

# CABINET

Tuesday, 24 April 2012  
(5:00 - 5:17 pm)

**Present:** Councillor L A Smith (Chair), Councillor R Gill (Deputy Chair), Councillor J L Alexander, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor J R White and Councillor M M Worby

**Also Present:** Councillor G Letchford

**Apologies:** Councillor H J Collins and Councillor P T Waker

## 135. Declaration of Members' Interests

Councillors Gill and Geddes declared personal interests in relation to item 15 (Establishing Sports Facilities at Barking Abbey School) as they were Council-appointed Governors of the School.

## 136. Minutes (20 March 2012)

The minutes of the meeting on 20 March 2012 were confirmed as correct.

## 137. Review of Household Waste Collection Methods

The Cabinet Member for Environment introduced a report on the proposal to replace the weekly orange bag collection of dry recyclables with a fortnightly 240 litre wheeled bin service.

The Cabinet Member advised that public consultation was carried out on four possible options and the response was overwhelmingly in favour of a fortnightly wheeled bin collection. He added that the new service would bring benefits in terms of carbon reduction and lower collection costs.

Cabinet **agreed:**

- (i) To the replacement of the weekly orange bag collection of dry recyclables with a fortnightly 240 litre brown wheeled bin service, as detailed in the report;
- (ii) To authorise the Corporate Director of Housing and Environment, in consultation with the Cabinet Member for Environment, to implement the new scheme;
- (iii) To the procurement of 59,000 wheeled bins through the East Shires Purchasing Organisation framework agreement, as detailed in the report; and
- (iv) To authorise the Corporate Director of Housing and Environment, in consultation with the Corporate Director of Finance and Resources, to award the contract to the successful contractor.

### **138. Performance House 2011/12 - October to December 2011 (Quarter 3)**

The Leader of the Council presented the corporate performance report for the third quarter period 1 October to 31 December 2011.

The Performance House report covered the full set of the Council's performance indicators and highlighted the 19 'key' indicators as well as those where performance had deteriorated or significantly improved. The report also contained information on customer complaints and Members' enquiries and the Leader stressed the importance of all Members registering enquiries through the Members' casework process, as the information recorded via that process informed discussions on strategy and resource allocation. The Cabinet Member for Environment added that he regularly discussed the customer complaints and Members' enquiries information at his portfolio meetings.

Cabinet **agreed** to note the report and the action to be taken in response to areas of underperformance.

### **139. Planning for Religious Meeting Places - Amendment to Planning Advice Note 4**

Further to Minute 39 (28 September 2010), the Cabinet Member for Regeneration presented a report on proposed amendments to the Planning Advice Note on Religious Meeting Places (PAN 4) in relation to designated industrial and employment areas within the Borough.

The Local Development Framework Steering Group undertook a review of PAN 4 last October in response to evidence of an adverse impact that proposals for new places of worship were having on rent levels for business premises in those areas, data on vacancy levels and concerns expressed by local businesses. The Steering Group concluded that the preferred locations of Thames Road and the Rippleside Commercial Area should be removed from PAN 4 and that other uses within the Borough's designated employment areas should not be allowed at ground floor level. The changes to PAN 4 were supported by the Development Control Board at its meeting on 16 November 2011.

The Cabinet Member commented that the proposed changes to PAN 4 would achieve a better balance between the need for new places of worship and the protection of business and employment opportunities in the Borough.

Cabinet **agreed to recommend the Assembly** to adopt the revised Planning Advice Note on Religious Meeting Places (PAN 4), as set out at Appendix 1 to the report.

### **140. Proposed Extension of the Civil Contingencies Joint Service to include London Borough of Havering**

Further to Minute 50 (2 November 2010), the Cabinet Member for Customer Services and Human Resources presented a report on a proposal for the London Borough of Havering to join the joint Civil Contingencies service between Barking and Dagenham and Waltham Forest under an initial one-year pilot.

The Cabinet Member explained that the inclusion of the London Borough of Havering, and the potential for other Local Authorities to join in the future, would provide a framework for the delivery of further efficiencies whilst maintaining the resilience and flexibility of the service.

Cabinet **agreed**:

- (i) To extend the joint Civil Contingencies service to include the London Borough of Havering under a one-year pilot arrangement;
- (ii) That a report be presented in December 2012 on the evaluation of the pilot and whether to formalise the arrangement from April 2013; and
- (iii) That officers continue to explore the potential to extend the joint service arrangement to other Local Authorities in the event that it was considered to be in the Council's interests to do so.

