LONDON BOROUGH OF WALTHAM FOREST
MINUTES OF THE CABINET

17 March 2015 at 2pm

PRESENT:
Chair: Councillor Chris Robbins Council Leader

Cabinet Members:
Councillor Clyde Loakes Deputy Leader
Councillor Liaquat Ali MBE Portfolio Lead Member for Community Safety and Cohesion
JP
Councillor Angie Bean Portfolio Lead Member for Adult Services
Councillor Clare Coghill Portfolio Lead Member for Economic Growth and High Streets
Councillor Ahsan Khan Portfolio Lead Member for Health and Wellbeing
Councillor Khevyn Limbajee Portfolio Lead Member for Housing
Councillor Mark Rusling Portfolio Lead Member for Children and Young People
Councillor Naheed Asghar Junior Lead Member
Councillor Sharon Waldron Junior Lead Member

(Junior Cabinet Members are appointed by the Leader to assist Cabinet in proposing, formulating and advising upon Council policy under the guidance of the appropriate Portfolio Holder. These Councillors are not Members of the Cabinet and do not have any voting rights nor decision-making powers.)

Councillors in Attendance: Councillor Kastriot Berberi
Councillor Sally Littlejohn
Councillor Gerry Lyons

Officers in Attendance:
Rhona Cadenhead Assistant Chief Executive
Daniel Fenwick Director of Governance
Michele Moloney Director of Commissioning and Neighbourhoods
John Turnbull Director of Finance
Debra Marlow Acting Democratic Services Team Leader
Terry Borkett Assistant Director, Financial Planning
Martin Esom Chief Executive
1. **APOLOGIES FOR ABSENCE**

   Apologies were received from Linzi Roberts-Egan and Althea Loderick.

2. **DECLARATIONS OF INTEREST**

   There were no declarations of interest.

3. **MINUTES OF CABINET**

   The minutes of the meeting held on Tuesday 10\(^{th}\) February were agreed and signed by the Chair as an accurate record of the same.

   Cabinet was delighted to receive the good news that £41 million had been received from the Greater London Authority for housing. This will dramatically improve the area from Blackhorse Lane to Leyton and will be an excellent development for the Borough. Cllr Khevyn Limbajee indicated that the Borough will be transformed with at least 2000 new homes of which 600 will be affordable housing. These homes will benefit from the fantastic transport links recognised by the Mayor of London as being some of the best in London. Thanks go to Ascham Homes and Ken Jones for their excellent work and also to Cllr Clare Coghill for the close collaborative working in this regard.

   Unfortunately, the news from the CQC Report in respect of Whipps cross Hospital was not good. The Inspectors had inspected 8 areas with a finding that 6 were inadequate and 2 needed further improvement. Of major concern was the fact that further improvements had been required through a previous inspection and these improvements had simply not been delivered.

   The Local Clinical Commissioning Group has been working very hard and has drawn attention to many of the concerns highlighted through the inspection. The Whipps Cross site is in need of a strategic vision given the fact that it predates the NHS (built in 1903) and is simply not fit for purpose. The concern noted by Cabinet is that local people will lose faith in the health provision at Whipps and will seek to be treated elsewhere.

   The Council will now be acting to turn this situation around with a cross party, rigorous campaign to fight and save the hospital. Cabinet noted the urgent need to reassure the public that current standards will start to improve immediately and that action will start **now** to drive the recommendations for improvement. Urgent action will be taken to stabilise staffing at Whipps Cross to improve morale. The whole concern needs complete overhaul and redevelopment and this will be the immediate and intensive campaign of the Council. The Chair stressed that this must be the case
for the good of the residents of Waltham Forest and that action can be delivered immediately in three headings:

1. Immediate action to deliver basic standards of care with work to drive the improvements required in the CQC Report as of now.
2. Immediate action to stabilise staffing at the hospital to ensure that staff are valued and supported on every level.
3. The development of a long term plan to fix the financial situation of Barts Health NHS Trust and to establish a new hospital at Whipps Cross.

The full report will be discussed at the meeting of the Health and Wellbeing Board on Thursday, 26th March, 2015 at 12.30pm.

4. FINAL SCHOOL BUDGET SHARES FOR 2015-2016

Councillor Mark Rusling introduced the report to Cabinet detailing the school funding arrangements and the agreed factor rates which were agreed by the Schools Forum in February, 2015. The final formula is complicated. There is a final outturn of £241,473 million taking into account the Dedicated Schools Grant funding for 2015-16.

Cabinet agreed to receive the report. There were no further questions.

Cabinet NOTED the individual budget shares and allocations calculated for the maintained schools, academies and private, voluntary and independent (PVI) settings, in line with the local funding factors as set out in the appendices to the report.

