's and Children's services should be retained on the Chase Farm site in order to ensure timely, safe and appropriate health care for all Enfield residents."

Councillor McGregor moved and Councillor Giladi seconded the above motion.

On being put to the vote the above motion was unanimously carried by the Council.

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**MEMBERSHIPS**

AGREED the following changes to committee memberships:

1. Enfield Council Working Group on the Olympic and Paralympic Games  
Councillor McCannah to replace Councillor Hurer.
2. Leaseholder Forum  
Councillor Laban to replace Councillor Hurer as Chairman.
3. Staff Appeals Panel  
Councillor Hurer to fill vacancy.
4. Tenant Participation Working Group  
Councillor Laban to replace Councillor Hurer as Chairman and Councillor Fallart to replace Councillor Andrew.
5. Local Joint Group  
Councillor Fallart to fill vacancy.
6. Planning Committee  
Councillor T. Smith to replace Councillor Lamprecht.
7. School Appeal Panel  
To appoint Mr Stephen Parkin, Mrs Williams Browne, Ms Michelle Winter, Mr Paul Adams, Mrs Patricia Alder, Mrs Sharon Margolis, Mrs L Sanders as Educations Members. To appoint Mrs Marilyn Berk as a Lay Member
8. Standards Committee  
Councillor E. Smith to replace Councillor Boast.
9. Licensing Committee  
Councillor Fallart to fill vacancy.

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**NOMINATIONS TO OUTSIDE BODIES**

AGREED the following changes to outside bodies:

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1. London Housing Unit Executive Sub-Committee  
Councillor Laban to replace Councillor Hurer
2. London Councils (formerly ALG) - Merger of Culture and Tourism and 2012 Forum  
Councillor Jackson with Councillor Dey as Deputy.
3. London Councils (formerly ALG) Housing Forum  
Councillor Laban to replace Councillor Hurer.
4. Edmonton United Charities  
Councillor Ford to be nominated until November 2010.
5. Enfield Church Trust for Girls  
To extend the appointment of Mr G Eustance until November 2010.
6. Safer & Stronger Communities Board  
Councillor Hurer to replace Councillor McCannah.
7. Adult Persons Champion  
Councillor Boast to replace Councillor Jukes.
8. Belling Educational Foundation  
Councillor E. Savva to replace Mr John Egan.

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**CALLED IN DECISIONS**

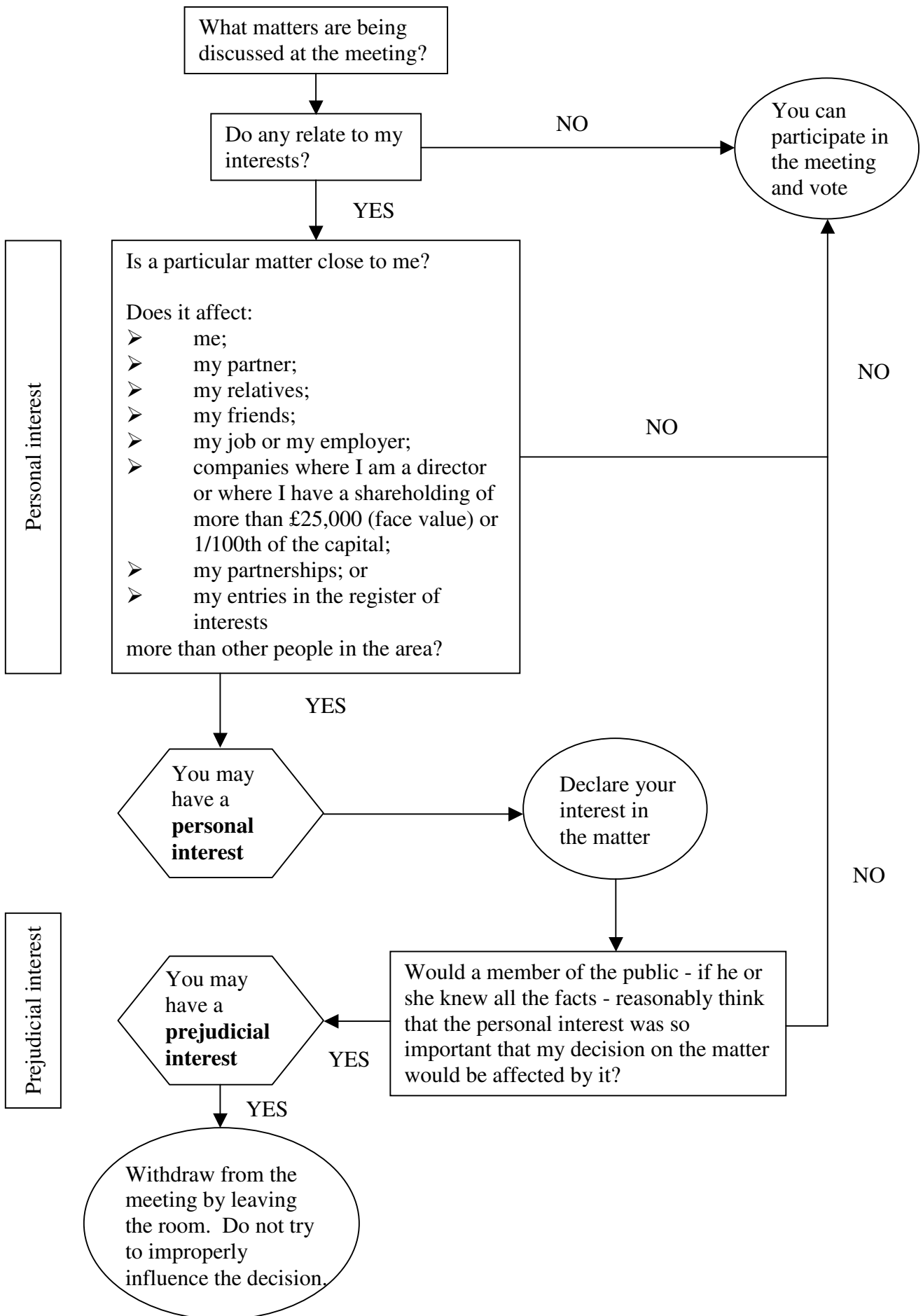
None received.

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**DATE OF NEXT MEETING**

NOTED that the next meeting of the Council was to be held on Wednesday 24 January 2006 at 7.00 p.m. at the Civic Centre.

**DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF**



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London Borough of Enfield

Standards Committee

Annual Report 2005/06

## 1. Introduction

This is the third Annual Report of the London Borough of Enfield's Standards Committee. It sets out the key issues we have dealt with during the past year and looks ahead to our priorities for 2006/07.

## 2. The Committee

The Standards Committee for 2005/06 comprised 6 members as follows:

### Two Independent members

Geoffrey Mills	Chairman
Joan Ward	Vice-Chairman

### Four Councillors

Councillors John Boast, Betty Costello, Doug Taylor, and John Wyatt

The Committee's lead officers were John Austin (Borough Secretary and Monitoring Officer) and Philip Copland (Borough Solicitor) with Jayne Bott as Standards Secretary.

## 3. Terms of Reference

The role and purpose of the Committee is as follows:

- (i) to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives;
- (ii) to assist Councillors, Co-opted Members and Church and Parent Governor representatives to observe the Members Code of Conduct;
- (iii) to advise the Council on the adoption or revision of the Members Code of Conduct;
- (iv) to monitor the operation of the Members Code of Conduct;
- (v) to advise, train or arrange to train Councillors, Co-opted members and Church and Parent Governor representatives on matters relating to the Members Code of Conduct;
- (vi) to grant dispensations to Councillors, Co-opted Members and Church and Parent Governor representatives from requirements relating to interests set out in the Members Code of Conduct;
- (vii) to deal with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter which is referred to him or her;
- (viii) to discharge such other functions either general or specific as the Council may from time to time allocate to the Committee;
- (ix) to receive reports from the statutory officers under the Council's whistleblowing policy.

#### **4. Work Programme - 2005/06**

The Committee met 4 times during the year 2005/06 and dealt with the following issues on the work programme:

- Standards Committee Annual Report for 2004/05
- Review of Ethical Governance by the Audit Commission
- Raising the Profile of High Ethical Standards in Enfield
- A Code for The Future - (A Standards Board Consultation Document)
- Review of the Code of Conduct and the New Ethical Framework (Governments response to the Standard Board for England's recommendations for the review of the Code of Conduct for Members, and to the Graham Committee on Standards of Conduct in public Life)
- Training & Development for all Councillors and Officers – Code of Conduct and Related Matters
- Request for Dispensation for Planning Committee on 31 August 2005
- Raising Concerns at Work - Whistleblowing Policy
- Proposals for a Central Register for Whistleblowing
- Local Procedures for Determination and or Investigation of Cases by the Standards Committee
- Review of Standards Committee's Role and Terms of Reference
- Standards Board - Annual Conference in September 2005 – Feedback

#### **5. Review of the Main Issues Addressed in 2005/06**

##### **(a) Setting High Ethical Standards – Ethical Governance Audit London Borough of Enfield**

The Audit Commission undertook an Ethical Governance Audit of the Council early in 2005. The purpose of this audit was to assess whether the Council's arrangements for maintaining high standards of ethical behaviour were robust and compliant with legislative requirements.

The outcome was very positive for the Council. There were however some areas for development and these items were set out in an Action Plan, which we responded to during 2005/06.

For example, we have been reviewing our Terms of Reference and considering whether we should take on a wider and more pro-active role within the Council to further demonstrate and raise the profile of Enfield's commitment to high standards of ethical governance and behaviour.

We have also looked at our Terms of Reference in relation to those of the Audit Committee to ensure a comprehensive coverage of the relevant issues whilst ensuring that we do not duplicate effort or resources.

At our meeting in March 2006, we agreed in principle to a number of additions and changes to the Standards Committee's terms of reference and we requested that a further report setting out the revised terms of reference be submitted to the Committee's meeting in November 2006 for further consideration. Once we have approved the revised terms of reference they will be referred to the Constitution Review Group and Council for approval in accordance with the Council's Constitution.

**(b) Review of the Code of Conduct and the New Ethical Framework**

During 2005, the Standards Board for England undertook consultation on a review of the Code of Conduct.

We considered the consultation paper at our June 2005 meeting and submitted a detailed response to the Standards Board for England.

Following the consultation process, the Office of the Deputy Prime Minister published the Government's response to the Standards Board for England's recommendations for the review of the Code of Conduct for Members, and to the Graham Committee on Standards of Conduct on Public Life's proposals for a review of the New Ethical Framework. At our March 2006 meeting, we considered the changes proposed by the Government.

Under these proposals the Standards Board would:-

- adopt a more strategic role
- concentrate on monitoring and improving the effectiveness of the system
- investigate only the most serious allegations.

The necessary changes to legislation to enact the above proposals are still awaited from Central Government.

**(c) Local Procedures for Determination and or Investigation of Cases by the Standards Committee**

We considered the adoption of procedures for the conduct of local investigations and Standards Committee hearings into alleged councillor misconduct referred to the Council's Monitoring Officer by the Standards Board for England. These



procedures were very much based on the models recommended by the Standards Board. This followed a presentation to the Standards Committee in November 2004 and subsequent joint training with Epping Forest District Council.

We agreed (a) the procedure for local investigations and (b) the procedure for the conduct of hearings by the Standards Committee subject to the approval of full Council. On 28 September 2005, the Council adopted both procedures.

**(d) Training and Development**

- (i) During the year, the Committee was updated by the Borough Secretary on progress made with the Code of Conduct Training for Councillors.
- (ii) The Borough Solicitor and the Borough Secretary attended a Conservative Group meeting on 20 June 2005 and a Labour Group meeting on 26 September 2005 in order to provide training sessions on the Code of Conduct.
- (iii) The Chairman, Vice Chairman, Borough Secretary and Head of Legal Services/ Deputy Monitoring Officer attended the fourth Standards Board Annual Assembly of Standards Committees in September 2005.
- (iv) The Chairman and Vice-Chairman attended regular monthly briefing meetings with the Monitoring Officer.
- (v) We agreed that the Standards Board for England training DVD should be shown to the Standards Committee in the new Municipal Year 2006/07.

**(e) 'Raising Concerns at Work' – Whistleblowing Policy**

At our meeting in August 2005, we were informed that during the last 12 months officers from the Audit and Risk Management Division had been actively promoting fraud awareness and whistleblowing across the Council.

It was proposed that the current policy – “A Trigger to Talk” should be made simpler and more user friendly in response to feedback from staff.

We considered and approved the revised wording of the policy. The new document reduced the text from 8 to 3 pages and was based on the template produced by Public Concern at Work, a charitable organisation working to promote the Public Interest

Disclosure Act and best practice in the operation of the legislation.

A Central Register for Whistleblowing has been set up and this was an improvement to the monitoring procedures.

The Whistleblowing Policy will continue to be monitored by the Audit Committee.

**(f) Granting Dispersations relating to Councillors' Prejudicial Interests**

Dispersations for councillors to take part in discussions, and possibly vote, when they have a prejudicial interest are now granted by the Standards Committee. To date, we have received one request, which was the first of this nature.

At our August 2005 meeting, we considered a report from the Chairman of the Planning Committee, containing a request (on behalf of all Conservative members on that Committee) for a dispensation in accordance with s.81 (4) of the Local Government Act 2000 to enable certain members to take part and vote on a planning application coming before the Planning Committee on 31 August 2005.

The planning application (TP/05/1121) proposed a change of use of the ground floor of 1c Chaseville Parade from retail to a constituency office for David Burrowes MP in association with the occupation of 1 Chaseville Parade by the Enfield Southgate Conservative Association. The planning application was due to be considered by the Committee on 31 August 2005.

We are able to grant such a dispensation to members for two reasons:

- a) The transaction of business of the authority would be impeded by over 50% of the committee being prevented from taking part in a meeting because of a prejudicial interest; or
- b) The authority was not able to comply with a duty, which applied to it under s.15 (4) of the Local Government and Housing Act 1989, which related to the requirement for political balance at committee meetings.

The Borough Solicitor advised the Committee that this particular planning application would normally be determined at officer level under the Scheme of Delegation but officers felt that given the political nature of the application it should be determined by the full Planning Committee.

The councillors present abstained from voting on the request for the dispensation as they felt that the independent members of the Committee should take the decision, as they had no political affiliation.

The independent members agreed that the request be approved. The Committee also agreed that a reference be passed to the Constitution Review Group seeking its views on how the issue of applications for a dispensation should be dealt with in the future.

The Constitution Review Group considered our reference and noted:-

- Members' concerns about the rules regarding the need for dispensations, and frustrations caused to ward councillors wanting to become involved with issues in their local area.
- The circumstances which led to the need for dispensations were many and various, and there was unlikely to be a blanket solution.
- Members looked forward to the Government White Paper 'Strong and Prosperous Communities' becoming law.

**(g) Complaints Against Councillors**

The Standards Board for England referred no cases to the Council's Monitoring Officer during 2005/06.

**(h) Future Work Programme**

We will agree our work programme for 2006/07, at the Committee's first meeting in November 2006. The work programme will no doubt develop further as the year progresses. The outline work programme will include:

- Standards Committee Annual Report 2005/06
- Standards Board Annual Conference October 2006 – Feedback
- Review of Standards Committee's role and Terms of Reference.
- Implementation of the Action Plan following the Ethical Governance Audit
- Codes of Practice – Feedback
- Corporate Governance Arrangements
- Local Procedures for Determination and or Investigation of cases by the Standards Committee –Changes to Legislation
- Ethical Governance Audit – Monitoring of Action Plan
- Raising the profile of Ethical Standards in Enfield

- Training for both members of the Standards Committee and training for all other Councillors on the Code of Conduct and related matters

**(i) Standards Committee Webpage**

A webpage specifically for the Standards Committee has been set up. The page contains, amongst other things:

- Membership of the Standards Committee and members details
- Links to previous reports and minutes
- Links to declarations of interest made by members of the Committee at public meetings
- Links to the Standards Board for England website

The webpage is currently being developed.

**(j) Independent Members - Cessation of Office**

The two Independent members period of office ceased at the end of the current administration in accordance with the Council's Constitution.

The two independent member vacancies for the new administration period of office (May 2006 to 2010) were filled following a formal recruitment process. The Council on 20 September 2006 confirmed that Lawrence Greenberg and myself should be appointed to these positions.

**(k) Vote of Thanks**

We would like to thank ex Councillor John Wyatt (committee member) and Joan Ward (independent member) for their contributions to the work of our Committee.

Geoffrey Mills  
Chairman  
2005/2006

End of Document

**MUNICIPAL YEAR 2006/2007 REPORT NO. 207****MEETING TITLE AND DATE**

Constitution Review Group  
23 January 2007

Council  
24 January 2007

**REPORT OF:**

Director of Finance and  
Corporate Resources (Borough  
Secretary)

<b>Agenda – Part: 1</b>	<b>Item: 8.1</b>
<b>Subject:</b> <b>Review of Terms of Reference of the Standards Committee</b>	
<b>Wards:</b> No specific ward	

Contact officers and telephone numbers:

John Austin – 020 8379 4094

Jayne Bott – 020 8379 4042

**1. EXECUTIVE SUMMARY**

- 1.1 The Standards Committee on 21 March 2006 received a report in response to a recommendation of the Audit Commission's Ethical Governance Audit to review the Terms of Reference of the Standards Committee and consider whether it should take on a wider and more pro-active role in the Council. Given the close relationship between the Terms of Reference of the Standards and Audit Committees, it was felt appropriate to consider both roles together.
- 1.2 The Standards Committee considered the report and agreed a number of proposed changes to the existing terms of reference. The Committee asked for a further report to be submitted to its next meeting setting out the revised terms of reference for further consideration (Minute 1497 refers). On 30 November 2006, the Committee considered the revised Terms of Reference and agreed them subject to the approval of the Constitution Review Group and Council (Minute 589 refers).
- 1.3 The Audit Committee received reports on this matter on 26 October 2005 and 29 June 2006 and its views are set out in paragraph 3.4.

**2. RECOMMENDATION**

That the Constitution Review Group and Council be recommended to approve the Standards Committee's revised Terms of Reference as set out in Appendix A to the report in accordance with the Council's Constitution.

### 3. BACKGROUND INFORMATION

3.1 Early in 2005, the Audit Commission undertook an Ethical Governance Audit to assess whether the Council's arrangements for maintaining high standards of ethical behaviour were robust and complied with legislative requirements. This has been reported in detail to the Audit and Standards Committees, plus Cabinet and Council.

3.2 The Ethical Governance Audit:-

- Found that the Standards Committee has traditional terms of reference and recommended that it be more proactive in carrying out its role.
- It noted that the Council's Audit Committee has carried out some of the functions undertaken by Standards Committees elsewhere.
- It commented however that the Standards Committee did recognise the need to develop its role but had not yet considered how it could complement and strengthen the work of, for example, the Audit Committee and Scrutiny function.
- There was also a need for the Committee to consider how it could use Council processes, like internal audit and committee administration, to promote high ethical standards.
- More active use could also be made of the Council's website, newsletters and the local press.
- The Standards Committee's forward plan was good practice and could be developed further.
- The impact of the Committee would be enhanced if explicit links were made to the strategy of the Council.

3.3 The Audit Committee received reports No 200 on 26 October 2005 – (Minute 701 refers) and No.30 on 29 June 2006 (Minute 96 refers) in response to the recommendation of the Audit Commission's Ethical Governance Audit. Given the close relationship between the Terms of Reference of the Standards and Audit Committees, it was felt appropriate to consider both roles together.

3.4 The Audit Committee agreed:-

- (1) To endorse the proposed Terms of Reference as set out in the report, which incorporated the advice from CIPFA on the Terms of Reference for Audit Committee.
- (2) The issue of the current arrangement for the consideration and monitoring of the Council's Complaints and Ombudsman cases by Cabinet be referred to the Constitution Review Group; and
- (3) The issue as to whether Audit Committee should produce its own Annual Report to Council be considered by the Constitution Review Group.

- 3.5 The Constitution Review Group on 2 November 2006 agreed that Audit Committee should produce its own Annual Report to Council (Minute 5 refers) and that the constitution should be amended accordingly, subject to Council approval on 24 January 2006.
- 3.6 The Standards Committee considered the Ethical Governance Audit recommendations at its meeting on the 21 March 2006 and members reviewed its current Terms of Reference in order to make the role of the Committee more pro-active.
- 3.7 The Committee noted that in general where local authorities had both an Audit and Standards Committee, the Terms of Reference of their Standards Committees were very similar to Enfield's. In those local authorities, which did not have an Audit Committee the Terms of Reference of the Standards Committee incorporated elements of these functions.
- 3.8 Two of the matters referred to in the Ethical Governance Audit are currently within the remit of Cabinet, namely Corporate Complaints and Ombudsman Enquiries. Issues relating to the Council's Constitution are currently within the remit of the Constitution Review Group. The Standards Committee felt that these arrangements should not be changed. The Constitution Review Group also felt that responses for Corporate Complaints and Ombudsman cases should remain with Cabinet.
- 3.9 The Committee agreed that in view of the comments from the Ethical Governance Audit, a number of proposed changes should be made to its Terms of Reference and that a further report setting out the revisions should be submitted to the Committee's next meeting for further consideration (Minute 1497 refers).
- 3.10 On 30 November 2006, the Standards Committee received a further report on the Review of its Terms of Reference. The Committee was advised that the proposed changes had been incorporated but any duplication or overlaps had been eliminated. The Committee agreed to the revisions subject to some minor amendments and recommended them to the Constitution Review Group and Council for adoption in accordance with the Council's Constitution (Minute 589 refers).
- 3.11 The revised Terms of Reference are as set out in **Appendix A** to the report.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

To not address this matter would result in one of the recommendations of the Ethical Governance Audit remaining outstanding.

## **5. REASONS FOR RECOMMENDATIONS**

To implement a recommendation from the Ethical Governance Audit to review the Terms of Reference of the Standards Committee.

## **6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

There are currently no financial implications arising from this report.

### **6.2 Legal Implications**

The Audit Commission undertook the review to assess if the Council is complying with Part III of the Local Government Act 2000. There is an ethics component in the CPA for 2005.

The recommendations in this report are intended to address a recommendation in the recent Ethical Governance Audit.

The present Terms of Reference of the Standards Committee are set out in the Council's Constitution (Chapter 2.7 pages 2-54) and consequently, it will be necessary for the Constitution Review Group and the Council to approve the proposed revisions.

## **7. PERFORMANCE MANAGEMENT IMPLICATIONS**

The revised terms of reference contributes towards the Objective of Aim 5 – Supporting the delivery of excellent services.

## **8. PUTTING ENFIELD FIRST**

Aim 5 – Supporting the delivery of excellent services

The Council's aims of improving the way we work as an authority and the provision of excellent services.

### **Background Papers**

Audit Commission Ethical Governance Audit



## APPENDIX A

### STANDARDS COMMITTEE

**Note:** Additional wording to existing Terms of Reference text has been added in bold. New functions have been added under the proposed additions section below.

#### **Revised Terms of Reference for the Standards Committee:-**

- (a) To promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives.
- (b) To assist Councillors, Co-opted Members and Church and Parent Governor representatives to observe the Members Code of Conduct and **all other Codes within the Constitution plus any others adopted in the future.**
- (c) To advise the Council on the adoption or revision of the Members Code of Conduct **and all other Codes within the Constitution and any others adopted in the future.**
- (d) To monitor the operation of the Members Code of Conduct.
- (e) To advise, train or arrange to train Councillors, Co-opted members and Church and Parent Governor representatives on matters relating to the Members Code of Conduct.
- (f) To grant dispensations to Councillors, Co-opted Members and Church and Parent Governor representatives from requirements relating to interests set out in the Members Code of Conduct.
- (g) To deal with any Standards Board for England reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter which is referred to him or her.
- (h) To discharge such other functions either general or specific as the Council may from time to time allocate to the Committee.
- (i) To receive monitoring reports relating to members from the statutory officers under the Council's whistleblowing policy.  
(Note: The Council's whistleblowing policy is within the remit of the Audit Committee.
- (j) To prepare an Annual Report for submission to Council. The Annual Report will contain information on the work done by the Committee over the past year and outline work to be done in the year to come.

#### **Proposed Additions**

- (k) To consider and make recommendations to the Council, as necessary, on ethical issues affecting the whole Council.

