CABINET

Monday 17 December 2018 at 5.00 pm

MINUTES

PRESENT:

Cabinet Members:
Councillor Matthew Bennett
Councillor Jennifer Brathwaite
Councillor Edward Davie
Councillor Jim Dickson
Councillor Jacqui Dyer
Councillor Paul Gadsby
Councillor Claire Holland
Councillor Jack Hopkins
Councillor Lib Peck
Councillor Mohammed Seedat
Councillor Andy Wilson

Portfolio:
Cabinet Member for Planning, Investment & New Homes
Deputy Leader of the Council (Children and Young People)
Cabinet Member for Health and Adult Social Care (job share)
Cabinet Member for the Voluntary Sector, Partnerships and Community Safety (job share)
Cabinet Member for Health and Adult Social Care (job share)
Cabinet Member for Housing
Cabinet Member for Environment and Clean Air
Deputy Leader of the Council (Jobs, Skills and Performance)

Apologies for absence

Also present:
1. **DECLARATIONS OF PECUNIARY INTEREST**

There were none.

2. **MINUTES OF PREVIOUS MEETING**

**RESOLVED:** That the minutes of the previous meeting held on 15 October 2018 be approved and signed by the Chair as a correct record of the proceedings.

3. **NOVEMBER FINANCE PLANNING AND MEDIUM TERM STRATEGY REPORT 2018 TO 2023**

The Cabinet Member for Finance, Councillor Andy Wilson, introduced the report and advised that the Council’s budget had been cut by £238m since 2010, one of the highest cuts of any council in the country. Over the next four years, rising demand and further government cuts meant the Council had to find a further £43m. He also stated that in determining the saving proposals, focus was on how to protect frontline services. The Council had launched a six-week public consultation on the plans, asking residents for their views.

The Director of Finance and Property, Christina Thompson, advised Cabinet that the purpose of the report was to provide an update on the Medium Term Financial Strategy (MTFS) and the savings proposals to ensure that the gaps in funding were addressed. Despite the scale of the challenge, the Council’s MTFS focused on protecting most front-line services from major cuts and identified the bulk of savings from back-office efficiencies, new income and reducing demand. She also advised that, the future of local government finance had fundamentally shifted away from direct government grant to self-sufficiency. Where previously the majority of council funding came directly from central Government it was now generated locally.

In summary the Leader of the Council, Councillor Lib Peck, said that:

- the reality of the cuts imposed by central Government meant that 60p on every pound was lost on what we can spend on services. That meant it was difficult to invest in preventative services and local government was the hardest hit by the cuts;
- the Administration had campaigned very hard in opposing the reduction in funding and was working with London councils in making central Government Ministers aware of the impact. The Leader also advised that she had met with key Treasury Ministers as part of her role with the Local Government Association. There was also support for the “breaking point” campaign which looked at highlighting the effects of cuts to local government, urging central Government to truly end austerity in local government; and,
- no matter how unfair and disproportionate the cuts were, it was Cabinet’s responsibility to manage the budget and continue to look at innovative ways to protect frontline services.

**RESOLVED:**

**Medium Term Financial Strategy**

1) To approve the Council’s Medium Term Financial Strategy as set out within this report.
2) To note the continued uncertainty with regard to elements of government funding, price and demand pressures and the need to ensure that budgets set each year are sustainable during the settlement period to 2022/23 and beyond.
3) To note the current funding gap of £43.232m for 2019/20 to 2022/23 and how we have reduced this gap through brought forward savings and new proposed savings, which are detailed within section 2.
4) To note the financial position of the Council’s budget in 2018/19 and the actions in place to balance it over the period.
London Business Rates Pilot Pool  
Establishment of Governance Arrangement  
5) Approve and accept the designation by the Secretary of State as an authority within the London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988.  
6) Participate in the London Business Rates Pilot Pool with effect from 1 April 2019 (to 31 March 2020).  
7) Delegate the authority’s administrative functions as a billing authority pursuant to the Non-Domestic Rating (Rates Retention) Regulations 2013 to the City of London Corporation (“COLC”) acting as the Lead Authority.  
8) Authorise the Lead Authority to sub-contract certain ancillary administrative functions (regarding the financial transactions [payment of tariffs and top-ups] within the Pool to the GLA as it considers expedient).  

Entry into the Memorandum of Understanding  
9) Delegate authority to the Chief Finance Officer in conjunction with the Cabinet Member for Finance to agree the operational details of the pooling arrangements with the participating authorities.  
10) Enter into such Memorandum of Understanding with the participating authorities as may be necessary to implement and/or regulate the pool and to delegate the authority to the Chief Finance Officer in consultation with the Director of Legal Services to negotiate, finalise and execute the same on behalf of the authority.  

