



**MINUTES OF A CABINET MEETING**  
**Council Chamber - Town Hall**  
**Wednesday, 15 May 2024**  
**(7.30 - 9.30 pm)**

**Present:**

Councillor Ray Morgon (Leader of the Council), Chairman

	<b>Cabinet Member responsibility:</b>
Councillor Keith Darvill	Lead Member for Climate Change & Housing Need
Councillor Gillian Ford	Lead Member for Adults & Wellbeing
Councillor Oscar Ford	Lead Member for Children and Young People
Councillor Paul McGearay	Lead Member for Housing & Property
Councillor Paul Middleton	Lead Member for Digital, Transformation & Customer Services
Councillor Barry Mugglestone	Lead Member for Environment
Councillor Christopher Wilkins	Lead Member for Finance
Councillor Graham Williamson	Lead Member for Regeneration

In attendance: Councillor Keith Prince (CON), Councillor Martin Goode (EHRG)

Also, in the Chamber Councillor Matthew Stanton (LAB), Councillor Judith Holt (CON)

**185 ANNOUNCEMENTS**

On behalf of the Chair, there was an announcement about the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

**186 APOLOGIES FOR ABSENCE**

None received.

**187 DISCLOSURES OF INTEREST**

There were no disclosures of interests.

**188 MINUTES**

The minutes of the meeting held on **10<sup>th</sup> April 2024**, were agreed as a correct record and the Chair signed them.

**189 HAVERING HEALTHY WEIGHT STRATEGY 2024 -2029: EVERYBODY'S BUSINESS**

Report Title: **Havering Healthy Weight Strategy 2024-2029: Everybody's Business**

Presented by: **Councillor Gillian Ford, Cabinet Member for Adults & Wellbeing**

Summary:

Obesity rates in Havering are very high for both children and adults, either similar or above the London and England averages, and they look set to get worse. The problem of overweight and obesity is cutting lives short, and negatively impacting the quality of life of Havering residents. Prevention is a key priority for Havering Council and the NHS, as set out in the Havering Corporate Plan, the Havering Health and Wellbeing Board's Health and Wellbeing Strategy 2019/20–2023/24 and the Havering Place Based Partnership's Interim Health and Care Strategy.

It is a common misconception that individuals are completely in control of their own weight and that an overweight problem is entirely the result of personal choices. Over recent years it has become increasingly evident that obesity is a much more complex issue, and one that is caused by multiple factors that interact with each other; the modern-day changes in the circumstances where we live, work and play that now make us more likely to opt for unhealthy options of foods and less likely to be physically active. In short, it is largely the circumstances where we live, known as 'the system', that has resulted in the increasing rates of overweight and obesity.

The scale and complexity of the problem means that the Council, the local NHS, and stakeholders must work together to change the system.

Over 100 local partners came together for two healthy weight summits to identify the system-wide factors that are contributing to overweight and obesity in Havering, and to consider the solutions. The work from these summits, and wider engagement, contributed to the development of a draft five-year healthy weight strategy on taking a whole systems approach, and a twenty-year vision for the Borough.

The resultant draft strategy (including an easy read version), an obesity needs assessment, and information videos were published on the Havering Council's Consultation and Engagement Hub. A public consultation took place from 17 January to 3 March 2024 when residents and stakeholders

were invited to comment. <https://consultation.havering.gov.uk/public-health/healthy-weight-strategy-consultation/>

The public consultation resulted in a total 660 responses received. Analysis of the responses showed that there was overall support for the strategy approach. Most of the feedback was concerned with implementation of the strategy (i.e. actions to be taken to deliver the approach).

This decision paper was prepared before the Health and Wellbeing Board meets on 3 April 2024; it is anticipated that members will indicate their support for the final draft of the strategy.

**Cabinet:**

**Approved** and agreed to adopt the *Havering Healthy Weight Strategy 2024-2029: Everybody's Business*

190 **HOME TO SCHOOL TRANSPORT POLICY**

Report Title: **Home to School Transport Policy**

Presented by: **Cllr Oscar Ford, Cabinet Member for Children and Young People**

**Summary:**

Local authorities (LAs) have a legal responsibility to provide home to school transport for eligible students of statutory school age, including children with Special Education Needs and Disability (SEND).

LAs are responsible for deciding what travel arrangements to make, provided they are suitable for the needs of the children for which they are made.

Havering Council currently provides transport assistance to nearly 800 individuals up to 25 years old with Special Educational Needs and Disabilities. In recent years, Havering has experienced a significant and continued increase in the number of requests for an Education Health and Care Plan (EHCP) and the number of EHCPs being issued. The number has increased from 1,328 in 2017/18 to over 2,300 in 2022/23. This increase is forecast to increase further, and we expect to have over 3,200 plans in place by 2025/26.

This increase in EHCPs has also resulted in a significant increase in demand for transport assistance and spend has exceeded budgets for a number of years, despite various mitigations being introduced. The pandemic impacted on spend as travel was disrupted due to the various periods of lockdown, which meant that spend was suppressed in 2020/21 and 2021/22. However, spend in 2022/23 was £5.5m, against a budget of £2.7m resulting in a £2.8m overspend.

