



London Borough of Hammersmith & Fulham

# Cabinet

## Agenda

**MONDAY**  
**5 MARCH 2012**  
**7.00 pm**

**COURTYARD ROOM**  
**HAMMERSMITH**  
**TOWN HALL**  
**KING STREET**  
**LONDON W6 9JU**

### Membership

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

**Date Issued**  
**22 February 2012**

If you require further information relating to this agenda please contact:  
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### DEPUTATIONS

Members of the public may submit a request for a deputation to the Cabinet on non-exempt item numbers **4-19** on this agenda using the Council's Deputation Request Form. The completed Form, to be sent to David Viles at the above address, must be signed by at least ten registered electors of the Borough and will be subject to the Council's procedures on the receipt of deputations. **Deadline for receipt of deputation requests: Wednesday 29 February 2012.**

### COUNCILLORS' CALL-IN TO SCRUTINY COMMITTEES

A decision list regarding items on this agenda will be published by **Wednesday 7 March 2012**. Items on the agenda may be called in to the relevant Scrutiny Committee.

The deadline for receipt of call-in requests is: **Monday 12 March 2012 at 3.00pm**. Decisions not called in by this date will then be deemed approved and may be implemented.

A confirmed decision list will be published after 3:00pm on **Monday 12 March 2012**.

**Members of the Public are welcome to attend.**  
**A loop system for hearing impairment is provided, together with disabled access to the building**

# Cabinet Agenda

5 March 2012

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	<p>If a Councillor has any prejudicial or personal interest in a particular report he/she should declare the existence and nature of the interest at the commencement of the consideration of the item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a prejudicial interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken, unless a dispensation has been obtained from the Standards Committee.</p> <p>Where members of the public are not allowed to be in attendance, then the Councillor with a prejudicial interest should withdraw from the meeting whilst the matter is under consideration, unless the disability has been removed by the Standards Committee.</p>	
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	<p>The Cabinet is invited to resolve, under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.</p>	
<b>24.</b>	<b>EXEMPT MINUTES OF THE CABINET MEETING HELD ON 30 JANUARY 2012 (E)</b>	

- 25. AWARD OF CONTRACT FOR PUBLIC LIGHTING AND ANCILLARY WORKS 2012-15 : EXEMPT ASPECTS (E)**
- 26. AWARD OF THE MANAGEMENT OF RAVENSCOURT PARK CAFE CONTRACT : EXEMPT ASPECTS (E)**
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- 28. AWARD OF THE CONTRACT FOR ADVERTISING AND SPONSORSHIP SERVICES : EXEMPT ASPECTS (E)**
- 29. THE FUTURE OF RESIDENT INVOLVEMENT AND THE LEVY IN LBHF : EXEMPT ASPECTS (E)**
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- 31. SUMMARY OF EXEMPT URGENT DECISIONS TAKEN BY THE LEADER, AND REPORTED TO THE CABINET FOR INFORMATION**

London Borough of Hammersmith & Fulham



# 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 9<sup>th</sup> January 2012 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

### **159. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

### **160. DECLARATION OF INTERESTS**

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 14<sup>th</sup> 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 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 1<sup>st</sup> 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 1<sup>st</sup> 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.
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 of the report 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 18<sup>th</sup> 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 HDF 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 13<sup>th</sup> 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**

The Forward Plan was noted.

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

The summary was noted.

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

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 9<sup>th</sup> 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)**

The summary was noted.

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

The summary was noted.

Meeting started: 7.00 pm  
Meeting ended: 7.02 pm

Chairman .....

# Cabinet

5 MARCH 2012

**LEADER**

*Councillor Stephen Greenhalgh*

**THE GENERAL FUND CAPITAL PROGRAMME,  
HOUSING REVENUE CAPITAL PROGRAMME  
AND REVENUE BUDGET 2011/2012 – MONTH 9  
AMENDMENTS.**

**Wards:  
All**

The purpose of this report is to seek approval for changes to the Capital Programme and the Revenue Budget.

**CONTRIBUTORS**

All Departments

**HAS AN EIA  
BEEN  
COMPLETED?  
N/A**

**Recommendations:**

- 1 That the changes to the capital programme as set out in Appendix 1 be approved.**
- 2 That the changes to the General Fund revenue budget and Housing Revenue Account as set out in Appendix 2 be approved.**

**HAS THE REPORT  
CONTENT BEEN RISK  
ASSESSED?**

**N/A**

## 1 SUMMARY

1.1 This report sets out proposed amendments to both Capital and Revenue Estimates as at month 9.

## 2. GENERAL FUND CAPITAL PROGRAMME

2.1 Table 1 summarises the proposed amendments to the 2011/12 General Fund capital programme and is detailed in Appendix 1.

**Table 1 – Summary of Proposed Amendments to the General Fund Capital Programme**

Service Area	Revised Budget at Month 7	Additions/ (Reduction)	Slippage	Revised Budget at Month 9	Net Movement
	[a]	[b]	[c]	[a+b+c]	[b+c]
	£m	£m	£m	£m	£m
Children's Services	14.468	(0.142)	(0.437)	13.889	(0.579)
Adult Social Care Services	1.371	0.375	0	1.746	0.375
Transport and Technical Services	14.679	0.233	(0.350)	14.562	(0.117)
Finance and Corporate Services	1.500	0	0	1.500	0
Environment, Leisure and Resident's Services	5.702	437	0	6.139	0.437
<b>Total</b>	<b>37.720</b>	<b>0.903</b>	<b>(0.787)</b>	<b>37.836</b>	<b>0.116</b>

### 2.2 Movement in Expenditure

#### 2.2.1 Children's Services

The budget movement from month 7 is a net decrease of £0.579m in month 9.

This relates to slippage of £0.437m in respect of :-

- Holy Cross school expansion (£0.200m)
- St Thomas School expansion (£0.176m)
- Retention payment for works to Performing Arts Block (£0.046m)
- Other project slippage (£0.015m).

A net reduction of £0.142m in respect of :-

- Reduction in prudential borrowing of £0.187m which is no longer required, this is offset by
- Additions of £0.028m in respect of works to Brankenbury Primary school in order to free up Bradmore Centre for the relocation of the Quakers from Nigel Playfair site being part of the Civic Accommodation Strategy.
- Previously approved Loft conversions works for the provision of Fostering places (£0.010m)
- Other minor additions of £0.007m.

### 2.2.2 Adult Social Care Services

A grant of £0.375m was received from the PCT for refurbishment works to a wing at Wormwood Scrubs prison for In-Patient treatment service.

### 2.2.3 Transport and Technical Services

The budget movement from period 7 results in a net reduction in the month 9 budget of £0.117m. The main reason for the reduction is due to a slippage of £0.350m in respect of Transport for London funded Fulham Palace Slip road works (£0.300m) and Section 106 funded scheme in respect of Controlled Parking Zone at White City (£0.050m).

An increase in budget provision of £0.233 is reported in this period. This relates mainly to increased Section 106 funding of £0.138m, increased grant of £0.058m from Transport for London and increased revenue contributions of £0.033m in respect of Carriageways and Footways and other funding of £0.004m.

### 2.2.4 Environment, Leisure and Resident's Services

There has been an increase of £0.437m of external funding in respect of various parks projects especially £0.300m from the Heritage Lottery Fund for Bishops Park.

## 3. REVENUE BUDGET ADJUSTMENTS

- 3.1 The total adjustment to General Fund revenue budgets is £0.539m (Appendix 2). This represents the centralisation of the Maternity Budget (£359k) and a £180k transfer of resources within the Finance and Corporate Services department to balance the trading shortfall of Hammerprint.
- 3.2 There are two Housing Revenue Accounts virements totalling £0.726m (Appendix 2). The first virement of £0.362m is to adjust budgets for a rent payment to Notting Hill Housing Association which is to be reclaimed through Housing Subsidy. The second virement (£0.364m) is for the realignment of Sheltered Housing expenditure and income budgets.

### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext. of holder of file/copy	Department
1.	Revenue Monitoring Documents	Gary Ironmonger Ext. 2109	Corporate Finance Room 38 , Town Hall
2.	Capital Monitoring Documents	Isaac Egberedu Ext. 2503 Jade Cheung Ext. 3374	Corporate Finance Room 5, Town Hall

## General Fund Capital Programme 2011/12 to 2015/16

### SUMMARY CAPITAL PROGRAMME

	Revised Budget at Month 7	Additions/ (Reductions)	Slippage	Revised Budget at Month 9
Department	£'000	£'000	£'000	£'000
Children's Services	14,468	-142	-437	13,889
Adult Social Care Services	1,371	375	0	1,746
Transport and Technical Services	14,679	233	-350	14,562
Finance and Corporate Services	1,500	0	0	1,500
Environment, Leisure and Residents Services.	5,702	437	0	6,139
<b>Total Expenditure</b>	<b>37,720</b>	<b>903</b>	<b>-787</b>	<b>37,836</b>

## General Fund Capital Programme 2011/12 to 2015/16

### CHILDREN'S SERVICES CAPITAL PROGRAMME

	Revised Budget at Month 7	Additions/ (Reductions)	Slippage	Revised Budget at Month 9
Schemes	£'000	£'000	£'000	£'000
Targetted Capital	125	0	-46	79
Lyric Theatre Development	2,950	0	0	2,950
Kitchens	292	0	0	292
Early Years	51	0	0	51
Primary Capital Programme	3,343	7	-215	3,135
Devolved Capital to Schools	452	0	0	452
Other Capital Schemes	265	38	0	303
Schools Capital Programme	5,137	-187	-176	4,774
Free Schools	1,853	0	0	1,853
<b>Total Children's Services</b>	<b>14,468</b>	<b>-142</b>	<b>-437</b>	<b>13,889</b>

## General Fund Capital Programme 2011/12 to 2015/16

### ADULT SOCIAL CARE SERVICES CAPITAL PROGRAMME

	Revised Budget at Month 7	Additions/ (Reductions)	Slippage	Revised Budget at Month 9
Schemes	£'000	£'000	£'000	£'000
Adult Social Care Grant	270	0	0	270
Grants to Social Landlords to Improve Hostels	128	0	0	128
Supporting Your Choice (Social Care Reform) (DOH)	60	0	0	60
Wormwood Scrubs Prison (Grant from PCT)	0	375	0	375
Disabled Facilities Grant	913	0	0	913
<b>Total Community Services</b>	<b>1,371</b>	<b>375</b>	<b>0</b>	<b>1,746</b>

