

MINUTES OF CABINET

Tuesday, 19 January 2021
(6:01 - 8:45 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 and Cllr Maureen Worby

62. Declaration of Members' Interests

There were no declarations of interest.

63. Minutes (15 December 2020)

The minutes of the meeting held on 15 December 2020 were confirmed as correct.

64. Update on COVID-19 Issues

The Cabinet Member for Social Care and Health Integration gave the following update on COVID-19 issues:

- In the last seven days there had been a further 2,199 positive cases of COVID-19 in the Borough. The current rate of 1,000 cases per 100,000 was a reduction on the previous high of 1,600 cases and indicated that the local community were abiding by the current lockdown rules,
- The significant increase in positive cases since the last update showed how virulent the latest strain of the virus was and that it was still vital that residents continued to abide by the rules and self-isolate when required,
- Sadly, there had now been a total of 370 deaths in the Borough,
- Further testing sites were now operational in the Borough, whether or not people were displaying symptoms,
- Regional vaccination centres were shortly to be opened at the Barking Broadway Theatre and at London East,
- All local care home residents had now been vaccinated. The vaccine roll-out was gathering pace with the latest figures indicating that 4,000 had received their first dose. That said, the vaccination did not mean that people were safe and could not still spread the virus. Therefore, this was not the time to be complacent, and that it was still a matter of hands, face and space.

In response to a question about the vaccine, the Cabinet Member was confident that all the vulnerable members of the community would receive the vaccine in good time and that, in general, the uptake was good. She acknowledged, however, that there had been resistance from some frontline workers and the Council was working hard to dispel the myths around the vaccine.

The Cabinet Member for Enforcement and Community Safety placed on record her thanks for the excellent work of the Enforcement Team and commented that while most people were adhering to the current lockdown restrictions, there would be no let-up in enforcing the rules and, where appropriate, issuing fines.

65. Revenue Budget Monitoring 2020/21 (Period 8, November 2020)

The Cabinet Member for Finance, Performance and Core Services presented a report on the Council's revenue budget monitoring position for the 2020/21 financial year at 30 November 2020 (period 8).

As a consequence of COVID-19 and subsequent economic impacts, the Council had experienced a high level of additional costs and pressures including loss of service income from fees and charges. As a result of underlying financial pressures including increased costs, demographic and other demand growth, savings not yet delivered and other risks, there was an underlying budget variance of £5.743m, largely in the service areas of Care and Support and My Place.

The Cabinet Member commented that the period 8 monitoring report had been compiled prior to the latest lockdown and, consequently, the resultant latest financial effects would become clearer in the coming months. As had been anticipated, the financial position had worsened by £1.3m since the last report in December 2020, meaning an overall expenditure variance of £27.913m.

Taking into account un-ringfenced grant support funding and claims as compensation for loss of income, the total predicted overspend as at the end of November 2020 was £3.568m. The Cabinet Member pointed out, however, that the impact of increased infection rates and the continuing restrictions over the rest of the winter period meant that the year-end position could result in an overspend of circa £16m based on the most pessimistic projections, which would need to be met through a combination of budget support and General Fund reserves.

The Cabinet Member highlighted the continuing financial difficulties that the Council had faced over the period of the pandemic and the longer-term legacy of austerity. In that respect, he repeated his previous remarks about the lack of Government funding particularly for care and support services, highlighting the fact that the Government had again decided to place the onus on local authorities to raise additional income for those vital services through the Social Care precept on Council Tax.

The Cabinet Member also referred to the proposal in the report regarding the B&D Energy Business Plan for developing the Barking Town Centre (BTC) District Energy Network (DEN), which was approved by the Cabinet in March 2019. Tenders for the construction of the underground pipework and substation infrastructure had come in over budget, mainly due to the small number of suppliers in the market and compounded by "risk pricing" associated with COVID-19.

B&D Energy proposed to contribute £267,000 from its operational budget towards the additional costs and was seeking an additional loan facility of up to £2.769m from the Council while it explored further options for potential Government funding to help bridge the gap

Cabinet **resolved** to:

- (i) Note the projected revenue outturn forecast for the 2020/21 financial year

as set out in sections 2 to 4 and Appendix A of the report and the potential impact on the reserves position as set out in section 7 of the report,

- (ii) Note the update on key savings programmes, as set out in section 5 of the report,
- (iii) Note the update on the impact of COVID-19 and the lockdown, as set out in section 6 and 7 of the report; and
- (iv) Approve an additional capital loan facility of up to £2.769m to B&D Energy to bridge the funding gap in relation to Energy tenders as set out in section 9 of the report, subject to the condition that any third-party funding that was secured would reduce the loan amount required by the full funding amount.

