



London Borough of Hammersmith & Fulham

Cabinet

Minutes

Monday 7 February 2011

PRESENT

Councillor Stephen Greenhalgh, Leader
Councillor Nicholas Botterill, Deputy Leader (+Environment and Asset Management)
Councillor Mark Loveday, Cabinet Member for Strategy
Councillor Helen Binmore, Cabinet Member for Children's Services
Councillor Joe Carlebach, Cabinet Member for Community Care
Councillor Harry Phibbs, Cabinet Member for Community Engagement
Councillor Lucy Ivimy, Cabinet Member for Housing
Councillor Greg Smith, Cabinet Member for Residents Services

ALSO PRESENT

Councillor Daryl Brown
Councillor Michael Cartwright
Councillor Elaine Chumnerly
Councillor Iain Coleman
Councillor Stephen Cowan
Councillor Lisa Homan
Councillor Andrew Johnson
Councillor Andrew Jones
Councillor PJ Murphy
Councillor Caroline Needham
Councillor Mercy Umeh
Councillor Rory Vaughan
Councillor Ali de Lisle

1. MINUTES OF THE CABINET MEETING HELD ON 10 JANUARY 2011

RESOLVED:

That the minutes of the meeting of the Cabinet held on 10th January 2011 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. DECLARATION OF INTERESTS

There were no declarations of interest.

4. THE GENERAL FUND CAPITAL PROGRAMME, HOUSING REVENUE CAPITAL PROGRAMME AND REVENUE BUDGET 2010/11 – MONTH 8 AMENDMENTS

RESOLVED:

That the changes to the capital programme as set out in Appendix 1 be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

5. REVENUE BUDGET AND COUNCIL TAX LEVELS 2011/12

RESOLVED:

1. To note the Council Tax freeze for the Hammersmith & Fulham element for 2011/12. For planning purposes, there will be no change for 2012/13 and 2013/14.
2. That the Council Tax be set for 2011/12 for each category of dwelling, as calculated in accordance with Sections 30 to 47 of the Local Government Finance Act 1992, as outlined below and in full in Appendix A:
 - (a) *The element of Council Tax charged for Hammersmith & Fulham Council will be £811.78 per Band D property in 2011/12.*
 - (b) *The element of Council Tax charged by the Greater London Authority will be £309.82 per Band D property in 2011/12.*
 - (c) *The overall Council Tax to be set will be £1,121.60 per Band D property in 2011/12.*

Category of Dwelling	A	B	C	D	E	F	G	H
Ratio	6/9 £	7/9 £	8/9 £	1 £	11/9 £	13/9 £	15/9 £	18/9 £
a) H& F	541.19	631.38	721.58	811.78	992.18	1,172.57	1,352.97	1,623.56
b)GLA	206.55	240.97	275.40	309.82	378.67	447.52	516.37	619.64
c)Total (Draft)	747.74	872.35	996.98	1,121.60	1,370.85	1,620.09	1,869.34	2,243.20

3. That the Council's own total net expenditure budget for 2011/12 be set as £189.289m
4. That fees and charges be approved as set out in paragraph 4.4.
5. That the Director of Finance and Corporate Services' budget projections to 2013/14 be noted.
6. That the Director of Finance and Corporate Services' statements under Section 25 of the Local Government Act 2003 regarding adequacy of reserves and robustness of estimates be noted (section 13).
7. That the Director of Finance and Corporate Services be authorised to collect and recover National Non-Domestic Rate and Council Tax in accordance with the Local Government Finance Act 1988 (as amended), the Local Government Finance Act 1992 and the Council Schemes of Delegation.
8. That all Chief Officers be required to report monthly on their projected financial position compared to their revenue estimates (as part of the Corporate Monitoring Report).
9. That all Chief Officers be authorised to implement their service spending plans for 2011/12 in accordance with the recommendations within this report and the Council's Standing Orders, Financial Regulations and relevant Schemes of Delegation.
10. That Members note S106 of the Local Government Finance Act 1992 which requires any Member who is two months or more in arrears on their Council Tax to declare their position and not to vote on any issue that could affect the calculation of the budget or Council Tax.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

6. TREASURY MANAGEMENT STRATEGY REPORT

RESOLVED:

1. That the future borrowing and investment strategies and to authorise the Director of Finance and Corporate Services to arrange the Council's cashflow, borrowing and investments in 2011/12, be approved.
2. That the additions to the list of institutions to the Council's restricted lending list noted at paragraph 10.4 of the report be approved.
3. In relation to the Council's overall borrowing for the financial year 2011/12, the Prudential Indicators as set out in Section 3 of the report be approved.
4. That the future amendments to the credit criteria be delegated to Cabinet.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