## General Fund Capital Programme 2011/12 to 2015/16

### TRANSPORT AND TECHNICAL SERVICES CAPITAL PROGRAMME

Schemes	Revised	Additions/ (Reductions)	Slippage	Revised
	Budget at Month 7			Budget at Month 9
	£'000	£'000	£'000	£'000
Footways and Carriageways.	2,100	0	0	2,100
Planned Maintenance/DDA Programme	3,764	-100	0	3,664
River Wall Repairs	114	0	0	114
Transport For London Schemes	5,464	58	-300	5,222
Parking Reserve/ Revenue Contributions	739	33	0	772
Developer Contribution Funded	1,534	138	-50	1,622
Efficiency Reserve Fund	436	0	0	436
West London Grant	481	4	0	485
Other Capital Schemes	47	100	0	147
<b>Total Environment Services</b>	<b>14,679</b>	<b>233</b>	<b>-350</b>	<b>14,562</b>



## General Fund Capital Programme 2011/12 to 2015/16

### FINANCE AND CORPORATE SERVICES CAPITAL PROGRAMME

	Revised Budget at Month 7	Additions/ (Reductions)	Slippage	Revised Budget at Month 9
Schemes	£'000	£'000	£'000	£'000
Contributions to Invest to Save	1,500	0	0	1,500
<b>Total Finance and Corporate Services</b>	<b>1,500</b>	<b>0</b>	<b>0</b>	<b>1,500</b>

## General Fund Capital Programme 2011/12 to 2015/16

### ENVIRONMENT, LEISURE AND RESIDENT'S SERVICES

	Revised Budget at Month 7	Additions/ (Reductions)	Slippage	Revised Budget at Month 9
Schemes	£'000	£'000	£'000	£'000
Parks	680	127	0	807
Bishops Park	3,200	300	0	3,500
Shepherds Bush Common Improvements	1,750	0	0	1,750
Recycling	72	10	0	82
<b>Total Resident's Services</b>	<b>5,702</b>	<b>437</b>	<b>0</b>	<b>6,139</b>

**APPENDIX 2 - VIREMENT REQUEST FORM****BUDGET REVENUE MONITORING REPORT – PERIOD 9**

<b>Details of Virement</b>	<b>Amount (£000)</b>	<b>Department</b>
Proposed budget virement of £90k from both Corporate Human Resources and Councillors Services to balance the trading shortfall of Hammerprint.	180	Finance & Corporate Services
Proposed budget virement of £90k from both Corporate Human Resources and Councillors Services to balance the trading shortfall of Hammerprint.	(180)	Finance & Corporate Services
Centralisation of Departmental Maternity budgets	359	Centrally Managed Budgets /All Departments
Centralisation of Departmental Maternity budgets	(359)	Centrally Managed Budgets /All Departments
Rent payable to Notting Hill Housing Group to be reclaimed through Housing Subsidy	362	Housing Revenue Account
Rent payable to Notting Hill Housing Group to be reclaimed through Housing Subsidy	(362)	Housing Revenue Account
Re-alignment of Sheltered Housing scheme based cost and income budgets	364	Housing Revenue Account
Re-alignment of Sheltered Housing scheme based cost and income budgets	(364)	Housing Revenue Account
<b>Total of Requested Virements (Debits)</b>	<b>1,265</b>	

# Agenda Item 5

0



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

### LEADER

*Councillor Stephen Greenhalgh*

### NATIONAL NON-DOMESTIC RATES – WRITE OFFS

**Wards:  
All**

This report seeks approval to write off three National Non-Domestic Rate debts in excess of £100,000, in accordance with the council's financial regulations

### CONTRIBUTORS

EDFCG  
ADLDS

### Recommendation:

**That Cabinet:**

- (i) **Approves the write off of debts totalling £518,167.23**
- (ii) **Notes that the cost of these write offs is met by the National Non-Domestic Pool and not the Council**

**HAS AN EIA  
BEEN  
COMPLETED?  
YES**

**HAS THE  
REPORT  
CONTENT BEEN  
RISK  
ASSESSED? N/A**

## **1. BACKGROUND**

- 1.1 The Council has a statutory duty under Local Government Finance Act 1988, as amended, to levy and collect National Non-Domestic Rates (NNDR) on all relevant properties in the borough.
- 1.2 All NNDR (business rate) income collected by the Council is paid into the National Non-Domestic Pool and redistributed to local authorities on a formula grant basis.
- 1.3 Bad debts which have been written off can be deducted from the Council's contribution to the national pool in accordance with Section 6, of The Non-Domestic Rating contributions (England) Regulations 1992 (SI 1992/3082).
- 1.4 There are currently 9,123 rating assessments in the borough with a collectable debit of £184m for 2011/2012. Inevitably there are occasions where collection of the full rates is not possible and outstanding debts have to be written off.
- 1.5 Write off action is only taken after all recovery options have been exhausted. These include sending reminders, final notices and obtaining liability orders from West London Magistrates Court. A liability order entitles the authority to instigate further recovery action such as levying distress, applying for charging orders or taking bankruptcy/liquidation proceedings.
- 1.6 The Council's financial regulation D27 requires officers to seek member approval for individual write offs in excess of £100k. Debts under £100k are written off under delegated authority, with those between £50k & £100k reported to the Leader.

## **2. PURPOSE**

- 2.1 The purpose of the report is to seek approval to write off the irrecoverable debts detailed in section 4.1.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 The cost of NNDR write offs is met by the National Non-Domestic Pool and not the Council.

#### **4. PROPOSED WRITE OFFS**

##### 4.1 Schedule of Irrecoverable Debts for which approval is sought:

<b>NAME OF RATEPAYER</b>	<b>ADDRESS</b>	<b>PERIOD</b>	<b>VALUE</b>	<b>REASON</b>
Digital Connexions Ltd	2010 Westfield Shopping Centre, Ariel Way, W12 7GE	30/10/2008 to 26/11/2010	£131,804.12	Liquidation
Lavanta Gallery (West London) LLP	1053A Westfield Shopping Centre, Ariel Way, W12 7SH	30/10/2008 to 06/10/2010	£254,215.26	Liquidation
HTC Healthcare Ltd	Ravenscourt Park Hospital, Ravenscourt Park, W6 0tn	03/04/2002 to 03/03/2008	£132,147.85	Dissolved, no assets
		Total	£518,167.23	

4.2 The debts detailed in 4.1 above have been subject to magistrates court action and the liquidators and companies register confirm that there are no funds available for unsecured creditors.

#### **5. RISK MANAGEMENT.**

5.1 See section 3 above.

#### **6. EQUALITY IMPLICATIONS**

6.1 There are no equality implications in this report

#### **7. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

7.1 As set out in the Report the cost of these write offs will be met by the National Non-Domestic Pool and not the Council.

#### **8. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

8.1 The Council may lawfully write off the sums as they are bad debts which cannot be recovered for the reasons set out above.




**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext. of Holder of File/Copy</b>	<b>Department/ Location</b>
1.	Local Government Finance Act 1988	Steve Barrett x1053	Finance and Corporate Services, H & F Direct, 2 <sup>nd</sup> Floor, Town Hall Extension
2.	Case Papers	Jamie Mullins x 1650	Finance and Corporate Services, H & F Direct, 2 <sup>nd</sup> Floor, Town Hall Extension

# Agenda Item 6

## Bi and Tri-Borough Executive Decision Report

*[Note: For the purposes of the statutory record, this report will be accompanied by the relevant sign-off sheet used at each authority that is party to this decision. Such record will be retained at each such authority.]*

Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken	<b>CABINET</b>  Date of decision: 5 <sup>th</sup> March 2012  Forward Plan reference: <i>[insert]</i>	
	<b>CABINET</b>  Date of decision: 20 <sup>th</sup> February 2012  Forward Plan reference: <i>[insert]</i>	 THE ROYAL BOROUGH OF <b>KENSINGTON            AND CHELSEA</b>
	<b>CABINET</b>  Date of decision: 22 <sup>nd</sup> February 2012  Forward Plan reference: <i>[insert]</i>	 <b>City of Westminster</b>
Report title (decision subject)	<b>TRI AND BI BOROUGH LEGAL AGREEMENTS</b>	
Reporting officer	<b>London Borough of Hammersmith and Fulham</b> Michael Cogher, Director of Legal & Democratic Services and Jane West, Executive Director of Finance and Governance  <b>Royal Borough of Kensington and Chelsea</b> Michael Cogher, Director of Legal & Democratic Services and Nicholas Holgate, Town Clerk and Executive Director of Finance  <b>Westminster City Council</b> Peter Large, Director of Legal & Democratic Services Barbara Moorhouse, Chief Operating Officer	
Key decision	Yes	



<b>Access to information classification</b>	PUBLIC
<b>Cabinet Member or senior officer sign-off details</b>	<p><i>[Report author to confirm that the authority of the relevant Cabinet Member at each authority has been obtained to the publication of this report – or Cabinet Member signature to be added below:</i></p> <p><i>Report authorised: [insert]</i></p> <p><i>Date: [insert]</i></p>

## **1. EXECUTIVE SUMMARY**

- 1.1** This report seeks the necessary authority to enter into the Bi and Tri-Borough legal agreements which will commence on 1<sup>st</sup> April 2012 following the decision of the three authorities' Cabinets in June 2011. It sets out the key provisions of the proposed agreements which will be used for the initial combination and integration of services which will provide, together with the various schedules, a suitable framework to operate and develop combined services. The agreements, all based on a single model, have been drafted with the parties' aspirations for a "high trust" model in mind and are intended to represent a prudent minimum to ensure the parties have a clear understanding of the arrangements and to provide suitable processes to resolve any disputes. The key principle underpinning the agreement is the sharing of staff using s.113 of the Local Government Act 1972 under which staff of one authority can be treated as the staff of another for the purposes of their statutory functions as opposed to a commercial arrangement whereby one authority provides professional services to another.
- 1.2** Copies of all the draft agreements are available on request but do not need to be read by Cabinet for the purposes of decision making.

## **2. RECOMMENDATIONS**

- 2.1** That the Executive Director for Finance and Corporate Governance (LBHF), the Town Clerk and Executive Director of Finance (RBKC) and the Chief Operating Officer (WCC) be authorised to enter into the Bi and Tri-Borough Agreements in respect of the services set out in paragraph 6 on the terms set out in paragraph 5 or such other broadly similar terms as she/he, in consultation with the relevant Director of Legal & Democratic Services, considers appropriate.