5. PUBLIC HOUSES SUPPLEMENTARY PLANNING DOCUMENT

Councillor Clare Coghill presented the report noting that the consultation document had been to Cabinet previously. This has been a very comprehensive piece of work to ensure the protection of existing Public Houses which are very valuable assets within the community.

Cabinet noted the importance of ensuring that businesses wishing to invest and redevelop in the Borough were clear in the need to consult with the Council. Such consultation is crucial to ensure the protection of Public Houses which provide an important mix of use.

It was noted that The Antelope PH in Church Road is currently occupied by squatters and this is being investigated.

Cabinet:

- ADOPTED the Public Houses Supplementary Planning Document (as set out in Appendix A to the report) as part of the Council’s Local Plan.
- DELEGATED any further non-material alterations to the Public Houses Supplementary Planning Document to the Acting Director of Regeneration and Growth in consultation with the Portfolio Lead for Economic Growth and High Streets.
6. DOMESTIC VIOLENCE SERVICES REQUEST TO TENDER

Councillor Ali presented the reports to Cabinet setting out the recommendations to agree the tender exercise to re-commission specialist refuge services to support the victims of domestic abuse in the Borough. The proposed contract period is for 3 years with an option to extend for 2 years which will ensure the safety and wellbeing of families in need.

Cabinet:

AGREED the tender exercise to re-commission specialist refuge services to support victims of domestic violence and their children and DELEGATED authority for the award of the contract to the Deputy Chief Executive Families.

APPROVED the re-focusing of refuge services towards non-culturally specific provision for victims and children who are assessed as high risk.

APPROVED the re-commissioning of a specialist refuge service for women at risk of forced marriage.

The proposed contract period is three years with an option to extend for two years but is subject to available funding and contracts awarded will have break clauses subject to funding.

AGREED the tender exercise to commission services to support victims, children and the perpetrators of domestic violence and DELEGATED authority for the award of the contract to the Deputy Chief Executive, Families.

The proposed contract period is three years with an option to extend for two years but is subject to available funding and contracts awarded will have break clauses subject to funding.

7. PROPOSED SCHOOL ADMISSION ARRANGEMENTS 2016/17

Councillor Mark Rusling presented the report to Cabinet recommending the approval of the admission arrangements for community and voluntary controlled schools in Waltham Forest for 2016-17.

There are two main changes with a small number of schools opting out. This involves the addition of a further oversubscription criterion to give priority to children of staff in specific circumstances. Namely where the member of staff has been employed in the school for more than two years at the time the school admission application is made and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

Cabinet APPROVED the admission arrangements for community and voluntary controlled schools in Waltham Forest for 2016-2017.
8. **WALTHAMSTOW HIGH STREET FUND PROJECTS**

Councillor Coghill presented the report to Cabinet setting out the Walthamstow High Street Fund Project and detailing the very successful partnership which has developed with the Greater London Authority and Mayor of London which has brought a funding allocation of £670k to the Borough. This will seek to support the night time economy in Walthamstow town centre expanding on the development of the cinema complex to develop an area of outstanding vibrancy. This will also include the market space area which needs to be revived to cater for a “twilight scene”. Councillor Coghill thanked Lucy Shomali and her team for the excellent work involved in this project.

Cabinet:

- **AGREED** the Walthamstow High Street Fund Project (value of £1.34m)
- **NOTED** that in principle the funding allocation from the GLA of £670,000 towards the project, and
- **AGREED** to accept the allocation subject to signing of a grant agreement with the GLA.

9. **SUSTAINABLE PROCUREMENT POLICY**

Councillor Coghill presented the report of Dave Levy to Cabinet recommending the approval of the refreshed Sustainable Procurement Policy. Councillor Coghill extended her thanks to the officers involved in producing the Policy which will ensure the Council’s commitment towards sustainability in the way it procures goods services and works, particularly, the need to make the best possible use of local contractors.

Cabinet:

**APPROVED** the refreshed Sustainable Procurement Policy for implementation.

10. **HOUSING ALLOCATIONS SCHEME**

Councillor Limbajee presented the report of Nick Powell to Cabinet introducing the Councils Housing Allocations Scheme which sets out how housing applicants are prioritised for social housing in the Borough. Cllr Limbajee highlighted the fact that London is currently going through a housing crisis with demand far exceeding available housing provision. LBWF have a very ambitious programme to develop 12,000 new homes over the period of five years. Due to the number of people waiting to be housed totalling in the region of 15,000 there is a need for the Council to look again at the allocations procedure. The main changes are contained within the report at paragraphs 3.2.1 to 3.2.6 in bold. This includes an extended residency test of four years rather than two and to award extra priority to applicants who are making a community contribution by working, volunteering, fostering or who were previously in HM Armed Forces or are
in training that will lead to employment. The rules in relation to sharing have also been amended together with the increased use of “transfer led lettings”.

