

MINUTES OF CABINET

Tuesday, 21 April 2020
(5:02 - 7:09 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Sade Bright, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Margaret Mullane, Cllr Lynda Rice and Cllr Maureen Worby

Also Present: Cllr Irma Freeborn

122. Chair's Opening Statement and Minute's Silence

The Chair explained that this evening's Cabinet meeting was being held virtually in view of the COVID-19 pandemic restrictions and he read an opening statement advising on the logistical arrangements for the meeting. The Chair then called on all those participating in the meeting to observe a minute's silence in memory of the 37 Borough residents who had lost their lives as a result of the pandemic.

123. Declaration of Members' Interests

There were no declarations of interest.

124. Minutes (17 March 2020)

The minutes of the meeting held on 17 March 2020 were confirmed as correct.

125. COVID-19 Financial Governance and Measures

The Cabinet Member for Finance, Performance and Core Services introduced a report that summarised the measures put in place by the Council to date in response to the COVID-19 pandemic and the financial measures to support local residents and businesses.

The Cabinet Member referred to the unprecedented circumstances resulting from the COVID-19 pandemic and the responsibility of the Council to do all that it could to support the local community. The Government had allocated an initial £1.6bn to local authorities to meet additional costs, of which Barking and Dagenham's allocation was £6.3m. A further £1.6bn allocation had recently been announced and other funds had been created to support those in receipt of Council Tax Support and the business community. While the Cabinet Member welcomed the extra funding, he stressed that it was important "to thrive and not just survive" and much more was needed for the Council and its partners to be able to meet the additional costs associated with social care provision and support those others most affected and at risk.

The Cabinet Member acknowledged the excellent work being undertaken across the Council and gave the example of the Business Rates Team, who had dealt with over 900 requests for support and information over the past weekend. The Council had also put in place measures to support its contractors and suppliers to

ensure continuity of service.

With all that in mind, the report was seeking a range of delegations to the Chief Financial Officer to enable grant funding to be allocated where it was most needed and to continue to support contractors and suppliers. In respect of the latter, the Cabinet Member referred to a slight amendment to the final recommendation in the report as he wished to extend the delegation to include any agreements, as well as contracts.

In response to questions and other observations, the Cabinet Member clarified some of the steps being taken to support the business community and encouraged those who needed help and advice to contact the Council.

Cabinet **resolved** to:

- (i) Delegate authority to the Chief Financial Officer to allocate the Emergency COVID-19 funding from Central Government (initial allocation: £6.3m) to meet the following priorities:
 - Meet the increased demand for adult social care and enable the Council to provide additional support to social care providers.
 - Support Clinical Commissioning Groups in discharging and keeping people out of hospital.
 - Meet the cost of extra demand and higher business-as-usual costs of providing children's social care.
 - Provide additional support for the homeless and rough sleepers.
 - Support those at higher risk of severe illness from COVID-19.
 - Meet pressures across other services, as a result of reduced income, rising costs or increased demand.
- (ii) Note that the Government has recommended that payment to providers of essential services to the London Borough of Barking and Dagenham continue to be made on the basis of them providing the contracted service regardless of their temporary ability to fulfil their contractual obligations, and delegate authority to determine the providers to who this applies to the Chief Financial Officer;
- (iii) Delegate authority to the Chief Financial Officer, following consultation with the Cabinet Member for Finance, Performance and Core Services and the Director of Law and Governance, to amend or refine the criteria for allocation of the Emergency COVID-19 funding; and
- (iv) Delegate authority to the Chief Financial Officer, following consultation with the Cabinet Member for Finance, Performance and Core Services and the Director of Law and Governance, to modify or extend contracts and agreements that may be required as a result of the impact of COVID-19.

126. Urgent Action: Sport and Leisure Management Support Package

The Cabinet Member for Finance, Performance and Core Services advised on action taken by the Chief Executive, on behalf of the Cabinet, to support the Council's leisure centre provider, Sport and Leisure Management Limited (SLM),

during the COVID-19 pandemic following the closure of all centres within the Borough.

The Cabinet Member explained that in order to ensure that leisure centre staff were paid during April, in advance of the implementation of the Government's Coronavirus Job Retention Scheme, it had been agreed to provide a loan of £241,000 as well as other financial measures to support SLM's cashflow position.

