

# Public Document Pack



## MINUTES OF A CABINET MEETING Council Chamber - Town Hall Wednesday, 17 January 2018 (7.30 - 9.30 pm)

### **Present:**

Councillor Roger Ramsey (Leader of the Council), Chairman

Councillor Damian White

Councillor Robert Benham

Councillor Wendy Brice-Thompson

Councillor Osman Dervish

Councillor Melvin Wallace

Councillor Clarence Barrett

Councillor Ron Ower

Councillor Joshua Chapman

Councillor Jason Frost

### **Cabinet Member responsibility:**

Housing

Children & Learning

Adult Social Services and Health

Environment and Community Safety

Culture and Community  
Engagement

Financial Management,  
Transformation & IT

Housing Development Company  
and OneSource Management

Deputy Cabinet Member for Housing

Deputy Cabinet Member for  
Environment, Regulatory Services &  
Community Safety

### 23 **ANNOUNCEMENTS**

Announcements were made in relation to the evacuation procedure in the event of fire or other emergency.

### 24 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### 25 **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### 26 **MINUTES**

The minutes of the meeting of Cabinet held on 13 December 2017 were agreed as a correct record and signed by the Chairman.

**27 MEDIUM TERM FINANCIAL STRATEGY AND 18/19 BUDGET UPDATE**

*The report was presented by the Leader of the Council.*

It was reported that at its meeting in October 2017, Cabinet approved the Council's Medium Term Financial Strategy (MTFS) and further proposals for balancing the 2018/19 budget to go to consultation where necessary. This was followed by a Budget Update report on 13 December 2017.

The October and December reports set out the Council's financial strategy to manage the predicted budget gap over the period 2018/19 to 2022/23. The

Report before Members:

- Provided an update on the policy and strategic context and assumptions within the MTFS and the forecast budget gap
- Presents for approval amendments to the Council Tax Support Scheme from April 2018.
- Budget Risks

The detail in the report was based on the best available information and the funding assumption is still subject to confirmation of the final Local Government Finance Settlement for 2018/19 which will not be announced until January 2018.

It was noted that future reports to Cabinet and Council will take account of the impact of the funding changes outlined above as far as is possible. However, the Council's current medium-term working assumptions is that these changes will have a neutral impact on revenue support grant (RSG) or that any reduction in RSG will be matched by an upside in business rates revenue. At this moment in time, there is insufficient information to make any other assumption.

It was explained that the Council is required by statute to set a balanced budget for 2018/19 and to have a robust plan in place to achieve financial balance over the medium term. The revised assessment of the medium term financial forecast is based upon the best information available at this time. Assumptions will be continually reviewed and refined as work progresses in the period to final budget setting in February 2018.

It was noted that the movement in the budget gap since the December cabinet figure is due to budget adjustment of £1.974m over the period (of which £0.273m relates to 2018/19) following the provisional local government financial settlement announcement and further £0.441m made

up of £0.271m Legislative practices pressure and £0.170m capacity pressure.

At period 8, the forecast outturn position for service directorates and oneSource is £140.207m resulting in a forecast overspend of £4.367m (3.31%). The uncommitted Corporate Risk Budget and Corporate Contingency budgets stand at £4.900m (£1.6m reduction from the £6.500m reported in the December) to enable the overall outturn to be achieved within the approved budget for 2017/18. However, in light of the reduction in these corporately held budgets in from December 2017 to January 2018 and further forecast reduction expected in 2018/19, it is crucial for financial sustainability over the medium term, that service directorates manage their ongoing expenditure within approved budgets. light of the reduction in these corporately held budgets in from December 2017 to January 2018 and further forecast reduction expected in 2018/19, it is crucial for financial sustainability over the medium term, that service directorates manage their ongoing expenditure within approved budgets.

The Senior Leadership Team continues to focus upon delivering mitigating action plans and previously agreed savings plans and exercising restraint on non-essential expenditure. A further update with mitigating action plan will be provided to Cabinet in February 2018.

