



MINUTES OF A CABINET MEETING
Council Chamber - Town Hall
Wednesday, 10 October 2018
(7.30 - 8.45 pm)

Present:

Councillor Damian White (Leader of the Council), Chairman

Councillor Robert Benham

Councillor Joshua Chapman

Councillor Jason Frost

Councillor Roger Ramsey

Councillor Viddy Persaud

Cabinet Member responsibility:

Cabinet Member for Education,
Children & Families

Cabinet Member for Housing

Cabinet Member for Health & Adult
Care Services

Cabinet Member for Finance &
Property

Cabinet Member for Public
Protection and Safety

Apologies were received for the absence of Councillors .

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DISCLOSURES OF INTEREST

9. Bid to the Greater London Authority for a funding programme under the 'Building Council Homes for Londoners' Programme..

Councillor Joshua Chapman, Non Pecuniary, Interest declared given employment with Transport for London (tfl). Councillor Chapman absented himself from the meeting and did not participate in the discussion on the matter.

3 MINUTES

The minutes of the meetings held on 25 July, 2018 and 8 August, 2018 were both agreed and signed by the Chair as a correct record.

4 **ONE HAVERING: COMMUNITY COHESION STRATEGY 2018 - 2022**

Vernal Scott, Corporate Diversity Adviser, was asked to outline the report to Cabinet which sought Cabinet's approval of the "One Havering: Community Cohesion Strategy" and its adoption across services.

The document is Havering's first Community Cohesion Strategy which, in line with the Equality Act, 2010, aims to foster good community relations and a complementary union between the Council's stated values and the Borough's evolving diversity profile. The Strategy deliberately focuses on the many common experiences, aspirations and values that unite local people as one community, as One Havering. It seeks to make a very clear policy statement about how the Council will go about nurturing and promoting "a cohesive, healthy and optimistic Borough, underpinned by modern British values; where everyone experiences dignity and equal life chances, and neighbours, colleagues and different community groups interact with, respect and value each other, regardless of age, colour, disability, education, ethnicity, gender, health status, marital status, nationality, political perspective, religion, sexuality or socio-economic status".

Havering is determined to be fair to all and is committed to embracing diversity.

The vision is framed around four themes:

- **Building** – Enabling new interactions and relationship building between different community groups;
- **Sharing** – Promoting common aspirations and experiences between different people;
- **Protecting** – Activities that promote crime prevention and community safety, and
- **Healthier** – Activities and projects that promote health and wellbeing

The proposed strategy also sets out four overarching cohesion priorities:

- We will engage with all communities in the further development of this Community Cohesion Strategy via the soon to be established Community Engagement and Cohesion Forum;
- Our residents will be safe and protected in their homes and neighbourhoods;
- To ensure our economic and physical regeneration activity supports the creation of safe, strong, cohesive communities, and
- We will reduce inequalities in health and wellbeing across communities in Havering. People who use our services will have a healthy life expectancy and an improving quality of life.

Finally, the proposed strategy has four overarching equality objectives running throughout it:

- Understanding the needs of Havering's diverse communities;

- Improving life chances for all, particularly for the most vulnerable members of the community;
- Removing barriers to accessing the Council, and
- Promoting community relations and civic pride.

There is a crucial practical element which involves the roll out of a series of projects which are community facing, designed to encourage all community groups to interact and get to know each other. Havering is a special place and everyone must feel included.

A recent Ipsos MORI report supports the case for this work. Residents reported that parts of the Borough are working well together but in some areas it has been noted, it could work better.

The Borough is changing rapidly, ten years ago the population was 93% white Caucasian and now this is at 83% and it will continue to reduce. The change will take place and the work undertaken in this policy will help promote understanding between community groups.

Another component of this work is hate crime. This needs to be tackled and understood. It will include Islamophobia which has developed generally in the capital. The Equality Act 2010 focuses on eliminating discrimination of all kinds.

