MINUTES OF CABINET

Tuesday, 22 January 2019
(7:00 - 8:56 pm)

Present: Cllr Darren Rodwell (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

Apologies: Cllr Saima Ashraf

72. Declaration of Members' Interests

There were no declarations of interest.

73. Minutes (11 December 2018)

The minutes of the meeting held on 11 December 2018 were confirmed as correct.

74. Budget Monitoring 2018/19 - April to November (Month 8)

The Cabinet Member for Finance, Performance and Core Services presented a report on the Council’s General Fund revenue budget monitoring position for the 2018/19 financial year as at 30 November (Month 8), together with details of a proposed virement to the Children’s and Disabilities services to fund the creation of 19 new permanent posts in order to maintain reasonable caseloads for social workers and reduce the reliance on agency staff.

The forecast outturn position for the General Fund showed a similar position to that at the end of October 2018, with a projected year-end overspend of £3.857m against the budget of £145.368m. The Cabinet Member referred to the significant pressures within the People and Resilience directorate and confirmed that the projection took into account a £2.5m reduction in spend based on the delivery of the People and Resilience Action Plan that had been developed in response to the pressures.

In response to a question regarding the provisional Local Government Finance Settlement for 2019/20, the Cabinet Member for Finance, Performance and Core Services commented that the Government’s austerity programme continued to have a detrimental impact on areas such as Barking and Dagenham while marginal, Conservative-led Councils in the shire districts were being treated much more favourably.

The Cabinet resolved to:

(i) Note the current forecast outturn position for 2018/19 of the Council’s General Fund revenue budget, as detailed in section 2 and Appendix A to the report; and

(ii) Approve a virement of £1.37m from the Central Expenses budget to increase the staffing budget for Children’s and Disabilities services, as
75. Homelessness Strategy 2019-2023

The Cabinet Member for Regeneration and Social Housing presented the Homelessness Strategy 2019 - 2023 which set out the Council’s plans for tackling and preventing homelessness, in accordance with the requirements of the Homelessness Act 2002 and the Homelessness Reduction Act 2017.

The Cabinet Member advised that the level of homelessness and reliance on temporary accommodation in the Borough had increased to unprecedented levels between 2012 and 2017, mainly due to the impact of the Government’s welfare reforms and changes in the local housing market. A number of new activities and initiatives since 2017, principally led by the Council’s new Community Solutions service and with a significant focus on early intervention, had seen a decline in the demand for temporary accommodation as well as an increase in those being found permanent housing solutions.

The Cabinet Member referred to the main aims of the new Strategy, which were to:

- Reduce the incidence of homelessness in the borough through prevention, including new tenancy sustainment, mediation and support activities – aimed at creating an exemplar service in tackling homelessness leading to the Council achieving a Gold Standard accreditation;

- Bring down the number of households in temporary accommodation through a combination of reductions in demand plus securing sustainable long-term housing solutions for clients from a range of sources, as well as reducing reliance on higher cost, lower quality accommodation (working towards a cost-neutral service); and

- Eliminate rough sleeping through increased partnership working and employing a ‘No Second Night’ model of rapid assessment and rehousing.

The Council currently housed 1,767 individuals/families in temporary accommodation, the majority of which were in private sector licenced properties. The aim was to reduce that number to 500 by 2023 by improving pathways towards permanent housing in the private rented sector and by increasing accessibility to social housing, such as that managed by Barking and Dagenham Reside. The Cabinet was particularly pleased to note that no placements had been made in bed and breakfast accommodation in the Borough in the past year.

The Cabinet Member for Employment, Skills and Aspiration, who joint led the development of the new Strategy, spoke on the challenges faced by the Council with regard to homelessness and pointed to improved health outcomes, greater awareness and better employment opportunities as being some of the most important factors to the successful delivery of the Strategy.

