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MINUTES OF A CABINET MEETING Council Chamber - Town Hall Wednesday, 19 March 2014 (7.35 - 8.35 pm)

Present:

Councillor Steven Kelly (Leader of the Council), Chairman

Councillor Michael Armstrong

Councillor Andrew Curtin

Councillor Robert Benham

Councillor Roger Ramsey

Councillor Paul Rochford

Councillor Geoffrey Starns

Councillor Barry Tebbutt

Councillor Lesley Kelly

Cabinet Member responsibility:

Deputy Leader of the Council and
Cabinet Member for Transformation

Cabinet Member for Towns and
Communities

Community Empowerment

Value

Children & Learning

Community Safety

Client Services

Housing

Councillors Clarence Barrett, Linda Hawthorn, Paul McGeary, Sandra Binion, and Denis Breading also attended.

There were no disclosures of pecuniary interest.

The Chairman announced the evacuation procedures in the event of an Emergency

Unless otherwise indicated, all decisions were agreed unanimously without any Member voting against.

118 **MINUTES**

The minutes of the meeting held on 12 February 2014 were agreed as a correct record and were signed by the Chairman.

119 **TO ENTER THE LONDON HIGHWAYS ALLIANCE CONTRACT AND TO APPROVE THE CONTRACT EXTENSION OF THE HIGHWAYS & STREET LIGHTING TERM CONTRACTS**

Councillor Barry Tebbutt, Cabinet Member for Client Services, introduced the report

The report described the future options available to the Council for the procurement of a number of highway, street lighting and environmental related maintenance works.

The report also sought approval to extend the existing highways & street lighting term maintenance contract for 2.5 years pending further service integration with the LoHAC framework.

Cabinet was informed that the LoHAC contract would allow the Council to make informed choices about highway works and gave it the flexibility to have multiple works undertaken at the same time in order to ensure there was a minimum of disruption to highways across the borough whilst the street lighting provision would bring savings to the Council whilst ensuring that the borough was provided with the latest technology in the field.

There was some discussion about the start/finish dates of the contract by Cabinet especially as it was maintained that the contract was for a period of eight years.

Reasons for the Decision

The London Highways Alliance Contract (LoHAC) would offer savings on some areas of work (up to 5%, although this would be benchmarked against the Council's current term contract rates) and further year-on-year savings. The procurement costs of going through the traditional tendering exercise would also be saved. By negotiating extensions to the Council's existing contracts, staff would be able to choose the most economically advantageous option on a scheme-by-scheme basis. In addition this approach would assist in business continuity planning.

Alternative Options Considered

To procure these services in the traditional method either solely, or to seek other partnership opportunities.

Cabinet agreed:

1. To extensions to the Council's existing term maintenance contracts for Highways and Street Lighting maintenance for 2.5 years in accordance with the current contract conditions.
2. To enter the procurement framework contract and use the framework as and when required for highways maintenance, street lighting and

environmental works through the London Highways Alliance Contract (LoHAC) established by Transport for London and it **approved** the appointment of Ringway Jacob's as the North East London Area LoHAC partner.

3. To review the LoHAC framework rates after 1 year to determine if the rates were favourable and to explore the greater opportunities available prior to commencing any retender exercise for the existing highways and street lighting contracts.
4. **Delegated** authority to the lead Member for StreetCare to take advantage of the range of individual service contracts available within the LoHAC procurement framework as and when required.
5. **Approved** the framework contract to run for a period of 8 years from either April 2013 or April 2014 subject to agreement.

NOTE: Subsequent to the meeting, it was confirmed that the LoHAC framework contract was for 8 years and commenced on 1 April 2013 and would run until 31 March 2021.

120 **PROPOSED CROSSRAIL COMPLIMENTARY MEASURES GRANT FUNDING APPLICATION**

Councillor Robert Benham, Cabinet Member for Community Empowerment, introduced the report

The report described developing partnership work between the Council, Transport for London (TfL) and Crossrail aimed at securing funding for public realm regeneration programmes at three Network Rail stations in the borough. These stations were Romford, Gidea Park and Harold Wood.

Cabinet was informed that In order to support improvements around the Crossrail stations TfL had identified a budget of £30m to be spent against a line-wide series of station improvement schemes over four financial years (2015/16 - 2018/19). This funding was called the "Crossrail Complementary Measures programme" within TfL's Strategy and Surface Planning Directorate and was in addition to other funding from Crossrail and Network Rail.

The report sought approval for the Council to make grant funding applications to TfL and, should the bids be successful, to act as the accountable body for the grants. It also sought agreement to the consideration of a contribution of other Council funds - subject to resources being available - such allocations to be approved by Members at a later date.

Councillor Benham identified works already being undertaken to improve the environment around Harold Wood station and thanked Councillor Andrew Curtin for his support and enthusiasm. Councillor Benham clarified that the works to be undertaken using this funding would be to improve the environment immediately surrounding the three stations and integrate them into environmental improvements already being undertaken in the area.

Reasons for the Decision

Crossrail Complementary Measures was an important grant opportunity from which Havering and its partners could benefit.