7. PROCUREMENT AND MARKET TESTING PROGRAMME 2011-2014

RESOLVED:

1. That the benefits derived from the 2007-2010 Procurement & Market Testing Programme be noted.
2. That the 2011-14 Procurement and Market Testing Programme, attached as appendices 1-6 to the report, be agreed.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

8. E-BOOKING PROJECT

RESOLVED:

That funding of £145,412 be made available from the Efficiencies Project Reserve pot to implement the e-booking project, be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

9. CAPITAL PROGRAMME 2011/12 TO 2015/16

RESOLVED:

1. That the General Fund Capital Programme is £31.931m for 2011/12 be approved.
2. That a Debt Reduction target of £53.9m by 2015/16 which will reduce underlying debt (Capital Financing Requirement to £78.8m) be approved.
3. That 25% of receipts generated for the decent neighbourhoods programme continue to be used to support general capital investment be approved.
4. To approve the following initiatives within the capital programme:
 - The continuation of the rolling programmes for Corporate Planned Maintenance (£2.5m), repairs to carriageways and footways (£2.1m), private sector housing grants (£0.45m), Parks Improvements (£0.5m) and contributions to the Invest to Save Fund (£0.750m)
 - The setting aside of £0.250m in reserve for the DDA Programme.
5. That, subject to agreement of the overall programme, prudential borrowing of £5.4m regarding the Schools Capital Strategy, be approved.

6. To note and approve the level of resource forecast (Table 5) and indicative expenditure for the decent neighbourhoods programme as detailed in Appendix 1 and proposed 2011/12 contribution to fund works to the HRA stock of £14.867m from the Decent Neighbourhoods Pot for one year only.
7. That the 2011/12 HRA capital programme as set out in Appendix 3, and subject to appropriate Member approval for un-committed schemes be approved.
8. That the prudential indicators as set out in Appendix 4 to the report be approved.
9. To approve the following annual Minimum Revenue Provision: (Appendix 5).
 - For debt which is supported through Formula Grant this authority will calculate the Minimum Revenue Provision in accordance with current regulations (namely 4% of the Capital Financing requirement net of adjustment A).
 - For debt which has arisen through prudential borrowing it should be written down in equal instalments over the estimated asset life. The debt write-off will commence the year after an asset comes into use.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

10. CORPORATE PLANNED MAINTENANCE PROGRAMME 2011/2012

RESOLVED:

1. That the 2011/2012 Corporate Planned Maintenance Programme and scheme budgets (Appendices A and B), subject to any amendments as agreed for operational reasons by the Assistant Director Building and Property Management and the Director of Finance and Corporate Services be approved.
2. That the Corporate Planned Maintenance Programme be monitored, including operational changes made by the Assistant Director Building

and Property Management and the Director of Finance and Corporate Services, via progress reports to the Deputy Leader.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

11. CHANGES TO DAY SERVICES : MERGER OF DAY SERVICES FOR OLDER AND DISABLED PEOPLE AND CLOSURE OF 147 STEVENAGE ROAD; PROCUREMENT PROPOSALS FOR ALL DAY SERVICES

RESOLVED:

1. That the merge the day services for older and disabled people and cease use of 147 Stevenage Road as a day centre provision be approved.
2. That the site be declared surplus to the Council's requirements and disposed of in accordance with S123 Local Government Act 1972 on terms considered appropriate by the Director of Environment, Assistant Director (Building and Property Management) and the Assistant Director (Legal and Democratic Services).

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

12. FRAMEWORK CONTRACT AWARD - INDEPENDENT ADVOCACY SERVICE MENTAL CAPACITY ACT 2005 AND PAID RELEVANT PERSON'S REPRESENTATIVE SERVICE 2011-2016

RESOLVED:

That authority be delegated to the Cabinet Member for Community Care to approve the Council joining and calling off under the framework agreement procured by Westminster City Council for the provisions of an Advocacy and Personal Representative Service for the Borough.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

13. HOUSING REVENUE ACCOUNT BUDGET STRATEGY 2011-12

RESOLVED:

1. That the Housing Revenue Account Budget for 2011/12 as set out in Appendix 1 of the report be approved.
2. That an average increase in weekly rent of 6.71%, in line with the rent restructuring system; be approved.
3. That the Medium Term Financial Strategy for the HRA as set out in Appendix 1 of the report be endorsed.
4. That the efficiency proposals set out in Appendix 2 of the report be approved.
5. That the increases in service charges and other fees and charges as set out in the body of the report be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