Cabinet Members spoke in support of the new Strategy and particular reference was made to the following:

a) The creation of a new post to support the ‘No Second Night’ project and further
funding bids to the Government’s Private Rented Sector Access Fund to support the delivery of the Strategy;

b) The success of the Council’s Prevention Fund, which was available to support those under threat of being made homeless;

c) The dangers associated with the Government’s Universal Credit welfare reforms, which were already pushing more and more people into debt;

d) The important role that schools would play in helping to raise awareness;

e) The range of prevention measures that had helped almost 2,000 individuals/families remain in the home during 2017/18. With regard to the Sanctuary Scheme which supported victims of domestic violence, the Cabinet Member for Regeneration and Social Housing undertook to provide his colleagues with further details of the reduction that had occurred between 2013/14 and 2017/18;

f) The importance of recognising the plight of the ‘hidden homeless’ and ‘sofa surfers’ when considering homelessness issues;

g) The role of other Council services, such as the Street Cleansing and Enforcement teams, in helping to identify and engage with the homeless and point them towards the support available to them.

The Cabinet resolved to approve the Homelessness Strategy 2019-2023, setting out the Council’s strategic direction for tackling homelessness, reducing temporary accommodation and eliminating rough sleeping, as at Appendix 1 to the report.

76. Review of the Housing Allocations Policy

The Cabinet Member for Regeneration and Social Housing introduced a report on the outcome of a review of the Council’s Housing Allocations Policy, which had last been reviewed in 2014.

The Cabinet Member advised that the main drivers behind the review were:

- To meet the Council’s statutory obligations to help those in housing need;
- To make the best use of the scarce resources available;
- To ensure that the Council used its housing stock to assist in meeting the needs of the whole community, including those supported by Children’s and Adult Social Care services;
- To ensure that the housing stock was used effectively to reduce costs; and
- To reinforce the positive characteristics of local people to engage in finding their own solutions to problems and to become independent and resilient;

With those aspects in mind, an analysis of current lettings and engagement with front-line staff had identified a number of proposed modifications covering the following:

1) Some aspects of who may register with the applicant as a member of their household;
2) The arrangements for dealing with cases referred to the Housing Options team for assistance from internal and external partners, to establish more collaborative working between the relevant parties so that vulnerable households could be dealt with in a transparent and well-planned way;
3) Creating a smooth pathway that assisted older and vulnerable people’s access to the right accommodation for their housing and support needs;
4) Giving Under Occupiers a higher degree of priority in order to release much needed family housing;
5) Ensure that exceptional cases were dealt with in a transparent and equitable way; and
6) Improve the access to B&D Reside homes, both rented and shared ownership, for local working residents on moderate incomes.

The Cabinet Member confirmed that the proposals would be subject to an extensive 12-week consultation with local residents, Housing Association partners and other stakeholders, following which the final proposals would be brought back to Cabinet for formal approval. It was also noted that the new Allocations Policy would be applied to properties held within the B&D Reside portfolio.

Cabinet Members spoke in support of the proposed changes and the format of the consultation document, which they felt was easy to follow and understand. The Cabinet Member for Social Care and Health Integration highlighted in particular the Council’s longstanding record of providing a good quality housing offer for its elderly and vulnerable population, while the Leader advised that Barking and Dagenham was the only Council in London to still be building new bungalows for its tenants.

The Cabinet **resolved** to:

(i) Approve the proposed changes to the Housing Allocations Policy for consultation with those affected, and relevant partners;

(ii) Note that a further report setting out the results of the consultation and proposing a new Allocations Policy shall be brought back to Cabinet for final approval; and

(iii) Delegate authority to the Director of Law and Governance, in consultation with the Cabinet Member for Regeneration and Social Housing and the Director of Inclusive Growth, to approve any variations to Reside documents that are necessary to ensure that Reside adheres to the allocation policies as approved by the Council.

77. Lease of Mayesbrook Park Football Stadium

The Cabinet received a report on the proposed terms of a 30-year lease of the Mayesbrook Park football stadium to Barking Football Club.

