

MINUTES OF CABINET

Tuesday, 19 October 2021
(7:00 - 8:05 pm)

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

Apologies: Cllr Sade Bright

41. Minute's Silence in Memory of Sir David Amess MP

The Chair asked all those present to join him in a minute's silence as a mark of respect to Sir David Amess, Member of Parliament for Southend West, who was brutally murdered on 15 October 2021 while holding a constituency surgery.

42. Declaration of Members' Interests

There were no declarations of interest.

43. Minutes (21 September 2021)

The minutes of the meeting held on 21 September 2021 were confirmed as correct.

44. Revenue Budget Monitoring 2021/22 (Period 5, August 2021)

The Cabinet Member for Finance, Performance and Core Services presented a report on the Council's revenue budget monitoring position for the 2021/22 financial year as at 31 August 2021 (period 5).

The General Fund revenue budget showed a projected net overspend of £10.737m against the budget of £173.614m, which represented an increased deficit of circa £1m on the position reported last month. The Cabinet Member commented that despite the Council adding a net £17.817m of growth to the 2021/22 budget, it came as no surprise that many service budgets continued to overspend due to the significant uplift in demand for services primarily due to the COVID-19 pandemic, with the latest data showing almost 50,000 new cases each day and the highest daily death rate since the Spring. With reference to the Government's decisions to end the national furlough scheme and to cease the £20 per week additional payment to Universal Credit (UC) recipients from early October 2021, the Cabinet Member compared the latest COVID grant allocation from Government of just over £2m to the net loss of approximately £18m for the remainder of the 2021/22 financial year that the 36,000+ local residents on UC would now receive.

The Cabinet Member highlighted some of the key areas of overspend, the pressures on the savings programme, income targets and reserves, and also referred to the risks and opportunities identified in the appendix to the report.

The Government were urged to implement the long-awaited Fair Funding policy which would better reflect the levels of deprivation, poverty and vulnerability within Barking and Dagenham and address the lack of funding that the Council currently received, particularly in the area of social care. Reference was also made to the disparity between the significant level of support that the private sector received from the Government compared to the public sector in response to the COVID pandemic and the misleading statements coming from Government on a number of issues.

Cabinet **resolved** to:

- (i) Note the projected revenue outturn forecast for the 2021/22 financial year as at 31 August 2021, as set out in sections 2 and 3 and Appendix A of the report; and
- (ii) Note the update on savings proposals, as set out in section 4 of the report.

45. Commissioning and Delivery of the DfE Holiday Activities and Food Programme

The Cabinet Member for Educational Attainment and School Improvement introduced a joint report regarding the delivery of the Department for Education (DfE) sponsored Holiday Activities and Food Programme, which provided healthy food and enriching activities to disadvantaged children over the main school term holidays.

The Cabinet Member explained that due to the DfE only notifying local authorities of funding allocations for 2021 in February, the Education service had directly commissioned six organisations to provide services over the Easter holidays and implemented a bidding process for the Summer holiday provision which resulted in a wider range of organisations with different specialisms providing services over that period. The intention for the Christmas holiday period was to follow a similar approach to that for the Summer period.

The Cabinet Member outlined some of the many benefits of the programme and commended the response of the Education service to ensure that face-to-face provision was in place at such short notice, which many other local authorities had been unable to achieve. The Cabinet Member also spoke on the inclusive nature of the provision that she had witnessed over the Summer period, which had been enjoyed by over 3,000 children and young people, and encouraged colleagues to visit activities over the Christmas period.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the commissioning and delivery of the Holiday Activities and Food Programme for the 2021 Christmas holiday period, in accordance with the strategy set out in the report;
- (ii) Note the action taken to ensure delivery of the Holiday Activities and Food Programme for the 2021 Easter and Summer holiday periods, as set out in the report;

- (iii) Authorise the Commissioning Director for Education, in consultation with the Cabinet Members for Social Care and Health Integration and Educational Attainment and School Improvement, the Strategic Director, Law and Governance and the Managing Director, to conduct the procurement and award and enter into the contract(s) and all other necessary or ancillary agreements with the successful bidders, in accordance with the strategy set out in the report; and
- (iv) Authorise the Commissioning Director for Education, in consultation with the Cabinet Members for Social Care and Health Integration and Educational Attainment and School Improvement, the Strategic Director, Law and Governance and the Managing Director, to conduct future procurements and award contracts for the delivery of the Holiday Activities and Food Programmes in the event that the Department for Education continues to provide adequate funding.

