

MINUTES OF CABINET

Tuesday, 21 March 2023
(7:00 - 8:09 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Sade Bright, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Kashif Haroon, Cllr Jane Jones and Cllr Maureen Worby

Also Present: Cllr John Dulwich

Apologies: Cllr Elizabeth Kangethe

90. Declaration of Members' Interests

There were no declarations of interest.

91. Minutes (20 February 2023)

The minutes of the meeting held on 20 February 2023 were confirmed as correct.

92. Revenue Budget Monitoring 2022/23 (Period 10, January 2023) and Quarter 3 Capital Programme Update

The Cabinet Member for Finance, Growth and Core Services introduced the Council's revenue budget monitoring report for the 2022/23 financial year as at 31 January 2023 (period 10) and the quarter 3 Capital Programme update.

The Council's General Fund revenue budget for 2022/23 was £183.06m and the forecast outturn position at the end of January projected a net overspend of £10.44m once movements to and from reserves, income and an increase in corporate funding had been taken into account. That represented an improvement of circa £1.3m compared to the previous month. The Cabinet Member reiterated the key factors behind the General Fund overspend, the vast majority of which were entirely outside the Council's control, and he confirmed that the Council had received no additional funding from the Government to mitigate those unforeseen costs. The Housing Revenue Account was also projecting an overspend of £3.422m due to inflationary pressures and also an enhanced programme of compliance and safety works to the Council's housing stock.

With regard to the Capital Programme for 2022/23, the Cabinet Member advised on several proposals that would increase the overall programme from the current level of £452.6m to £464.9m. It was also noted that the forecast capital spend at the year-end was £391.9m due to delays on a number of projects and that the slippage of £73m would be reprofiled into future years.

The report also set out details of several proposed permanent and/or temporary virements between revenue budgets to support services in managing their budgets.

Cabinet **resolved** to:

- (i) Note the projected revenue outturn forecast for the 2022/23 financial year as set out in section 2 and Appendix A of the report;
- (ii) Approve the revenue budget changes (virements) as detailed in Appendix D to the report; and
- (iii) Approve a net increase of £12.3m to the 2022/23 Capital Programme, resulting in a revised Capital Programme for 2022/23 of £464.9m, made up of £374.29m for the Investment and Acquisition Strategy, £57.276m for General Fund, £2.354m for Transformation and £30.983m for the Housing programme, as detailed in section 5 and Appendices B and C to the report.

93. Dynamic Purchasing System for Disabled Adaptation Works and Services

The Cabinet Member for Adult Social Care and Health Integration presented a report on new arrangements for the provision of works for those persons living in Council-owned properties that need adaptations to the home environment to promote independence and to enable them to continue to live in their homes in safety and with dignity.

The Cabinet Member advised that since 2021, the Council had supplemented the current in-house service with the Plymouth City Council Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC). The DPS arrangement had been in place for private properties since 2019 and extending it to Council-owned properties enabled the Council to reduce a backlog of jobs which had accumulated as a result of the Covid-19 pandemic and resourcing issues with the incumbent provider.

The use of the DPS arrangement for Council-owned properties had provided a more efficient and cost-efficient solution, enabled by flexibility, economies of scale and increased competition amongst suppliers. Therefore, the intention was for the Council to renew the access agreement to allow it to use the DPS for disabled adaptation works and services to both private and Council properties for an initial four-year term, with the option to extend for two further periods of two years.

Cabinet **resolved** to:

- (i) Agree that the Council enters into an access agreement in respect of the Adaptation, Repair, Maintenance and Improvement (ARMI) Dynamic Purchasing System (DPS) provided by Independence CIC (INCIC) for the provision of disabled adaptation works and services, in accordance with the strategy set out in the report; and
- (ii) Authorise the Strategic Director, Children and Adults, in consultation with the Chief Legal Officer, to award and enter into the call-off contracts and all other necessary or ancillary agreements with the chosen suppliers over the duration of the access agreement.

94. **Secure Children's Home for London and the Pan-London Commissioning Vehicle**

The Cabinet Member for Children's Social Care and Disabilities presented a report on the proposed establishment of a local authority-owned, not-for-profit company to oversee the development and running of new secure children's home (SCH) provision in London.