This report provides an update on the London Business Rate Pilot Pool from April 2018. Following the confirmation of Government's commitment to the 2018/19 London Business Rates retention pilot in the Autumn statement a formal confirmation in a form of Memorandum of Understanding was signed by the Mayor, the Chair of London Councils; the Minister for London and Secretary of State for Communities; and Local Government in December 2017.

**Reasons for the decision:**

To enable the Council to develop its budget as set out in the constitution.

The Council Tax support scheme from April 2018 will be approved by Council.

**Other options considered:**

None. The Council is required to prepare and set a balanced budget and to approve the Council Tax support scheme.

**Cabinet:**

1. **Noted** the progress made to date with the development of the Council's budget for 2018/19 and of the implications for Council Tax setting, although no decisions will be taken until the February cabinet meeting.

2. **Noted** the outcome of the Autumn Budget Statement and the likely impact on local authorities.
3. **Noted** the provisional local government financial settlement announcement, and that this largely confirms the budgetary assumptions set out in the MTFS based upon the four-year financial settlement.
4. **Noted** that a public engagement exercise on the budget process will be carried out during January 2018.
5. **Will Recommend to Full Council** that the Council Tax Support Scheme 2018 is approved. (Appendices A and B of the report)
6. **Noted** the Equalities Impact Assessment in respect of the Council Tax Support Scheme as set out in Appendix B of the report.
7. **Noted** a correction to paragraph 2.3 of the report. The correct figure for the Adult Social Care (ASC) Support Grant was £1.010m; not £6.565m as printed in the report.

28 **SELECTION AND APPOINTMENT OF A JOINT VENTURE PARTNER TO DELIVER THE LONDON BOROUGH OF HAVERING'S ESTATE REGENERATION PROGRAMME**

*Councillor Damian White, Cabinet Member for Housing and Deputy Leader of the Council, introduced the report*

In June 2016 and October 2016, Cabinet received reports regarding increasing the amount of affordable homes through the HRA and a Review of Older Persons Housing. As a result of the information provided to Cabinet the 12 sites for regeneration were identified and agreed along with the prioritisation of the sites within the programme.

In the reports to Cabinet identified above, information was provided on the extensive consultation process that had commenced with residents on the estates and how the feedback had been used to shape the final proposals being put forward. Since October 2016 the consultation process has continued with tenants and residents of the sites and has been extended to include residents who are neighbouring the sites. The report before Members provided Cabinet with a full update on the consultation process.

In those reports, Cabinet was provided with information on the review of procurement processes to deliver such a programme across the 12 initial sites ("the 12 Sites") and consequently, the procurement commenced of a Joint Venture Partner via an OJEU compliant process (as implemented by the Public Contracts Regulations 2015) through competitive dialogue.

The report informed Cabinet of the outcome of that process and sought approval for the award of Preferred Bidder status to the highest scoring

bidder to enter the confirming commitment stage to finalise the terms of the contract and also to award and enter into the contract on the basis set out in this report.

The report also summarised the rationale for the venture and provided information on the consultation and procurement processes. It also detailed the intended outcomes of the initiative and the legal and financial implications.

Reasons for the Decision:

By entering into a Joint Venture Limited Liability Partnership, the Council secures significant investment and specialism from the private sector whilst acquiring a degree of control over the scheme. The Council is therefore better placed to secure its regeneration objectives for the 12 Sites than if it relied solely on its role as planning authority and its land assembly powers and/or through a purely contractual arrangement with a private sector partner.

