

MINUTES OF CABINET

Tuesday, 17 January 2017
(7:02 - 8:00 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Sade Bright, Cllr Laila M. Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes and Cllr Lynda Rice

Also Present: Cllr Syed Ahammad

Apologies: Cllr Saima Ashraf, Cllr Bill Turner and Cllr Maureen Worby

81. Declaration of Members' Interests

There were no declarations of interest.

82. Minutes (13 December 2016)

The minutes of the meeting held on 13 December 2016 were confirmed as correct.

83. Budget Monitoring 2016/17- April to November (Month 8)

The Cabinet Member for Finance, Growth and Investment introduced a report on the Council's capital and revenue position for the 2016/17 financial year, as at 30 November 2016.

The General Fund showed a projected end of year spend of £155.3m against the approved budget of £150.3m, which represented another slight improvement on the previous month's position. The main budget pressures continued to be within the Children's Social Care and Homelessness services and the Cabinet Member also referred to the pressure of £125,000 that had arisen from the decision to maintain a green garden waste collection service during 2016.

The Housing Revenue Account (HRA) showed a projected year end underspend which would result in a contribution of £1.82m to the HRA reserve. Expenditure on the Capital Programme was forecast to be slightly above budget at £199.17m. The Cabinet Member also referred to proposed virements from service budgets to reserves totalling £1,809,699 which reflected the savings that had been realised from the recent voluntary redundancy exercise.

In response to a question regarding the £623,000 pressure from the non-recovery of court costs in relation to Council Tax arrears, the Cabinet Member advised that a key factor had been the Court's tendency not to award costs in favour of the Council in order not to increase the defendant's debt and enable the individual to clear the debt quicker.

The Cabinet **resolved** to:

- (i) Note the projected outturn position for 2016/17 of the Council's General Fund revenue budget at 30 November 2016, as detailed in section 4 and

Appendix A to the report;

- (ii) Note the overall position for the Housing Revenue Account at 30 November 2016, as detailed in section 5 of the report;
- (iii) Note the progress made on budgeted savings to date, as detailed in section 6 and Appendix B to the report;
- (iv) Note the projected outturn position for 2016/17 of the Council's capital budget as at 30 November 2016, as detailed in section 7 and Appendix C to the report; and
- (v) Approve the virements totalling £1,809,699 in respect of the savings realised by the voluntary redundancy exercise, as detailed in paragraph 4.7 of the report.

84. Outcome of Green Garden Waste Consultation

The Cabinet Member for Environment and Street Scene introduced a report on proposals to introduce a paid-for green garden waste collection service from April 2017.

The Cabinet Member reminded colleagues that the free garden waste collection service had ceased in September 2016, as part of a £30m+ package of budget savings approved at the end of 2014. The free service was originally due to end in September 2015 but was extended into 2016 while options for a paid-for service were developed.

The Cabinet Member advised that a petition had been considered by the Living and Working Select Committee on 10 January 2017 which called on the Council to "retain the garden waste collection and extend collection beyond September, asserting that cessation would increase fly-tipping, deny elderly residents healthy exercise, increase pollution and traffic congestion around recycling sites and that stopping in September [is] way too early". The Cabinet Member suggested that the proposals for a paid-for service would fulfil the wishes of those who signed the petition, as the new service was planned to run from the first week in April to early November and there were a range of measures that would help prevent an increase in fly-tipping and overcome the other concerns. It was noted, however, that the Select Committee had chosen to focus on the merits of a free service as opposed to a paid-for service, which was not an issue covered by the petition.

The Cabinet Member acknowledged that the continued provision of a free service would be the ideal position. However, the stringent cuts that the Government had imposed on this Council since 2010 meant that a number of non-statutory services, including green garden waste collections, had to cease.

The Select Committee had raised issues about there being no guarantee that a green garden waste collection service would continue as a certain number of households were required to sign up to a paid-for service in order for it to be financially viable. The Select Committee also sought more time to consider all the potential financial and environmental issues and were concerned that households were being asked to pay £2.66 per collection (fortnightly collections between early

April and November) as opposed to £1 a week that it believed had been referred to in the Council's publicity that supported the public consultation on the paid-for service. The Select Committee had therefore asked that the Cabinet defer making any decision at the moment to enable other options to be considered that would address its concerns.

