

MINUTES OF CABINET

Tuesday, 27 January 2015
(6:00 - 7:12 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Saima Ashraf (Deputy Chair), Cllr Dominic Twomey (Deputy Chair), Cllr Laila Butt, Cllr Evelyn Carpenter, Cllr Cameron Geddes, Cllr James Ogungbose, Cllr Lynda Rice, Cllr Bill Turner and Cllr Maureen Worby

Also Present: Cllr Josephine Channer, Cllr Irma Freeborn and Cllr Syed Ghani

81. Declaration of Members' Interests

There were no declarations of interest.

82. Minutes (16 December 2014)

The minutes of the meeting held on 16 December 2014 were confirmed as correct.

83. Budget Monitoring 2014/15 - April to November 2014 (Month 8)

The Cabinet Member for Finance introduced the report on the Council's capital and revenue position for the 2014/15 financial year, as at 30 November 2014.

The General Fund showed a projected end of year spend of £166.8m against the total approved budget of £165.3m, which would mean a reduced General Fund balance of £24.6m at the year end. The Cabinet Member advised that he was hopeful that the overall budget would be balanced by the year end but stressed that the pressures within the Children's Services division would continue to be challenging. He also referred to the proposal to realign budgets within the Environmental Services division, in order to better reflect current service requirements, and clarified the reasons for a proposed loan to Valence Primary School to support the upgrade of ICT facilities.

It was also noted that the Housing Revenue Account (HRA) continued to show a projected break-even position for the year while the Capital Programme showed a projected spend of £135.96m against the revised budget of £143.15m.

Cabinet **resolved** to:

- (i) Note the projected outturn position for 2014/15 of the Council's General Fund revenue budget at 30 November 2014, as detailed in paragraphs 2.4 to 2.10 and Appendix A of the report;
- (ii) Agree the service budget reallocation within Environmental Services as shown in paragraph 2.7 of the report;
- (iii) Note the progress against the agreed 2014/15 savings at 30 November 2014, as detailed in paragraph 2.11 and Appendix B of the report;

- (iv) Note progress against the agreed 2014/15 Housing Revenue Account (HRA) savings as detailed in paragraph 2.12 and Appendix B of the report;
- (v) Note the overall position for the HRA at 30 November 2014, as detailed in paragraph 2.12 and Appendix C of the report;
- (vi) Agree to a loan of £300,000 to Valence Primary School, to be repaid over three years, to fund an upgrade of the school's ICT facilities as detailed in paragraph 2.13 of the report;
- (vii) Note the projected outturn position for 2014/15 of the Council's capital budget as at 30 November 2014, as detailed in paragraph 2.13 and Appendix D of the report;
- (viii) Note the revised capital budget of £143.2m following inclusion of the scheme to extend Barking Riverside Primary School in the Capital Programme for 2014/15; and
- (ix) Note the Corporate Director of Children's Services update report on the budget pressures within the Children's Services department at Appendix E to the report and support the 'next steps' set out in section 5 of Appendix E.

84. Estate Renewal Programme 2015 - 2021 and Delivery of Existing Estate Renewal and Infill Site Projects

The Cabinet Member for Regeneration presented a report on the latest proposals in respect of the Council's Estate Renewal Programme.

The Cabinet Member explained that a long list of potential sites had been assessed against a range of criteria including need, deliverability, affordability and the benefit to the local community. Stemming from that exercise, a number of sites across the Borough had been identified for immediate inclusion in the programme for 2015 – 2021 while a further seven sites in the Gascoigne West area had been selected subject to the receipt of London Housing Zone funding from the Greater London Authority.

The Cabinet Member referred to the funding and decanting arrangements for the latest proposals and also provided an update on the delivery of projects already included in the Estate Renewal Programme. Delivery arrangements for Althorne Way and Becontree Heath sites had progressed to a point where a procurement exercise for a development partner was proposed while Phase Two of the Leys Estate project was at the stage where the procurement of a construction contractor was proposed. It was noted that those procurements would be via the London Development Panel.

Officers clarified issues relating to the project at Padnall Road, Marks Gate, and the Cabinet Member for Regeneration suggested that the overall scheme would bring significant improvements to the area.