Operation of the Pool  
11) To authorise Cllr Lib Peck in her official capacity as Leader to represent the authority in relation to consultations regarding the London Business Rates Pilot Pool consultative as may be undertaken by the Lead Authority pursuant to the memorandum of Understanding.  

Capital  
12) To note the revised total of £313m for the three year Capital Investment Programme 2018/19 to 2020/21 as described in section 4 and summarised in Appendix 3, and with how the programme is financed within Appendix 4.  

4. LAMBETH TOGETHER  
The report was introduced by the Cabinet Member for Adults and Health, Councillor Jacqui Dyer, and the Director of Integrated Commissioning, Moira McGrath, who highlighted that:  
- the purpose of this report was to provide an update on the work that had taken place to integrate health and care in Lambeth;  
- the report also set out what was needed to progress to the next stage, including changes to leadership and governance; and,  
- the report followed the report of November 2017 where Cabinet were asked to agree to establish Lambeth Together and the associated transition programme as the means of creating an integrated system for health and care in Lambeth.  

Members of Cabinet made the following observations:  
- this was an excellent example of partnership working and it was possible to improve outcomes and make savings;  
- it was acknowledged that there were big challenges to come and the mobilisation of the community would be key in delivering this;
• there were risks as Kings College had financial challenges and there was a shortage of key staff across NHS England. Partnership working was complicated and it was not possible to control demand;
• this was about partnership with our community members; and,
• thanks were offered to everyone who had been involved, with thanks to Councillor Jim Dickson and to the officers that had developed this initiative.

**RESOLVED:**
1) To note progress to date in integrating health and care in Lambeth, and to confirm Lambeth Together as the means for delivering our integrated health and care ambitions in Lambeth as part of the South East London Integrated Care Systems approach.
2) To approve the overall scope of Local Care Networks (LCNs) for Neighbourhood Based Care and Wellbeing.
3) To approve the development of a proposed procurement approach, subject to formal decisions of CCG/Council in Quarter 4 2018/19. This will include shadow arrangements for 2019/20 and full contract arrangements for 2020/21.
4) To approve to seek formal support across partner organisations to endorse these recommendations and approach - to include securing commitment for the 2019/20 shadow arrangements.
5) To agree to progress the development of proposals on future governance for Lambeth Together from April 2019. This will include the role of the Health and Wellbeing Board and Committee/s in Common.
6) To agree to progress with and develop proposals for future integrated Council/CCG leadership of Lambeth Together.

5. **INITIAL ASSESSMENT OF THE POTENTIAL IMPACTS OF THE UK LEAVING THE EUROPEAN UNION ON LAMBETH'S POPULATION, ECONOMY AND PUBLIC SERVICES**

The Leader of the Council, Councillor Lib Peck, presented the report, and Cabinet Members made the following observations:
• Lambeth had the highest vote to remain within the EU in the UK at 79% and at the last Council meeting the Council agreed that a People’s Vote be held. However, Lambeth needed to prepare for exiting the European Union and this report highlighted some of the areas that were currently being looked at;
• the situation was a fast moving picture and Cabinet wanted to share some of the risks with local people and partners;
• the Council would continue planning and would need to monitor the national situation over the next few weeks and may need to expedite some of the planning if there was a no deal scenario; and,
• electoral registration needed to be as thorough as possible and needed to maintain the register in case of an election.

It was noted that the effects of Brexit could be far reaching within Lambeth and the report highlighted the following specific areas:

a. **Macro-economic change** – the effects on the borough brought about by the short- and medium-term change to the UK economy;
b. **Lambeth's local economy** – the effects on Lambeth’s local economy and the sectors within our local economy;
c. **Local public services** – the effects on local public services and in particular those provided by the Council;
d. **EU citizens, security and cohesion** – the effects on Lambeth’s communities, their security and levels of cohesion, as well as the rights of EU citizens living and working in the borough; and,

e. **No deal** – this considers the areas above, but under a scenario in which the UK leaves the EU without a withdrawal agreement in place or a deal on the future UK/EU trade relationship.

**RESOLVED:**
1) To take note of this analysis, and the potential risks identified.
2) To delegate to the Chief Executive the task of coordinating the organisation’s preparation and response to Brexit, including the development of the Council’s risk assessment.
3) To delegate to the Chief Executive the task of engaging with partners, stakeholder and residents to develop and implement the borough’s preparation and response to Brexit.