It was acknowledged by the Chair that the criteria with the most impact would be the residency test. There were no further questions.

Cabinet:

- **APPROVED** the proposed major changes to the Waltham Forest Allocations Scheme as set out in the report.
- **DELEGATED** any further minor technical changes to the Allocations Scheme to the Special Housing Adviser in consultation with the Portfolio Lead for Housing (as per Appendix 1).

11. **NEW HOMES BONUS FUNDING ALLOCATION FOR REGENERATION PROJECTS**

Councillor Clare Coghill was delighted to present this report to Cabinet which detailed that the NHB top slice allocation for April 2015 to March 2017 is £1,294,340. This funding is secured for the Borough through a bidding process which is coordinated by London Councils on behalf of the London LEP. There will be significant investment in Highams Park and South Leytonstone to improve the physical environment through shop front and public realm improvements. There will also be a tremendous opportunity to attract new business and development into the Black Horse Lane area.

Money will be received to include both a housing and business focus demonstrating a new era for the Borough.

Councillor Coghill gave thanks to Lucy Shomali and her team in developing this work.

Cabinet:

**NOTED** the overall NHB allocation of £1,294,340 from the London LEP and **APPROVED** the allocation of this funding to:

- Improvements to the physical environment of Highams Park through shop front and public realm improvements (£100,000)
- Improvements to the physical environment of South Leytonstone through shop front and public realm improvements (£500,000)
- Measures to support residents into work through job brokerage (£514,340)
- A feasibility analysis into the establishment of a cluster of creative industry work spaces in Blackhorse lane (£80,000), and
- Management and contingency for the projects (£100,000)

12. **DEFERRED PAYMENTS POLICY UPDATE FOR THE CARE ACT 2014**

Councillor Angie Bean presented this report to Cabinet which explains the proposed changes to the Deferred Payment Policy brought about by the Care Act 2014 requesting that implementation be from 1st April, 2015.
This will allow clients who enter residential care to enter into a deferred payment agreement with the Council rather than have to sell their property to cover their fees. It will be possible to defer payments until death with property remaining in client ownership and payments realised at a later date.

Cabinet:

- **APPROVED** the new Deferred Payment policy
- **AGREED** that the Council will charge compound interest on the deferred payment amounts and on administrative charges as set out in the scheme. The interest rate chargeable will be the nationally set maximum interest rates plus 0.15% as permitted under the regulations. This will be updated every six months in line with national publications.
- **DELEGATED** authority to the Deputy Chief Executive for Families to amend the scheme in line with changes made by statutory provisions.

13. **DELEGATION TO LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE**

Councillor Clyde Loakes presented the report to Cabinet setting out the formal delegation of certain functions concerning the Parking on Private Land Appeals Service (POPLA) to the London Council’s Transport and Environment Committee. This clarifies the position in relation to the appeals process.

Cabinet:

- **DELEGATED** to the London Council’s Transport and Environment Committee (LCTEC) the exercise of section 1 of the Localism Act 2011 for the sole purpose of providing an appeals service for parking on private land for the British Parking Association under contract.
- **AUTHORISED** the Director of Governance to take all relevant steps to give effect to the delegation about through a formal variation to the LCTEC Governing Agreement.

14. **LEA BRIDGE ROAD STATION - IMPLEMENTATION AGREEMENT WITH NETWORK RAIL FOR THE MAIN ELEMENT OF THE CONSTRUCTION PHASE.**

Councillor Loakes was very happy to provide a significant update in relation to this project in presenting the report seeking the agreement of Cabinet to enter into a legal agreement with Network Rail to deliver the main construction phase of Lea Bridge Station. There is still a challenge ahead with freight companies using this piece of line but there is optimism that negotiations will be successful. This agreement will ensure that funding is maintained in place rather than having to go through the process again to secure it.

Negotiations have been taking place involving Cllr Loakes and the Chief Executive, Martin Esom which have been productive and progress is being made. The estimated cost of the project is £11.652 million.
Cabinet AGREED to enter into an implementation agreement with Network Rail to deliver works up to 80% of the full value of the contract.

15. MARLOWE ROAD DEVELOPMENT AGREEMENT

Councillor Limbajee presented the report to Cabinet detailing the proposed Marlowe Road Development, contract award. The Council will be working with Countryside Properties Limited to bring the project forward. The Council will be replacing 150 properties “like for like”. The Equity Transfer scheme will be made available in relation to 40 properties and the Council’s shared ownership scheme will ensure that buyers will get more for their money.

