

LONDON BOROUGH OF WALTHAM FOREST

MINUTES OF THE MEETING OF CABINET

Wednesday 24 November 2004

7.30 pm - 8.41 pm

PRESENT:

Chair:	Councillor Clyde Loakes	Council Leader
	Councillor Keith Rayner	Deputy Leader and Portfolio Holder, Corporate Services
	Councillor Liaquat Ali	Portfolio Holder, Community Engagement and Equalities
	Councillor David Blunt	Portfolio Holder, Environment
	Councillor Jenny Gray	Portfolio Holder, Strategic Innovation, Performance and Learning
	Councillor Chris Robbins	Portfolio Holder, Culture, Learning and Leisure.
	Councillor Graham Smith	Portfolio Holder, Health and Social Care
	Councillor Simon Wright	Portfolio Holder, Regeneration

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barry Smith and Loretta Hodges.

76. DECLARATIONS OF INTEREST

There were no declarations of interest.

77. MINUTES OF CABINET

The minutes of the meeting held on 19th October 2004 were confirmed as a correct record, subject to clarification of point ii) contained in minute 64: 'Greenspace Audit and Position Statement', to the effect that the action proposed did not involve additional spending commitment, but would be achieved by other means.

78. ASCHAM HOMES

Councillor Matharoo, Chair of the Overview and Scrutiny Commission introduced the report and drew attention to the recommendations of the Scrutiny Commission.

Cabinet agreed to consider the comments of the Overview and Scrutiny Commission in conjunction with the report of the Head of Housing Services (see Minute 86 below).

79. TOBACCO & HEALTH SCRUTINY PANEL REPORT

Councillor Matharoo, Chair of the Overview and Scrutiny Commission, introduced the report and drew attention to the recommendations of the Scrutiny Commission.

Cabinet stressed that it was disappointed that the recommendations of the Overview and Scrutiny Commission did not reflect current general public opinion that there should be a total ban on smoking in all confined public areas. Cabinet therefore wished to record its commitment to support any future legislation that sought to achieve this aim.

Cabinet also noted the Primary Care Trust's commitment to affiliate to anti-smoking measures, and to reduce smoking through its Smoking Cessation Service.

Cabinet noted that action to address smoking would also be considered in developing Local Public Service Agreement targets.

REASON FOR DECISION

The Overview and Scrutiny Commission has the powers under the Local Government Act 2000 to recommend matters of general policy to the Cabinet.

CABINET DECISION

Cabinet agreed the following recommendations from the Overview and Scrutiny Commission, namely:

1. That a poster design competition be organised, open to all schools and colleges that shows the dangers of smoking, highlighting the services available to help people stop smoking, by end of March 2005.
2. That the Healthy Schools Team includes the education of the dangers of other types of tobacco as part of their drug awareness strategy.
3. That information about the effects of smoking and the Smoking Cessation Service be included in future publicity material for the 2012 Olympic bid.
4. That the Trading Standards department produce a summary of all documents regarding relevant laws, regulations, and guidance, available in different languages to reflect the diverse nationalities of local retailers and customers. All retailers to be made aware of the availability of these documents by March 2005.
5. To the incorporation of clear targets in the Trading Standards Delivery Plan, and to the allocation of resources to be split equally between the

investigation of underage sales of alcohol and tobacco, thus leading to simultaneous visits to traders when investigating under age sales of tobacco and alcohol.

6. That the Trading Standards department assess and report on the viability of working in partnership with a view to exchanging intelligence, with Her Majesty's Customs and Excise, Lottery Investigators and Street Wardens by March 2005.
7. That the Council's Smoking Policy be reviewed and updated and presented to the Health Scrutiny Sub Committee no later than the end of March 2005.
8. That the Safety and Food Team carry out an audit of smoke free places in the Borough using existing database and during routine inspections by March 2005.
9. That the Council, when granting planning permission for new buildings, other than private dwellings, informs the applicant of the Council smoking policy and advises them that a no smoking policy would be preferred for the building.
10. That information about the Smoking Cessation service is given to callers to Waltham Forest Direct when on hold.
11. That a space is designated for the Smoking Cessation service in the foyer of the Town Hall, and all One-Stop Shops to promote its activities and encourage take up.

80. FORWARD PLAN

Cabinet noted the Forward Plan for the period December 2004 to August 2005.

81. BUDGET MONITORING REPORT: MONTH 7 (OCTOBER)

Cabinet received a report on expenditure up to 31st October 2004. The report concluded that the potential pressures that had emerged up to this point continued to be manageable, and that cash flow continued to be high.

