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## Cabinet

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Minutes of  
03 December 2024 at 2.00 pm

**Present:**

**Chair:**

Councillor Grace Williams (Leader of the Council)

**Cabinet Members:**

Councillor Ahsan Khan	Deputy Leader (Housing and Regeneration)
Councillor Clyde Loakes	Deputy Leader (Climate and Air Quality)
Councillor Naheed Asghar	Portfolio Lead Member - Inclusive Economy
Councillor Vicky Ashworth	Portfolio Lead Member - Stronger Communities
Councillor Rosalind Doré	Portfolio Lead Member - Libraries, Culture and Sports & Leisure
Councillor Kizzy Gardiner	Portfolio Lead Member - Children and Young People
Councillor Khevyn Limbajee	Portfolio Lead Member - Community Safety
Councillor Louise Mitchell	Portfolio Lead Member - Adults and Health

**Councillors in Attendance:**

Councillor Richard Sweden	Vice Chair of Health and Adult Social Care Scrutiny Committee
Councillor Afzal Akram	

**Officers in Attendance:**

Linzi Roberts-Egan	Chief Executive
Temitope Ademosu	Strategic Director, Stronger Communities
Ian Buckle	Head of Electoral and Democratic Services
Nicky Crouch	Strategic Director, Children Services
Mark Hynes	Director of Governance and Law
Anthony Jackson	Democratic Services Officer
Rob Manning	Strategic Director, Resources
Ann McGale	Director of Adult Change
Debbie Porter	Strategic Director, Neighbourhoods and Environment
Ian Rae	Director of Regeneration, Planning & Delivery

#### **49. Apologies for absence and substitute members**

An apology for absence was received from Councillor Paul Douglas.

#### **50. Declarations of interest**

No declarations were made.

#### **51. Minutes of the previous meeting**

The minutes of the meeting, held on 5 November 2024, were approved and signed as a correct record.

#### **52. Learning Disabilities Day Opportunities Review**

The Leader invited Mr James O'Rourke, resident and former Waltham Forest Councillor, to address Cabinet.

Mr O'Rourke made the following points – that:

- the proposal to close Markhouse Centre did not appear to be based on the quality of the building as detailed in the report, it was based on advice received from Evolve Norse Ltd.;
- the building condition survey undertaken by Norse Evolve on the condition of the Centre was not independent, as confirmed at the Health and Adult Social Care Scrutiny Committee, as a Cabinet Member and Strategic Director were both members of the Board;
- the financial rationale to close the building appeared to be based on inflated costs as the cost from manufacturers were significantly cheaper than detailed in the report;
- a more innovative approach could generate revenue for the Centre by investing to save;
- there were concerns that the closure was to allow the Council to build on the land as detailed in a previous report on the Markhouse Centre that was considered by Cabinet in June 2024; and
- a significant number of people, including service users and their families, would be affected should Cabinet proceed with the decision to close the Markhouse Centre.

The Leader invited resident Mr David Pask to address Cabinet. Mr Pask made the following points – that:

- the planned closure was based on factually incorrect information, which included inaccuracies in relation to the condition of the building;
- it was concerning that the report detailed inflated costs for repairs to make the Markhouse Centre fit for purpose, however, specific items, such as boilers and radiators, did not appear to have been costed; and
- the assertion that to replace certain items, such as extractor fans, would be costly while many such items did not require replacement.

The Leader then invited Mr Kevin Parslow, Secretary of Waltham Forest Trades Council, to address Cabinet, who made the following points – that:

- the closure of the Markhouse Centre would mean the loss of jobs and the loss of those workers' skills for the Council;
- closure would mean the end of a sense of community for the service users of the Centre which could bring about isolation;
- many youths with special educational needs (SEND) would be deprived of the Centre's services; and
- the Council uses its reserves and does not make cuts in the forthcoming financial year and, instead, works in partnership with other councils to lobby Central Government for additional funding for services.

Councillor Mitchell introduced the report and, in doing so, thanked the public speakers in attendance, those speakers who attended Health and Adult Social Care Scrutiny Committee and respondents to the consultation. She went on to say that local government finances were in crisis due to underfunding and pointed to a substantial funding gap of £18 – 24 million over the next 3 years. Councillor Mitchell stated that if the Council failed to balance the budget it would effectively lead to bankruptcy, as had been the case for a number of local authorities, which would have a catastrophic impact on vulnerable residents. She added that the Council was committed to providing support for residents to enjoy a good quality of life and confirmed that a person-centred approach was the best way to make that happen.

