

Public Document Pack



MINUTES OF A CABINET MEETING
Council Chamber - Town Hall
Wednesday, 11 December 2024
(7.00 - 9.20 pm)

Present:

Councillor Ray Morgon (Leader of the Council), Chairman

Cabinet Member responsibility:

Councillor Oscar Ford

Lead Member for Children & Young People

Councillor Paul McGeary

Lead Member for Housing & Property

Councillor Christopher Wilkins

Lead Member for Finance

Councillor Graham Williamson

Lead Member for Regeneration

In attendance: Councillor Keith Darvill (Labour Group Leader); Councillor Martin Goode (EHRG Group Leader)

15 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.

16 APOLOGIES FOR ABSENCE

Apologies received from Councillor Paul Middleton, Councillor Barry Mugglestone and Councillor Natasha Summers.

Councillor Gillian Ford joined via Zoom to present reports.

17 DISCLOSURES OF INTEREST

There were no disclosures of interest.

18 MINUTES

The minutes of the meetings held on **6th November 2024**, were agreed as a correct record and the Chair signed them.

19 **PERMISSION TO DIRECT AWARD ADULTS EDT CONTRACT 2025-2030**

Report: Adults EDT Section 75 Agreement to NELFT for a period of 5 years

Presented by: Councillor Gillian Ford, Cabinet Members of Adult Service

Summary: The current section 75 agreement with NELFT for the provision of the Adults Emergency Duty Team expires on the 31st March 2025. This service provides an emergency social care service outside of normal office hours. This paper is seeking a decision to approve a new 5-year section 75 agreement.

The North East London Adult Emergency Duty team (EDT) provides an emergency social care service outside of normal office hours. It covers Barking and Dagenham, Havering, Redbridge and Waltham Forest. The service is designed to deal only with emergency situations that cannot wait until the next working day.

Members of the public and health and social care professionals can contact the team if a carer or a vulnerable adult is in urgent need or requires protection from harm. A vulnerable adult is a person of 18 years or over with a social care need. This can include people with mental health problems, physical or learning disabilities or older people.

The service includes but is not restricted to the provision of Mental Health Act assessments by an approved mental health professional.

Cabinet approved:

1. Entering into a Section 75 Agreement for an Adults Emergency Duty Team between the four partner boroughs and the North East London Foundation NHS Trust (NELFT), for a period of 5 years. The four partner boroughs are Barking & Dagenham, Havering, Redbridge and Waltham Forest. The proposed s75 agreement has a maximum value of £4,460,319.20 which will be split equally between the four partner boroughs. Each of the four partner boroughs pays for the service directly to NELFT with the maximum value for Havering being £1,115,079.95 over the five-year life of the Section 75 agreement.
2. **Delegated** to the Strategic Director of People authority to sign off the terms of the Section 75 Agreement, on behalf of Havering.

20 **HEALTHY CHILD PROGRAMME CONTRACT EXTENSION**

Report: Healthy Child Programme Contract Extension

Presented by: Councillor Gillian Ford, Cabinet Members of Adult Service

Summary: This report asks Cabinet to approve a two-year extension of the Healthy Child Programme contract with North East London Foundation Trust (NELFT) from 1st April 2025 to 31st March 2027.

The original decision from Cabinet was made to award the contract to NELFT for five years from 1st April 2020 until 31st March 2025 with an option to extend by a further two years until 31st March 2027.

Cabinet:

For the reasons set out in this report **Cabinet agreed** to the two-year extension of the contract with NELFT from 1st April 2025 to 31st March 2027.

21 **FUTURE MANAGEMENT OF BRITTONS 3G PITCH**

Report: Future Management of Brittons 3G Pitch

Presented by: Councillor Gillian Ford, Cabinet Members of Adult Service

Summary: The Brittons Playing Field 3G pitch is currently managed on a day-to-day basis by Brittons Academy. The proposed future management of the 3G pitch contained within this report is in order to maximise usage and the potential health and wellbeing benefits of a football hub with an additional two 3G pitches and ancillary facilities.

The recommendation to develop a football hub, with an additional two 3G pitches subject to funding, would require the Brittons Playing Field site to be leased to a special purpose vehicle, the National Football Trust (NFT) who would then appoint their subsidiary, Leisure United, to operate the new football hub.