Cabinet **resolved** to note the action taken by the Chief Executive, in accordance with the Urgent Action procedures set out in Part 2, Chapter 16, paragraph 4 and the Special Urgency provision under Part 2, Chapter 17, paragraph 15 of the Council Constitution, in relation to approving a financial support package for SLM in the light of the enforced closure of the Borough's leisure centres due to the COVID-19 pandemic.

127. Be First Business Plan 2020-25

The Cabinet Member for Finance, Performance and Core Services presented the five-year rolling Business Plan of Be First for the period 2020-2025, the Council-owned company launched on 1 October 2017 with the key objective of driving forward the delivery of the Council's regeneration agenda.

The Cabinet Member drew attention to the main aspects within the Business Plan which covered a review of the last 12 months' activities, the plans for the year ahead and the medium-term perspective. Key commitments in the Business Plan included:

- The delivery of 116 new homes in 2020/21 from four development projects and the commencement of seven new development projects to deliver a further 938 homes up to 2024/25, with an average of 73% affordable housing;
- A masterplan for Thames Road to include mixed-use residential development and enhanced employment offer;
- Securing planning permission for and commencing construction of the Film Studios at the former Sanofi site, Dagenham East;
- Developing a vision for Dagenham Dock that focuses on opportunities from the wholesale markets;
- Delivering improvements to the look and feel of Barking Station;
- Attracting a major development partner for Barking Town Centre;
- Completing a number of strategic masterplans and the Borough Local Plan; and
- Being on target to exceed its contractual commitment of achieving a surplus of £10.3m by 31 March 2021, which would go towards funding other Council services to the local community.

The Cabinet Member stressed, however, that the Be First Business Plan and the other Business Plans on the agenda had been developed prior to the COVID-19 pandemic and represented the "business as usual" perspective. It would be necessary, therefore, for the Council and its commercial entities to continually monitor the situation and review plans accordingly. The Cabinet Member alluded to the risks associated with project delivery and the cost of borrowing highlighted within the report and added that these could be compounded by the restrictions brought about by COVID-19, although he also referred to potential opportunities

that may arise.

The Cabinet Member for Regeneration and Social Housing gave an update on a number of the major redevelopment and other projects that Be First were involved with. Cabinet Members also discussed the merits of Be First's operating model which had a significant focus on providing housing for all, in line with the Council's objective of "no one left behind", and welcomed the opportunity to work with all politicians and particularly the new Labour Party leadership to further the Council's aspirations.

Cabinet **resolved** to:

- (i) Approve the Be First Business Plan 2020-2025 at Appendix 1 to the report;
- (ii) Authorise the Chief Operating Officer, in consultation with the Investment Panel, to take all necessary action to enable Be First to carry out its proposals under the Business Plan and to agree any minor variations to the business plan subject to the conditions in these recommendations;
- (iii) Approve Be First or the Council to enter into any procurement related agreement or commitment required to enable the delivery of the Business Plan subject to compliance with relevant procurement regulation and compliance with State Aid rules;
- (iv) Agree that if Be First enter into contractual arrangements described in the Business Plan and the report, the Council shall give a guarantee to the Contractor under such contract guaranteeing performance of the contract by Be First subject to Be First being satisfied that the Contractor is able to perform the Contract and all necessary due diligence being undertaken;
- (v) Authorise the Chief Operating Officer to enter into any such guarantee and any necessary documents to give effect to the contractual arrangements so described, subject to the above conditions and the advice of the Director of Law and Governance;
- (vi) Agree to vary the existing loan facility as outlined in the report subject to the existing conditions relating to it; and
- (vii) Authorise the Chief Operating Officer, in consultation with the Investment Panel, to grant loans, any other relevant approvals on behalf of the Council which may be relevant or required for the specific project and complete all necessary documents and negotiations to complete the projects set out in the Business Plan, subject to all necessary due diligence and compliance with State Aid law, the Public Contracts Regulations 2015 (or any replacement thereof) and the Council's Constitution.

128. Barking and Dagenham Trading Partnership Business Plan 2020-23

The Cabinet Member for Finance, Performance and Core Services introduced the 2020-2023 Business Plan of the Barking and Dagenham Trading Partnership (BDTP) and its three trading entities, namely BD Services, BD Together and Londoneast UK Limited (LEUK).