REASON FOR THE DECISION

It is best practice for Members of to monitor the Council's budget, focusing on high-risk areas on an exception basis.

CABINET DECISION

Cabinet noted the report and the actions proposed within services to keep within the overall budget for the year.

82. IMPROVEMENT PLAN MONITORING REPORT

The report provided an overview of progress against key improvement priorities up until 31st October 2004.

CABINET DECISION

Cabinet noted the report and welcomed the improvements in the auditor's judgement scores for finance, and placed on record its thanks to the Head of Strategic Finance and his staff.

Cabinet asked for further details explaining the difficulties around the performance of the outsourced contract during the autumn term for Home to School transport.

83. AUDIT COMMISSION PROGRESS ASSESSMENT REPORT

The Audit Commission, as part of its annual activities, followed up progress on the Council's corporate management and governance arrangements during May/June 2004.

CABINET DECISION

Cabinet noted the report, whilst also noting that the Audit Commission's final report was due to be published on 16th December 2004.

84. LOCAL PUBLIC SERVICE AGREEMENT – SHARED PRIORITIES

Cabinet received a report proposing a set of local shared priorities to be submitted as the first stage of the Council's second Local Public Service Agreement (LPSA). These priorities have been recently developed by the Local Strategic Partnership as part of the current review of the Community Strategy.

REASON FOR DECISION

The submission of a set of locally agreed shared priorities has strategic implications for the borough as a whole. The LPSA timetable requires that this statement of priorities be submitted at the end of November 2004, in order to achieve the target date for the completed agreement in April 2005. In addition there is the potential to earn significant performance reward grant through the achievement of agreed "stretch" targets.

CABINET DECISION

Cabinet agreed to endorse the submission of the shared local priorities developed by the Local Strategic Partnership as part of the current review of the Community Strategy as the basis for the further development of the Council's second Local Public Service Agreement.

85. 3 YEAR CAPITAL PROGRAMME

Cabinet received a report which proposed the extension of the existing 3-year service-based capital programme to include the full corporate capital programme, and in particular to agree a number of capital projects for inclusion in it. These projects being set within the strategic context provided by the Corporate Capital Strategy and Improvement Plan.

Cabinet noted that it was proposed to add the following schemes to the Corporate Capital Programme:

Footway improvements	£2m
School site assembly costs (BSF)	£3m
Joint Service Centre funding gap (agreed in principle)	£4.2m
Recycling/environmental (Green Garden Waste)	£6.5m
TOTAL	£16.0m

REASON FOR DECISION

It is important for the Council to adopt a 3-year capital programme in which resource allocation is aligned to priorities as set out in the Improvement Plan.

CABINET DECISION

1. To establish a rolling 3 year corporate capital programme, and to review it each year alongside the existing service-based programmes.
2. To add to the corporate capital programme the schemes set out in paragraph 4.6 to the report, to the value of £16.0m.
3. To the acquisition of offices at the current Hawker Siddley site for £1.25m for use by Ascham Homes, with the costs to be met from housing resources.
4. That the £1m of capital resources previously allocated to the Pool and Track is withdrawn and made available for reallocation.
5. That £1m is re-allocated to the EMD Cinema project from the Central Arts project.
6. To declare as surplus and dispose of the properties set out in confidential Appendix 1 to the report.
7. To award the contract for the Acacia Nursery School Sure Start Children's Centre to Kind and Co in the sum of £1,185,113.95, and to note the sources of funding for the project, set out in Appendix 2 to the report.

86. ASCHAM HOMES

Cabinet was informed that in November 2003, the Audit Commission inspected the Arms Length Management Organisation (Ascham Homes) and judged the service as fair (1 star), with uncertain prospects for improvement. As a result Ascham Homes did not receive additional Government funding. The Audit Commission also recommended that the Council report in writing to the Audit Commission at six monthly intervals the progress made against these recommendations.

In October 2004 Cabinet received a report recommending that the Council bid to the Government for £90 million of loan consent to allow Ascham Homes to bring all the council houses up to a decent standard by 2010.

REASON FOR DECISION

The proposed changes in regard to referrals from the Tenants' Council will clarify the role of the Tenants' Council, and satisfy the Audit Commission's recommendation on this matter.

CABINET DECISION

Cabinet agreed to:

1. Invite the Audit Commission to re-inspect Ascham Homes in June 2005.
2. Ask the Cabinet Member for Housing to determine referrals from the Waltham Forest Tenants' Council.