- (l) To respond to national reviews and consultations on standards related issues.
- (m) To receive reports and keep a general overview of probity matters arising from Ombudsman investigations, Monitoring Officer reports, reports of the Chief Financial Officer and Audit Commission relating to Members.
- (n) To consider matters related to the registration and declaration of members' interests and related party transactions.
- (o) To monitor complaints referred under the Members Code of Conduct and to prepare an annual report on this activity each year.
- (p) To consider whether a member's allowances should be suspended (wholly or partly) if a member is suspended pursuant to Part III Local Government Act 2000.

**Note:** In accordance with the decision of the Constitution Review Group on 23 January 2007, paragraph (p) above has been amended.

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## MUNICIPAL YEAR 2006/2007 REPORT NO. **208**

**MEETING TITLE AND DATE:**

CMB- 05.09.06

OSC- 21.09.06

**Best Value Cabinet Sub****Committee-** 21.11.06**Full Council-** 24.01.07**REPORT OF:**

Best Value Review Core Team

**Contact officer and telephone number:**

Martin Keay x3760 (Assistant Director- Environmental Strategy &amp; Support)

Mike Ahuja x5044 (Head of Corporate Scrutiny Services)

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**Agenda – Part: 1****Item: 9****Subject:****Final Report- Best Value Review of the Council's Statutory Scrutiny Function****Wards:** not applicable**Members consulted:**

Overview &amp; Scrutiny Committee, Best Value Cabinet Sub Committee

Scrutiny BVR Working Group: Pamela Adams, Ann Zinkin, Andrew Stafford

**1. EXECUTIVE SUMMARY**

- 1.1** This report details the final stage of the Best Value Review (BVR) of Enfield Council's Scrutiny Function.
- 1.2** The report recognises that Scrutiny in Enfield is seen as successful and details actions to further improve support. This will strengthen scrutiny and the role of the elected member.
- 1.3** The final report builds on 5 Key Issues identified in the Options Appraisal Report (OAR). The OAR has been approved by Overview & Scrutiny Committee (OSC), Best Value Cabinet Sub Committee and the Council Management Board (CMB).
- 1.4** Work has commenced on a number of interim actions, in particular the issue of support. This has resulted in a greater focus of officer support for scrutiny panels. The Corporate Transformation and Scrutiny Services (CTSS) team has also been renamed as Corporate Scrutiny Services (CSS), with officers providing independent investigative research support across all panels.

**2. RECOMMENDATIONS**

The following recommendations are made in response to the 5 Key Issues identified through the Performance Appraisal Report, and have been supported by OSC, Best Value Cabinet Sub Committee and CMB:

- 2.1** That Departments be required to identify specific individuals (at Head of Service level or above) to undertake Scrutiny Lead Officer responsibilities, and that no Scrutiny Lead Officer should support more than one Panel. See paragraph 6.2.1) for further details
- 2.2** That the Head of Corporate Scrutiny Services co-ordinates scrutiny work across the Council and the CSS team provide investigative and research support across the Scrutiny function.

## 2. RECOMMENDATIONS (Cont.)

- 2.3 That Democratic Services continue to provide administrative co-ordination, secretarial support and constitutional advice to the Scrutiny Panels and their Chairmen.
- 2.4 That the Head of CSS takes responsibility for ensuring that all major scrutiny reviews are fully scoped and supports OSC in co-ordinating and managing the scrutiny work programme between Panels.
- 2.5 That the Council continues with the current organisation of scrutiny through OSC, with a combination of functional and thematic Scrutiny Panels.
- 2.6 That work is commissioned on developing a specific area of the council's website that will provide access to all relevant scrutiny information.
- 2.7 That the roles and responsibilities of the Lead Support Officers, Support Officers and Scrutiny Secretaries be reviewed to ensure clarity of each role.

## 3. BACKGROUND

### Scrutiny Successes

The Scrutiny function in Enfield has repeatedly been recognised for its successful reviews, not only in offering positive recommendations but also in effectively consulting with residents and partners. The **MRSA Review** made recommendations that dramatically changed the way local healthcare providers approached cleaning. The recent **Young Carers event** was equally seen to be a success- allowing partners from various backgrounds to gain a greater understanding of the issues faced by children providing care, not least through a presentation from local young carers. The **Age Positive Discrimination review** changed the way that HR advertised job vacancies (and helped in achievement of the Age Positive charter), the Voluntary & Community Sector Review changed the way that the Council deals with its partners in the sector, and finally the **Home Based Support Service** review helped in shaping the new contracts used with service providers (particularly around complaints).

Scrutiny nationwide also received positive encouragement from the recent Local Government White Paper<sup>1</sup>, with all partners being required to provide evidence upon request (Health Partners have been required to do so since the Health & Social Care Act 2001). The 'Community Call for Action' will also strengthen the role of OSC in resolving local disputes about crime and disorder. Enfield was one of three councils to receive specific praise for their scrutiny function in the White Paper.

## 4. INTERIM IMPROVEMENTS

A number of action points to further improve the scrutiny process were agreed at the Performance Appraisal Report stage. The following section identifies the action agreed and provides an update on the progress made in implementing the agreed improvements.

- 4.1 Complete analysis of current process charts: *Complete*
- 4.2 Evaluation framework for the scrutiny function and for evaluating all major reviews: *The framework for developing the framework has been agreed by OSC*

<sup>1</sup> "Strong and Prosperous Communities - The Local Government White Paper" Department for Communities and Local Government (26 October 2006) <http://www.communities.gov.uk/index.asp?id=1503999>

- 4.3 Computer-based recommendations tracking system: *The database is shortly to be tested using reviews that have been completed prior to it being introduced for current reviews*
- 4.4. System for monitoring costs of scrutiny: *A system is now in place to record all appropriate cost to be accounted for.*
- 4.5. Training needs analysis completed for all members and key officers, and formulate a generic training programme for all middle managers: *Specific Training Needs for Members & Officers is included in the scopes used for all scrutiny reviews, but a generic training scheme for Members and Officers is yet to be drafted*

## 5. OPTION APPRAISAL PROCESS

The baseline assessment of Scrutiny identified 5 Key Issues that should be taken forward to the Options Appraisal stage of the Best Value Review. The Council's Options Evaluation Criteria is based on the '5 Es' – Economy, Efficiency, Effectiveness, Equalities and Environmental Impact.

As this review is primarily focused on a democratic statutory process rather than a service, using the 5 E's on their own would not have enabled an effective evaluation of the options. As a result the Core Team also decided to include the outcome of the SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis carried out as part of the PAR in the evaluation process. This approach was supported by the Best Value Cabinet Sub Committee.

Five Working Teams were set up to carry out the option appraisal evaluation with the Core Team co-ordinating the work and ensuring that there was consistency in the work undertaken by the five teams. The conclusions and recommendations emerging from the Working Groups have subsequently been used to construct the Options Appraisal Report (OAR).

## 6. EVALUATION OF OPTIONS

- 6.1 The completed evaluations were attached to the original Options Appraisal Report (considered by OSC and Best Value Cabinet Sub Committee), and are available on request, and a copy is available in the Members library.

### 6.2 Recommendations arising from outcome of Option Appraisal Evaluation

#### 6.2.1. Key Issue 1- Support Arrangements

It is recommended that;

1. Departments identify specific individuals, at Head of Service level or above, to carry out the Lead Scrutiny Officer role, with the LSO responsibilities added to their job description as an addendum (and other corporate roles being alleviated). This will be reviewed annually.
2. The Panel Support Officer resource is provided from a central team either as a single dedicated scrutiny unit or by including the scrutiny responsibility with other functions.
3. Democratic Services continue to provide a co-ordination role, secretarial support and constitutional advice to OSC, the Scrutiny Panels and their Chairmen.

#### 6.2.2. Key Issue 2- Scoping of Reviews

It is recommended that all reviews should be scoped by support officers (including Democratic Services Officers), ensuring full consultation with the panel members (and, where appropriate, service representatives) and the Head of CTSS, who has responsibility for guaranteeing all major reviews are fully scoped.

### **6.2.3. Key Issue 3- Reducing the Number of Reviews**

It is recommended that Panels recommend a Work programme up to 2 years following planning workshops, prioritising the timetable according to resource capacity and timeliness, with the Head of CSS to coordinate and highlight capacity issues, and OSC to provide a stronger managerial overview of the panel workloads against current capacity. The key theme here is prioritising work, and recognising the capacity of workloads for both Members and officers. This provides the greatest steer from OSC whilst allowing significant flexibilities for individual panels to agree their own priorities. OSC will need to make the achievement for manageable work programmes explicitly clear- primarily through recommendations, discussions and, where necessary, interventions

### **6.2.4. Key Issue 4- Scrutiny Structures**

It is recommended that the Council continue with the current practice of having an OSC with both functional and thematic Scrutiny Panels.

### **6.2.5. Key Issue 5- Use of the Website**

It is recommended that a section of the Council's website is dedicated to Scrutiny through which all relevant information can be accessed, including external reports and opportunities for public engagement. This will include links to agendas, reports and websites, and will require increased publicity. Work will begin on developing and enhancing the Council's website to include more Scrutiny information. This will need to include dedicated web space, regular maintenance of links and reports, access via 'two clicks' from the Homepage and increased publicity via a variety of formats.

## **6.3 Conclusions/ Summary**

### **6.3.1 Officer organisational arrangements**

There is a clear need to structure more effectively the way that scrutiny support is organised and co-ordinated, moving away from the current "voluntary" scheme, by mainstreaming the Lead Support Function into more formal agreements (including an addendum to individuals' job descriptions) with senior staff at Head of Service level or above across the Council and formally approving CSS to provide Scrutiny Officer support for all Panels. To ensure that this Team does not become isolated as a dedicated scrutiny service and has the flexibility to deal with fluctuating workloads, the Team should retain responsibility for some of its other Executive functions.

### **6.3.2 Scrutiny Work Programmes**

Corporate Scrutiny Services will in future arrange for all reviews to be fully scoped in conjunction with the Scrutiny Panel Members and will support the Overview and Scrutiny Committee in ensuring that the scrutiny work programme is achievable and is appropriately prioritised.

### **6.3.3. Co-ordination and Organisation of Scrutiny Panels**

The OSC should adopt a more proactive role in providing guidance to Panels, prioritising work programmes and ensuring that work programmes are achievable and



run to time. The current combination of both functional and thematic scrutiny panels should continue as the most appropriate way of organising scrutiny in Enfield.

#### **6.3.4. Managing Scrutiny information**

The Council should commission the development of a specific web page that is accessible to Members, Officers and the Public that will contain all appropriate Scrutiny information.

### **7. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

#### **a. Financial Implications**

Of the seven recommendations contained within the report, five (namely 2.2 to 2.5, and 2.7) can be contained within existing budget provision.

Recommendation 2.1 however could be contained within existing budget provision but may give rise to pressures in existing areas of work being undertaken by the individuals who may be identified to undertake the lead scrutiny officer role. Clarity on these pressures and any cost implications would need to be quantified at a future date along with proposals to resolve them. This will need to be dealt with either within existing budgets or within the Councils' financial planning procedures.

Recommendation 2.6 will give rise to additional costs which cannot be quantified until the work has been specified. Once the extent of any costs of developing the Councils' website have been identified a source of funding will also be required.

#### **b. Legal Implications**

Section 21 of the Local Government Act 2000 requires the establishment of overview and scrutiny committees, and their functions include making reports or recommendations to the executive with regard to the exercise of the Authority's functions. The Local Government Act 1999 requires local authorities to have regard to a combination of economy, efficiency and effectiveness when discharging their functions. This report assists in the fulfillment of both requirements, seeking to ensure the effective operation of the scrutiny function, which is a key element within the democratic process under executive arrangements.

#### **c. Performance Management Implications**

The Scrutiny function is a key part of the new political management arrangements from the Local Government Act 2000. Effective Scrutiny allows engagement of a wide range of non-executive Members in policy and strategy development, and further provides challenge through a 'critical friend' approach. The prime aim of Scrutiny is to examine and analyse service provision, and seeks to deliver improved performance and outcomes for the community. Effective officer support to non-exec Members is crucial to delivery of this function.

#### **d. Human Resources Implications**

The job descriptions of all Officers involved in the Scrutiny function will need to be reviewed.

**8. ALTERNATIVE OPTIONS CONSIDERED**

All the alternative options considered are contained in the main body of the report and in appendices 1 to 5

**9. REASONS FOR RECOMMENDATIONS**

The recommendation made will enable the scrutiny process, which is already recognised as working well in Enfield, to be further enhanced

**10. PUTTING ENFIELD FIRST**

**5(e)-** Provide Effective Community Leadership and increase Public Participation in the Council's decision making process and local initiatives

**Background papers (available upon request and in Members Library)**

1. Option Appraisal Key Issue 1 - Support Arrangements
2. Option Appraisal Key Issue 2 - Scoping of Reviews
3. Option Appraisal Key Issue 3 - Number of review undertaken
4. Option Appraisal Key Issue 4 - Scrutiny Structures
5. Option Appraisal Key Issue 5 – Web page development

## MUNICIPAL YEAR 2006/2007 REPORT NO. **209**

**MEETING TITLE AND DATE:**

Full Council- 24<sup>th</sup> Jan 07

**REPORT OF:**

Environment, Parks & Leisure  
Scrutiny Panel

<b>Agenda – Part: 1</b>	<b>Item: 10</b>
<b>Subject: Application to become a Fairtrade Borough</b>	
<b>Wards: all</b>	
<b>Cabinet Member consulted:</b>	

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### 1. EXECUTIVE SUMMARY

- 1.1 This report follows the report submitted to Full Council (28<sup>th</sup> June 2006), which recommended that the London Borough of Enfield apply to become a 'Fairtrade Borough'. At that meeting Full Council tasked the Environment, Parks & Leisure Panel with 2 key issues regarding the Fairtrade accreditation:
- Ensuring greater involvement and Leadership from the Voluntary Sector
  - Examining how this could be completed without the Council incurring additional costs
- 1.2 This report addresses the concerns raised at Full Council, in particular the dedication and involvement of the voluntary sector in such a scheme.

### 2. RECOMMENDATIONS

- 2.1 That Full Council supports Enfield applying to become a Fairtrade Borough;
- 2.2 That a Fairtrade Steering Group be set up to oversee progress, and to offer a coordination role for the activities to be completed by the Council and the community groups involved;
- 2.3 That the Environment, Parks & Leisure Scrutiny Panel receive and monitor an agreed Action Plan to achieve accreditation; and
- 2.4 That the Fairtrade Steering Group report back to Full Council as appropriate.

### 3. BACKGROUND

- 3.1 Over the past year the Environment, Parks & Leisure Scrutiny Panel (through the panel's Fairtrade working group) has been considering the benefits and disadvantages of applying to become a Fairtrade Borough.
- 3.2 Full Council received the Scrutiny Panel's report in June 2006. Though many of the Members who spoke were supportive of the concepts of Fairtrade, several raised specific issues. The report was defeated by a 28-27 vote.

- 3.3 It is not the intention of this report to repeat the arguments in favour of Fairtrade, or of a local authority's community leadership role in promoting global and ethical initiatives, which were discussed in the previous document (available upon request). Instead it will cover the concerns raised at Full Council, namely: cost, value for money, promotion of specific consumer goods and the role of the voluntary sector.

#### 4. ACCREDITATION OBJECTIVES

- 4.1 The table below provides a summary outline of who would be responsible for completing the accreditation objectives (with Cost to the Council shown in the final column):

Accreditation Objectives	Responsible:	Council Cost:
<b>Full council passes a resolution to apply to become a Fairtrade borough</b>	Council & Steering Group	No cost to Council
<b>A local Fairtrade steering group is convened to ensure continued commitment to its Fairtrade Town status</b>	Council, current Voluntary groups (UNA & Civil Society Forum), DST?	Provision of meeting rooms, possibly DST support
<b>The Council serves Fairtrade tea &amp; coffee at its meetings and in its offices and canteens</b>	Council (CTCS)	Canteen - no cost to Council Meetings- Fairtrade tea & coffee expected to be same price as present
<b>Demonstrate that a range of Fairtrade products is readily available locally) and that FTproducts are provided in a number of local work places and community organisations</b>	Steering Group & Voluntary Groups	No cost at present (may need extra publicity if targets not initially achieved- but costs met by Voluntary Sector)
<b>Attract media coverage and popular support for the campaign</b>	Council & Steering Group	No cost to Council

- 4.2 There will also be several other tasks and responsibilities that the Steering Group may need to allocate to the voluntary sector (such as the creation of a Fairtrade Directory and attracting a 'flagship employer').
- 4.3 Following consultation with other London boroughs who have completed their accreditation, it was felt that a central coordination point was needed. In most cases this was provided by a Council officer. The Fairtrade Working Party still feel that this should be the case in Enfield.

#### 5. ASSOCIATED COSTS OF ACCREDITATION

- 5.1 The last report to Full Council categorised expenditure into 3 aspects: Procurement, Publicity and Administration. The report recommended that the Council agree expenditure for the publicity and the coordination role. This proposal has been reviewed in the light of the concern expressed by many members

5.2 **Publicity** - The Fairtrade Borough campaign is almost exclusively a promotion scheme, created to endorse and widen awareness of the ethical choices available to consumers. Effective, targeted publicity will be key to a successful application, and the Fairtrade Foundation will expect evidence of coverage in the local publications, something which the Council is well positioned to do. This will have to be undertaken in partnership with the voluntary sector, but will still need to be considered as part of the Council's wider publicity strategy. The Working Party is advised that resources can be found from within existing budgets.

5.3 **Administration** - The initial report to Council proposed that a Council officer should be named to coordinate and assist the process of accreditation. It is still believed that the Council must provide a single point of contact for all the campaigners and press interest that accreditation is hoped to achieve, but that this will have to be done in much closer partnership with and a greater contribution from the voluntary sector. The Fairtrade Working Group has worked closely with members of the Civil Society Forum and United Nations Association, who have been able to progress the Fairtrade campaign locally independent of Council involvement.

It has been agreed with the Chief Executive, subject to Council agreement, that an officer could be made available to provide a co-ordination role for up to a maximum of 8 hours a month for a 12 month period. The seniority of this officer will be agreed once the team to coordinate it has been found.

5.4 **Value for Money** – one question raised at Full Council last time was about whether such a scheme could provide value for money. Of the London local authorities that responded to our request for information none felt that the resources and time needed to complete accreditation exceeded the benefits. In a discussion with the officer at the London Borough of Camden who was responsible for Fairtrade accreditation, it was felt that the process offered “Lots of good publicity for not a lot of money”.

5.5 It is expected that the accreditation process will take 12-18 months, dependent on effective coordination and organisation.

## 6. VOLUNTARY SECTOR INVOLVEMENT

6.1 The interest in Fairtrade within the Enfield voluntary sector goes back several years, with church groups and development groups such as Oxfam taking the lead. The Enfield Civil Society Forum (CSF), a collection of more than 25 voluntary groups, and the Over 50s Forum and many others have taken up Fairtrade as a local issue.

6.2 There have been several community based events: Fairtrade features as a regular part of the Mount Carmel Autumn Fair; at the Human Rights Day in Dec 2005, Fairtrade had a prominent position; during the Fairtrade fortnight in March St Marks at Bush Hill Park and the CSF organised successful public events. The CSF have also had Fairtrade stalls at the Palmers Green Festival and the Enfield Town Show. The Over 50s Forum held a successful meeting on Fairtrade in August 06 at the Civic Centre.

6.3 The three Enfield MPs have supported Fairtrade and support the borough seeking recognition through the Fairtrade Foundation; over thirty community organisations,

including twenty churches have also given their support. There have been discussions with the Enfield Dean and the leader of the local Mosque. There have been several articles in the local papers on Fairtrade activities.

- 6.4 The Civic Society Forum has written to all secondary schools raising the issue of how Fairtrade fits in to the Citizenship curriculum. There is active involvement by the Department for Development Studies at Middlesex University and with lecturers at Enfield College.
- 6.5 Several of the large supermarkets have supported local events by donating goods. The CSF has discussed Fairtrade with the Enfield Business and Retail Association who are happy for an article explaining Fairtrade to go in their newsletter.
- 6.6 Members of the CSF have been actively engaged in the Fairtrade working group. There is now an Enfield Fairtrade Campaign website<sup>1</sup> created and maintained by the voluntary sector, which contains the beginnings of a directory of interested groups and retail outlets.
- 6.7 An initial consultation was completed (with letters sent to 140 local voluntary organisations) and some of the respondents are shown below:

Age Concern Enfield	Enfield Caribbean Association
Enfield Over 50s Forum	Enfield Racial Equality Council
Enfield Saheli	Grange Park Women's Institute
Sisters in Islam (Muslim Girls Club)	Conserve Africa Foundation
Helping Hands Enterprises	Lancaster Centre
O-Bay Community Trust	Enfield Results
Enfield & Barnet UN Association	Oxfam
Krishna Yoga Mandir	Chicken Shed Theatre
Community & Environment Project Office	
Ponders End Community Development Trust	

**Faith groups** include: 20 Churches, Palmers Green & Southgate Synagogues and the Muslim Community & Education Centre (Palmers Green Mosque).

## 7. PROMOTION OF PARTICULAR PRODUCTS

It is important to note that the initiative promotes the FAIRTRADE Mark (the symbol on all Fairtrade products which highlights that they have achieved particular social objectives), and not the products themselves. There are over 1,500 products now on offer (mostly teas, coffees and fruit produce)<sup>2</sup>, but their accreditation as a Fairtrade item is reviewed annually and will change if the producer reneges on their promises to provide better opportunities for their workers. Essentially, becoming a Fairtrade Borough is about informing residents of their choices rather than telling them how to spend their money.

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<sup>1</sup> [http://www.fairtradeenfield.btik.com/p\\_Home.ikml](http://www.fairtradeenfield.btik.com/p_Home.ikml)

<sup>2</sup> <http://www.fairtrade.org.uk/products.htm>

## **8. BENEFITS TO COUNCIL & COMMUNITY**

Purchasing of Fairtrade goods is seen as the easiest and most popular way for individual consumers to become involved in 'making a difference' to ethical and global concerns. The interest is apparent locally, but there are opportunities to promote this further.

From the Council's point-of-view it is pertinent to note that Key Line of Enquiry 5.1.3 of the CPA 'Harder Test' requires Good and Excellent authorities to provide proof they are "effectively addressing significant local and global environmental issues, and actively communicating environmental issues to the wider community."<sup>3</sup> The Council was also congratulated in a recent Peer Review for "recent moves by both the leader and the authority to look beyond the borough more than before"- concluding that they "would encourage these to be built upon".

## **9. TIES TO THE FAIRTRADE FOUNDATION**

Despite recent articles (notably in the Financial Times and the Economist), the Working Group is still unaware of evidence that the Fairtrade movement has become corrupt or that it acts against the interests of primary producers. 'The Bitter Aftertaste' were produced to highlight the Fairtrade campaign's inability to resolve world poverty, though this fails to recognise that the social premium paid to producers is only part of a much larger change required to reduce trade protection for agricultural products. Clearly if the Foundation were to stray from its mission statement or become captive to special interests, Enfield Council could swiftly disassociate itself from the movement.

## **10. ALTERNATIVE OPTIONS CONSIDERED**

That the Council agrees to support the concepts of fair trade without formally signing up to them.

That the Council continues to operate as at present. Both these approaches fail to address the growing local support for this initiative.

## **11. REASONS FOR RECOMMENDATIONS**

The request for Enfield Council to promote becoming a Fairtrade Borough followed a groundswell of interest from local residents and campaigners. Responding to this allows Enfield Council to perform its wider Community Leadership role, and to help in the promotion of the ethical choices available to individuals.

## **12. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

### **a. Financial Implications**

There is no specific budget provision for these costs within existing approved estimates. It would therefore be necessary to allocate funding from contingent items

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<sup>3</sup> Audit Commission "CPA- The Harder Test: Single tier and county councils' framework for 2005" (Oct 2005)  
<http://www.audit-commission.gov.uk/CPA/Downloads/Oct05CPATheHarderTest.pdf>

for the “one off” costs – ongoing implications will need to be addressed through the review of the medium term financial plan.

The initial and on-going costs will be met from existing resources, with the necessary publicity being generated via "Enfield Matters", the Council's website and press releases.

