

THE CABINET

Tuesday, 18 October 2011
(5:00 - 5:42 pm)

Present: Councillor L A Smith (Chair), Councillor R Gill (Deputy Chair), Councillor J L Alexander, Councillor C Geddes, Councillor L A Reason, Councillor G M Vincent, Councillor P T Waker and Councillor J R White

Also Present: Councillor E Carpenter, Councillor N S S Gill, Councillor G Letchford and Councillor M M Worby

Apologies: Councillor H J Collins and Councillor M A McCarthy

47. Declaration of Members' Interests

With regard to the item "Strategy for Ensuring Sufficient School Places 2011/12 - 2016/17", in addressing the Cabinet on the proposals relating to the Adult College Councillor Carpenter declared a personal interest as a Council-appointed representative on the Adult College Governing Body.

48. Minutes (20 September 2011)

The minutes of the Cabinet meeting on 20 September 2011 were confirmed as correct.

49. Budget Monitoring 2011/12

The Cabinet Member for Finance, Revenues and Benefits presented a report on the Council's revenue and capital budget position for 2011/12 as at 31 August 2011.

The projected full-year pressures on the General Fund had reduced by £0.5m to £4.0m on the position to the end of July and the Housing Revenue Account (HRA) now projected an additional contribution to the HRA reserve of £80,000, an improvement of £127,000 on the previous month's position. The report also set out details of a number of proposed capital budget adjustments to reflect the current status of projects.

Cabinet **agreed**:-

- (i) To note the projected outturn position for 2011/12 of the Council's revenue budget as detailed in paragraphs 2.3 to 2.11 and Appendix A of the report;
- (ii) To note the progress against the 2011/12 savings targets as detailed in paragraph 2.12 and Appendix B of the report;
- (iii) To note the position for the HRA as detailed in paragraph 2.13 and Appendix C of the report;
- (iv) To note the projected outturn position for 2011/12 of the Council's capital

budget as detailed in paragraph 2.14 and Appendix D of the report; and

- (v) To approve the capital budget adjustments as set out in Appendix E of the report.

50. Budget Proposals 2012/13

The Leader of the Council reported on the budget pressures facing the Council in 2012/13 and the consultation arrangements in respect of the savings options that were being considered as part of that process.

The Leader advised that the Council was facing unprecedented cuts as a result of the Coalition Government's policies and had to make very difficult decisions to balance the Council's finances. He explained that the final decisions would be made after hearing the views of local people and the proposals had been openly scrutinised by the Council's select committees. The detailed savings papers would now be available from 25 October via the Council's website and the Chief Executive and Corporate Directors would start formal consultation with staff and the Unions immediately in order to ensure that the savings that were ultimately decided on would be achieved as soon as possible in 2012/13.

51. Strategy for Ensuring Sufficient School Places 2011/12 - 2016/17

The Cabinet Member for Children and Education presented a report on the proposed strategy to ensure that the Council was able to meet its statutory responsibilities to provide a school place for every child in the Borough for 2011/12 to 2016/17.

The Cabinet Member explained that the projected growth in demand for school places for the next five years would, as a minimum, require 23 additional forms of entry for children starting school, 34 additional forms of entry for children moving into secondary education and 400 additional sixth-form places. The strategy identified options to meet this need through a mix of new schools, expansion at existing school sites and the conversion of alternative sites.

The Cabinet Member advised that the plans for the 2011/12 and 2012/13 academic years were well developed but that the options for the 2013/14 academic year and beyond would be reviewed every six months in the light of the latest demographic information. In the event that an option within the strategy was considered appropriate to progress, a detailed report on the project would be submitted to the Cabinet for full analysis of the implications.

In respect of the inclusion of the Adult College site, Fanshawe Avenue, Dagenham, as a possible location for a three / four form of entry primary school from September 2013, Councillor Carpenter spoke on the importance of retaining the Adult College and asked that it be removed from the list of potential future school sites. Councillor Carpenter suggested that the report should have spelt out for the Cabinet the full implications for students and courses at the Adult College and that alternative options for the area, such as the provision of a new primary school on the site of Sydney Russell Comprehensive School or the use of the former primary school site at Halbutt Street, were more appropriate. The Cabinet Member responded to the points and reiterated his earlier comments while the Leader confirmed that should the Adult College site proposal be assessed as

worthy of progression it would not mean the cessation of the Adult College service but rather its relocation to a suitable alternative location following full consultation with the Governing Body, management and service users.