Unlike other strategies it is project based to enable different community groups to get together and break down the silos. Modern British values are at the heart of the community. 60% of Council staff live in the Borough and this is a very strong thread running through Havering and it is an overarching value to nurture.

Appendix B sets out the "Next Steps" which present as a series of "ideas" to be taken forward. Some are already happening and there may be other ideas to be added as the strategy becomes embedded. A number of events are already in place including the Day of the Disabled taking place on 3 December at the Salvation Army in Romford. It is hoped that this event will help to identify barriers faced by disabled people in Havering. It is hoped that incidents of hate crime will reduce and there will be increased evidence of community cohesion.

Anyone in a public facing role has a part to play in this process. The work is already being done and the Strategy is just a next chapter in the process. The definition of modern British values can vary but it is hoped that diverse and different opinions will become tolerated, inclusive and modern in outlook working together to celebrate similarities.

Cabinet:

1. **Approved** the One Havering: Community Cohesion Strategy (set out in **Appendix A**);
2. **Agreed** to the establishment of the Community Engagement and Cohesion Forum and the proposed Terms of Reference (attached at

Appendix E) with the addition that Councillor Viddy Persaud, Cabinet Member for Public Protection and Safety, be added to the table of membership on page 62 of the agenda, and

3. **Agreed** that monitoring of the Strategy will be undertaken by the Community Engagement and Cohesion Forum with advice from the Corporate Diversity Advisor.

5 **PERSONAL BUDGET POLICY WITH GUIDANCE FOR PARENTS AND DIRECT PAYMENTS POLICY**

Councillor Robert Benham, Cabinet lead Member for Education, Children and Families presented the report to Cabinet.

Under the SEND reforms in the Children and Families Act 2014 Education, Health and Care Plans (EHC Plan) replaced Statements of Special Educational Needs. Where a child or young person has been assessed as requiring an EHC Plan, the child's parent/s or the young person has a right to request a Personal Budget, when the local authority has completed an EHC needs assessment and confirmed that it will prepare an EHC plan.

The key principles of the Code of Practice require 'greater choice and control for young people and parents over support'. Personal Budgets are one means by which that control can be delivered.

The Code of Practice also states that '*Local authorities must ensure that children, young people and parents are provided with the information, advice and support necessary to enable them to participate in discussions and decisions about their support. This should include information on their rights and entitlements.* This is a statutory obligation on the Local Authority.

Both policies have undergone an initial consultation with stakeholders, this includes parents and carers. It is proposed that the draft documents will be subject to further consultation before the final decision. This consultation will include the following groups:

- children and young people with special educational needs and the parents of children with special educational needs;
- children and young people with a disability, and the parents of children with a disability;
- the governing bodies of maintained schools and maintained nursery schools;
- the proprietors of Academies 1;

- the governing bodies, proprietors or principals of post-16 institutions; the governing bodies of non-maintained special schools;
- the management committees of pupil referral units;
- the advisory boards of children's centres;
- the providers of relevant early years education;
- the youth offending teams that the authority thinks have functions in relation to children or young people for whom it is responsible;
- voluntary sector organisations

The consultation will run from October, 2018 until December 2018. Following the consultation process it is expected that the policies will be implemented from January, 2019.

There are over 1000 children in the Borough with EHC Plans, last year 181 of those children had a personal budget. This year the number has increased to 196. 50% use direct payments. Safeguarding issues need to be reviewed and Havering have recently had a peer review from L B Greenwich. The Borough is currently working with a group of parents to improve the quality and accessibility of the website. There will be an electronic hub for families which will incorporate helpful links to assist in the process.

Cabinet:

1. **Approved** the draft policies for further parent and stakeholder consultation.
2. **Delegated** the decision in respect the final policy to the Director of Children's Services following consultation with the Deputy Leader, and Cabinet Member for Education, Children and Families.

6 CORPORATE PERFORMANCE REPORT QUARTER 1

The Leader of the Council, Councillor Damien White presented the report to Cabinet for noting.