Other options considered:

A detailed options appraisal of the following options was undertaken:

- Developer led - Council adopts a 'do nothing' approach
- JVLLP with BIDDERS C
- Commence an OJEU process to select a developer
- Commence an OJEU process to select a JVLLP partner

The following criteria were used:

- Ensuring a comprehensive development
- Direct influence over design and management standards
- Ensuring delivery of infrastructure
- Meeting deadlines to retain GLA Housing Funding
- Minimising investment and risk
- Obtaining a financial return from the scheme
- Cost of procurement

That Cabinet:

1. **Approved** the inclusion of a budget of £63.3m equity for the scheme together with a budget of £50.5m for potential land acquisition/CPO costs within the proposed HRA capital programme that will be considered by Cabinet in February 2018 in the annual rent setting and capital programme report and this is recommended to Council for final approval in February 2018.
2. **Agreed** to award Preferred Bidder status to BIDDERS C. Subject to the approval of the required budget and funding at recommendation 1 above, that Cabinet:

3. **Agreed** to establish a JVLLP for the purpose of meeting the Council's regeneration objectives for the 12 HRA sites by entering into a Members' Agreement with BIDDER C on the basis of the Business Case and Legal Summary contained in the Exempt Agenda Report.
4. **Agreed** to delegate to the Lead Member for Housing, after consultation with the Director of Neighbourhoods, the authority to agree the name of the JVLLP, negotiate the final detailed terms of the agreements being entered into, and authority to agree that the Council enter into the following agreements:
  - Members' Agreement;
  - Development Agreement;
  - Any ancillary agreements or documents necessary to give effect to the setting up of the JVLLP in accordance with this Report and its appendices (including the Legal Summary appended to the Exempt Agenda Report).
5. **Authorised** the JVLLP to enter into the Development Management Agreement with BIDDER C when in agreed form.
6. **Agreed** to delegate to the Lead Member for Housing, after consultation with the Director of Neighbourhoods, authority to finalise agreement on the terms of the Development Management Agreement referred to in recommendation 5 on behalf of the Council as Member of the JVLLP established in accordance with recommendation 4.
7. **Agreed** to delegate to the Lead Member for Housing, after consultation with the Director of Neighbourhoods, authority to approve the first Business Plan of the JVLLP on behalf of the Council.
8. **Authorise** the disposal of land to the JVLLP on the terms set out in this report, subject to the approval of the Secretary of State where required, (as detailed in the Land disposal paragraphs of the Legal Implications section of this report) and agree to delegate authority to the Lead Member for Housing, after consultation with the Director of Neighbourhoods, the authority to finalise the terms of such disposals.
9. **Authorised** the Director of Neighbourhoods to consider the appropriation of land for planning purposes, subject to agreement of the Secretary of State, to facilitate the redevelopment of the 12 Sites and approve an application to the Secretary of State for appropriation under section 19(2) of the Housing Act 1985 and potentially appropriate back to housing purposes all or part of the land as may be considered appropriate in due course. (The precise areas of land to be appropriated to be decided by the Director of Neighbourhoods).
10. **Recommends** to full Council to make an application to the Secretary of State, where required, for the disposal of property and land (the precise areas of land to be decided by the Lead Member for Housing

after consultation with the Director of Neighbourhoods) under section 32(2) of the Housing Act 1985.

11. **Noted** the updated Consultation and Engagement strategy as detailed in paragraphs 9.1 to 9.13 of this report.
12. **Noted** the updated Equalities Impact Assessment as referred to in the Equalities Implications section of this report.
13. **Noted** the update provided to Cabinet in the Local Lettings Plan report as it relates to these decisions.
14. **Agreed** to delegate to the Lead Member for Housing, after consultation with the Director of Neighbourhoods, authority to approve the consultation and communication plans for the regeneration of the 12 HRA Sites.
15. **Authorised** the Director of Finance to provide state aid compliant investment of equity/loans/capital expenditure the JVLLP within the funding provided in the Capital Programme and in accordance with the business plan and on the terms set out within the Member's Agreement.
16. **Agreed** to delegate to the Leader, after consultation with the Chief Executive, the appointment of nominees to represent the Council on the JVLLP Board and indemnify them under the Local Authorities (Indemnities for Members and Officers) Order 2004 once the JVLLP has been set up.
17. **Agreed**, subject to approval of the over-arching Governance Report on the operation of the 12 Sites, Rainham and Bridge Close schemes, to the proposals for resolution of any Reserved Matters set out in such report.
18. **Noted** the governance framework and staff resources required to develop and deliver the 12 Sites and other economic development schemes also presented for consideration and approval by Cabinet in January 2018.
19. **Noted** an amendment to paragraph 4.25 of the report to read the following:

*Tenants moving into a smaller property – qualifying under occupiers will qualify for an additional bedroom above their assessed need. For example:*

- *a tenant in a four bedroom property but the current housing need is assessed for a two bed, will be allowed to keep an additional bedroom and therefore will be offered a three bedroom property; or*

- *a tenant in a three bedroom property but the current housing need is assessed for a one bed, will be allowed to keep an additional bedroom and will therefore be offered a two bedroom property.*

*The conditions of the Allocation Policy must be met to qualify for this offer, and tenants should have a clear rent account and no history of anti-social or other unacceptable behaviour in their council tenancy.*

*Officers will complete an affordability assessment to ensure that the tenants can afford to pay the rent for the additional bedroom without discretionary housing payment on a long-term basis. Any shortfall will not be covered by the Council.*

## 29 **THE LOCAL LETTING PLAN**

*Councillor Damian White, Cabinet Member for Housing and Deputy Leader of the Council, presented the report.*

The report before Member sought approval for a revised Local Lettings Plan and Housing Regeneration Decant Policy and Possession Procedure following consultation which began in October 2017. These two documents are intrinsically linked and are designed to provide a clear outline of what Council Tenants can expect as a result of the decanting process which the 12 HRA Site Regeneration Programme necessitates.

It was reported that the 12 HRA Site Regeneration Programme had already been the subject of previous reports to Cabinet; notably those from June and October 2016. The report Members accompanies the Cabinet report which seeks approval for the Council to enter into a Joint Venture Limited Liability Partnership (JVLLP) with a Private Sector Development Partner (PSDP) to deliver the Regeneration Programme.

The Local Lettings Plan provides a policy framework for council tenants affected by a Regeneration Programme. It sets out the principles and procedures adopted by the Council for the allocation of housing to council tenants affected by a regeneration programme and our offering to those tenants; highlighting the rehousing options available to them.

There is a statutory requirement for local authorities to consult on and publish a Local Lettings Plan. Included within the report was a summary of the findings from the consultation exercise.

As the Regeneration Programme has moved into a formal stage with the procurement of a PSDP, to further the progression of the programme, it is essential that the Cabinet agree the Local Lettings Plan as it reinforces the key principles of our rehousing offer to affected Council Tenants.

The report also sought Cabinet approval of a Regeneration Decant Policy Possession Procedure which underscores how the Council will facilitate the vacant possession of the sites.



Both documents apply to secure and introductory Council tenants who will lose their home on either a temporary or permanent basis as a result of the Housing Regeneration Programme. This policy does not apply to leaseholders, freeholders, non-secure tenants living in temporary accommodation and private tenants.

Reasons for the decision:

The Local Lettings Plan identifies the formal offer which the Council is making to its tenants affected by the twelve estates Regeneration Programme. It is intended to form the basis of future discussion and dialogue with council tenants. The use of a local lettings plan clearly identifies how this can be achieved and ensures there is transparency, fairness and consistency in implementing this objective.

Other options considered:

Had the Council chosen not to formally consult and publish a Local Lettings Plan, it would be neglecting a statutory obligation to consult formally with tenants.