#### **b. Legal Implications**

Section 2 of the Local Government Act 2000 provides that local authorities have power to do anything they consider likely to promote or improve the social, economic or environmental well-being of their area or the persons resident therein. Therefore the Council has a discretionary power to pursue a course of action if it is considered likely to have social, economic or environmental advantages in the area. In exercising such a discretionary power, Members need to take into account all relevant (and no irrelevant) considerations. This will include the financial implications of the proposal. Therefore, in the context of the present report, Members will need to be satisfied that achieving Fair Trade status will lead to local social, environmental or economic benefits and is an effective use of public funds.

#### **c. Property Implications**

None

### **13. PERFORMANCE MANAGEMENT IMPLICATIONS**

As a result of community interest, having been brought to the attention of individual Councillors, the London Borough of Enfield is now considering become a champion for Fairtrade- a social initiative that will highlight the Council and community's commitment to trade equality.

By receiving the title of 'Fairtrade Borough' the Council's reputation with local residents and other local authorities will be confirmed, showing an interest in global sustainability.

### **14. PUTTING ENFIELD FIRST**

**Aim 5e-** Provide effective community leadership and increase public participation in the Council's decision making process and local initiatives

#### **Appendices**

A- Fairtrade Foundation: Objectives for Accreditation

B- Briefing Paper: Officer Roles & Envisaged Timelines

#### **Background Papers**

- Fairtrade Working Group Research Paper (copies available in the Members Library, or by request from Matt Clack)
- Full Council report (and associated minutes)- 28<sup>th</sup> June 2006  
<http://governance.enfield.gov.uk/ieListDocuments.asp?CId=108&MId=4559&Ver=4&J=3>
- Fairtrade Town Goals & Action Plan- Fairtrade Foundation (Oct 2002)  
<http://www.fairtrade.org.uk/downloads/pdf/fairtrade-towns.pdf>



## Application for Fairtrade Foundation: Objectives

(bullet points are recommended but not mandatory)

1. **Local council passes a resolution** supporting Fairtrade, and agrees to serve Fairtrade tea & coffee at its meetings and in its offices and canteens.
  - *Local council commits itself to promoting awareness of Fairtrade* to its constituency on a regular basis, through its free publication (if it has one) and other outlets.
  - *Local council allocates Fairtrade Town responsibilities to a member of staff or committee* (possibly its Environmental or Agenda 21 officer, working in partnership with a local Fairtrade steering group – see below) to ensure continued commitment to its Fairtrade Town status.
  - *Street signs are erected declaring it as a Fairtrade Town.*
2. **A range of (at least two) Fairtrade products is readily available in the area's shops and local cafés/catering establishments.** It should be easy for local people to find Fairtrade products as they do their everyday shopping. Targets are given below (Enfield: 38 retail outlets, 19 catering outlets). Retail stockists could include a selection of health and whole food shops, supermarkets, or fair trade shops
  - *These should display literature or placards* advertising the fact that they serve or sell FAIRTRADE Mark products.
  - *A local Fairtrade directory could be produced* advising people where they can buy or find Fairtrade products – both on paper, and on-line.
3. **Fairtrade products are used by a number of local work places (estate agents, hairdressers etc) and community organisations (churches, schools etc)**
  - *Aim to include a flagship employer*
  - *Venues should display stickers, posters or a certificate* advising users that they use Fairtrade products and/or support the local Fairtrade Town campaign.
  - *Educational campaigns are organised in these places* to deepen people's understanding of the issues and deepen their commitment to Fairtrade.
4. **Attract media coverage and popular support for the campaign.** For the press, the story can be revived as each goal is achieved, organising a big splash for the Fairtrade endorsement ceremony, and developing a strategy to keep it in the news long after. This will also enable local businesses and organisations to benefit from their involvement.
5. **A local Fairtrade steering group is convened to ensure continued commitment to its Fairtrade Town status.** This should ideally include a council representative, campaigners, and people representing the area's schools, churches and businesses. The group is responsible for an annual assessment to monitor whether the area is continuing to meet the five goals. The group organises special events for Fairtrade Fortnight in March each year.
  - *An educational event or competition is organised* to raise awareness of trade issues and Fairtrade amongst young people.<sup>1</sup>

<sup>1</sup> Further information & resources can be found at [http://www.fairtrade.org.uk/get\\_involved\\_fairtrade\\_towns.htm](http://www.fairtrade.org.uk/get_involved_fairtrade_towns.htm)

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## Officer Roles & Envisaged Timelines

Contact officer and telephone number:

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### 1. FAIRTRADE OFFICER ROLES & RESPONSIBILITIES

- Point of contact for the Fairtrade Foundation, volunteers & residents, Council queries, Press queries, Fairtrade Steering Group and other local authorities
- Coordinate the compilation of a Fairtrade Directory- maintaining database, coordinating results, finalising Directory and arranging publicity
- Overseeing events- Awareness event at start, Celebratory event on completion, Fairtrade Fortnight, Sustainability week, tie into any related local events held (such as the Palmers Green Fair, Enfield Fayre etc)
- Administering Fairtrade Steering Group- organising venues and dates, setting agendas, inviting stakeholders, taking minutes, following up actions
- Increase publicity & promotion wherever possible- notably local business
- Draft the Final Application to the Fairtrade Foundation
- Maintain Fairtrade space on the Council's website

### 2. ENVISAGED MEMBERSHIP OF FAIRTRADE STEERING GROUP:

- Councillors**- Full Council to receive nominations from interested Members (up to 3), including one Member from the current FT Working Group
- Officers**- Fairtrade coordinator, Scrutiny representative (as relevant) Officers from related departments (as relevant), Democratic Services, a representative from Enfield Environment Champions (the Environment department's Sustainability working group), a representative of the Local Agenda 21 (currently vacant)
- Stakeholders**- Invite the 3 present Members to continue attending, Faith representative, Business representative, invites to selected stakeholders and interested residents

### 3. AREAS WHO HAVE ACHIEVED FT STATUS/ WORKING TOWARDS STATUS

149 Areas achieved nationwide- 8 from London

**CAMDEN** Lib Dem / Cons

**CROYDON** Cons

**HAMMERSMITH & FULHAM** Cons

**ISLINGTON** NOC- Lib Dem

**KINGSTON** Lib Dem

**LAMBETH** Labour

**LEWISHAM** NOC

**RICHMOND** Lib Dem

238 working towards accreditation- 20 from London

These include: Barking & Dagenham, Barnet, Bexley, Brent, Bromley, Ealing, Greenwich, Haringey, Hounslow, Merton, Newham, Sutton, Southwark & Tower Hamlets

# ENFIELD SCRUTINY

Serving the people

**Timetable:**

If Full Council are minded to approve the recommendations-

Fairtrade Working Group is terminated,  
with Scrutiny's role completed

A Fairtrade Steering Group is set up to oversee accreditation activity  
(achieving 1 of the 5 Objectives), comprising Members, Officers and  
Community Representatives

The Fairtrade Foundation are contacted to formally  
outline our interest in becoming a Fairtrade Borough

The Fairtrade Steering Group agree the wording for a Motion to be  
received by Full Council, supporting Fairtrade and agreeing to work  
towards the Objectives (this may be unnecessary following Full Council  
agreement on 24.01.06)

The Fairtrade Steering Group (through a named Officer) agree the  
process for procuring Fairtrade and completing the remaining 3  
Objectives- that a certain number of local shops stock at least 2 FT  
goods (38 retail outlets, 19 catering outlets), that FT goods are used at a  
number of workplaces & community organisations (unspecified) and that  
the Council attract media coverage and popular support for the campaign

Once complete, the Fairtrade Steering Group send  
application to the Fairtrade Foundation, and hold a  
celebratory event upon completion

The Named Officer (on fewer hours and with a smaller  
budget or none at all) continues to maintain media  
interest and act as a point of contact, ensuring that the  
accreditation is not lost

## MUNICIPAL YEAR 2006/2007 REPORT NO. **210**

**MEETING TITLE AND DATE:**

COUNCIL  
24 January 2007

**REPORT OF:**

Director of Finance & Corporate  
Resources

Contact officer and telephone number:

John Austin: Borough Secretary  
020-8379-4094

<b>Agenda - Part:</b> 1	<b>Item:</b> 11
<b>Subject:</b> REFERENCE FROM OVERVIEW & SCRUTINY COMMITTEE: CALL-INS – IMPLEMENTATION OF PARKING CHARGES 2006/07  WARDS: All	
<b>Cabinet Members consulted:</b> n/a	

### 1. EXECUTIVE SUMMARY

- 1.1 Overview & Scrutiny Committee (29 November 2006) considered the following 2 items that had been called-in for review:
- (a) Cabinet (1 November 2006): Response to reference from Special Projects Scrutiny Panel on Parking Charges & Review.
  - (b) Portfolio decision by Cabinet Member for Environment & Street Scene (13 November 2006): Proposed Parking Charges for 2006/07 – Results of Consultation.
- 1.2 As both call-ins related, in effect, to the same issue Overview & Scrutiny Committee dealt with them on a joint basis.
- 1.3 As an outcome of the call-in process, Overview & Scrutiny Committee agreed to refer both decisions onto Council for consideration.
- 1.4 Under the call-in procedure Council is now required to formally consider both of the original decisions on these items and decide whether, having taken account of the issues raised by Overview & Scrutiny Committee, it wishes to object to or confirm them.
- 1.5 This report provides further details on the call-ins and issues raised by Overview & Scrutiny Committee in respect of the referrals.

### 2. RECOMMENDATIONS

Council is asked, as required under the call-in procedure, to consider the original Cabinet & Portfolio decisions relating to these items (taking account of

the issues raised by Overview & Scrutiny Committee) and decide whether it either:

- 2.1 wishes to object to the original decisions made. (If any objections are made then the decisions will be referred back to the decision –makers for reconsideration, along with the views expressed by Council); or
- 2.2 does not object to the original decisions made. (In this case no further action will be necessary and the original decisions will be effective with immediate effect).

### **3. BACKGROUND**

3.1 Overview & Scrutiny Committee (29 November 2006) considered the following two call-ins which, although submitted separately, both related to the introduction of parking charges for 2006/07:

#### **3.2 Call-In: Cabinet (1 November 2006) response to Special Projects Scrutiny Panel reference on Parking Charges & Review**

3.2.1 As background to the first call-in Overview & Scrutiny Committee was advised that:

- (a) Cabinet (1 November 2006) had considered a reference made by the Special Projects Scrutiny Panel relating to the review and implementation of car parking charges. The Panel had asked Cabinet to delay implementation of the scheme until the start of the new financial year for two reasons. Firstly because of concerns raised with the Panel by the public and Enfield Business & Retailers Association (EBRA). Secondly because the Panel was also looking at many of the issues associated with parking charge and penalty charge systems; the car parking budget and value for money/options for use of surpluses. It was felt this review might result in alternative recommendations being made to Cabinet.
- (b) Cabinet had noted the reference from the Panel but decided against delaying implementation of the parking charges, once formally approved. They did however agree to involve scrutiny in a proposed Borough wide Parking Review, scheduled to be completed in July 2007, and also to consider proposals relating to short term free parking as part of the same review. (A copy of the Cabinet minute extract relating to this decision has been attached as Appendix 1).
- (c) The response to the reference by Cabinet was reported back to the Special Projects Scrutiny Panel (7 November 2006) who subsequently agreed to call-in the decision.

3.2.2 The reason provided by the Panel for the call-in was as follows:

- At its meeting on 7 November 2006 the Special Projects Scrutiny Panel considered the response made by Cabinet to their reference on the issue of Parking Charges and the Borough wide Parking Review. Whilst the Panel noted Cabinet's intention to involve scrutiny in their Parking Review, concern was expressed about the decision not to delay implementation of any proposed Parking Charges for 2006/07 (once approved by the Cabinet member for Environment & Street Scene following the Statutory Consultation period) before the outcome of the review. The Panel felt that Cabinet's decision would pre-empt any findings of the Parking Review and constrain the Council in any reduction of Parking Charges should this be a recommendation of the review.

3.2.3 The alternative action proposed by Special Projects Scrutiny Panel, under the call-in procedure, was for Cabinet to reconsider their original response to the Panel reference and approve the request to delay implementation of the scheme and revised parking charges pending the outcome of the Borough wide Parking Review.

### 3.3 **Call-In: Portfolio decision by Cabinet member for Environment & Street Scene: Proposed Parking Charges 2006/07 – Results of Consultation**

3.3.1 As background to the second call-in Overview & Scrutiny Committee was advised that:

- (a) Subsequent to the call-in from the Special Projects Scrutiny Panel, the Cabinet member for Environment & Street Scene approved (13 November 2006) a report from the Director of Environment & Street Scene seeking agreement to:
- note the results of the statutory consultation undertaken on the proposed parking charges and changes to the parking charge schedule for 2006/07, originally agreed for implementation by Cabinet on 12 July 2006;
  - make the necessary Traffic Management Orders for the introduction of:
    - The variation in Parking Charges, time bands, transfer of tickets both on-street and off-street and the introduction of pre-paid vouchers.
    - The introduction of free parking off-street on Bank Holidays; and
    - The tariff for the Council's car parks being extended to include the free car parks located at The Bourne N14, Fords Grove N21 & the Library, Ponders End.

A copy of the report approved by the Cabinet Member for Environment & Street Scene has been attached as Appendix 2.

- (b) This decision was automatically included as part of the call-in made by the Special Projects Scrutiny Panel but was then subject to a separate call-in, within its own right, made by 8 members of the Council.

- 3.3.2 The reason provided for the subsequent call-in was as follows:
- The objections have not been properly considered and the method of dealing with the proposals is not in the spirit of the original introduction of on-street parking charges undertaken following an earlier Special Projects Scrutiny Panel review.
- 3.3.3 The alternative action proposed under the second call-in was for the introduction of the measures and additions to charges to be referred back to the Cabinet Member with a request that they were suspended pending further consultation and a review by a relevant Scrutiny Panel.
- 3.4 Given the fact that both of the above call-ins related to the same issue and involved the decision taken by the Cabinet member for Environment & Street Scene they were been considered by Overview & Scrutiny Committee as joint rather than separate items.
- 3.5 Councillors Prescott, Charalambous, Stafford & McGregor were present at the Overview & Scrutiny Committee to represent Special Projects Scrutiny Panel, whilst Councillor Rodin represented the members who had submitted the second call-in. Councillor Neville (as Cabinet Member for Environment & Street Scene) was present to respond to both call-ins.

#### **4. OUTCOME OF CALL-IN PROCESS**

- 4.1 Overview & Scrutiny Committee considered the reasons provided for both call-ins and the response to them provided by the Cabinet Member for Environment & Street Scene at the meeting. Having considered the information provided the Committee agreed (on the basis of a vote) to refer both called-in decisions onto full Council for further consideration rather than back to the original decision-makers for reconsideration.
- 4.2 This decision was made on the basis of Overview & Scrutiny Committee noting that:
- 4.2.1 the outcome being sought under both call-ins was a delay in implementation of the parking charges for 2006/07, which had been approved by the Cabinet Member for Environment & Street Scene following the statutory consultation period. This was in order to allow completion of a borough-wide parking review (scheduled for July 2007), which Cabinet had agreed should involve scrutiny. The members of the Committee who voted in favour of the referral of both decisions onto Council felt that the implementation of the new charges in advance of the borough-wide parking review (which it was felt should include charging) would pre-empt the findings from the review.
- 4.2.2 Cabinet had already agreed not to delay implementation of the parking charges and the Cabinet member for Environment & Street Scene had indicated at the meeting that whilst willing to look at some of the issues raised as a result of the call-ins, he would not support delaying



implementation of the parking charges pending the outcome of the borough-wide parking review. In these circumstances members of the Committee who voted in favour of the referral of both decisions to Council felt there was no other option available to consider.

- 4.2.3 the concerns raised by EBRA at the meeting in respect of the potential impact of the proposed charges in town centres across the borough.

## **5. CALL-IN PROCEDURE**

5.1 Under the terms of the call-in procedure (as set out in the Council's Constitution) Council is now required to consider the original decisions made on both called-in items, taking account of any views expressed by Overview & Scrutiny Committee as part of the referral process. These views have been detailed in section 4. above.

5.2 Council can either:

- (a) raise no objections to the decisions, which have been made. In this case no further action will be necessary and the decisions will be effective immediately after the meeting; or
- (b) object to the original decisions made. In this case the decisions will be referred back to the original decision maker for reconsideration, along with the Council's views on the decision. The Council's Constitution requires that the wishes of the Council must be complied with.

5.3 The original decisions taken on these items will remain suspended until the above process has been completed. However once the outcome of this process has been confirmed the call-in procedure will have been completed and the final decisions can then be implemented with immediate effect.

## **6. REASONS FOR RECOMMENDATION**

To complete the call-in process in respect of this item, in accordance with the procedure set out in the Council's Constitution.

## **7. ALTERNATIVE OPTIONS CONSIDERED**

None – in order to comply with the Council's Call-In procedure as set out in the Council's Constitution. The alternative options available for Council to consider under the Council's Constitution, when dealing with any call-in, have been detailed in section 5. above

## **8. COMMENTS OF THE DIRECTOR OF FINANCE & CORPORATE RESOURCES**

### **8.1 Financial Implications**

8.1.1 The financial implications relating to the original decision on the implementation of Parking Charges for 2006/07 have been detailed in the Portfolio decision report attached as Appendix 2. These refer to the need to achieve additional income of £130k in the current year and £270k in a full year from the proposed increases. Given the implementation timescales it is unlikely that any significant additional income will now arise in the current year, and this has been reflected in recent revenue monitoring reports to Cabinet. Achievement of the stated sum for 2007/2008 will depend on prompt implementation of the proposals.

## **8.2 Legal Implications**

8.2.1 The statutory basis for the role of Overview and Scrutiny Committee is section 21 Local Government Act 2000. Under the terms of the call-in procedure within the Council's Constitution, implementation of the called-in executive decisions will remain suspended until the call-in process has been completed.

8.2.2 Council is required to consider the referral of this item by Overview & Scrutiny Committee under the terms of the call-in procedure, as set out in Chapter 4.2 (17) of the Council's Constitution.

8.2.3 The legal implications relating to the original decision on the implementation of Parking Charges for 2006/07 have been detailed in the Portfolio decision report attached as Appendix 2.

8.2.4 If Council decides to recommend amendments to the original decisions on these items then any associated legal implications will need to be considered as part of that process.

## **9. PUTTING ENFIELD FIRST**

The Council's call-in procedure can be seen to have an impact on the following aims within Putting Enfield First:

Aim 5 – Supporting the delivery of Excellent Services

### **Background Papers:**

None

# **APPENDIX 1**

**Cabinet minute extract (1 November 2006) –  
Response to reference from Special Projects  
Scrutiny Panel on Parking Charges & Review**

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## **MINUTE EXTRACT FROM THE CABINET HELD ON WEDNESDAY 1 NOVEMBER 2006**

### **ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE/SCRUTINY PANELS**

Councillor Robert Hayward (Chairman of the Special Projects Scrutiny Panel) introduced the reference form the Special Projects Scrutiny Panel concerning the decision to implement revised car parking charges. The implementation of the proposals had been delegated to the Director of Environment, Street Scene and Parks after the end of the consultation period.

NOTED that the Panel requested that implementation of the scheme be delayed until the start of the new financial year. Concerns were raised at the Special Projects Scrutiny Panel meeting by members, the public, and representatives from Enfield Business and Retailers Association (EBRA) that as the Panel is exploring many of the issues associated with parking charge and penalty charge systems, the car parking budget and value for money and options for the use of surpluses, the outcomes might result in alternative recommendations to Cabinet. The planned timescale for this work is within the next few months and that implementation of the current scheme would pre-empt the scrutiny.

Councillor Hayward highlighted:

1. the EBRA proposal to introduce a 15 minute free parking period.
2. That Councillor Neville was willing to consider this proposal as part of the proposed parking review.
3. It was suggested that any income lost by delaying implementation could be recouped in the future.

Councillor Rye confirmed that parking charges had not increased for 3 years. The proposed scheme had a number of benefits, only 2 coins were now needed to buy a ticket, standardised charges had been introduced across the borough and unexpired time on tickets could be used at other locations.

He advised that a review of parking had been confirmed and this would be completed by July 2007. Scrutiny would be involved in the consultation process and Councillor Neville would consider the proposals of the Special Projects Scrutiny Panel.

### **DECISION:**

1. to note the reference from the Special Projects Scrutiny Panel.
2. that Scrutiny be involved in the proposed parking review, scheduled to be completed in July 2007.

**CABINET - 1.11.2006**

3. that the proposal relating to free short term parking be considered as part of the review.

## **APPENDIX 2**

**Portfolio decision report by Cabinet member  
for Environment & Street Scene  
(13 November 2006):**

**Proposed Parking Charges for 2006/07 – Results of  
Consultation**

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## NOTIFICATION OF DECISION TAKEN – FOR PUBLICATION

**PLEASE NOTE: THIS FORM MUST BE HAND DELIVERED TO THE DEMOCRATIC SERVICES TEAM WITHIN 1 WORKING DAY OF THE DECISION BEING TAKEN.**

**FOR USE WITH ALL PORTFOLIO AND OFFICER KEY DECISIONS**

**Decision taken by:** Cllr Terence Neville, Cabinet Member for Environment and Street Scene

**Summary of Decision Taken including reasons** (If appropriate, please specify relevant paragraphs within the report)

**Proposed Parking Charges for 2006/07 – Results of Consultation**

To note the results of the statutory consultation.

That approval be given to:

The making of Traffic Orders under the Road Traffic Regulation Act 1984 for the introduction of:

1. The variation in Parking Charges, time bands, transfer of tickets both on street and off street and the introduction of pre-paid vouchers as detailed in Appendices A, B and C, which remain unchanged from the original proposal.
2. The introduction of free parking off street on Bank Holidays.
3. The tariff for the Council's car parks being extended to include the free car parks located at The Bourne N.14, Fords Grove N21 and the Library, Ponders End.

**PLEASE SPECIFY CATEGORY OF DECISION:** Key Delete as appropriate

If Key, please quote Forward Plan reference. Reference No. 995

**Any alternative options considered and rejected:**

Please refer to paragraph 5 of the main report.

**Was the decision made in Part 1 or Part 2 ?** If Part 2 please give the relevant paragraph of the Access to Information Act.

Part 1

**Interests Declared in Respect of the Decision (and by who):**

N/A

**NOTE: This form must be signed and dated by the decision taker(s) – see below:**

The date specified will be taken as the date that the decision was made.

Signed



Cabinet Member for Environment & Street Scene

Cllr Terence Neville

PLEASE PRINT NAME

Signed



Director of Environment, Street Scene & Parks

John Pryor

PLEASE PRINT NAME

Date

13 / 11 / 2006

## MUNICIPAL YEAR 2006/2007 REPORT NO.

**DECISION TAKEN UNDER  
DELEGATED AUTHORITY****PORTFOLIO DECISION OF:**Cabinet Member for Environment  
and Street Scene**REPORT OF:**Director of Environment, Street  
Scene and Parks

Agenda – Part: 1	Item:KD Num: 995
<b>Subject:</b> <b>Proposed Parking Charges for 2006/07 – Results of Consultation</b>	
<b>Ward: All</b>	

Contact officer and telephone number: Elena Dellafiora Tel. 020 8379 6402

E-mail: [Elena.Dellafiora@enfield.gov.uk](mailto:Elena.Dellafiora@enfield.gov.uk)**1. EXECUTIVE SUMMARY**

- 1.1. This Report contains the results of statutory consultation on proposed parking charges and changes to the parking charges schedule agreed for implementation by Cabinet on 12<sup>th</sup> July 2006.
- 1.2. The Report seeks approval to make the Traffic Orders under the Road Traffic Regulation Act 1984 for the introduction of the variation in Parking Charges. The various parking charges, time bands, transfer of tickets both on street and off street and the introduction of pre-paid vouchers, remain unchanged from the original proposal. As does the introduction of free parking off street on Bank Holidays and the extension of the Council's car park tariff to car parks located at The Bourne N.14, Fords Grove N21 and the Library, Ponders End.