Cabinet:

Authorised the Head of Leisure and Culture, in consultation with the Strategic Director of Resources and the Cabinet Member for Adults and Wellbeing to:

- a. Make an application to the Community Infrastructure Fund and to external funders for the funds necessary as partnership funding, progress the feasibility study to substantiate an application to the Football Foundation for further grant funding and to progress the preliminary design work necessary for an application for planning permission.
- b. Subject to (a) above being satisfactorily achieved, to make an application for planning permission to allow for development of the land including and around the existing 3G pitch at Brittons Playing Fields into a “football hub” comprising of two additional 3G pitches and ancillary facilities.

- c. Subject to (b) above being satisfactorily achieved, to submit a funding application to the Football Foundation in conjunction with the National Football Trust.
- d. Subject to (a)-(c) above being satisfactorily completed to negotiate and finalise all required documentation for implementation of this decision (for the avoidance of doubt to include any lease, management agreement and any further documentation / agreements which may be required by the Football Foundation).
- e. Subject to (a)-(d) above being satisfactorily completed (so that the development of the football hub is legally permissible and fully funded) to tender the construction of the football hub facilities and appoint a contractor to build the facilities
- f. If sufficient partnership funding is not secured to apply for Football Foundation funding, report to Cabinet to agree next steps.
- g. Subject to (a)-(f) being satisfactorily completed to: (i) conclude that the Land is no longer required for the purpose for which it is currently held; (ii) appropriate the land for planning purposes pursuant to section 122(1) of the Local Government Act 1972; (iii) deal with all matters related or incidental to the appropriation of the Land.

22 **APPROVAL TO AWARD PROCUREMENT FOR FRESH & FROZEN MEAT AND POULTRY**

Report: Approval to award framework agreements for fresh & frozen meat and poultry

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

Summary: The current Fresh & Frozen Meat and Poultry Single-supplier framework expires on 31 December 2024. The Council's current call-off contract expires on the same date.

HES Catering Service has reviewed the requirements and seeks to establish a new three years (plus 12-month extension) multi-supplier framework for this provision as soon as possible. The framework will be owned and managed by HES Catering Services and can be accessed by the members of the Procurement Across London (PAL) group. Each participating member is responsible for their respective call-off agreements and will enter into separate call-off contracts.

The Councils who form the PAL group are:
London Borough of Havering,

London Borough of Barking & Dagenham,
London Borough of Tower Hamlets,
London Borough of Waltham Forest,
Thurrock Council

Cabinet:

For the reasons set out in the report, **Cabinet approved** the award of;

- A) A Pan London multi-supplier framework agreement to Thomas Ridley and Son Ltd (Company number **00148692**) and William Whites Meat Ltd (Company number **03027063**) for the supply of fresh & frozen meat and poultry with an estimated total contract value of £12.1m over the 3 plus 1-year term, commencing on 1st January 2025.
- B) A call-off contract solely for the London Borough of Havering, to Thomas Ridley and Son Ltd at an estimated maximum cost of £2,771,000 for the supply of fresh & frozen meat and poultry for an initial term of 3 years with the possibility of a one-year extension, commencing on 1 January 2025 until 31st December 2029.
- C) A call-off contract solely for the London Borough of Havering, to William Whites Meat Ltd at an estimated maximum cost of £2,771,000 for the supply of fresh & frozen meat and poultry for an initial term of 3 years with the possibility of a one-year extension, commencing on 1 January 2025 until 31st December 2029.
- D) To note that the estimated combined maximum spend across the two contracts at B-C above is £2,771,000.

23 PERMISSION TO BID FOR DFE CAPITAL GRANT TO DEVELOP LOCAL CHILDREN'S HOMES

Report: Permission to bid for DFE capital grant to develop local children's homes

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

Summary: Havering Children's Services within the Starting Well Department has a statutory duty to have sufficient homes to accommodate children in need of local authority care. Currently Havering does not operate its own children's homes and relies on the market to provide for all of its placement needs. For children with the most complex needs, especially those with emotional wellbeing and mental health needs, identifying the appropriate home for them is difficult given the current national and local market position and can often lead to delay of discharge from mental health units.