#### **141. Term Contract for Maintenance, Repair and Minor Works on Security and Protection Systems**

The Cabinet Member for Finance and Education presented a report on proposals for the procurement of a new three-year term contract, with the option of two one-year extensions, to provide maintenance, repair and minor works services to security and protection systems in public buildings and schools.

The Cabinet Member advised that it was anticipated that the new contract would commence on 3 September 2012 and, in the meantime, it was intended to retain the services of the existing contractor, on the same terms, to ensure continuity of service provision.

Cabinet **agreed**:

- (i) To the procurement of a new three-year contract, with an option to extend up to two additional years, for the provision of maintenance, repair and minor works services to security and protection systems in public buildings and schools, on the terms detailed in the report;
- (ii) To authorise the Corporate Director of Finance and Resources to extend the term of the contract in accordance with the provisions of the contract and subject to satisfactory performance by the contractor during the initial term of the contract;
- (iii) That the Cabinet Member for Finance and Education be kept informed on the progress of the procurement of the contract;
- (iv) To authorise the Corporate Director of Finance and Resources to award the contract to the successful contractor; and
- (v) To authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services, to formalise the ad-hoc arrangement with the existing contractor to ensure continuity of service until the start of the new contract.

## **142. Urgent Action - Procurement of Electricity and Gas Supplies**

The Cabinet received and noted a report on the decision taken by the Chief Executive on 29 March 2012, acting under the urgency procedures contained within paragraph 17 of Article 1, Part B of the Council's Constitution, in respect of the following:

- (i) The appointment of LASER (Kent County Council's Utilities division) as the Council's professional electricity and gas procurement provider / broker;
- (ii) To enter into a four-year agreement with LASER for the provision of the management and procurement services for electricity and gas, to become effective on 1 October 2012;
- (iii) To adopt the Purchase Within Period (PWP) procurement route to market, which would provide the Council with value for money in a fluctuating market;
- (iv) That a bill validation audit be conducted in relation to the previous utilities service to ensure the Council had paid the correct amounts; and
- (v) That an application for dispensation from the Section 20 consultation requirements be made to the Leasehold Valuation Tribunal.

## **143. Private Business**

**Agreed** 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).

## **144. Becontree Heath Masterplanning**

The Cabinet Member for Regeneration presented a report on the development of a Becontree Heath masterplan aimed at regenerating the area and enhancing the integration of leisure, residential, retail/supermarket, vehicular and pedestrian route provision.

The Cabinet Member referred to the specific aspects that would be covered by the masterplan, the costs associated with the various proposals and the steps that needed to be taken to assist with the successful delivery of the project.

Cabinet **agreed**:

- (i) The masterplanning of the Becontree Heath area as detailed in the report;
- (ii) That up to £2.09m be apportioned from the Housing Revenue Account to meet the estimated cost of tenant decants, leaseholder buy-backs, commercial interest repurchases and masterplanning, as detailed in Tables 1 and 2 of the report;
- (iii) That a programme of community consultation and engagement be commenced with all stakeholders in the area;

- (iv) That the decanting of residents and the purchase of leasehold interests be commenced in respect of affected properties;
- (v) To the serving of Initial Demolition Notices on all secure tenants of affected properties in order to suspend the requirement for the Council to complete Right-to-Buy applications for those properties, for as long as the Notices remained in force; and
- (vi) To authorise the use by the Council of its Compulsory Purchase Order making powers pursuant to Section 17 of the Housing Act 1985 (amended) for the acquisition of land, as shown on the map at Appendix 2 to the report, and to promote an Order for the proposed scheme.

#### **145. Abbey Road Creative Industries Quarter - Options Relating to the Acquisition of 134 Residential Units**

The Cabinet Member for Regeneration presented a report on an opportunity for the Council to enter into a contractual arrangement with Bouygues UK for the acquisition and management of 134 new homes at Abbey Road Creative Industries Quarter.