**2. RECOMMENDATIONS**

2.1 To note the results of the statutory consultation.

2.2 That approval be given to:

2.3 The making of Traffic Orders under the Road Traffic Regulation Act 1984 for the introduction of:

1. The variation in Parking Charges, time bands, transfer of tickets both on street and off street and the introduction of pre-paid vouchers as detailed in Appendices A, B and C, which remain unchanged from the original proposal.
2. The introduction of free parking off street on Bank Holidays.
3. The tariff for the Council's car parks being extended to include the free car parks located at The Bourne N.14, Fords Grove N21 and the Library, Ponders End.

### 3. BACKGROUND

- 3.1 A report to Cabinet on 12<sup>th</sup> July 2006 from the Director of Environment, Street Scene and Parks set out proposed parking charges and changes to the parking charging schedule to be introduced no later than end of October 2006. Cabinet approved the following:
1. the schedules of parking charges attached as Appendices A and B to the report, which would then remain in force for four years and that tickets purchased on street could be immediately transferable to another Pay and Display bay on street and those purchased off street transferable to another off street bay to use any unexpired time. However on street tickets could not be used off street nor could off street tickets be used on street;
  2. the tariff for the Council's car parks be extended to include the free car parks located at The Bourne, N14, Fords Grove, N21 and the Library car park, Ponders End;
  3. the purchase of "on street" parking vouchers (Appendix D to the report referred);
  4. that Season Tickets could be issued for use in an "Outer Zone" and "Enfield Town" Zone. Season Tickets would only be valid in the Zone for which they were issued;
  5. the introduction of free off street parking on Bank Holidays;
  6. consultation on the proposed changes, decisions on the outcome of which would be delegated to the Cabinet Member for Environment and Street Scene.
- 3.2 The reason for the proposed changes is to rationalise all on and off street parking charges for fairness, simplicity and ease of use.
- 3.3 As part of the Statutory process required to implement the proposed changes a Traffic Order making process has to be undertaken, involving consultation and therefore the proposed changes were advertised in the Enfield Independent on two occasions, 9 August 2006 and 31 August 2006, these are attached respectively as Appendix A and Appendix B. A Public notice, attached as Appendix C, was placed in all car parks and at on-street parking places on 9 August 2006, and information sent to a range of business associations.
- 3.4 This Report considers comments and objections received to the consultation.

#### 4. CONSULTATION

4.1 There were no objections received against the proposal relating to parking charges for off street parking and the introduction of Pay and Display. The Council has received 3 petitions and 26 written objections against the on-street proposals. Of the 26 written objections 53.8% were from traders, whilst 46.2% came from local residents.

4.2 The petitions were received from the Southgate Chamber of Trade, Traders and Residents of Cockfosters, and Traders and Residents in the Enfield Highway area.

4.3 Southgate Chamber of Trade

This petition included 18 objections from local traders to the proposal, and also suggestions for improvements covering First 15 minutes free, Maximum stay 1 hour, First 15 minutes free. Maximum stay 2 hours. First 30 minutes free. Maximum stay 2 hours. Suggestions that 2 hours parking is bad for traders and more spaces are needed.

4.4 Enfield Highway

The local traders and residents would like the first 30 minutes to be free and then to be charged 20p per 30 minutes, for a maximum period of 1 ½ hours. Of the 465 names on the petition 4.5% were residents in other boroughs. 259 (55.7%) names were correctly signed and accompanied by addresses, whilst 206 (44.3%) were not.

4.5 Cockfosters

The local traders and residents strongly object to the maximum period being reduced from 3 hours to 2 hours. This objection is based on the type of businesses operating in Cockfosters, namely the hairdressers and beauty salon, which the traders argue require the customer to be on their premises for longer than 2 hours. Of the 936 names on the petition 20.5% reside in other boroughs. 103 (11%) names were correctly signed and accompanied by addresses, whilst 833 (89%) were not.

#### 5. RESPONSE TO CONSULTATION

5.1 The responses to the issues raised in the objections are as follows:

- Charges should be kept as they are

The reason for the changes is to rationalise all on and off street parking charges for fairness, simplicity and ease of use. Officers acknowledge that with any change there will be some initial resistance to a standard tariff charge. It is essential for the tariffs to be standardised to ensure that all

residents, traders and visitors to the borough, are treated in an equal and consistent manner.

- There are excessive increases in deprived areas

To impose higher or lower tariffs in one area of the Borough compared with another would be contrary to the reason for the changes and would not necessarily discriminate or assist the residents of the area as parking will be used by both residents and visitors from both within the Borough and outside.

- Adverse effect on local traders / small businesses

The rationalisation of charges should assist in making shopping centres more attractive and although there may be some short-term resistance to the changes, this is likely to diminish. In some areas the changes could also lead to a higher turnover of parking, which again should assist in improving the vitality of shopping centres.

- The Pre-Pay voucher/book is not user friendly and it is unnecessary to have more than one variation of booklet with monetary values higher than 10p.

The Pre-Pay voucher scheme is a tried and tested system, which is ideal for introducing cashless payment. It is also convenient and the driver can use these vouchers only when needed. It is not recommended that one booklet; containing vouchers of 10p could be used for all payments. In cases where the charge is £2.00, twenty vouchers would have to be attached to a windscreen. After monitoring the impact of the new scheme an investigation will be undertaken into the introduction of other methods of cashless payment such as Top-up cards.

- The proposals are contrary to parking objectives P1, P7 and P20, namely:

*P1            Manage the Borough's parking supply in accordance with the stated hierarchy of parking need.*

*P7            Support the legitimate parking and servicing needs of local businesses in the Borough and enhance the viability of the Borough's Major/District centres.*

*P20          Improve communication and consultation with both internal and external stakeholders and enhance parking management through partnership working.*

P1 – The hierarchy of parking need:

**Disabled people** - All Council's on and off street Pay and Display schemes are available to blue badge holders free of charge.

**Suppliers of essential goods and services** –All on street areas that have Pay and Display, offer loading bay facilities where vehicles may unload for 20 minutes. Indeed commercial vehicles can park on waiting restrictions for up to 20 minutes provided there is evidence of loading / unloading. Vehicles may also stop in these bays to allow passengers to alight, providing the driver remains in the vehicle.

**Local Residents and residents' visitors** – may take advantage of the transferable tickets and Pre-Pay voucher booklets.

**Business customers and shoppers** – Officers acknowledge that they will be affected in some areas, as the tariff is increased to match other areas. However in some parts of the borough there will be no change, whilst in others there will be a reduction.

**Employees** – All on street parking is for a maximum of 2 hours, therefore there will be no change for employees, who officers believe already park elsewhere. Additionally, season tickets in Enfield Town have been reduced, which will further benefit employees who use London Borough of Enfield car parks.

P7 – The Council wishes to introduce transferable tickets on and off street, thus allowing the public to visit other shopping areas until the ticket has expired. It is expected that this will encourage shoppers to shop in other areas and increase trade for local businesses.

P20 – The Council has consulted internally and advertised its proposals on two separate occasions so that the public can make comments on its proposals.

- Adjoining residential roads will be effected by the tariff increase

Officers are aware that some drivers may try to avoid the new charges by parking in adjacent residential roads, which may cause difficulty for the residents of those roads. However many of the aforementioned roads have residents parking restrictions, or CPZs, which will help to reduce the overspill of local employees or shoppers.

- Shoppers will be dissuaded from shopping locally

Officers do not believe that all those who shop locally will stop doing so. After the initial resistance shoppers will return to their old habits. Further many shoppers will be on foot and as such will not be affected by the changes.

- There should be an initial period which is free

There is no system available which will give a motorist a free ticket that cannot be abused by unscrupulous motorists and is very difficult and expensive to enforce. The money collected in the on street machines is included in the PPRA account. As all parking operations must be self financing to re-introduce free parking would be costly, reduce the turnover of bays and seriously affect the parking budget.

- Hours of operation should match trading hours 09.30 – 17.00

Many shops operate longer hours than the traditional 09.30 – 17.00. As such it was thought that 08.00 – 18.30 would encourage the maximum turnover of those parking bays.

- All day parkers should be discouraged by restricting the maximum stay in surface car parks.

London Councils wants Local Authorities to encourage more motorists to park off street. By restricting parking hours in the car parks this may cause parking problems in streets without restrictions for local residents and is not consistent with current policy.



Traffic management and Parking Guidance for London states:

*"Charges should also reflect the value of kerbspace and generally encourage all but short term parking to use nearby off- street car parks, where available"*

Geographically, Enfield is London's northernmost borough and has 22-railway stations. It is appropriate to provide some all day parking for commuters within Enfield, otherwise they will drive further into London causing:

- i) Traffic congestion
- ii) Parking problems around stations in other boroughs

The provision of all day parking is in line with PEP 2 **Appendix D** which states that where appropriate, meeting the parking needs of the commuter is encouraged, so long as it this is not to the detriment to other road users or the environment.

- The Council is potentially acting ultra vires in:
  - i) Introducing charges where currently there are no charges in Ford Grove, The Bourne and The Library Ponders End and failing to provide spaces for disabled drivers.

Officers do not accept this objection, as the Council is given the power from The Road Traffic Regulation Act (RTA) 1984 s. 45 and 46 to introduce or increase charges, as it deems appropriate. Additionally The RTA 1991 s.66 (2) states that any charges imposed on designated parking areas should be made in either the order that designates the parking places or alternatively, in a separate order. Officers believe that they complied with the powers given to them in the RTA 1984 and 1991.

Further all Council Pay and Display car parks have marked out disabled parking bays, which are enforceable if misused by a non-blue badge holder and blue badge holders can park a vehicle in any parking bay on street and off street free of charge for an unlimited time period.

- ii) Extending the maximum permitted hours from 1 hour to 2 hours in Enfield Town
- iii) Reducing the maximum time period from 3 to 2 hours in Cockfosters.

Officers rely on the RTA 1984 s. 35(1)(ii) for the power to both extend and reduce (ii and iii above, respectively) permitted hours for parking.

s. 35(1) states:

*As respects any parking place –*

- a) provided by a local authority under section 32 of this Act, or*
- b) provided under any letting or arrangements made by a local authority under section 33(4) of this Act,*

*The local authority... may by order make provision as to - ....*

*ii) the conditions on which it may be used*

- On street parking should have a maximum limit of 1 hour, 2 hours or 3 hours depending on area.

Local traders have expressed different opinions on this matter and the Council has decided to have a maximum stay of 2 hours for uniformity, as this is the most widely used in the borough.

- Palace Gardens Multi Storey Car Park will not see the same increase in tariff charges.

The tariff in this car park will be reviewed whilst consideration is given to its refurbishment.

- Each town is different and should be charged according to the population and circumstances of the town

The new charges are to introduce a simplified universal system, which would make charges fairer on the borough as a whole. To implement different charges, dependant on areas, would be to promote discrimination.

- Child poverty will increase

There is no direct link between car park charges and child poverty. Officers would however suggest that members of the public, who have a lower income, should take advantage of the free travel offered to children on public transport. Alternatively motorists could be encouraged to pursue a healthier option of travel and walk to the local shopping areas, as opposed to driving.

- The new tariff charges are contrary to Central Government and Enfield Council policy

The new charges are completely in line with PEP 14 **Appendix D**, which states:

*“ The Council should undertake a comprehensive and co-ordinated review of all parking charges and develop a simplified and consistent tariff structure varied by duration of stay.”*

- It is not sensible to have free on street parking on Bank Holidays.

There is a great deal of confusion amongst motorists about charging on public holidays. The general feeling is that on street and car park Pay and Display should be free on public holidays as it is easy to understand and it will encourage motorists to park legally thus not obstructing the traffic on the public highway.

- The report fails to consider the previous abortive attempt to introduce Pay and Display in Fords Grove car park.

In 1988 Fords Grove Car Park became Pay and Display and it was removed in 1991. The main reason was motorists could park on Green Lanes and surrounding roads, as there was an abundance of on street parking.

Car ownership in the borough has increased dramatically. In 2001 car ownership in the borough is 71.5% and in some wards it is as high as 80.6% compared with the London average of 62.5%. Surveys at Fords Grove show that the car park is full most of the working day. The car park is not utilised at night, as local residents prefer to park on driveways or outside their houses.

The introduction of Pay and Display will increase the turnover of spaces in the car park allowing residents and shoppers to use the car park if they wish.

Most weekdays this area is heavily parked up due to being on the edge of the Winchmore Hill Controlled Parking Zone. Therefore there is little chance of further displacement.

- The proposals to put Pay and Display in The Bourne opposite Groveland Park is a nonsense. Any control should be by extension of the CPZ and hours limits on the operation of free parking.

The impact of the introduction of charges in the Bourne car park will be considered as part of the Southgate Controlled Parking Zone Review.

4.4 A summary of the objections is:

*Local traders, customers and residents most frequently requested an initial free parking period ranging from 15 minutes to 1 hour. There are concerns that small businesses will lose trade if the tariffs are increased and there is a predominant concern that deprived areas in the eastern side of the borough will be unproportionately affected.*

**5. ALTERNATIVE OPTIONS CONSIDERED**

At present the levels of charges across the Borough vary, a percentage increase on current charges would not contribute to a more user-friendly tariff and not meet the objectives of the Council's Parking Enforcement Plan.

**6. REASONS FOR RECOMMENDATIONS**

To rationalise all on and off street parking charges for fairness, simplicity and ease of use.

**7. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

**7.1 Financial Implications**

7.1.1 ESSPD were required to achieve additional income of £130k in the current year and £270k (in real terms) in a full year from the review of parking charges. Problems arising from shortfalls in parking income compared with budget have been highlighted in the revenue monitoring reports on a number of occasions during the current year and recent projections of a shortfall for this year in the region of some £500k include the impact of introducing the new charges from December 2006.

7.1.2 The Head of Parking Services has analysed the likely impact of the proposals and has estimated that the increased charges will achieve the required level of increased income in a full year (2007/2008 onwards).

7.1.3 A number of assumptions have to be made in assessing the likely increase in income, for example the extent of customer resistance to increases and the possible loss of income arising from motorists benefiting from the right to park in more than one area during the duration of a single ticket. The impact on the revenue budget will need to be closely monitored by the Service and any variances against budget reported as part of the monthly monitoring process.

## 7.2 Legal Implications

- 7.2.1 The Council has legal powers to impose charges for both on and off street car parking, subject to the making of the necessary Traffic Orders. The proposed orders require publication in a local newspaper and objections may be lodged. The Council may exercise its discretion in setting the level of charges, taking into account any objections received and other relevant considerations.

### Background Papers

None



**Appendix B**

**VARIATION OF ON-STREET (PAY & DISPLAY) AND OFF-STREET PARKING CHARGES**

Further information may be obtained by telephoning Parking Services, telephone number 020 8379 3560.

1. NOTICE IS HEREBY GIVEN that the Council of the London Borough of Enfield propose to make the Enfield (Parking Places) (Pay and Display) (Various Roads) (Special Parking Area) (No. \*) Order 200\* and the Enfield (Off-Street Parking Places) (Special Parking Area) (No. \*) Order 200\* under sections 35, 45, 46 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended.

2. The general effect of the Orders would standardise on-street and off-street “pay & display” charges and time bands across the Borough by -

- (a) varying the on-street “pay & display” parking charges and parking periods as set out in Schedule 1 to this Notice (**Note:** except as set out below, all other existing provisions of “pay & display” operation would remain, including the provision not to charge for disabled permit holders and solo motor-cycle parking;
- (b) introducing the additional facility to pay for parking at any on-street “pay & display” bays by means of a system of pre-paid parking vouchers (scratch cards) which may be purchased in advance from those agents or bodies appointed and acting on behalf of the Council who display approved identification;
- (c) such vouchers would cost either 20p, 50p, £1 or £2 and would be available in books of 11 vouchers (pay for 10 and receive 1 free) as follows-
  - (i) £2 for a book of 20p vouchers;
  - (ii) £5 for a book of 50p vouchers;
  - (iii) £10 for a book of £1 vouchers; and
  - (iv) £20 for a book of £2 vouchers;
- (d) allowing un-expired time on any on-street “pay & display” ticket to be used at any other on-street “pay & display” parking bay in the Borough; and similarly allowing un-expired time on any off-street “pay & display” ticket to be used at any other off-street “pay & display” parking bay in the Borough (**Note:** on-street and off-street “pay & display” tickets would not be inter-changeable);
- (e) generally standardising the hours for “pay & display” operational charging to between 8am and 6.30pm on Mondays to Saturdays (**Note:** in certain cases, e.g. controlled parking zones and bus lanes, the times of operation would remain as at present);
- (f) varying the off-street “pay & display” parking charges and parking periods as set out in Schedule 2 to this Notice (**Note:** the charges, parking periods and other provisions at the St. Andrews – Chase Side, Civic Centre, Cecil Road and Palace

Gardens car parks and the Council's off-street lorry parks are not being varied at this time);

- (g) removing any charge for parking on Bank Holidays at the Council's off-street car parks;
- (h) introducing the additional facility to pay for parking at off-street parking places by way of season tickets;
- (i) such season tickets would cost as follows –
  - (i) Inner Zone - £660 per annum for use in all "pay & display" off-street car parks within the Borough except Cecil Road, Monmouth Road and Knights Lane;
  - (ii) Outer Zone - £330 per annum for use in all "pay & display" off-street car parks within the Borough except Little Park Gardens, Church Lane, New River Loop, Genotin Road, Palace Gardens, Knights Lane, Monmouth Road, Sydney Road and Cecil Road (temporary car park).

3. A copy of the proposed Orders and all other relevant Orders and documents can be inspected at the Reception Desk, "B" Block, the Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XD during normal office hours on Mondays to Fridays inclusive.

4. Persons desiring to object to the proposed Orders, or make any other representations, should send a statement in writing to that effect, and in the case of an objection stating the ground thereof, to the Head of Traffic and Transportation Services, the Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XD, quoting the reference LB/T/TG52/919, by 20 September 2006.

5. Under the Local Government (Access to Information) Act 1985 any letter you write to the Council in response to this Notice may, upon written request, be made available to the press and to the public, who would be entitled to take copies of it if they so wished.

Dated 30 August 2006.

GLYN JONES

Head of Traffic and Transportation Services



**SCHEDULE 1**  
**(On-street Pay and Display Parking Charges)**

Area(s)	Current Parking Period	Current Charge	Proposed Parking Period	Proposed Charge
Enfield Town (inner zone)	Up to 15 minutes	30p	Up to 15 minutes	20p
	Up to 30 minutes	60p	Up to 30 minutes	50p
	Up to 1 hour	£1.20p	Up to 1 hour	£1
			Up to 2 hours	£2
Enfield Town (outer zone)	Up to 15 minutes	20p	Up to 15 minutes	20p
	Up to 30 minutes	35p	Up to 30 minutes	50p
	Up to 1 hour	70p	Up to 1 hour	£1
	Up to 2 hours	£1.40	Up to 2 hours	£2
Southgate	Up to 20 minutes	25p	Up to 15 minutes	20p
	Up to 40 minutes	50p	Up to 30 minutes	50p
	Up to 1 hour	90p	Up to 1 hour	£1
	Up to 2 hours	£1.80	Up to 2 hours	£2
Cockfosters	Up to 30 minutes	25p	Up to 15 minutes	20p
	Up to 1 hour	50p	Up to 30 minutes	50p
	Up to 2 hours	90p	Up to 1 hour	£1
	Up to 3 hours	£1.70	Up to 2 hours	£2
Palmers Green (Green Lanes Nth.)	Up to 20 minutes	25p	Up to 15 minutes	20p
	Up to 40 minutes	50p	Up to 30 minutes	50p
	Up to 1 hour	70p	Up to 1 hour	£1
	Up to 2 hours	£1.40	Up to 2 hours	£2
Palmers Green (Aldermans Hill)	Up to 30 minutes	25p	Up to 15 minutes	20p
	Up to 1 hour	50p	Up to 30 minutes	50p
	Up to 2 hours	90p	Up to 1 hour	£1
			Up to 2 hours	£2
Green Lanes South,	Up to 20 minutes	20p	Up to 15 minutes	20p
	Up to 40 minutes	40p	Up to 30 minutes	50p
	Up to 1 hour	60p	Up to 1 hour	£1
	Up to 2 hours	£1.20	Up to 2 hours	£2
Edmonton Green,	Up to 20 minutes	20p	Up to 15 minutes	20p
	Up to 40 minutes	40p	Up to 30 minutes	50p
	Up to 1 hour	60p	Up to 1 hour	£1
	Up to 2 hours	£1.20	Up to 2 hours	£2
Angel, Edmonton	Up to 20 minutes	20p	Up to 15 minutes	20p
	Up to 40 minutes	40p	Up to 30 minutes	50p
	Up to 1 hour	60p	Up to 1 hour	£1
	Up to 2 hours	£1.20	Up to 2 hours	£2
Ponders End	Up to 30 minutes	20p	Up to 15 minutes	20p
	Up to 1 hour	40p	Up to 30 minutes	50p
	Up to 2 hours	80p	Up to 1 hour	£1
			Up to 2 hours	£2
Enfield Highway	Up to 30 minutes	20p	Up to 15 minutes	20P
	Up to 1 hour	40p	Up to 30 minutes	50p
	Up to 2 hours	80p	Up to 1 hour	£1
			Up to 2 hours	£2

**SCHEDULE 2**  
**(Off-street Car Parking Charges)**

Car Park(s)	Current Parking Period	Current Charges	Proposed Parking Period	Proposed Charges
Little Park Gardens	Up to 1 hour	90p	Up to 1 hour	90p
	1 - 2 hours	£1.50p	1 - 2 hours	£1.50
	2 - 4 hours	£2	2 - 4 hours	£2
	4 - 6 hours	£3	4 - 6 hours	£3
	Over 6 hours	£4.50p	Over 6 hours	£4.50
Church Lane	Up to 1 hour	90p	Up to 1 hour	90p
	1 - 2 hours	£1.50p	1 - 2 hours	£1.50
	2 - 4 hours	£2	2 - 4 hours	£2
	4 - 6 hours	£3	4 - 6 hours	£3
	Over 6 hours	£4.50p	Over 6 hours	£4.50
Genotin Road	Up to 1 hour	90p	Up to 1 hour	90p
	1 - 2 hours	£1.50p	1 - 2 hours	£1.50
	2 - 4 hours	£2	2 - 4 hours	£2
	4 - 6 hours	£3	4 - 6 hours	£3
	Over 6 hours	£4.50p	Over 6 hours	£4.50
New River Loop	Up to 1 hour	90p	Up to 1 hour	90p
	1 - 2 hours	£1.50p	1 - 2 hours	£1.50
	2 - 4 hours	£2	2 - 4 hours	£2
	4 - 6 hours	£3	4 - 6 hours	£3
	Over 6 hours	£4.50p	Over 6 hours	£4.50
Sydney Road	Up to 1 hour	90p	Up to 1 hour	90p
	1 - 2 hours	£1.50p	1 - 2 hours	£1.50
	2 - 4 hours	£2	2 - 4 hours	£2
	4 - 6 hours	£3	4 - 6 hours	£3
	Over 6 hours	£4.50p	Over 6 hours	£4.50
Lion Road N9	Up to 1 hour	55p	Up to 1 hour	90p
	1 - 3 hours	75p	1 - 2 hours	£1.50
		N/A	2 - 4 hours	£2
		N/A	4 - 6 hours	£3
		N/A	Over 6 hours	£4.50
Fairfield Road N18	Up to 1 hour	55p	Up to 1 hour	90p
	1 - 3 hours	75p	1 - 2 hours	£1.50
	3 - 6 hours	95p	2 - 4 hours	£2
	Over 6 hours	£1.50	4 - 6 hours	£3
			Over 6 hours	£4.50
Raynham Road N18	Up to 1 hour	55p	Up to 1 hour	90p
	1 - 3 hours	75p	1 - 2 hours	£1.50
	3 - 6 hours	95p	2 - 4 hours	£2
	Over 6 hours	£1.50	4 - 6 hours	£3
			Over 6 hours	£4.50
Trafalgar Place N18	Up to 1 hour	55p	Up to 1 hour	90p
	1 - 3 hours	75p	1 - 2 hours	£1.50
	3 - 6 hours	95p	2 - 4 hours	£2
	Over 6 hours	£1.50	4 - 6 hours	£3

			Over 6 hours	£4.50
Lodge Drive	Up to 1 hour 1 - 2 hours 2 - 4 hours Over 4 hours	90p £1.30 £1.60 £2.10	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
Eagle House	Up to 1 hour 1 - 3 hours 3 - 6 hours Over 6 hours	35p 50p 90p £1.10	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
Minchenden	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.40p £1.90p £2.70p £4.30	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
The Bourne, N14	N/A	Free	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
Fords Grove, N21	N/A	Free	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
Ponders End Library	N/A	Free	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
Knights Lane	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	45p 70p 95p £1.40 £2.20	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50
Monmouth Road	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	45p 70p 95p £1.40 £2.20	Up to 1 hour 1 - 2 hours 2 - 4 hours 4 - 6 hours Over 6 hours	90p £1.50 £2 £3 £4.50

Appendix C

**VARIATION OF OFF-STREET PARKING CHARGES**

Further information may be obtained by telephoning Parking Services, telephone number 0208379 3560.