66. Procurement of New Credit Union to Deliver a Local Community Banking Service

The Cabinet Member for Finance, Performance and Core Services introduced a report seeking approval for the procurement of a new Credit Union to deliver a local community Banking Service.

Since June 2020, supported by LGA grant funding, the Council had worked with the Financial Inclusion Centre on the options appraisal for access to affordable credit and finance for residents, based on evidence of the need and demand for affordable credit and financial services in the Borough. The Cabinet Member referred to the options considered and advised that the recommended approach was to seek to partner with a dynamic, forward-thinking Credit Union to extend their delivery into the Borough to provide a holistic community banking offer for residents and staff.

It was noted that the preferred solution would require an investment of £300,000 by the Council to build both capacity and membership via a comprehensive communications and advertising campaign. The Cabinet Member stressed, however, that the investment would represent an invest-to-save opportunity as residents would often turn to the Council for support when in financial difficulties which, in turn, would result in costs to the Council. The Cabinet Member added that he saw the credit union as the first step towards a longer-term aspiration of establishing a 'Barking and Dagenham Bank'.

Members spoke of their wholehearted support for the proposal and, in particular, its potential contribution to reducing child poverty which was a significant issue in the Borough.

Cabinet **resolved** to:

- (i) Agree to the procurement of a contract for a credit union to underpin a local Community Banking service, in accordance with the strategy set out in the report, with the aim of increasing access to more affordable credit, fairer financial services and supportive debt and money advice; and
- (ii) Delegate authority to the Director of Community Solutions, in consultation with the Acting Chief Executive and the Director of Law and Governance, to

award the contract for the new Credit Union.

67. Article 4 Direction - Permitted Development Rights Allowing Upwards Extensions to Certain Buildings

The Cabinet Member for Regeneration and Social Housing presented a report on the issue of permitted development regulations, introduced by the Government from August 2020, that had granted the right to extend various buildings upwards, including blocks of flats, dwelling houses and commercial units, through the prior approval planning process.

The Cabinet member advised that the prior approval process afforded local authorities limited criteria, set in law, against which to examine proposals and only allowed limited contributions to mitigate their impact on local infrastructure or ensure the provision of affordable housing through a S106 planning obligation. The new regulations had the potential to create significant negative impacts on local communities and the Council would have no control on the design of those types of development, therefore undermining the Council's ambitions for improving the design quality of new developments within the Borough.

The Cabinet Member stated that evidence suggested that the greatest impact of the permitted development rights would be on existing residential areas and not on the industrial areas within the Borough, as exemplified by two recent planning applications for the construction of additional storeys on top of existing residential buildings to create new units. It was therefore considered that it would be in the Borough's best interests to adopt an Article 4 Direction to remove certain permitted development rights within the residential areas of the Borough, excluding industrial areas as shown in appendices to the report and in accordance with the provisions of the Local Plan.

Cabinet **resolved** to:

- (i) Agree to adopt the Article 4 Direction, under the General Permitted Development Order 2015, to remove the permitted development rights in relation to additional storeys above certain buildings within specific areas of the London Borough of Barking and Dagenham; and
- (ii) Delegate authority to the Director of Inclusive Growth, in consultation with the Cabinet Member for Regeneration and Social Housing and the Director of Law and Governance, to vary the extent of the Article 4 Direction in relation to industrial areas in the Borough as deemed appropriate.

68. Independent Review of the Fire at Samuel Garside House, Barking

The Cabinet Member for Regeneration and Social Housing presented a report detailing the findings and recommendations arising from an independent review commissioned by the Council and led by Sir Steve Bullock and Diarmaid Ward, into the events and aftermath of the fire at Samuel Garside House at Barking Riverside that occurred in June 2019.

The Cabinet Member recalled the events surrounding the fire on the day which was an emotional and traumatic time for all involved and primarily the residents.

He paid tribute to the efforts of Council staff in responding to the fire, including setting up an emergency centre at Thames View Community Centre, and the help and support that came from individuals, families, voluntary and community groups both on the day and the period thereafter.

The report outlined the events of the day and the review team's interpretation of the key issues. Of particular note, the report highlighted how the Council stepped up to deliver for residents amid a confusing mix of responsibilities, caused by the complex private ownership and management arrangements of the building.

The Cabinet Member summarised the key findings and recommendations arising from the review which had brought together a series of practical, relatively inexpensive measures to improve public safety which he hoped would become legally binding through, for example, a Parliamentary Private Members Bill.

The Leader reflected on his role as London Councils Lead on Housing and Planning and commented that, in his view, the Government's response to date to the Grenfell tragedy had made it harder for local government to protect its local residents when it came to fire safety. Cabinet Members also commended the way the community rallied together to support residents.