The Cabinet Member commented on the significant national shortage of SCH provision and advised that no such provision was currently available in London. As a consequence, children with complex needs who required a placement were being placed, on average, over 190 miles away from their family home, which was a major barrier to maintaining positive family and community relationships for the individual. The lack of SCH places was also a key driver to the substantial cost of placements which, for the most challenging cases, were known to exceed £20,000 per week due to demand far outweighing capacity.

The Cabinet Member explained that the company, known as a Pan-London Vehicle (PLV), would initially oversee the development of the operating model for the new SCH provision before progressing to the build and commissioning arrangements to run the service. The PLV would enable the sharing of risks and benefits associated with developing and running the SCH, with a key benefit being that places at the new provision would be prioritised for those London local authorities that joined the PLV.

It was noted that development funding for the project had been secured from the Department for Education, which meant that participating local authorities would not be required to make a financial contribution to the running of the PLV until the SCH provision was launched. The new provision would also be co-located with facilities to support children post-placement, enabling a smoother transition and a return to the family or to the most appropriate long-term placement that met the child's needs.

Cabinet **resolved** to:

- (i) Agree in principle that the London Borough of Barking and Dagenham becomes a member of a not-for-profit company, limited by guarantee, provisionally to be known as the Pan London Vehicle, to:
 - (a) develop and then oversee the running of London's secure children's home provision for a five-year period from 1 April 2023 to 31 March 2028, with a break-point after three years once the refreshed business case has been developed as well as the service pricing structure, commissioning approach, operating model, practice model and the SCH's location is confirmed. Once the provision has launched, membership shall be at a fixed annual cost of £20,000 (subject to inflation adjustment) unless an alternative model for funding the PLV, not requiring annual subscription, is agreed by members during the development phase, and
 - (b) collaborate with other PLV members on future joint commissioning programmes.

- (ii) Commit in principle to joint oversight and risk/benefit sharing of the secure children's home provision, through the PLV, for a five-year period to 31 March 2028 (with a three-year break clause), that includes the build, service development and service commissioning phases, subject to ratification from Legal and Corporate Procurement after the revision of the SCH business case, and renewable on a 10-year cycle thereafter (with a break clause at the end of the fifth year); and
- (iii) Delegate authority to the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Children's Social Care and Disabilities and the Chief Legal Officer, to make the final determination on the Council's membership of the PLV, following completion of the revised SCH business case and, if appropriate, enter into all the legal agreements, contracts and other documents on behalf of the Council required to implement and run any aspect of the PLV arrangements, including exercising any break clause on behalf of the Council.

95. Renovation of Borough Tennis Courts via LTA Renovation Fund

The Cabinet Member for Community Leadership and Engagement presented a report on a 'once in a generation' opportunity to upgrade the tennis court facilities in the Borough's parks via the Lawn Tennis Association (LTA) Renovation Fund.

The LTA had secured over £30m grant funding towards the refurbishment of tennis court facilities in parks across the UK, as part of its ambition to generate one million more players by 2024. Six of the Borough's twenty-eight parks currently included tennis court facilities which, if all were in a suitable condition, would provide 19 tennis courts in total. At the present time however, only 13 courts were open for use, with four courts in Central Park currently closed due to the poor condition of surfaces and other issues while the two courts at Parsloes Park had been decommissioned several years ago.

The Cabinet Member advised that following discussions between Council officers and representatives of the LTA, the LTA had provisionally agreed to support a funding bid of £394,778 towards the necessary works at all six parks to bring them back into use with upgraded facilities. That funding would be subject to the Council contributing £132,900 towards ground works at Central Park and Parsloes Park, which were not covered by the LTA grant. As assessment of funding availability had identified Strategic Community Infrastructure Levy (SCIL) and section 106 funding of £75,400 that would cover the cost of the Council's contribution to the works at Central Park, although the match-funding of £57,500 required for the works at Parsloes Park had not currently been identified.

The Cabinet Member also referred to new tennis court management and maintenance arrangements and 'pay and play' fees that would stem from the proposed partnership, ensuring access to all and the ongoing upkeep of the facilities long into the future.