14. LINFORD CHRISTIE OUTDOOR SPORTS CENTRE - ALLOCATION OF S106 FUNDING

RESOLVED:

1. That the allocation of £160,000 from a range of S106 agreements to cover the anticipated costs of appointing a works contractor to carry out minor refurbishment works and other costs associated with completing this project be approved.
2. That the estimated value of the works of £160,000, to be drawn down from the associated sum be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

15. H&F BUILDINGS CONSULTATION REPORT

In order to ensure the smooth running of the meeting, the Leader announced that as well as allowing the petition and deputation speakers, he would take some questions from the floor. Members would discuss both the H&F Buildings Consultation and Sands End Community Centre reports together but take separate votes at the end of the debate.

The Cabinet received a petition and three deputation requests from:

Mr. John Gordon-Smith (Petition - Village Hall),
Ms. Anna Du Boisson (Deputation - Village Hall),
Ms. Hilda McCafferty (Deputation - Irish Centre), and
Mr. Nicholas Waldemar-Brown (Deputation - Sands End Community Centre).

Mr John Gordon-Smith addressed the Committee stating that the Village Hall which accommodates a wide range of groups and services was accessible to all service users. The uptake of the services since the opening of Westfield had increased. The hall did not require high maintenance as it had been recently refurbished. It would be prohibitive for the groups to run without the use of the hall.

Mrs Anna Du Boisson challenged the proposed decision to close and dispose of the Village Hall. She stated that the Village Hall was essential in providing dance classes, rehearsals and scholarships for 720 children. Both the Young Dancers Academy and West London Dance School used the hall on a daily basis. She noted that the user groups were self funding and the building was in a good state of repair. Therefore the Council did not require to invest in the up keep of the building. If the hall were disposed of, there were no alternative venues within the area suitable for the dance groups to use. She stated that her charity would offer to take responsibility for the maintenance, upkeep and running cost of the hall for the benefit of the community. She implored Cabinet to save the hall by renting it to the community or giving the groups the opportunity to buy the building.

Mrs Hilda McCafferty requested Cabinet not to revoke its decision made in January 2009 to extend the Irish Cultural Centre lease and to reconsider the proposal to extend the lease to 2017. It would be very difficult to re-provide a community building such as the Irish Cultural Centre once it is lost to a commercial or residential use. She implored members to give the Centre's board more time, beyond March 2012, to raise funds once a valuation had been agreed if the Council decided to proceed with a sale. The reputation of the Council had been enhanced as the Centre was a Centre of Excellence for education and cultural activities. She was of the view that if the Centre were to be disposed of the good relationship built over the years between Britain and Ireland could be damaged.

Mr. Nicholas Waldemar-Brown spoke on behalf of Sand End Community Centre and Library Action Group. He noted that the centre served the local community through Sure Start for young families, a gym, and adult education classes with high grade pottery and jewellery making facilities and a library. The Council's argument for closure was based on the desire to sell the property to reduce its debt. The Sands End Community Centre Action Group challenged the Council's arguments for closure and did not support the proposed options to relocate and re-provide the services elsewhere within the ward as the Centre was at the geographical centre of the ward. Re-provision of facilities elsewhere in the ward was impractical for many families living in the area. The strength of the library and community centre was that all facilities were under one roof. This allowed families to access a variety of services as well as providing mutual support. He was of the opinion that the consultation was flawed. The Council had disregarded the groundswell of opinion shown by residents. It was false economy to relocate services without calculating the actual re-provision costs. He noted that a developer had approached the Council to buy the building for £2 million and lease the ground floor back to the community. He urged the Council to consider alternative options to ensure it was kept open.

The Cabinet Members confirmed that they had carefully read both reports and the associated Equalities Impact Assessments, and would have regard to the documents listed below and the relevant deliberations when making their decisions:-

- petition heard at Full Council in October 2010 in relation to the Sands End Community Centre,

- petition heard at January 2011 Full Council in relation to the Irish Centre, and
- the Library Strategy Report which was considered and agreed at the January 2011 Cabinet meeting.

Opposition Councillors, residents, deputees, and other interested parties asked the Cabinet a series of questions. These were addressed as part of the Cabinet Members' responses at the end of the debate. In conclusion, the Leader noted that the Council had no intention of undertaking a fire sale of any of the properties. The Council will continue to work with the groups to ensure that services were re-provided elsewhere. He noted that the Council will only consider the closure of Sand Ends Community Centre if it can ensure that alternative services are available within the ward.