The Cabinet Member for Regeneration and Social Housing referred to the Council’s Parks and Open Spaces Strategy which encouraged local clubs and groups to take on responsibility for local sports and leisure assets. Over the past 10 years, the new management of Barking Football Club had made considerable improvements to the running of the business and hosted a range of community-based projects, including the Education in Sports programme. The Cabinet Member pointed out, however, that without security of tenure it would not be possible for the Club to continue to meet its aspirations or secure sufficient external funding for much-needed upgrades to facilities to support the development of women’s, boys’ and girls’ football. The Club would also be in a stronger position to fulfil the requirements of the Football League in terms of
governance and facilities should the men’s team be eligible for promotion in the future.

Cabinet Members commended the considerable progress made by the new management over the past 10 years, with particular reference made to its support of the Council’s Healthy Living campaign, the range of activities on offer to children and young people and its Outreach work. The Council’s very best wishes for the future were conveyed to everyone involved with the Club.

The Cabinet resolved to:

(i) Authorise the Chief Executive, in consultation with the Cabinet Member for Community Leadership and Engagement and the Director of Law and Governance, to enter into a 30-year lease for the Mayesbrook Park football stadium with Barking Football Club, subject to satisfactory negotiation of the lease terms and associated requirements; and

(ii) Authorise the Chief Executive, in the event of it not being possible to enter into a lease agreement with Barking Football Club, to enter into a lease on the same terms with another sports club for the operation of the Mayesbrook Park football stadium.

78. Update on the Reinvigoration of Barking and Dagenham Reside

Further to Minute 79 (23 January 2018), the Cabinet Member for Regeneration and Social Housing presented an update on the reinvigoration of Barking and Dagenham Reside Regeneration Limited (B&D Reside).

The housing portfolio managed by B&D Reside was expected to increase from the current level of circa 800 properties to approximately 4,000 properties over the next five years. Since the January 2018 report, a review of the structure and Articles of B&D Reside had been undertaken and a new Board and Managing Director had been appointed. A Shareholder Agreement had also been drafted and was appended to the report, setting out the business arrangements, obligations and relationship between the Council and B&D Reside. In respect of the Council’s role on the Board of Directors, the Cabinet Member advised that the current wording in the draft document was to be revised to reflect that the Council, as Shareholder, would be entitled to nominate an observer (without voting rights) to the new Board.

Other work that was ongoing included the preparation of a business case for the creation of a Registered Provider and the associated requirements within the B&D Reside structure, the drafting of a commissioning mandate and the development of a medium-term business plan, which would also clarify the role of B&D Reside in the development process, alongside the Council and Be First.

The Cabinet resolved to:

(i) Approve the Shareholder Agreement between the Council and Barking and Dagenham Reside Regeneration Limited as set out at Appendix A to the report, subject to the revision of clause 10.4 to reflect that the Council’s nominee to the new Board shall be in an observer-only capacity;
(ii) Approve in principle the creation of a new Reside Registered Provider company/entity;

(iii) Delegate authority to the Director of Inclusive Growth, in consultation with the Chief Operating Officer, the Director of Law and Governance and the Cabinet Member for Finance, Performance and Core Services, to prepare an options appraisal and business case for the most effective mechanism or form of Registered Provider(s) to deliver the Council’s objectives of increasing the supply of, access to and affordability of housing in the Borough;

(iv) Agree that further work be undertaken, on the emergence of a preferred option and approval of a business case, to register any company/entity as Registered Provider(s) with the Regulator of Social Housing, and

(v) Delegate authority to the Director of Law and Governance to prepare and execute any relevant articles of association, partnership agreements, loans or and any other relevant legal documents on behalf of the Council to implement the creation and registration of new Reside Registered Provider(s).

79. Participation in West London Alliance for Children’s Care and Support Services

The Cabinet Member for Social Care and Health Integration introduced a report on the proposal for the Council to join an existing commissioning partnership, known as the West London Alliance (WLA), for the provision of Independent Fostering Agency services and Children’s Residential Home placements.

The WLA was an existing partnership between the seven West London Councils of Barnet, Brent, Ealing, Hammersmith and Fulham, Harrow, Hounslow and Hillingdon. One of the key pillars of collaboration in the WLA was the Children’s Programme which related to strategic commissioning, procurement and contract management services, aimed at providing a more efficient and effective approach to service delivery and market engagement.