The Cabinet Member also referred to the financial constraints faced by the Council which influenced the development of the strategy and he gave an update on the projects that had been identified for Private Finance Initiative (PFI) funding.

Cabinet **agreed**:-

- (i) To adopt the Programme for Developing School Places as set out at Appendix 3, subject to review every six months in the light of changed demand for places and available resources, as well as alternative sites and premises being reviewed and alternative school providers (e.g. Free Schools) being sought on a case by case basis;
- (ii) The procurement proposals for projects as set out in the report and authorised the Corporate Director of Children's Services, in consultation with the Corporate Director of Finance and Resources and the Cabinet Member for Children and Education, to approve the appointment of the final contractor(s) and the placing of order(s) as projects are funded and secured;
- (iii) To the establishment of the Barking Riverside School (operated by the Barking and Dagenham Co-operative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012, the initial intake to be accommodated at George Carey Church of England Primary School and thereafter in temporary accommodation pending further capital funding becoming available;
- (iv) To the Council securing the prospective new site allocated on Barking Riverside to house the Barking Riverside School;
- (v) To note that the priorities for submitting bids for PFI funding would be the Barking Riverside Secondary and Barking Riverside Special Needs provision and the Eastbrook and Eastbury Comprehensive School projects; and
- (vi) That the current strategy be continued for investing the budget for remediation of condition problems, namely to spend on Priority 1 (averting the threat of school closure) cases to make provision to deal with unforeseeable issues e.g. boiler breakdowns, and to deal with Priority 2 (Urgent) cases in consultation with schools especially where this assists in meeting Basic Need.

52. Debt Management Policy

The Cabinet Member for Finance, Revenues and Benefits presented a report on a new Debt Management Policy for the Council which had been developed in conjunction with the Council's partner, Elevate East London, and considered by the Public Accounts and Audit Select Committee at its meeting on 28 September 2011.

The Cabinet Member advised that the policy maintained the principles of providing support to those who were unable to pay and rigorously pursuing those who chose not to pay. The policy also established revised arrangements for the write-off of debts owed to the Council.

Cabinet **agreed** to adopt the new Debt Management Policy as set out at Appendix A to the report.

53. European Social Fund (ESF) - Access to Sustainable Employment

The Divisional Director of Regeneration introduced a report on an opportunity to obtain match funding via the European Social Fund (ESF) to support the Council's drive to help local residents into work through an Access to Sustainable Employment project.

The Divisional Director explained that an indicative allocation of approximately £1.02m had been sought from the ESF for the period to March 2014 and that this would be matched from existing resources within the Regeneration and Economic Development Division budget. The programme would be overseen by London Councils, who have managed previous ESF programmes in the Borough, and the Divisional Director advised that this should overcome any issues regarding the receipt of funds from the ESF.

Cabinet **agreed**:-

- (i) To approve the Access to Sustainable Employment project as detailed in the report; and
- (ii) To authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services, to enter into an agreement with London Councils in the sum of £1,028,518 in respect of the ESF match funding.

54. East London Solutions

The Cabinet Member for Finance, Revenues and Benefits presented a report on the progress of East London Solutions (ELS), an initiative involving Tower Hamlets, Newham, Redbridge, Waltham Forest, Havering and Barking and Dagenham Councils aimed at increasing sub regional activities in a structured approach.

On the creation of ELS in 2009, a Memorandum of Understanding was signed by each of the partner boroughs. Recent discussions between the respective Council Leaders and Chief Executives resulted in an agreement to raise the ambitions of the sub region and take forward some bigger collaborative projects which would enable greater outcomes and savings.

Cabinet **agreed** that the Council participates in and signs up to the revised ELS Memorandum of Understanding as set out at Appendix A to the report, subject to consultation with and the approval by the Divisional Director of Legal and Democratic Services of the final terms.