In order to maximise the benefits of these opportunities to Havering, a decision by Cabinet was required to authorise the submission of funding bids in excess of £500,000. The Constitution set out that, pursuant to the delegated authority for general functions in Part 3 Section 2.1 in the following paragraphs to Cabinet:

- (g) To allocate and control financial and land and property resources, to determine priorities in the use of these resources, and take any other action necessary to achieve those objectives; and
- (r) To be responsible for all executive matters even if not expressly set out in Part 3 of this constitution: and
- (q) To approve applications for the submission of bids for grants and other financial assistance which required the provision of additional finance or match funding or were likely to lead to residual costs or implications for the Council or where the amount of the grant application exceeded £500,000.

Pursuant to Corporate Functions under Part 3 Section 2.2:-

- (a) To take decisions on all matters relating to the Council's finances including but not exclusively:
 - (i) Budgetary control

Alternative Options Considered

Submitting bids above £500,000 required Cabinet approval, without which there were no other options for approval.

Cabinet:

1. Agreed to the development and submission of grant funding applications to the Crossrail Complementary Measures Board.
2. Agreed that the Council be identified as the accountable body for this grant funding.

3. Considered that the provision of Council funding - subject to resources being available - such potential allocations should be approved by Members at a later date.

121 **AWARDING RETAIL RATE RELIEF FOR THE 2014/2015 AND 2015/2016 FINANCIAL YEARS**

Councillor Roger Ramsey, Cabinet Member for Value, introduced the report

The report provided details of the Retail Relief scheme announced in the Autumn Statement based on the guidance received in February 2014 and accordingly to adopt a policy to award "Retail Relief" in accordance with the Discretionary Rate Relief powers as contained within Section 47 of the Local Government Finance Act 1988 (as amended) from 1 April 2014.

In its Autumn Statement of 5 September 2013, the Government advised that a reduction in rates payable of up to £1,000 would be available to "retail occupied" premises which had a Rateable Value of £50,000 or less

This relief was to be awarded by the Council in accordance with the Discretionary Rate Relief powers as contained within the Local Government Finance Act 1988 (as amended).

The "retail" relief awarded by the Council - if made in accordance with the Government Guidance - would be fully reimbursed.

The Policy proposed fully reflected the guidance to award relief to "occupied retail premises", and would be awarded for the 2014/2015 and 2015/16 financial years only.

To qualify for the relief, the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs, this was a test on "use" rather than "occupation", therefore, hereditaments which were *occupied* but not wholly or mainly *used* for the qualifying purpose would not qualify for the relief.

Reasons for the decision:

Awarding the relief would be in accordance with the Government's intentions as detailed in the Autumn Statement and the DCLG Business Rates Retail Relief Guidance.

Other options considered:

None appropriate.

Cabinet agreed that:

1. Council award "Retail Relief" of up to £1000, assessed and calculated on a daily basis in line with the Government's base scheme as shown in the DCLG Guidance letter and applied against

the net bill after all other reliefs. The relief to be available to qualifying businesses in occupation of retail premises which had a Rateable Value of £50,000 or less in accordance with Discretionary Rate Relief powers for the financial years: 1 April 2014 to 31 March 2015 and 1 April 2015 to 31 March 2016 only;

2. The business to qualify for the relief must be “retail” as detailed in the report;
3. Council, through the National Non-Domestic Rate Return process, sought full reimbursement of the cost of this relief from Central Government;
4. **Cabinet noted** that the detailed application of the scheme would be implemented by the Group Director, Resources under current delegated authority “To exercise the Council’s discretionary powers in relation to relief for Council Tax and commercial rates”

122 CORPORATE PERFORMANCE REPORT, QUARTER 3 - 2013/14

Councillor Steven Kelly, Leader of the Council, introduced the report

The report set out the performance of the Council’s Corporate Performance Indicators for Quarter 3 (October to December 2013) 2013/14, against the five Living Ambition Goals of the Corporate Plan:

- Environment
- Learning
- Towns and Communities
- Individuals
- Value

The report identified where the Council was performing well (Green) and not so well (Amber and Red). The variance for the ‘RAG’ rating was:

- Red = more than 10% off the Quarter 3 Target and where performance had not improved compared to Quarter 3 2012
- Amber = more than 10% off the Quarter 3 Target and where performance had *improved or been maintained* compared to Quarter 3 2012/13.
- Green = on or within 10% of the Quarter 3 Target

Where the RAG rating was ‘Red’, a ‘Corrective Action’ box had been included. This highlighted what action the Council was taking to address poor performance, where appropriate.

Also included in the report is a Direction of Travel (DoT) column which compared performance in Quarter 3 2013/14 with performance in Quarter 3 2012/13.

Cabinet discussed various elements within the report such as having some of the percentages replaced by actual figures as they would provide a more cogent representation of scale. It also considered whether some descriptions needed to be clearer and, in respect of the Performance Indicators relating to Corporate Complaints, it noted the Chief Executive's comments about their veracity and that there had been a recent review to see what could be done to improve them.

Reasons for the decision:

To provide Cabinet Members with a quarterly update on the Council's performance against the Corporate Performance Indicators

Other options considered:

Not applicable.

Cabinet reviewed and noted the report

Chairman

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