It was noted that the Council’s budget for residential and agency foster care placements in 2018/19 was circa £6.3m, with the majority of residential placements made by Barking and Dagenham being spot-purchased at an average cost was £3,800 per week.

In response to a question from the Cabinet Member for Equalities and Diversity regarding the level of saving expected to be achieved under the WLA arrangements, the Cabinet Member for Social Care and Health Integration commented that while the level of saving was not expected to be significant, due to the scarcity of suitable accommodation, joining the WLA would help to drive up quality standards and achieve some efficiencies as a consequence of being part of a larger commissioning body.

The Cabinet resolved to:
(i) Approve the entering into of an Access Agreement with the West London Alliance (WLA) and call-off from the WLA Dynamic Purchasing Vehicle, in accordance with the Council’s Contract Rules and the strategy detailed 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 Access Agreement and all other ancillary call-off agreements upon conclusion of the procurement process when required.

80. Private Rented Property Licensing (PRPL) Scheme 2019 - 2024

The Cabinet Member for Enforcement and Community Safety presented a report on a proposed five-year, Borough-wide Private Rented Property Licensing (PRPL) Scheme to commence from September 2019.

By Minute 54 (19 February 2014), the Council adopted a Borough-wide PRPL scheme that covered the five-year period ending August 2019. The Cabinet Member advised that the key principles of the original scheme were to reduce anti-social behaviour (ASB) associated with private rented accommodation and to provide greater protections for private tenants, many of whom were regarded as economically vulnerable individuals and families. One measure of the success of the current scheme was the greater reduction in ASB across the private rented sector over the course of a study that covered the period 2014/15 to 2016/17, notwithstanding that the level of privately let properties in the Borough had grown from 5.2% in 2001 to 27% in 2017.

The Cabinet Member referred to the comprehensive package of evidence at Appendix 1 to the report which had been compiled in support of the Council’s application. The evidence showed that the Borough had 20,115 privately rented properties in the Borough in 2017 and that figure was expected to increase towards 25,000 by 2022. Every ward in the Borough had over 20% of privately rented accommodation, which exceeded the Government’s indicator of 19% contained in guidance issued in 2015 as being ‘a high proportion of privately rented properties’ against which applications would be assessed. An extensive consultation exercise had also been undertaken and the feedback showed that the majority of local residents wished the scheme to continue on a Borough-wide basis.

The Cabinet Member stated that she was confident that the Council’s proposed scheme met all of the criteria set by Ministry of Housing, Communities and Local Government (MHCLG) for a Borough-wide scheme under the discretionary licensing provisions of the Housing Act 2004. However, in order to ensure that the local community continued to benefit from a PRPL scheme beyond August 2019, it was proposed that the relevant Director, in consultation with the Cabinet Member, have authority to agree any modifications to the scheme that may be required by MHCLG should the Council’s case for a Borough-wide scheme be declined.

Cabinet Members spoke on the significant improvements that the current scheme had brought to the Borough in terms of enhancing the living conditions of tenants as well as the benefits to the whole community from reduced anti-social behaviour,
reduced deprivation and the responsible disposal of household waste. The point was also made that the Government should be actively encouraging local authorities to implement PRPL schemes wherever they are considered necessary and not to make the process so onerous solely to protect the financial interests of private landlords.

On the issue of the fees to be charged under the new scheme, the Cabinet Member confirmed that the ‘Part A’ fee of £470 related to the cost of processing an application, while the ‘Part B’ fee of £430 would only apply to successful applications. There would, however, be a reduction of 50% to the Part B fee for responsible landlords who met certain basic criteria and the Cabinet Member confirmed that approximately 80% of landlords were expected to benefit from that discount.

The Cabinet resolved to:

(i) Agree the licensing designation and proposal for a five-year Borough-wide scheme for submission to the Secretary of State for approval by the Ministry of Housing, Communities and Local Government (MHCLG);

(ii) Delegate authority to the Director of Law and Governance, in consultation with the Cabinet Member for Enforcement and Community Safety, to determine any mitigation options should the proposed scheme be declined by MHCLG; and

(iii) Delegate authority to the Director of Law and Governance, in consultation with the Cabinet Member for Enforcement and Community Safety, to determine the fees and charges to be applied for 2019/20.


