LONDON BOROUGH OF WALTHAM FOREST

CABINET MEETING – Wednesday, 8 November 2017

RECORD OF DECISIONS TAKEN

This document outlines the decisions taken at the above Cabinet meeting.

Unless otherwise indicated, executive decisions listed in this document will come into force and may then be implemented 5 working days after publication of this document. During that period the Director of Governance and Law may call in a decision for scrutiny if so requested by no fewer than 4 Members of the Council (Paragraph 11 of Part 6 of the Council’s Constitution; Overview and Scrutiny Procedure Rules: Call-in Procedures).

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1. **MINUTES OF CABINET**

   The minutes of the meeting held on 10 October 2017 were agreed as an accurate record and signed by the Chair.

2. **SCRUTINY REPORT: COMMUNITIES - GANG PREVENTION**

   Cabinet noted the content of the report and agreed adopt recommendation 7 and to amend recommendation 1-6, as set out in appendix 2 of the report.

   **Reason For Decision:** as outlined in the report.

3. **SCRUTINY REPORT: HOUSING**

   Cabinet noted the content of this report and agreed to adopt recommendations 1 - 13, and to amend recommendations 14 and 15 as outlined in appendix 2 of the report.

   **Reason For Decision:** as outlined in the report.

4. **SCRUTINY REPORT: NEIGHBOURHOOD CUSTOMER SERVICES**

   Cabinet noted the content of the report and agreed to adopt recommendations 1, 3, 5, 6, 7 and 8, and to amend recommendation 2 and 4, as set out in appendix 2 to the report.
Reason For Decision: as outlined in the report.

5. SCRUTINY REPORT: HEALTH - SUBSTANCE MISUSE
Cabinet noted the content of the report and agreed to adopt recommendations 4, 5, 6, 7, and 8, and to amend recommendations 1, 2 and 3 as outlined in appendix 2 of the report.

Reason For Decision: as outlined in the report.

6. SCRUTINY REPORT: BUDGET & PERFORMANCE
Cabinet noted the content of the report and agreed to adopt all of the recommendations from the Budget and Performance Scrutiny Committee as detailed in appendix 2 of the report.

Reason For Decision: as outlined in the report.

7. COUNCIL PRIORITIES CONSULTATION
Cabinet agreed to adopt the Council priorities and pledges in Appendix B of the report for the period up to 2020 and agreed the recommendation to include an additional pledge in response to feedback that arose during the consultation.

Cabinet noted that further interrogation and analysis of the feedback would take place over the next few months and a full report on residents’ views would be released in the New Year. This information will help the council to have a greater understanding of residents’ views and will help shape the Council’s policy decisions.

Other options considered: It was not necessary to consider any other options as the proposal was a statutory obligation.

Reason For Decision: as outlined in the report.

8. SENIOR MANAGEMENT UPDATE: CREATION OF A STRATEGIC DIRECTOR FOR ECONOMIC GROWTH
Cabinet agreed to create a new Chief Officer position, Strategic Director for Economic Growth.

Other Options Considered: The proposal to create this new position has been subject to consultation with affected staff. During the consultation period, an alternative proposal was received and considered. Further information is set out in section 6 of the report.

Reason For Decision: as outlined in the report.
9. CONSULTATION ON CLOSURE OF A DEMENTIA SUPPORT SERVICE

Cabinet agreed that there be a consultation on the proposal to decommission the current Dementia Support Service and re-invest in a new model of support.

Cabinet agreed to delegate to the Deputy Chief Executive, in consultation with the Portfolio Holder for Adult Social Care, the decision on the future of the existing service provision having due regard to the outcome of the consultation and any representations received.

Other Options Considered: To do nothing and the service continues as normal. This option was not recommended since the service would continue as a high-cost provision that supported limited numbers of residents with dementia whilst being unable to demonstrate benefits and outcomes; nearly 50% of service users would continue to access the Support Groups without demonstrating a dementia diagnosis or dementia need; and required savings would not be achieved.

