

THE CABINET

Tuesday, 10 May 2011
(5:00 - 5:47 pm)

Present: Councillor L A Smith (Chair), Councillor J L Alexander, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor G M Vincent, Councillor P T Waker and Councillor J R White

Also Present: Councillor P Burgon and Councillor J E McDermott

Apologies: Councillor R Gill and Councillor H J Collins

130. Declaration of Members' Interests

There were no declarations of interest.

131. Minutes (15 March 2011)

The minutes of the Cabinet meeting on 15 March 2011 were confirmed as correct.

132. Council's Provisional Revenue And Capital Outturn 2010/11

The Cabinet Member for Finance, Revenues and Benefits presented a report on the Council's provisional revenue and capital outturn position for the 2010/11 financial year.

The provisional outturn position for General Fund budgets showed a net underspend of £2.776m against the total budget of £154.771m, resulting in an improved year-end balance position of £10.841m. This represented a significant improvement on the forecast position reported throughout the year and was achieved against the backdrop of the additional in-year savings of £8m required by the new Government's Emergency Budget. Cabinet placed on record its appreciation of the efforts of all concerned in helping to achieve this position.

The Cabinet Member referred to the departmental breakdown of the revenue budgets and confirmed that he would be holding further meetings with management to discuss the areas of overspend in the Customer Services department, which increased to £727,000 at the year-end.

The Housing Revenue Account achieved a surplus of approximately £1m and expenditure on capital projects was £102.9m, representing 89% expenditure against the total budget of £115.6m.

Cabinet noted:-

- (i) The provisional revenue outturn and the General Fund balance position at 31 March 2011 as detailed in sections 2 and 3 of the report;
- (ii) The provisional outturn and balances of the Housing Revenue Account as referred to in section 4 of the report; and

- (iii) The provisional outturn position of the Council's Capital Programme, as detailed in section 7 of the report

(The Chair agreed that this item could be considered at the meeting as a matter of urgency under the provisions of Section 100B(4)(b) of the Local Government Act 1972.)

133. Context and Programme for Investment in Schools

Cabinet received a report from the Cabinet Member for Children and Education on the proposed allocation of Government funding for 2011/12 to support the provision of new school places and the improvement and modernisation of the school estate and wider Children's Services property portfolio, together with details of the procurement arrangements for works and supplies.

For 2011/12, the Council was allocated £14.237m Basic Need (including Special Educational Need (SEN)) funding, which was an estimated £20m short of the Council's assessment of the total funding required to meet the demand for additional primary school places for September 2012. The allocation of £3.845m School Modernisation funding was also inadequate, with a projected £51m required to bring the whole property portfolio up to standard.

The proposals within the report were therefore aimed at addressing the most urgent need while efforts continued to secure the appropriate levels of funding from the Government to meet the significant demand for school places in the Borough, both in the short and long-term. It was noted that a report presenting a Council Capital Strategy, covering the issues referred to in the report, would be presented to Cabinet later this year.

Cabinet **agreed**:

- (i) To the inclusion of the Basic Need grant of £14,236,941 in the 2011/12 Capital Programme and its allocation to the specific projects as detailed in Appendix A to the report, subject in the latter respect to the finalisation of detailed arrangements and costings;
- (ii) To the inclusion of the School Improvement grant of £3,845,253 in the 2011/12 Capital Programme to support the improvement and modernisation of the Borough's schools and the wider Children's Services property portfolio;
- (iii) The arrangements for the procurement of contractors and suppliers, as detailed in the report, and authorise the Corporate Director of Children's Services, in consultation with the Corporate Director of Finance and Resources and the Solicitor to the Council, to award the respective contracts; and
- (iv) To continue lobbying of the Government for sufficient funding to meet the urgent demand for additional school places in the Borough and to prevent the deterioration of the school estate and wider Children's Services property portfolio.

134. Housing Resident Involvement and Empowerment

The Cabinet Member for Housing presented a report on proposals for a new tenant involvement framework which would enable the Council to meet the Tenant Involvement and Empowerment Standard required under the Tenant Services Authority regulatory framework for local authority social housing providers.