Councillor Sweden gave thanks to public speakers in attendance and to Councillor Mitchell for her leadership. He referred to Appendix I of the report which detailed the Health and Adult Social Care Scrutiny Committee's recommendations and officers' responses. He said that, when the Committee visited the Centre, members were made aware that staff would be consulted on the proposed closure, however, members could not comment on that aspect as the consultation had not concluded at the time of the Committee's site visit. Councillor Sweden said that the building seemed oversized and costly to maintain, however, he said that he hoped that a comprehensive investigation of alternative provision had been undertaken. On behalf of the Committee, Councillor Sweden asked for assurances that Cabinet was aware of the full costs associated with closure, before the Centre was actually closed, particularly as the private and voluntary sectors were unlikely to provide cheap alternatives. He added that he was pleased that officers had confirmed that the Health and Adult Social Care Scrutiny Committee would be given the opportunity to review the transition and said that he hoped such changes would be incremental. Councillor Sweden conceded that the decision on the Centre was a difficult one and said that, whilst the Council was experiencing financial difficulties, it would not be brought back into surplus without reviewing ASC services. He added that it was important to balance human and financial costs.

On behalf of the Conservative group, Councillor Akram expressed concerns in relation to the building condition survey report that had been referred to by Mr O'Rourke. He asked for confirmation that there was a member of Cabinet and/or a Council officer who sat on the board of the company that undertook the survey on behalf of the council. Councillor Akram went on to say that if the condition survey was, in fact, not independent then it could result in a judicial review and

consequently added costs and was a waste of public money. He asked whether it would be prudent for the Council to conduct a further survey before taking the decision.

Councillor Gardiner referred to the capacity of the day opportunity units and asked whether there was enough space for those with particularly high support needs. Councillor Mitchell said that the Council worked with the day opportunity market on a daily basis and confirmed that 51 residents with a learning disability attended the Markhouse Centre while there were 700 residents in the borough with a learning disability. She explained that commissioners met regularly with providers in Waltham Forest and neighbouring boroughs and that there were numerous attendees in day opportunities units. Councillor Mitchell confirmed that a range of support was offered for those with complex needs and that there were facilities provided in other boroughs, some of them close to Waltham Forest. She confirmed that the Council kept up to date with vacancies and were confident that the market was sufficient to cope.

Councillor Khan thanked the public speakers and Councillor Mitchell. He then referred to the perception of inflated costs and said there were proposals to pause or stop some schemes being worked on, due to current inflation. He then referred to the recent Cabinet decision to make Sixty Bricks dormant and said that the biggest issue which prompted the decision was the cost of inflation. Councillor Khan said that the assertion that a reputable company had inflated costs was not accurate and said that inflation had affected a range of the Council's services as high running costs made some of them unviable, as was the case for the Markhouse Centre. Councillor Khan added that the Council had learned from the closure of Trumpington Road care home and had implemented robust governance, with political oversight, in relation to the closure of Markhouse Centre.

Councillor Asghar thanked public speakers, and all involved in the consultation and asked whether the day opportunities providers would consider the culture needs of service users. Councillor Mitchell stated that 40% of service users from the day opportunities providers were from an Asian background, similar to that from the Markhouse Centre, where 47% were from an Asian descent. She said that providers were used to supporting residents from different backgrounds.

The Leader thanked public speakers for attending and explained that the Council took such difficult decisions as the alternatives were much worse. She said that, like many other Councils in the county, Waltham Forest Council was in a position it they could face bankruptcy and were, therefore, constrained in choices that could be made. The Leader explained that the Council's assets required a high level of maintenance and provided assurances that the Council was not trying to make a profit in this respect. She went on to say that the Council wanted and did its best to provide a good service for residents, however, it was necessary to deliver a balanced budget. The Leader highlighted the importance of focussing on resources and a person-centred approach to the care delivered. She added that she was satisfied that all alternative options had been examined and was based on independent advice. The Leader provided assurances that the Council was aware that the experience of service users at the Markhouse Centre had been positive and

that that needed to be borne in mind going forward. She then gave thanks to all staff who had worked on the consultation process.