Further to Minute 18 (17 July 2018), the Cabinet Member for Educational Attainment and School Improvement presented an update report in respect of the various school expansion and improvement projects aimed at addressing the current and future demand for places in the Borough, as well as the latest funding issues.

The Cabinet Member advised that pupil numbers at primary and secondary level were predicted to increase by a combined 23.8% to 50,520 by 2022/23 (from the level at May 2018). The latest plans to meet that increased demand included a new 630-place primary school in Thames ward and a new secondary school in the Beam Park / Dagenham East area. It was also noted that the Council’s Infrastructure Group would be looking longer-term at the need for new school provision for Barking Town Centre in view of the significant regeneration plans for the area.

The report also set out the proposed procurement arrangements for the permanent replacement of buildings at Roding Primary School, Hewitt Road, which were destroyed by a major fire on 4 September 2018. The Cabinet Member placed on record the Council’s appreciation to all those involved in dealing with the fire and the resultant clean-up operation, which allowed the school to reopen for all year groups, apart from Reception, on 10 September. Since that time, temporary
classrooms had been brought in to enable the School to function as normal while plans for the replacement works were developed by the Council in conjunction with the School and the Local Education Partnership (LEP).

The Cabinet Member spoke on the Council’s significant investment in recent years across the entire family of schools and conveyed the Council’s disappointment at the apparent decision by the Diocese of Brentwood to transfer all of the Catholic Schools in the Borough into a multi-academy Trust in the near future. The matter was first discussed by the Cabinet on 13 November 2018 (Minute 50 refers) and despite the Council’s attempts to engage with the Diocese on the issue and a lack of support for the proposal from parents, the Diocese appeared to be pressing ahead with its plans.

The Cabinet resolved to:

(i) Approve the ‘Future Planning Programme to meet Basic Need 2018 to 2027 - Revised January 2019’ as set out in Appendix A to the report;

(ii) Note the latest position of the forecast pupil roll within the next five years based on a range of factors including birth, migration, regeneration and proposed housing developments, and that some 10,000 pupil places would need to be created in that period;

(iii) Approve the Procurement Strategy in respect of the fire damaged building at Roding Primary as set out in paragraph 3.11 of the report, for the use of the LEP to replace the damaged building and enter into a contract for the design and construction of the replacement building; and

(iv) Delegate Authority to the Director of People and Resilience, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Chief Operating Officer and the Director of Law and Governance, to carry out the procurement and award the respective project contracts.

82. Council Tax Support Scheme 2019/20


It was noted that that while the fundamentals of the scheme would be unchanged from 2018/19, some amendments were necessary in order to align with the latest Government welfare reforms, such as Universal Credit. The Cabinet Member confirmed that the proposed changes were intended to make it easier for local residents to access the range of benefits available to them and reduce the bureaucracy associated with the Universal Credit regime.

The Cabinet resolved to recommend the Assembly to:

(i) Agree that the CTS Reduction Scheme implemented for 2018/19 be retained for 2019/20, subject to the following minor amendments:

- Treat Universal Credit Award Notifications as an Intention to Claim CTS
providing that a valid claim form for CTS is made within a month of the decision to award Universal Credit.

- Adopt a shortened claim form for the purposes of claiming CTS when Universal Credit has been awarded.
- Accept Universal Credit as a “passported” benefit when claiming within a month of a new liability for CTS purposes.
- Amend the capital threshold for CTS purposes to £10,000 for working age persons to align it with Pension Age capital limits.
- Re-introduce backdate on CTS of up to four weeks, subject to good cause to align it with the Housing Benefit scheme.

83. Calculation and Setting of the Council Tax Base for 2019/20

The Cabinet Member for Finance, Performance and Core Services introduced the annual Council Tax Base setting report for the 2019/20 financial year.