Members had the opportunity to consider and scrutinise the performance at each of the Overview and Scrutiny Committees for each service area in accordance with the priorities of the Council.

Detailed assessment was contained in the report.

Cabinet:

1. **Reviewed** the performance set out in **Appendix 1** of the report and the corrective action that is being taken.
2. **Noted** the content of the Demand Pressures Dashboard attached at **Appendix 2** of the report.

7 AUTHORITY TO PROCEED TO PROCUREMENT FOR THE PROVISION OF 35 RESIDENTIAL PLACEMENTS FOR LOOKED AFTER CHILDREN (LAC) ACROSS 8 NORTHEAST LONDON AUTHORITIES,

Councillor Robert Benham, Cabinet Lead Member for Education, Children and Families, presented the report to Cabinet detailing proposals to procure for the block provision of 35 residential placements for Looked After Children (LAC), across 8 North East London Authorities.

The Department of Education's (DfE) Children's Social Care Innovation Programme has awarded the East London Health & Care Partnership (formerly the North East London Sustainability and Transformation Partnership) (the "Partnership") £782,750 (with a further £53,000 dependent upon satisfactory evaluation of the project).

The award is over a period of three years to jointly commission up to 35 Looked After Children (LAC) residential placements within the geographical footprint of Northeast London.

The Partnership brings together 8 Local Authorities and 12 NHS organisations in the areas within:

- The London Borough of Havering
- The London Borough Barking and Dagenham
- The London Borough of Tower Hamlets
- The London Borough of Newham
- The London Borough of Waltham Forest
- The London Borough of Redbridge
- The Corporation of the City of London
- The London Borough of Hackney

Havering is the lead authority and will be responsible for contract procurement, management and monitoring functions.

The report before Cabinet proposes that each of the Local Authorities in the Partnership, with the exception of City (because they currently have no residential LAC placements) allocate up to, £650,000 per year over eight years to jointly commission up to 35 residential placements within the footprint of the Partnership.

Placements will not be at 100% occupancy from the outset of the contract. The local authorities in the partnership will identify how many LAC they can transfer into the new placements and the expected timescales they can move towards 100% occupancy. The contract will allow the Partnership only to pay for the used beds during the scale up to 100%. At full occupancy Individual Local Authority savings of £241,433 per year will be achieved.

Placing children and young people nearer to their home communities will also have improved life experience and outcomes for children in residential care.

The partnership is stipulating a number of outcomes successful providers must deliver, including:

- Improved placement stability measured by the Stability Index and number of placement breakdowns
- Improved placement suitability measured by in-placement interviews with young people and the number of unplanned placement moves
- An increase in the number of young people placed through this programme in Education Employment or Training
- Increase in young people staying put in residential placements until the age of 21
- Increase in the number of LAC 'stepping down' out of residential care.
- Decrease in unauthorised absence from placement and missing episodes
- Decreased risk of sexual exploitation; and
- Decrease in the number of engagements with the criminal justice system

Members agreed this was a very good proposal and one that demonstrated how Local Authorities can work very well together.

The estimated value of the 8 year contract across all partners is c. £36.8M giving rise to potential savings of £13.5M. The Havering element of this is £5.3M and £1.9m respectively.

As the process moves on further detail will be available. The procurement will allow greater control over the quality of provision and it is proposed that authorities will work more collaboratively with providers.

Cabinet:

1. **Granted authority** to proceed to the procurement of block residential provision.
2. **Agreed** the decision to allocate funds for each of the following seven years is delegated to the Director of Children's Services, following consultation with the Lead Member of Children's Services and the Chief Operating Officer.

8 **BID TO THE GREATER LONDON AUTHORITY FOR A FUNDING PROGRAMME UNDER THE 'BUILDING COUNCIL HOMES FOR LONDONERS' PROGRAMME.**

The Leader of the Council, Councillor Damian White presented the report to Cabinet and Cabinet also agreed to accept the supplementary agenda outlining changes to the bid to accommodate a request from the GLA.

