

LONDON BOROUGH OF WALTHAM FOREST MINUTES OF THE CABINET

12 January 2023 at 2.00 pm

PRESENT:

Chair:	Councillor Grace Williams	Leader of the Council
Cabinet Members:	Councillor Ahsan Khan	Deputy Leader (Housing and Regeneration)
	Councillor Naheed Asghar	Portfolio Lead Member - Health and Wellbeing
	Councillor Vicky Ashworth	Portfolio Lead Member - Jobs, Social Inclusion and Equalities
	Councillor Paul Douglas	Portfolio Lead Member - Public Service
	Councillor Khevyn Limbajee	Portfolio Lead Member - Community Safety
	Councillor Louise Mitchell	Portfolio Lead Member - Adults
	Councillor Rosalind Doré	Cabinet Commissioner - Culture
	Councillor Sharon Waldron	Cabinet Commissioner - Customer Experience
	Councillor Elizabeth Baptiste	Cabinet Commissioner - Shaping Places
	Councillor Kizzy Gardiner	Cabinet Commissioner - Youth Hubs and Engagement

(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 Richard Sweden

Officers in Attendance:

Martin Esom	Chief Executive
John Turnbull	Strategic Director of Finance and Governance
Stewart Murray	Strategic Director of Place
Mark Hynes	Director of Governance and Law
Ian Buckle	Head of Electoral and Democratic Services
Jenny Richards	Democratic Services Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Alastair Strathern and Clyde Loakes.

2. DECLARATIONS OF INTEREST

No declarations were made.

3. MINUTES OF CABINET

The minutes of the previous meeting, held on 3 November 2022, were agreed and signed as a correct record.

4. FINANCIAL MONITORING

The Leader of the Council introduced the report and, in so doing, noted that net pressures of £11.444m had been identified in the Month 8 monitor. This was attributed to a combination of pressures in Adult Social Care, Children's Social Care, SEND Services, Libraries, Registrars & Ceremonies, and the ASB (Anti-Social Behaviour) Team. The Leader drew attention to the actions that were being taken in response, including the introduction of a Special Task Group that would keep the Leader and Chief Executive apprised of significant financial risks to ongoing capital projects and service delivery, and the directive to Strategic, Executive, and Service Directors to identify management actions that would mitigate reported pressures.

The Leader highlighted that the report sought approval for up to £0.631m working capital loan facility to be made available to Soho Theatre Walthamstow

The Leader thanked officers in the Finance and Revenues and Benefits departments for their work to manage the pressures of the cost-of-living crisis.

Decision

Cabinet:

- 1) Noted that as a result of the current financial uncertainties, a special Task Group has been formed to ensure the Leader and CEO are fully briefed by the Council's s151 Officer, on any significant financial risks to ongoing capital projects and service delivery in order that any urgent decisions can be taken to ensure that the financial stability of the Council is maintained.
- 2) Approved Strategic / Executive / Service Directors continue to identify management actions to mitigate any reported pressures and report those mitigations to the Director of Financial Services, which is in line with financial ground rules reaffirmed by Cabinet in May 2022 budget monitoring report.
- 3) Noted the anticipated outturn at Month 8 shows £11.444m in-year pressure. This will be reviewed over the coming months and actions taken to achieve a balance position for the year end, following service mitigation / plans provided

(agreed in 2.1.2), and the potential use of corporate resources to maintain a balanced position at year-end.

- 4) Approved up to £0.631m working capital loan facility to be made available to Soho Theatre Walthamstow as per the terms set out in section 4 (the offer) of Appendix 1.

5. ADULT SOCIAL CARE TRANSPORT POLICY

Councillor Mitchell introduced the report and, in so doing, advised that the proposed policy would enable staff and residents to better understand service users' entitlements to adult social care transport, ensure consistent and equitable service provision, and provide accurate data on the use of adult social care transport services in the borough. Councillor Mitchell outlined the support the policy included and advised that it had been based on the principles of promoting service users' independence and maximising their choice and control. Councillor Mitchell advised that the policy had been scrutinised by the Adult Social Care Scrutiny Committee and that the recommendations in their referral, attached at appendix 8, had since been responded to.

Councillor Sweden thanked Councillor Mitchell for bringing the policy to Cabinet and acknowledged that such a framework was necessary for adult social care transport to be delivered equitably. Councillor Sweden noted that, following recommendations of the Adult Social Care Scrutiny Committee, the number of service users engaged with had doubled, legal assurance had been sought confirming the policy did not conflict with the Equality Act, and the Committee had been assured that the policy would be person-centred and would not allow automatic exclusions, for instance, of those in possession of mobility vehicles, before individual circumstances were assessed. Councillor Sweden advised that the Committee had been assured that the introduction of the policy was not a cost saving exercise and was intended to enhance the independence of service users. In light of the responses to the recommendations of the Adult Social Care Scrutiny Committee as outlined, Councillor Sweden encouraged Cabinet to endorse the policy.