### **3. REASONS FOR DECISION**

- 3.1** The Bi and Tri Borough arrangements approved by the Cabinets in June 2011 need to be formalised through agreements pursuant to s.113 of the Local Government Act 1972 in order to establish the legal relationship between the parties and comply with the Authorities' various public law duties including their fiduciary duties to their Council Tax payers.

### **4. BACKGROUND**

- 4.1** The background to the Tri-Borough plans to integrate and combine Children's Services , Adult Social Care, Libraries and elements of Corporate Services and the Bi-Borough plans to combine a range of Environmental Services has been dealt with extensively in previous reports.

### **5. SUMMARY OF THE LEGAL AGREEMENTS**

- 5.1** A detailed summary of the standard provisions which apply to all services is set out below.

#### **5.1.1 Clause 1 - Background**

This sets out the aspiration to realise economies and efficiencies through the combination and integration of services through alignment, joint working and co-location rather than through a single authority to which functions will be delegated and staff transferred. The concept of the Sovereignty Guarantee is introduced. The use of s.113 of the Local Government Act 1972 is explained.

#### **5.1.2 Clause 2 – Definitions and Interpretation**

Sets out the definitions used in the agreement which are contained in Schedule 1.

#### **5.1.3 Clause 3 – Duration**

The agreement remains in force until terminated under the termination provisions (see clause 25)

#### **5.1.4 Clause 4 – The Arrangements**

This, together with Schedule 2, establishes the aims, benefits and intended outcomes of the agreement and the high level principles which underpin it. These are aspirational and are not themselves legally binding. The arrangements comprise those in relation to combined teams (section 3), governance (section 4) and finance (section 5). The arrangements do not affect the liabilities of a Council to third parties.

### **5.1.5 Clause 5 (Non) Delegation of Functions**

This makes it clear that the arrangements do not transfer statutory functions from one Council to another and that shared officers discharge the functions of the authority they are acting for at the time as an officer of that authority. Should the Councils wish to delegate any functions to one another in the future then this must be accomplished through a separate agreement.

### **5.1.6 Clause 6 – S.113 Arrangements**

This, together with Schedule 5, establishes the arrangements for sharing staff by listing the posts being integrated and combined. It also provides a framework for the management, appraisal and supervision of the shared executive director together with a mechanism for the parties to raise any concerns in relation to their performance.

### **5.1.7 Clause 7 – Single Management Team (SMT)**

This establishes a single management team for the service. Membership and terms of reference are set out in Schedule 6. It has responsibility for implementing and monitoring the arrangements and for complying with the financial protocol and Sovereignty Guarantee. It has the power to establish further subsidiary management teams whose terms of reference are agreed by the Parties.

### **5.1.8 Clause 8 Accountability**

This sets out the accountability of post holders and requires the development of detailed arrangements as to the responsibility of post holders.

### **5.1.9 Clause 9 SMT Review Meetings**

This requires SMT to hold an agreed number of review meetings to discuss performance of the arrangements and the realisation of savings etc. The minutes will be submitted to the Parties.

### **5.1.10 Clause 10 Annual Review**

This requires SMT to carry out an annual review of the arrangements to evaluate performance, effectiveness and outcomes etc. and produce targets and priorities for the next financial year and make recommendations to the Cabinets with a view to producing an Annual Strategic Agreement summarising priorities, targets and budgets for the next financial year and any required variations to the arrangements. It is not intended to have an Annual Strategic Agreement in place for the first year.

### **5.1.11 Clause 11 Financial Arrangements for Postholders**

This makes the employing authority solely responsible for payments due under contracts of employment. The non-employing Council is responsible for expenses incurred in carrying out duties for them provided they are of a nature payable under the employer's expenses policy. The non-employing Councils are also responsible for any training they require a postholder to undertake in relation to s.113

duties carried out for that Council. The sharing of savings is dealt with below.

#### **5.1.12 Clause 12 Financial Protocol**

This provides for the financial protocol at Schedule 4 which sets out the financial relationship between the parties and includes provisions relating to financial planning, management, reporting, risk management, audit and the sharing of savings. The financial protocol will ensure that the authorities discharge their fiduciary duties to their Council Tax payers as far as the arrangements are concerned.

#### **5.1.13 Clause 13 Human Resources Protocol**

This sets out, in schedule 3 the protocol for dealing with HR issues. It is not a substitute for the parties' existing HR policies and procedures.

#### **5.1.14 Clause 14 Indemnities & Liabilities**

Each party indemnifies the others against damage caused by that party's negligence, (excluding the contributory negligence of the other parties). As far as post-holders are concerned the non-employed party is responsible for the acts/omissions of a postholder when performing s.113 duties for that party and the employing party is responsible when they are performing duties for the employer. This puts the parties in the same position as if they were not sharing officers.

TUPE is not expected to apply but if it is subsequently found to apply (TUPE is a question of fact and law rather than intention) then the transferor indemnifies the transferee in respect of liabilities which arise due to their act or omissions and the transferee indemnifies the transferor in respect of those which arise due to their acts or omissions. Liabilities incurred as a result of the acts or omissions of more than one party shall be apportioned reasonably. Parties are under a duty to mitigate losses.

#### **5.1.15 Clause 15 Insurance**

The parties may, but are not obliged to, maintain insurance in respect of potential liabilities arising from the arrangements. Where they do so they must ensure that they cover liabilities incurred through their own staff performing employee duties and the staff of other parties performing s.113 duties.

#### **5.1.16 Clause 16 Standards of Conduct**

This requires the parties to ensure that the arrangements comply with statutory requirements and guidance in respect of conduct, probity and good corporate governance.

The parties will review and where appropriate amend their constitutions as necessary to comply with the agreement and enable the arrangements to run as smoothly as possible. This does not require a party to make alterations which it reasonably considers would be inconsistent with the Sovereignty Guarantee.

#### **5.1.17 Clause 17 Conflict of Interest**

This sets out the procedure for dealing with conflicts of interest arising from the arrangements. It identifies two types, private interest conflicts and combined working conflicts. The former may arise where an employee discharging s.113 duties has a private conflict with the non-employing party. In such circumstances the conflict is notified to and recorded by the employing party in accordance with their own procedures. The Joint Director and the Chief Executives are then notified (and the Leaders where the Chief Executives are conflicted). The Parties then take such action as is required to protect their interests.

In the event that a combined working conflict arises which affects the Joint Director he shall notify the Parties and the non-employing party shall appoint an interim director as necessary and appropriate. Where other combined working conflicts arise the Joint Director shall ensure appropriate steps are taken to protect the interests of all parties including the obtaining of appropriate professional advice.

#### **5.1.18 Clause 18 Complaints**

Third party complaints are dealt with using the complaints procedure of the appropriate party. The parties may agree a combined complaints procedure in writing.

#### **5.1.19 Clause 19 Ombudsman**

The parties shall co-operate with one another as required in relation to Ombudsman investigations.

#### **5.1.20 Clause 20 Intellectual Property**

The parties grant one another a licence to use each others' intellectual property rights for the purposes of the agreement. The parties shall agree their respective rights in relation to any IPR jointly created through the arrangements.

#### **5.1.21 Clause 21 Confidentiality & Data Protection**

This requires the parties to treat confidential information appropriately and sets out limited circumstances in which it may be disclosed. It provides, in Schedule 7, a Data Sharing Protocol which must be complied with and requires the parties to comply with the Data Protection Act 1998.

#### **5.1.22 Clause 22 Freedom of Information**

The parties shall co-operate with one another to enable them to fulfil their obligations under FOIA and shall consult one another before disclosing information relating to the arrangements.

#### **5.1.23 Clause 23 Default**

This provides a mechanism to deal with breaches of the agreement which are capable of remedy. The parties shall meet and agree a remedial action plan giving the defaulting party a reasonable period to remedy the breach. If a party is not satisfied that the defaulting party has complied with the plan it may initiate the dispute resolution procedure (clause 24) or terminate the agreement (clause 25).

#### **5.1.24 Clause 24 Disputes**

This provides a tiered mechanism for the resolution of disputes. The first stage is a meeting between the parties' representatives who will endeavour to resolve the dispute. If this is not possible within a reasonable period then the matter is escalated to the relevant Cabinet Members and if not resolved by them to the Leaders. In the event that the parties cannot resolve the dispute themselves then they must refer the matter to mediation. Legal proceedings may not be commenced unless a party has attempted to resolve the matter by mediation and it has either terminated or the other party has failed to participate.

#### **5.1.25 Clause 25 Termination**

This sets out the circumstances in which the agreement may be terminated. It may be terminated at any time by agreement and upon 12 months notice by any party. Individual post holders are removed from the agreement if they cease to be employed by an employing party.

The agreement may be terminated on 20 working days notice by an innocent party where another party commits a material breach incapable of remedy or one which is capable of remedy but has not been remedied in accordance with Clause 23.

The agreement may also be terminated after a reasonable period where it is no longer possible to fulfil it due to a change in law or guidance from the Secretary of State and the parties are unable to agree a suitable variation to enable the obligations to be fulfilled.

In the event of termination the parties shall use all reasonable endeavours to minimise disruption to the continued delivery of services and staff.

#### **5.1.26 Clause 26 Variations**

This allows the parties to propose and agree variations to the agreement.

#### **5.1.27 Clauses 27-34 Boilerplate**

These are standard provisions relating to the service of notices, waiver, severance and transfer etc.