NOTICE IS HEREBY GIVEN that the Council of the London Borough of Enfield propose to make a traffic order under section 35 of the Road Traffic Regulation Act 1984, the general effect of which would be to standardise **off-street** "pay & display" charges and time bands across the Borough by -

- (j) varying the parking charges to 90p for up to 1 hour; £1.50p for 1-2 hours; £2 for 2-4 hours, £3 for 4-6 hours and £4.50p for over 6 hours (**Note:** St. Andrews – Chase Side, Civic Centre, Cecil Road and Palace Gardens car parks and the off-street lorry parks are not being varied at this time);
- (k) allowing un-expired time on any "pay & display" ticket to be used at any other off-street car park in the Borough;
- (l) removing any charge for parking on Bank Holidays;
- (m) introducing a facility to pay for parking by way of season tickets which cost £660 per annum for use in all car parks except Cecil Road, Monmouth Road and Knights Lane; and £330 per annum for use in all off-street car parks except Little Park Gardens, Church Lane, New River Loop, Genotin Road, Palace Gardens, Knights Lane, Monmouth Road and Sydney Road.

A copy of the proposed Order and all other relevant Orders and documents can be inspected at the Reception Desk, "B" Block, the Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XD during normal office hours on Mondays to Fridays inclusive.

Persons desiring to object to the proposed Orders, or make any other representations, should send a statement in writing to that effect, and in the case of an objection stating the ground thereof, to the Head of Traffic and Transportation Services, the Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XD, quoting the reference LB/T/TG52/919 by 30 August 2006.

Under the Local Government (Access to Information) Act 1985 any letter you write to the Council in response to this Notice may, upon written request, be made available to the press and to the public, who would be entitled to take copies of it if they so wished.

Dated 9 August 2006.

GLYN JONES  
Head of Traffic and Transportation Services

## VARIATION OF ON-STREET (PAY & DISPLAY) PARKING CHARGES

Further information may be obtained by telephoning Parking Services, telephone number 020 8379 3560.

NOTICE IS HEREBY GIVEN that the Council of the London Borough of Enfield propose to make a traffic order under sections 45 and 46 of the Road Traffic Regulation Act 1984, the general effect of which would be to standardise on-street "pay & display" charges and time bands across the Borough by -

- (n) varying the "pay & display" parking charges to 20p for up to 15 minutes; 50p for up to 30 minutes; £1 for up to 1 hour and £2 for up to 2 hours and introducing the facility to pay for such parking by means of pre-paid parking vouchers (scratch cards);
- (o) allowing un-expired time on any "pay & display" ticket to be used at any other similar parking bay in the Borough;
- (p) standardising the hours for "pay & display" operational charging to between 8am and 6.30pm on Mondays to Saturdays, in certain cases, e.g. parking zones and bus lanes, the times would remain as at present.

A copy of the proposed Order and all other relevant Orders and documents can be inspected at the Reception Desk, "B" Block, the Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XD during normal office hours on Mondays to Fridays inclusive.

Persons desiring to object to the proposed Order, or make any other representations, should send a statement in writing to that effect, and in the case of an objection stating the ground thereof, to the Head of Traffic and Transportation Services, the Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XD, quoting the reference LB/ TG52/919, by 30 August 2006.

Under the Local Government (Access to Information) Act 1985 any letter you write to the Council in response to this Notice may, upon written request, be made available to the press and to the public, who would be entitled to take copies of it if they so wished.

Dated 9 August 2006.

\_\_\_\_\_  
GLYN JONES

Head of Traffic and Transportation Services

## Appendix D

### **PARKING AND ENFORCEMENT PLAN RECOMMENDATIONS**

**PEP 1:** The Council should manage both on-street and off-street parking in the Borough, including the setting of parking charges, in a consistent and co-ordinated manner.

**PEP2:** The Council should manage both on-street and off-street parking in accordance with the Council's stated hierarchy of need; prioritising residents' parking needs, meeting short-stay shopper/visitor parking needs and, where appropriate, meeting commuter parking needs, where this does not cause detriment to other road users or the local environment.

**PEP3:** The Council should undertake a comprehensive review of parking management operations in the Borough on Sundays and Public Holidays, including charging and enforcement.

**PEP4:** The Council should generally resist the introduction of new footway parking and review and minimise existing footway parking in the Borough, to accord with the London-wide footway parking ban and to prevent detriment to the Borough's street scene.

**PEP5:** The Council should review exemptions to the Londonwide footway parking ban in the Borough, and develop a clear set of exemption assessment criteria.

**PEP6:** The Council should generally resist, where it is inappropriate, the introduction of new permanent vehicle crossovers as they reduce available on-street parking space and can damage the Borough's street scene.

**PEP7:** The Council should investigate the suitability of introducing rigorously enforced short-stay pick-up/drop off facilities in the Borough's Major/District Centres to meet the legitimate needs of taxis, licensed minicabs and other road users.

**PEP8:** The Council should seek to retain and maximise control over the off-street parking supply, without necessarily implying Council management, in the Borough's Major/District centres, as far as is practicable.

**PEP9:** The Council should seek to improve car park signage and information in the Borough's Major/District Centres, including consideration of Variable Message Sign (VMS) systems.

**PEP10:** The Council should seek to implement the *Safer Parking Scheme* in the Borough's existing public car parks and any new public car park.

**PEP11:** The Council should review the need for a regular liaison group to enable Housing and Parking Services to discuss crosscutting parking issues.

**PEP12:** The Council should investigate the benefits of a seamless parking enforcement operation to help address parking and environmental problems in the Borough's housing estates.

**PEP13:** The Council should, when consulting on CPZ proposals in the Borough, consider the need to include potentially affected housing estate residents in the CPZ consultation process, where deemed appropriate and in conjunction with Housing Services.

**PEP14:** The Council should undertake a comprehensive and coordinated review of all parking charges and develop a simplified and consistent tariff structure varied by duration of stay.

**PEP15:** When contracting out off-street parking operations, the Council should seek to retain influence over charging regimes in the Borough.

**PEP16:** The Council should investigate the potential use of cashless Payment systems, such as pre-Pay, smart card, mobile phone technologies, as well as Pay on foot, to improve customer convenience.

**PEP17:** The Council should undertake a medium-term Boroughwide detailed parking inventory, which is then continually updated, to ensure consistency of signs and lines and support enforceability and clarity.

**PEP18:** The Council should develop a framework of adequate sample parking monitoring surveys to monitor parking supply and demand in the Borough.

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**MUNICIPAL YEAR 2006/2007 REPORT NO. 211****MEETING TITLE AND DATE:****Council 24<sup>th</sup> January 2007****REPORT OF:**Director of Environment and  
Street Scene

Contact officers and telephone numbers:

Jessica Ferm - extension 1634

Email: [Jessica.ferm@enfield.gov.uk](mailto:Jessica.ferm@enfield.gov.uk)

Joanne Woodward - extension 3881

Email: [joanne.woodward@enfield.gov.uk](mailto:joanne.woodward@enfield.gov.uk)

<b>Agenda – Part: 1</b>	<b>Item No. 12</b>
<b>Subject:</b> <b>Central Leaside Business Area - Joint Area Action Plan with the London Borough of Haringey</b>	
<b>Wards: Lower Edmonton, Upper Edmonton, Edmonton Green</b>	
<b>Cabinet Member consulted: Cllr Terence Neville</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 This report seeks the approval of Council for the production of a Central Leaside Joint Area Action Plan (CLJAAP) with the London Borough of Haringey to prepare a joined-up, comprehensive planning and regeneration framework for the area, which includes the main employment areas. The Council's Local Development Framework Cabinet Sub Committee has previously agreed the production of the Area Action Plan and the Cabinet Member for Environment and Street Scene approved a draft Memorandum of Understanding for joint working between the two boroughs in October 2006. Formal approval by Full Council is now required to enable work on the CLJAAP to commence as this decision cannot be made solely by executive bodies.

**2. RECOMMENDATIONS**

- 2.1 That the Council endorses the involvement of Enfield Council in the preparation of the Central Leaside Joint Area Action Plan with the London Borough of Haringey, and endorses the draft Memorandum of Understanding setting out joint production arrangements with Enfield as the lead authority attached at Appendix 1.

### **3. BACKGROUND**

Enfield's Local Development Scheme (LDS) which sets out the production timetable for the preparation of the Local Development Framework (LDF) includes a commitment to prepare an Area Action Plan for Central Leaside to provide a planning framework for future development in the area. The Central Leaside AAP will identify a strong vision for the future of the area and, in particular, investment and improvements required to ensure the long-term viability of the area as an employment location. The AAP will include proposals for transport, land use, employment areas, open spaces and other infrastructure requirements.

- 3.1 The AAP must go through a statutory process of preparation, consultation, examination in public and then finally adoption, after which it will have statutory status in decision-making in the area.
  
- 3.2 The Central Leaside Business Area lies in the south east corner of the borough and extends across the borough boundary into the London Borough of Haringey and, in small part, the London Borough of Waltham Forest. In such cases the Planning and Compulsory Purchase Act 2004 and accompanying guidance allows for and encourages joint working across local authority boundaries.
  
- 3.3 In July 2006, the LDF Cabinet Sub Committee approved Enfield's revised LDS for submission to Government Office for London which included a commitment to pursue options for joint working with the neighbouring boroughs in respect of Central Leaside. (An extract from the revised LDS is attached at Appendix 2).
  
- 3.4 Following negotiations, the London Borough of Haringey has now confirmed that it would like to proceed with joint working and the London Borough of Waltham Forest has declined, although it wishes to be consulted on the preparation of the Area Action Plan as a general consultation body. The AAP boundary will therefore be kept within the borough boundaries of Enfield and Haringey, which covers the majority of the Central Leaside area.
  
- 3.5 Preparation of the Central Leaside AAP will take place over a period of approximately three years. Both boroughs will need to approve the AAP at each of its key stages and separately adopt the final AAP as part of their individual LDF.
  
- 3.6 Consultants have been selected for the project, following a two-stage tender process. Advertisements were placed in trade press and on the Council's website requesting Expressions of Interest. Fourteen submissions were received. A rigorous assessment process was adopted according to criteria agreed with the Council's procurement team and undertaken by a panel of three. A short-list of six consultants was selected for invitation to tender. Once received, tenders were assessed based on criteria of technical capability, project delivery and value, with a 70:30 weighting for quality and price.

#### **4. MEMORANDUM OF UNDERSTANDING**

- 4.1 A framework for project management and day-to-day decision making in the form of a draft Memorandum of Understanding (MoU), was approved by the Cabinet Member for Environment & Street Scene in October 2006 and is attached at Appendix 1. The draft MoU states that Enfield would be the lead authority and main funder for the preparation of the Joint Area Action Plan. Enfield employs the project manager, will lead the procurement process for taking on consultants to carry out the work and chairs the project steering group.
- 4.2 In recognition of the sub regional importance of the Central Leaside area for regeneration, £40,000 funding has been confirmed for the project from the London Development Agency. LB Haringey will contribute £10,000 to the production of the AAP, and the remainder (approximately £95,000) to be funded by LB Enfield. The proportion of contributions between LB Enfield and LB Haringey have been determined by the fact that the majority of the study area lies within Enfield. A separate arrangement regarding contributions towards Planning Inspectorate fees will need to be reached at a later stage.
- 4.3 A formal tender process for appointment of specialist consultants to carry out the work has commenced. Consultation on a Sustainability Appraisal Scoping Report for the area to establish a baseline for future assessment is now underway. Both boroughs need to formally agree to joint working before the selected consultants can be appointed. The London Borough of Haringey is expected to formally consider the MoU and the principles of joint working in early January 2007.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 None considered.

#### **6 REASONS FOR RECOMMENDATIONS**

- 6.1 To formalise the financial and executive arrangement between the London boroughs of Enfield and Haringey throughout the preparation of the CLJAAP, and to authorise Enfield Council as the lead authority in developing the CLJAAP.

#### **7 COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

##### **7.1 Financial Implications**

The Development Plan Document (DPD) preparation and other costs have been estimated at £142,938 in total over a three-year period. The LDA has confirmed a contribution of £40,000 towards the total cost and LB Haringey

has confirmed £10,000. The remainder sum will need to be funded from the contingent sum set aside for expenditure on the Local Development Framework.

## **7.2 Legal Implications**

The Memorandum of Understanding proposed will constitute a voluntary arrangement between the Local Authorities mentioned. The MoU is intended to form the basis of a common understanding but not to create a legally binding agreement so its provisions will not be legally enforceable. However it is likely that the financial contribution will be regarded as enforceable as if it were a debt under contract law. In addition, the groups established under the Memorandum of Understanding will not have formal decision-making authority and it will be necessary for any decisions to be made at the appropriate level within the London Borough of Enfield. Once the AAP is adopted as part of the London Borough of Enfield's Local Development Framework, it will comprise the formal policy against which planning decisions need to be taken. Legal services are assisting with the drafting of the MoU, and subject to Legal agreeing the final terms, will be in a form approved by the Borough Solicitor.

The formal tender exercise was carried out in compliance with the Contract Procedure Rules and advice was sought from the Corporate Procurement Team throughout the process.

## **7.3 Property Implications**

The impact upon the asset management portfolio and strategic resources will become clear as the project develops. Constitutional requirements concerning construction procurement or estates management and development/redevelopment issues will be dealt with and resourced as they arise and will be incorporated in to the action plan framework as appropriate.

## **8 PERFORMANCE MANAGEMENT IMPLICATIONS**

- 8.1 This project will contribute to the delivery of Objective 1f (i - v) of the Council's Improvement Plan 2005 – 2008.

## **9 PUTTING ENFIELD FIRST**

- 9.1 The preparation of the LDF contributes towards the achievement of Aim 1; "A cleaner, greener Enfield", and objectives 6(a) and 6(e) "Economically successful and socially inclusive" of Putting Enfield First.

## **Background Papers**

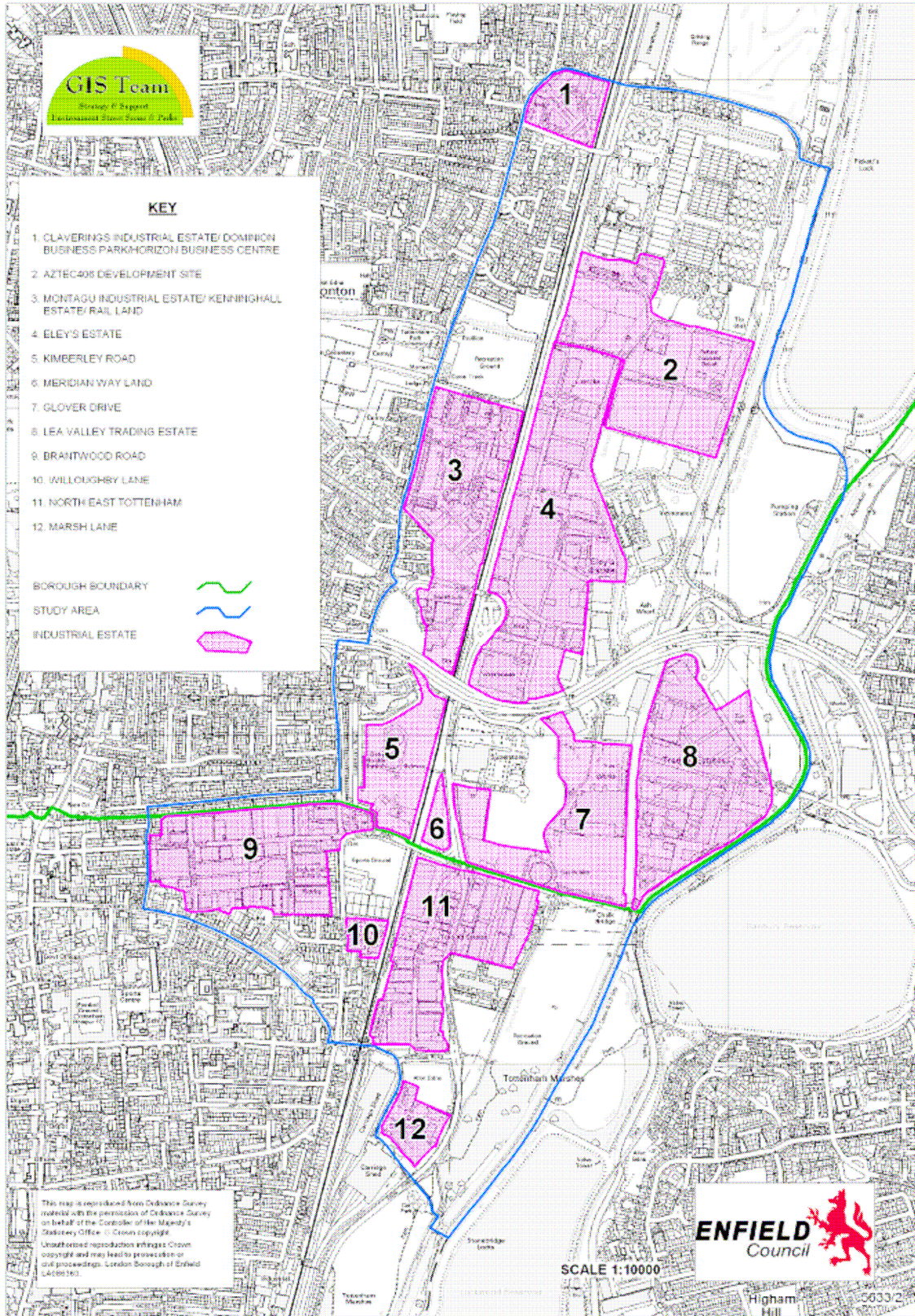
Planning Policy Statement 12 "Local Development Frameworks" ODPM 2004

Creating Local Development Frameworks – A Companion Guide to PPS 12, ODPM  
November 2004

Local Development Scheme 2006-2009, LB Enfield (2006)

Central Leaside Area Action Plan - Memorandum of Understanding between London  
Borough of Enfield and Haringey, October 2006

**APPENDIX A: STUDY AREA (PROVISIONAL)**



**APPENDIX B:  
DRAFT MEMORANDUM OF UNDERSTANDING**

1 August 2006

A MEMORANDUM OF UNDERSTANDING FOR THE CENTRAL LEESIDE CONSORTIUM

THE MEMBERS OF THE CONSORTIUM ARE:

THE LONDON BOROUGH OF ENFIELD

AND

THE LONDON BOROUGH OF HARINGEY

---

AGREEMENT RELATING TO:

The Central Leaside Area Action Plan

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Prepared by  
Legal Services

London Borough of Enfield  
Ref: 115372

**THIS AGREEMENT** is dated the \_\_\_\_\_ day of \_\_\_\_\_ 2006

**BETWEEN:**

**THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD** of Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA (the “First Authority”) and **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HARINGEY** of Civic Centre, High Road, Wood Green, London, N22 8LE (the “Second Authority”) Hereinafter referred to collectively as the "Central Leaside Consortium"

**INTRODUCTION**

- (1) The parties to this Agreement are Local Authorities who have joined together to form the Central Leaside Consortium.
- (2) The purpose of the Central Leaside Consortium is to formulate a joint area action plan for Central Leaside situated in the London Boroughs of Enfield and Haringey
- (3) Central Leaside Consortium members wish to enter into this Agreement to record their respective rights and obligations to each other.

**1. DEFINITIONS AND INTERPRETATION**

1.1 In this Agreement the words and expressions listed below shall have the following meanings:

Area Action Plan	area action plan covering Central Leaside
Central Leaside	the area comprising the industrial estates north and south of the North Circular (Angel Road) in the London Boroughs of Enfield and Haringey between the Lee Valley Regional Park and Montagu Road which forms the subject of the Area Action Plan
CLC Members	the parties to this Agreement
Consultant	any organisation, company partnership or individual with a legal identity that the Central Leaside Consortium has entered into or intends to enter into a legally binding contract with
Lead Authority	London Borough of Enfield
Milestones	milestones for the Project set out in the First Schedule



Project	the preparation of an Area Baseline Study A vision for Central Leaside, an Area Development Framework and an Implementation Plan. The Area Action Plan will be prepared in a series of stages according to the requirements of the Planning and Compulsory Purchase Act 2004 and associated regulations and guidance
Steering Group	the steering group for the Project

1.2 In the construction of this Agreement, unless the context otherwise requires:

- (a) references to legislation include all subsequent legislation amending replacing or re-enacting it and any regulation made or guidance issued under it (where appropriate);
- (b) references to Clauses, Schedules and Appendices are to clauses, Schedules and Appendices to this Agreement unless stated otherwise;
- (c) references to the masculine include the feminine and references to the singular include the plural and vice versa;
- (d) the index and headings are for ease of reference and do not affect its interpretation;
- (e) references to any party include their successors and assignees;
- (f) terms defined in any relevant guidance have the same meaning in this Agreement except where the definitions conflict when the meaning in this Agreement shall take precedence; and
- (g) references to organisations include all bodies, persons, companies, trusts and unincorporated associations

**2. DURATION**

- 2.1 This Agreement commences on 30 January 2007 and will continue until terminated in accordance with clause 8

**3. OBJECTIVES OF THE Central Leaside Consortium**

- 3.1 The objectives of the Central Leaside Consortium are to:-

- 3.1.1 Facilitate the preparation and implementation of the Area Action Plan for Central Leaside
- 3.1.2 Provide a liaison mechanism between the First Authority and the Second Authority to examine agree upon and make recommendations (to the respective decision makers of the First Authority and the Second Authority) on suitable policies and proposals to be included in the Central Leaside Area Action Plan

- 3.1.3 seek to ensure coordination between the First Authority and the Second Authority in relation to decision making processes informal and statutory consultation

#### **4. ESTABLISHMENT OF THE CENTRAL LEESIDE CONSORTIUM**

- 4.1 The CLC Members agree that this Agreement does not intend to create and nor does it create a legally binding contractual relationship between the CLC Members
- 4.2 Nothing in this Agreement shall be deemed to constitute a partnership between the CLC Members
- 4.3 Where the Central Leaside Consortium enters into a legally binding contract, each CLC Member shall become a separate party to that legally binding contract and severally liable only PROVIDED THAT in relation to appointment of the Consultant the First Authority shall enter the contract with the Consultant subject to the Second Authority making a contribution to the Consultant's fees as set out in this Agreement
- 4.4 The Central Leaside Consortium as an individual body shall have no legal existence other than that held individually by the CLC Members

#### **5. LEAD AUTHORITY**

- 5.1 The Lead Authority shall
  - 5.1.1 be responsible for tendering and appointing a Consultant (including but not limited to negotiating and entering a contract with the Consultant) to prepare a plan for transport and land use in Central Leaside with a view to the CLC Members adopting a plan and implementing the Area Action Plan
  - 5.1.2 send London Borough of Haringey a copy of the tenders and allow London Borough of Haringey to attend shortlisting meeting at the tender stage PROVIDED THAT the Lead Authority shall be responsible for appointing the Consultant in accordance with its Contracts Procedure Rules and Constitution
  - 5.1.3 manage the preparation of the plan by the Consultant and ensure that the Milestones are met and monitor Project budgets associated with the preparation of the Area Action Plan
  - 5.1.4 prepare a financial report every quarter a copy of which shall be submitted to the Second Authority

#### **6. ROLES AND RESPONSIBILITIES OF THE CLC MEMBERS**

- 6.1 The First Authority shall be responsible for settling the invoices submitted by the Consultant pursuant to the First Authority's contract with the Consultant in relation to the Area Action Plan

- 6.2.1 The Second Authority shall make a contribution of TEN THOUSAND POUNDS (£10,000) towards the Consultant's fees in three equal instalments PROVIDED THAT the Second Authority shall be responsible for this contribution even if it terminates the agreement in accordance with Clause 8
- 6.2.2 The First Authority shall invoice the Second Authority for the contribution set out in Clause 6.2.1 upon completion of each of the following Milestones:
- Production of Issues and Options Report
  - Production of Preferred Options Report
  - Final Submission of DPD
- 6.2.3 The Second Authority shall settle the invoices submitted in accordance with this sub-clause 6.2 within 14 days of receipt
- 6.2.4 For the avoidance of doubt the contribution relates to the Consultant's fees only set out in the Lead Authority's contract with the Consultant and does not include any future Planning Inspectorate's Fees or costs for additional services provided by the Consultant over and above those set out in the contract with the Consultant
- 6.3 Each of the CLC Members will be responsible for briefing its own Councillors and for ensuring decisions are made by the correct officers and Members in the First Authority and Second Authority respectively to facilitate compliance with the Milestones and implementation of the Area Action Plan
- 6.4 Each of the CLC Members will be responsible for its own statutory consultation within the timetable for production of the Area Action Plan

## **7. DISPUTE RESOLUTION**

- 7.1 Any disputes shall be notified to the Steering Group for resolution. In the event that the Steering Group cannot resolve the dispute then the following shall apply
- 7.2 The dispute shall be referred to the heads of Planning in the First Authority and the Second Authority respectively and in the event that the dispute cannot be resolved at this level then it will be referred to the Chief Executive of each of the CLC Members for resolution
- 7.3 If the dispute is not resolved to the satisfaction of both parties as provided in Clauses 7.1 and 7.2, either party may serve on the other notice to commence a mediation (the "mediation") to settle the dispute. On receipt of such notice either party may within 7 days notify and request that a mediator be appointed. Any such mediation shall be in accordance with procedural rules agreed between the parties. The mediation shall be deemed to have commenced on notification to both parties in writing of the appointment of the mediator by an appointing authority agreed between the parties and upon written confirmation having been received by the parties of the mediators acceptance of the appointment.
- 7.4 If at any time after 30 days from the commencement of the mediation no settlement has been achieved either party may refer to dispute to arbitration in accordance with

Clause 7.3 Neither party shall be entitled to commence an arbitration pursuant to Clause 7.3 unless mediation has been attempted and has, after a period of 30 days, failed to settle the dispute.