**Cabinet:**

1. **Noted** the outcomes of the consultation carried out on version 7 of the Local Lettings Plan
2. **Approved** the Local Lettings Plan for the Housing Regeneration Programme
3. **Noted** the outcomes of the consultation carried out on the Decant Policy and Possession Procedure for the Housing Regeneration programme
4. **Approved** the new draft Decant Policy and Possession Procedure for the Housing Regeneration Programme

30 **APPROVAL TO ENTER INTO APPROVED PROVIDER GRANT AGREEMENT (LOCAL AUTHORITY) IN RELATION TO THE AFFORDABLE HOMES PROGRAMME 2016-2021**

*Councillor Damian White, Cabinet Member for Housing and Deputy Leader of the Council, introduced the report*

This report seeks approval from Cabinet to enter into the Approved Provider Grant Agreement (Local Authority) in relation to the Affordable Homes Programme 2016- 2021 with the Greater London Authority (GLA) as the funding body.

Reasons for the Decision:

By entering into the agreement the Council will access grant funding to complement a Joint Venture Limited Liability Partnership to bring forward

the delivery of affordable housing associated with the 12 Estates Regeneration programme. Consequently the Council is therefore better placed to secure its regeneration.

Other options considered:

To undertake the scheme without grant funding.

Rejected - A detailed financial appraisal was completed for the development of the sites in question. This confirmed the Council could not deliver the scheme from its existing resources without significant borrowing being required. The interest burdens would place pressure on the HRA Business Plan and remove the flexibility of the borrowing headroom attributable to the HRA.

Cabinet:

1. **Approved** the entering into contract with the GLA for the provision of grant funding for the 2016 – 2021 programmes to support the provision of affordable housing.
2. **Agreed** for the agreement be executed under the Council's common seal as a Deed and signed in accordance with the agreed scheme of delegations
3. **Agreed** to delegate to the Leader of the Council, after consultation with the Director of Neighbourhoods, authority to agree and sign any extension, variation or general contract management powers.
4. **Noted** a correction to the legal implications and risks section of the report. Paragraph (E) should read as Conditions 9, 10, 11, 18.8 or 19.

## 31 **REGENERATION PROGRAMME - GOVERNANCE AND OVERALL IMPLICATIONS**

*Councillor Roger Ramsey, Leader of the Council, presented the report*

It was reported that the Council is embarking on an ambitious regeneration programme, and is likely to enter into three joint ventures ("JV") with private sector partners (which were the subject of Cabinet papers and approvals in November and December 2017), and a further paper to this January 2018 Cabinet.

It was reported also that the Council has a wholly-owned development company, Mercury Land Holdings Ltd, which has its own extensive development programme. This paper provides a context for the overall programme, sets out the cumulative governance implications for the

Council, identifies key issues to be considered and recommends a governance structure to ensure that the Council's best interests are protected.

Reasons for the decision:

By entering into joint ventures with the private sector the Council is able to harness the commercial expertise of an experienced partner and participate in the risks and rewards of property development. By appointing the proposed nominees to the JV LLP Boards, the Council can best seek to avoid the risk of accusations of pre-determination and bias when exercising decision-making as the Council. The nominees proposed have the necessary skills and seniority to act as Council nominees. However, if any of these officers are, for whatever reason, conflicted from making decisions in their capacity as officers, the Council is still able to rely on other suitably skilled officers to report and make recommendations. Moreover, these nominees ensure that the Client-side function is carried out by other senior officers.

The establishment of a Client Board will ensure that the Council's interests are protected, and that there is an effective interface between the JV LLPS (and MLH) and the Council, including where reserved or consent matters require decision. The Client Board will also ensure that the nominees and directors are properly supported and equipped to reflect the Council's position and make decisions when attending Board meetings.

The Regeneration Board will ensure that the Council has an ability to oversee and influence the strategic direction of its programme of regeneration, whether via the JV LLPS, MLH or through other projects. This will also mean that matters referred to Cabinet for decision, have had detailed prior scrutiny and that the overall synergies between each of the regeneration initiatives are being taken into account.