55. Polling Districts and Polling Places Review

The Leader reported on the outcome of the second statutory review of Borough polling districts (areas within ward boundaries) and associated polling places (stations) in accordance with the requirement under the Electoral Administration Act 2006 to conduct a review every four years.

As a result of the review, which involved consultation with local councillors, residents and relevant groups including those that represented the elderly and disabled, it was proposed to vary arrangements in four of the 17 wards, namely Chadwell Heath, River, Thames and Whalebone, to provide safer and more accessible venues for the electorate.

Cabinet **agreed**:-

- (i) To approve for publication the final proposals arising from the review of polling districts and associated polling places as detailed in Appendix A to the report; and
- (ii) To authorise the Chief Executive to agree any permanent or temporary arrangements within the next four year period that are deemed appropriate in respect of alternative polling stations and/or reconfiguration of polling districts, subject to consultation with relevant ward councillors.

56. Framework Contract for Taxi Provision

The Cabinet Member for Children and Education presented a report on proposals for the Council to participate in an East London Solutions procurement, led by the London Borough of Newham, of a Framework Contract for the provision of passenger transport taxi services for children and adults with special needs.

Cabinet **agreed**:-

- (i) That the Council be named as a participating authority in a tendering exercise, led by the London Borough of Newham and involving a number of other participating authorities, for a four-year Framework Contract for Taxi Provision to include the provision of SEN, safeguarding transport for adults and children, as described in the report;
- (ii) That the Cabinet Member for Children and Education be kept informed on the progress of the procurement and the use of the Framework Agreement; and
- (iii) To authorise the Corporate Director of Children's Services to award contracts for the provision of taxi transport, as and when required by the Council, via the Framework Agreement.

57. Mental Health Section 75 Agreement

The Cabinet Member for Health and Adult Services reported on the proposal to formalise joint working arrangements between the North East London NHS Foundation Trust (NELFT) and the Council for the provision of integrated Mental Health Services in the Borough through a Section 75 Agreement under the

National Health Service Act 2006.

The Cabinet Member advised that, given the current financial climate and the proposed reforms for the NHS generally, it was important that frontline services were not destabilised in any way. Therefore, representatives from the two authorities had been working to ensure that the current joint working arrangements continued on a more formal footing under a Section 75 Agreement until March 2013. It was noted that the agreement would provide the flexibility to negotiate and adjust the arrangements to meet the needs of residents within the scope of the pooled budget arrangements and that relevant Council employees would be seconded on a full-time basis to NELFT whilst still working to the Council's terms and conditions of service.

Cabinet **agreed** to authorise the Corporate Director of Adult and Community Services, in consultation with and subject to the final approval of the Divisional Director of Legal and Democratic Services, to enter into an agreement with North East London Foundation Trust for the continued joint delivery of Mental Health Services as outlined in the report via the draft Section 75 Agreement attached at Appendix 1 to the report.

The Cabinet Member also reported that earlier in the day she had delivered the Council-led petition 'Save Our Local Health Services' to the Secretary of State for Health. The Cabinet Member advised that the Council's lobbying campaign that had been launched alongside the petition had already secured the immediate future of Broad Street Health Centre, progress continued to be made for a new health centre for East Dagenham and a new Primary Care Strategy would also determine the future of Extended Hours for residents to see their family doctor.

The Cabinet Member referred to the challenges that still remained, such as the need for improvements at Queen's Hospital and the use of facilities, particularly the new maternity suite, at Barking Community Hospital which continued to stand empty, and undertook to keep Councillors and local residents informed of developments, including the Secretary of State's formal response to the petition.

58. Joint Strategic Needs Assessment 2011

The Chair of the shadow Health and Wellbeing Board, Councillor Worby, reported on the Joint Strategic Needs Assessment (JSNA) for 2011 which had been produced jointly by the NHS Outer North East London Primary Care Trust (PCT) and the Council.

Councillor Worby explained that the JSNA provided a strategic assessment of the health and wellbeing needs of the area and included a range of recommendations for service commissioners when planning to meet those needs. In view of the austerity measures placed on the Council and the PCT by the Coalition Government it had been acknowledged by the shadow Health and Wellbeing Board that the JSNA recommendations would need to be prioritised to ensure that those most important to the local community were delivered in the first phases of commissioning and business plan implementation.

