

## Notice of Non-key Executive Decision

This Executive Decision contains Appendices which comprise exempt information which is not available for public inspection as they contain or relate to exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972. They are exempt because they refer to confidential commercial information and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

<b>Subject Heading:</b>	Grant Funding from Heat Network Delivery Unit (HNDU)
<b>Cabinet Member:</b>	Councillor John Crowder – Lead Member for Regeneration
<b>SLT Lead:</b>	Neil Stubbings - Director of Regeneration
<b>Report Author and contact details:</b>	Maria Faheem Maria.Faheem@havering.gov.uk
<b>Policy context:</b>	Havering Housing Strategy 2014-2017 National Planning Policy Framework 2021 London Plan 2021 Havering Local Plan 2016- 2031 Havering Climate Change Action Plan 2021
<b>Financial summary:</b>	It is proposed to accept £26,700 of grant funding provided by HNDU to undertake a feasibility study into a possible lower carbon energy solution for Waterloo and Queen Street and the surrounding area.
<b>Relevant OSC:</b>	Town and Communities
<b>Is this decision exempt from being called-in?</b>	It is a non-key decision

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**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[]

**Part A – Report seeking decision**

**DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

This report seeks agreement to accept the HNDU grant funding of £26,700 to help the Council examine a lower carbon energy solution for Waterloo and Queen Street and a possible heat network for the wider area.

**AUTHORITY UNDER WHICH DECISION IS MADE**

In accordance with Part 3, Section 310.3 (m) of the Council's constitution, the Section 151 Officer may accept grants and the terms and conditions thereof for and on behalf of the Council.

**STATEMENT OF THE REASONS FOR THE DECISION**

The Department for Business, Energy and Industrial Strategy ("**BEIS**") has established a Heat Networks Delivery Unit ("**HNDU**") with the objective of supporting a number of local authorities in England and Wales to identify and evaluate opportunities to develop new heating and cooling networks and to expand existing heating and cooling networks.

Havering Council is committed to achieving carbon neutral by 2040 or sooner if possible for a future where all residents in the borough live in comfortable, affordably heated and well-adapted homes that are cost-efficient with low or zero greenhouse gas emissions.

The Council was invited to submit an application for HNDU funding at short notice at the end of December 2021.

The Secretary of State has agreed to provide grant funding to the London Borough of Havering following a successful evaluation of the application. The Council will be obliged to use the grant funding for a feasibility study as set out above. The Council's application has since been approved on 24.02.22 and a copy of the application is provided at Exempt Appendix 1.

HNDU have provided the Council with template documentation and a list of suitable consultants to facilitate the study, which should be completed in approximately 4-6 months. The study will be undertaken in conjunction with Wates Residential, the

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Council's joint venture partner for the Waterloo and Queen Street development, who will provide technical and procurement assistance as required.

The Council will be required to agree and enter into standard memorandum of understanding which sets out, inter alia, how the grant should be spent.

**OTHER OPTIONS CONSIDERED AND REJECTED**

To not accept this grant funding. This would remove an opportunity to look at lower carbon energy solutions for the Waterloo Queen Street development and a possible heat network for the wider area. This has been REJECTED

**PRE-DECISION CONSULTATION**

There is no statutory duty to consult on this decision outside of the Council's governance processes; general consultation has taken place with OneSource business partners.

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Maria Faheem

Designation: Regeneration Manager

Signature:



Date: 17.03.2022

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything an individual can do. The recommendation in this report is in keeping with this power and the Council has the power to receive grant funding.

The Council must ensure that it complies with all of its obligations under the grant agreement (the Memorandum of Understanding) including but not limited to the use of the grant funding and the requirement to publish the results of all work which has benefitted from HNDU grant funding, redacted or anonymised as appropriate.

The Secretary of State may withdraw or reduce the grant and/or ask the Council to repay all, or any proportion of the grant together with interest where it:

- a) is required to cease grant funding or to reasonably recover all or any reasonable proportion, of the grant by virtue of a decision of a court;
- b) has reasonable grounds to consider that the payment of the grant, or the Council's use of it, contravenes any requirement of law, in particular (but without limitation) Subsidy Control; or
- c) has reasonable grounds to consider that the Council has not acted or does not intend to act in accordance with the agreements documented in the MOU between the Secretary of State for Business, Energy and Industrial Strategy and the Council.

Officers will need to run an open and transparent competitive process to select a third party to deliver the project/ selected works.

### **FINANCIAL IMPLICATIONS AND RISKS**

The HNDU provides £26,700 grant funding for to undertake a feasibility study into a possible lower carbon energy solution for Waterloo and Queen Street and the surrounding area. Details of the agreement are set out in Exempt Appendix 2.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no HR implications arising from this decision.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

There are no Equalities or Social Inclusion implications arising from this decision.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

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- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

#### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The Regeneration of the Waterloo and Queen Street Estate will enable the council to build new affordable homes that will be targeted at high levels of energy performance for the entire development as well as for individual flats. The design will incorporate sustainable technologies which help reduce the carbon footprint in line with action B2 in the Havering Climate Change Action Plan 2021;

"Reducing energy consumption within new build schemes where the Council is the sole developer or partner".

#### **BACKGROUND PAPERS**

Exempt Appendix 1- HNDU Grant Funding Application  
Exempt Appendix 2- Memorandum of Understanding.

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**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Signed



Name: Neil Stubbings

Date: 4<sup>th</sup> May 2022

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_