The Department for Education (DFE) is releasing capital to enable councils, working with NHS Integrated Care Boards (ICB), to develop local children's home services. The grant will be awarded based upon the identified level of need and the quality of the partnership, which will deliver improved outcomes for children in need.

The creation of a local, specialist children's home service may prevent children from requiring to be placed in a hospital setting, or provide them with a pathway from hospital. It will also enable the council and ICB to manage their resources better.

The proposal is for Havering to apply for capital funding of £1.1m, which will be match funded by the ICB and Havering Borough Council to create two children's homes, which will be delivered with specialist health services being deployed to support children with the most complex needs. This project will enable children to remain in Havering, access local schools, have access to their health services and enable them to maintain the most important relationships.

Cabinet:

For the reasons detailed in this report, **Cabinet agreed:**

1. the Council lead and submit grant bid application to be made to access the Capital Fund at the DFE noting the match funding of £550,000 from the Council on successful bid.
2. **Delegated** authority to the Director of Starting Well in consultation with Cabinet Member for Children and Young People to agree and enter into the grant agreement should the Council's bid be successful commit the Council capital budget of £550,000.
3. Subject to recommendation 1 and 2, that the Council enter into an agreement with NHS Integrated Care Board detailing the ongoing commitments between the parties as to the grant arrangements with the DFE.
4. Subject to the above recommendations to delegate authority to the Director of Starting Well to agree the purchase of two assets for the purposes of adapting to accommodate young people locally.

24 **AWARD OF CONTRACT FOR HIGHWAYS SERVICES**

Report: Award of Highway Services Contract

Presented by: Cllr Ray Morgon on behalf of Cllr Barry Mugglestone, Cabinet Member for Environment

Summary: This report is seeking approval from Cabinet for the Highways contract to be awarded to the preferred bidder following a competitive tendering exercise.

This report outlines the procurement procedure and presents details of the stages conducted during the process to identify the preferred bidder for the new Highways Contract due to commence in April 2025.

The contract is due to commence on 01 April 2025 for a term of 6 years with the option to extend for a further 4 years. The estimated value will vary and be determined by annual budget setting, capital allocations and external grant funding. Using the current and historical funding levels as a guide it is anticipated that the total contract expenditure will be no greater than £87m over the initial 6-year period and over the maximum 10-year term no greater than £145m. However, the expenditure under this contract varies according to annual funding and budget setting.

Cabinet:

Approved the award and enter into the Highways Contract (the Contract) with Marlborough Highways Limited (Company number 02765630) (“preferred bidder”), subject to the statutory standstill period, for an initial term of six years with the option to extend for up to a further four years, by mutual agreement up to a total value of £145m over 10 years.

25 **STREET LIGHTING CONTRACT**

Report: Award of Street Lighting Services Contract

Presented by: Cllr Ray Morgon on behalf of Cllr Barry Mugglestone, Cabinet Member for Environment

Summary: This report is seeking approval from Cabinet for the Street Lighting contract to be awarded to the preferred bidder following a competitive tendering exercise.

This report outlines the procurement procedure and presents details of the stages conducted during the process to identify the preferred bidder for the new Street Lighting Contract due to commence in April 2025.

The contract is due to commence on 01 April 2025 for a term of 6 years with the option to extend for a further 4 years. The estimated value will vary and be determined by annual budget setting, capital allocations and external grant funding. Using the current and historical funding levels as a guide it is anticipated that the total contract expenditure will be no greater than £15m over the initial 6-year period and over the maximum 10-year term no greater than £25m. However, the expenditure under this contract varies according to annual funding and budget setting.

Cabinet:

1. **Approved** the award and to enter into the Street Lighting Contract (the Contract) with Marlborough Highways Limited (Company number 02765630), subject to the statutory standstill period, for an initial term of six years with the option to extend for up to a further four years, by mutual agreement up to a total value of £25m over 10 years.