46. Procurement of Water Services for Corporate and Non-Domestic Council Buildings

The Cabinet Member for Finance, Performance and Core Services presented a report on proposals to procure a new contract for the provision of retail water services to cover the Council's corporate requirements and that of the Borough's schools.

The Cabinet Member explained that the intention was for the Council to lead on a joint procurement exercise with four other local authorities whereby a provider would be commissioned, via the LASER Y16045 Framework, to run a joint mini-tender on the authorities' behalf. It was noted that the tender evaluation criteria was likely to be based on 55% cost and 35% quality, with the remaining 10% relating on the Council's Social Value criteria, and that the contract would be let for an initial two year period, commencing 1 May 2022, with an option to extend for a further two years.

Cabinet **resolved** to:

- (i) Approve the Council's participation in the mini competition process, to be carried out by LASER, to procure a supplier to meet the Council's retail water requirements with effect from 1 May 2022, in accordance with the strategy set out in the report; and
- (ii) Authorise the Strategic Director, My Place, in consultation with the Cabinet Member for Finance, Performance and Core Services and the Strategic Director, Law and Governance, to finalise any specific terms of the contract with the preferred bidder and award and enter into the contract(s) and all other necessary or ancillary agreements to facilitate the execution, implementation, and operation of the contract, including any extension agreement.

47. Company Board Arrangements

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

report on proposed new arrangements regarding the appointment of individuals to the Boards of Council wholly-owned companies.

The Cabinet Member outlined the current position in respect of each Board of Directors, the number of vacancies that were due to arise over the course of the next year and plans to strengthen Board memberships to provide additional expertise and insight. He also advised on the outcome of a Council-commissioned external board effectiveness review process, in line with best practice for commercial companies, which identified the strengths and areas of improvement relating to the governance of each company, which the respective Boards had received for their consideration and implementation.

The Cabinet Member was pleased to report that the review process had not highlighted any significant concerns, with recommendations focussed on aspects such as Board agenda cycles, annual reviews of risk management and internal control procedures, and the approach to succession planning for Board appointments.

Cabinet Members welcomed the review of the Boards' governance arrangements and officers were asked to provide a briefing on the progress of the wholly-owned companies and to make available the board effectiveness review reports.

Cabinet **resolved** to delegate authority to the Chief Executive, in consultation with the Shareholder Panel, to approve on behalf of the Council as shareholder the appointment of individuals to Company Boards, including negotiating any remuneration packages or other contract terms in accordance with the relevant Company Policy.

48. 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 paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

49. Short-Term Contract for SIA Security and Ancillary Services

Further to Minute 87 (15 February 2021), the Cabinet Member for Enforcement and Community Safety presented a report on the proposal to directly award for a further period the Council's SIA Security and Ancillary Services contract to the current contractor, MPD FM Limited.

The Cabinet Member advised that the procurement of a new long-term contract was well advanced when information was received which led to the decision to withdraw the tender offer while the Council carried out further investigations. It was also recognised that the value of the contract had increased significantly since the tender documents had been drafted due to additional security requirements associated with the COVID-19 pandemic.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a contract for SIA

Security and Ancillary Services with MPD FM Limited, via the ESPO Security Services Framework (347_18) without competition, for the period from 1 November 2021 to 31 July 2022 in accordance with the strategy set out in the report; and

- (ii) Delegate authority to the Operational Director for Enforcement and Community Safety to negotiate and enter into the contract and all other necessary or ancillary agreements with MPD FM Limited.