In May 2018, the Mayor of London published the 'Building Council Homes for Londoners' grant funding prospectus to encourage London Councils to develop new, affordable homes to respond to the London Housing shortage. All homes funded by this grant must achieve a start on site by March 2022.

In addition to this, in July 2018, the GLA published an addendum to this prospectus which granted London Councils with the opportunity to increase their Housing Revenue Account (HRA) headroom for the purposes of developing new homes. A total of £500m has been made available for London Councils.

Both funding regimes present an opportunity for the Council to fund its housing aspiration of 11,700 new homes by 2025, as presented in the Draft Local Plan 2017 and set by the London Plan.

A bid for up to £122.6m of Affordable Housing Grant has been prepared, together with a strategy to use Right to Buy receipts to fund the delivery of affordable housing around the Borough. In addition to this, the Council has also prepared a bid to increase the HRA headroom by up to £155m in order to accelerate its housing development aspirations and increase housing supply to better respond to housing demand. This would contribute to responding to the General Fund pressures associated with increased homelessness demand. Generally, nationally the HRA borrowing cap will be lifted.

This will enable Havering to continue with ambitious housing delivery providing affordable homes for local people.

The model in Havering is to work with Joint Ventures (JV) to maximise capacity and utilise the skills of JV partners

The bid is now subject to the detail and has a programmed approach providing details of indicative sites. The outcome of the bidding process is expected in the autumn of 2018.

Cabinet:

Agreed to accept the supplementary agenda and the documents therein which included the revised Cabinet report and;

1. Approved the submission of the following bids to the GLA "Building Council Homes for Londoners" programme of : -

- Up to £122.6 million Affordable Housing Grant in line with the draft bid set out at Appendix 1.
- Up to £65.1 million HRA headroom in line with the draft bid set out at Appendix 2 of the report.

2. Noted that if successful in the bid(s):

- The Council will need to sign funding agreements with the GLA for which further Cabinet approval will be sought. A report seeking these approvals is likely to be submitted Spring/Summer 2019.
 - The Council will develop a housing delivery programme relating to the bid programme
 - In addition the Council will continue to explore other external funding opportunities to complement the above programmes.
3. **Delegated** authority to Section 151 Officer, after consultation with the Director of Neighbourhoods to enter into the Right to Buy ring-fence agreement with the GLA.

9 **EXCLUSION OF THE PRESS AND PUBLIC**

10 **RAINHAM AND BEAM PARK, LAND ACQUISITION STRATEGY, MAKING OF CPO(S)**

Councillor Damian White, Leader of the Council introduced the report to Cabinet. Neil Stubbings, Director of Regeneration Programmes presented the detail.

At the Cabinet of the 13th December 2017 the Council agreed to appoint Notting Hill Housing Trust (now known as Notting Hill Genesis – “NHG”) as the development partner to implement the first phases of housing delivery in the Rainham and Beam Park Housing Zone. Consequently, Cabinet gave approval to the Council entering into a joint venture Limited Liability Partnership (to be known as Rainham and Beam Park Regeneration LLP – “RBPR”) with Notting Hill Commercial Properties (a subsidiary of NHG) in which the Council became a Member on 29th March 2018.

Cabinet also noted that the Council and NHG would be responsible for the land acquisition process on behalf of RBPR where necessary, supported by CPO powers, to enable the acquisition of the land interests required for the housing development schemes and infrastructure which cannot be acquired by private treaty. Members noted that authority to make the CPO was delegated by Cabinet on 10th February 2016. This paper is brought to cabinet with further detail consequent to the original decision and provides additional details on;

- the proposed CPO(s) within the Red Line Plan; and
- requests that Cabinet approves the making of a CPO(s) and related powers in respect of the land, interests and rights to obtain vacant possession, where necessary to enable the delivery of the regeneration of the A1306 (New Road) in Rainham where it has not been possible to acquire the land. Interest and rights by agreement. The scheme, which is shown on the CPO Red Line Plan at Appendix

1 of the report being the provision of new build housing to the north and south of the A1306 (New Road).