## **6. INDIVIDUAL SERVICE ARRANGEMENTS**

**6.1** The arrangements for the individual services are summarised below.

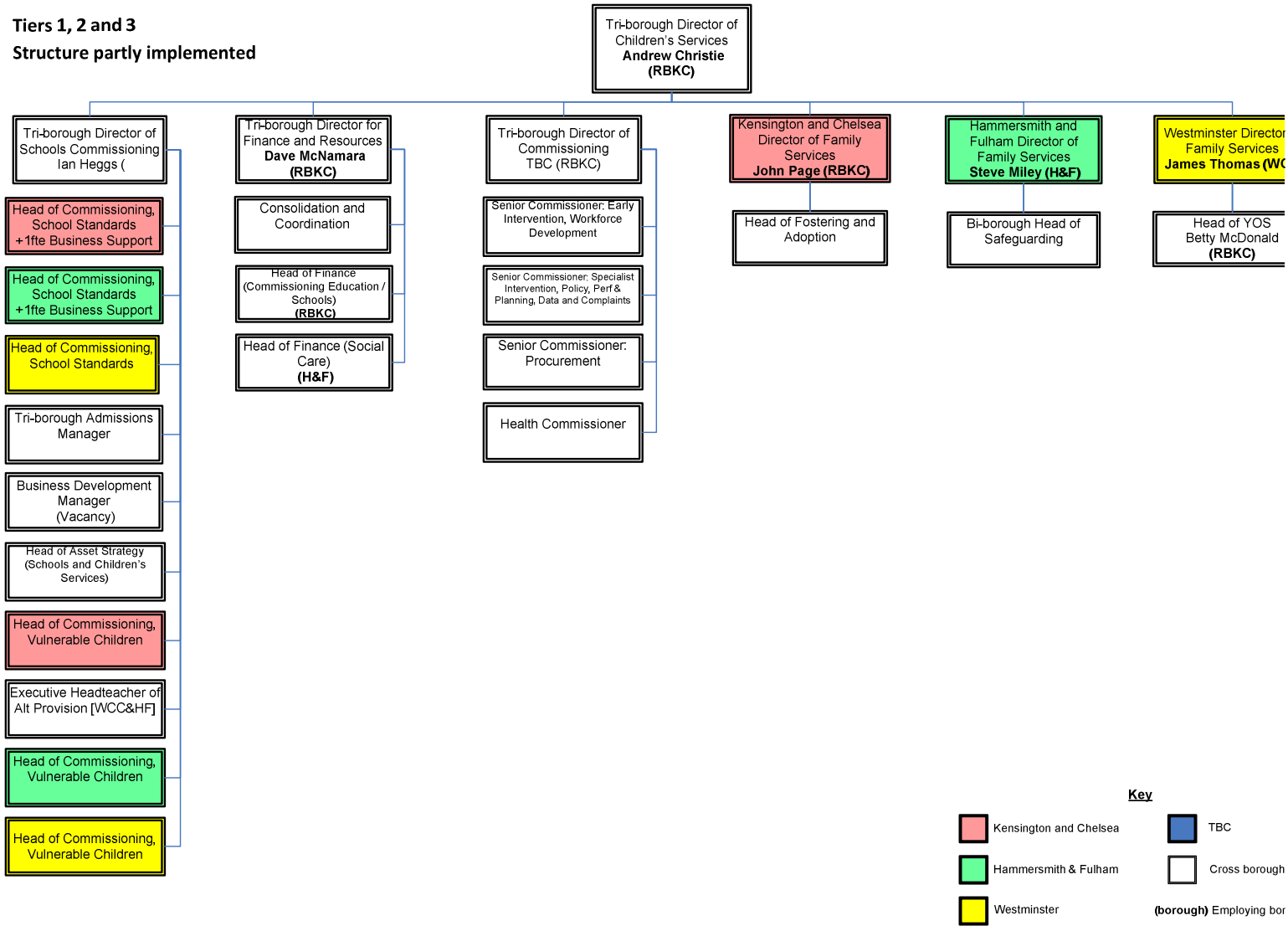
### **6.2 Children's Services**

**6.2.1** The Tri-Borough Children's Services model is designed to deliver services to children, young people and families living across the three authorities. It will work with those who require protection and aim to deliver the best possible start in life for children. The model is based on the combination, sharing and closer integration of a range of services for children. This will deliver efficiencies and provide service resilience. The Tri-borough Children's Service will contain:

- A single combined Senior Management Team (outlined in Diagram 1);
- A single education commissioning function responsible for raising standards and preventing failure in over 150 schools; working with more than 1,800 children with statements of special educational needs, and having oversight of a combined Dedicated Schools Grant spend of in the region of £280m;
- A single commissioning function responsible for arranging services for early years, children, young people, social care, health, disability and workforce development;
- Three Borough-based delivery units with responsibility for protecting children, supporting families and delivering early help in the most efficient manner possible. Where appropriate, specialist services will be combined to share overheads and expertise (e.g. Youth Offending and Fostering and Adoption Services).

# Diagram 1

Tiers 1, 2 and 3  
Structure partly implemented





### 6.3 Adult Social Care

6.3.1 The Tri-Borough Adult Social Care model is designed to realise economies and efficiencies through the combination, sharing and closer integration of a range of Adult Social Care services. This includes the creation of a single management team. The Single Management Team's terms of reference are all aspects of the strategic and operational management of the following services:

- Commissioning
- Complex needs
- Contracting and procurement
- Finance –including client affairs
- Business intelligence
- Workforce development
- Safeguarding
- IT
- Customer feedback and complaints
- Customer information
- Planning and service improvement

6.3.2 The Single Management Team will be composed of the posts and reporting lines as described in Diagram 2. Each borough will have a senior manager at Director level nominated to work with the Executive Director to ensure availability to elected members and representation of Adult Social Care within the core functions of each Council. A summary of the core functions is outlined below:

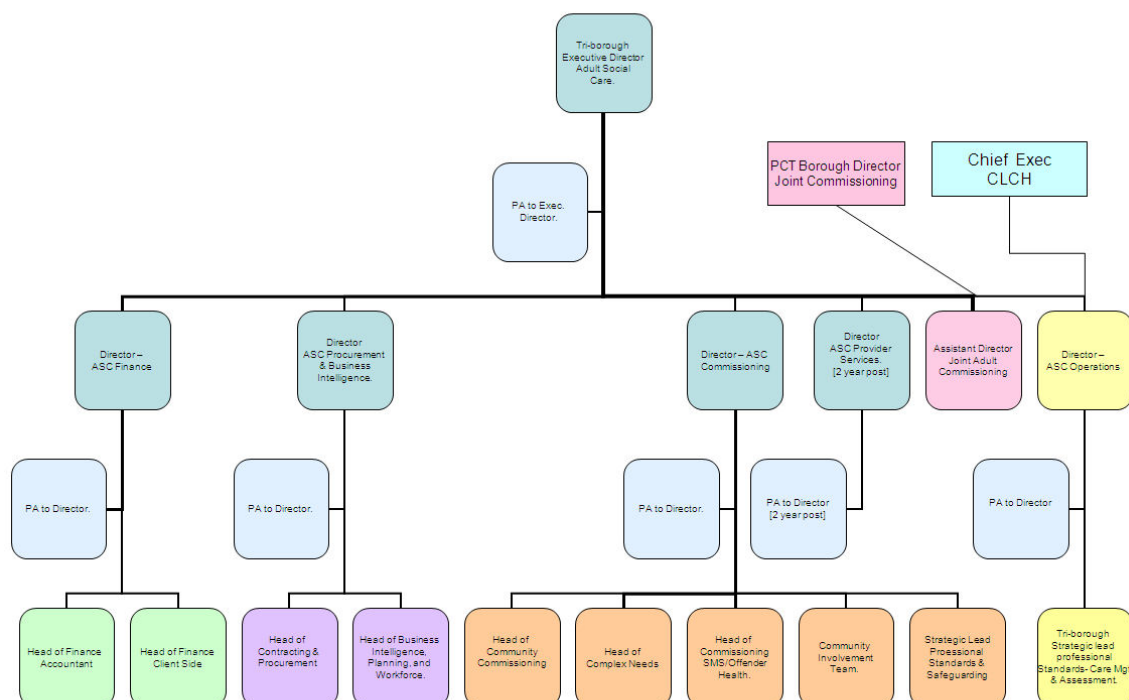
- **Commissioning and Complex Needs-** This function will commission all services which support people who are living in the community with social care needs. Preventative Services Commissioning will ensure that all Tri-boroughs have a robust preventive offer for all adult social care user groups and build on the strong relationships which exist between the voluntary sector, community groups and the three Councils. This function will also commission services for a range of people including those with autism, dual diagnosis, brain injuries and high level mental health needs. The responsibility for property issues will be with these teams as most of the buildings based services will be commissioned by this team.
- **Business intelligence and planning-** key functions necessary both to inform commissioners and also to ensure the performance of the service is appropriately managed and reported both internally to Councils and elected members and externally to regulators.
- **Finance-** will support the commissioning and statutory adult social care functions of the three Councils.
- **Directly managed services-** Each of the three Councils still directly manages some social care services. These services have a combined value of just under £22m and include day care, day services and residential care homes in each of the three boroughs. The strategic direction continues to be to outsource services and there are plans to do this as at different stages of implementation. Whilst the services remain within the Councils they will need sound

management. It is proposed that one senior manager will be designated to manage these services together as a specific management role reporting to the Director of Adult Social Care.

- **Joint Commissioning-** The Tri-borough and the PCT sub-cluster already have agreed joint commissioning arrangements (mental health, older people, other vulnerable adults), these have responsibility for all areas where there is a clear advantage from doing so. They ensure services are commissioned across organisational boundaries and that best use is made of pooled budget arrangements.

## Diagram 2

Final Proposed structure for tri-borough ASC & NHS Integrated Commissioning.



## 6.4 Libraries

6.4.1 The Tri-Borough Libraries Model is designed to realise economies and efficiencies through the creation of a single managed library service. This provides a unique opportunity to sustain excellent frontline services and deliver customer outcomes, whilst reducing costs. The proposals that are being put in place are:

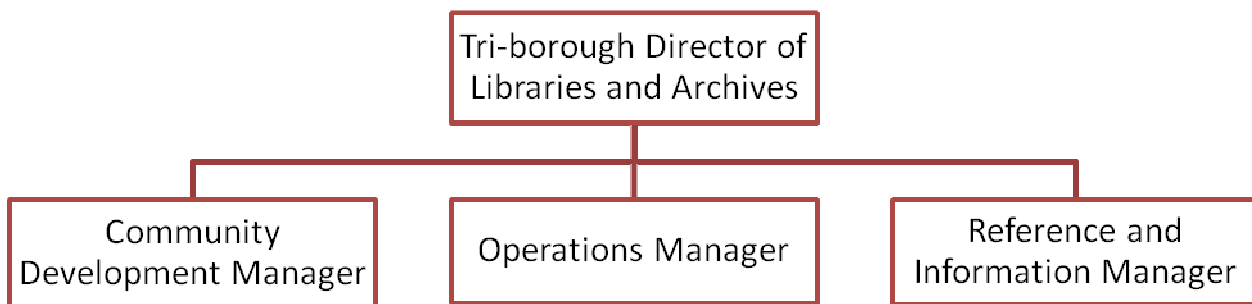
- **A single management structure-** combining the strategic management of each authority's library service within one management team of four staff.
- **Service efficiency-** using a detailed transactional model to identify the optimum number of staff required to operate a lending library. Operational staff will continue to be borough-based, but the increased scale of Operations will improve service resilience across all three boroughs.
- **Integrated core service-** Reference and Information services and Community Development services will be combined and will operate across the three boroughs. The main responsibilities of the Reference and Information Service will be to manage and develop the core library reference

and information service to meet all levels of need, using best available formats and technology. The main responsibilities of the Community Development Service will be to develop and promote the contribution of libraries in local communities, meeting identified needs; to promote literacy and the love of reading to children and adults; to support and provide learning opportunities; and to develop links and partnerships with relevant bodies.