Responding to the Select Committee's request, the Cabinet Member pointed out that the Council no longer provided a green waste collection service of any kind following the decision made in 2014 and the free service ending in September 2016. The Cabinet Member added that nothing would be gained from deferring the issue as the Council's financial position had only been made worse by the Government since the original decision to cease the free service was taken in 2014. Furthermore, it was felt that to defer consideration would only serve to delay the implementation of a new green garden waste collection service that several thousands of households wished to sign up to, as well as putting at risk the ability to launch the new scheme from April which the petitioners had called for.

Returning to the proposals in the report, the Cabinet Member advised that an unprecedented number of households had responded to the Council's consultation, with 3,835 (49.87%) indicating that they would be willing to pay for the service and 3,855 (50.13%) not willing to pay. Based on the number of households that had indicated a willingness to pay, an options appraisal had identified that a fortnightly collection service could be run from the beginning of April to early November for just £40 a year for each participating household, with a minimum two-year commitment required to coincide with the vehicle leasing arrangements on which the financial assessment had been calculated.

The Cabinet Member outlined some of the other practical elements of the new paid-for scheme as well as arrangements that would be in place for those households who chose not to participate but wished to continue to use their green bin for composting.

The Cabinet **resolved** to:

- (i) Note the recommendations of the Living and Working Select Committee arising from the consideration, at its meeting on 10 January 2017, of a petition calling for the retention of a garden waste collection service and extending collections beyond September each year;
- (ii) Agree, subject to the new service being self-financing, the commencement of a new green garden waste collection service for subscribing households with effect from 1 April 2017 on the terms detailed in the report; and
- (iii) Delegate authority to the Chief Operating Officer, in consultation with the Cabinet Member for Environment and Street Scene, to make the final determination on whether the scheme would be self-financing.

85. Licensing Act 2003 - Draft Statement of Licensing Policy 2017 - 2022

The Cabinet Member for Enforcement and Community Safety introduced a report on the draft Statement of Licensing Policy for 2017-2022 which set out the principles by which the Council would discharge its responsibilities, as a licensing

authority, in relation to the sale of alcohol, regulated entertainment and late night refreshment.

The Cabinet Member referred to the key elements of the draft Policy which included two new, key provisions relating to the use of sound limiting devices when required and restrictions on licensed premises that were within 400 metres of schools and colleges. It was noted that the draft Policy had been the subject of extensive consultation with the local Police and other 'Responsible Authorities', other interested parties and the local community, which resulted in several aspects of the draft Policy being reviewed.

The Cabinet Member for Educational Attainment and School Improvement referred to the new controls for those premises located close to educational establishments and suggested that similar arrangements should be in place for licensed sex shops in the Borough. Officers confirmed that the Cabinet would be presented with an updated Sex Establishment Licensing Policy later in the year.

The Cabinet **resolved** to:

- (i) Note the draft Statement of Licensing Policy 2017-2022, which included provisions that:
 - Sound limiting devices shall be required where appropriate and where they provide the best means of noise control; and
 - Establish a number of additional control measures, as recommended practice, for off-licences, convenience stores and supermarkets located within 400 metres of schools and colleges, including meeting the standards set out in "Challenge 25".
- (ii) Note the process for formal adoption of the Policy, as set out in section 5 of the report; and
- (iii) Recommend the Assembly to adopt the London Borough of Barking and Dagenham Statement of Licensing Policy 2017-2022 in respect of the Licensing Act 2003, as attached at Appendix A to the report.

86. Council Tax Support Scheme 2017/18

The Cabinet Member for Finance, Growth and Investment presented a report on the proposal to retain the existing Council Tax Support Scheme and £50,000 discretionary hardship fund, in order to continue to support low income households in exceptional financial difficulties.

The Cabinet **resolved to recommend the Assembly** to agree that the Council Tax Support Scheme implemented for 2016/17 be retained for 2017/18.

87. Calculation and Setting of the Council Tax Base for 2017/18

The Cabinet Member for Finance, Growth and Investment introduced the annual Council Tax Base setting report for the 2017/18 financial year.

The Cabinet Member advised that the number of Band D equivalent properties had increased by 1,528.56 compared to 2016/17, which would generate additional

income of £1.65m based on the current rate of Council Tax and help to mitigate the effects of the budget cuts imposed by the Government.

The Cabinet **resolved** 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 2017/18 shall be 47,273.13 Band 'D' properties.

