

Cabinet

Minutes

Monday 30 January 2012

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 Andrew Johnson, Cabinet Member for Housing
Councillor Greg Smith, Cabinet Member for Residents Services

158. MINUTES OF THE CABINET MEETING HELD ON 9 JANUARY 2012

RESOLVED:

That the minutes of the meeting of the Cabinet held on 9th January 2012 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

159. APOLOGIES FOR ABSENCE

RESOLVED:

There were no apologies for absence received.

160. DECLARATION OF INTERESTS

RESOLVED:

There were no declarations of interest.

161. REVENUE BUDGET AND COUNCIL TAX LEVELS 2012/13

RESOLVED:

1. That the Council Tax reduction of 3.75% for the Hammersmith & Fulham element for 2012/13 be noted. For planning purposes, there will be a freeze on Council Tax for 2013/14 and 2014/15.
2. That the Council Tax be set for 2012/13 for each category of dwelling, as calculated in accordance with Sections 73 to 79 of the Localism Act 2011, as outlined below and in full in Appendix A:
 - (a) The element of Council Tax charged for Hammersmith & Fulham Council will be £781.34 per Band D property in 2012/13.
 - (b) The element of Council Tax charged by the Greater London Authority will be confirmed on the 14th February and is expected to be £309.82 per Band D property in 2012/13.
 - (c) The overall Council Tax to be set will be £1091.16 per Band D property in 2012/13.

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	520.89	607.71	694.52	781.34	954.97	1,128.60	1,302.23	1,562.68
b)GLA	206.55	240.97	275.40	309.82	378.67	447.52	516.37	619.64
c)Total	727.44	848.68	969.92	1,091.16	1,333.64	1,576.12	1,818.60	2,182.32

3. That the Council's own total net expenditure budget for 2012/13 is set at £177.496m be approved.
4. That fees and charges as set out in paragraph 4.2 of the report be approved.
5. That the Executive Director of Finance and Corporate Governance's budget projections to 2014/15 be noted.
6. That the Executive Director of Finance and Corporate Governance's statements under Section 25 of the Local Government Act 2003 regarding the adequacy of reserves and robustness of estimates be noted (section 13).
7. That the Executive Director of Finance and Corporate Governance 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 2012/13 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 Section 106 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.

162. TREASURY MANAGEMENT STRATEGY REPORT

RESOLVED:

1. That the future borrowing and investment strategies be approved and authority be delegated to the Executive Director of Finance and Corporate Governance to arrange the Council's cashflow, borrowing and investments in 2012/13.
2. In relation to the Council's overall borrowing for the financial year 2012/13, that the Prudential Indicators as set out in Section 3 of the report be approved.
3. That the changes to the Treasury Management Policy Statement and the Treasury Management Practices as explained in section 1 of the report and reproduced in Appendices A and B be approved.
4. That the Council move to a separate HRA and General Fund debt pool with effect from 1st April 2012.

5. That approved be given to pay the HRA investment income on unapplied HRA receipts and other HRA cash balances calculated at the average rate of interest earned on temporary investments with effect from 1st April 2012.

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.

163. CAPITAL PROGRAMME 2012/13 TO 2016/17

RESOLVED:

1. That the General Fund Capital Programme budget at £72.722m for 2012/13 be approved .
2. That a Debt Reduction target of £44.1m by 2016/17 which will reduce underlying debt - as measured by the Capital Financing Requirement - to £77.7m be approved.
3. That 25% of receipts generated for the decent neighbourhoods programme continue to be used to support general capital investment in 2012/13 be approved.
4. That the following initiatives within the capital programme (Table 4) be approved:
 - The continuation of the rolling programmes for repairs to Carriageways and Footways £2.1m, Corporate Planned Maintenance £2.5m, Private Sector Housing Grants £0.45m, Parks Improvements £0.5m, contributions to the Invest to Save Fund £0.75m and the Re-provision of Services from Sands End Community Centre £0.22m which totals £6.520m;
5. That the level of resource forecast (Table 2) and indicative expenditure budget 2012/13 of £13.043m for the Decent Neighbourhoods programme as detailed in Appendix 1; and 2012/13 contribution to fund works to the HRA stock of £8.820m from the Decent Neighbourhoods Pot (schemes under consideration) be approved.
6. That the 2012/13 HRA capital programme of £37.420m as set out in Table 6 be noted.

7. That the following annual Minimum Revenue Provision (Appendix 5) be approved:-

- 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.