He explained that the Council's 'Housing Resident Involvement and Empowerment' framework had been designed to promote new and improved opportunities for Borough residents to participate in activities which generated pride and ownership of the area where they lived and to contribute to the development of community capacity and empowerment. The two key aspects of the proposal were:

- Localised activity led by the community but supported by Council officers (meeting TSA requirement 2.1a). These activities would follow natural neighbourhoods focussing on the needs of the area. This approach was being refined and tested via the Housing and Neighbourhood Locality pilots, the outcomes of which would be reported to Cabinet in summer 2011; and
- Two Housing Forums, one to focus on the Barking area and the other on the Dagenham area would be established. These forums would focus on the Housing Revenue Account (HRA) Business Plan and Housing Asset Management strategy. They would also offer the opportunity for residents to discuss the housing related issues that matter most to them in their part of the borough, such as anti-social behaviour, and would include a surgery with relevant officer attendance for dealing with casework issues. The Forums would provide a link to the work of other local initiatives such as Streetbase, Family First and Safer Neighbourhood Panels. Nominated members of the two Forums would come together periodically to discuss borough-wide policies. They would also initiate specific 'working parties' on identified service themes that had been highlighted as in need of improvement.

The Cabinet Member confirmed that the proposals had been the subject of extensive consultation with the local community and were developed with considerable input from those already involved in the Council's current housing engagement mechanisms, such as the Community Housing Partnerships and the Tenants' Federation.

Cabinet agreed:

- (i) To the implementation of the new Housing Resident Involvement and Empowerment model as detailed in the report; and
- (ii) To note that the Assembly would be asked to agree appropriate changes to the Council's Constitution to reflect the move to the new model and the dissolution of the Community Housing Partnership structure.

135. King William Street Quarter and Eastern End Thames View Disposal and Delivery Options

Cabinet received a report from the Cabinet Members for Regeneration and

Housing on proposals for the disposal of, and delivery of residential accommodation on, the remainder of the King William Street Quarter (former Lintons site) and the Eastern End of Thames View.

Detailed design briefs for the sites set out the proposed aspirations for the tenure mix and density for each development, which aligned with the Council's objectives for the supply of new housing and other policies. An assessment of six potential delivery routes identified two preferred options, the principal being an arrangement via the Council's Building Schools for the Future Local Education Partnership (BSF LEP) with Laing O'Rourke. The reserve position, in the event that a satisfactory agreement was not able to be achieved under the BSF LEP option within a set timescale, would be via the Homes and Communities Agency (HCA) Development Partner Panel.

Cabinet **agreed**:

- (i) The design briefs for King William Street Quarter and the Eastern End of Thames View as contained at Appendix 1 and 2 respectively to the report;
- (ii) That a minimum of 20% "social" rent (50% of Local Housing Allowance) units are provided together with a mixture of other sub market tenures on both sites;
- (iii) Subject to the endorsement of the Assembly:
 - a. that Delivery Option 6, as detailed in the report, be pursued as the preferred option, which would involve the lease of the sites to the Building Schools for the Future Local Education Partnership (BSF LEP) to provide a range of sub market rented properties to be managed by the Council and to authorise the Corporate Director of Finance and Resources, in consultation with the Solicitor to the Council, to seek to agree satisfactory terms with the BSF LEP within three months of the Assembly decision for the implementation of the preferred option;
 - b. that in the event officers were unable to agree satisfactory terms within three months of the date of the Assembly decision with the BSF LEP for the preferred option, that the Corporate Director of Finance and Resources be authorised, in consultation with the Solicitor to the Council, to pursue Delivery Option 5 which would involve the marketing of the sites via the Homes and Communities Agency Development Partner Panel and seeking a proportion of new council homes and also consider leasing a proportion of properties at sub-market rents.

136. Draft Barking Station Masterplan Supplementary Planning Document

The Cabinet Member for Regeneration presented the draft masterplan for the Barking Station area setting out the Council's intention for the renovation of the Station, improvements to the forecourt and general public realm and the redevelopment of a number of specific sites in the immediate area.

The draft masterplan expanded on the Barking Town Centre Area Action Plan

approved by Minute 92 (25 January 2011) and would act as the principal guide to developers in the form of a supplementary planning document. The intention was for the draft masterplan to be the subject of consultation with statutory consultees and the local community, following which it would be presented to the Assembly for formal adoption later in the year.

The Divisional Director of Regeneration gave an update on several of the specific projects included within the masterplan. He advised that due to the significant investment required to renovate the station itself, these plans would be unlikely to be progressed to any great degree until the contract for the operation of the station was retendered in 2013. He also advised that a major hotelier had expressed an interest in the high quality hotel scheme in Wakering Road to the rear of the station. In this latter respect and with a general regard to the overall redevelopment programme, the Cabinet sought assurances that the Council's aspiration for "local jobs for local people" would be a key aspect of the proposals. Officers confirmed that this would be the case and reference was made to the Council's successful Job Brokering programme, the arrangements with Job Centre Plus and the relationship with Barking and Dagenham College.

