

## Decisions of the Cabinet

6 February 2024

Record of decisions taken at the above meeting

### Members Present:-

Councillor Barry Rawlings (Chair)	Leader and Cabinet Member – Resources & Effective Council
Councillor Ross Houston	Deputy Leader and Cabinet Member – Homes & Regeneration
Councillor Paul Edwards	Cabinet Member – Adult Social Care
Councillor Ammar Naqvi	Cabinet Member – Culture, Leisure, Arts and Sports
Councillor Anne Clarke	Cabinet Member – Community Wealth Building
Councillor Sara Conway	Cabinet Member – Community Safety and Participation
Councillor Pauline Coakley Webb	Cabinet Member – Family Friendly Barnet
Councillor Alison Moore	Cabinet Member – Health and Wellbeing
Councillor Alan Schneiderman	Cabinet Member – Environment and Climate Change
Councillor Zahra Beg	Cabinet Member – Equalities, Voluntary and Community Sector

### Also in attendance:

Councillor David Longstaff  
Councillor Peter Zinkin  
Councillor Richard Cornelius  
Councillor Alison Cornelius

#### 1. MINUTES OF THE PREVIOUS MEETING

Councillor Barry Rawlings, Leader of the Council and Cabinet Member for Resources and Effective Council welcomed all attendees to the meeting.

**It was RESOLVED that the minutes of the meeting held on 16 January 2024 be approved as a correct record.**

#### 2. ABSENCE OF MEMBERS (IF ANY)

None.

#### 3. DECLARATION OF MEMBERS' INTERESTS AND DISPENSATIONS (IF ANY)

None.

#### 4. QUESTIONS FROM NON-EXECUTIVE MEMBERS (IF ANY)

The Chair welcomed Councillor Peter Zinkin and Councillor David Longstaff to the meeting.

Questions were raised in relation to agenda items 8, 10 and 11 which were responded to verbally at the meeting by Cabinet Members.

#### 5. PETITIONS (IF ANY)

None.

**6. DEPUTATIONS (IF ANY)**

None.

**7. PUBLIC QUESTIONS AND COMMENTS (IF ANY)**

None.

**8. MATTERS REFERRED TO THE EXECUTIVE (IF ANY)**

The Leader introduced the four Council Motions as set out below which were carried at Full Council. The Motions were identified in the Council summons of 30 January 2024 as matters falling within the powers of the Executive and referred to Cabinet for consideration in accordance with the Council Constitution.

Motions:

A. Motion: Welcoming extension of Universal Free School Meals Scheme and Requesting Government Support for Special Dietary Requirements

B. Motion: Barnet Council to continue with tackling climate change

C. Motion: Digital Blue Badges for Barnet

Following a request raised by Councillor Schneiderman and agreement by Cabinet, the Leader stated that he would write to that Officers consult with Councillor Alex Prager to lobby central government for introduction of digital blue badge scheme.

D. Motion: Banning profiteering in children's social care and education placements

**RESOLVED that Cabinet noted the referred motions and endorsed the resolutions made at Council on 30<sup>th</sup> January 2024 in relation to the four motions.**

**9. CONSIDERATION OF REPORTS FROM THE OVERVIEW AND SCRUTINY COMMITTEE OR SCRUTINY SUB-COMMITTEES (IF ANY)**

None.

The Chair announced a variation in the order of the agenda, namely that item 11 (CFO Q3 Report) will be considered first followed by item 10 (Business Planning) and the remaining items on the agenda.

## **11. CHIEF FINANCE OFFICER REPORT - 2023/24 QUARTER 3 FINANCIAL FORECAST AND 2023/24 BUDGET MANAGEMENT**

Councillor Barry Rawlings Leader of the Council and Cabinet Member for Resources & Effective Council introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

### **DECISION:**

#### **RESOLVED that Cabinet noted:**

- 1. The forecast outturn for 2023/24 against the Council's revenue budget;**
- 2. The current use of reserves,**
- 3. The expenditure against capital budgets in the year;**
- 4. The current debt position.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

## **10. BUSINESS PLANNING 2024-2030**

Councillor Barry Rawlings Leader of the Council and Cabinet Member for Resources & Effective Council introduced the report. Cabinet Members welcomed the report and commented on sections of the report in relation to their portfolio areas.