88. Procurement of Framework Agreement for Arboriculture and Horticulture Services

The Cabinet Member for Environment and Street Scene presented a report on proposals to procure a new four-year framework agreement for the provision of arboricultural and horticultural services to the Council, which would also be accessible to a number of other London Boroughs.

In response to a question, Cabinet Member for Environment and Street Scene agreed to look into whether the new framework agreement could also be available to other organisations within the Borough, such as B&D Reside.

The Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the procurement of a framework agreement, accessible to other public bodies and schools, for arboricultural and horticultural services 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 Environment and Street Scene and the Director of Law and Governance, to conduct the procurement and award and enter into the contracts and all other necessary or ancillary agreements with the successful bidder(s) in accordance with the strategy set out in the report.

89. Contract for Provision of Mobile Telephony and Ancillary Services

The Cabinet Member for Finance, Growth and Investment introduced a report on proposals for a new contract for the provision of mobile telephony and ancillary services with the Council's existing supplier, EE.

It was noted that, based on current usage levels and existing tariffs, the new contract would realise savings of approximately £800,000 over the full three-year term. Responding to an enquiry, the Cabinet Member clarified that the new service would be procured via a direct call-off from an existing Crown Commercial Services Framework and he had been assured that the new arrangements with the existing supplier represented the best deal for the Council.

The Cabinet **resolved** to:

- (i) Agree that the Council enters a three-year contract for Mobile Telephony and Ancillary Services with EE, through the Crown Commercial Services Framework via Direct Call Off, in accordance with the strategy set out in the report; and

- (ii) Delegate authority to the Chief Operating Officer, in consultation with the Director of Law and Governance, to award and enter the contract(s) and all other necessary or ancillary agreements with EE.

90. Acquisition of Land - 200 Becontree Avenue, Dagenham

Further to Minute 72 (15 November 2016), the Cabinet Member for Finance, Growth and Investment presented a report on the outcome of negotiations with the United Synagogue Trust and Redbridge Council regarding the purchase of land and buildings at 200 Becontree Avenue, Dagenham.

The Cabinet Member advised that the site was intended for a residential-led housing scheme in the medium to long term, possibly in conjunction with adjoining land already owned by the Council. In the interim and to cover interest charges, it was proposed that the existing buildings would be let on a temporary basis to community-based groups.

The Cabinet **resolved** to:

- (i) Approve the purchase of land at 200 Becontree Avenue as shown edged red on the plan at Appendix 1 to the report, on the terms set out in Appendix 2 to the report;
- (ii) Authorise the Chief Operating Officer, in consultation with the Cabinet Member for Finance, Growth and Investment and the Director of Law and Governance, to enter into all necessary agreements with the United Synagogue Trust and Redbridge Council;
- (iii) Authorise the Chief Operating Officer to market the site for appropriate short-term letting in order to mitigate holding costs, pending the development of plans for the redevelopment of the site; and
- (iv) Note that a report shall be presented to Cabinet in due course on the longer-term redevelopment plans.

91. Private Business

The 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).

92. Proposed Acquisition of Land

Further to Minute 72 (15 November 2016), the Cabinet Member for Finance, Growth and Investment introduced a report on an opportunity to purchase a 0.08 hectare area of land to facilitate wider regeneration opportunities for the immediate area.

The Cabinet Member outlined the proposed terms of the acquisition and advised that, should the bid be successful, short-term letting opportunities would be

explored to cover interest costs while the wider regeneration plans for the area were being developed.

The Cabinet **resolved** to:

- (i) Agree that appropriate financial provision, as detailed in the report, be made within the 2016/17 Capital Programme to facilitate the purchase of the site shown edged red in Appendix 1 to the report;
- (ii) Authorise the Strategic Director of Growth and Homes, in consultation with the Chief Financial Officer, the Director of Law and Governance and the Cabinet Member for Finance, Growth and Investment, to progress the purchase of the site on the terms set out in the report and to enter all necessary agreements to complete the purchase;
- (iii) Authorise service of Initial Demolition Notices on the secure tenants of the adjoining Council property in order to suspend the requirement for the Council to complete Right-to-Buy applications for as long as the Notices remained in force; and
- (iv) Note that a further report shall be presented to Cabinet if the land purchase was secured, setting out proposals for the future use of the site.