Cabinet **resolved** to:

- (i) Support the partnership with the LTA and the tennis development proposals set out in the report to deliver high quality court provision for the local

community and increase tennis participation in the borough, and the entering into of an agreement with a tennis operator to manage and maintain the borough's tennis courts;

- (ii) Support the proposed funding arrangement (Option 6) including £50,000 s106 and £25,400 SCIL to support the delivery of 17 x tennis court improvements in five of the Borough's parks (i.e. excluding Parsloes Park) to secure £336,615 funding from the LTA's Renovation Fund;
- (iii) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Strategic Director, Finance and Investment, to approve the inclusion of the Parsloes Park tennis courts in the Council's application in the event of additional internal funding of £57,500 being identified;
- (iv) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Community Leadership and Engagement and the Chief Legal Officer, to let the tennis court facilities to a tennis operator on the terms detailed in the report, subject to compliance with s123 of the Local Government Act 1972; and
- (v) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Chief Legal Officer and on the advice of the Procurement Board, to procure and enter into all necessary contracts and agreements to ensure completion of the tennis development proposals in accordance with the strategy set out in the report.

96. Welfare Support Funding 2023/24

Further to Minute 68 (17 January 2023), the Cabinet Member for Finance, Growth and Core Services reported on the latest proposals aimed at supporting local residents during the current cost-of-living crisis.

The Government had allocated funding for the financial year 2023/24 via the Energy Bills Support Scheme (Alternative Funding) (EBSS AF) and the fourth iteration of the Household Support Fund, which the Council would be responsible for administering. The Cabinet Member advised that in order to simplify the resident's journey and align policies and processes, a single Local Hardship Schemes policy document encompassing the Council's Discretionary Housing Payment (DHP), Household Support Fund (HSF), Individual Assistance Payment (IAP) and Discretionary Council Tax Relief (DCTR) had been produced, to coincide with a single application process.

Cabinet **resolved** to:

- (i) Note that the Council shall be responsible for verifying applications and making payments under the Government's Energy Bills Support Scheme Alternative Funding;
- (ii) Approve the Council's updated Local Hardship Schemes policy 2023/24, incorporating the Discretionary Housing Payment, Household Support, IAP

Local Hardship and Discretionary Council Tax Hardship schemes, as set out at Appendix 1 to the report; and

- (iii) Delegate authority to the Director of Support and Collections, in consultation with the Cabinet Member for Finance, Growth and Core Services and the Strategic Director, Finance and Investment, to vary the allocation of funding and scheme criteria where appropriate to reflect future demand.

97. Contract with Barking & Dagenham School Improvement Partnership (BDSIP) 2023/24 - 2025/26

The Cabinet Member for Children's Social Care and Disabilities introduced a report on the proposal to directly award a new, maximum five-year contract to the Barking & Dagenham School Improvement Partnership (BDSIP) for the provision of Council-commissioned services to schools.

The Cabinet Member referred to the creation of BDSIP, a not-for-profit company owned by local schools (81%) and the Council (19%), and its significant contribution since its inception in April 2018 to helping raise education standards throughout the Borough. The new contract would commence on 1 April 2023 and key aspects of the specification cover the areas of school improvement; special educational needs and disabilities (SEND) and inclusion; priorities for improvement and development; and education data services.

Cabinet **resolved** to:

- (i) Agree that the Council proceeds with the direct award of a contract with BDSIP Limited (company no: 11126768) for the services detailed and in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Commissioning Director, Education, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Strategic Director, Finance and Investment and the Chief Legal Officer, to conduct the procurement and enter into the contract and all other necessary or ancillary agreements with BDSIP in accordance with the strategy set out in the report.

98. Street Naming and Numbering Policy

The Cabinet Member for Regeneration and Economic Development introduced a report on an updated street and building naming and numbering policy, enabling the Council to continue to meet its statutory duties and, at the same time, providing clear guidance to developers and residents.

The Cabinet Member advised that the Council's Policy Task Group had assisted in the development of the proposals, which would include a digital directory of street names explaining any heritage links. The intention was for officers from Be First and the Council's Heritage Service to engage with residents, with support from the Citizens Alliance Network (BD CAN), on the themes they would want to see celebrated through the borough's regeneration projects and developments. Those themes would be reflected in an Approved Names List held for Fast Track Applications which would be reviewed annually, while there would also be a

Bespoke route for developers of large-scale developments where alternative names were proposed. The policy also set out the criteria for naming streets or buildings after a deceased person and the fees to be charged for the naming of new streets / buildings or a change of name, which would also be reviewed annually.