Following discussion, the Chair moved to vote on the recommendations.

### **DECISION:**

#### **RESOLVED that Cabinet:**

**In respect of the Budget and Council Tax for 2024/25 and the MTFS 2024-30 taking into account the equality impact assessment and consultation findings:**

- 1. Recommended to Council for approval the MTFS, attached as Appendix A, and the detailed revenue budgets in Appendix C, including the proposed savings and funding for pressures in 2024/25;**
- 2. Recommended to Council for approval that the budget 2024/25 is prepared on the basis of a 2.98% increase for the general element of Council Tax in 2024/25 as discussed in paragraph 3.14 to 3.21;**
- 3. Recommended to Council for approval that the budget for 2024/25 is prepared on the basis of an increase of 2% for the Social Care Precept, to help fund social care as detailed in paragraph 3.14 to 3.21;**
- 4. Recommended to Council for the approval the resolutions relating to Council Tax contained within Appendix B;**

5. **Noted a change in legislation relating to council tax premiums chargeable on unoccupied dwellings as set out in para 3.22-3.25.**
6. **Recommended to Council for the approval of application of the Council Tax Premiums (under Section 11C of the Local Government Finance Act 1992) with effect 1st of April 2025 (as set out in para 3.24).**
7. **Recommended to Full Council to agree not to amend the Barnet Council Tax Support Scheme as set out in para 3.26.**
8. **Recommended to Council for approval, on the advice of the Chief Finance Officer, that it determines that the council's basic amount of Council Tax for 2024/25 as set out in Council Tax resolution Appendix B, 2(iv) is not excessive in accordance with the principles approved under section 52ZB and 52ZC of the Local Government Finance Act 1992, set out in the Referendums relating to Council Tax increases (Principles)(England) Report 2024/25;**
9. **Recommended to Council that in accordance with Section 38(2) of the Local Government Finance Act 1992 the Chief Executive be instructed to place a notice in the local press of the amounts set under recommendation 9 above within a period of 21 days following the Council's decision; and**
10. **Approved delegation of any further allocations from the transformation reserve to the Leader of the Council as set out in Section 4.**
11. **Approved consultation on an increased Garden Waste fee as set out in paragraph 1.6 to 1.8 and delegated to the Cabinet Member for Environment & Climate Change in consultation with the Chief Officer for Customer & Place to consider the consultation responses and equality impact assessment and make a decision regarding the fee.**

**In respect of Capital Strategy and the proposed capital programme:**

12. **Recommended to Council the approval of the Capital Strategy as set out in Appendix I1; and**
13. **Recommended to Council for approval the Capital Programme as set out in Appendix I2 and set out in Section 7;**

**In respect of the Treasury Management Strategy Statement (TMSS):**

14. **Recommended to Council the approval of the TMSS for 2024/25 as set out in Appendix J.**

**In respect of Housing Revenue Account (HRA) and Temporary Accommodation (TA):**

15. **Recommended to Council the approval of the HRA Business Plan (at Appendix K).**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

## **12. BRENT CROSS CABINET REPORT**

Councillor Ross Houston Deputy Leader and Cabinet Member for Homes and Regeneration introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

**DECISION:**

**RESOLVED that Cabinet:**

1. **Noted the contents of the report.**
2. **Delegated authority to the Brent Cross Programme Director to finalise and enter into agreements for short term temporary use of land acquired for the Brent Cross Scheme until it is brought into the development or utilised for other purposes, as set out in paragraph 1.29.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