87. CENTRAL ARTS PROJECT

In June 2004 Cabinet considered a progress report on the Central Arts Project (CAP) and agreed to defer the report "so that full consultation and investigation into available funds can be undertaken". The June 2004 report updated members on the outcome of the feasibility work undertaken following a decision by Cabinet in October 2003 to continue to provide revenue support to CAT and to allow capital and revenue feasibility studies to be completed. This report further updated members and asked Cabinet to consider the way forward in the context of the October Cabinet decision on the future of the Arcade site.

Cabinet wished to place on record its thanks to Clive Lyttle (Project Manager) and Russell Gilderson (Chair of CAT) for their work on this matter.

REASON FOR DECISION

The Central Arts Project is a significant capital initiative involving a commitment of £1million in capital funding. In order for the project to progress as envisaged by the Central Arts Trust, ongoing revenue support will be necessary and agreement to the current Central Library building be used as an Arts Complex.

CABINET DECISION

Cabinet agreed:

1. In view of the October Cabinet decision on the Arcade site, to not support the Central Arts scheme in the old central library.
2. To provide further revenue support to fund the Central Arts Trust (CAT) Project Manager and associated admin costs in 2004/5 up to £25,000, to allow for the costs of notice and termination of the CAT project manager post by March 31st 2005.

88. ANNUAL REVIEW OF PERFORMANCE BY THE COMMISSION FOR SOCIAL INSPECTION (CSCI)

On 23 July 2004 the Commission for Social Care Inspection (CSCI) visited Waltham Forest Social Services to conduct its Annual Review of Performance Meeting for 2003/2004.

The Portfolio Holder for Health and Social Care was pleased to inform Cabinet that the Child and Family Services had won back its one star rating. He was also pleased to inform Cabinet that in The Guardian Newspaper Public Services Awards 2004, the Council and Waltham Forest PCT had jointly won the award for 'Joined-up Government' for their work on improving patient care.

Cabinet also noted with pleasure that the East London Lettings Company had won the Technology award, and Whipps Cross University Hospital had won the Finance award.

REASON FOR DECISION

The CSCI requires the Annual Review of Performance Report to be presented to an open meeting of the relevant executive committee of the Council within two months of the date of their letter.

CABINET DECISION

Cabinet agreed:

1. The Annual Review of Performance Report.
2. To note the achievements delivered in 2003 – 2004 through the efforts of staff in Social Services and in partnership with other agencies.
3. To note the improvement recommendations which will continue to be the subject of monitoring and scrutiny.

89. SCHOOLS FOR THE FUTURE PROGRAMME

Cabinet received a progress report on the Schools for the Future Programme, which also sought approval to the procurement method to be used for the programme.

Cabinet noted:

1. The revised proposals for individual Phase 1 schools, as set out in Appendix 1 to the report.
2. The bid for £1 million corporate capital resources for extended schools/interagency developments.

REASON FOR DECISION

The decision taken will enable the Council to progress the improvement of secondary education in the borough, as envisaged in the Council's BSF proposal submitted to the Department for Education and Skills (DfES) in October 2003 and in the Council's Improvement Plan.

CABINET DECISION

1. That procurement should proceed on the basis of a "thin" Local Educational Partnership, as described in Appendix 2 to the report.
2. That the co-location of William Morris Special School with a mainstream school should now be the subject of consultation with schools and governors, and that Kelmscott School should be the preferred partner school.

90. STRATEGIC REVIEW OF CHILDREN'S PLACEMENTS

Cabinet received a report on the Strategy and Action Plan for Children and Families' Services, which was to be immediately implemented and monitored on a regular basis through the Members' Social Services Strategy and Performance Group.

REASON FOR DECISION

The Strategic Review of Children's Placements was required as the Department of Health needed to be clear that Waltham Forest's processes, procedures and policies provided the most efficient and effective use of Council resources to meet the needs of vulnerable children and young people.

To ensure continuity and stability for children or young persons, which in turn, will mean less disruption to their lives and better outcomes for them, it is important that they are found the best placement at the earliest opportunity.

The principles of the Placements Strategy will give a robust framework for sound child care planning, assessment and review which will ensure that budget management and control is maintained at times when there is increased demand and increasing costs.

CABINET DECISION

Cabinet agreed:

1. The Placements Strategy attached at Appendix 1 to the report.
2. To instruct officers to implement the Placements Strategy Action Plan, as attached as Appendix 2 to the report.