Cabinet **resolved** to:

- (i) Agree the Street Naming and Numbering Policy at Appendix A to the report and the proposed fees as set out in Appendix B to the report;
- (ii) Note the proposed approach to resident consultation and engagement in the naming of streets, as detailed in the report; and
- (iii) Delegate authority to the Strategic Director, Inclusive Growth, in consultation with the Cabinet Member for Regeneration and Economic Development, to make any non-material changes to the policy document prior to its publication.

99. Partnership Agreement for the Provision of a Children's Out-of-Hours Emergency Duty Service

Further to Minute 96 (16 March 2021), the Cabinet Member for Children's Social Care and Disabilities presented a report on the proposal to continue the shared Children's Out-of-Hours Emergency Duty service that covered the four London Boroughs of Barking and Dagenham, Havering, Redbridge and Waltham Forest.

The Cabinet Member advised that since 2014, the London Borough of Redbridge had led the delivery of the service on behalf of the Boroughs. Significant development and improvements to the shared service had occurred since its inception and the service had been recognised by Ofsted as being highly effective, with an audit showing 100% compliance in responding to out-of-hours referrals within 30 minutes. The service also proved to be extremely robust during the Covid-19 pandemic.

Cabinet **resolved** to:

- (i) Agree that the Council enters into a new three-year partnership agreement with the London Boroughs of Redbridge, Havering and Waltham Forest for the provision of a Children's Out-of-Hours Emergency Duty service for the period 1 April 2023 to 31 March 2026, in accordance with the strategy set out in the report; and
- (ii) Delegate authority to the Strategic Director, Children and Adults, in consultation with the Chief Legal Officer, to enter into the necessary contract and any other agreements to affect the proposals.

100. Local London - New Inter-Authority Agreement

The Leader of the Council introduced a report on an updated Inter-Authority Agreement relating to Local London, the partnership programme established in 2016 with the aim of securing local benefits and sustainable growth for the

geographical areas of its participating local authorities and developing opportunities for devolution in the north-east London sub-region.

The Leader outlined the key benefits of the Council's involvement in Local London and advised that the London Borough of Bromley wished to join the existing membership which comprised of Barking and Dagenham, Bexley, Enfield, Greenwich, Havering, Newham, Redbridge and Waltham Forest. It was noted that the London Borough of Redbridge would continue as the Accountable Body for the partnership.

Cabinet **resolved** to:

- (i) Agree that the London Borough of Barking and Dagenham enters into a new Local London Inter-Authority Agreement (incorporating the Memorandum of Understanding and Terms of Reference) agreed to by the Local London Partnership Members, as set out at Appendix A to the report;
- (ii) Agree the continued discharge of functions jointly through the creation of a new Local London Joint Committee as outlined in Schedule 2 to the Local London Inter-Authority Agreement at Appendix A to the report;
- (iii) Agree that the Council continues to contribute £50,000 as an annual membership fee for the duration of its membership of Local London; and
- (iv) Agree the following appointments to the Local London Joint Committee for the 2023/24 and 2024/25 municipal years:
 - Member: Councillor D Rodwell, Leader of the Council;
 - Substitute Member: A Cabinet Member nominated by the Leader, as required.

101. Debt Management Performance 2022/23 (Quarter 3)

The Cabinet Member for Finance, Growth and Core Services introduced the performance report covering the third quarter of the 2022/23 financial year in respect of the Council's debt management functions.

The Cabinet Member referred to the earlier report on Welfare Support Funding and the struggles faced by many local residents during the current cost-of-living crisis, which was evident in the lower collection rates across most categories of debt. While the Council would continue to do all it could to support those struggling to pay their bills, the Cabinet Member stressed the importance of collecting as much as possible to support the provision of Council services.

Cabinet **resolved** to note the performance of the debt management function carried out by the Council's Revenues service, including the pressure on collection rates as a result of the cost-of-living crisis.