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## MINUTES OF A CABINET MEETING Council Chamber - Town Hall Wednesday, 14 August 2013 (7.30 - 8.55 pm)

### **Present:**

Councillor Steven Kelly (Deputy Leader, Individuals), Chairman

### **Cabinet Member responsibility:**

Councillor Michael Armstrong  
Councillor Robert Benham  
Councillor Roger Ramsey  
Councillor Paul Rochford  
Councillor Geoffrey Starns  
Councillor Barry Tebbutt  
Councillor Lesley Kelly

Transformation  
Community Empowerment  
Value  
Children & Learning  
Community Safety  
Environment  
Housing & Public Protection

Apologies were received for the absence of Councillors Michael White and Andrew Curtin.

Councillors June Alexander, Clarence Barrett, Keith Darvill, Linda Hawthorn, Paul McGeary, Ron Ower, Jeffrey Tucker and Linda Van den Hende were also present for the meeting.

Approximately 25 members of the public and a representative of the Press were present.

Through the Chairman, an announcement was made regarding the emergency evacuation arrangements.

There were no disclosures of interest.

In the absence of the Chairman, the Vice Chairman chaired the meeting.

### 70 **MINUTES**

The minutes of the meeting of Cabinet held on 10 July 2013 were agreed as a correct record and signed by the Chairman.

## 71 THE COUNCIL'S FINANCIAL STRATEGY

*Councillor Roger Ramsay, Cabinet Member for Value, introduced the report.*

The report before Members provided an update on a range of Government announcements that would impact the Council's funding and budget setting process for a number of years to come.

Following the Chancellor's Budget in March 2013 and the Comprehensive Spending Review announcements on 26 June 2013, the key points impacting on Havering's long term budget strategy would be as follows:

- Departmental Expenditure limits would be subject to a 1% reduction.
- Further departmental reductions of £11.5bn for 2015/16
- NHS and Education remain ring fenced from any funding reductions
- 10% cut in the Department for Communities and Local Government departmental spend
- The creation of a pooled fund of £3.82 billion between the NHS and local authorities in addition to the existing £1billion. It was unclear what new responsibilities would accompany this funding
- Public sector pay rises would be limited to an average of 1% in 2015/16 and a removal of time served pay progressions.
- A 1% increase Council Tax freeze grant for 2 years 2014/2015 and 2015/2016

It was explained that further announcements on local government financial settlements were expected in January 2014 which would cause difficulty in setting the Council's budget before February 2014.

It was acknowledged that these were challenging prospects. The Council's projected budget gap in funding over the next four year period had been assessed at £40million, however, this figure would be reviewed in light of the Budget and Comprehensive Spending Review announcements. Cabinet was advised that a further report would be made available at the September meeting.

There was currently a 2% limit on Council Tax increases without a referendum and that a referendum would cause further confusion with significant costs.

### **Reasons for the decision**

That the Council's financial strategy takes due account of Government plans and any other material factors where these are likely to have an impact on the Council's financial position.

### **Other options considered**

None. The Constitution requires this as a step towards setting the Council's budget.

Members were united in expressing their disappointment and frustration at the Government's decision to delay the announcement of the local settlement to January. Members recognised that the costly delay would increase the pressure on staff and the Council when setting the Council Tax and agreeing the budget for 2014/15.

**Cabinet NOTED:**

1. **The analysis of the National Budget and the Comprehensive Spending Review and associated announcements.**
2. **The Secretary of State's announcement on the timing of the financial settlement, which was now expected to be after Christmas.**
3. **That a further report would be submitted to the next meeting of Cabinet, setting out the impact of these announcements on the Council's financial planning.**

72 **THINK FAMILY - CABINET MEMBER PROJECT**

*Councillor Lesley Kelly, Cabinet Member for Housing and Public Protection, introduced the report.*

The report gave an update to Cabinet members on the significant amount of activity that had taken place on the Think Family project during 2011/2012. The project, originally established in 2010, looked at a broad range of issues around supporting vulnerable families and was divided into four sub projects as follows:

- Troubled Families (Top 100 families who needed the most help from various agencies)
- Family Group Conference
- Move to locality working
- Prevention Strategy Implementation

Three of the four sub projects had been completed and the corresponding results were outlined in the report. References were made to the development and improved communication and co-ordination of activity across joint/multi agency teams on a local/area basis in addition to the establishment of the Multi Agency Safeguarding Hub (MASH).