The Dementia Support Service could continue with a Service Improvement Plan being developed and implemented. This may ensure that the service had a service specification, KPIs and outcome monitoring, a clear referral pathway and clarity as to where it aligned with services for people with dementia. This option was not recommended since it would entail the service continuing as a high-cost provision which supported limited numbers of residents with dementia; there was evidence that better outcomes would be achieved through an alternative model of support which would also achieve the required saving target.

Reason For Decision: as outlined in the report.

10. CONTRACT AWARD FOR YOUNG PEOPLE SPECIALIST EARLY RESPONSE SERVICE

Cabinet approved the award of a contract to the North East London Foundation Trust to deliver the Young People Specialist Early Response Service on behalf of the London Borough of Waltham Forest, from 1st April 2018, for a period of three years with an option to extend for up to two further years.

Other Options Considered: The alternative option would be to not award this contract. However, the current contract arrangements were due to expire on 31st March 2018. The Council therefore needed to ensure that a new arrangement was in place by 1st April 2018. The service provided essential interventions to young people most vulnerable to poor health outcomes, and provided evidence based interventions proven to effectively reduce harm and improve life chances for these young people. Therefore maintaining this service was a priority.

Reason For Decision: as outlined in the report.
11. FIRE SAFETY IN WALTHAM FOREST

Cabinet noted the Council’s current arrangements in respect of fire safety and agreed that a programme be developed for the installation of sprinklers in high priority blocks.

Other Options Considered: the report primarily set out how the Council is fulfilling statutory duties and responsibilities. There was no statutory requirement at the time to install sprinklers retrospectively and it was therefore possible to defer a decision on this until guidance and recommendations for the Grenfell Tower enquiry and the review of building regulations were available.

Reason For Decision: as outlined in the report.

12. HOUSING REVENUE ACCOUNT (HRA) MEDIUM TERM FINANCIAL STRATEGY

Cabinet noted the forecast for the HRA in Appendix 1 of the report and agreed the revised capital programme shown in appendix 3 of the report.

Cabinet noted the increasing balance of retained RTB capital receipts which were subject to deadlines for spending as set out in appendix 6 of the report.

Other Options Considered: This report sets out the legal framework and latest forecasts within which the Council formulate detailed plans for capital and revenue expenditure.

Reason For Decision: as outlined in the report.

13. APPROVAL TO CREATE A NEW CHARITABLE COMPANY - RIGHT TO BUY (RTB) 141 RECEIPTS

Cabinet approved the establishment of a Community Benefits Society (CBS) charitable entity, for the objects and purposes set out in the report.

Cabinet agreed to delegate authority to the Director of Housing in consultation with the Director of Finance and Governance to:

(a) appoint professional consultants to provide financial, commercial and legal advice as required; and
(b) take all necessary actions and agree all appropriate documents to establish and incorporate a Community Benefits Society (CBS) charitable entity.

Other Options Considered:

Short term

Funding the Council’s new build programme on garage sites: this would provide
200 new homes with a spend budget of about £34m. However due to the HRA cap, we cannot progress any further schemes this way.

Supporting housing association developments: this had included 1C The Drive (with Walthamstow and Chingford Almshouse Charity), Stonelea and Thornbury (with Family Mosaic), Hoe Street (with New Islington and Hackney) and others in the pipeline. The housing associations provide the additional 70% of funding to make the scheme stack up (total scheme costs approx. £24.8m, using RTB of £7.5m).

An initiative with Heylo Housing, Let's Share: allows local authorities to buy a share of an existing home and then sub-let the property to a tenant, reducing the amount of capital investment required, and increasing the availability of properties for rent. This initiative is currently being progressed with Heylo Housing and will be piloted with 20 properties with a target spend of £6m.

An agreement with Local Space is being finalised to purchase up to 50 properties for £20m of eligible expenditure, as well as ensuring nomination rights for temporary accommodation housing.