6.4.2 Additional services will be commissioned locally by individual authorities. Examples include Westminster City Council's Music Library, LB Hammersmith and Fulham's prison services, and the RB of Kensington and Chelsea's local studies.

6.4.3 The tri-borough shared management posts and associated reporting structure for the combined library service is set out in Diagram 3.

**Diagram 3**



## **6.5 Environment Services**

6.5.1 The Bi-Borough Environment model is designed to realise economies and efficiencies through the combination, sharing and closer integration of a range of Environmental services that are commissioned and delivered by their respective organisations. Two departments have been created, one entitled Environment, Leisure and Residents Services and the other Transport and Technical Services. Single management structures have been put in place to oversee the delivery of the following services:

### **Environment, Leisure and Residents Services**

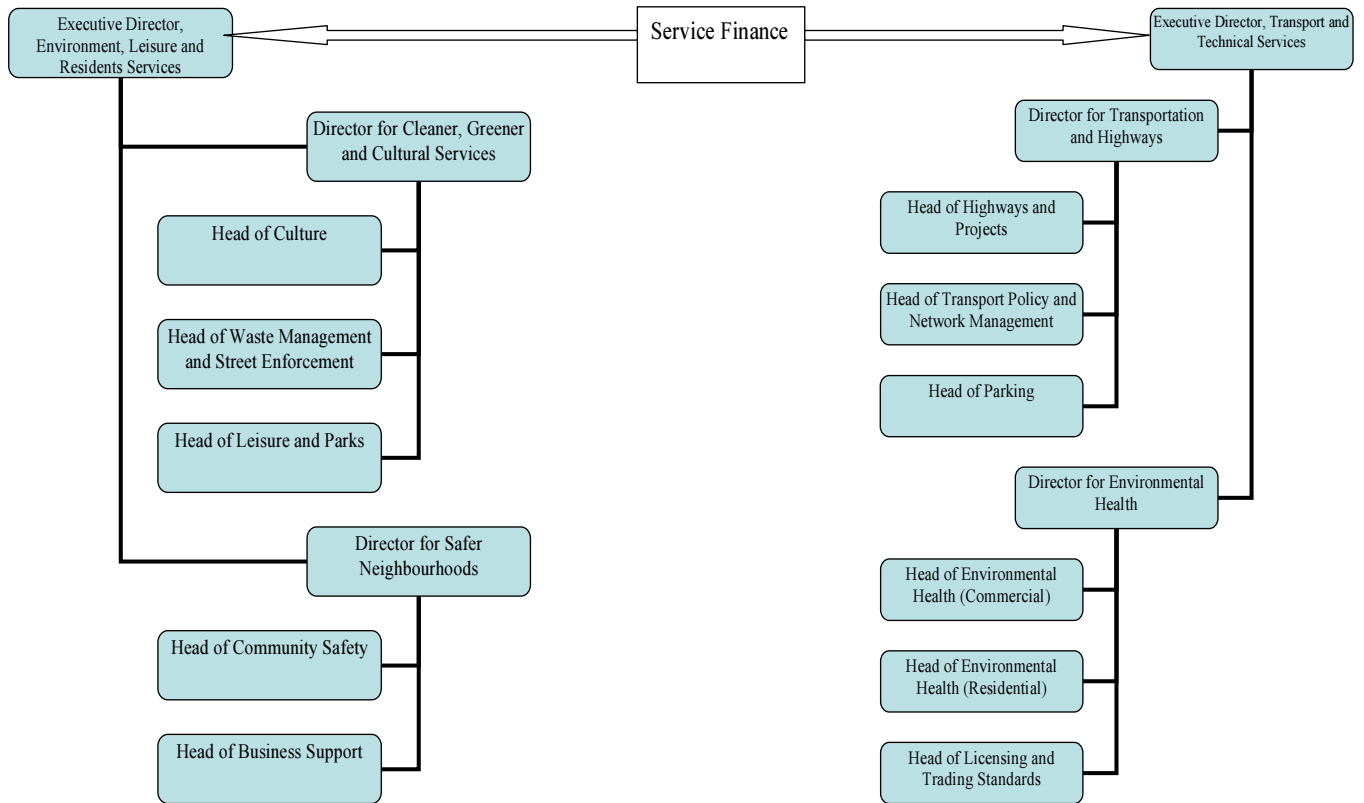
- Waste
- Culture
- Leisure
- Parks
- Community Safety

### **Transport and Technical Services**

- Transport
- Parking
- Highways
- Licensing
- Environmental Health

6.5.2 The bi-borough shared management posts and associated reporting structure for the services are set out in Diagram 4. The Senior Management teams will be undertaking a process of service reviews which will result in further recommendations relating to shared working, with the potential for further posts to be shared. However, at the commencement of the legal Agreement the employees to be placed at the disposal of each borough by the other borough are the management positions set out in Diagram 4.

**Diagram 4**



## **7. EQUALITIES IMPLICATIONS**

- 7.1 These have been addressed in earlier reports. The public sector equality duty has been considered by officers in the development of the proposals.

## **8. COMMENTS OF THE ASSISTANT DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES**

- 8.1 The proposed legal relationship between the Authorities is described above. S.113 of the Local Government Act 1972 allows a local authority to enter into an agreement with another authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided for by the agreement, of officers employed by the former. Officers placed at the disposal of the “borrowing” authority are treated as an officer of that authority for the purposes of all their statutory functions whilst remaining an employee of the “lending authority” for employment law purposes. Before entering into an agreement under s.113 the affected staff must be consulted (see paragraph 10 below). The nature of s.113 means that no direct EU procurement issues arise in relation to the proposed agreements.

- 8.2 The Director of Legal & Democratic Services is of the opinion that the agreements provide a prudent framework for the integration and combination of the services and that the Council may lawfully enter into the agreements.

## **9. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 9.1 A standard financial protocol has been agreed across the three boroughs for each service. This establishes a base for financial performance monitoring for services and details the service specific financial and management responsibilities.

- 9.1.1 The financial protocols will be reviewed on an annual basis by the Bi/Tri-borough Director of Finance for the service, the Bi/Tri-borough Executive Director and the Directors of Finance in each Council, in consultation with Cabinet Members. The financial protocols include requirements for:

- Financial Planning
- Revenue Estimates
- Financial Management and Reporting
- Closing and the Audit of Accounts
- Risk Management and Insurance Requirements
- Sharing of Costs
- Mechanism for Variations

- 9.1.2 Budgets will be provided to the budget holders at the start of the financial year and will link to the individual Council's approved budgets and the service mandate. The respective service finance teams will continue to provide financial information for senior managers and members to agreed timescales and format, working with operational and provider services to ensure the information is "owned" by the service.
- 9.1.3 Each borough will incur a fair share of the costs of functions. 'Fair' means that the costs borne by each borough should relate to the work done for it by the pooled function. One borough will not subsidise another.
- 9.1.4 The financial position of all three Councils means that Boroughs should use a cost sharing methodology that is economical to administer.
- 9.1.5 Each borough will make recharges for indirect and overhead costs that will be added to the direct costs of combined functions. These 'overheads' will be for things like HR services provided for staff, or accommodation costs for space used. Charges will be invoiced quarterly on the basis of the budget set at the beginning of the financial year, adjusted for pay costs budgeted to be incurred by each borough. The Host Borough will calculate actual charges, using this methodology, every quarter and will issue adjusting invoices or credit notes as necessary.
- 9.1.6 Not all staff may be hosted (i.e. employed) in one borough, as staff appointed into shared roles will remain employed by their existing authority, even though they have taken up posts in the new structure. Boroughs need to avoid time-consuming recharging, so the approach being taken is:
- Boroughs incur costs for those staff they employ
  - The host borough consolidates all the costs together into one statement every quarter
  - This cost sharing methodology will be applied to the costs in the statement, each borough will make an extra payment or receive a refund accordingly.
- 9.1.7 There will be some one-off implementation expenses such as redundancy costs. These will be shared in proportion to the savings made by each borough.
- 9.1.8 The Host Borough will be the body responsible for applying all aspects of this methodology, and the other two boroughs will provide every assistance to enable that to be carried out. The Director of Finance for the service for the two/three boroughs will be the nominated officer responsible for ensuring this methodology is applied.
- 9.1.9 Revisions or amendments to the protocols will be agreed on an annual basis or, where applicable, throughout the year. Revisions or amendments will be signed off by the Bi/Tri Borough Executive Director, the three Directors of Finance and Chief Executives.
- 9.1.10 Services will continue to provide a professional working relationship with the Councils' internal and external auditors.

## 9.2 Children's Services

- 9.2.1 The Children's Services business case sets out savings of £11.8m to be achieved by 2014/15.
- 9.2.2 Each borough will retain its 'sovereign' capacity to commission a variation of the common services level or specific provision. The three Councils' gross spend on Children's Services in 2011/12 was £536m.
- 9.2.3 The cost apportionment methodology is designed to apply to costs that are shared between the three boroughs such as those for shared management and commissioning staff.
- 9.2.4 Individual work streams are preparing detailed schedules of any non staffing costs that are to be shared and the methodology of apportionment. All other costs will be incurred directly by the individual boroughs and will fall outside of this methodology.
- 9.2.5 Implementation costs will be shared in proportion to the savings made by each borough.
- 9.2.6 The posts to be shared are set out in Table 1 along with the proportions that will be chargeable to each borough.

Table 1

Work Stream	Bi / Tri-Borough FTEs	LBHF share	WCC share	RBKC share
Senior Management	4.0	1.3	1.3	1.3
Senior Management - Executive Support	9.0	3.0	3.0	3.0
Fostering & Adoption <sup>1</sup>	85.5	tbc	tbc	tbc
YOT	20.5	6.8	6.8	6.8
LSCB	3.8	1.3	1.3	1.3
Safeguarding	1.0	0.4	0.2	0.4
Education	7.7	3.3	1.5	2.9
Commissioning	64.6	21.5	21.5	21.5
Finance	3.0	1.0	1.0	1.0
<b>Total</b>	<b>199.1</b>	<b>38.7</b>	<b>36.6</b>	<b>38.2</b>

<sup>1</sup> Apportionment of the fostering and adoption staffing costs will be proportionate to the level of service used.