26 **OFFICE TO RESIDENTIAL CONVERSIONS TO ACCOMMODATE HOMELESS FAMILIES - CHESHAM HOUSE**

Report: Office to residential conversion to accommodate homeless families – Chesham House

Presented by: Cllr Ray Morgon, on behalf of Councillor Natasha Summers – Lead Portfolio Holder for Living Well Housing Demand

Summary: The Council will look to enter into a 10-year lease with the National Housing Group for the sole and exclusive use of Chesham House, a 55 unit Office to Residential Conversion by 2026, to meet its Homeless Reduction Act 2017 duty to accommodate homeless families.

The lease cost for Chesham House is £8.4m, with running costs (recoverable as service charges) being £6.5m and start-up costs of £0.6m.

The scheme will enable the local authority to exit 55 households out of high cost hotel and nightly charged accommodation anticipating a net revenue cost avoidance of circa £9.7 million over the length of the term, as well as £8.4 million in capital receipts. The forecast for inflation is included.

Cabinet:

4.1 **Approved** the proposal to enter into an agreement for lease with National Housing Group for the sole use and occupation of Chesham House, a 55 unit building in Romford, under which the Council will be obliged to take a 10 year headlease of Chesham House upon completion by National Housing Group of agreed refurbishment works.

4.2 Upon completion of the headlease referred to above, **Cabinet approved** that the Council may either:

4.2.1 grant an underlease of Chesham House to a wholly owned subsidiary of the Council (envisaged to be called Queens Letting and Management (“QLM”)) on a back to back basis; or

4.2.2 to manage Chesham House directly.

4.3 **Approved** deficit grants funding of up to £9.7m in total to QLM to cover the lease period (in event that QLM / Chesham House do not achieve housing benefit exempt status.)

4.4 **Delegated** to the Director of Living Well, in consultation with the Strategic Director of Resources, to take all steps, and to enter into all documentation, necessary to deliver the scheme as approved by recommendation (a) above including the discretion to decide which of options (b)(i) and (ii) shall be progressed.

Noted we have already received cabinet approval to incorporate QLM Community Interest Company (CIC) on the 12 June 2024 – Establishment of a joint venture company to manage properties leased in partnership with Chalkhill.

1. **Noted** Chesham House is a permitted development scheme where from a planning perspective would require prior approval to be obtained for change of use from retail with ancillary storage and offices.
2. **Noted** the projected costs of leasing the property for the term outlined as well as the projected cost avoidance.

27 **COMMUNICATIONS STRATEGY**

Report: Communications Strategy

Presented by: Councillor Ray Morgon, Leader of Council

Summary: The Communications strategy attached in appendix A, sets out how we will communicate with, keep informed and update our residents, stakeholders, partners and staff on service changes.

It also sets out how we will continue to push the case for Havering through lobbying the Government, LGA, MPs and other key stakeholders and organisations.

In addition, it shows how we aim to improve and increase the number of events taking place in the borough and how we will maximise on income opportunities.

Cabinet

Agreed the Communications Strategy.

28 **HIGHWAY MAINTENANCE PLAN POLICY**

Report: Highways Maintenance Plan Policy

Presented by: Cllr Ray Morgon on behalf of Cllr Barry Mugglestone, Cabinet Member for Environment

Summary:

- 1.1 A national code of practice for highways maintenance and management (Well Managed Highway Infrastructure: A Code of Practice (the “Code”)), sponsored by the Department for Transport (DfT) and produced by the United Kingdom Roads Liaison Group (UKRLG) was published in late 2016. The 2016 Code replaces the previous 2005 Code.
- 1.2 The Code was introduced with a transition period in which to allow local highway authorities, such as the London Borough of Havering, to review their existing highway maintenance policies and delivery arrangements, consider which applicable aspects of the Code to adopt (in whole or in part) and to develop new maintenance policies and arrangements (where required) reflecting the recommendations of the Code.
- 1.3 Adherence to the Code is not a statutory requirement, and there has been no recent change in law, but it follows national good practice shared by many local highway authorities in establishing highway maintenance policy, strategy and operations of the highway maintenance service.
- 1.4 The Code provides highway authorities with guidance on highways management but adoption of the recommendations in the Code is a matter for the Council (as a local highway authority), based on its interpretation, assessment of risks, local needs and priorities.
- 1.5 Whilst the Code is not a legal / statutory document the significance of it is that the Courts will view it as a benchmark of best practice in discharging the statutory duty to maintain the highway. Failure to follow the guidelines and recommendations could be used against the Council in the assessment of claims.
- 1.6 A new Highway Maintenance Plan Policy (HMPP) for Havering has been produced to document the Council’s approach to highway maintenance and ensure the authority continues to have a statutory defence against all public liability claims arising on the Borough’s highway. Additionally, the introduction of a risk-based approach is aimed at optimising the use of resources and value for money.
- 1.7 The new Code has seen a shift in emphasis and has removed the reliance on specific guidance and recommendations in the previous Codes to a risk-based approach determined by each highway authority. Very few standards are prescribed in the new Code and the intention is that authorities will develop their own levels of service taking account of local need and assessment of risk.
- 1.8 Following review of the new Code and the Council’s existing highway maintenance policies and delivery arrangements a new HMPP has been produced. Further information is provided below.