**13. HOMELESS ACTION IN BARNET, 36B WOODHOUSE ROAD, LONDON N12 0RG  
- NEW LEASE**

Councillor Barry Rawlings Leader of the Council and Cabinet Member for Resources & Effective Council and Councillor Ross Houston Deputy Leader and Cabinet Member for Homes and Regeneration both introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

**DECISION:**

**RESOLVED:**

1. **That Cabinet approved the grant of a new lease to Homeless Action in Barnet for a term of 25 years at a peppercorn rent with mutual break options on the 8th and 12th anniversary of lease commencement.**
2. **That Cabinet authorised the Head of Property and Portfolio Management, in consultation with the Leader and the Deputy Leader, to enter into and conclude the lease substantially in accordance with the heads of terms appended or with such variations as may be approved by the Head of Property and Portfolio Management, in consultation with the Leader and the Deputy Leader.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

**14. PROCUREMENT TO SUPPORT HOUSING REGULATORY SERVICES TO ENSURE THE SAFETY OF RESIDENTIAL PREMISES**

Councillor Ross Houston Deputy Leader and Cabinet Member for Homes and Regeneration introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

**DECISION:**

**RESOLVED that:**

**Cabinet agreed:**

- 1. To run an urgent accelerated procurement exercise to commission a contractor to fulfil the Council's statutory duties under the Parts 1-4 Housing Act 2004 and legislation relevant to ensure minimum mandatory safety standards are met in relation to private sector accommodation.**
- 2. To delegate authority to the Deputy Chief Executive in consultation with the Deputy Leader and Cabinet Member for Homes and Regeneration to award and enter into a contract with the winning bidder.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

**15. PAN LONDON VEHICLE FOR CHILDREN'S COMPLEX COMMISSIONING LTD**

Councillor Barry Rawlings Leader of the Council and Cabinet Member for Resources & Effective Council and Councillor Pauline Coakley Webb Cabinet Member for Family Friendly Barnet introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

**DECISION:**

**RESOLVED:**

- 1. That Cabinet resolved to become a Member of the Pan London Vehicle for Children's Complex Commissioning Ltd, a Company Limited by Guarantee that will be owned by London Boroughs, including the London Borough of Barnet (the 'Company')**
- 2. That Cabinet noted that Full Council on 30 January 2024 approved the appointment of the Executive Director for Children and Families to the Company's Board of Directors on terms set out in the Company's governance documents.**
- 3. That Cabinet delegated authority to the Chief Executive, in consultation with the Executive Director for Children & Families, the Leader of the Council and Cabinet Member for Resources & Effective Council, to make company member/shareholder decisions on particular matters set out in the Company's governance documents and reserved for decision by the constituent Boroughs' as company members/shareholders on the Company's Members' Group, to enable the Members Group to carry out its functions efficiently and effectively.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

## **16. OPENDOOR HOMES ACQUISITIONS**

Councillor Ross Houston Deputy Leader and Cabinet Member for Homes and Regeneration introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

### **DECISION:**

#### **RESOLVED that Cabinet:**

- 1. Subject to full council agreeing to increase the borrowing limit and approving the Capital Programme that Cabinet approved,  
- Creation of a £70m loan facility with TBG Open Door Limited to acquire 300 homes from the open market and let them at a combination of Local Housing Allowance and social rents.  
- Establishment of a capital budget of £31.5m to subsidise purchases.**
- 2. Delegated authority for the Deputy Chief Executive, in consultation with the Chief Finance Officer (S151), to agree the Facility Loan Agreement and any additional security documents that may be required with TBG Open Door Limited, and any other related documents required, including any consent required from the Council pursuant to its agreements with The Barnet Group.**
- 3. Delegated authority for the Deputy Chief Executive, in consultation with the Deputy Leader and Cabinet Member for Homes and Regeneration, to approve a review of activity after 100 homes have been acquired to determine if the program should continue.**
- 4. That Cabinet delegated authority for the Deputy Chief Executive to agree the loan facility with TBG Open Door Limited.**
- 5. That Cabinet noted that the existing loan facility of £170m for the current acquisitions program will be 'suspended' at £105m, so there will be £65m undrawn from that facility.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