The Cabinet Member referred to BDTP's main achievements in 2019/20, which included a predicted higher level of dividend return to the Council through securing additional work streams not included in the previous Business Plan, enhancing the skills of the workforce and attracting major educational and other organisations to the LEUK site at Dagenham East.

The plans for the next three years had a much greater focus than before on external growth, with a commitment to recruit 60 new operatives in BD Services alongside the creation of other new employment opportunities for local people. BDTP also intended to develop proposals to become more independent from the Council. The Cabinet Member repeated that the Business Plan would be subject to review due to the COVID-19 pandemic but in its present form it represented a robust benchmark of what BDTP intended to achieve and would allow the Council and BDTP, through the Shareholder Panel, to review arrangements going forward.

Cabinet **resolved** to:

- (i) Approve the Barking and Dagenham Trading Partnership Business Plan 2020-2023 at Appendix 1 to the report; and
- (ii) Approve Barking and Dagenham Trading Partnership to enter into any procurement related agreement or commitment required to enable the delivery of the Business Plan subject to:
 - a). Compliance with relevant procurement regulation
 - b). Compliance with relevant procurement law
 - c). BDTP's compliance with its own scheme of delegation
 - d). Compliance with state aid rules, and
 - e). Any other relevant approvals by the Council which may be relevant or required for the specific project.

129. Barking and Dagenham School Improvement Partnership Business Plan 2020-23

The Cabinet Member for Finance, Performance and Core Services introduced the 2020-2023 Business Plan of the Barking and Dagenham School Improvement Partnership (BDSIP), a school-led, not-for-profit company in which the Council was a minority (19%) shareholder.

The Cabinet Member explained that primary focus of the BDSIP was to become local schools' most trusted partner, working with them to deliver the best possible outcomes for the Borough's young people. Since its launch in 2018, BDSIP had focused on updating and improving its offer to schools and new services during the past year had included primary careers, counselling, speech and language therapy and continued professional development. The commitments for 2020-2023 included the introduction of at least two new services each year, to be developed in response to schools' emerging needs, and an aspiration for all schools in the Borough to be rated 'good' or 'outstanding' by 2023. BDSIP had also been successful in securing external funding from the Department for Culture, Media and Sport to support the development of its services and culture change within the business.

As with the earlier Business Plans, the Cabinet Member confirmed that the BDSIP Business Plan would be kept under review, overseen by the Shareholder Panel, in view of the potential impact of COVID-19.

The Cabinet Member for Educational Attainment and School Improvement spoke on the excellent work undertaken via the partnership and, in response to a question, confirmed that all of the Borough's community schools and 13 Free / Academy schools were members of the SIP.

Cabinet **resolved** to endorse the BDSIP Business Plan 2020-2023 at Appendix 1 to the report.

130. Establishment of New Additional Resource Provisions and Expansion of the Further Education Centre at Trinity Special School

The Cabinet Member for Educational Attainment and School Improvement introduced a report on the proposed formal establishment of Additional Resource Provisions (ARPs) at three mainstream schools and the expansion of the Further Education Centre (FEC) at Trinity Special School, to help meet increasing demand for specialist provision in the Borough.

The Cabinet Member advised that ARPs were designed to provide vital specialist and targeted support for pupils with long-term special educational needs or disabilities (SEND). The three new ARPs would specialise in autism and create a total of 60 permanent places at Barking Abbey Secondary School, Thomas Arnold Primary School and Grafton Primary School.

The Further Education Centre (FEC) at Trinity School catered for young people between 16 and 19 years of age with complex and severe or profound learning difficulties, promoting the development of independent living skills within a vocational skills framework. The existing provision catered for up to 60 students and the Cabinet Member advised that the intention was to increase that number to 90 permanent places.

The Cabinet Member referred to the funding arrangements for the expansions and the consultation that had taken place with parents, carers and other statutory bodies.

Cabinet **resolved** to:

- (i) Agree the permanent establishment of three Additionally Resourced Provisions (ARPs) at the following schools for pupils with a diagnosis of autism, each to have between 12 to 24 places with effect from the summer term 2020:
 - Barking Abbey Secondary School
 - Thomas Arnold Primary School
 - Grafton Primary School
- (ii) Agree to the expansion of the Further Education Centre (FEC) at Trinity Special School for pupils with complex and severe or profound learning

difficulties by an additional 30 places, to 90 places, with effect from the start of the winter term 2020.