Medium/Long Term

3.6.1 The Council has the option to take no action, the do nothing option. However, as indicated earlier, this would result in the Council having to pay back the Right to Buy (RTB) receipt funding to the Treasury with base rate plus 4% compound interest. There would also be minimal provision of new affordable homes because of the issues previously outlined. The interest cost could be substantially reduced by repaying early any receipts which it was clear could not be used. Cabinet approved delegated powers on 8th November 2016 to the Director of Finance to make early repayments if this is financially prudent.

3.6.2 Many local authorities are now addressing this common problem by establishing either a joint venture (JV) partnership or an independent charitable entity through which these RTB receipts can be utilised for new affordable homes.

3.6.3 The Council is unable to use these RTB receipts for new homes in any wholly owned or Council controlled entity (such as Waltham Forest Developments Limited - WFD) directly which is why a non-controlled JV or Independent Charitable entity is required.

3.6.4 The key considerations under this model are the ability for the council to pass RTB retention monies to the new entity; and the ability to pass land to the new entity in order to enable it to develop.

3.6.5 A JV Partnership ties the Council in with one provider partner unless the Council choses to establish a number of different JV partnerships. Establishing a number of partnerships would not be ideal adding to costs and placing undue administrative, management, and reporting burdens
3.6.6 Establishing a charitable entity such as a Community Benefits Society (CBS) as opposed to a JV partnership has tax advantages and the CBS can choose whom it collaborates with for which development in which area. It is not tied to any particular JV partner provider. As a result, many councils are now choosing a CBS model as their preferred option.

3.6.7 Both are tried and tested solutions used by many councils up and down the country. The Council has the legal powers to establish and operate either model. Neither the JV partnership or the Charity can be controlled by the Council, they must be seen as independent bodies to qualify and receive the RTB funds for affordable homes.

3.6.8 Establishing a JV Partnership or CBS solution will enable the Council to make best use of the substantial RTB receipts and avoid returning the funds to the Treasury together with interest payments on the money.

Reason For Decision: as outlined in the report.

14. PROVISION OF PENSION SCHEME FOR MEMBERS AND OTHER NON-ELIGIBLE APPLICANTS TO THE LOCAL GOVERNMENT PENSION SCHEME

Cabinet approved the creation of a Defined Contribution Scheme for Councillors and Election Staff to join.

Cabinet noted that whilst not part of the scheme, the Councillors allowances scheme should include a note on the availability of a pension scheme for members.

Cabinet agreed to delegate the procurement of the Defined Contribution Scheme to the Strategic Director of Finance & Governance.

Other Options considered: The alternative option to the above would be to do nothing. This would result in the following:

(a) The budget provision agreed by Council would no longer be required;

(b) There may be problems in attracting and retaining the right people to become Councillors; and

(c) Would require the Returning Officer to still procure a pension scheme for election staff.

Reason For Decision: as outlined in the report.

15. BUDGET REVIEW FEES & CHARGES 2018/19

Cabinet agreed the schedule of Fees and Charges as set out in Appendix 1(iii) of the report, so far as they relate to fees and charges that were not reserved for
Council decision by the provisions of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended).

**Other Options Considered:** In the case of fees set by statute and/or regulation there was no discretion as to the level of charges. For other charges, the rates were discretionary and the Council had power to freeze, decrease or increase fees by a different rate. However, setting fees at a lower rate or reduced rate of increase was likely to increase the Council's overall savings targets for 2019/20 and beyond.

**Reason For Decision:** as outlined in the report.

16. **MONTHLY FINANCIAL MONITORING REPORT**

Cabinet noted the projected revenue expenditure position was break even as at month 6 and approved an allocation of £500,000 from the Priorities Fund for Parks and Open Spaces. This funding would be allocated equally between the 20 wards, to provide a budget of £25,000 per ward, to be spent on planting and landscaping, park buildings and events in parks.

**Other Options Considered:** Much of the report was concerned with provision of information, for which alternative options was not a relevant consideration.

**Reason For Decision:** as outlined in the report.