CPO action can only take place as a last resort at the end of a significant period of negotiation. There will be significant regeneration in Rainham which will focus around the station. More affordable homes and infrastructure is needed.

Cabinet:

1. **Agreed** to the Council making Compulsory Purchase Order(s) (CPO(s)) pursuant to the statutory powers contained in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended), and section 13 of the Local Government (Misc. Provisions) Act 1976 and all other necessary action to acquire all property and other proprietary interests on the land, including where appropriate new rights, located within the outline on the CPO Red Line Plan at Appendix 1 of the report, for the purpose of securing the regeneration of the Rainham and Beam Park Housing Zone in accordance with the decision to adopt the Masterplan and Planning Framework taken on 10th February 2016.
2. **Agreed** that the Director of Regeneration Programmes after consultation with the Leader of the Council and Deputy Director Legal and Governance be authorised to;
 - a. Make the CPO or multiple CPOs to enable the acquisition of land, interest and rights within the CPO Red Line Plan as attached to the report at Appendix 1;
 - b. Appoint surveyors, barristers and any other professionals required to promote the CPO(s) and to facilitate the vacant possession of interests located within the CPO Red Line Plan;
 - c. Settle the final form and content of the CPO(s) and associated documentation to include the draft;
 - CPO Red Line Plan; Appendix 1;
 - Draft Compulsory Purchase Order; Appendix 2;
 - Draft Schedule Freehold and Leasehold Interests Appendix 3;
 - Draft Statement of Reasons Appendix 4;
 - Draft Equalities Impact Assessment Appendix 5
 - Consultation Report Appendix 6
 - d. Take all necessary steps to secure the making, confirmation and implementation of the CPO(s) including publication and service of notices and presentation of the Councils case at Public Inquiry, or Court should such representation be necessary;
 - e. Take such actions so as to facilitate Notting Hill Genesis (on behalf of Rainham and Beam Park LLP) acquiring properties and proprietary interests

within the CPO Red Line Plan by agreement, such actions to include; the relocation of businesses, residents and statutory undertakers apparatus or Communication Code Operators; and any other interests and setting out the terms for the withdrawal of objections to the CPO(s); and

f. Amend the number of properties and leasehold acquisitions with the CPO Red Line Plan at Appendix 3, should such amendment be required to deliver the overall Rainham and Beam Park Housing Zone strategy.

3. Agreed that the Director of Regeneration Programmes after consultation with the Leader of the Council and Deputy Director Legal and Governance be authorised following the confirmation of the CPO(s) by the Secretary of State to secure vacant possession of all properties and proprietary interests located within the confirmed CPO Red Line land to include:

a. to take all necessary actions to secure the making and confirmation of a General Vesting Declaration (GVD) or multiple GVD's under the Compulsory Purchase and (Vesting Declarations) Act 1981 and /or to serve Notices to Treat and Entry (if required); and

b. to appropriate to planning / or housing purposes any parcel of land within the CPO Red Line Plan; and

c. to transfer all properties and proprietary interests acquired pursuant to the CPO(s) to the relevant development partner in accordance with the Members Agreement and the Strategic Land Agreement dated 29 March 2018; and

d. if necessary make representation of the Councils case such as at the Upper Tribunal (Lands Chamber) or court should such representation be necessary.

4. Agreed following Cabinet approval of resolutions 2 and 3 above, and upon the Deputy Director Legal and Governance being satisfied that further information and all the Equalities Impact Assessment outcomes are satisfactory and to not require reference back to Cabinet, that the Deputy Director Legal and Governance be authorised to affix the common Seal of the Council to the CPO(s), GVD(s), maps and elsewhere and to take all necessary steps as necessary, such as to issue notices and sign certificates to attain the resolutions above.

Chairman