Other options considered

There are other permutations possible but certain factors which remain constant, namely:

- The Council has the right to appoint nominees to the Boards of each of the three JV LLPS and if it failed to do so would be allowing the private sector partner to run these businesses without Council input. Therefore, under any model, these appointments need to be made;
- Likewise, MLH would be incapable of operating as a business without a Board of Directors;
- The nominees and directors need to have the necessary skills and support to perform their duties;
- The Council nominees and directors will have obligation to act in the best interest of the business they serve and to declare conflicts of interest;

- A conflict of interest could require certain officers and elected members with responsibilities inside the Council not to take part in a decision being made by the Council;
- At all times the Council must manage its position so as to avoid legal challenge based on “bias and predetermination”.

For that reason, the options considered but discounted are:

- i. Structures in which there is no clear distinction between officer/member functions as nominee/director on the one hand, and as Council decision-maker on the other; by way of simple example, a MLH Director should not be considering and approving a planning application to be submitted by MLH and then acting as the reporting officer recommending the grant of that permission.
- ii. Structures in which there is no adequate or properly resourced clientside function to enable arms-length engagement with the JV LLPs or MLH, and to support to the Council nominees/directors;
- iii. Structures in which there is no forum for regular and meaningful reporting to elected members and opportunity for dialogue on strategic matters;
- iv. Structures which fail to recognise and address the levels at which decisions should be made by the Council, balancing the need for timely decision-making with the need for decisions to be taken after the right degree of scrutiny and detailed assessment.

Consideration has also been given to whether Mercury Land Holdings should act as the Council’s holding company and whether it should enter into the JV partnerships on the Council’s behalf. It is considered however that given MLH is an arms-length company with its own board (as opposed to a shell company), this would create a complex structure and would dilute the Council’s ability to participate directly in decision-making within the joint ventures. It is therefore proposed that the Council should itself enter into the joint venture partnerships.

That Cabinet:

1. **Noted** the Chief Executive’s proposed changes to the Councils senior management structure.
2. **Approved** the Governance structure and arrangements described in section 6 of this Report.
3. **Agreed** to delegate to the Leader, after consultation with the Chief Executive, the appointment of the Council’s officer nominees to represent the Council on the three JVLLP boards.

4. **Agreed** to delegate to the Leader, after consultation with the Chief Executive, any future changes to the appointment of nominees to represent the Council on the JVLLP boards or as its directors on the Mercury Land Holdings Limited board.
5. **Agreed** to indemnify its nominees to the JV LLP Boards (once the JVLLPs are set up) and the directors of Mercury Land Holdings Limited under the Local Authorities (Indemnities for Members and Officers) Order 2004.
6. **Noted** the budget implications of these changes as detailed in section 10 of this report, and that they are reflected in the Council Medium Term Financial Strategy for agreement in the February Council Tax setting meetings.

## 32 PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

*Councillor Damian White, Cabinet Member for Housing and Deputy Leader of the Council, introduced the report*

In October 2017, Cabinet agreed an Additional Licensing Scheme for Houses in Multiple Occupation. To support related enforcement of the scheme a Private Sector Housing Enforcement Policy is required which has regard to the Regulator's Code (Legislative and Regulatory Reform Act 2006).

Reasons for the decision:

To assist the Council's enforcement action and statutory obligations under The Housing and Planning Act 2016, The Housing Act 2004 and other associated public health legislation to support the operation of the borough's Additional Licensing Scheme for Houses in Multiple Occupation.

Other options considered:

To not have an enforcement policy in place could lead to both an inconsistent approach to enforcement decisions and leave the authority open to legal challenge.

**Cabinet:**

1. **Agreed** the Private Sector Housing Enforcement Policy in Appendix 1 of the report.
2. **Delegated** to the Director of Neighbourhoods in consultation with the Lead Cabinet Member for Housing powers to make any minor amendments to the enforcement policy.