- 9.2.7 The three boroughs will agree that the shared staff will be working on the business of two or all three boroughs, and that the ratios being adopted (as set out in Table 1) represent a fair reflection of the work done for each borough.

9.2.8 The finance and resources team will arrange for recharges to be made in order to refund each borough who incurs shared costs.

### 9.3 Adult Social Care

9.3.1 The cost apportionment methodology is designed to apply to costs that are pooled between the boroughs, such as for commissioning staff. Costs that are not pooled (such as packages and placements) will be incurred directly by individual boroughs and will fall outside this methodology as set out below.

9.3.2 For the first year, 2012/13 these headings fall in to one of two groups for the purposes of this methodology.

9.3.3. Group 1 are savings expected in budgets that will not be pooled by the boroughs. Rather, they will be maintained separately in the accounting records of each borough. No method of sharing costs is required because they will be charged directly to each borough's accounts. The costs in this group are:

- Finance, including client affairs and charging (until 2013 when they begin to combine)
- Commissioning – WCC's emergency planning post expected to be used by WCC only
- Commissioning - Voluntary Sector & Community Liaison (expected to be used by LBHF only)
- Commissioning – Posts funded by PCTs
- In house services (excluding the Assistant Director post)
- Overheads – Training non pay (savings not forecast until 2014/15)
- IT
- CLCH Integration – Impact on Demand
- Procurement savings

9.3.4 Packages and placement budgets will not be pooled by the boroughs, and similarly will not require a charging methodology. Other than the Operational Assistant Director, operational staffing budgets will not be pooled.

9.3.5 Group 2 are savings expected in budgets that will be pooled by the boroughs. Due to the fact that they are pooled the boroughs need to agree a mechanism under which each will meet its fair share of the costs. The costs in this group are:

- Commissioning and In house services management (i.e. the Assistant Director)
- Overheads – Training pay costs, and Project management pay costs
- CLCH Integration – Management
- Joint Commissioning and support services with GP consortia (savings not forecast until 2014/15, so therefore not within the scope of this paper)



9.3.6 Costs for pooled services will be shared in the ratio of the budget resources put in for those pooled services by each Borough. In relation to Adult Social Care, the percentages that result from this approach are outlined in Table 2.

**Table 2**

Percentages by Which Costs will be Shared		
	Commissioning	Director, ADs, PAs
LBHF	29.0%	46.3%
RBKC	33.1%	21.2%
WCC	37.8%	32.5%
Total	100.0%	100.0%

9.3.7 LBHF will host these functions on behalf of the boroughs. This means that LBHF will usually incur the costs of pooled functions and will need to charge the other boroughs on a fair basis for those costs.

9.3.8 Implementation costs will be shared in proportion to the savings made by each borough.

#### **9.4 Libraries**

9.4.1 The future costs and savings of a tri-borough library service have been apportioned as set out below.

9.4.2 The cost of the Single Management Structure going forward has been apportioned by an even split across the three authorities. The single management structure includes the following posts:

- Tri-borough Director of Libraries and Archives
- Community Development Manager
- Operations Manager
- Reference and Information Manager

9.4.3 The reductions from the service efficiency model have been apportioned to the authority that they are deleted from.

9.4.4 The cost of the integrated core service has been apportioned by the number of libraries, weighted on a scale of 1-4.

9.4.5 Any service commissioned locally will be excluded from any apportionment model but will be managed by the Tri-borough Libraries Single Management Structure. Examples include the Music Library (WCC), Archives and Local Studies (RBKC) and the Prison service (LBHF).

9.4.6 This methodology is designed to apply to costs that are integrated between the boroughs, such as the Single Management staff. Costs that are not integrated, or apply to specific borough branches, will be incurred directly by individual boroughs and will fall outside this methodology.

9.4.7 The proposal approved by each Cabinet in June 2011 identified that savings would occur under three cost headings:

- **Single Management Structure-** combining the strategic management of each authority's library service within a management team of four, reducing the number of existing management posts by six.
- **Service efficiency-** Using a detailed transactional model and applying local operational and professional knowledge the number of staff required to operate each of the tri-borough libraries to the required service level can be established. Currently the model outlines that 174 posts are required to run a basic integrated tri-borough lending service (not including reference or specialist services), eight posts less than the current combined staffing establishment.
- **Integrated core service-** An outline target operation model for the combined service has been drafted. This model will provide a basic service implemented across all authorities. Additional services can then be commissioned locally by individual managers.

9.4.8 The tri-borough Libraries and Archives Services is a fully integrated service and cost apportionments will be applied depending on three expenditure types detailed.

9.4.9 As the Tri-borough Library Service is delivering a fully integrated service the overall tri-borough budget shall be the responsibility of the single management structure including pooled and un-pooled costs.

9.4.10 All tri-borough costs shall be consolidated and apportioned as per the agreed methodology outlined.

9.4.11 All locally commissioned activities costs shall be costed directly to the borough commissioning the service and the single management structure will have full budget and operational responsibility and control.

## **9.5 Environment Services**

9.5.1 The finance methodology is designed to apply to costs that are pooled between the two boroughs, i.e. shared managerial staff, and a service resilience budget. No other costs are planned to be pooled at this stage. If future service reviews determine that certain costs will be pooled then this agreement will need to be varied to take that into account. Costs that are not pooled will be incurred directly by the individual boroughs and will fall outside this methodology.

9.5.2 Implementation costs will be shared in proportion to the savings made by each borough. The proportions used will be calculated from the estimated savings.

- 9.5.3 The posts to be shared are set out in Table 3, together with the employing borough and the proportions that will be chargeable to each borough.
- 9.5.4 A pooled 'Service Resilience' budget will be created from 1<sup>st</sup> April 2012. Each borough will contribute £25k per year to form a £50k fund.
- 9.5.5 The two boroughs agree that the shared managers will be working on the business of both boroughs, and that the ratios being adopted (as set out in Table 3) represent a fair reflection of the work done for each borough.
- 9.5.6 The Service Resilience budget will be will be administered by the host borough. Any underspend or overspend on that budget will be shared equally between the boroughs.

**Table 3**

<b>Bi Borough Management Structure</b>	<b>Bi Borough</b>	<b>LBHF</b>	<b>RBKC</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Executive Director for Transport and Technical services	0.40	0.20	0.20
Director for Environmental Health	1.00	0.50	0.50
Director for Transport and Highways	1.00	0.50	0.50
Head of Parking	1.00	0.50	0.50
Head of Transport Policy & Network Management	1.00	0.50	0.50
Head of Highways & Projects	1.00	0.50	0.50
Head of Environmental Health Commercial	1.00	0.50	0.50
Head of Environmental Health Residential	1.00	0.50	0.50
Head of Licensing & Trading Standards	1.00	0.50	0.50
Executive Director for Environment, Leisure and Residents Services	1.00	0.50	0.50
Director for Cleaner, Greener and Cultural Services	1.00	0.40	0.60
Director for Safer Neighbourhoods	1.00	0.75	0.25
Head of Culture	1.00	0.25	0.75
Head of Waste and Street Enforcement	1.00	0.50	0.50
Head of Leisure and Parks	1.00	0.50	0.50
Head of Community Safety	1.00	0.75	0.25
Head of Business Support	1.00	0.75	0.25
1 Programme Manager until 31/3/13	1.00	0.50	0.50
<b>Total</b>	<b>17.40</b>	<b>9.10</b>	<b>8.30</b>

## Tri-Borough Business Case and Cost Apportionment

- 9.6 Agreement to enter into the Tri-Borough Legal Agreements will enable the full implementation of the Tri-Borough initiative, which is projected to save £33.4m of ongoing savings across the three boroughs from 2015/16 onwards. Costs of £4.37m were estimated in the June 2011 Cabinet Reports. This was for programme and project implementation and the associated redundancy implications. These costs will be carefully monitored.

As mentioned elsewhere in this report, costs apportionment methodologies have been agreed for the respective service areas. These will be monitored for applicability through the implementation phase of the programme for their robustness.

## 10. CONSULTATION

- 10.1 Extensive consultation has taken place in order to satisfy the requirements of s.113 described above and the Council's wider employment law duties. Consultation on proposals for bi or tri-borough re-organisations with staff and their recognised trade union representatives is carried out in accordance with the Councils' statutory obligations as required under appropriate employment law provisions primarily the Trade Union and Labour Relations (Consolidation) Act 1992 and the Employment Rights Act 1996 as amended. This is supplemented by a set of overarching HR policy principles adopted by the three boroughs contained within the Tri-Borough HR Policies Agreement.
- 10.2 Consultation mechanisms on proposals to re-organise and integrate teams across either the two or three partner boroughs follow established and generally consistent principals overseen by a Joint Management and Trade Union Tri Borough Forum consisting of the HR Directors of the 3 partner Councils and representatives (both at regional and branch level) of the three Councils' recognised trade unions. A copy of the Terms of Reference for this group is attached at Appendix 2. Consultation in practice consists of the introduction of such proposals initially to the Forum for initial comment followed by staff and trade union consultation within the relevant service areas and includes team consultation meetings, individual one-to-one consultation meetings, briefing and updates. Documentation is also made available electronically to the relevant staff groups and Trade Unions and usually includes the written proposals (rationale document) and other associated documentation including current and revised job descriptions, staff assimilation tables, regularly updated sets of staff question and answers, current and proposed structure charts. Consultation either takes 30 or 90 days depending on the numbers of staff affected in the establishment. Following consultation, implementation of the proposals (original or as amended) takes place. The three Councils mitigate against any compulsory redundancies in a variety of ways including but not exclusively seeking volunteers first and through tri-borough redeployment processes and other opportunities.
- 10.3 A Tri-Borough HR Working Protocols document has also been established which supports managers and staff by giving further clarity and detail on the creation and

operation of integrated teams as they affect the day to day employment issues of staff employed by one of the three boroughs and where such teams are managed by an employee of one of the 3 boroughs or their partners. The protocol reflects the fact that those managers managing integrated teams will need to be clear about the contractual terms of the staff they manage but who are employed by one of the other two boroughs.

## **Local Government Act 1972 (as amended) – Background papers used in the preparation of this report**

Draft Legal Agreements

*[Note: Please list only those that are not already in the public domain, i.e. you do not need to include Government publications, previous public reports etc.]*

### **Contact officer(s):**

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# Agenda Item 7



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**DEPUTY LEADER  
(+ENVIRONMENT  
AND ASSET  
MANAGEMENT)**

*Councillor Nicholas  
Botterill*

**AWARD OF TERM CONTRACT FOR PUBLIC  
LIGHTING AND ANCILLARY WORKS 2012 - 2015**

Seeking approval to award the Term Contract for Public Lighting and Ancillary Works 2012 – 2015 (“the Contract”). The award is to be made on the basis of the most economically advantageous tender received, as detailed in the report.