RESOLVED

1. That the following properties are no longer required by the Council and are approved for released for disposal (on terms considered appropriate by the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services):

a. Cambridge House and Barclay House: the Council should vacate the leased buildings at the earliest opportunity and relocate staff to remaining accessible sites.

b. Fulham Town Hall: With the relocation of services, it is declared to be no longer required by the Council and can be released for disposal.

c. Distillery Lane Centre: (subject to public notice under Section 123(2A) Local Government Act 1972 and consideration of any objections received). Please refer to paragraph 21.5 in the report.

2: That the Council can no longer afford to keep and maintain the following properties (or subsidise others to do so) and that they are disposed of on terms which the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.

a. Askham Centre: (subject to possible short term use first and to relocation of services)

b. Palingswick House: is declared too costly to keep and maintain and can be released for disposal.

c. 58 Bulwer Street: is declared too costly to keep and maintain and can be released for disposal.

d. The Greswell Centre: (subject to alternative accommodation being offered to Hammersmith & Fulham Action on Disability in the White City Collaborative Care Centre).

e. 20 Hammersmith Broadway (Information Centre): That the current lease is not renewed; and to offer to surrender the premises back to the landlord or

(failing that) sub let the premises to a retailer paying a market rent (after offering first refusal to the current occupant). The terms of such surrender or sub-letting to be as the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.

3. That Cabinet revoke its decision made in January 2009 to extend the lease of the Irish Cultural Centre to Irish Cultural Centre Hammersmith Ltd. The property to be released for disposal at best consideration with the tenant being offered first refusal when the current lease expires in March 2012. Terms of disposal to be as the Assistant Director (Building and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.

4. That a decision on the future of 50 Commonwealth Avenue be deferred until the Day Opportunities review has concluded.

5. That delegated authority is given to the Leader of the Council and relevant Cabinet Member to procure a managing agent that will manage the Edward Woods Community Hub. This would be under a framework agreement, whereby other buildings/ hubs owned by the Council could potentially be managed by the same organisation.

6. That the Council explore options for developing further community hubs in the borough as opportunities arise.

7. That delegated authority is given to the Leader of the Council and relevant Cabinet Member to conclude all matters relating to the implementation of the above recommendations (with power to sub-delegate to the relevant departmental Director).

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

16. SANDS END COMMUNITY CENTRE

In order to ensure the smooth running of the meeting, the Leader announced at the beginning of the meeting that Members would discuss both the H&F Buildings Consultation and Sands End Community Centre reports together. Mr. Nicholas Waldemar-Brown addressed Cabinet as recorded in the minutes above.

RESOLVED:

1. That the services currently located within the Centre be relocated at suitable alternative venues within the Sands End Ward.
2. That all services be relocated before the Centre is closed.
3. That any shortfall in capital funding required to relocate services will be met from the capital receipt for the Centre.
4. That, subject to recommendations 1-3 above, the Council can no longer afford to keep and maintain the Sands End Community Centre (or subsidise others to do so) and that it is disposed of on terms which the Assistant Director (Buildings and Property) and the Assistant Director (Legal and Democratic Services) consider appropriate.
5. That the Cabinet Member for Children's Services be authorised to take all necessary steps to give effect to the above matters.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

17. FORWARD PLAN OF KEY DECISIONS

The Forward Plan was noted.

18. SUMMARY OF OPEN DECISIONS TAKEN BY THE LEADER AND CABINET MEMBERS, AND REPORTED TO CABINET FOR INFORMATION

The summary was noted.

19. SUMMARY OF URGENT DECISIONS TAKEN BY THE LEADER, REPORTED TO THE CABINET FOR INFORMATION

The summary was noted.

20. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That all the exempt items of business on the agenda be deferred until the next appropriate meeting.

21. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 10 JANUARY 2011(E)

The consideration of the item was deferred until the next ordinary meeting.

22. SUMMARY OF EXEMPT DECISION TAKEN BY THE LEADER AND REPORTED TO CABINET FOR INFORMATION (E)

The consideration of the item was deferred until the next ordinary meeting.

Reason for decision:

As set out in the report.

23. SUMMARY OF EXEMPT URGENT DECISIONS TAKEN BY THE LEADER, AND REPORTED TO THE CABINET FOR INFORMATION

The consideration of the item was deferred until the next ordinary meeting.

Meeting started: 7.00 pm
Meeting ended: 8.50 pm

Chairman