Decision

Cabinet:

- 1) Agreed the Adult Social Care Transport Policy at Appendix 1.

6. DRAFT LOCAL FUNDING FORMULA FOR SCHOOLS

The Leader of the Council introduced the report and, in so doing, advised that the proposed formula allocating resources through the dedicated schools grant had been agreed in consultation with the Schools Forum. The Leader acknowledged partnership work between the Council and schools was key to managing financial and staffing challenges and to maximising the use of resources where schools were at risk of a deficit. The Leader thanked headteachers, schools and the Education Team for their partnership work.

Decision

Cabinet:

- 1) Approved the draft Schools Block Local Funding Formula for 2023/24 for 5- to 16-year-olds at Appendix A. After running the formula, if there are unallocated funds, these are allocated through raising the rates for Basic Entitlement (AWPU), subject to the maximum permitted. If these upper limits are reached, any further funds will be applied to the Growth Fund.

7. SCHOOL ADMISSIONS DETERMINED ARRANGEMENTS 2024-25

The Leader of the Council introduced the report and, in so doing, thanked the Admissions Team for their extraordinary work on applications, noting that Waltham Forest had one of the best records for allocating first choices of schools.

Decision

Cabinet:

- 1) Approved the school admissions determined arrangements for 2024/25 for community and voluntary controlled schools at Appendix A.

8. ENERGY EFFICIENCY LOANS FOR MAINTAINED SCHOOLS

The Leader introduced the report and, in so doing, spoke to the importance of the scheme therein, observing that school buildings were often highly energy inefficient and stating that this pilot was an opportunity to help reduce school energy consumption on the way to achieving the Council's Zero-Carbon target by 2030. The Leader noted that schools were key stakeholders in the Council's Climate Action Plan.

Decision

Cabinet:

- 1) Agreed to allocate £500,000 from Council Capital resources to support a pilot of an energy efficiency loan scheme for maintained schools.
- 2) Delegated to the Strategic Director of Finance and Governance in consultation with the Director of Governance and Law to devise a documented scheme that details the conditions attaching to any payments made under such a scheme and the decision-making process under such a scheme.

9. LOCAL COUNCIL TAX SUPPORT SCHEME

Councillor Vicky Ashworth introduced the report and, in so doing, outlined the proposed changes to the Local Council Tax Support Scheme detailed therein. Councillor Ashworth highlighted that the Council's statutory duty to consult with residents had been fulfilled with wide reaching engagement that had returned a satisfactory response rate. Councillor Ashworth advised that residents were supportive of the changes which increased the maximum support available to

working aged people. Councillor Ashworth explained that the proposal sought to cover the additional funding gap with already achieved in-year income collection specifically related to invoiced Housing Benefit overpayments caused by fraud or failures to report changes in circumstances. Councillor Ashworth thanked John Turnbull and Nalda Russell-Stowe for their work on the scheme.

Decision

Cabinet:

- 1) Recommended to Full Council that the proposed scheme outlined in this report is adopted as the Council's Scheme for Council Tax Support from 1 April 2023. Under this scheme the maximum support awarded to working aged people receiving support would increase to be 85%. This represents a 9% increase in the level of support compared to the current maximum support level of 76%. All other aspects of the current scheme would continue as now.
- 2) Recommended to Full Council that the Council continues with the £750,000 earmarked in reserves for a Discretionary Hardship Fund under section 13A(1)(c) of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012, to offer additional help and support to those suffering the greatest financial hardship as defined in the Discretionary Housing Payment and Council Tax Hardship Scheme published on the Council's website. Current 2022/3 scheme attached (Appendix 2).
- 3) Recommended delegated responsibility to make any minor and consequential changes necessary to the detailed provision as a result of any changes in the regulations upon which the scheme is based is given to the Strategic Director of Finance and Governance following consultation with the Portfolio Lead Member Jobs, Social Inclusion and Equalities.
- 4) Noted that the scheme will continue to fully disregard War Widows & War Widowers pensions for all applicants. Other incomes, for example, Child Benefit and disability benefits such as Personal Independence Payments will also continue to be ignored when calculating entitlement to Council Tax Support.
- 5) Noted that the remaining provisions of the Council's scheme for 2023/24 will be as published on the Council's website.
- 6) Noted that the cost of the scheme significantly exceeds the assumed Government funding envelope. The projected cost of the whole scheme is identified as £19.57million which is £1.26million more than 2022/23 (£18.31million). This will be reflected in the calculation of the council tax base for 2023/24 and included within the next MTFS as part of the budget setting process. The additional £1.26million required to fund the changes proposed to the scheme will come from in-year invoiced debt collection that has already been achieved.
- 7) Noted that before any significant changes to the scheme reducing or removing support could be made that a statutory consultation would need to be carried out.