91. LICENSING ACT 2003: STATEMENT OF LICENSING POLICY

The Licensing Act 2003 is transferring the responsibility for the granting of licences to the Council from the Licensing Magistrates. This will include premises that sell alcohol for consumption both on and off the premises in addition to registered clubs. The transitional period for these changes commences on 7th February 2005.

REASON FOR DECISION

The Council is required to determine and publish a Statement of Licensing Policy by 7th January 2005.

CABINET DECISION

Cabinet agreed, and recommended to Full Council:

1. The draft Statement of Licensing Policy as attached at Appendix 1 to the report, subject to item 2 below;
2. To note further amendments will be made by the Executive Director of Environmental Services, in consultation with the Portfolio Holder for Community Safety and Protection, prior to recommendation to full Council.

92. NEW STANDARD LICENCE CONDITIONS FOR STREET TRADING PURPOSES IN HIGH STREET, E17

Cabinet received a report regarding the consultation results on the proposed new standard licence conditions for Walthamstow Market, which will apply from 1st April 2005. Cabinet noted that the final decision on the variation of existing standard licence conditions, or the introduction of new standard conditions, attached to street trading licences is a matter for full Council to decide.

Cabinet noted that the Licensing Committee supported the adoption of the proposed standard Licence Conditions, as set out in Appendix 1 to the report.

Cabinet was informed of the work of Education Welfare Officers in dealing with illegal employment of minors, and noted that incorrect information in this respect had been given to the Licensing Committee.

Cabinet agreed to give full support to all agencies in enforcing the legislation on the employment of minors in High Street Market.

REASON FOR DECISION

The High Street Market is a major element of the regeneration aspirations of the Council. This is a key decision in that it will have a major impact on both the local community and the commercial sector, and it will affect all the stakeholders within Walthamstow Town Centre.

CABINET DECISION

Cabinet agreed, and recommended to Full Council, approval of the proposed new standard conditions attached to street trading licences to be adopted with effect from 1st April 2005, attached as Appendix 1 to the report, subject to the following tabled amendments proposed by the Portfolio Holder, Environment:

New paragraph 3.6:

Trade may only take place in accordance with the times specified in the licence.

New paragraph 5.9:

A licensed street trader must remove, or cause to be removed, any stall owned by him within two and a half hours of the specified time of cessation of trade, or such other time as specified in the licence.

New paragraph 9.2:

A licensed street trader or his assistant shall keep the area immediately around his stall free of litter.

New paragraph 10.4:

A licensed street trader must not bring/leave or cause a vehicle to be brought/left in any licensed street (market) between the hours

09.00hrs and 16.00hrs Weekdays

09.00hrs and 17.00hrs Saturdays

10.00hrs and 15.00hrs Sundays

or such other time as specified in the licence.

93. REPORTS OF PORTFOLIO HOLDERS

Cabinet received reports from the following Portfolio Holders:

- a) The Leader
- b) Deputy Leader and Corporate Services Portfolio Holder
- c) Community Engagement and Equalities Portfolio Holder
- d) Environment Portfolio Holder
- e) Housing Portfolio Holder
- f) Culture, Learning and Leisure Portfolio Holder
- g) Health and Social Care Portfolio Holder
- h) Regeneration Portfolio Holder

- i) Strategic Innovation, Performance and Learning Portfolio Holder
- j) Community Safety and Protection Portfolio Holder

94. EXCLUSION OF THE PUBLIC AND PRESS

Cabinet resolved that the press and the public be excluded from the meeting during the consideration of the following items in accordance with Section 100(A) of the Local Government Act 1972, as amended, on the grounds that it would involve the likely disclosure of exempt information as defined in paragraphs 7, 9 and 12 of Schedule 12A of the Act.

95. 3 YEAR CAPITAL PROGRAMME

See minute number 85 above.

96. SAP PHASE 2 – AWARD OF CONTRACT

Cabinet received a report seeking approval for the award of the SAP Phase 2 contract.

In 2003 the Council implemented SAP as the corporate information system. Currently the Financial, HR/Payroll, Procurement and Projects modules are in use. It is now proposed to implement additional modules covering Customer Relationship Management, Business Warehouse, Plant Maintenance and Real Estate functions.

REASON FOR DECISION

The use of additional modules of SAP will provide significant business benefits to the Council.

CABINET DECISION

Cabinet approved the extension of the current SAP contract with LOGICA.CMG for the use of further modules, subject to a successful conclusion to associated negotiations, at an implementation cost as set out in Appendix A to the report.

(Chair)

Minutes Published: 6th December 2004