



## Notice of KEY Executive Decision

<b>Subject Heading:</b>	<i>To enter into the Mayor's Care &amp; Support Fund Contract with the Greater London Authority to support the development of the Mawney Close and Mowbrays Close developments</i>
<b>Decision Maker:</b>	<i>Kathy Freeman – Strategic Director of Resources &amp; Section 151 Officer</i>
<b>Cabinet Member:</b>	<i>Councillor Graham Williamson – Cabinet Member for Development &amp; Regeneration</i>
<b>ELT Lead:</b>	<i>Paul Walker – Director of Housing &amp; Property</i>
<b>Report Author and contact details:</b>	<i>Kirsty Moller – Head of Programme &amp; Support (Housing &amp; Property)</i> <a href="mailto:Kirsty.Moller@havering.gov.uk">Kirsty.Moller@havering.gov.uk</a> 01708 434707
<b>Policy context:</b>	<i>Acceptance of grant funding provides essential external financial support toward 14 new supported housing units for vulnerable adults</i>
<b>Financial summary:</b>	<i>This report seeks approval to accept grant funding from the Greater London Authority, for a total of £2.030 million to support the development of 14 new supported housing units for vulnerable adults</i>
<b>Reason decision is Key</b>	(a) Expenditure or saving (including anticipated income) of £500,000 or more
<b>Date notice given of intended decision:</b>	<i>15<sup>th</sup> February 2024</i>
<b>Relevant Overview &amp; Scrutiny Committee:</b>	<i>Places Overview &amp; Scrutiny Sub-Committee</i>
<b>Is it an urgent decision?</b>	Yes

## Key Executive Decision Report

**Is this decision exempt from being called-in?**

*Yes, with the permission of the Chair of the Overview & Scrutiny Board, Call-in has been waived*

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

People - Things that matter for residents X

Place - A great place to live, work and enjoy X

Resources - A well run Council that delivers for People and Place.

### **Part A – Report seeking decision**

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

1.1. For the reasons stated in this report, it is recommended that the Section 151 Officer:

(a) accepts the offer of £2.030 million in grant funding from the Greater London Authority (GLA) as part of the Mayor's Care and Support Fund, and

(b) approves entering into the terms and conditions of the GLA Grant Agreement, and

(c) authorise the Deputy Director of Legal Services or their deputy to sign the warranty at schedule 6 (Legal Opinion) of the GLA Grant Agreement.

#### **AUTHORITY UNDER WHICH DECISION IS MADE**

2.1 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**

3.1 The acceptance of £2.030m in grant funding toward the development of 14 affordable homes for vulnerable adults provides financial support for the Mawney Close and Mowbrays Close projects. The Council has entered into construction contracts for the scheme and work has started on site. The funding offer is split as: £1.160m for Mawney Close and £0.870m for Mowbrays Close.

## **Key Executive Decision Report**

3.2 The developments support the need for good quality, affordable supported housing within the borough, as set out in the Supported Housing Strategy 2022-2025.

3.3 The Council will be able to access 75% of the grant as soon as the grant agreement is entered into as both schemes have achieved the 'start on site' milestone requirements. The remaining 25% of funds will be payable after completion, estimated to be in the first quarter of 2025.

3.4 The Mawneys and Mowbrays schemes have been assessed as meeting the requirements of the Care & Support funding programme as they are designed with learning-disabled adults in mind, have extensive accessible communal spaces and facilities, are built to the relevant building standards and have support in place for residents.

3.5 The funding conditions associated with the grant would require the Council to accept and perform its obligations, which the Council are able to fulfil. The full details are set out in Appendix A, however the main conditions include:

- Regular monitoring of progress to the GLA
- Maintain an accurate record of the schemes in the GLA-OPS system
- Maintain accurate records to enable a future compliance audit
- Let the 14 funded affordable rent homes at or under the current benchmark rent levels
- Advise the GLA of any events that may prevent the completion of the funded homes or impact our status as an Approved Provider

3.6 By accepting the grant funding, we will be taking advantage of a competitive grant offer where there are no alternative supporting funding sources identified. The projects are not deemed eligible for use of Right to Buy receipts as the RTB agreement excludes specialist supported accommodation as referenced in Chapter 5 of the Government's Rent Policy Statement.

3.7 A request has been made to the Chair of Overview and Scrutiny Board to waive the call-in process for this decision due to urgency. The Council were advised on 13<sup>th</sup> March by the GLA that the funding agreement must be accepted, and first grant claim made by 28<sup>th</sup> March (the last working day of 2023/24) or the funding would be withdrawn.

3.8 Under normal governance processes the decision would be approved by business partners by 19<sup>th</sup> March, presented to Members via Themed Board on Tuesday 2<sup>nd</sup> April with a decision date of 18<sup>th</sup> April.