Bouygues UK was appointed by the London Thames Gateway Development Corporation (LTGDC) to acquire and develop the site in two phases, with 134 new residential units to be constructed in the first phase and a further 138 in the second phase. Detailed discussions between the Council and Bouygues UK had identified a preferred option whereby the Council would acquire the Phase 1 units directly through the Housing Revenue Account. The Cabinet Member advised that the proposal would assist the Council in achieving its policy objective of providing more affordable housing for local residents and referred to the options that had been discussed and the implications for the Council, and specifically the Housing Revenue Account, of the preferred option.

**Cabinet agreed:**

- (i) To the acquisition by the Council of the long leasehold of 134 homes at Abbey Road Creative Industries Quarter as a new build scheme within the Housing Revenue Account;
- (ii) To authorise the Corporate Director of Finance and Resources, in consultation with the Corporate Director of Housing and Environment, the Divisional Director of Legal and Democratic Services and the Cabinet Members for Finance and Education, Housing and Regeneration, to negotiate final terms and agree the contract documents to fully implement and effect the project;
- (iii) To authorise the Divisional Director of Legal and Democratic Services, or an authorised delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council;
- (iv) To authorise the Corporate Director of Finance and Resources to issue, on behalf of the Council, such certificate or certificates under the Local Government (Contracts) Act 1997 to Bouygues UK (or such other bodies as may be parties to the Agreements) in connection with the Agreements; and

- (v) That the Corporate Director of Finance and Resources be fully indemnified by the Council in the event of any claim against her arising from the provision of any certificates she may issue in accordance with the decision in paragraph (iv) above.

#### **146. Modernisation of Cashiering Services**

The Cabinet Member for Finance and Education presented a report on the implementation of a Cashiering Service Modernisation Programme and, in particular, the proposed closure of face-to-face cashiering services as a means of reducing the use of cash and promoting more efficient electronic methods of payment both internally within the Council and by its customers.

The Cabinet Member advised that the Modernisation Programme would involve the cessation of the face-to-face service provided at the Barking Learning Centre with effect from 1 June 2012, with the intention that the service at the Civic Centre, Dagenham would cease at a later date. The Corporate Director of Finance and Resources advised that the original timing for the closure of the face-to-face service at the Civic Centre had been put back to May 2013 to enable any lessons from the closure of the service at the Barking Learning Centre to be incorporated into a further report to Cabinet, and to facilitate the smooth implementation of a new financial system across the Council earlier in the year.

It was noted that a public awareness campaign was an integral part of the Modernisation Programme and a key focus would be to raise awareness of alternative methods of payment available to customers and the advantages that those methods offered.

Cabinet **agreed**:

- (i) The closure of face-to-face cashiering services at Barking Learning Centre from 1 June 2012 as part of the Cashiering Service Modernisation Programme;
- (ii) That a further report be presented in the new year on the proposed closure of face-to-face cashiering services at the Civic Centre, Dagenham from 1 May 2013, in the light of the lessons learned from the closure of the service at the Barking Learning Centre; and
- (iii) That the Corporate Director oversees the development of a Communication Action Plan to advise customers of alternative and easier methods of payment and encourage more take up.

#### **147. Establishing Sports Facilities at Barking Abbey School**

The Corporate Director of Children's Services introduced a report on a proposal for the construction of floodlit all-weather football pitches, changing room and other facilities on land adjacent to the Barking Abbey School site in Longbridge Road, Barking.

The proposal had been developed following discussions between the management of Barking Abbey School and the company, PlayFootball. The preferred option

would require the grant of a long lease at a peppercorn rent to PlayFootball who, in return, would meet all capital and revenue costs associated with the construction and ongoing management of the facility. The School would benefit by having exclusive, free use of the facilities during school and other times, which would help to enhance the School's status as one of the country's leading Sports College's.

**Cabinet agreed:**

- (i) To grant a waiver of advertising and tendering requirements in accordance with the provisions of paragraph 4.2.2 of the Council's Contract Rules (Part D of the Constitution) and approve the appointment of PlayFootball to carry out the construction and management, at their own cost, of a dedicated all weather surface football facility and changing rooms at Barking Abbey School (Longbridge Road site), for use by the School and community on the terms and conditions set out in this report;
- (ii) To the disposal of land shown hatched on the plan at Appendix A to the report, for the provision of a dedicated all weather surface football facility and changing rooms, to PlayFootball by way of a 35-year lease at a nominal peppercorn rent on the general terms set out in the report; and
- (iii) To authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services, to agree the detailed terms of the lease and other necessary legal documentation.