Cabinet **resolved** to:

- (i) Agree the following areas and properties as additional sites within the

Borough-wide Estate Renewal Programme, subject to the confirmation of securing London Housing Zone funding in respect of the addresses in the Gascoigne West area (marked * below):

- Sebastian Court
 - 168 to 284 (evens) Padnall Road
 - 53 to 135 Roxwell Road
 - 2 and 4 Stebbing Way
 - 291 to 301 Oxlow Lane
 - 265 to 285 (odds) Rainham Road North
 - 105 to 135 Abbey Road *
 - 55 to 87 Tomlins Orchard *
 - 1 to 16 The Shaftesburys *
 - 94 to 117 The Clarksons *
 - 2 to 55 Lindsell Road *
 - 28 to 63 Hardwicke Street *
- (ii) Approve the commencement of the decant of tenants and purchase of leasehold interests in respect of the addresses set out in (i) above following a programme of community consultation and engagement with the affected residents;
- (iii) Approve the serving of Initial Demolition Notices on all secure tenants within the programme at the appropriate time, in order to suspend the requirement for the Council to complete Right to Buy applications for as long as the notices remain in force;
- (iv) Authorise the use by the Council of its Compulsory Purchase Order (CPO) making powers pursuant to Section 17 of the Housing Act 1985 for the acquisition of the leasehold interests in the properties set out in the report, for the purposes of securing land needed to allow the redevelopment of those areas;
- (v) Authorise the Chief Finance Officer, in consultation with the Head of Legal and Democratic Services, to take all necessary steps to secure the making, confirmation and implementation of a CPO including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry;
- (vi) Agree the procurement of a contractor for the Leys Phase 2 redevelopment site via the London Development Partner Panel as outlined in section 7 of the report, and to delegate authority to the Director of Housing, in consultation with the Cabinet Members for Housing and Regeneration, the Director of Growth, the Chief Finance Officer and the Head of Legal and Democratic Services, to agree the final terms of the contract; and
- (vii) Agree the procurement of a development partner for the sites at Althorne Way and Becontree Heath via the London Development Panel in accordance with the parameters set out in section 6 of the report, with the final development and delivery proposals being reported back to Cabinet for approval.

85. Merry Fiddlers Junction Improvements - Minor Scheme Amendments

Further to Minute 113 (19 March 2013), the Cabinet Member for Regeneration presented a report on proposed revisions to the Merry Fiddlers junction improvements at Becontree Heath.

The Cabinet Member explained that the revisions would further enhance pedestrian and cycle access and safety, which was particularly important as the area was heavily used by school children and the elderly, without being to the detriment of motor vehicles. In response to a point on the visual appearance of the area, the Cabinet Member agreed to provide his Cabinet colleagues with details of the future plans once they had been properly developed.

Cabinet **resolved** to agree the following minor amendments to the designs for the Merry Fiddlers junction in order for the outstanding highways improvements to be implemented:

- (i) Upgrading traffic signals on all junction arms to provide Split Cycle Offset Optimisation Technique (SCOOT);
- (ii) Reducing the number of lanes on Green Lane from 3 to 2;
- (iii) Widening of the Green Lane pedestrian crossing island ;
- (iv) Providing Advance Stop Lanes (ASLs) at all arms of the junction.

86. Emergency Homelessness Accommodation

The Cabinet Member for Housing presented a report on proposals to procure contracts for the provision of emergency homelessness accommodation.

The Cabinet Member explained that since 2010, when there were significant changes to the housing market in east London and new housing benefit legislation came into effect, available rented accommodation in the Borough was consistently taken up by other London Boroughs taking advantage of the comparative low rental levels. As a result of the reduced availability of accommodation coupled with a significant increase in the number of homeless cases, the Council became increasingly dependent on spot purchasing of emergency accommodation to fulfil its statutory duties. The Cabinet Member referred to the significant increase in the number of placements in B&B accommodation between 2010 and 2012, which resulted in expenditure of £4.25m in 2012/13. A range of initiatives had been implemented by the Council to address supply and demand issues, including the conversion of the former Brockelbank and Riverside House residential homes as high quality hostel accommodation, and the current proposal to procure long-term contracts for emergency homelessness accommodation was a further step forward.

With regard to the number of private rented properties in Barking and Dagenham taken up by other London Boroughs, the Director of Housing advised that officers were collaborating with all but one of the 32 London Boroughs to ensure that there was a balanced approach across all Boroughs. The Leader asked to be provided with the details of the one Borough not participating in the project.