A separate report on the exempt part of the Cabinet agenda provides information on the tender opening and assessment.

**Wards:  
All**

### CONTRIBUTORS

EDTTS  
EDFCG  
ADLDS  
ADP

### Recommendation:

**To note that the annual current notional value of the contract is in the region of £1,000,000, and that the value may go up or down depending on the work ordered through the contract, but that all works ordered under the contract will be subject to the appropriate budget being available.**

<b>HAS THE REPORT CONTENT BEEN RISK ASSESSED? N/A</b>
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<b>HAS A EIA BEEN COMPLETED? YES</b>
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## 1. BACKGROUND

- 1.1 Following a competitive tendering process, which was undertaken in accordance with the Council's Contract Standing Orders and the Public Contract Regulations 2006, approval is sought to award the Term Contract for Public Lighting and Ancillary Works 2012 – 2015 ("the Contract"). The Contractor recommended to be awarded the contract is the tenderer judged to have submitted the most economically advantageous tender to the Council.
- 1.2 A description and summary of the key aspects of the Contract is given in the Appendix to the exempt report.
- 1.3 In anticipation of the procurement exercise officers have reported to the Cabinet Member for Environment, to approve the procurement strategy and tender specifications.
- 1.4 In accordance with the Council's Contract Standing Orders a Tender Appraisal Panel (TAP) was established for this tender exercise. The TAP and Cabinet Member for Environment agreed that tenders should be assessed on a 80:20 price / quality split respectively.
- 1.5 The Contract will be awarded for a period of three years, with the possibility of three, 12 month extensions to be agreed at the Council's discretion.

## 2. TENDER PROCESS

- 2.1 The procurement process has been overseen by the TAP.
- 2.2 Table 1 provides a summary of the stages in the procurement of the Contract:

Table 1: Key procurement stages

Date	Action	Description
04 July 2011	Approval of Procurement strategy.	Cabinet Member Decision at ECM.
14 July 2011	Contract advertised and Pre-Qualification Questionnaires (PQQ's) issued.	PQQ issued electronically via London Tenders Portal.
15 August 2011	Deadline for return of PQQ's.	15 completed PQQ's received.
05 September	Short list of six tenderers for the contract agreed.	Short list agreed by Chief Officer Decision following officer recommendation.
21 October 2011	Tender documents issued.	Via London Tenders Portal.
25 November 2011	Tender period closed at 03:00am.	Tenders opened on Monday 28 November 2011.

### **3. TRANSFER OF UNDERTAKINGS (PROTECTION OF EMPLOYMENT) REGULATIONS 2006 (TUPE)**

- 3.1 Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) will apply to the Contract and will be managed in accordance with the appropriate procedures.

### **4. RISK MANAGEMENT**

- 4.1. This report is not included on a departmental or corporate risk register.

### **5. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 5.1 The tender process has been carried out in accordance with the Council’s Contract Standing Orders.
- 5.2 There is no set price for the contract and the amount of works ordered under the contract will need to be managed in order to ensure that existing revenue budgets are not exceeded.

### **6. EQUALITY IMPLICATIONS**

- 6.1 The recommendations of this report in relation to impacts (negative or positive) on race, disability, gender, sexual orientation, age or belief system groups are explained in the accompanying Equality Impact Assessment (EIA) available electronically if required.

### **7. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 7.1 Legal Services has advised the client department during the procurement process and has been represented on the TAP. The AD (Legal and Democratic Services) supports the recommendations in this report.

### **8. COMMENTS OF THE ASSISTANT DIRECTOR PROCUREMENT**

- 8.1 The AD has been represented on the TAP and has provided procurement related advice. The tendering of these services has been undertaken in accordance with the Public Contract Regulations 2006 (as amended) and the Council’s Contract Standing Orders.
- 8.2 The AD agrees with the recommendations contained in the report.



**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Contract documentation & tender submissions.	Jonathan Addis	ENV, 5 <sup>th</sup> Fl, THX
2.	Tender Evaluation Sheets	Jonathan Addis	ENV, 5 <sup>th</sup> Flr, THX
<b>CONTACT OFFICER:</b>		<b>NAME:</b> Mark Hodgson <b>EXT.</b> 3490	

**APPENDIX – TENDER EVALUATION CRITERIA**

The contract award is based on the most economically advantageous tender, incorporating Quality (20%) and Price (80%), using the following model and 3 stage process as follows.

**Stage 1: Checking Tender Submissions for Completeness**

To pass Stage 1 the tenderer must provide the following information:

- All documents listed completed, signed (where required) and submitted as instructed;
- The Schedule of Rates is fully completed as instructed; and
- The Tender Submission loaded onto the London Tenders Portal before the set deadline.

Tenders that do not satisfy these requirements will be eliminated and not progress to Stage 2

**Stage 2 - Consideration of Financial and Non-financial Submissions**

Tenders which do not offer the expected quality bid, are deemed to be abnormally low/too expensive, or are believed not to be sustainable throughout the Contract may be rejected.

The TAP will consider when evaluating Tenders whether in its reasonable opinion:

- Each Tenderer has allowed what the Council considers to be sufficient resources within its Quality Submission and within its tendered rates and prices to perform the Contract to the required standard; and
- The tendered rates and prices submitted by each Tenderer are sufficient to support the levels of service proposed by the Tenderer in its Tender.

**Stage 3 - Consideration of the most economically advantageous tender**

Stage 3 tenders will be awarded points in relation to their tendered Prices and Quality Submission, in accordance with Table 1.

Table 1 - Scoring Summary

Price Assessment (80%)	Quality Assessment (20%)
Schedule of Rates	Quality Submission, including Method & Resources Statement
TABLE A (additions and discounts)	
Schedule of Dayworks Rates	

**Price Assessment (80%)**

Table 2 details the three documents that make up the score for the price assessment.

Table 2: Price Assessment Scoring

Price Component	Maximum Points
(a) Schedule of Rates	80
(b) Schedule of Dayworks Rates	10
(c) TABLE A Assessment	10
<b>Grand Total</b>	<b>100</b>

**(a) Schedule of Rates (SoR)**

The SoR includes 13 series, made up of multiple items (including item banding). Each item shall have a rate inserted by the Tender. The points shall be assigned as follows:

Table 3: Schedule of Rates Points assignment

Schedule of Rates Series		Maximum Series Points
300	Faults	8
400	Automated Vehicle Barriers	3
500	Cabling and Ducts	2
600	Earthworks	1
800	Bulk Clean & Changes and Electrical Testing	18
900	Hammersmith Bridge Lighting Maintenance	1
1200	Traffic Signs, Posts and Bollards	4
1300	Lighting Columns and Brackets	28
1400	Electrical Work for Road Lighting & Traffic Signs	8
2500	Lyric Square Water Feature	4
2600	Night Scouting	2
5000	Maintenance Painting of Steelwork	1
<b>Total</b>		<b>80</b>

Each SoR will be assessed by applying a weighting to the price in each band, which will then give an assessment value for each item. These values will then be weighted and combined within each series to give a total assessment value for the series which will then be compared to the other Tenders. As each series has different banding, the weightings for each banding will be different but will follow the regime shown below:

Band	A	B	C	D
Assessed Quantity	1	2	3	4

For example, the assessment value for an imaginary item would be calculated as:

Tenderer A prices submitted for an imaginary SoR item 800;

Item Number	0 - 9	10 - 99	100 - 499	500<
800	a	b	c	d

Therefore assessment value of item 800 = [(1xa)+(2xb)+(3xc)+(4xd)] x weighting factor.

The Tenderer with the lowest total series price for a given series will be awarded the maximum points for that series according to Table 3. Each of the remaining Tenders will be awarded points for a series in accordance with the following calculation:

$$\left( \frac{\text{Lowest Tendered Series Price}}{\text{Tendered Series Price}} \right) \times \text{Maximum Series Points}$$

For example:

Tenderer	Total Series Price	Calculation	Points Awarded
A	£ 180	Maximum Series Points	6.00
B	£ 200	(180 / 200) x 6.00	5.40
C	£ 220	(180 / 220) x 6.00	4.91

This process will be performed for all the series listed in Table 3 to give a total SoR score out of 80 for each Tenderer, which is then inserted into Table 2.

### **(b) Table A Assessment**

Each Tenderer's rates submitted in the TABLE A document (page 231 of the Contract) will be compared against every other Tenderer and scored in line with the following:

- The lowest percentage additions will score the maximum points.
- The highest percentage discounts will score the maximum points.

Scores will be awarded according to the following table:

TABLE A			
Item Description	Tendered Rates	Max. Points	
% <u>addition</u> to rates for works executed on a Table 1 Road (covers waiting & loading restrictions, additional signing & traffic management measures etc)	..... %	<b>5.0</b>	
% <u>addition</u> to Schedule rates for Sunday Working	..... %	<b>0.5</b>	
% <u>addition</u> to Schedule rates for Night Working	..... %	<b>0.5</b>	
% <u>addition</u> for sections of work of gross value up to £500 for commencing work within:			
	2 hour	..... %	<b>0.5</b>
	24 hours	..... %	<b>0.5</b>
Lump Sum <u>addition</u> for sections of work of gross value exceeding £500 but less the £10,000 for commencing work within:			
	2 hour	£ .....	<b>0.5</b>
	24 hours	£ .....	<b>0.5</b>
% <u>discount</u> reduction for Section of Works of gross value:			
	£40,000 - £100,000	..... %	<b>0.5</b>
	£100,000 - £200,000	..... %	<b>0.25</b>
	>£200,000	..... %	<b>0.25</b>
% <u>discount</u> for total accumulated annual contract value in any one financial year:			
	£400,000 to £600,000	..... %	<b>0.5</b>
	£600,000 to £800,000	..... %	<b>0.25</b>
	£800,000 plus	..... %	<b>0.25</b>
<b>TOTAL</b>			<b>10</b>

For example (percentage additions):

*The lowest percentage additions will score the maximum points.*

Item Description	Tender A	Tender B	Tender C
% <u>addition</u> to Schedule rates for Saturday Working	<b>10%</b>	<b>12%</b>	<b>13%</b>