- 7.5 If the dispute is not resolved by mediation in accordance with Clause 7.3 the dispute shall be referred to a single arbitrator to be agreed between the parties, and failing such agreement, within 14 days of the request of one party to the other in writing that the matter be referred to arbitration. Such referral shall be to a single arbitrator appointed for that purpose.
- 7.6 The cost of the arbitration will be borne by the parties in equal parts Any reference to “arbitration” under this Clause shall be deemed to be a reference to arbitration within the meaning of the Arbitration Act 1996.

## **8. TERMINATION / WITHDRAWAL AND ITS CONSEQUENCES**

- 9.1 The CLC Members may terminate this Agreement at any time upon the unanimous agreement of the parties
- 9.2 CLC Members recognise that the success of the Central Leaside Consortium depends upon the mutual co-operation of all the CLC members and the withdrawal of any member may have serious administrative and financial repercussions for the remaining CLC Member and any CLC Member withdrawing from the Central Leaside Consortium shall:
- 9.2.1 give 1 months notice in writing of withdrawal to all other CLC Members
- 9.2.2 indemnify the remaining CLC Members for any expenses reasonably incurred by them as a consequence of the withdrawal.
- 9.3 Termination of this Agreement shall not prejudice or affect any right of action or remedy which shall accrue or shall thereafter accrue to either party

## **10. STEERING GROUP**

- 10.1 The Steering Group shall consist of an officer-level representative from each CLC Member and if the appointed officer is unavailable then the respective CLC Member shall send a substitute officer to the steering group meeting
- 10.2 The Steering Group shall meet as set out in the Second Schedule PROVIDED THAT additional meetings may be called by either of the CLC Members
- 10.3 The Lead Authority shall be responsible for providing a Chair for the steering group for the Project and for minute taking at all times throughout the term of this Agreement and circulating them to attendees at the Steering Group meeting
- 10.4 In the event that one CLC Member is not present at a Steering Group meeting then the absent CLC Member shall have two weeks after circulation of the minutes of the

meeting to comment on the minutes or contest a decision that has been made at the meeting.

## **11. CONFIDENTIALITY**

11.1 The CLC Members agree to keep confidential all information that is shared between them in relation to the Project and to comply with the provisions of the Data Protection Act 1998 and the Freedom of Information Act 2000.

11.2 The foregoing restriction shall not apply to:

11.2.1 information which at the time of disclosure is generally available to the public other than by breach of this Clause;

11.2.2 information which is lawfully received from a third party without restrictions;

11.2.3 information which is in possession of the receiving party (without restrictions) before the date of receipt from the disclosing party;

11.2.4 information which is required to be disclosed by law.

11.3 This Clause shall remain in full force and effect notwithstanding any termination of this Agreement.

## **12. PUBLICITY**

12.1 The CLC Members recognise their respective public reputations and legal responsibilities. Each CLC Member shall use all reasonable endeavors not to harm or compromise these.

## **13. WAIVER**

13.1 The failure of any party to this Agreement to exercise any right or remedy shall not constitute a waiver of that right or remedy. A waiver is only effective if communicated to the other parties in writing.

## **14. NOTICE**

14.1 Any notice or other document to be served under this Agreement may be delivered or sent by prepaid first class recorded delivery post or facsimile process to any of the CLC Members to be served at the address of that CLC Member identified at the head of this Agreement or at any other address or to any other fax number or address as it may have notified to the other party.

14.2 In proving service of a notice or document it shall be sufficient to prove that delivery was made or that the envelope containing the notice or document was properly addressed and posted as a prepaid first class recorded delivery letter or that the facsimile message was properly addressed and dispatched.

## **15 FORCE MAJURE**

Neither party shall be liable to the other for any failure to perform its obligations under the agreement where such performance is rendered impossible by circumstances

beyond its control but nothing in this condition shall limit the obligations of the CLC Members to use their best endeavours to fulfil their obligations under this agreement.

**16. GOVERNING LAW**

This Agreement shall be governed by and construed in accordance with English Law and the parties hereby submit to the exclusive jurisdiction of the English Courts.

**17. EXCLUSION OF THIRD PARTY RIGHTS**

17.1 Unless the right of enforcement is expressly provided, no third party shall have the right to pursue any right under this Agreement pursuant to the Contracts (Rights of Third Parties) Act 1999.

**18. DOCUMENTATION**

18.1 Either party shall be entitled to use the reports produced by the Consultant in connection with development and implementation of the Area Action Plan only including but not limited to use of the reports during any consultation period leading up to implementation of the Area Action Plan subject always to compliance with the terms of this agreement and any requirements imposed by the Consultant and any statute or other regulations in relation thereto

**IN WITNESS WHEREOF THE PARTIES HAVE SET THEIR HANDS TO THIS AGREEMENT THE DAY AND THE YEAR FIRST ABOVE WRITTEN**

**Signed on behalf of  
The Mayor and Burgesses  
of the London Borough of Enfield**

by

\_\_\_\_\_  
**Authorised Officer**

**Signed on behalf of  
The Mayor and Burgesses  
of the London Borough of Haringey**

by

\_\_\_\_\_  
**Authorised Officer**

FIRST SCHEDULE

MILESTONES FOR THE PROJECT

**Appointment of Consultant**

**Jan 2007**

**Baseline Information gathering by the Consultant  
and assessment of issues  
Production of Issues and Options Report  
Completion of Preferred Options Report  
Statutory Consultation on Preferred Options Report  
Submit Area Action Plan**

**March 2007  
May 2007  
August 2007  
Sept/Oct 2007  
Jan 2008**

**SECOND SCHEDULE**

Steering Group Meetings

**Meetings of the Steering Group shall take place at the following stages during the Project:-**

**Project inception  
Baseline Stage  
Issues and Options  
Preferred Options  
Submission of Final report stage-**

**APPENDIX 2 *Extract from revised LDS 2006 –9***

**B6. CENTRAL LEESIDE BUSINESS AREA ACTION PLAN**

<b>PURPOSE</b> To provide a planning framework for development and regeneration in the Central Leaside Business Area.
<b>STATUS</b> Development Plan Document.
<b>CHAIN OF CONFORMITY</b> To conform with the Core Strategy.

<p><b>CONTENT</b></p> <p>The CLBA comprises a series of industrial areas lying within the South East of the Borough and extending into the neighbouring boroughs of Haringey and Waltham Forest. It is identified as a Strategic Employment Location in the London Plan and as priority area for investment by the London Development Agency (LDA). The area suffers from poor environmental quality and infrastructure and is subject to pressures for other land uses. In partnership with the LDA and adjoining boroughs and in the context of the London - Stansted - Cambridge Growth Corridor and the London Plan's Upper Lee Valley Opportunity area, this action area plan will ensure the coordination of regeneration initiatives underway in the different estates that comprise the CLBA. It will ensure that new developments are properly co-ordinated with the transport infrastructure and that opportunities for sustainable forms of freight transport in the area are fully exploited. Further details are attached in Annex A.</p>
<p><b>GEOGRAPHICAL COVERAGE</b></p> <p>Land in the south-east of the Borough, including the Montagu, Kenninghall, Eleys, Angel, and Lee Valley industrial estates.</p> <p>The general location of the Area Action Plans is shown in Appendix 2.2.</p>
<p><b>JOINT PRODUCTION WITH ANOTHER LOCAL PLANNING AUTHORITY</b></p> <p>Yes, with the London Boroughs of Haringey and Waltham Forest</p>
<p><b>TIME PERIOD</b></p> <p>10 years from the date of adoption.</p>
<p><b>REVIEW TIMESCALE</b></p> <p>Annual monitoring of developments and achievements within the area via Annual Monitoring Report, reviewed as required.</p>
<p><b>TARGET MILESTONES/COMPLETION DATES</b></p> <ul style="list-style-type: none"> <li>• Preparation of Sustainability Appraisal Report – <b>October – December 2006.</b></li> <li>• Public consultation on Preferred Options - <b>October - November 2007.</b></li> <li>• Submission of DPD to SofS – April <b>2008.</b></li> <li>• Examination period – <b>estimated November/December 2008.</b></li> <li>• Adoption – <b>estimated July 2009.</b></li> </ul>
<p><b>UDP REPLACEMENT</b></p> <p>Subject to the outcome of public consultation, the CLBA Action Plan will replace the Proposed Leaside Simplified Planning Zone, and that land formerly in industrial and utility use, shown as being intended for development (Sites 8/E, 10/E, 11/E, 12/E, 13/E and 14/E).</p>
<p><b>ARRANGEMENTS FOR PRODUCTION</b></p> <p><b>Consultancy to be retained.</b></p> <p><b>Lead Team</b> – Planning Policy Team.</p> <p><b>Steering Group</b> to oversee production and commissioning of external consultants to include representatives from:-</p> <ul style="list-style-type: none"> <li>• LB Haringey.</li> <li>• LB Waltham Forest.</li> <li>• London Development Agency.</li> <li>• Regeneration Team.</li> <li>• Development Control.</li> <li>• Transportation Planning.</li> <li>• Planning Projects Team.</li> </ul>



## MUNICIPAL YEAR 2006/2007 REPORT NO. **193**

**MEETING TITLE AND DATE:**

Cabinet 18<sup>th</sup> January 2006

Council 24<sup>th</sup> January 2006

**REPORT OF:**

Director of Environment, Street Scene and Parks

<b>Agenda – Part: 1</b>	<b>Item: 13</b>
<b>Subject: Adoption and application of new Dog Control Orders</b>	
<b>Wards: All</b>	
<b>Cabinet Member consulted: Cllr Terence Neville</b>	

Contact officer: Ray Brewer 020 8379 3790 or e mail: [ray.brewer@enfield.gov.uk](mailto:ray.brewer@enfield.gov.uk)

### 1. EXECUTIVE SUMMARY

This report seeks authority to introduce Dog Control Orders, which replace the previous system of park byelaws for the control of dogs, and also dog fouling under the Dogs (Fouling of Land) Act, which has now been repealed.

The adoption of these powers requires the consent of the full Council.

### 2. RECOMMENDATIONS

- 2.1 Subject to statutory consultation procedures, that the Dog Control Orders as they apply to dog fouling, the banning of dogs from certain enclosed areas in parks and the control of dogs - in parks and open spaces as shown at paragraphs 3.6 to 3.9 be adopted. Maps showing the designated areas will be placed in the Members Library and Group Offices.
- 2.2 The Authority to designate officers to enforce the provisions of the Act be delegated to Directors.

### **3. BACKGROUND**

3.1 This report relates to two categories of offences relating to dogs. The first is the control of dogs in parks and open spaces and the second is dog fouling for the whole of the borough.

3.2 The need to have powers to control dogs in parks came to notice with the recent proposal to update the park byelaws. The current 1968 byelaws cover some offences relating to dogs but the new proposed park byelaw model sets, as supplied by the Department of Communities and Local Government (DCLG) and Department for Environment, Food and Rural affairs (DEFRA), do not include offences relating to dogs as those offences are now covered by other legislation. Should the new park byelaws be adopted then the current byelaws will be revoked so there will be no byelaws relating to the control of dogs.

3.3 The Clean Neighbourhoods and Environment Act 2005 replaces the previous system of dog byelaws with "dog control orders". Under this local authorities are able to provide by order for the following prescribed offences to apply in designated land in their area.

- Failing to remove dog faeces
- Not keeping a dog on a lead
- Not putting and keeping, a dog on a lead when directed to do so by an authorised officer
- Permitting a dog to enter land from which dogs are excluded
- Taking more than a specified number of dogs onto land

#### **3.4 Failing to remove dog faeces**

Dog fouling is a problem throughout the borough. Currently under the Dog (Fouling of Land) Act 1996 the whole of the borough is currently a designated zone with the exception to those areas to which the act does not apply.

The Dog (Fouling of Land) Act 1996 has now been repealed by the Cleaner Neighbourhoods and Environment Act 2005 and replaced by a dog control order.

#### **3.5 Permitting a dog to enter land from which dogs are excluded**

It is proposed the only areas for dogs to be totally excluded are enclosed areas where predominately they are for the sole use of children or are for a particular sporting or leisure purpose, such as children's playgrounds, multi

use games areas, splash pads and tennis courts. See Appendix 1 and maps for the areas to which dog bans will apply.

Currently in the borough's parks and open spaces there is evidence of owners letting their dogs in such areas and causing problems for those legitimately using them.

Having dogs banned from such enclosed areas is necessary and proportionate to deal with the problems and such areas follows the guidance where it states 'Authorities should consider how easy a Dog Control Order is to enforce, particularly in the case of orders that exclude dogs completely from areas of land. These will be easier to enforce where the land is enclosed'.

### **3.6 Not keeping a dog on a lead**

Parks, and open spaces are areas where dog owners regularly enjoy and exercise their dogs, normally, without problem. To implement a 'dogs on lead order' is only feasible in a well-signed and easily defined area, where there is evidence of the need to place all dogs under strict control. It is believed no such case has yet been made for the vast majority of the borough's parks and open spaces. It is the view at this time that the only areas in parks that warrant keeping dogs on a lead at all times are small enclosed garden type areas and the walled garden in Forty Hall. These areas are small and enclosed and evidence a need to have dogs under strict control due the type of environment. See Appendix 2.

### **3.7 Not putting and keeping, a dog on a lead when directed to do so by an authorised officer**

This is the control order sought for all parks and open spaces. It allows for owners to have dogs off lead unless directed to place a dog on a lead by an authorised officer. (Authorised officer includes Police Constables and Police Community Support Officers). This order caters for the majority of careful owners but gives power to direct a dog to be put on a lead where there is inappropriate control or behaviour of the dog. It would be then an offence not to put or keep a dog on a lead when directed to do so. See Appendix 3.

### **3.8 Taking more than a specified number of dogs onto land**

After consultation it appears that there is not the need at this time to adopt a control order to limit the number of dogs in the control of one person, as to date this has not been a real issue in any of the borough's parks and open spaces.

3.9 Approval is sought for the adoption of the three Dog Control Orders in respect to Enfield's parks and open spaces

1) Permitting a dog to enter land from which dogs are excluded

2) Not keeping a dog on a lead

3) Not putting and keeping, a dog on a lead when directed to do so by an authorised officer

and a fourth control order in respect to dog fouling for the whole of the borough of Enfield.

The new orders are required to assist in ensuring that all Enfield's parks and open spaces are safe, well used and pleasant areas in which to work, rest and play and are protected by up to date and effective laws.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

None.

#### **5. REASONS FOR RECOMMENDATIONS**

5.1 It is recommended that the new Dog Control Orders be adopted. The Dog Control Orders include the majority of offences that are currently committed or likely to be committed by dog owners in Enfield's parks and open spaces. The Control Orders attract a level 3 fine, or for the issue of an £80 fixed penalty notice (set by Cabinet in June 2006).

5.2 Enforcement can be carried out by employees of a local authority authorised for this purpose. Once approval is given, individual Directors shall decide which officers are to be authorised. Sec 62 of the Act extends the powers to Police Community Support Officers and other persons accredited by Chief Officers under the Police Reform Act 2002.

5.3 The Scheme will allow the new Control Orders to be introduced as soon as it is legally possible. The adoption of these powers does not now require the approval of the secretary of state for DEFRA.

#### **6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS**

##### **6.1 Financial Implications**

6.1.1 As the costs of enforcement can be met from existing cash limits, there is expected to be no impact on the revenue budget.

## **6.2 Legal Implications**

- 6.2.1 Section 55 of the Clean Neighbourhoods and Environment Act 2005 gives the power for the Council to make an order providing for an offence or offences relating to the control of dogs. Under Section 57 of the Act a Dog Control Order can be made in respect of any land which is open to the air and to which the public are entitled or permitted to have access.
- 6.2.2 The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 provides for the five offences detailed in paragraph 3.4 of this Report. These Regulations also provide for a maximum penalty of £1,000 for committing an offence and, alternatively, the opportunity to pay a fixed penalty in place of prosecution.
- 6.2.3 The procedure for making a Dog Control Order is set out in the Dog Control Orders (Procedures) Regulations 2006 and is briefly described at paragraph 3.11.
- 6.2.4 According to DEFRA guidance, it is important when considering a Dog Control Order to be able to show that it is a necessary and proportionate response and that there is a balance between the interests of those in charge of dogs and those affected by the activities of dogs.

## **7. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 7.1 The introduction of new Pleasure ground byelaws will improve the experience of park users and cause Enfield's parks and open spaces to become more family friendly.

## **8. PUTTING ENFIELD FIRST**

These proposals contribute to the aims of 'A safer Enfield to Live, Work, Study and do Business' – 'Supporting the Delivery of Excellent Services and Improving Quality of Life'.

### **Background Papers**

DEFRA guidance on Dog Control Orders, Sections 55 to 67 of the Clean Neighbourhoods and Environment Act 2005.

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## **SCHEDULES**

### **SCHEDULE 1**

#### **GROUND'S CONTAINED AREAS TO WHICH DOG CONTROL ORDERS - DOG BANS APPLY**

Albany Park  
Aldersbrook Avenue Recreation Ground  
Arnos Park  
Aylands Open Space  
Boundary Playing Fields  
Boxers Lake Open Space  
Bramley Road Sports Ground  
Broomfield Park  
Bury Lodge Gardens  
Bush Hill Park  
Church Street Recreation Ground  
Churchfields Recreation Ground  
Craig Park  
Cuckoo Hall Recreation Ground  
Delhi Gardens  
Durants Park  
Elsinge Golden Jubilee Park  
Forest Road Golden Jubilee Park  
Grovelands Park  
Hadley Wood Open Space  
Hazelwood Sports Ground  
Hood Avenue Open Space  
Ivy Road Open Space  
Jubilee Park  
Ladysmith Road Open Space  
Lee Road Open Space  
Montagu Recreation Ground  
North Enfield Recreation Ground  
Oakwood Park  
Painters Lane Open Space  
Plevna Road Open Space  
Ponders End Recreation Ground  
Prince of Wales Field  
Pymmes Park  
Raynham Doorstep Green Park  
Soham Road Recreation Ground  
St. David's Park

Tatem Park

Town Park

Waltham Gardens

Warwick Fields Open Space

Weir Hall Recreation Ground

Wilbury Way Open Space



## **SCHEDULES**

### **SCHEDULE 2**

#### **GROUNDS TO WHICH DOG CONTROL ORDERS - DOGS ON LEADS**

##### **APPLY**

Bush Hill Gardens

Cambridge Gardens

Chase Green Gardens

Delhi Gardens

Forest Road Golden Jubilee Park

Forty Hall Park Estate – walled garden

Minchenden Oak Gardens

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## **SCHEDULES**

### **SCHEDULE 3**

#### **GROUND TO WHICH DOG CONTROL ORDER, DOGS ON LEADS – BY DIRECTION APPLY**

Albany Park  
Aldersbrook Avenue Recreation Ground  
Alma Road Open Space  
Ansells Green open space  
Arnos Park  
Aylands Link Open Space  
Aylands Open Space  
Barrowell Green Open Space  
Boundary Ditch Open Space  
Boundary Playing Fields  
Bourneside Sports Ground  
Boxers Lake Open Space  
Brackendale Sports Ground  
Bramley Road Sports Ground  
Broomfield Park  
Bulls Cross Field  
Bury Lodge Gardens  
Bush Hill Park  
Camlet Way Open Space  
Cenotaph Gardens  
Chase Green Open Space  
Cheyne Walk Open Space  
Church Street Recreation Ground  
Church Street Tennis Recreation Ground  
Churchfields Recreation Ground  
Clowes Sports Ground  
Cockfosters Sports Ground  
Conical Corner Open Space  
Cosgrove Close Open Space  
Conway Road Recreation Ground  
Covert Way Field  
Craig Park  
Cuckoo Hall Recreation Ground  
Durants Park  
Elsinge Golden Jubilee Park  
Enfield Playing Fields  
Firs Farm Sports Ground

Florence Hayes Recreation Ground  
Forty Hall Park Estate  
Freston Gardens  
Gladbeck Way Open Space  
Gough Park  
Grovelands Park  
Grove Road Open Space  
Hadley Wood Open Space  
Hazelwood Sports Ground  
Hillyfields  
Hoe Lane Open Space  
Holmesdale Tunnel Open Space  
Hood Avenue Open Space  
Hounsdon Gutter Open Space  
Hounsdon Spinney Open Space  
Inverforth Road Open Space  
Ivy Road Open Space  
Jubilee Park  
Kenninghall Open Space  
King George's Field  
Ladysmith Road Open Space  
Lakeside Open Space  
Lee Road Open Space  
Library Green Open Space  
Montagu Recreation Ground  
Montagu Recreation Ground Annex Open Space  
New River Loop Open Space  
North Enfield Recreation Ground  
Oakwood Park  
Odeon Gardens  
Old Railway Ground Open Space  
Painters Lane Open Space  
Platts Road Open Space  
Plevna Road Open Space  
Ponders End Recreation Ground  
Prince of Wales Field  
Provident Park  
Pymmes Park  
Raynham Doorstep Green Park  
Riverdale Court Open Space  
Riverfront Open Space  
Riverside Park  
Riverside Walk Open Space  
Salmons Brook Footpath

Soham Road Recreation Ground  
St. David's Park  
St. James's Open Space  
St Michael's Green Open Space  
Tanners End Open Space  
Tatem Park  
The Dell Open Space  
The Strays Open Space  
The Warren Footpath  
Tile Kiln Lane Open Space  
Tottenham Sports Ground  
Town Park  
Trinity Street Open Space  
Turin Road Open Space  
Victoria Road Garden  
Waltham Gardens  
Warwick Fields Open Space  
Weir Hall Recreation Ground  
Whitewebbs Park  
Whitewebbs Golf Course  
Wilbury Way Open Space  
Winchester Road Garden  
Woodcroft Sports Ground  
Woodlands Open Space  
Worlds End Lane Open Space

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### **COUNCILLORS' QUESTIONS**

#### **Question 1 from Councillor Lee Chamberlain to Councillor Terence Neville, Cabinet Member for Environment and Street Scene:**

"Would Councillor Neville please outline the progress on manifesto commitments which relate to his brief?"