The Department for Education (DfE) has recently updated their statutory guidance, replacing the previous Home to School Travel and Transport guidance from 2014.

In response to the changes to the government guidance, Havering Council undertook a consultation on a new Home to School Transport policy. There was a good response rate to the consultation, made over the statutory consultation period, with a total of 575 individuals responding.

Of the 575 responses, the vast majority were from Parents/Guardians accounting for 83 % of the responses, followed by school or educational settings at 6%, the general public at 4% and children under 16 offering a 3.5% contribution.

The consultation identified that some parents and guardians had fears that transport would be cut to accommodate savings targets. The Council is committed to maintaining a full transport provision, in compliance with its statutory duties. It will work with parents in collaboration to identify the best fit transport arrangement for the needs of the child. Whilst the Policy supports a greater focus on cost efficient travel provision, this does not mean that inappropriate arrangements will be forced upon families.

Home-to-school travel is an integral part of the school system. It ensures no child of compulsory school age is prevented from accessing education through a lack of transport or due to the cost of transport.

The cost to the LA of delivering free home-to-school travel has increased significantly in recent years. The DfE statutory guidance states that it is important that local authorities take travel costs into account when planning the supply of school places. Capital expenditure, revenue costs and travel costs need to be considered together with efficient systems and practices to ensure financial sustainability.

The Council is under a duty to have regard to the DfE guidance when:

- carrying out their duties in relation to arrangements for travel to school for eligible children of compulsory school age;
- exercising their discretionary power to arrange travel for other children;
- carrying out their duties in relation to the promotion of sustainable travel to school (this duty applies in relation to young people of sixth form age as well as children of compulsory school age).

Parents are responsible for ensuring their child attends school. This means they must take all the action necessary to enable their child to attend school. For most parents, this includes making arrangements for their child to travel to and from school.

However, local authorities must make arrangements for eligible children to travel to school free-of-charge, ensuring that families, local authority school travel, and special educational needs teams work together to ensure travel arrangements are considered when deciding what school to name in a child's Education, Health and Care Plan.

## **Cabinet**

1. **Agreed**, to adopt the revised Home to School Transport policy attached at appendix A, providing appropriate support according to

need and ability, ensuring that the Council meets the statutory requirements in accordance with guidance issued by the DfE

2. **Agreed**, to not introduce a charge for Post 16 Travel at this time
3. **Noted** that the draft policy for approval was the subject of changes in light of responses received by the council, through its consultation.

191 **AWARD OF HEATING MAINTENANCE AND REPLACEMENT CONTRACT**

Report Title: **Award of Heating Maintenance and Replacement Contract**

Presented by: **Councillor Paul McGeary, Cabinet Member for Housing & Property**

**Summary:**

As part of the Council's responsibility as a landlord, the Council has a duty to undertake repairs and maintenance works to its HRA housing stock. This report presents to Cabinet details of the tender process undertaken to re-procure this service and seeks approval to award of contract.

The current HRA annual revenue budget for heating works is approximately £1.5m/annum, with a further £2.2m in capital budgets. The primary purpose of this contract is to allow the necessary statutory compliance works to be carried out, whilst ensuring the Councils Decent Homes standards are met.

In addition to this, the Council has set a target of 2040 to achieve net zero carbon and for Council homes the replacement of existing gas heating systems will be critical in meeting that target. In order to achieve this, it will be critical for the Council to have the agility to change or adapt its approach, if necessary, and this will only be possible with a long-term strategic partner in place. Therefore, it has been decided to include initiatives such as low carbon heating systems, photovoltaics and BMS systems within this procurement exercise, to provide maximum flexibility going forward.

Although there is no contractual commitment to procure these items under this contract, this approach does provide the Council with a degree of flexibility going forward, which will be key as both technology and future carbon reduction policies evolve over the lifetime of the contract.

Monies have been identified within the HRA 30-year business plan and contract spend will be aligned with business priorities and approved budgets on an annual basis

**Cabinet:**

**Approved**, the award of a contract to K & T Heating Services Limited for a period of ten years' subject to continued good performance, with an option to extend for a further six years to deliver the heating repairs, maintenance and replacements, including low carbon technologies in respect of HRA properties.

192 **HOUSING ALLOCATIONS SCHEME**

Report title: **Housing Allocation Scheme (2024)**

Presented by: **Councillor Keith Darvill, Lead Member for Climate Change and Housing Demand**

Summary:

The Housing Act 1996 Part VI requires local authorities to publish an allocation scheme that sets out their policy for allocating affordable housing provided by the council or housing associations in the borough. Councils are required to give reasonable preference to certain categories of applicant and have due regard to statutory guidance and the law.