1.9 This report sets out:

- Highway maintenance requirements
- Context and background Information
- Development, implementation and key aspects of the Council's (proposed) HMPP – including adoption of a risk-based approach
- Cost implications

Cabinet:

Agreed that the Highways Maintenance Plan Policy be adopted by the Council.

29 **Q2 CORPORATE PERFORMANCE REPORT**

Report: Corporate Plan Q2 Performance Report: (2024/25)

Presented by: Councillor Ray Morgon, Leader of Council

Summary: The Council's Corporate Plan was formally adopted in April 2024.

The Corporate Plan is made up of the three Strategic Director Service plans and describes how we will deliver the vision under the following three themes:

- Supporting our residents to stay safe and well
- A great place to live work and enjoy
- Enabling a resident-focussed and resilient council

Under each theme sit a number of outcomes and key deliverables associated to the Key Performance Indicators (KPIs) that were agreed to be the most appropriate for measuring progress. These KPIs have been brought together into a Corporate Plan Performance Report, which provides an overview of the Council's performance. The report is presented in PowerBI and highlights good performance and potential areas for improvement.

The Overall KPI status page identifies where the Council is performing well (**Green**) not so well (**Amber** and **Red**). KPIs which are narrative only, or for which it is not appropriate to set a target, are shown in **Blue**. RAG ratings for 2024/25 are as follows:

- **Red** = Below target and below the 'variable tolerance' off the target
- **Amber** = Below target but within the 'variable tolerance' of the target
- **Green** = Above annual target

Also included in the Power-BI report are Direction of Travel (long-term and short-term), which compares:

- Short-term performance – with the previous quarter (Quarter 1 2024/25)
- Long-term performance – with the same time the previous year (Quarter 2 2024/25, where available)

Please note the green arrow shows if (↗) higher performance is better or (↘) lower performance is better.

Cabinet:

Members **noted the report** including all indicators (especially the red indicators highlighted within the body of this report) and **noted** the levels of performance set out in the power-bi report.

30 **PERIOD 6 REVENUE & CAPITAL MONITORING REPORT**

Report: Revenue and Capital Budget Monitoring Report - Period 6

Presented by: Councillor Chris Wilkins (Cabinet Member for Finance)

Summary: This Report sets out the monitoring position for the Council for 2023/24 based on figures to period six (30th September). The report also updates on the latest position on the Capital programme detailing spend and outputs so far and planned spend for the remainder of the year

The Council is projecting a £33.2m overspend on its General Fund revenue budget at period 6. The Council will continue to enforce strict spending controls and identify efficiencies as set out later in this report. The current projected outturn position would result in the Council needing to utilise the full extent of the £32.5m Capitalisation Direction provisionally agreed with the Government at budget setting.

The report also sets out progress to date on delivery of the 2024/25 savings agreed in setting the budget in February 2024. The majority of savings are either already delivered or are on track. There are a number of savings which are either delayed or will not be delivered. Departments are reviewing all areas to identify underspends and efficiencies to mitigate these savings but the resultant pressure is fully included in the projected variances presented in this report.

Cabinet:

Noted the revenue financial position at Period 6 as set out in section 4 and Appendix 1 of this report

Noted the progress towards delivery of the 2024/25 savings and the updated position on earmarked reserves

Noted the Quarter 2 Capital Programme update as set out in Appendix 2 to this report.

Chairman

This page is intentionally left blank