The number of Band D equivalent properties in the Borough had increased by over 1,000 compared to 2018/19, which would generate an additional £1.5m of income based on the current rate of Council Tax. The Cabinet Member also referred to recent changes to legislation which allowed local authorities to increase the premium applied to the Council Tax charge for long term empty properties. The Cabinet Member suggested that the Council should do all that it could to discourage owners from leaving their properties empty for any length of time and, with that in mind, it was proposed that the Council should apply the maximum premiums permissable.

The Cabinet resolved to:

(i) 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 2019/20 shall be 50,008.54 Band ‘D’ properties; and

(ii) Agree the higher rate premiums for long term empty dwellings as detailed in paragraph 4.2 of the report, to be charged to homes unoccupied and substantially unfurnished for at least two years and to be in addition to the usual Council Tax charge applied to the property.

84. Final Third Local Implementation Plan Submission

Further to Minute 42 (16 October 2018), the Cabinet Member for Regeneration and Social Housing introduced a report on the Council’s third Local Implementation Plan (LIP3), which set out the Council’s long-term, overarching objectives for improving the transport network and services in the Borough.

The draft LIP3 had been subject to a five-week consultation with Transport for London (TfL) and other statutory and local stakeholders. The Cabinet Member referred to the consultation response summary at Appendix 1 to the report and confirmed that some minor changes had been made to the final LIP3 as a result of the feedback received.

The Cabinet resolved to recommend the Assembly to:
85. Core Support Services post-Elevate - Design Options Appraisal

The Cabinet Member for Finance, Performance and Core Services presented a report on the outcome of a review into the future provision of a range of core Council services, which had been undertaken in the context of the Elevate East London contract ending in 2020 and changes to the Council’s operating model as a consequence of its ongoing transformation programme.

The Council had entered into a joint venture arrangement with Agilisys in 2010 which led to the formation of Elevate East London. The initial seven-year service contract had been extended for a further three years, however no further extensions were permissible and the contract would end in December 2020. The Cabinet Member referred to the significant improvements that Elevate had made to the services that had transferred, the savings that had been achieved under the arrangement and other benefits that had accrued, such as the creation of 400 new jobs, and placed on record the Council’s appreciation to the management and staff at Elevate for all of their hard work.

The end of the contract in 2020 did, however, present the Council with an opportunity to reassess the delivery of the services that would be returning from Elevate, alongside other core services that had been retained within the Council. In that respect, the Cabinet Member referred to the detailed business case that was included as an exempt appendix to the report and advised that of the five potential service delivery model options that had been assessed, the preferred solution at the present time was to bring the majority of services back in-house, with only certain specialist services to be outsourced.

The Cabinet Member advised on the anticipated costs that would be incurred by the Council to transition to the new service delivery arrangements and the savings projections once the new arrangements were fully implemented and operational.

Cabinet Members spoke on the positive contribution that the Elevate arrangements had made to the Borough. In concurring with those sentiments, the Leader also welcomed the opportunity for the Council to meet its pledge to provide as many services as possible via in-house arrangements and confirm Barking and Dagenham’s status as a leader across London.

The Cabinet resolved to:

(i) Agree that ICT services be delivered by an in-house provision for strategic ICT, policy and specialist applications support and that other packaged ICT services be delivered via outsourced arrangements;

(ii) Agree that Customer Services be delivered primarily by an in-house provision with the option that specialist areas, such as the out-of-hours and
Careline services, can be delivered via an outsourced arrangement;

(iii) Agree that all other Elevate services (procurement, accounts payable, revenues and benefits, including financial assessments) be delivered in-house;

(iv) 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 agree the terms for an orderly planned exit of the Elevate East London joint venture and the timescales for and potential phasing of services being transitioned to agreed new arrangements;

(v) Approve a budget of £9.7m for the proposed exit of the Elevate contract and the implementation of the new operating models for all Core Support Services, noting that anticipated savings from implementation of changes were a minimum of £7.8m per annum from 2021/22 and a positive return on investment was forecast; and

(vi) 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 undertake all steps to implement the above recommendations including negotiations and to conduct the procurement and enter into any deeds of variations / contracts / agreements and all other necessary or ancillary agreements with any successful bidder(s) and/or other related parties in accordance with the strategy set out in the report.