- 1.1 Demand for social housing in Havering significantly exceeds the number of properties available. In the financial year 2022-23, only one in every 5 households on the Council's Housing Register had a realistic prospect of securing social housing.
- 1.2 This scheme (see appendix 1) proposes a number of revisions to the current Scheme (dated 2021) to set out how Council housing is prioritised to ensure that it is fairly allocated to households in the greatest need.
- 1.3 It also sets out how the Council will enable access to other forms of affordable housing, such as shared ownership and intermediate rented housing.

**Cabinet;**

**Approved** the Housing Allocation Scheme 2024 attached in Appendix 1, and **delegated** the implementation date to the Director of Living Well in consultation with the Cabinet Member for Climate Change and Housing Demand.

193 **SUPPLEMENTARY; COMMENTS OF OVERVIEW AND SCRUTINY BOARD ON UPHELD REQUISITIONS**

Supplementary Cabinet Report: **Comments of Overview and Scrutiny Board on Upheld Requisitions**

**Report summary:** Following the upholding of two requisitions of recent Executive Decisions relating to Mercury Land Holdings, the views of the Board and its reasons for upholding the requisitions are attached for response by Cabinet.

Recommendations:

1. That Cabinet considers the comments made by the Overview and Scrutiny Board (attached) and decides whether or not to proceed with the original decisions as planned.
2. That Cabinet gives the reasons for its responses to the upheld requisitions of the Executive Decisions and these are recorded in the minutes.

At its meeting on 7 May 2024, the Overview and Scrutiny Board upheld requisitions of the following Executive Decisions:

1. Authorisation to provide additional equity funding to Mercury Land Holdings Ltd to enable the purchase of sites in accordance with the approved 2023-26 MLH Business Plan
2. Disposal of Council-owned sites to Mercury Land Holdings

Under Overview and Scrutiny Procedure Rule 17 (g) of the Council's Constitution, the Cabinet is required to consider the comments of the Board on these matters and to provide a response to them. A summary of the views of the Board is therefore attached to this report, as are the original Executive Decision reports (exempt appendices not available to press or public).

It was clarified that Cabinet is free to continue with the original decisions or to amend the decisions as it wishes.

Cabinet considered the report submitted to Cabinet, in relation to two executive decisions; namely:

1. A decision dated 5 April 2024 made by Cllr Williamson entitled: "Authorisation to provide additional equity funding to Mercury Land Holdings Ltd to enable the purchase of sites in accordance with the approved 2023-26 MLH Business Plan"; and
2. A decision dated 8 April 2024 made by Mark Butler entitled: "Disposal of Council-owned sites to Mercury Land Holdings Ltd."

Cabinet considered the underlying grounds of requisition in open session of Cabinet by way of officer presentation and subsequent questioning of the appropriate officers.

**Having considered the matter, Cabinet hereby endorses the decisions referred to above and resolves to proceed with the original decisions as planned.**

The decision is made for the following reasons, by reference to the points of requisition:

1. By combining all sites into one Executive Decision, Members were unable to ascertain if the project was viable and offered value for money for Havering residents.  
As outlined in the officer presentation, it is not practical to undertake a viability assessment at this stage pending planning permission being determined, confirming detail of the final development on a site by site basis.
2. MLH will subsequently submit business cases for consideration by the Council, at which point further scrutiny can be applied.  
Provide a detailed business case where possible for each site in order that an informed decision regarding the viability of the project can be made.  
As per the response to Recommendation 1 above
3. From discussions held on the night, it became apparent to the Board that the quest for capital receipts was the overriding goal of the project at this time.  
Please could an explanation be provided as to why this is?  
The Council has been transparent since February 2023 regarding the need to generate capital receipts through asset disposal, as part of its wider Capital Strategy. This approach was further endorsed within the Budget report, approved by Full Council earlier this year.
4. Sound reasoning should be provided as to why the Council cannot pursue planning permission for the sites directly itself rather than via Mercury Land Holdings.  
The Council would need to initiate procurement of a multi-disciplinary team of advisers to undertake the diverse range of assessments and studies to accompany the planning applications for each site.  
MLH is the Council's wholly-owned development company with a range of pre-approved advisers already appointed, providing a quicker route to submitting planning applications, thereby accelerating the capital receipts.
5. A business case should be developed for the appropriation of Housing Revenue Account funds and the Council developing the sites in its own right as it has done in for example its Joint Venture with Wates.  
The HRA does not have the financial headroom to acquire the sites by appropriation and this approach would not generate a receipt.
6. A separate decision to approve the disposal of each site should be put forward, if this is practicable.  
A site by site breakdown of the initial receipt is provided within the Exempt Appendix to the Executive Decisions, but a more detailed viability assessment is impractical at this stage, for the reasons already set out in response to Recommendation
7. A corroborated statement of valuation for each site should be drawn up. The existing external valuations could be used as a starting point but these would



need to be corroborated independently. This would provide clarification of whether the figures for value of the sites, given in the Executive Decision reports, reflected the true, current market value.

An independent, external valuation has already been provided to quantify the initial receipt for each site. A further independent valuation will be commissioned for each site once planning permission has been achieved and the precise scheme details are known, fulfilling the Council's statutory requirements under S.123 of the Local Government Act 1972

---

**Chairman**