6. **ESTABLISHING REGIONAL ADOPTION ARRANGEMENTS IN SOUTH LONDON**

In introducing the report, the Deputy Leader (Children and Young People), Councillor Jennifer Brathwaite, and the Strategic Director for Children’s Services, Annie Hudson, highlighted that:

- the Regional Adoption Agency was a timely initiative, drawing on best practice from the different agencies to provide better post-adoption support, wider family recruitment and a more positive overall adopter experience; and,
- governance was a crucial element and the agency would be governed by a Board and existing quality assurance arrangements would continue. Ofsted would also continue to monitor Lambeth on its adoption provision. As a local authority we would retain responsibility for the children to the point of adoption.

In response to questions from Councillor Becca Thackray and Cabinet Members, the Strategic Director for Children’s Services, Annie Hudson, stated that:

- the focus was on adoption however the idea of using this approach for fostering had been raised nationally. The Regional Adoption Agency was looking at absorbing responsibility for special guardianship orders;
- Corporate Parenting Board would receive updates on the progress; and,
- this was very much a partnership approach with Lambeth sharing the responsibility with the host authority.

**RESOLVED:**
1) Lambeth enter into permanent regional adoption arrangements as part of Adopt London South.
2) Agree that staff and finances (likely 6.3 Fixed-Term Employee posts and an annual budget of up to £500,000 (under negotiation)) are transferred to Southwark who will be hosting Adopt London South on behalf of ten South London boroughs.
3) Agree that Lambeth’s statutory Director of Children’s Services is vested with delegated authority to make more detailed decisions around the implementation of this proposal including signing off the inter-authority agreement between Lambeth and Southwark.

7. **INVESTING IN BETTER NEIGHBOURHOODS AND BUILDING THE HOMES WE NEED TO HOUSE THE PEOPLE OF LAMBETH – SOUTH LAMBETH - COMPULSORY PURCHASE ORDER**
RESOLVED:

1) That Cabinet hereby authorises the making of a CPO in respect of South Lambeth Estate and delegates authority to the Cabinet Member for Planning, Investment and New Homes after consultation with the Strategic Director, Neighbourhoods and Growth and the Head of Legal Services to take all necessary steps to make the CPO, pursue its confirmation by the Secretary of State (or the council), to implement the CPO and to secure land assembly for the Scheme. These steps are set out in Section 2 of this report.

2) To authorise amendment to the red-line boundary previously provided to Cabinet on 12th October 2015 to include the acquisition of:
   - 124 Clapham Road (Plot 15 on the CPO plan at Appendix 3); and,
   - land owned by Notting Hill Housing Trust (Plot 6b on the CPO plan at Appendix 3);
   as the Scheme has been extended to incorporate these sites where acquisition of these sites is required to deliver the Scheme and will provide additional homes and improve the qualitative design of the Scheme (see Appendix 8).

3) To note the appendices to this report, including the indicative red-line boundary for the South Lambeth Compulsory Purchase Order (i.e. the proposed Order Lands) (Appendix 3), the draft Statement of Reasons (Appendix 6) which sets out the justification for the proposed CPO and the Equalities Impact Assessment (Appendix 5).

4) To delegate authority to the Cabinet Member for Planning, Investment and New Homes to agree a localised Lettings Plan for the Scheme as defined in paragraphs 2.18 and 2.19.

8. INVESTING IN BETTER NEIGHBOURHOODS AND BUILDING THE HOMES WE NEED TO HOUSE THE PEOPLE OF LAMBETH – WESTBURY - COMPULSORY PURCHASE ORDER

The Cabinet Member for Planning, Investment and New Homes, Councillor Matthew Bennett, introduced the item noting that the compulsory purchase order was required as a backstop for the Westbury Estate. This followed planning permission for the 64 new homes at council rent, did not require any immediate relocation of residents, and the report set out timetables and residents’ preferences.

Cabinet heard from Shemi Leira, Westbury resident and Chair of the Tenants Residents Association; Councillor Pete Elliott, Green councillor for Gipsy Hill ward; and, Councillor Tim Briggs, Conservative councillor for Clapham Common, who raised the following points:

- the regeneration programme was causing significant emotional distress to residents, which had been intrusive to residents’ family and finances, and more needed to be done to protect their wellbeing;
- the proposals were not in the public interest, were disproportionate and appeared inconsistent with duties of the Equality Act 2010, EU Human Right Act 1998, Land Compensation Act 1973 and MHCLG guidance on regeneration;
- the regeneration process was substantially and procedurally unfair and unjust as it was driven by Lambeth and was a manifest conflict of interest;
- the Labour manifesto pledge to build 1,000 council homes by 2018 had not been met and this many council homes had actually been lost;
- residents were being removed from homes they purchased in good faith and were being threatened with CPOs;
- it was queried how many housing waiting list places would be met by regeneration;
• more information was needed on EQIA monitoring and that these review broader impacts on residents, many of whom had protected characteristics;
• the carbon release from proposals and its recovery was queried;
• the impact on air quality of these schemes was raised and it was requested that thorough monitoring before, during and after works be implemented;
• the 29,000 housing waiting list figure was questioned, but had been increasing since January 2013;
• the CPO report did not cover all issues, lacked full consultation and representation from residents, and had unclear sources of funding and key guarantees;
• there was a lack and lower than current provision of parking spaces, which restricted social mobility, meant that only healthy persons could afford to live on the estate, and would increase parking stress; and,
• the plans were too dense, tall, lacked light and free movement of air, with overlooking properties and would not stand the test of time.