The Leader placed on record his thanks to the efforts of the Cabinet Member for Regeneration and Social Housing as well as to both Sir Steve Bullock and Diarmaid Ward for their thorough review of the key events surrounding the fire, identifying the lessons learnt and recommendations for action and/or change.

Cabinet resolved to:

- (i) Note the full independent review report at Appendix 1 to the report; and
- (ii) Endorse the recommendations for Government and the private sector as set out in paragraph 2.3 of the report and section 3 of the full independent review report.

(Prior to moving on to the next item of business, the Cabinet resolved to suspend Standing Order 7.1 (Part 2, Chapter 3 of the Council Constitution) to allow the meeting to continue beyond the two-hour duration threshold.)

69. Modern Slavery Charter Update

The Cabinet Member for Social Care and Health Integration introduced a report providing a progress update on the Council's commitments in its Modern Slavery Charter and an updated Modern Slavery Statement for 2021/22,

The Cabinet Member commented that modern slavery was a significant safeguarding issue for the local community, made worse by the effects of the pandemic not least because many victims lived in appalling conditions and were unable to keep safe from Covid. Home Office figures indicated that, in the UK, there were up to 13,000 potential victims of modern slavery recorded in 2013 and more than 10,000 cases of human trafficking recorded in 2019, with 27 of those referrals being in Barking and Dagenham. Modern slavery was hidden, often in

plain sight; on high streets, in local businesses, and even suburban streets. Unwittingly, the local community may be using victims of modern slavery to wash their cars, paint their nails and lay their drives. Children were also victims with many of the more vulnerable being exploited for drug trafficking, sometimes coerced, along so-called “county lines”.

Against that background, the Cabinet Member updated the Cabinet on the considerable progress against the ten commitments in the Co-operative Modern Slavery Charter, which the Council signed up to in May 2018, and spoke on the Council’s updated Modern Slavery Statement for 2021/22. Concluding her report, the Cabinet Member paid tribute to staff for their work in helping to tackle the difficult issues associated with modern slavery and trafficking, adding that there was still much more to do.

The Cabinet Member for Enforcement and Community Safety commented that the issue was a high priority for the Borough’s Community Safety Partnership and also referenced the ‘Step Up Stay Safe’ project, a partnership and cross-service initiative to develop a tiered intervention approach to youth violence.

Cabinet **resolved** to:

- (i) Note the progress against the Modern Slavery Charter and the account given of the Council’s approach as set out in the Modern Slavery Statement 2021/22 at Appendix 1 to the report; and
- (ii) Note the brief on the wider direction of travel relating to Modern Slavery in Barking and Dagenham, including the governance update between partnership boards.

70. Council Tax Support Scheme 2021/22

The Cabinet Member for Finance, Performance and Core Services introduced a report on the local Council Tax Support Scheme (CTSS) for 2021/22, which the Council had a statutory duty to review annually.

The Cabinet Member commented that arrangements for local schemes had been implemented by the Government in 2013 as part of its wider welfare reforms, the impact of which disproportionality impacted on the poor and disadvantaged members of society. The Council’s CTSS had supported many residents over the years and it was proposed to retain the fundamentals of the 2020/21 scheme, including the £50,000 budget to support those in exceptional hardship, while making a number of administrative changes aimed at improving clarity, aligning with other welfare benefits, primarily Universal Credit, and enhancing access for those eligible for entitlement.

Cabinet **resolved** to recommend the Assembly to agree that the Council Tax Support Scheme implemented for 2020/21 be retained for 2021/22, subject to the administrative changes as set out in Section 2 of the report.

71. Calculation and Setting of the Council Tax Base 2021/22

The Cabinet Member for Finance, Performance and Core Services introduced the

annual Council Tax Base report for the 2021/22 financial year, which must be set by 31 January each year in accordance with Section 67 of the Local Government Finance Act 1992.

With regard to the level of Council Tax for 2021/22 that would be set by the Assembly in February 2021, the Cabinet Member advised that the Council's latest Medium Term Financial Strategy had assumed an increase in the Council Tax base of 1.5%. However due to Covid-19, many more residents were claiming Council Tax Support which had reduced the number of chargeable properties to the extent that, based on the Band 'D' properties for 2021/22 after all discounts and exemptions had been applied, the amount of Council Tax income would reduce by £0.268m compared to the previous year. It was noted that the resultant financial pressure was likely to mean that the Council would have to consider implementing the maximum permissible increase when determining the level of Council Tax for 2021/22.

Cabinet **resolved** to agree that, in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by the London Borough of Barking and Dagenham Council as its Tax Base for the year 2021/22 shall be 50,995.71 Band 'D' properties.