131. Purchase of the Heathway Shopping Centre Long-Leasehold Interest

The Cabinet Member for Finance, Performance and Core Services presented a report on the opportunity for the Council to purchase the long leasehold of the Dagenham Heathway Shopping Centre.

The Shopping Centre and Millard Terrace, the 156-unit residential housing estate on the upper deck, were constructed in 1988. The Cabinet Member advised that whilst the floorspace occupancy levels at the Shopping Centre were high and the area was popular with local residents, the current unit sizes and internal arrangements undermined its potential. However, the most significant concerns related to the Millard Terrace housing estate which had recurring repair problems and compromised accommodation.

The entire site had been identified as a medium to long term regeneration opportunity for inclusion in the Borough Extended Estates Programme 2023 – 2033 and Be First's latest Business Plan included initial feasibility work. The Cabinet Member commented that the purchase of the long leasehold of the Shopping Centre would enable the Council and Be First to accelerate the redevelopment timeline and promote a high-quality, comprehensive regeneration scheme consisting of between 400 – 500 new residential units and refreshed retail provision. Therefore, while the purchase of the long leasehold represented a solid investment opportunity for the Council in itself, the marriage value associated with owning the entire site would give rise to significant additional benefits.

Cabinet Members spoke in strong support of the proposal and the wider regeneration benefits that would stem from it.

Cabinet **resolved** to:

- (i) Agree to purchase the long leasehold interest in the Heathway Shopping Centre for an acceptable value subject to not exceeding the maximum purchase price set out in Appendix 1 to the report;
- (ii) Authorise the Chief Operating Officer to agree and approve an asset management strategy for the Shopping Centre;
- (iii) Note that the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) shall apply with the transfer of the Shopping Centre Manager to Be First; and
- (iv) Authorise the Chief Operating Officer, in consultation with the Director of Law and Governance and the Cabinet Member for Finance, Performance and Core Services, to agree and execute all the necessary legal agreements, contracts and other documents associated with the resolution subject to satisfactory due diligence.

132. The New Corporate Plan 2020-22

The Cabinet Member for Finance, Performance and Core Services introduced the new Corporate Plan for 2020-22, setting out the Council's vision, priorities and targets for the next two years.

The Cabinet Member explained that the new Corporate Plan, and the Single Performance Framework (SPF) that accompanied it, had been developed prior to the COVID-19 pandemic. Therefore, much of the content of the documents would need to be reviewed in the light of lessons learned from the pandemic, the impact of the restrictions on performance and target levels and the way that the Council provided services going forward. The Cabinet Member commented, however, that the current version of the new Corporate Plan and SPF represented a baseline and benchmark for challenge of what was deemed achievable prior to COVID-19.

Cabinet Members spoke on a number of aspects of the Corporate Plan and SPF and the consequential impact of COVID-19 which included:

- The inability to address many of the aspirations and targets during the current situation;
- The improved relationship with health partners which had helped to provide more co-ordinated services to the local community;
- The significant benefits during the current crisis of earlier Council initiatives such as BD CAN, the community-based project co-ordinated by the Council with the support of BD Collective which connects volunteer support with people who need help;
- The recognition that masterplans for major redevelopment projects such as Chadwell Heath Industrial Estate and Thames Road properly reflect social infrastructure needs such as school place provision;
- Equalities and diversity issues being at the forefront of Council's policies;
- The very positive response from residents to the Council and its staff's efforts to continue to provide vital front-line services such as refuse collection and street cleansing;
- A request that local residents safely dispose of protective equipment to help prevent the spread of the disease;
- The speed at which the Council was able to transform the way that it provided its services when the restrictions were introduced, with over 75% of staff now working from home while the remaining staff continue to provide front-line services;
- Plans to organise a "Barking and Dagenham Thank You Festival" once social distancing restrictions were lifted.

Cabinet **resolved** to recommend the Assembly to approve the new Corporate Plan 2020-22 at Appendix 1 to the report.

133. Future Location of Multi Agency Safeguarding Hub (MASH)

The Cabinet Member for Social Care and Health Integration presented a report on the realignment of the management responsibilities relating to the Multi Agency Safeguarding Hub (MASH), which acted as the single point of entry for all referrals regarding safeguarding concerns for a child or young person.