## **Decision**

Cabinet:

- (1) considered the responses to the public consultation as set out in Appendix A and Section 6 of the report;
- (2) considered the alternative proposals put forward by residents as set out in Appendix B and Section 4 of the report;
- (3) considered the alternative proposals put forward by staff as set out in Appendix C and Section 4 of the report;
- (4) considered the feedback and requests from the Health and Adult Social Care Scrutiny Committee as set out in Appendix I to the report;
- (5) agreed to proceed with the proposed closure of the Markhouse Centre in its' current form;
- (6) noted the arrangements to implement person-centred transitional arrangements for all for people currently accessing the Markhouse Centre as set out in paragraph 3.16 of the report; and
- (7) noted that if a decision is made to close the Centre, the future of the site and building will be considered as part of the Strategic Asset Management Plan.

## **53. Integrated Sexual Health Recommissioning**

Councillor Mitchell introduced the report and, in doing so, gave thanks to Matilda Allen – Locum Public Health Consultant, for her hard work. She also confirmed that Ms Allen was leaving the Council and wished her well for the future.

## **Decision**

Cabinet:

- (1) agreed the commissioning intentions outlined in the report, in summary, to continue to commission our specialist integrated sexual health service for our local population beyond November 2025, in a joint commissioning arrangement with London Borough of Newham, London Borough of Tower Hamlets and London Borough of Redbridge, with Newham acting as lead commissioner; and
- (2) agreed the use of Provider Selection Regime, Direct Award Process C, which would see the incumbent provider (Barts Health NHS Trust) awarded a new contract for 5 years (with 3 optional one-year extensions) to provide integrated sexual health services.

## 54. Local Council Tax Support Scheme 2025/26

The Leader introduced the report and, in doing so, stated that the current scheme had become unaffordable and pointed out that should the scheme detailed in the report not be adopted, then cuts would have to be made in other areas such as adults and children services. She added that the Council was keen to ensure that the Discretionary Hardship Fund was used in the best way to benefit residents.

### Decision

Cabinet:

- (1) considered the consultation documentation, outcome analysis from the consultation on the council's preferred scheme, Greater London Authority (GLA) Consultation response and Case study models of impact of recommended scheme at Appendices 1, 2, 3 and 6 of the report;
- (2) recommended to Full Council that the proposed income banded Council Tax Support Scheme consulted upon be adopted whereby:
  - working-age residents are entitled to support of up to a maximum of 85%, depending on a person's level of income, household composition and level of capital where they fall within one of the protected groups who are households with limited capability to work and households with children aged 5 and under;
  - other eligible working-age residents are entitled to support up to a maximum of 57%, depending on their level of income, household composition and level of capital;
  - the reductions made to support for non-dependants will be a reduction of £20 per week for working non-dependants and £8 per week for non-dependants who are out of work;
- (3) recommended to Full Council that the Council continue to make £750,000 available 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. This includes supporting care leavers;
- (4) recommended to Full Council there be delegated authority to correct any accidental errors and make any minor or consequential changes necessary to the detailed provision as a result of any changes in the regulations upon which the scheme is based, to the Strategic Director of Resources following consultation with the Portfolio Lead Member for Finance and Resources;
- (5) noted that the income banded scheme treats earnings and self-employed earnings as the only income used to determine a household's level of income against the proposed income bands. All other income would be disregarded. The scheme will continue to fully disregard War Widows & War Widowers pensions for all applicants. Various other incomes, for example, Child Benefit,

Disability Living Allowance and Personal Independence Payments will also continue to be ignored when calculating entitlement to Council Tax Support;

- (6) noted that the remaining provisions of the Council's scheme for 2025/26 will be as published on the Council's website;
- (7) noted that the projected cost of the whole scheme is identified as £18.31 million which is £2.3 million less than if the current scheme is continued. This will be reflected in the calculation of the council tax base for 2025/26 and included within the next MTFS as part of the budget setting process;
- (8) noted that before any significant changes to the proposed scheme reducing or removing support could be made that a further statutory consultation would need to be carried out; and
- (9) recommended to Full Council that the Council conducts a more detailed analysis of households' ability to meet these liabilities based on the administrative data the Council has access to using platforms and methodologies for reliable analysis. This recommendation is welcome and reflects existing practice, and whether the proposed changes are accepted or not the authority will use its tools such as Pathways, Destin Solutions, and LIFT to identify the ability of households to meet liabilities and address this through the existing hardship fund and income maximisation.