Cabinet **agreed** the Draft Barking Station Masterplan Supplementary Planning Document as set out at Appendix 2 to the report for consultation and as a material consideration for Development Management.

137. Granting Statutory Status to Council Allotments

Cabinet received a report from the Cabinet Member for Culture and Sport on the proposal to further enhance the Council's commitment to allotment provision within the Borough by adopting a policy of formally declaring all Council-owned land that is used as an allotment as Statutory Allotment Land.

It was noted that the Council's Local Development Framework already provided protection for the Borough's allotment sites but a statutory designation had the added benefit of requiring the Secretary of State's approval for consent in the future to sell or change the use of any such site and to provide a replacement site.

In response to an enquiry, the Divisional Director of Culture and Sport advised that a number of sites that had previously been closed had been brought back into use and that progress was being made to bring a consistent range and standard of facilities at all sites.

Cabinet **agreed**:

- (i) That for the purposes of providing persons resident in the borough with small plots of land for cultivation, the 23 allotment sites identified in the plan tabled at the meeting be appropriated for the purposes of statutory allotment under the Allotment Acts 1908-1950 and that the Secretary of State be so advised; and
- (ii) A new Council policy to register with the Secretary of State all allotment land in the borough.

138. Re-tendering of Contracts for the Provision of Day Nurseries at Becontree, William Bellamy, Gascoigne and Sydney Russell Children's Centres

Cabinet received a report from the Cabinet Member for Children and Education on the proposals for re-tendering the contracts for the provision of day-care nursery services at four of the Borough's Children's Centres, the current contracts for which are due to expire later this year.

Cabinet **agreed**:

- (i) To a competitive re-tendering exercise for the appointment of providers of full day-care nursery services at Becontree, William Bellamy, Gascoigne and Sydney Russell Children's Centres, in accordance with the Council's Contract Rules, on the terms detailed in this report; and
- (ii) To authorise the Corporate Director of Children's Services, in consultation with the Corporate Director of Finance and Resources and the Solicitor to the Council, to award the contracts and coterminous leases for the four Children's Centre Day Nurseries (Becontree, William Bellamy, Gascoigne and Sydney Russell) to the successful contractors on completion of the procurement process.

139. People Strategy 2011-13

The Cabinet Member for Customer Services and Human Resources presented the proposed People Strategy for 2011-13.

The Strategy related to the Council's employees and aimed to address some of their concerns at the same time as ensuring that the Council was in a position to deliver its "Modern Ways of Working" agenda. The key themes within the Strategy were:

- Supporting the savings programme
- Workforce planning
- Talent management
- Performance management and reward
- Employee well-being
- Management development
- Communications and employee engagement

Cabinet **agreed** the People Strategy 2011-13 as attached at Appendix 1 to the report.

140. Grievance Resolution Procedure

This report was deferred.

141. Home Working Policy

The Cabinet Member for Customer Services and Human Resources presented a report on a new Home Working Policy, which was being introduced as part of the "Modern Ways of Working" programme for Council staff and was aimed at giving

staff added flexibility to manage their work - life balance and at the same time supported the Council in delivering excellent services.

The Cabinet Member referred to some of the main aspects of the Policy, such as the responsibility for health and safety matters, the circumstances when home-working would and would not be considered appropriate and control and monitoring processes. It was noted that home-working would continue to be an entirely voluntary arrangement under the Policy and officers also clarified that there were no issues for staff or the Council in relation to taxable benefits as a result of this Policy.

Cabinet **agreed** the Home Working Policy as set out at Appendix 1 to the report.

142. Council Debt Write-Offs 2010/11 - 1 January to 31 March 2011 (Quarter 4)

Cabinet received and noted a report from the Cabinet Member for Finance, Revenues and Benefits on the value and type of debts written off from the Income and Collection, Rents and Benefits Service areas as uncollectable for the fourth quarter (January to March 2011) of the 2010/11 financial year, together with comparable information for the first three quarters of the year.

It was noted that the Council's debt write-off policy was being reviewed in conjunction with Elevate, a report on which would be presented to Cabinet later in the summer, and officers were asked to ensure that the policy reflected the distinction between those who chose not to pay and those that were unable to pay.

During the discussions, issues were raised in the context of debt management regarding the current policy that required Council tenants to give a mandatory 28 days notice of termination, the flow of information between Council departments and services, the arrangements in relation to debts arising from the Council's managed commercial property portfolio and bailiff services provided on behalf of the Council. In respect of the latter two issues, it was agreed that the relevant Select Committee be requested to look into the services provided to the Council, with reports on the other issues being presented to Cabinet Members as appropriate in due course.