The Government had announced their intention to continue the Troubled Families programme for a further five year phase and that this Council would undertake further projects in this area. It was noted that grants paid to Local Authorities in the Troubled Families Scheme were based on results and the length of time families remain engaged in the process.

**Reasons for the decision**

To provide Cabinet members with an overview of the 'Think Family' project between 2011 and 2012.

**Other options considered**

N/A

**Cabinet NOTED the outcomes delivered by the Think Family project to date.**

73 **APPROPRIATION OF LAND FOR PLANNING PURPOSES AND OPEN SPACES PROCESSES RELATING TO THE SITE OF THE OLD WINDMILL HALL AND THE ADJACENT CAR PARK**

*Councillor Roger Ramsay, Cabinet Member for Community Safety, introduced the report.*

The report explained that prior Cabinet approval had been given to the disposal of the site of the Old Windmill Hall and adjacent car park and adjustment of the site to create a regular boundary with adjacent Upminster Park. In connection with the proposal, a decision had been taken to formally advertise the proposed disposal of open space and the appropriation of for planning purposes. In accordance with the statutory process, the proposal was publicly advertised and objections considered.

A number of representations had been received together with two petitions, one expressed opposition to the sale of the land and contained 2548 signatures whilst the other which contained 55 signatures related to the suggestion that further additional car parking spaces be provided to support local business. A total of 398 letters of objection were recorded and the themes identified were as follows:

- No specific grounds
- Opposition to the sale of land within a park
- Concern about the effect of disposal/development on the remainder of the park
- Concern about parking issues
- Opposition to the development of the site
- Concerns about the legal status of the land
- Miscellaneous/other

**Reasons for the decision**

The decision is required as a result of the statutory process involved in dealing with the proposed disposal and appropriation of land for planning purposes.

**Other options considered**

Having placed the notices, it is necessary for the Council to formally consider the response received. As this report only concerns the consideration of these responses, no other options are available.

The Cabinet Member reiterated that there would be no net loss of land within the park and that the Council had no plans to develop and sell Upminster Park. In response to concerns about parking issues, it was stated that whilst there would be a loss of car parking spaces, there was future scope to extend the car parking area. It was noted that the development of the proposed area would be subject to planning and a full consultation.

It was clarified that the proposal to appropriate the land for planning purposes would promote the economic wellbeing of the area only, and not as the report suggests include social or environmental wellbeing.

**Cabinet, having considered the responses made to the public notices in respect of land at the site of the Old Windmill Hall and the adjacent car park**

in connection with the proposed disposal and appropriation of land for planning purposes, gave approval to proceed with:-

- a) The disposal of 191 sq metres of open space shaded in blue in drawing SPS 1294/1 Rev A (attached as Appendix 1 to these minutes) under Section 123 of the Local Government Act 1972.
- b) The inclusion within Upminster Park of the 191 sq metres of land to be used as open space shaded in green in drawing SPS 1294/1 Rev A (attached as Appendix 1 to these minutes) under Sections 122(1), 2(A) and 2(B) of the Local Government Act 1972.
- c) The appropriation of the site shown outlined in red in drawing SPS 1294/1 Rev A (attached as Appendix 1 to these minutes) to planning purposes.

74 **AWARD OF RESPONSIVE REPAIRS AND MAINTENANCE CONTRACT FOR COUNCIL HOUSING - LOT ONE RESPONSIVE REPAIRS**

*Councillor Lesley Kelly, Cabinet Member for Housing and Public Protection, introduced the report.*

The report set out the results of the tendering exercise for the provision of responsive repairs services to the housing stock managed by the Council. The tendering process had been undertaken in accordance with the rules set out in the Public Contract Regulations 2006 and subsequent directives (EU regulations).