## **55. Financial Monitoring - 2024/25 Month 6**

The Leader introduced the report.

### **Decision**

Cabinet:

- (3) noted the forecast revenue outturn position;
- (4) noted the forecast Housing Revenue Account (HRA) outturn position;
- (5) noted the forecast Dedicated School Grant (DSG) position;
- (6) noted the forecast Capital position;
- (7) approved a budget of £0.075 million from contingency to cover further commercial and legal advice, including the drafting and finalisation of the Collaboration Agreement and leading the negotiation with Bywater's and any legal advice in relation to implementing an injunction or commencing a Compulsory Purchase Order process;
- (8) approved a budget of £0.427 million to be incorporated within the 2025/26 MTFS for a period of two years (2025/26 and 2026/27) for Digital, Data & Technology (DDaT) but is subject to a further business case in the New Year;
- (9) approved a budget of £0.956 million to be incorporated within the 2025/26 MTFS for investment in the Housing Prevention and Assessment Team. This investment will be targeted at reducing pressure on the Housing General Fund

by increasing opportunities to prevent homelessness and supporting residents to move on from temporary accommodation as quickly as possible;

- (10) approved funding for Commissioning Health Check of £0.150 million funded from the budget strategy reserve providing clear recommendations for improvement to allow the Council to shift towards a more strategic, outcomes-focused commissioning approach;
- (11) approved the continuation of the 8 Borough Business rates pool for 2025/26; and
- (12) approved the re-baselined 24/25 Capital budget of £154.62m from the July 2024 approved budget of £184.24m.

## **56. Budget Review - Fees and Charges 2025/26**

The Leader introduced the report.

Councillor Akram expressed concerns that the report was due to be considered by Budget Scrutiny Committee on 4 December 2024, following Cabinet consideration. He suggested that the item was deferred and considered by Cabinet in January 2025 to allow the committee to feed in views before the individual fees and charges, that were reserved for Cabinet approval, were considered by Cabinet. Councillor Akram added that the fees and charges reserved for Full Council approval could then proceed to the December Council meeting. The Leader explained that the report needed to proceed to appropriate bodies in a timely manner and confirmed that Budget Scrutiny Committee would consider the report, in its entirety, as programmed. She said that would allow the committee to feed in views before Full Council approval.

Councillor Loakes stated that it was important to identify opportunities to bring income streams into the Council to help balance cost pressures. He went on to say that the report followed an appropriate governance process and endorsed the established governance route.

### **Decision**

Cabinet:

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

agreed the proposal in that the Fees and Charges can be uplifted as early as 1<sup>st</sup> February 2025 and no later than 1<sup>st</sup> April 2025.



## **57. Developing Stronger Communities through Culture and Creativity: A Cultural Action Plan for Waltham Forest: 2024-2030**

Councillor Doré introduced the report and, in doing so, thanked her Cabinet colleagues and the Housing and Inclusive Economy Scrutiny Committee for their robust engagement. She also commended Lorna Lee - Assistant Director, Culture and Heritage Services and her team for their hard work.

### **Decision**

Cabinet:

- (1) approve a new Cultural Action Plan - 'Developing Stronger Communities through Culture and Creativity: A Cultural Action Plan for Waltham Forest: 2024-2030' at Appendix 1 of the report;
- (2) approved the revised frameworks for Civic and Community events, and flag raising at Fellowship Square at Appendix 4 and Appendix 5; and
- (3) noted the Cultural Action Plan Year 1 Delivery Plan at Appendix 2 of the report.

## **58. Case Analysis of Housing Ombudsman's Determination Findings**

Councillor Khan introduced the report and, in doing so, said that it was important that lessons were learned and confirmed that such judgements were taken very seriously by the Council.

The Leader stated that it was important to continue to look at progress and to ensure the Council continued to improve.