3.9 As receiving the funding is in the Council's best interests, the report has been expedited through the approvals process in order to meet the 28<sup>th</sup> March deadline.

## **OTHER OPTIONS CONSIDERED AND REJECTED**

### **4.1 Do Not Accept the Grant Funding**

### **Key Executive Decision Report**

By not accepting funding from this grant programme, we are missing a significant opportunity to secure external funding for the Council's supported housing programme.

As no alternative funding has been identified, the Council's general fund would bear the full cost of the projects, losing out on over £2m in external financial support.

### **PRE-DECISION CONSULTATION**

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

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

Name: Kirsty Moller

Designation: Head of Programme & Support (Housing & Property)

Signature:



Date: 15/03/2024

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

### **LEGAL IMPLICATIONS AND RISKS**

6.1 The Council has a statutory duty under Section 8 of the Housing Act 1985 to consider housing conditions in its district and the needs of the district with respect to the provision of further housing accommodation.

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

6.3 The Grant Agreement requires a solicitor within the Council to give a certificate that amounts to a warranty that the Council has the power and authority to:

- (a) enter into, observe and perform the terms and obligations under the Grant Agreement; and
- (b) has obtained all relevant consents and approvals (statutory or otherwise) to authorise the execution and delivery of the Agreement and the performance and validity of the obligations under it.

## **Key Executive Decision Report**

6.4 Appendix A to this report sets out the main terms of the Grant Agreement including the circumstances for funding clawback (see section 14.2 of the grant agreement “Repayment of Grant”).

6.5 Officers are reminded to ensure that they review the terms of the grant agreement.

### **FINANCIAL IMPLICATIONS AND RISKS**

7.1 The bids for funding for both projects were approved in April 2023, the funding offer has increased by £350k through negotiation.

7.2 The grant provision covers around 34% of the overall scheme costs for the Mawney and Mowbrays projects, which provides essential subsidy to the projects, the other funding comes from the Council’s general fund. This Funding is within budgets in the People Ageing Well Directorate. The total budget is c£2.7m with spend to date of c£0.4m This spend profile is in line with activity to date.

7.3 To refuse the grant offer would create a significant financial risk to the projects, which are already in the construction phase with works contracts in place. As the council has committed to the schemes, refusal of funding would increase the required general fund provision by over £2m.

7.4 Delays to the build programme would also impact related MTFs savings expected from the operation of the scheme, which expected to be £0.298m per year from 2025/26.

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

8.1 There are no human resource implications arising from the proposals in this report, the monitoring and delivery of the grant obligations will be carried out within existing staff resources.

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

9.1 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:

- (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.

### **Key Executive Decision Report**

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

9.3 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.

9.4 The acceptance of the grant funding set out in this report would benefit local residents by providing funding to build specialist supported affordable housing for vulnerable client groups including care-leavers and adults with learning disabilities.

### **HEALTH AND WELLBEING IMPLICATIONS AND RISKS**

#### **10.1 Health & Wellbeing Benefits:**

Havering council is committed to improving the health and wellbeing of its residents. The provision of good quality and affordable housing is an important determinant of health and wellbeing as housing impacts both our physical and mental health and wellbeing.

Inadequate or poorly designed housing is associated with increased risk of ill health including cardiovascular and respiratory diseases, depression and anxiety as well as risk of physical injury from accidents.

Acceptance of this grant funding will support Havering's ambitions to provide more good quality, genuinely affordable homes for local people, through the development of 14 affordable homes for vulnerable residents, enabling them to receive the support they need within the borough.

Alongside the direct health and wellbeing benefits to those individuals taking up residence in these new high quality housing units (including from the opportunities for social interaction and connection delivered through the provision of accessible communal spaces and facilities), its contribution to improved local street scene and overall increased affordable housing supply for key vulnerable groups will have a positive impact on the wider health and wellbeing of other residents.

#### **10.2 Health & Wellbeing Risks:**

The proposals to increase grant funding for this project do not give rise to any health and wellbeing risks.

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

11.0 The report does not give rise to any environmental or climate change implications or risks.

**Key Executive Decision Report**

11.1 The developments at Mawney Close and Mowbrays Close will be built to the required environmental and safety standards, with consideration for the natural environment and local animal habitats.

**BACKGROUND PAPERS**

None

**APPENDICES**

**Appendix A Mayor's Care & Support Funding Agreement (OPEN)**

**Part C – Record of decision**

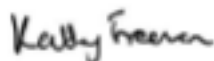
I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Signed



Name: Kathy Freeman, Strategic Director of Resources & Section 151 Officer

Date: 21 March 2024

**Lodging this notice**

**Key Executive Decision Report**

The signed decision notice must be delivered to Committee Services, in the Town Hall.

**For use by Committee Administration**

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

Signed \_\_\_\_\_