8. That the prudential indicators as set out in Appendix 6 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.

164. CORPORATE PLANNED MAINTENANCE PROGRAMME 2012-2013

RESOLVED:

1. That the 2012/2013 Corporate Planned Maintenance Programme and scheme budgets (Appendices A and B) be approved, subject to any amendments as agreed for operational reasons by the Executive Director of Finance and Corporate Governance and the Assistant Director Building and Property Management.
2. That the Corporate Planned Maintenance Programme be monitored, incorporating operational changes made by the Executive Director of Finance and Corporate Governance and the Assistant Director Building and Property Management 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.

165. FUNDING DRAW DOWN FOR ROLL-OUT OF SMARTWORKING TO HOUSING AND REGENERATION DEPARTMENT AND PAPERLESS OFFICE

RESOLVED:

That approval be given to draw down funds for the Full Business Case and first phase of implementation of Stage D (SmartWorking HRD and the Paper-less Office) at a cost of £212,660, £144,309 of which is from the Efficiency Projects Reserve and £68,351 from Housing Revenue Account.

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.

166. WORKS TO ENABLE THE RELOCATION OF THE REGISTRARS SERVICE FROM FULHAM TOWN HALL TO HAMMERSMITH TOWN HALL

RESOLVED:

1. That approval be given for an order to be placed under the Measured Term Contract for Non-Housing Projects 2011/2015, at an estimated cost of £310,000 (inc contingency of £30,000) to which fees of £46,500 will be added, making a total cost of £356,500 as set out in section 3 of the report.
2. That the funding for this project be met from the Corporate Planned Maintenance Programme 2011/2012 as approved by Cabinet on 7 February 2011 and the agreed protocol for variation as delegated to the Executive Director of Finance and Corporate Governance and the Assistant Director Building and Property Management.
3. To note that the contract is programmed to start on 20 February 2012 for a period of 12 working weeks.

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.

167. HIGHWAY MAINTENANCE : APPROVAL OF THE 2012/13 PROGRAMME

RESOLVED:

1. That the list of carriageway and footway maintenance schemes as set out in Appendix A be approved.
2. That authority be delegated to the Deputy Leader (+Environment and Asset Management), in conjunction with the Executive Director of Transport and Technical Services and the Executive Director of Finance and Corporate Governance, to make amendments to the programme as agreed for operational and cost effective reasons in order to make the optimum use of resources allowing virements to contain expenditure within the approved resources and not subject to the normal virement rules.
3. That officers report and update programme amendments (additions and removals) to the approved scheme list to the Deputy Leader (+ Environment and Asset Management).

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.

168. UPDATE ON REPROVISION OF SERVICES AT SANDS END COMMUNITY CENTRE

RESOLVED:

1. That £1.62m of capital expenditure for Hurlingham & Chelsea School, jointly funded by the proceeds from the disposal of Sands End Community Centre (£1.3m) & funds provided by Hurlingham & Chelsea School (£320,000), be approved.

2. That the relocation arrangements from Sands End Community Centre be approved.
3. That authority be delegated to the Executive Director of Finance and Corporate Governance to ensure implementation of management arrangements for the above.

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.

169. HOUSING DEVELOPMENT COMPANY - DELIVERING AFFORDABLE HOUSING

RESOLVED:

1. That the business case referred to in the report (noting the general approach previously approved by the Cabinet on 18th April 2011), for the purposes of section 95 of the Local Government Act 2003, and the commencement of trading activities on the part of H&F Development Limited (HFD) and H&F Housing Limited (HFH) in accordance with the provisions of Section 95 of the Local Government Act 2003 be approved.
2. That subject to satisfactory outcome of consultation and equalities assessments approval be given to develop new affordable housing on the sites specified in section 4 of the report, and to transfer on long leases at nil consideration the relevant sites to HFD and enter into agreement with HFD regarding the use of the land; where relevant, disposal being subject to the Secretary of State's approval, or where the Secretary of State's approval is not required, where the Cabinet is satisfied that the purpose of the disposal is likely to contribute to the promotion or improvement of economic, social or environmental well-being in respect of the whole or part of the Council's area or of any people in the area, having regard to the Council's community strategy.
3. That approval be given for expenditure of £2.7 million for the purposes of undertaking development of new affordable housing on the sites specified in section 4 of the report from the Decent Neighbourhoods Fund; and that approved funds be expended directly by the Council and as a loan to HFD at a commercial interest rate (loan amount to be determined based on detailed appraisal of the development sites to the maximum amount of £2.7 million), provided that:

- (a) where such funding is pursuant to the Council's powers under section 2 of the Local Government Act 2000, the Cabinet is satisfied that the new build housing to be developed by HFD will assist in improving or promoting the environmental, social or economic well-being of the area, considering the objects and priorities contained in the Council's community strategy and how the proposed outcomes for the project fit in with that strategy, and
- (b) where such funding is pursuant to section 24 of the Local Government Act 1988, the Secretary of State's consent is obtained.