## 33 HAVERING BROWNFIELD REGISTER

*Councillor Damian White, Cabinet Member for Housing and Deputy Leader of the Council, introduced the report*

The preparation, maintenance and publication of the Brownfield Land Register (hereafter: the Brownfield Register) is a new legal requirement that was introduced by the Housing and Planning Act 2016, with the required process set out in the Town & Country Planning (Brownfield Land Register) Regulations 2017.

The report sets out a proposed list of sites to be included on the Havering Brownfield Register. The list is a consolidation of sites with Planning Permission and those that are set out within the evidence base for the Proposed Submission Havering Local Plan as agreed by Cabinet and Council in July 2017. All of the sites proposed for inclusion within the Register are already in the public domain.

The report also sought approval to publish the draft list of sites as Part 1 of the Havering Brownfield Register, and to seek delegated authority for the Assistant-Director of Development, after consultation with the Cabinet Member for Housing to review and maintain Part 1 of the Havering Brownfield Register.

It is not proposed to include any sites in Part 2 of the register at this stage.

Reasons for the decision:

It is a statutory requirement for the Council to prepare, maintain and publish a register of suitable brownfield sites. It is therefore not an option not to produce one.

Other options considered:

The Council could choose to grant sites Permission in Principle by including a Part 2 to the Havering Brownfield Register. This option has been rejected as it will be more suitable to follow the granting of Permission in Principle to sites on the forthcoming preparation of the Site Specific Allocations Local Plan.

The Council could choose to have a more elaborate procedure to include sites into the Havering Brownfield Register, including consultation arrangements. This option has been rejected as this is not compulsory for entering sites in Part 1. In addition, the preparation of the Havering Brownfield Register draws on the same evidence base as the Proposed Submission Havering Local Plan on which consultation has recently taken place.

**Cabinet:**

1. **Agreed** to the draft list of sites (located in Appendix 1 of the report) to be published as the London Borough of Havering Part 1 Brownfield Land Register;
2. **Agreed** to publish the London Borough of Havering Part 1 Brownfield Land Register on the Council website, and to publish the London Borough of Havering Part 1 Brownfield Land Register on a London-wide website hosted by the Greater London Authority; and
3. **Delegated** authority to the Assistant Director of Development after consultation with the Cabinet Member for Housing to sign off, review and maintain the London Borough of Havering Part 1 Brownfield Land Register.
4. **Noted** a correction to Appendix 1 of the report. The figure included in the report for the minimum net dwellings for Napier and New Plymouth was 103, 200 (gross). That figure is incorrect and is replaced with 103 (200 gross)

#### 34 **THE HAVERING LOCAL PLAN**

*Councillor Damian White, Cabinet Member for Housing and Deputy Leader of the Council, presented the report*

The report before Members outline progress with the development of the Havering Local Plan since the publication in August and September 2017 (under Regulation 19); and sought to secure Member approval for a number of material modifications to the Proposed Submission Havering Local Plan in preparation for submission of the Plan to the Secretary of State.

Reasons for the decision:

A number of modifications are required to be made to the Havering Local Plan following the consultation period and in preparation for the submission of the Havering Local Plan to the Secretary of State.

The Council's previous resolution of July 2017 delegated authority to the Director of Neighbourhoods in consultation with the Cabinet Member for Housing to make "non-material" modifications. However, no provision was made for the making of "material" modifications. Accordingly, the council has been advised that it is prudent to seek appropriate Council authority to make such modifications.

Other options considered:

The Havering Local Plan could be submitted without the recommended modifications. This option has been rejected as it would increase the risk of the Local Plan being found unsound during the Examination in Public.

Cabinet endorsed and made the following recommendations to Council.

That Council:

1. Agree that the material amendments as set out in section 3.1 of the report, be made to the proposed submission documents, and to the proposed Submission Havering Local Plan
2. Delegate authority to the Director of Neighbourhoods, following consultation with the Cabinet Member for Housing, to make and approve the final wording of the material amendments to the proposed Submission Havering Local Plan, and to the proposed submission documents for submission to the Secretary of State;

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**Chairman**