The Cabinet Member advised that over the last year, the Children's Care and Support service had undergone significant change in line with the Improvement Programme initiated after the Ofsted inspection of early 2019. A new Target Operating Model had been established and significant joint working had been undertaken with the MASH to embed a new social work practice model and improve partnership working.

Reflecting on that work, it was felt that in order to be fully aligned and integrated with the improved Assessment Service and Children's Safeguarding Team, the management responsibility of the MASH would now be better placed in the Children's Care and Support service as opposed to its current location in Community Solutions.

Cabinet **resolved** to note the decision to relocate the MASH under new oversight in Children's Care and Support, whilst maintaining strong links with other front door services in Community Solutions, and to recommend that Overview and Scrutiny Committee receives a report on the progress of the MASH in its new home in April 2021.

134. Contract for the Provision of Bespoke Packages for Children's Care Services

Further to Minute 53 (13 November 2018), the Cabinet Member for Social Care and Health Integration reported on new proposals relating to the procurement of a two-year framework contract for the provision of a Bespoke Packages of Care Service for Children in Need, Children in Care and Children subject to a Child Protection Plan.

The Cabinet Member advised that the new Target Operating Model within Children's Care and Support, as referred to in the previous agenda item, had seen the introduction of a new Specialist Intervention Service (SIS) and the cessation of the Access to Resource Team (ART) service. The new Family Support team under the SIS would have a similar remit to provide bespoke intervention services and, therefore, the tender specification had been reviewed to align the work of that team with the new SIS.

Cabinet **resolved** to:

- (i) Agree the updated arrangements for the procurement of a two-year framework contract for the provision of a Bespoke Packages of Care Service for Children in Need, Children in Care and Children subject to a Child Protection Plan, in accordance with the Council's Contract Rules and the strategy set out in the report; and
- (ii) Delegate authority to the Director of People and Resilience, in consultation with the Cabinet Member for Social Care and Health Integration, the Chief Operating Officer and the Director of Law and Governance, to award and enter into the framework agreements and all other necessary or ancillary agreements with the successful bidders.

135. Oracle Enterprise Resource Planning (ERP) System - Procurement of Replacement Solution

The Cabinet Member for Finance, Performance and Core Services introduced a report on proposals to procure a new contract for the provision of a new Enterprise Resource Planning (ERP) system to support the Council's Human Resources, Payroll, Finance, Purchasing, Expenses and Debtor activities.

The Cabinet Member advised that the current ERP system, Oracle e-Business Suite Release 12.1.3, would not be supported beyond December 2021. Officers had considered a range of options and the preferred model was to procure a Cloud Software as a Service (Cloud SaaS) solution whereby the contracted organisation would host the ERP solution on behalf of the Council under an initial five-year contract with the option to extend for a further five years (in one-year increments).

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a contract for a replacement ERP system in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Chief Operating Officer, in consultation with the Cabinet Member for Finance, Performance and Core Services, the Finance Director and the Director of Law and Governance, to conduct the procurement and enter into the contract and all other necessary or ancillary agreements with the successful bidder(s) [and/or other related parties] in accordance with the strategy set out in the report.

136. Procurement of a Replacement Customer Relationship Management and IT Service Management System

The Cabinet Member for Finance, Performance and Core Services presented a report on proposals to procure a replacement Customer Relationship Management (CRM) System and Information Technology Service Management (ITSM) System.

The Cabinet Member advised that as the Council's partnership with Agilisys would end in December 2020, it was necessary to procure new solutions that would offer the functionality and flexibility to meet current and future service requirements. An assessment of options had identified the purchase of a joint CRM and ITSM system under a single, maximum four-year contract as the preferred route.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a new Customer Relationship Management System and IT Service Management System in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Chief Operating Officer, in consultation with the Cabinet Member for Finance, Performance and Core Services and the Director of Law and Governance, to award and enter into contract(s) / agreement(s) and any periods of extension with the chosen supplier.

137. Minute's Applause

The Chair took the opportunity to call on those participating in the meeting to join him a minute's applause as a mark of appreciation to all those who were providing support to others during the current COVID-19 pandemic, especially those working on the front-line of the NHS, care home and hospice staff and the Council's workforce, who were helping to keep essential services running and save lives.