The Leader of the Council, Councillor Lib Peck, thanked representations, noting the importance of preventative measures and the need to build homes to house Lambeth's population. She noted that she regularly visited estates and residents were suffering from illnesses, such as asthma, arising from damp conditions and poor housing. The Labour Group were committed to ensure safe, secure and warm properties and residents deserved high-quality homes at affordable prices.

Greg Carson, Principal Lawyer for Housing Property & Planning; and, Jed Young, Assistant Director for Housing Regeneration, responded to questions as below:
• local authorities had to balance rights, but recognised regeneration interfered with people's lives;
• the proposals were subject to independent analysis by inspectors and were signed off by the MHCLG Secretary of State;
• the Council had completed comprehensive equality assessments, which would continue to be reviewed and Lambeth had complied with the Equality and Human Rights duties;
• parking provision was assessed during the planning process and whilst it provided fewer spaces, it was more than new builds, and existing residents had allocated provision;
• density, light levels, privacy and overcrowding were all assessed during planning, and had been 3D-modelled;
• all council-owned applications were referred to National Planning Casework Unit for independent assessment and to the Mayor's GLA Planning team, and detailed plans prior to commencement of works would be assessed by the Council and GLA;
• detailed work timetables and environmental impact assessments would be made available to residents so that they could review progress and operations; and,
• the overall first year business plan had been approved by Cabinet in January 2018 and would be reviewed early next year, setting out activities and longer-term forecasts, and had also been assessed by the GLA on overall viability.

The Cabinet Member for Planning, Investment and New Homes, Councillor Matthew Bennett, summarised the discussion and reaffirmed Labour's commitment to provide better and more homes to address the housing crisis and meet Lambeth's duty of care to residents, noting that refurbishment was not affordable due to the lack of grants from central Government. It was felt that building more homes was the right response to tackle the housing crisis and increasing housing waiting list. The lifetime tenancies at social rents were high standard, with the same rights of succession and the Council had listened to tenants so that they kept their rights to buy
and had tenancy agreements as strong as possible. Market valuations for lease- and freeholders were fair and independently evaluated, with an early buyback process and residents received £10,000 above market valuations, with stamp duties and legal costs paid by the Council; whilst residents who wanted to stay did not pay extra for new homes.

**RESOLVED:**
1) That Cabinet hereby authorises the making of a CPO in respect of Westbury Estate and delegates authority to the Cabinet Member for Planning, Investment and New Homes after consultation with the Strategic Director, Neighbourhoods and Growth and the Head of Legal Services to take all necessary steps to make the CPO, pursue its confirmation by the Secretary of State (or the council), to implement the CPO and to secure land assembly for the Scheme. These steps are set out in Section 2 of this report.
2) To authorise amendment to the red-line boundary previously provided to Cabinet on 9th November 2015 to include the acquisition of the properties at 438 Wandsworth Road and at 28, 29, 29A, 31, 31A, 33, and 33A Crichton Street as the Scheme has been extended to incorporate these sites as the acquisition will provide additional homes and also improve the qualitative design of the Scheme (see Appendix 8).
3) To note the appendices to this report, including the indicative red-line boundary for the Westbury Compulsory Purchase Order (i.e. the proposed Order Lands) (Appendix 3), the draft Statement of Reasons (Appendix 6) which sets out the justification for the proposed CPO and the Equalities Impact Assessment (Appendix 5).
4) To delegate authority to the Cabinet Member for Planning, Investment and New Homes to agree a localised Lettings Plan for the Scheme as defined in paragraphs 2.18 and 2.19.

9. **ADOPTION OF STATEMENT OF LICENSING POLICY 2019-2024**

**RESOLVED:**
1) To agree that the Statement of Licensing Policy 2019-2024 (attached as Appendix 2 to this report) be recommended to the Council as a revised Policy to come into effect from the 30th January 2019.
2) To delegate authority to the Strategic Director – Neighbourhoods and Growth to make any minor amendments (typographical and formatting) to the draft Statement of Licensing Policy 2019-2024 in consultation with the Cabinet Members for the Voluntary Sector, Partnerships and Community Safety.
3) That a final version of the Statement of Licensing Policy be presented to the Council on 23rd January 2019 for formal approval and adoption.