10. EXCLUSION OF PRESS AND PUBLIC

Cabinet agreed not to exclude the press and public from the meeting for consideration of agenda items 11 and 12 as Members present agreed not to discuss the content of the exempt appendices.

11. SIXTY BRICKS PHASE 2: PRIORY COURT SCHEME

Councillor Khan introduced the report and, in so doing, spoke to the successes of Phases 1 and 2 of the Sixty Bricks business plan. Councillor Khan noted that, for Phase 2, Sixty Bricks had carried over a commitment to deliver over 50 percent of their homes as affordable. Councillor Khan highlighted that Sixty Bricks developments included additional enhancements such as street lighting and CCTV that would benefit existing communities in the local areas they developed as well as new residents.

The Leader seconded this, acknowledging the economic challenges in which Sixty Bricks was operating and the importance of their commitments to affordable housing and community benefits.

Decision

Cabinet:

- 1) Agreed to a new capital budget of £17.253m in the Housing Revenue Account (HRA) capital programme funded by sales of shared ownership properties, Right to Buy receipts, and other housing capital resources to fund the affordable housing element of the scheme.
- 2) Agreed to a new capital budget in the General Fund of £17.506m to fund the loan to Sixty Bricks Ltd; the loan will be funded by borrowing.
- 3) Delegated authority to drawdown an additional budget of up to 10% variation for the Priory Court scheme to the Strategic Director, Place in consultation with the Strategic Director of Finance and Governance. The variation will be funded by both the HRA and General Fund. This was included at the Nov '22 Cabinet as part of the £130m, development packed for the Sixty Bricks Phase 2 pipeline.
- 4) Agreed that the Council make a loan available to Sixty Bricks Ltd of up to £17.506m based on a loan agreement, and the financial appraisal in Appendix A, with the final terms of the loan delegated to the Strategic Director of Finance and Governance in consultation with the Corporate Director of Housing.
- 5) Agreed that the Council enter into a Development Agreement with Sixty Bricks Ltd, with the final terms delegated to the Strategic Director, Place in consultation with the Commercial Director of Property & Delivery and the Strategic Director of Finance and Governance.
- 6) Agreed that the Council grant leases for the land outlined in Appendix B, to Sixty Bricks Ltd, who will develop the Priory Court site in accordance with the terms of the Development Agreement.
- 7) Agreed that the final terms of any leases be delegated to the Commercial Director of Property & Delivery in consultation with the Strategic Director, Place and the Strategic Director of Finance and Governance.

12. MARLOWE ROAD REGENERATION

Councillor Khan introduced the report and, in so doing, spoke of the investment opportunity the Marlowe Road Regeneration newbuild homes represented. Councillor Khan noted that, through negotiation with the Greater London Authority (GLA), a higher Affordable Homes grant for shared ownership had been secured. Councillor Khan thanked Meera Kumar and Stewart Murray for their work to achieve this.

The Leader seconded Councillor Khan's thanks to officers for pushing forward on affordable housing targets.

Decision

Cabinet:

- 1) Approved a budget, as set out in the exempt Appendix A, for the acquisition of 47 Shared Ownership units in Block S1 at Marlowe Road Regeneration.
- 2) Delegated authority to the Corporate Director of Housing, in consultation with the Portfolio Lead Member for Housing & Regeneration, the Commercial Director, Property and Delivery, and the Strategic Director of Finance and Governance to approve the final commercial terms of the acquisition and enter into all associated legal documents.
- 3) Approved a Deed of Variation to the Marlowe Road Development Agreement to reflect amendments necessary in the event that the Council agrees a deal to acquire the units.
- 4) Delegated authority to the Corporate Director of Housing, in consultation with the Portfolio Lead Member for Housing & Regeneration, the Commercial Director, Property and Delivery, and the Strategic Director of Finance and Governance to approve the final amendments to the Development Agreement.
- 5) Approved that the 47 Shared Ownership units are disposed of to the open market in line with the Council's Shared Ownership policy.

The meeting closed at 2.24 pm

Chair's Signature _____

Date _____