## **17. TOUCHPOINT HOUSING LBB PORTFOLIO PURCHASE**

Councillor Ross Houston Deputy Leader and Cabinet Member for Homes and Regeneration introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

### **DECISION:**

## **RESOLVED:**

- 1. That Cabinet approved the purchase of the Touchpoint Housing LBB portfolio by TBG Open Door Limited.**
- 2. That Cabinet approved the transfer of leases held by Touchpoint Housing LBB to TBG Open Door Limited, varying lease rent inflation as outlined at 1.13.**
- 3. Subject to full council agreeing to increase the borrowing limit and approve the Capital Programme that Cabinet approved the establishment of a £20.6m loan facility with TBG Open Door Limited to facilitate the purchase.**
- 4. That Cabinet delegated authority for the Deputy Chief Executive, in consultation with the Chief Finance Officer (S151), to agree the Facility Loan Agreement any additional security documents and any other related documents required, including any consent required from the Council pursuant to its agreements with The Barnet Group and from the Council as landlord of the underleases affected.**

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

## **18. SMALL SITES PROGRAMME - FORMER NIGHTINGALE NURSERY**

Councillor Barry Rawlings Leader of the Council and Cabinet Member for Resources & Effective Council and Councillor Ross Houston Deputy Leader and Cabinet Member for Homes and Regeneration both introduced the report.

Following discussion, the Chair moved to vote on the recommendations.

## **DECISION:**

## **RESOLVED:**

- 1. That Cabinet approved that the former Nightingale Nursery Site is surplus to requirements and approves the development proposals to deliver new homes on the Site through the Small Sites Programme.**
- 2. That Cabinet delegated authority to the Deputy Chief Executive to take such actions and make such decisions to enable and facilitate the proposals set out in this report:**
  - (i) to include to appropriate the whole or part of the Site including to planning purposes and to authorise any steps lawfully required in connection with the same,**
  - (ii) to consider any objections in connection with any intended appropriation,**
  - (iii) to engage Section 203 of the Housing and Planning Act 2016; and to negotiate and settle any claims resultant on engaging it,**
  - (iv) to dispose of the Site as outlined in this report,**
  - (v) to apply for all required statutory consents,**



(vi) as otherwise may be required in accordance with all lawful requirements and as detailed at section 6.

3. That the Cabinet delegated authority to the Deputy Chief Executive in consultation with the Cabinet Member for Homes and Regeneration to enter into and conclude such documents as required to give effect to the proposals outlined in this Report or agree alternative terms based on the broad principles outlined at 1 above and enter into and conclude such documents or to agree variations to any documents as may be required from time to time.

The report set out the options considered, if any, and the reasons for the recommendations and the decision.

## 19. CABINET FORWARD PLAN - KEY DECISION SCHEDULE

Cabinet noted the Forward Plan – Key Decision Schedule.

## 20. URGENT BUSINESS (IF ANY)

None. As there was no requirement for further discussion on the exempt part of the agenda, the Chair declared the meeting closed.

The meeting finished at 8.40 pm

Proper Officer

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 clear working days after publication of this document unless the decision is called in.

Five Members of the Council can call in a decision of the Cabinet, which has been taken but not implemented. For matters impacting a particular ward, a ward Councillor must be included in the 5 signatures. Call-in must be by notification to the Monitoring Officer or Head of Governance in writing signed by all five Members ([Part 3C - Committee Procedure Rules of the Council's Constitution](#)).

<b>Date of Publication:</b>	7 February 2024
<b>Last Date for Call-In*:</b>	14 February 2024, 5PM
<b>Date decision can be implemented if not called in:</b>	15 February 2024
<b>Contact:</b>	Head of Governance: <a href="mailto:Andrew.Charlwood@barnet.gov.uk">Andrew.Charlwood@barnet.gov.uk</a>

*\*Please note that Call-in may not apply to all decisions*