Councillor Worby confirmed that the shadow Health and Wellbeing Board had endorsed the JSNA at its meeting on 27 September 2011 and would oversee its progress and the development of a revised Health and Wellbeing Strategy for the

Borough.

Cabinet **agreed**:-

- (i) The Joint Strategic Needs Assessment 2011 on behalf of the Council on recommendation of the shadow Health and Wellbeing Board;
- (ii) That the shadow Health and Wellbeing Board be responsible for prioritising the JSNA recommendations to be taken forward through the commissioning and business planning processes; and
- (iii) That all service areas of the Council be encouraged to have regard to the findings in the planning and review of services.

(Note: The full JSNA document is available at www.barkingdagenhampartnership.org.uk/jsna2011consultation)

59. Older People's Strategy - Progress Update and Improvement Action Plan 2011-13

The Cabinet Member for Health and Adult Services presented a report on the Older People's Strategy Improvement Plan for 2011-13 and the achievements to date against the ten priority areas within the overall Strategy.

The Cabinet Member referred to the key achievements over the last 12 months, such as the success of the free leisure offer for the over 60s, and advised that the new Improvement Plan would be monitored by the Older People's Strategy Group and Silvernet, the new Older People's Forum, to ensure progress continued to be made to the benefit of the Borough's ageing population.

Cabinet **agreed** the new Older People's Strategy Improvement Plan 2011-13 as set out at Appendix 1 to the report.

60. Free Cavity Wall and Loft Insulation for Council Homes through CERT Funding

The Cabinet Member for Housing presented a report on a proposal to enter into an agreement which would enable up to 4,000 Council households to benefit from free cavity wall and loft insulation.

The Cabinet Member advised that the scheme would be carried out in partnership with British Gas, who would finance the works via Carbon Emissions Reduction Target (CERT) funding, and the not-for-profit agency Greater London Energy Efficiency Network (GLEEN) and that estimates suggested that Council tenants who received the works could benefit by up to £350 a year on lower fuel bills.

The Leader referred to past independent studies that had highlighted potential problems that could be caused by cavity wall filling. The Corporate Director of Housing and Environment confirmed that the agreement with the parties would contain appropriate warranties and indemnities to protect the interests of both the Council and its tenants and that he would ensure that the information to be provided to tenants fully explained the potential side-effects of cavity wall filling. The Corporate Director also referred to the types of households that would be

prioritised under the scheme.

Cabinet **agreed** that the Council enter into the necessary agreements with the Greater London Energy Efficiency Network (GLEEN) and British Gas to enable up to 4,000 Council homes to benefit from free cavity wall and loft insulation works through the Carbon Emissions Reduction Target (CERT) scheme.

(The Chair agreed that the report could be considered at the meeting as a matter of urgency under the provisions of Section 100B(4)(b) of the Local Government Act 1972.)

61. Private Business

Cabinet **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).

62. The Future Provision of External Extra Care

The Cabinet Member for Health and Adult Services reported on proposals to re-tender the contracts relating to Extra Care provision at Harp House, Fred Tibble Court, Darcy Gardens and Colin Pond Court.

The Cabinet Member explained that Extra Care provision had some distinctive features which separated the schemes from sheltered housing and residential care and was predominantly used by people aged over 60 who had a care need. The re-tendering proposals would see support delivered in a more co-ordinated way to ensure that there was choice and control for residents, the key features being:

- Care and support available 24 hours a day from one provider
- Service delivered flexibly in response to the wishes of the residents and in line with their assessed needs
- Continued engagement in the design and delivery of services
- Promotion of independence through care provision, housing support and increased social and leisure activities
- A revised allocation scheme

Cabinet **agreed**:-

- (i) To the re-tendering of the services provided in the four Extra Care schemes at Harp House, Fred Tibble Court, Darcy Gardens and Colin Pond Court; and
- (ii) To authorise the Corporate Director of Adult and Community Services, in consultation with the Corporate Director of Finance and Resources and the Cabinet Member for Health and Adult Services, to award the contract upon conclusion of the procurement process.