72. Corporate Plan 2020-22 - Q1 and Q2 2020/21 Performance Reporting

The Cabinet Member for Finance, Performance and Core Services introduced the Corporate Performance monitoring report for quarters 1 and 2 of the 2020/21 financial year, the first report under the new performance regime which provided updates on the delivery of projects and programmes of strategic importance, known as the Strategic Framework.

The Cabinet Member explained that the performance framework underpinned the new Corporate Plan and was all encompassing, comprising 300+ metrics and 150+ deliverables to give an effective overview and based on a thematic and narrative-led approach to reporting. Following the outbreak of Covid-19 it had been necessary to revisit and update the Strategic Framework to reflect the Council's response and the social and economic legacies of the pandemic which had profound implications for the Council's short and medium-term plans.

Other Cabinet Members provided brief overviews of performance within their portfolios, collectively paying tribute and giving thanks to the outstanding efforts of frontline workers during the pandemic.

Cabinet **resolved** to note the performance highlights and areas of improvement for quarters 1 and 2 of 2020/21 as set out in Appendix 1 to the report.

73. Private Business

Cabinet **resolved** to exclude the public and press for the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

74. Regeneration Strategy for Dagenham Dock: Dagenham Freeport

The Cabinet Member for Regeneration and Social Housing presented a report on proposals for the Council to join Ford Motor Company and other partners in the progression of a bid to create a Freeport at Dagenham Dock.

The Cabinet Member advised that the Government planned to create at least 10 Freeports across the UK to become new hubs for business and enterprise targeted at creating, as the Government has suggested, “thousands of jobs, regenerating communities and turbocharging Britain’s post-Brexit growth”. Those Freeports would benefit from generous tax reliefs, simplified customs procedures and wider Government support to incentivise the growth of business.

In response to the Government’s plans, Ford had entered into an agreement with the Port of Tilbury and London Gateway Port to jointly bid for a Freeport as part of Ford’s strategy for the future of its business in the area, including their Dagenham site. In order to comply with the Government’s bidding requirements, LBBB would be required to become a joint party to the bid which would entail direct involvement in the governance of the port. LBBB would also need to agree to other key issues such as a structure for investment of future retained business rates growth, a Local Development Order (LDO) to control development via planning and other measures required to support delivery of the Freeport.

The Cabinet Member concluded that if the Freeport bid was successful the project would bring a range of benefits to the Borough and its residents in the form of more and better jobs as well as significant investment in the Ford site and the wider Dagenham Dock area, supporting and enabling the Council’s vision for regeneration and inclusive growth in that area.

Cabinet **resolved** to:

- (i) Approve the Council supporting Ford’s proposal for a Freeport and submitting the Freeport bid jointly with Ford and its key bid partners, including the Port of Tilbury, London Gateway Port and Thurrock Council, subject to Ford agreeing to work with the Council to support and enable wider regeneration in Dagenham Dock and to mitigate any negative impacts of the Freeport bid, and to delegate authority to the Director of Inclusive Growth, in consultation with the Leader and the Cabinet Member for Regeneration and Social Housing, to progress the negotiations with Ford;
- (ii) Approve the request for in-principle support for the Council becoming a party to the governance structure for the new Freeport,
- (iii) Delegate authority to the Director of Law and Governance, in consultation with the Council’s Leader and Cabinet Member for Regeneration and Social Housing, to agree to the formal arrangements for the Council’s role in the Freeport’s governance structure,
- (iv) Approve the request for in-principle support for a scheme for businesses rates relief, relief reimbursement by Government and the local investment of future retained business rates growth,

- (v) Delegate authority to the Finance Director, in consultation with the Council's Leader and Cabinet Member for Finance to agree to the formal process for business rates relief and to agree a decision-making process for setting out how future business rates will be reinvested,
- (vi) Approve the request for in-principle support for a Local Development Order (LDO) to support and accompany a Freeport at Dagenham Dock,
- (vii) Delegate authority to the Director for Inclusive Growth, in consultation with the Council's Leader and Cabinet Member for Regeneration and Social Housing, to undertake appropriate consultation and draft the LDO, to then be submitted to Cabinet for final approval,
- (viii) Agree in principle to the use of compulsory purchase powers to acquire any third-party land interests required to support delivery of the Freeport and associated infrastructure, and
- (ix) Authorise the Director for Inclusive Growth to undertake the investigative and preparatory work required for the compulsory purchase process should it be necessary to acquire third party land interests and, should it prove necessary and appropriate for one or more compulsory purchase orders to be made, note that a further report would be brought to Cabinet seeking approval to the making of an Order.