It was noted that the current partnership contract with Morrison Facilities Services which had been due to expire on 31 July 2013 had been extended by mutual agreement until September 2013.

The scope of the works and the re-tender specification was different to the current contract in that it was for responsive repairs only, so as to ensure a provision of high quality repairs to tenants and leaseholders. In addition, the contractor would also provide "out of hours" and "handyman" services, concessionary decorating for vulnerable and elderly people and an initial inspection of all Council properties.

The pricing mechanism was for a fixed fee to be provided by the contractor with a maximum liability of £1000 per instruction. Any works above this level would revert back to the Council for alternative quotes or solutions. Prices had been based on a standard schedule of rates and the use of a fixed price arrangement for the majority of repairs, by value, would provide greater cost certainty.

The proposed commencement date for the new contract was 1 October 2013 and would be for a five year period with the option to extend based on performance.

**Reasons for the decision:**

The Council as a landlord and building owner has obligations in statute and under the Tenancy Agreement to provide a responsive repairs service. The Council as a contracting authority has obligations to comply with the requirements of the Public Contractors Regulations 2006.

**Other options considered:**

To extend the exiting arrangement with Morrison Facilities Services for a further period.

REJECTED – There would be no further provision in the contract to extend which would be in breach of the Public Contracts Regulations 2006.

**Cabinet AGREED the award of Lot 1 of the Term Contract for Responsive Repairs to Breyer Group PLC in accordance with the offer set out in the tendering process and subject to the expiry of the required 10 day stand still period and section 20 of the Landlord and Tenant Act 1986 requirements.**

**Cabinet agreed the award of Lot 1 of the Term Contract for Responsive Repairs and Voids Refurbishment – Responsive Repairs, to Breyer Group PLC, in accordance with the offer set out in the tendering documentation and subject to the expiry of the required 10 day stand still period and section 20 of the Landlord and Tenant Act 1986 requirements.**

75 **AWARD OF TERM CONTRACT FOR RESPONSIVE REPAIRS AND VOIDS - LOT TWO VOID PROPERTIES**

*Councillor Lesley Kelly, Cabinet Member for Housing and Public Protection, introduced the report.*

The report set out the results of the tendering exercise for the provision of repair and reinstatement of void property services to the housing stock managed by the Council. The tendering process had been undertaken in accordance with the rules set out in the Public contract Regulations 2006 and subsequent directives (EU regulations).

It was noted that the current partnership contract with Morrison Facilities Services which had been due to expire on 31 July 2013 had been extended by mutual agreement until September 2013.

The scope of the works and the re-tender specification was different to the current in that the contract would see to bring empty properties back into use, provision of security screening, cleaning pre and post works and asbestos removal as well as a limited amount of kitchen and bathroom replacement. Prices were based on a standard schedule of rates and the contract would be for a fixed amount only.

The proposed commencement date for the new contract was 1 October 2013 and would be for a five year period with the option to extend based on performance.

**Reasons for the decision:**

The Council as a landlord and building owner has obligations in statute and under the Tenancy Agreement to provide a responsive repairs service including ensuring properties re-let are of an acceptable standard. The Council as a contracting authority has obligations to comply with the requirements of the Public Contractors Regulations 2006.

**Other options considered:**

To extend the exiting arrangement with Morrison Facilities Services for a further period.

REJECTED – There would be no further provision in the contract to extend which would be in breach of the Public Contracts Regulations 2006.

**Cabinet agreed the award of Lot 2 of the Term Contract for Responsive Repairs and Voids Refurbishment – Void Refurbishment, to Mullaley and Co Ltd, in accordance with the offer set out in the tendering documentation and subject to the expiry of the required 10 day stand still period.**

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**Chairman**

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