#### **Reply from Councillor Neville:**

In terms of progress on each of the manifesto commitments made for 2006 I would comment as follows:

#### **Replace all Street Lighting:**

Our £23m PFI Street Lighting Programme is well underway and the roll out of the first year's programme has begun. We are currently doing works in Cockfosters, Southgate and Chase; in the region of 200 lamp columns have now been replaced. The next group of wards are likely to be Enfield Highway, Ponders End and Turkey Street. This work is being co-ordinated with the £13.4m being spent in 2006/7 on our footways and highways.

#### **Protect our Green Belt:**

Through the work of our Environmental Crime Unit we continue to pursue prosecutions for planning infringements in the Green Belt. We have had a number of successful prosecutions including joint work with the Environment Agency.

#### **Prosecute those who Drop Litter:**

The Environmental Crime Unit (ECU) and the Safer Neighbourhood Parks Unit (SNPU) both give attention to litter prosecutions. I was particularly pleased that the ECU secured a successful prosecution against a motorist for throwing a cigarette butt from a car window. The SNPU has issued 61 fixed penalty fines for littering and the ECU has issued 36 fixed penalty fines for littering.

#### **Prosecute those who flout Planning Laws:**

The current figures of ECU prosecutions on Planning Law infringements show a 30% increase in planning enforcement investigations and a 30% increase in number of notices issued for breach of development control.

#### **Provide more Cycle Racks in Town Centres:**

Cycle Racks have been provided within the new Enfield Town Phase II development and are being provided at all stations within the borough. We will continue to implement further cycle racks elsewhere in the borough as required.

#### **Demand Improvements to the North Circular Road:**

I continue to press our case at local, regional and national level for improvements to the North Circular Road. We are currently consulting with residents about the £4m programme to improve conditions on the surrounding residential roads. We have used our Planning powers to persuade TFL to improve their properties situated around the North Circular Road. We also used our Environmental Powers to pursue clean ups in the area and install Gating Schemes.

**Build a new Public Park in Bury Street:**

We are drawing up plans for consultation on creating a new public park in Bury Street including closing down our depot on the site.

**Invest in our Roads, Footpaths and Parks:**

We have in 2006/7 the highest level of capital investment in our footpaths and roads of our Administration, which allied with our PFI Lighting Programme, will create substantial levels of investment in our highways infrastructure. In respect of Parks, we would currently propose expending £2m capital in 2007/8 on a range of works designed to improve and enhance our parks and open spaces.

**Maintain the number of Street Trees:**

We have already doubled the street tree budget for the authority and are considering increasing this still further. Additional investment is proposed for the Greening of our Urban Areas and additional tree planting programmes will be a major part of this.

**Improve Traffic Flows:**

Our Local Implementation Plan (LIP) submitted this year to Transport for London (TfL) was fully based on the policies of this Administration to reduce congestion and improve traffic flow. I have personally met with senior officers from TfL to explain and promote the policies of this Borough. We are commencing in early 2007 a full Borough wide consultation on traffic that will influence our policies for 2007-2010. In respect of accidents I am pleased that we have now the lowest accident rate in the Borough for 40 years.

As part of our commitment to the Borough we have continued to invest in Recycling. I am pleased to use this opportunity to inform Council that for 2005/6 we are receiving £1.966m in Recycling Credits from the North London Waste Authority.

We are also showing improved public satisfaction levels, improved performance indicators and are meeting government statutory targets.

I think that the above shows that we are meeting our manifesto commitments for 2006-2010 as we did for 2002-2006. The financial policies of the Council are geared to meeting these commitments and I remain fully focused on achieving them.



**Question 2 from Councillor Doug Taylor to Councillor Michael Rye, Leader of the Council:**

“Does Councillor Rye believe that the residents of Enfield will support his administration’s decisions to reduce the size of Enfield Town Park by selling off the land temporarily used for car parking during the Enfield Town redevelopment?”

**Reply from Councillor Rye:**

“The 0.8 acres of land in Cecil Road was in fact occupied by houses when it was purchased, in a number of transactions, for the specific purpose of providing a temporary car park for the redevelopment of Enfield Town. It has never been part of the Enfield Town Park. As Members know, the current Administration had to work hard to make sure that the Enfield Town project actually succeeded. It was left, by Labour, as an unfunded white elephant that would have seen the Carnegie Library close, along with all of the other major libraries in the Borough. We have worked to ensure that the Carnegie Library remains open – and indeed is being refurbished to 21<sup>st</sup> century standards, and that the new Civic Facility (Thomas Hardy House) is both affordable and a useful asset for the entire community. We have worked with the developers to make the new Palace Exchange shopping centre into a tremendous success.

Councillor Taylor knows well that this land was never part of the park. It has never had the status of Metropolitan Open Land, and its use as a temporary car park allowed the redevelopment of Enfield Town to be completed with only minimal disruption to trade in the town. He also knows that the current Administration has created three new parks in the east of the Borough and that we are currently finalising plans to create a fourth new park at Bury Street.

The land at Cecil Road was acquired at residential values and it is reasonable that, with the completion of Palace Exchange, the Council recoups that investment. This will help fund the continued improvement of Enfield Town including a new entrance to the Park. Subject to a forthcoming agreement, part of the site may be used to rebuild the church that was demolished further to the east on Cecil Road.”

**Question 3 from Councillor John Boast to Councillor Michael Lavender, Deputy Leader:**

“What have been the costs to the council in the last financial year of providing monitoring information for Central Government Inspections?”

**Reply from Councillor Lavender:**

“The answer is, I am glad to say, a marginal cost of zero. There is a simple reason for this. This Council has a turnover of £1 billion and is charged with serious responsibilities. It is vital that we have detailed, accurate and timely information available to decision makers to ensure the best use of resources in meeting our objectives. This is the driver for our performance management arrangements. We do not collect performance information purely for its own

sake, or to satisfy the Government's Inspectors. The Government's Inspectors are important, and their praise for the Council's improvement is welcome. However the real inspectors are the residents of this Borough and the effective management information is a vital tool in ensuring we meet their high standards.

Much of what we are asked for by the Government is overly detailed. However it is all readily compiled from the Council's very cost-effective performance management systems."

**Question 4 from Councillor Bambos Charalambous to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

"Can he tell me where in Enfield local residents on low or modest incomes can play squash and how does the closure of Bramley Squash and Bowling Centre comply with the Enfield's Sport & Physical Activity Strategy 2005-2008?"

**Reply from Councillor McCannah:**

"Enfield Leisure Centres Ltd (ELCL) was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. This advice was given by officers in paragraph 7.1 of the report to the Leisure Services Trust Panel of 9<sup>th</sup> June 1999 of which you were Lead Member. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

Residents can play squash/racquetball at Edmonton Squash Club, Hazlewood Lawn Tennis and Squash Club and Southgate Cricket and Squash Club. Those players who have used the Bramley Road Squash facility in the past have been directed to the Southgate Cricket and Squash Centre. It is in the interests of the Council to consolidate its resources and offer leisure provision to as wide a section of the community as it possibly can. The bowls club remains open."

**Question 5 from Councillor Peter Fallart to Councillor Matthew Laban, Cabinet Member for Housing:**

"Would Councillor Laban outline the feedback received from Council Tenants on this year's rent setting consultation?"

**Reply from Councillor Laban:**

"The feedback from tenants concerned issues relating to:

**What is the purpose of consultation since the Council has very little power to set the rents chargeable?**

Officers reminded residents that rent levels are governed by a formula set by the Government with no scope for variation by the Authority. Consultation with tenants and leaseholders by the Authority is an expectation from Government.

**What other ways of consulting with residents had been considered?**

As well as presentations at meetings specifically arranged for residents, presented at Community Housing Partnership (CHP) meetings, the Tenant Involvement Unit used their network database to contact tenants/leaseholders and Federation of Enfield Community Associations (FECA) was approached for their views on the rent setting reports.

**Residents were concerned about the level of negative subsidy that the Authority continues to pay to Government.**

Officers assured residents that the calculation of the subsidy payment was again based on Government derived formulae.

**Residents were concerned about receiving Value for Money (VFM) in respect of estate services. Caretaking and grounds maintenance were mentioned in particular.**

Officers are reviewing how these services are offered and will consult residents about possible enhancements in due course.

**Residents also expressed concern about the potential rise in fuel bills.**

Officers assured residents that only the fuel cost of providing heating was being charged to the heating accounts. They also noted that indicative increases in bulk fuel charges are running at around 35% at present.

**The condition of garages is an issue for some residents. They noted that high numbers seemed to be unusable.**

Officers assured residents that the condition and best use of our stock, including garages, will be reviewed as part of developing and implementing our Housing Residents Account (HRA) asset management strategy.

**Question 6 from Councillor Bambos Charalambous to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

“What is happening to the proceeds of sale of the assets being stripped of Edmonton Leisure Centre? Where is that money going?”

**Reply from Councillor McCannah:**

“Enfield Leisure Centres Ltd (ELCL) was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. This advice was given by officers in the paragraph 7.1 of the report to

the Leisure Services Trust Panel of 9<sup>th</sup> June 1999 of which you were Lead Member. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

Edmonton Leisure Centre is an out-of-date facility. This is why a new state-of-the-art leisure centre will be opening this spring. The proceeds from the sale of the assets – which are expected to be modest - will of course help reduce the operational costs of bailing out Enfield Leisure Centres Ltd – an independent company that went bust with a deficit of over £700,000. This is a company in liquidation of which Councillor Charalambous remains a director of. The reasons why the company traded into such a deficit are of course being investigated by the Liquidators. Unfortunately the assets relating to the Edmonton Leisure Centre were overshadowed by liabilities – including the shameful fact that Enfield Leisure Centres Ltd – of which Councillor Charalambous was and remains a director – failed to communicate in any way over a period of years with their tenant Mr. Louis Chrysanthou of the Funhouse, who was left high and dry and facing the loss of his livelihood, until the Council stepped in to ensure that he was safely able to surrender his business.”

**Question 7 from Councillor Edward Smith to Councillor Glynis Vince, Cabinet Member for Education and Children’s Services:**

“Would Councillor Vince comment on the recent 2006 Annual Performance Assessment of Services for Children and Young People, carried out by OFSTED and CSCI, inspection of Children’s Services?”

**Reply from Councillor Vince:**

“I am pleased to have the opportunity of highlighting the outcome of the Annual Performance Assessment (APA) of services for children and young people.

The APA confirms that Enfield Council delivers a good service for children and young people. This overall judgment is underpinned by 'good' judgments for the Council's contributions to each of the five inspection areas 'Being Healthy', 'Staying Safe', 'Enjoying and Achieving', 'Making a Positive Contribution' and 'Achieving Economic Well-being'. Our capacity to further improve services is also considered good.

The inspectors' letter has been published on the Council's website

I am particularly pleased that we have been able to build so quickly and effectively on last year's successful Joint Area Review.

But of course we all know there's more to do to further develop and improve our services.”

**Question 8 from Councillor Jeff Rodin to Councillor Michael Rye, Leader of the Council:**

“Can Councillor Rye tell me how much in payments has been paid to Enfield Leisure Centres Limited (ELCL) in liquidation or Vantis since 3 September 2006 and what those payments were for, broken down on a monthly basis where appropriate and including any base management fee, enhanced management fee and the liquidation fee?”

**Reply from Councillor Rye:**

“Enfield Leisure Centres Ltd (ELCL) was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

I can inform Councillor Rodin of the costs of this failure of Labour policy. The major element in the payment to Enfield Leisure Centres Ltd (in liquidation) is the deficit as at 3<sup>rd</sup> September 2006 of £675,904. This was the figure calculated by ELCL. This was of course a shocking figure. However the Liquidators’ investigations, as noted in their “Joint Liquidators’ Estimated Statement of Affairs, under “Trade Debtors”, revealed the truth was even worse:

“The declaration of solvency recorded trade debts with a book value of £248,970 and an estimated to realise value of £224,073. Upon review, I consider that a true book value should have been £141,687.”

The debtors figure – money supposedly owed to ELCL, and thus propping up its balance sheet – was overstated by ELCL by 60%.

As you can appreciate the liquidators have had to invest time and expertise in sorting out the shambles left by the management of ELCL. Apart from anything else they had to disentangle the company from their disastrous adventure in East Hertfordshire. Precisely what a “community enterprise” based in Enfield was doing in East Herts, and at such cost, could perhaps be answered by the former managers of ELCL and their champions. The liquidators are certainly bound to be interested in the answer. The expertise needed to clean up this mess sadly costs money and the enhanced management fee, which includes all liquidators costs, for each of the four months from September has been £127,660. The base management fee is £102,325. Within the enhanced management fee the liquidator’s fees have been on a steadily reducing trend, and the payment in December was £50,000 (£96,194; £75,725 and £64,832 in the preceding months).”

**Question 9 from Councillor Pam Adams to Councillor Michael Lavender, Deputy Leader and Cabinet Member for Finance and Resources:**

“ Will Councillor Lavender comment on recent letters in the local press regarding the financial impact of the liquidation of Enfield Leisure Centres

Limited on the council's finances and the reported closure of facilities in particular the old Edmonton Leisure Centre?"

**Reply from Councillor Lavender:**

"Enfield Leisure Centres Ltd (ELCL) was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

It seems unfortunate that one particular local newspaper sees fit to publish not only a series of one-sided and misleading letters, but that it should also publish even more one-sided and misleading articles based on information from unattributed sources. Some of these letters are written by persons who were board members of this failed company. At least they have the guts to append their names to the letters, even if they do not make clear their former status. It has been suggested that the sources for the series of inaccurate articles are the former paid directors of the failed company Enfield Leisure Centres Ltd. As Members know, the directors of this company claimed that it was trading solvently only shortly before it went into liquidation owing almost £700,000. These people are hardly unbiased witnesses. In fact they are the directors of a company that went into liquidation – now an insolvent liquidation – due to their failures, including their failure to manage the company and their failure to properly account for its financial affairs – as revealed in the report to creditors of the Joint Liquidators of the company. They are subject to a statutory investigation and I think it is about time they stopped trying to blame other people for their failures."

**Question 10 from Councillor Doug Taylor to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

"Can Councillor McCannah explain to me what background checks were made in advance of the appointment of Vantis, what expertise Vantis has in leisure management and whether he is satisfied to date with all aspects of the way that they have handled the management of the leisure centres in Enfield?"

**Reply from Councillor McCannah:**

"Vantis are a large limited liability partnership of Chartered Accountant and Licensed Insolvency Practitioners. They are officers of the court and have been properly appointed by ELCL. Their appointment will be subject to approval by creditors. They have a specialism in advice to not-for-profit organisations. As Members may recall they liquidated the Millfield Leisure Trust – another of Labour's failures – and helped us bring it back under local democratic control as a successful community theatre. As Liquidators they have appointed an experienced and extremely able Operations Manager to run and develop the leisure centres. The Operations Manager has brought a degree of competence

and management skill to the leisure centres that they have plainly been lacking for some time.”

**Question 11 from Councillor Henry Pipe to Councillor Michael Lavender, Deputy Leader and Cabinet Member for Finance and Resources:**

“Does Councillor Lavender endorse London Councils’ response to the 2007/08 Provisional Local Government Finance Settlement?”

**Reply from Councillor Lavender:**

“I do indeed endorse the response. As Members know, London Councils, until recently known as the Association of London Government (ALG), is now chaired by Councillor Merrick Cockell, the Leader of the Royal Borough of Kensington & Chelsea. In my opinion the ALG had a serious weakness in that, seemingly out of loyalty to the Labour Government, it failed to defend the interests of London Boroughs when responding to the Finance Settlements. Famously there was one occasion where the Chairman of the time, Sir Robin Wales of Newham, welcomed the settlement with gushing sycophancy when it had in fact delivered a crushing blow to the finances of his own authority. Time after time, the ALG failed to defend the interests of London Boroughs and the communities and people of this great metropolis, while the Labour Government diverted money to its declining fiefdoms in the North. Remember that Labour’s zeal to send money to the North meant that £340 million was removed from Children’s Services in London in 2006-7 alone. Indefensible, from a party that claims to care about child poverty.

The response to the 2007-8 Settlement was robust, well argued, well presented and constructive. It set out very clearly the pressures faced by London Boroughs. These issues include the disproportionate impact of Single Status on many authorities; the “cost shunting” from the NHS to boroughs caused by Labour’s mismanagement of our Health Service; the costs flowing from supporting unaccompanied asylum seekers, young asylum seekers leaving care as well as destitute asylum seekers and failed habitual residents; the impact of cuts for support for providing accommodation for the homeless. There are many others.

The response also points out the complete inadequacy of the Government’s attempts to properly measure the population of London and the fact that international migrants say they intend to stay for less than a year then they are not counted for the purpose of actually imposing any costs. As Members’ can imagine, the number of international migrants moving to this dynamic world city is somewhat greater than those heading to Northern cities. They come here, they contribute, but we have to provide services to them, but they do not count as far as the Government is concerned.

The response also includes a plea for the Government to look at the Area Cost Adjustment. As Members may recall the iniquities of this system, which claims Enfield is in East London, means that this Council has over £10 million less to spend each year.

My only caveat is the emphasis on those authorities affected by the “Grant Floor”. In fact I have argued that the “Grant Ceiling” is the greater iniquity as it means that the Government are saying, “Look you need to spend an extra £8.5 million on the basis of our own formulae...but we’re not going to give it to you, in fact we’re going to give you only £4.1 million”. I accept the point in the response about capping – after all did not the great John Prescott, the Deputy Prime Minister, not abolish capping in those first heady days of New Labour? – However it is of little relevance to Enfield as we intend to set an increase in Council Tax no greater than the rate of Retail Price Inflation.

With those minor reservations, I strongly recommend the response to all Members and have asked that it is appended to this answer (Page 127).”

**Question 12 from Councillor Jayne Buckland to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

“Could Councillor McCannah explain to me what the agreement entered into with St Modwens intended as far as the seamless provision of a leisure centre in Edmonton?”

**Reply from Councillor McCannah:**

“Councillor Buckland asks this question in the context of the bankruptcy of Enfield Leisure Centres Ltd (ELCL). ELCL was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

The development agreements entered into with St Modwens make no specific reference to a seamless provision of a leisure centre.

The agreements were drafted around the provision of the new facility to an acceptable standard and specify the mechanics for ensuring vacant possession of the existing facility.

The agreement did not envisage the circumstances wherein Enfield Leisure Centres Ltd went into liquidation – now Creditors’ Voluntary Liquidation of course – owing such a large deficit and delivering such a unwanted legacy of debt and cost to the Community.”

**Question 13 from Councillor Eric Jukes to Councillor Alan Barker, Cabinet Member for Adult Social Service:**

“Would Councillor Barker inform the Council of the recent CSCI (Commission for Social Care Inspection) annual performance judgment on Adult Social Services in Enfield?”

**Reply from Councillor Barker:**



I am very pleased to be able to inform Council that the hard work of so many unsung heroes in Enfield, who everyday provide care and support to the most vulnerable members of our community, has been recognised by an improved judgement from the Commission for Social Care Inspection (CCSI).

On 1<sup>st</sup> December 2006 the CCSI published their judgement that Social Services for Adults and Older People in Enfield are serving most people well with promising prospects for improvement.

The detailed report begins with a summary of the key strengths and improvements and it is particularly pleasing that they have commended the strength and clarity of Political and Corporate Leadership in this area, whilst also recognising the improvements in so many important areas of performance. They particularly congratulate Enfield on the increase in the numbers of people receiving Direct Payments and the additional support offered to Carers.

I would just like to thank the officers and staff for their dedication and hard work.

**Question 14 from Councillor Toby Simon to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

“Can Councillor McCannah tell me what proposals he has for Bullsmoor and Bowes libraries in light of the references to their possible ‘deletion’ in the draft library strategy for 2006 in particular in the light of Enfield in relation to the Public Library Services Standards 1 & 2.”

**Reply from Councillor McCannah:**

“The Council has no definite proposals for Bowes and Bullsmoor Libraries at this stage. As I made clear at the recent Environment, Parks and Leisure Scrutiny Panel, at which Councillor Simon was present, we would only consider closing a library if we felt that re-provision elsewhere would be beneficial to the community. The template for this is the successful new Oakwood Library, which replaced Merryhills Library. This new library is in a much more prominent and accessible location – a fact that is reflected in the much greater usage rates. We are about to go out to public consultation on the future of library provision in the Borough and a number of options will be presented. One of the things we will be keen to hear from residents and other users of our libraries is what will be the best way to improve and extend the services we offer through our libraries – something to which this Administration is committed. We expect that there will be comments about the position and accessibility of libraries and that will feature large in our thinking about the proposals we will bring forward.”

**Question 15 from Councillor Terence Smith to Councillor Lavender, Deputy Leader and Cabinet Member for Finance and Resources:**

“Has Councillor Lavender received any communication from the Standards Board for England and if so what actions have taken place subsequently with respect to the substance of any complaint?”

**Reply from Councillor Lavender:**

“I am extremely disappointed that yet again the Labour Party has abused the facility of referring complaints to the Standards Board as a means of trying to prevent freedom of speech.

I am pleased that yet again the Standards Board has stated there is no case to answer.

I was heartened that the responses of those who contacted me and the press (save for those prompted to write otherwise by the Labour Party) about the issue were wholeheartedly positive. Councillor Rodin might reflect on the fact that my comments struck a chord throughout the Borough including the residents of Edmonton.

I have no issue with the councillor disagreeing with what I have to say, in fact it is generally a good litmus test of whether I am talking sense. What I am disgusted by is the libellous accusation made by Councillor Rodin that I acted unlawfully. This allegation was made to the Standards Board and copied by him widely to third parties.

I have requested from him evidence to support the libellous accusation or to withdraw it and apologise.

Councillor Rodin has refused to do either. In response to my request he denied in writing ever having made the accusation in the first place!

We shall therefore agree to disagree. Councillor Rodin is entitled to believe that I have acted unlawfully but he will have difficulty finding any evidence. I am entitled to believe Councillor Rodin has not been truthful throughout this matter and I now have the written evidence from his own hand to prove it.”

**Question 16 from Councillor George Savva to Councillor Glynis Vince, Cabinet Member for Education and Children’s Services:**

“How does Councillor Vince reconcile her statement, in answer to a question from Councillor Rodin at the Council meeting of 20 September 2006, that ‘this (Conservative) administration’s paramount objective, has been and will be, that appropriate and good quality leisure services are provided in the Borough’, with the closure of Edmonton Leisure Centre and Bramley Squash & Bowling centre?”

**Reply from Councillor Vince:**

“Councillor Savva asks this question in the context of the bankruptcy of Enfield Leisure Centres Ltd (ELCL). ELCL was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the

Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

Good quality leisure services are currently being provided by Council officers and the management at the leisure centres. The opening of the new Edmonton Centre will enable even more local residents to take part in leisure opportunities from swimming to aerobics to team games to making use of the fitness suite. The extra provision of a state of the art sports hall will more than make up for the loss of provision at the old centre and Bramley Road Squash Centre. The Bramley Road Bowling Centre is still in use and has not been closed.”

**Question 17 from Councillor Chris Andrew to Councillor Glynis Vince, Cabinet Member for Education and Children’s Services:**

“The Council submitted an application for Beacon status for Healthy Schools in June 2006. Can Councillor Vince inform the Council what progress has been made with this bid?

**Reply from Councillor Vince:**

“I am pleased to inform you that the application has been very favourably received and Enfield is well placed to become a Beacon Authority.

The Healthy Schools Team, part of the School Improvement Service, has been short listed for Beacon Status and has already hosted the Evaluation Panel at a three hour presentation and fact find visit to the authority. The Council Leader, Senior Officers and the Healthy Schools team met with the panel on December 4th to receive a briefing on our scheme and to reaffirm the Council’s commitment to the application. The panel visited two schools, Carterhatch Junior and Chace Community School to see the range of work being carried out by our excellent schools. The visit also included time to look at a range of exhibitions and demonstrations from our Healthy School partners.