### **Decision**

Cabinet noted the contents of the report.

## **59. Infrastructure Delivery Plan and Infrastructure Funding Statement 2023/2024**

Councillor Khan introduced the report and in doing so, referred to some of the infrastructure improvements that had been made as a result of the Infrastructure Delivery Plan, including Priory Court which was comprised of 100% affordable housing and provided new community space, CCTV coverage, street lighting improvements and tree planting. He also referred to improvements made in Sutherland Road, which now had one of the largest Sustainable Drainage Systems (SUDS) schemes on a residential street in the country. Councillor Khan then gave thanks to Ian Rae, Sarah Parsons - Assistant Director - Place and Design; and Marcin Manikowski - Head of Strategic Planning & Infrastructure for their hard work.

The Leader commended Councillor Khan and relevant officers and said that she was pleased that the report gave the Council powers to deliver improvements for residents despite revenue challenges.

Councillor Loakes referred to various schemes that had been implemented around the borough and how those changes had transformed many residents' lives. He also pointed out that such projects gave rise to further employment opportunities within the borough. Councillor Loakes then echoed the Leader's words of thanks to Councillor Khan and his team.

## **Decision**

Cabinet:

- (1) approved the revised Infrastructure Delivery Plan (IDP);
- (2) approved the Infrastructure Funding Statement (IFS) (2023/24) and the incorporated Infrastructure List; and
- (3) delegated authority to make any minor amendments necessary to the IDP and IFS (2023/24) before they are published, to the Corporate Director – Regeneration, Planning & Delivery, in consultation with the Portfolio Lead Member for Housing and Regeneration.

## **60. Expansion of Burnside Secondary onto Additional Site**

Councillor Gardiner introduced the report and, in doing so, gave thanks to all officers involved as well as education partner organisations.

## **Decision**

Cabinet approved the proposed expansion of Burnside Secondary Pupil Referral Unit (PRU).

## **61. Exclusion of press and public**

Cabinet agreed not to discuss the content of the exempt appendices and, therefore, not to exclude the press and public.

## **62. Schools Capital Programme 2024 - 2028**

Councillor Gardiner introduced the report and gave thanks to officers for their hard work and to the range of partner organisations involved. Councillor Khan echoed Councillor Gardiner's words of thanks.

## **Decision**

Cabinet:

- (1) approved the allocation of the available resources of £52.65m to the Schools Capital Programme to financial year end 2027/28, as outlined in Appendix 1 of the report, and for this funding to be made available to deliver the projects identified in Appendix 2 and Appendix 3 of the report;
- (2) noted the total resource of £31.50m currently committed against projects previously approved by Cabinet and by delegated authority, as detailed in Appendix 2 of the report.
- (3) delegated authority to finalise this programme, within identified financial resources, to the Strategic Director of Children Services, in consultation with the Portfolio Lead Member for Children and Young People and the Strategic Director of Resources;
- (4) delegated authority to the Corporate Director – Property and Delivery, in consultation with the Portfolio Lead Member for Children and Young People and Strategic Director of Resources:
  - to proceed with the procurement of projects and maintenance and improvement works included in the programme, subject to Strategic Commissioning Board Approval; and
  - to award contracts provided they are within the resources available in the Schools Capital Programme to meet such commitments.

### **63. Procurement of a new Cleaning Contract for the Council's Corporate Estate**

Councillor Khan introduced the report.

#### **Decision**

Cabinet approved the procurement strategy detailed in this report for a restricted procurement process to be undertaken in order to appoint a single provider in respect of Cleaning Services for all Corporate Buildings for a proposed contract term of 4 years from 1 October 2025 with options to extend for two 1 year extension periods (1+1).

### **64. Procurement of a New Mechanical & Electrical Contract for the Council's Corporate Estate**

Councillor Khan introduced the report.

#### **Decision**

Cabinet approved the procurement strategy detailed in this report for a restricted procurement process to be undertaken in order to appoint a single provider in respect of Mechanical and Electrical Services for a proposed contract term of 4 years from 1 October 2025 with options to extend for two 1 year extension periods (1+1).

**The meeting closed at 3.24 pm**

**Chair's Signature** \_\_\_\_\_

**Date** \_\_\_\_\_