The Cabinet Member for Finance suggested that the procurement proposals would drive down costs as the Council would no longer be reliant on the single B&B accommodation provider in the Borough. He also commented that the position of Barking and Dagenham as having the lowest Council and private accommodation rents had not only led to other Boroughs taking advantage but had cost the Council a significant amount of money.

The Cabinet Member for Children's Social Care commented that he would wish to see details of the minimum standards within the contract specification as well as other comparative information.

Cabinet **resolved** to:

- (i) Waive the requirement to tender interim contracts for the provision of spot purchase of Bed and Breakfast and other nightly let temporary accommodation in order to ensure the Council fulfils its statutory housing duties, pending a procured contract being implemented;
- (ii) Approve the proposals for the procurement of a contract for emergency homelessness accommodation for a term of up to four years, with the option to extend for one year, in accordance with the strategy as set out in the report;
- (iii) Delegate authority to the Director of Housing, in consultation with the Chief Finance Officer and the Head of Legal and Democratic Services, to approve the entering into of contract(s) for a term of up to four years, with the option to extend for one year, upon conclusion of the procurement exercise; and
- (iv) Request officers to provide Cabinet Members with details of the minimum standard requirements that tenderers would be required to meet under the specification for the contract.

87. Temporary Accommodation Placements Policy

Following on from the above, the Cabinet Member for Housing presented the draft Temporary Accommodation Placements Policy which explained how the Council would meet its statutory obligations to homeless individuals and families and, in particular, the criteria in respect of out of borough placements.

During the discussions, Members raised issues relating to:

- The proposed 1½ hour maximum travel time for out of borough placements involving households with children in education or those in permanent and settled employment. It was suggested that the maximum limit should be 1 hour, in line with the current assessment criteria referred to in the previous report.
- The need for the policy document to be assessed against the Plain English crystal mark.
- The need for further analysis of the standard and quality of accommodation, demand factors and issues relating to placements from other London Boroughs.

- The need for a holistic approach to temporary accommodation placements.

Cabinet **resolved** to:

- (i) Approve the implementation of the Temporary Accommodation Placements Policy set out at Appendix A to the report, subject to the amendment of the travel time relating to children in education being reduced to a maximum of one hour in line with the conditions applicable to homeless placements;
- (ii) Note the Placements Procedure and Equalities Impact Assessment set out at Appendices B and C to the report respectively; and
- (iii) Request officers to report back within three months on the issues raised at the meeting concerning:
 - The standard and quality of temporary accommodation provided;
 - The analysis of homelessness demand in the Borough;
 - The cooperation being achieved with other Boroughs on the placement of households in temporary accommodation in Barking and Dagenham.

88. Procurement of Markyate Day Nursery Services

The Cabinet Member for Education and Schools introduced a report on proposals for the procurement of day care nursery services at Markyate Nursery, which would assist the Council in meeting its responsibilities under the Childcare Act 2006 and the increasing demand for childcare places in the Borough.

Cabinet **resolved** to:

- (i) Agree the procurement of a seven-year contract, with an extension option of up to three years, for the provision of day care nursery services at Markyate Nursery as detailed in the report; and
- (ii) Delegate authority to the Corporate Director of Children's Services, in consultation with the Cabinet Member for Education and Schools, the Chief Finance Officer and the Head of Legal and Democratic Services, to award and enter into the contract and coterminous lease to the successful bidder in accordance with the strategy.

89. Calculation and Setting of the Council Tax Base for 2015/16

The Cabinet Member for Finance presented a report in respect of the Council Tax Base for 2015/16.

The Cabinet Member advised that there had been an increase in the base figure of 2,102.52 Band 'D' equivalent properties compared to the 2014/15 level, which would generate an additional income to the Council of £2.14m.

Cabinet **resolved** to determine 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 2015/16 shall be 42,624.64 Band 'D' properties.

90. Council Sites - Land Disposals

The Cabinet Member for Finance presented a report on the proposed disposal of a number of sites across the Borough that had been identified as surplus to requirements.

The Cabinet Member advised that he had asked officers to establish a register of all of the Council's land holdings as part of a more strategic approach to land disposals. The assessment of potential land disposals would take account of the community improvements that could be achieved as well as optimising capital receipts to support the Council's Capital Programme. The Cabinet Member also referred to the importance of disposing of surplus land to minimise revenue expenditure, which was illustrated by the budget pressure stemming from the delayed disposal of 90 Stour Road.