The subsequent feedback has been very good and the remaining part of the process will be a final presentation on 19th January at the IDeA headquarters in London. The authority has been invited to a Gala Evening on the 20th March to receive the outcomes of the process. Naturally we are all very hopeful that our scheme will be recognised for the excellent work of the Healthy Schools team. So far we have managed to identify 11 authorities that have been short-listed and only Sutton and Enfield have been identified in London. Naturally as Cabinet Member I will want to remind them that we are the authority with the most Healthy Schools (67%) in London. I look forward to reporting on the outcome at the next Council meeting.”

**Question 18 from Councillor Jayne Buckland to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

“What if any consultation took place with clubs and other users prior to the closure of Edmonton Leisure Centre and Bramley Squash & Bowling centre?”

**Reply from Councillor McCannah:**

“Councillor Buckland asks this question in the context of the bankruptcy of ELCL. ELCL was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

Users of the Edmonton Leisure Centre and Bramley Road Squash Centre were informed of the closures when the final closure decision had been made. Clubs and schools were contacted and every effort has been made to relocate them to other pools. Those using the fitness suite have been offered the opportunity to put their membership on hold or transfer to another centre in the intervening period. The bowls club remains open.”

**Question 19 from Councillor Henry Lamprecht to Councillor Ann Zinkin, Cabinet Member for Corporate Strategy and Communications:**

“How has the Council fared in the latest round of Best Value Performance Indicator (BVPI) surveys and can the Council really be said to be improving services for local residents?”

**Reply from Councillor Zinkin:**

“It is too early to say how the Council has performed in relation to other local authorities in the country, but during a period when nationally, satisfaction with local government is declining, Enfield has improved in many areas. In terms of overall satisfaction with the way the Council runs things, the Council has achieved the highest score since the surveys were introduced. This is good news.

Out of the 21 BV indicators for which the Council has responsibility/results, we have improved or maintained resident satisfaction in 17.

In terms of overall satisfaction with the Council we have improved 8% since 2000/01, (42% in 2000/01, 48% in 2003/04 and 50% in 2006/07).

Other notable improvements include:

- BVPI 74b: Tenant satisfaction with the overall service provided by the Council's Housing services for BME tenants: 63% (up 4% on 2003/04)
- BVPI 75b: Tenant satisfaction with opportunities for tenant participation for BME communities 55% (up 5% on 2003/04.
- A significant reduction in the number of people thinking that the levels of crime need reducing.”

**Question 20 from Councillor Ayfer Orhan to Councillor Paul McCannah, Cabinet Member for Leisure, Culture & Olympics 2012:**

“What steps did Vantis take to make the Council aware of the impact of the premature closure of Edmonton Leisure Centre?”

**Reply from Councillor McCannah:**

“Enfield Leisure Centres Ltd (ELCL) was founded by the last Labour Council to avoid the payment of business rates and VAT and was opposed by the Conservative Group in opposition. One of the reasons why we opposed the formation of ELCL was that the Council lost control of the delivery of leisure services. A second reason was that if in the event of ELCL failing (as we feared) and becoming bankrupt there would be no consultation with residents and a loss of leisure provision.

The Liquidators informed the Council of their decision to close the Centre. The decision was the responsibility of the Liquidators. The Liquidators informed the Council that the decision was based on the fact that custom of the old centre was slight and in decline; and on the judgment of the Operations Manager that staff resources would be far better applied to ensuring that the new Edmonton Leisure Centre opened smoothly, with staff fully trained, and systems fully operational. The issue of whether the closure is “premature” is irrelevant. The circumstances are that the operator of the old centre – Enfield Leisure Centres Ltd – is in insolvent liquidation. The liquidators of this failed company have a legal duty to control costs.”

**Question 21 from Councillor Ruth Honess to Councillor Hurer, Cabinet Member for Community Safety and the Voluntary Sector:**

“Would Councillor Hurer inform the Council if it is true that Enfield has been put forward as a model of best practice for its work on alcohol harm reduction?”

**Reply from Councillor Hurer:**

“Enfield’s strategy on alcohol harm reduction was selected by the Home Office as the only UK best practice submission at the recent European Crime Prevention Conference in Finland. Two representatives from Enfield attended and the work we have been doing was very well received, being taken as a point of note for all parties along with a report from Spain and a research project in Denmark. This work in Enfield can now be found on the EUCPN (European Crime Prevention Network) website in the good practice section for alcohol.

The Strategy is a multi-agency programme spearheaded by the Alcohol Harm Reduction Board to reduce alcohol related crime in the borough by encouraging responsible drinking and thereby reducing alcohol induced crime, disorder and anti-social behaviour. Some of the key areas covered by the Strategy include the robust application of licensing policy, strong partnership work with police, ambulance service, businesses and others, strong community

involvement and support, under age sales enforcement, no alcohol zones and formal action on review/closure of problem premises.

The work we have been doing here has also led to a recent national article in the Guardian newspaper - Society Section - 13<sup>th</sup> December 2006 (copy attached as an appendix – page 133).”

**Question 22 from Councillor George Savva to Councillor Terry Neville, Cabinet Member for Environment & Street Scene:**

“What financial help has this Council received from the Government and Government bodies to assist with waste and recycling management since 2002?”

**Reply from Councillor Neville:**

“I wish to thank Councillor Savva for the opportunity to comment on recycling where our current performance is currently above 30%, which means we are in the top quartile for London. In 2005/06 we earned £1.966 million in recycling credits.

Recycling credits have been paid by the Waste Disposal Authority (NLWA) and are for the avoided cost of disposal of waste.

The duty has recently been removed and the NLWA currently pay a local recycling credit to mirror the transitional change to a tonnage based levy. This is currently 33.4% of the full value of the avoided cost of disposal. However we are better off because our administration has increased recycling from single figures in 2001/02 to over 30% in the first half of this year.

The move to a tonnage based levy will benefit Enfield as this method of charging authorities for waste disposal will see a net benefit in the region of £400k per annum. As a result of our successful policies on recycling in recent years we will avoid potential penalties in the future of £150 per tonne for not diverting biodegradable waste away from landfill.

The following breaks down the financial assistance received from Government and Government bodies.

**Recycling credits;**

2002/03 = £664,000

2003/04 = £1,050,000

2004/05 = £1,788,000

2005/06 = £1,966,000

**Waste Efficiency Grant;**

2002/03 = N/A

2003/04 = £252,000

2004/05 = £79,000

2005/06 = £224,000

We will not know the outturn for 2006/07 until the end of the financial year.”

**Question 23 from Councillor Jonas Hall to Councillor Hurer, Cabinet Member for Community Safety and the Voluntary Sector:**

“How is Enfield doing in relation to its stated target to cut BCS (British Crime Survey) comparator\* crime by 20% by the end of 2007-08 (against a 2003-04 baseline)?”

**Reply from Councillor Hurer:**

“Enfield is doing well in relation to this target. Up until the end of November 2006 (the latest data we have), we had seen a drop of 6.1% in comparison to the year before which means that we will have had approximately 16,000 BCS offences by the end of this financial year (2006-07) in comparison to our starting point of 18,575 offences in 2003-04 (a reduction of nearly 14%). If we can maintain this until the end of the year, we will need to see a further reduction of approximately 7% in 2007-08 in order to meet this significant reduction. In comparison to our 6.1% reduction so far this year, the Metropolitan Police have had a 5.9% reduction so far.

\*BCS Comparator crime is a group of recorded crimes decided upon by the Home Office to be most similar to those asked about in the British Crime Survey. There are ten crime types included which include personal robbery, household burglary, motor vehicle crime, common assault, wounding and criminal damage. Nationally there is a target to reduce crime by 15% by 2007-08 that will be measured using the British Crime Survey. All local areas were given targets in order to help achieve this 15% reduction. Enfield’s target is 20% and is measured using BCS comparator crime.”

**Question 24 from Councillor Achilleas Georgiou to Councillor Matthew Laban, Cabinet Member for Housing:**

“When did the Council accept the Audit Commission’s ‘Voluntary and Additional Improvement Work’ report for Housing Services?”

**Reply from Councillor Laban:**

“As part of its commitment to improving Council services, we have invited the Audit Commission to undertake a piece of voluntary improvement work with Housing services. This work is not a formal inspection. The voluntary improvement work is still in progress; the Audit Commission were in the Council on the 5<sup>th</sup> and 11<sup>th</sup> January 07. Following an initial report in December, which went to the Housing Improvement Board, the Audit Commission is reporting a good direction of travel and good progress. The work is designed to support the development of the ALMO (Arms Length Management Organisation) in becoming a 2-star or 3-star service.”

**Question 25 from Councillor Norman Ford to Councillor Hurer, Cabinet Member for Community Safety and the Voluntary Sector:**

“Enfield’s CCTV Monitoring Centre is now just over four years old. How has it helped tackle crime in Enfield?”

**Reply from Councillor Hurer:**

“The Public Safety Centre to give it its official title has been incredibly successful in helping to make Enfield is a Safer Place. It is a modern advanced facility that was built specifically for its current purpose and with enough space to expand the number of cameras it monitors in the future since its launch in December 2002 and up to the end of November 2006, it has recorded over 2,150 incidents that have now led to over 1,000 arrests. Indeed, from April 2006 alone and up to the end of November 2006, it has monitored and observed 412 incidents that have led to 228 arrests.

The Public Safety Centre also manages and controls the traffic enforcement in the borough and is in the last stages of starting to share Transport for London camera’s which will make it only the second borough in London to do this (after Brent which was done first because of the new Wembley Stadium).

It has also now started doing the protection of civic buildings and staff via video alarm systems and we are looking at a potential review and revamp of the control room to include possible new functions.”

**Question 26 from Councillor Eleftherios Savva to Councillor Terence Neville, Cabinet Member for Environment and Street Scene:**

“Would Councillor Neville apologise for the inadvertent removal of the floral tributes placed in Southbury Road following a recent traffic fatality, and would he tell the Council how he proposes to deal with similar instances in the future?”

**Reply from Councillor Neville:**

I most certainly would and in fact I can confirm that I have personally spoken to members of the family concerned to apologise and I have written to them. While I understand entirely the natural desire of the bereaved to place floral tributes at or near the site of accidents, such tributes can only of necessity be short lived. I also understand that some families will want to create a more permanent memorial to their loved ones and I have therefore asked officers to consider how this might be achieved. Some of the ideas that I am considering are the opportunity to install a wall mounted plaque at a suitable location or alternatively a tree could be planted either at the site of the accident or within a nearby park.



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Date: 3<sup>rd</sup> January 2007



### **London Councils' response to the 2007/08 Provisional Local Government Finance Settlement**

This letter sets out London Councils' formal response to the 2007/08 provisional Local Government Finance Settlement. London Councils represents all 32 London Boroughs, the City of London, the Metropolitan Police Authority and the London Fire and Emergency Planning Authority.

Whilst greater predictability is welcome, London Councils is extremely disappointed that the local government finance settlements for 2006/07 and 2007/08 have completely failed to recognise the extent of service and financial pressures in London. In both settlements, 19 London boroughs, the City of London, as well as London's police and fire authorities, are on the grant floor and will receive only the minimum increase in grant. In the City's case, the position is exacerbated by there being no comparable allowance for its responsibilities for police. Further, **London has a disproportionate number of authorities receiving only the minimum increase in formula grant.** A third of all education and social services authorities on the floor are London boroughs. **The difficulties London councils will face are further compounded by a series of poor settlements for London dating back to at least 2003/04.**

This succession of poor settlements has created **significant pressures on the budgets of London authorities and the services they provide**, which cannot be accommodated within the resources made available to the boroughs in the provisional Revenue Support Grant Settlement for 2007/08. These include:

- In common with other parts of the country, **boroughs are facing significant resource pressures from single status/equal pay claims**, including potential back pay liability for up to 6 years. Though the DCLG have agreed to consider approaches from boroughs seeking to "capitalise" the revenue costs of meeting these claims, the overall cap on capitalisation of £200 million in 2006/07 would be completely inadequate for meeting these cost pressures nationally.

- **The impact of “cost-shunting” from the National Health Service (NHS).** The projected shortfall in the budget for the NHS in London in 2006/07 is £135 million. NHS London is working to achieve a balanced budget by reducing the planned allocations for 2006/07 for all primary health care trusts in London and requiring trusts in deficit to reduce their expenditure. **This is having a substantial impact on boroughs’ social care budgets** through:
  - Primary Care Trusts withdrawing from funding “continuing care” packages;
  - pressures to reduce the average length of stay in hospital beds, leading to the discharge of clients with higher levels of need onto adult social services;
  - reducing resources for clients with learning difficulties and mental health problems;
  - reducing resources for joint work on public health promotion.
- **Rising costs due to supporting Unaccompanied Asylum Seeker Children (UASC), young asylum seekers leaving care as well as destitute asylum seekers and failed habitual residents.** The cost of this support is unplanned expenditure that is impacting on the capacity of many boroughs to provide social care services. In 2006/07, a London Councils and Local Government Association survey estimated shortfalls in funding of over £35 million for the costs of supporting UASC leaving care. In addition, a number of London boroughs are reporting predicted expenditure in excess of £1 million per borough to support destitute asylum seekers and failed habitual residents in 2007/08. These services should be fully funded by Central Government grants rather than falling as a burden on local council tax payers as they do now.
- **The impact of a possible 5% cut in the housing benefit cap for private sector leasing** exclusively in London in 2007/08, will have a significant impact on the General Fund in many boroughs at a time when London’s share of temporary accommodation use is significantly higher than its population share. In Quarter 2 of 2006, 66% of all households in temporary accommodation in the UK were in London. Housing benefit cap reductions in London, in the wider context of the 10% cut in Housing Benefit administration subsidy (for over a quarter of London boroughs and the very real threat of further cuts in the homelessness grant following on from the reductions that the majority of London boroughs have experienced since 2004), will lead to local council tax payers bearing an increasing share of the burden of housing benefit costs which have been previously met largely through the income support system which is supported by general taxation. London Councils believes it is unreasonable to expect boroughs to affect a 5% cut in the housing benefit caps so late in the budget setting cycle.
- **Increases in other costs and demands** on borough budgets in 2007/08, including possible increases in the Environmental Agency levy for flood defence of between 60% and 149%, and an average increase in the cost of concessionary fares in London of 6%.
- **The London Fire and Emergency Planning Authority faces significant budget pressures** as it continues to provide the resources necessary **for resilience** of the capital city in the face of a terrorist attack or other catastrophe. Although it receives separate New Dimensions funding this does not match the resources London needs, **which should be a national priority** rather than falling on London council tax payers.

**The 2006/07 Local Government Finance Settlement marked a radical shift in the way that the formula grant calculation is presented.** At the time, the Association of London Government expressed reservations about this fundamental change to the system. London Councils still holds these concerns and consequently urges the DCLG to consider whether it is appropriate to continue with the new structure including an assessment of the

effects of the model over time. It is also apparent that the changes made for 2006/07 and 2007/08 have significantly reduced transparency and understanding of the system. Therefore, **the DCLG need to consider whether alternative structures may be more suitable and transparent.**

As well as the general structure of the finance settlement, London Councils has previously outlined serious technical shortcomings with specific elements of the system. In particular, London Councils believes that both **the Children's' and Younger Adults Personal Social Services formulae are fundamentally flawed and completely fail to reflect the complex array of factors that lead to high levels of need for these services in London.** Indeed, the undamped effects of these formulae on London would have led to losses in funding in the region of £340 million in 2006/07 alone whereas evidence points to the growing need for these services in London. For example, excluding the effect of the Area Cost Adjustment (ACA) London's share of the Younger Adults Relative Needs Formula is 15.6% before damping. This compares to London's share of the relevant population of 16.0%, and despite London having a large proportion of adults with mental health problems, and the highest rate of clients in residential care.

It is a major concern that London Councils has raised these fundamental technical flaws with the DCLG on numerous occasions and the DCLG has failed to adequately address many of these issues. London Councils recognises that the separate damping for these sub-blocks limited the effects of the new formulae in 2006/07 and 2007/08 which would otherwise have led to huge losses in funding for London. However, although damping protects authorities from rapid changes in grant it can only ever be a short-term solution. Therefore, **it is imperative that the Government undertakes urgent work, as part of the review of the system for 2008/09 to 2010/11, to produce robust formulae for the Children's' and Younger Adults Personal Social Services sub-blocks** that reflect the greater need for these services in the Capital. London Councils is keen to contribute to this review.

**London Councils was also extremely disappointed with the way that the Environmental, Protective and Cultural Services formula was changed in 2006/07 to reflect the additional funding for concessionary fares.** As the entitlement to concessionary fares is a universal benefit, London Councils does not agree that it is appropriate for the funding for concessionary fares to rely so heavily on income support and pension credit take-up data as well as incapacity benefit data. In addition, evidence suggests that the take-up of concessionary fares is higher in urban areas and consequently a higher weight should be applied to this factor.

**Concerns have also been expressed by a large number of the boroughs regarding the effects of the adjustments to the capital finance baseline** to reflect transfers from Supported Capital Expenditure (Revenue), previously funded through revenue support grant, to capital grant in 2006/07 and 2007/08. There has been a lack of transparency regarding the calculation and effects of these transfers which has caused confusion amongst authorities, and there are concerns from a number of boroughs about how the adjustments have been determined. In addition to providing sufficient and clear information on these adjustments, it is imperative that local authority allocations of these capital grants are announced immediately to allow authorities to have a comprehensive view of the central government funding available to them, and to aid authorities' financial planning.

**Many London authorities are extremely concerned about the quality of population estimates and projections** used in the Local Government Finance settlement and, in particular, inadequacies in the way the Office for National Statistics (ONS) estimate inward migration in urban areas. Indeed, in response to these concerns raised by London boroughs and other authorities, the **ONS has acknowledged that there may be significant flaws in the population estimates for individual councils**, particularly those with large ethnic minority populations. These significant flaws mean that a number of London boroughs are facing substantial pressures arising from an increasing population which is not reflected in the data used to allocate formula grant. This position is further exacerbated by the use of projected increases in the taxbase data used in the settlement. In some areas, formula grant is reducing due to projected increases in the taxbase but due to problems with the population data authorities are not seeing an increase in grant to reflect the population growth they are experiencing. This can substantially disadvantage authorities, for example, in Brent the projected taxbase between the 2006/07 and 2007/08 settlements has increased by 1% but the population is projected to decrease by just below 1% over the same period. It is essential that the DCLG and ONS, together with the Local Government Association and London Councils, work together to resolve these issues and provide an acceptable solution as to how this funding shortfall can be resolved forthwith.

**London authorities have also raised concerns with the definition of international in-migrants** as it excludes international in-migrants who intend to stay in the country for less than a year. This means that despite the fact that these "residents" use local authority services local authorities do not receive funding for them. A similar situation is caused by **second home owners / renters** who live in London for part of the week and consequently draw on local authority services but are counted elsewhere for resident population purposes. Once again this leads to the unacceptable situation whereby **local authorities are incurring expenditure for elements of the population that they are not receiving funding for**. These are significant issues for the London boroughs and, therefore, London Councils will be returning to these as part of the review of the system for 2008/09 to 2010/11.

At the time of the 2006/07 provisional Local Government Finance settlement the Minister committed to a re-examination of the Area Cost Adjustment geography (ACA)<sup>1</sup>. **It is imperative that grant distribution continues to reflect the range of cost pressures caused by higher wage costs and recruitment and retention difficulties**, which are high across the whole of London. London Councils is also worried about the growing number of specific grants that are intended for staffing related costs that do not include an ACA in their distribution methodology. London Councils is currently undertaking an exercise to assess the scope of this worrying trend and urges the Government to rectify this failing immediately.

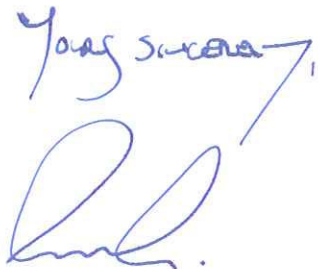
Finally, **London Councils is firmly opposed to the use of capping** to restrict local authorities' budgets particularly in the light of 20 London boroughs receiving only the minimum increase in grant despite the growing pressures in the capital outlined above. It is essential that the Government provides sufficient funding in grants to meet the demands placed on London authorities' budgets to prevent an undue burden on the council tax.

Given the series of poor settlements for London, it is imperative that the DCLG undertakes urgent work to address the fundamental concerns and shortcomings outlined above. London Councils is keen to work with the Government on these issues to ensure that

<sup>1</sup> House of Commons Debate: Hansard, 5 December 2005, column 640

funding shortfalls currently being experienced in London are addressed and the growing financial pressures faced by London's authorities are adequately funded in the future.

Please do not hesitate to contact London Councils if you have any questions on the issues raised in this letter or if we can be of any further assistance.

A handwritten signature in blue ink, appearing to read 'Merrick Cockell', with a long horizontal stroke extending to the right.

Councillor Merrick Cockell  
**Chairman**

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## Time called on booze hotspots

A London borough's strategy for dealing with alcohol-related problems has taken the danger out of a night on the town

**Laura Smith**  
**Wednesday December 13, 2006**  
**[The Guardian](#)**

Just over a year ago, Enfield council drafted its first alcohol harm reduction strategy. It could have been a paper exercise, designed to be seen to be doing something about the noise, violence and general bad behaviour often associated with chucking-out time at the town centre's pubs and clubs, but the north London local authority wanted the strategy to work.

Recognising that it couldn't tackle on its own the range of social, crime and health problems associated with alcohol it had already established an alcohol harm reduction board that included senior representatives from the relevant council departments and crime and health agencies, including the police, the probation service, and primary care and mental health trusts.

The board's first step, in April, was to employ Libby Ranzetta, a specialist alcohol consultant who has worked in other London boroughs, as an alcohol strategy coordinator to make sure its plan would be delivered. It sounds a logical place to start, but Enfield is one of only around 20 local authorities in England to fund such a post - partly because of a shortage of suitably qualified people.

The next step was to work out the scale of the problem. Using data from the council, police, ambulance service and other agencies, the 30 sq mile area was mapped to find out where alcohol issues were concentrated. Enfield Town, a cluster of streets with several popular pubs and bars, was identified as a hotspot.

Ray Brewer, head of licensing at Enfield council, says building relationships with the area's bars, clubs and pubs was central to changing the way the town centre was used. New licensing rules brought in late last year as a result of the Licensing Act 2003 were used to reward venues that acted responsibly and punish those that didn't. "We went to venues and talked with them about what we wanted them to stop," he says. "We then applied that when people had to transfer their licences. Those places that didn't attract drinking problems were allowed to open later. With others we were very firm."

Two venues in particular felt the council's force. One, the scene of serious assaults and more than one shooting, was closed down. Another had its licence revoked and faced a hefty fine for causing serious disturbance in a residential area. The message that hard-drinking venues will not be tolerated

is underlined with regular poster campaigns in bars and pubs reminding punters to drink responsibly.

Mark Chapman, landlord of the Crown and Horseshoe pub on the outskirts of Enfield Town, says he welcomes the council's efforts. "A lot of landlords have tended to see councils as the bad ogre and the police as interfering, but you have to think they are trying to do the same things as we are," he says.

Other innovative measures include the regular use of "test purchasers" - potential underage drinkers - to check that pubs and off licences aren't encouraging teenage drinking, and alcohol education by the council's drug action team in the borough's schools.

Alcohol-fuelled domestic violence is another priority. The borough's police and probation service work with perpetrators, while the board has recently begun looking at how to work better with victims whose own drinking means they are often denied access to domestic violence refuges.

The catalogue of measures has already yielded some impressive results. Seven months ago, Enfield Town accounted for a significant proportion of the borough's street crime offences and complaints of disorder, but by August those figures had become negligible, meaning it is no longer viewed as a hotspot at all. Considering that the period measured included the World Cup - in a borough with a history of football-related violence - that is a considerable achievement.

"Enfield is now a very nice place to go, day or night," says Brewer, who denies that the borough has simply displaced the problems elsewhere. "We are not prohibitionist. We do recognise the role that alcohol plays in social life and in the economy. It's just the excessive side that causes problems."

Enfield has now been highlighted by the Home Office as one of only two examples of best practice in alcohol harm reduction in the country and last month presented its results at the European Union Crime Prevention Network's annual best practice conference in Finland.

"In Enfield, local leadership has been key," says Ranzetta, whose future plans for the borough include offering specialist alcohol treatment within the primary care trust. "People on the council saw this was an important issue and needed something to be done about it. A lot of boroughs have strategies but not these champions, so nothing actually happens."