There have been issues around Compulsory Purchase and it was proposed that Cabinet delete the recommendation in the report at 2.1.4., which was agreed.

Three members of the public attended the meeting concerned about this issue. Maria Moradi from Wood Street Dental Surgery attended with the Practice Manager, Lorraine Sandwell and explained to the Cabinet that she was a local dentist serving the community with 12,000 patients. Her work is ground breaking as she tackles specific work in conjunction with Whipps Cross Hospital to diagnose and treat oral cancer. Her leasehold property is situated at 176 Wood Street and she has liaised with the Freeholder and is very concerned that she will be within the CPO remit. Ms Moradi reported that her patients are scared for the future and do not know where they stand. As a dentist serving the local community the Council needs her services and now Ms Moradi appealed to the Cabinet for them to help her.

Councillor Limbajee indicated that Ms Moradi’s property was safe with the agreed amendment to the recommendations. The three freeholders mentioned in paragraph 2.1.4 will not now be a CPO. If they wish to sell then all three must do so any one will be able to veto rendering the property safe.

There will be further discussions in relation to these properties. Linda Bracey, Director of Electro Signs Limited, also attended concerned with one of the three properties affected at paragraph 2.1.4. Ms Bracey thanked the Cabinet for clarifying the position and agreeing to exclude the properties.

There were no further questions.

Cabinet:

- AGREED that the Council enter into a development agreement together with other associated documentation as detailed in the report with Countryside Properties (UK) Limited as the development partner for the redevelopment of the Marlowe Road Estate.
- AGREED that the Council will dispose of an interest of part of the development site to CP for the provision of private sales homes with the final terms of such disposal to be DELEGATED to the Assistant Director of Asset Management and Delivery in consultation with the Portfolio Member for Growth and High Streets.
• **AGREED** that the Council enter into a Compulsory Purchase Indemnity Agreement (CPOIA) with Countryside Properties (UK) Limited to enable the Council to proceed (if necessary) with a compulsory purchase as set out in the Cabinet Report dated 9th July 2013.

• **DELEGATED** to the Special Housing Advisor, in consultation with the Portfolio Member for Housing and the Directors of Finance and Governance, the authority to agree the terms of development agreement and other associated documentation in their final form.

• **AGREED** that the option of an “Equity Transfer” scheme is made available as set out in paragraph 3.25 and 3.26 of the report to enable some existing leaseholders to remain on the estate.

### 16. ADVICE SERVICES PROCUREMENT

Councillor Coghill presented this report to Cabinet regarding the procurement of information, advocacy and advice services. The new model will ensure that all members of the community are represented and assisted appropriately. Councillor Coghill gave thanks to Una McCarthy and David Levy for organising a very successful event which helped to ensure the obligations under the Care Act 2014 are met. There will be further updates to Cabinet in future months.

Cabinet:

• **APPROVED** the proposed procurement programme for the provision of Information, Advice and Advocacy Services contract to commence on 1st September, 2015.

• **DELEGATED** authority to the Director of Neighbourhoods and Commissioning and the portfolio Lead Member to agree the final specification and equality impact assessment following the outcome of the public consultation.

• **DELEGATED** authority to the Chief Executive in consultation with the Director of Neighbourhoods and Commissioning and the Portfolio lead Member to award the contract to the successful supplier.

### 17. PROCUREMENT OF TEMPORARY ACCOMMODATION

Councillor Khevyn Limbajee presented the report to Cabinet detailing the proposed procurement of temporary accommodation from 13th May, 2015. The spend on temporary accommodation totals £19 million. There is a grant in place and this cost is likely to increase. The current framework comes to an end in May this year. A great deal of work has gone into securing the best possible procurement which is a collaborative approach together three other London Boroughs. This is a pilot scheme for one year only which will be monitored and the Council will explore how excellent provision can be made whilst keeping costs down.

Cabinet:

• **NOTED** an extension of the existing framework agreement for a period of up to 12 months for homeless applicants and those assessed as homeless.
• **DELEGATED** the decision on whether to use a Dynamic Purchasing System to procure temporary accommodation on a pilot basis as set out in 3.12 of the report, to the Specialist Housing Advisor and the Director of Finance in consultation with the Portfolio Holder for Housing.

18. **MONTHLY FINANCIAL MONITORING REPORT 2014/15**

Cabinet agreed to receive the monthly financial monitoring report.

Cabinet:

• **NOTED** the revenue financial position at month 10.
• **APPROVED** the capital budget changes totalling £10.315 million (reduction) listed in Appendix B to the report.
• **NOTED** the capital financial position at month 10.

The meeting closed at 2.54pm

Chair's Signature  

Date