The loan is to be drawn down by HFD based on the approval of development appraisals for each site by the Executive Director of Housing and Regeneration and by the Deputy Director of Finance as part of the project governance structure.

- 4. That approval be given for £37k per annum funding for a half time development finance officer to be employed by the Council and recharged to HFD.
- 5. That approval be given to appoint solicitors Browne Jacobson and accountants Grant Thornton at a total cost of up to £30,000 for the Council to seek legal and tax advice in relation to disposal of the sites which will be funded from the Decent Neighbourhoods Fund.
- 6. That authority be delegated to the Cabinet Member for Housing in conjunction with the Executive Director of Housing & Regeneration to:
 - (a) Make any changes to the selected sites for the pilot phase following due consideration by them of the outcome of consultation and equalities assessment and detailed feasibility and financial appraisals.
 - (b) Appoint specialist consultants for additional services through a competitive procurement process to undertake due diligence work prior to transfer of land and approve the funding of these consultants from the Decent Neighbourhoods Fund.
 - (c) Consider and take into account the results of all such consultation and equalities assessments (reporting back to Cabinet only if they consider necessary).
- 7. That authority be delegated to the Cabinet Member for Housing, in conjunction with the Leader, the Executive Director of Housing & Regeneration, the Executive Director of Finance and Corporate Governance, and the Assistant Director (Legal and Democratic Services) to determine (prior to vesting of sites to HFD) the final legal and financial development structure (including any necessary documentation, either generally or for particular cases) and agree submission of applications for Secretary of State's consent to transfer agreed sites into HFD at nil consideration.

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.

170. HOUSING REVENUE ACCOUNT BUDGET, FINANCIAL STRATEGY AND RENT INCREASE FOR 2012/13

RESOLVED:

1. That the HRA financial strategy as set out in section 7 of the report be endorsed.
2. That the Housing Revenue Account Budget as set out in Appendix 1 of the report be approved.
3. That a rent increase of 7.65% based on application of the rent restructuring formula be approved.
4. That approval be given for an increase in garage rents of 7.65% and water rate charges of 5.8%, to ensure full recovery of water rates, and to leave the heating charge unchanged as set out in section 15 of the report.

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.

171. TENDER ACCEPTANCE REPORT FOR A MEASURED TERM CONTRACT TO CARRY OUT PLANNED SERVICING, DAY TO DAY REACTIVE CALL OUT BREAKDOWN REPAIRS AND MINOR IMPROVEMENT WORKS TO THE COUNCIL'S PASSENGER LIFTS WITHIN CORPORATE PROPERTIES BOROUGH-WIDE 2012- 2016

RESOLVED:

1. That approval be given to accept the most economically advantageous tender submitted by PDERS Ltd (A division of Otis Ltd) in the notional annual sum of £92,665 plus fees of £13,900 making a total notional sum of £106,565.
2. To note that the contract is expected to start on 13th March 2012 for a period of 4 years, with an optional extension of a further three years.

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.

172. FORWARD PLAN OF KEY DECISIONS

RESOLVED:

The Forward Plan was noted.

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

RESOLVED:

The summary was noted.

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

RESOLVED:

The summary was noted.

175. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the remaining items of business on the grounds that they contain information relating to *the financial or business affairs of a person (including the authority as defined in paragraph 3 of Schedule 12A of the Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.*

[The following is a public summary of the exempt information under S.100C (2) of the Local Government Act 1972. Exempt minutes exist as a separate document.]

176. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 9 JANUARY 2012 (E)

RESOLVED:

That the minutes of the meeting of the Cabinet held on 9th January 2012 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

177. TRI-BOROUGH TOTAL FACILITIES MANAGEMENT (E)

RESOLVED:

That the recommendations contained within the exempt 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.

178. WORKS TO ENABLE THE RELOCATION OF THE REGISTRARS SERVICE FROM FULHAM TOWN HALL TO HAMMERSMITH TOWN HALL : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations contained within the exempt 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.

179. SUMMARY OF EXEMPT DECISIONS TAKEN BY THE LEADER AND CABINET MEMBERS, AND REPORTED TO CABINET FOR INFORMATION (E)

RESOLVED:

The summary was noted.

180. SUMMARY OF EXEMPT URGENT DECISIONS TAKEN BY THE LEADER, AND REPORTED TO THE CABINET FOR INFORMATION (E)

RESOLVED:

Meeting started: 7.00 pm
Meeting ended: 7.02 pm

Chairman