Officers clarified issues relating to the valuations contained within the exempt appendices to the report and it was confirmed that any offer that was significantly below the anticipated level of receipt would be referred back to the Cabinet. In respect of the proposed disposal of land at Hooks Hall Farm via a long lease, it was agreed that the final decision be reserved to the Cabinet and officers were asked to include in that report details of other potential options for the site. With regard to the site adjacent to Marks Gate Cemetery and Bagleys Spring, it was noted that the marketing exercise would reflect the high water table in that area.

Cabinet **resolved** to:

- (i) Approve the disposal of the Council's freehold interest in the land south of Plumtree Close, Dagenham, shown edged red on site plan 1 at Appendix 1 to the report, to an adjoining owner for the best consideration and terms that can reasonably be agreed;
- (ii) Approve the disposal of the Council's freehold interest in the land and buildings known as Rose Redding Hall, 163 Bennetts Castle Lane, Dagenham, shown edged red on site plan 2 at Appendix 1, to the occupying charity, LifeLine Community Project, for the best consideration and terms that can reasonably be agreed;
- (iii) Approve the joint marketing and disposal with NHS Properties of the land adjacent to the Thames View Health Centre, Bastable Way, shown edged red on site plan 3 at Appendix 1, for the best consideration and terms that can reasonably be agreed;
- (iv) Approve the joint marketing of land adjacent to the Ship and Anchor site and adjacent land parcels owned by the Council at Becontree Heath, Dagenham, shown edged red on site plan 4 at Appendix 1, to facilitate the regeneration of the entire site and to note that a further report on the marketing will be presented to Cabinet in due course;
- (v) Approve the disposal of the Council's interest in 64-68 Church Street, Dagenham, shown edged red on site plan 5 at Appendix 1, to the adjoining owner Estuary Housing Association for the best consideration and terms

that can reasonably be agreed;

- (vi) Approve the disposal of the Council's interest in 1 and 2 The Triangle, Tanner Street, Barking, shown edged red on site plan 6 at Appendix 1, to the occupying tenants for the best consideration and terms that can reasonably be agreed;
- (vii) Approve, in principle, the disposal of the Council's freehold interest in the farm house at Hooks Hall Farm, Dagenham and the associated disposal of grazing land, shown edged red on site plan 7 at Appendix 1, on a long lease to the current occupants to facilitate further invest in their business for the best consideration and terms that can reasonably be agreed, subject to a report to a future meeting on all the potential options for the site and updated valuations from the District Valuer;
- (viii) Approve the disposal of 90 Stour Road, Dagenham, shown edged red on site plan 8 at Appendix 1, for the best consideration and terms that can reasonably be agreed;
- (ix) Approve the disposal of land at Siviter Way, Dagenham, shown edged red on site plan 9 at Appendix 1, for the best consideration and terms that can reasonably be agreed;
- (x) Approve the disposal of land adjacent to Marks Gate Cemetery and Bagleys Spring, Chadwell Heath, shown edged red on site plan 10 at Appendix 1, for the best consideration and terms that can reasonably be agreed;
- (xi) Approve the disposal of amenity greenbelt land off Bridport Avenue, Romford, (situated outside the Borough), shown edged red on site plan 11 at Appendix 1, to the London Borough of Havering for the best terms that can be agreed including the provision for either overage or a restrictive covenant against future development of either parcel of land;
- (xii) Approve the disposal of a vacant strip of land to the south of Althorne Way, shown edged red on site plan 12 at Appendix 1, to Morrisons and to enter into all necessary agreements for its use as a joint Leisure Centre / Morrisons Car Park;
- (xiii) Note that further reports shall be presented to Cabinet prior to disposal in respect of any sites where the Chief Finance Officer considers that the sum offered is significantly below the anticipated level of receipt;
- (xiv) Note the current positions regarding the Fanshawe Community Centre site and 145 Halbutt Street as set out in paragraph 2.3 and 2.4 of the report;
- (xv) Subject to (vii) and (xiii) above, delegate authority to the Chief Executive, in consultation with the Head of Legal and Democratic Services, the Chief Finance Officer and the Cabinet Member for Finance, to agree terms and negotiate the contract documents to fully implement and effect the sale of the sites; and
- (xvi) Authorise the Head of Legal and Democratic Services, or an authorised

delegate on her behalf, to execute all of the legal agreements, contracts and other documents on behalf of the Council.