Tenders will be awarded points based on the percent difference between their submitted % addition and the lowest tendered % addition as shown below:

$$\text{Tenderer B Score} = \text{Maximum Points} - \left[ \left( \frac{\text{Tenderer B \%} - \text{Lowest Tendered \%}}{\text{Lowest Tendered \%}} \right) \times \text{Maximum Points} \right]$$

Tender	Points Calculation	Awarded Marks
A	= 1.00 (Lowest Tendered % = maximum points)	<b>1.00</b>
B	= 1.00 - $\left[ \left( \frac{12\% - 10\%}{10\%} \right) \times 1.00 \right] = 1.00 - (0.2 \times 1.00) = 1.00 - 0.2$	<b>0.80</b>
C	= 1.00 - $\left[ \left( \frac{13\% - 10\%}{10\%} \right) \times 1.00 \right] = 1.00 - (0.3 \times 1.00) = 1.00 - 0.3$	<b>0.70</b>

For example (percentage discounts):

*The highest percentage discounts will score the maximum points.*

Item Description	Tender A	Tender B	Tender C
% <u>discount</u> reduction for Section of Works of gross value	<b>10%</b>	<b>8%</b>	<b>7%</b>

Tenders will be awarded points based on the percent difference between their submitted % reduction and the highest tendered % reduction as shown below:

$$\text{Tenderer B Score} = \text{Maximum Points} - \left[ \left( \frac{\text{Highest Tendered \%} - \text{Tenderer B \%}}{\text{Highest Tendered \%}} \right) \times \text{Maximum Points} \right]$$

Tenderer	Points Calculation	Awarded Marks
A	= 0.50 (Highest Tendered % = maximum points)	<b>0.50</b>
B	= 0.50 - $\left[ \left( \frac{10\% - 8\%}{10\%} \right) \times 0.50 \right] = 0.50 - (0.2 \times 0.50) = 0.50 - 0.1$	<b>0.40</b>
C	= 0.50 - $\left[ \left( \frac{10\% - 7\%}{10\%} \right) \times 0.50 \right] = 0.50 - (0.3 \times 0.50) = 0.50 - 0.15$	<b>0.35</b>

### (c) Schedule of Dayworks Rates

The Schedule of Dayworks Rates is divided into 4 sections, the points assigned to each section is shown in Table 4:

Table 4: Schedule of Dayworks Rates points assignment

Schedule of Dayworks Rates Section		Maximum Section Points
<b>1</b>	<b>Labour</b>	<b>7</b>
	1.1 Emergency Response and Emergency Works	2.5
	1.2 - General Works	2.5
	- Percentage Uplifts	2
<b>2</b>	<b>Materials</b>	<b>1</b>
<b>3</b>	<b>Supplementary Charges</b>	<b>Not Marked</b>
<b>4</b>	<b>Plant</b>	<b>2</b>
<b>Grand Total</b>		<b>10</b>

#### Hourly Rates

Tenders submitted hourly rates in 1.1 and 1.2 will be assessed by the summation of the rates in each section giving an hourly total. The Tenderer with the lowest hourly total for a section will be awarded the maximum points for that series as set out in Table 4. Each of the remaining Tenders will be awarded points for a section based on Table 4, in accordance with the following:

$$\left( \frac{\text{Lowest Tendered Series Price}}{\text{Tendered Series Price}} \right) \times \text{Maximum Series Points}$$

The calculations will be the same as for those in the SoR example.

#### Percentage Rates

Each Tenderers percentage rates submitted in Sections 1.2, 2 and 4 will be awarded points based on the percentage difference between their submitted % and the lowest tendered % in accordance with the following calculation:

$$\text{Tenderer B Score} = \text{Maximum Points} - \left[ \left( \frac{\text{Tenderer B \%} - \text{Lowest Tendered \%}}{\text{Lowest Tendered \%}} \right) \times \text{Maximum Points} \right]$$

The calculations will be the same as for those in the Table A example.

## Quality Submission(20%)

Quality Submissions will be evaluated in accordance with Table 5.

Table 5: Quality Scoring schedule

Criteria	Max. score	Weighting (%)	Weighted Score	Min. Threshold Score
<b>SECTION 1: QUALITY SUBMISSION</b>				
1.1 - Council Objectives:	10	5%	1	0.5
Understanding of Council objectives.	5			
Delivering to meet Council Objectives	5			
1.2 – Better Value for Money:	20	10%	2	1
Management Training & supervision	5			
Continuous improvement & flexibility	5			
Technical Innovation & IT & Communication	5			
Added Value	5			
1.3 - Putting Residents First:	20	10%	2	1
Presentation, identification & branding	5			
Customer Care / Satisfaction	5			
Working with the community	5			
Local circumstances & complaints	5			
<b>SECTIONS 2 – 10: METHOD &amp; RESOURCES STATEMENT</b>				
Completed M&R Statement**	175	75%	15	7.5
		Total	<b>20</b>	<b>10</b>

\*\* The M&R statement consists of nine sections containing a total of 59 questions. Of these, 25 questions will be marked and awarded a score out of 5 as defined in Table 5.

Marks out of 5 will be allocated to sections of the Quality Submissions as indicated in Table 5, on the basis set out in Table 6.

Table 6: Quality scoring system

Score	Description	Mark
Excellent	Meets all requirements in a very full & comprehensive manner & exceeds some requirements.	5
Very Good	Meets most requirements in a full & comprehensive manner.	4
Good	Generally satisfactory & meets the criteria requirements to the satisfaction of the TAP.	3
Adequate	Satisfactory but with aspects which cause concern as either the response is incomplete, or differs from the professional/technical judgement of the TAP.	2
Inadequate	Indications that the response meets some of the requirements but either there are serious doubts about aspects of the response, or inadequate information has been provided.	1
Unacceptable	Little or none of the response is satisfactory, or little or no information has been provided	0



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**DEPUTY LEADER  
(ENVIRONMENT +  
ASSET  
MANAGEMENT)**

*Councillor Nicholas  
Botterill*

**EARLS COURT OLYMPIC VOLLEYBALL -  
LOCAL AREA TRAFFIC MANAGEMENT AND  
PARKING PLAN (LATMP)**

**Wards:  
North End  
Fulham  
Broadway**

This report summarises the draft Traffic Management and Parking Plan (LATMP) prepared by LOCOG, in consultation with borough officers, to facilitate the Olympic Volleyball competition to be held at Earls Court between 28 July and 12 August 2012.

The borough, as highway authority, is the sole authority with the necessary power to carry out essential elements of the LATMP, and given its experience with managing the highway interface at large sporting events (Queens Club Tennis, Boat Race and three football clubs) is the best placed to carry out other key elements of the LATMP, as detailed in this report.

The LATMP is to be fully funded by LOCOG and should full funding not be forthcoming the LATMP will not be carried out.

### Recommendations:

#### **CONTRIBUTORS**

EDTTS  
EDFCG  
ADLDS

- 1. That approval be given to carry out the Local Area Traffic Management and Parking Plan at a total cost of approximately £300,000 as set out in paragraph 5 of the report.**
- 2. That authority be delegated to the Deputy Leader (+ Environment and Asset Management), in consultation with the Executive Director of Transportation and Technical Services, to approve the final LATMP and enter into an 'undertaking' with LOCOG in order to facilitate funding the project.**

<b>HAS A EIA BEEN COMPLETED? YES</b>
--

## 1. STRATEGIC OBJECTIVES

- 1.1 One of the six goals set out in the Mayor's second transport strategy for London is to;
- **Support delivery of the London 2012 Olympic and Paralympic Games and its legacy**
- 1.2 Three of the seven borough transport objectives as part of the approved Transport Plan, which are relevant to this report, are as follows
- **To improve the efficiency of our road network.**
  - **To make it easier for everyone to gain access to transport opportunities.**
  - **To support residents and businesses by controlling parking spaces fairly.**

## 2. BACKGROUND

- 2.1 The Olympic Volleyball competition will be held at Earls Court from Saturday 28 July 2012 to Sunday 12 August 2012. LOCOG have been tasked to design the local traffic management schemes around all Olympic venues (including Earls Court) and generally discharge this duty to TfL or transport consultants.
- 2.2 The planning consent to host the Olympic Volleyball competition at Earls Court was granted by LBHF on 9 July 2010 subject to the following two transport conditions (12 and 13). One of the conditions is the submission and approval of a Local Area Traffic Management and Parking Plan (LATMP), to which this report relates.

- 12) No later than 3 months from the date of the grant of planning permission, details of the setting up and date of the first meeting of the Venue Transport Working Group shall be submitted to the Council. No later than 6 months prior to the commencement of the 2012 Games details of the production and agreement of all other parts of the Venue Transport Operations Plan shall be submitted and approved in writing by the Council.

To ensure that both vehicular and pedestrians flow is not unduly affected by the development, in accordance with Policy TN5 of the Unitary Development Plan, as amended 2007.

- 13) No later than 3 months prior to the commencement of the 2012 Games details of the production and agreement of the Local Area Traffic Management Plan shall be submitted and approved in writing by the Council.

To ensure that both vehicular and pedestrians flow is not unduly affected by the development, in accordance with Policy TN5 of the Unitary Development Plan, as amended 2007.



- 2.3 LOCOG has commissioned a transport consultant (Project Centre) to develop the LATMP on their behalf and regular meetings have been held with LOCOG, Project Centre and borough officers over the last 18 months. The draft LATMP was received in July 2011 and detailed in chapter 3 of this report
- 2.4 There is a further planning application to be submitted to allow Seagrave Road car park to operate as a coach and disabled car park as well as a vehicle security area to support the venue. Pre application discussions with officers are underway and an application is expected in January 2012.

### **3. VENUE DETAILS**

- 3.1 Earls Court will host both the men's and women's Olympic Volleyball Competition from Day 1 (28 July 2012) of the Games to day 16 (12 August 2012) of the Games. There will be three sessions (Games) per day from days 1 to 10 and 2 sessions a day from day 11 to day 16. For three session days, play begins at 9.30am and will continue to approximately 11.30pm. On two session days, play begins at 1.00pm until approximately 10.30pm.
- 3.2 There will be 12,800 spectators per session (over half a million in total) who will all receive a zone 1-6 'Oyster' style card with their ticket, which will encourage spectators to take public transport. The predicted modal split of spectators is as follows;
- Underground and Rail – 82%**  
**Local bus – 8%**  
**Coach – 5%**  
**Cycle – 2%**  
**Walk – 2%**  
**Taxi – 1%**
- 3.3 The Games have been promoted as 'car free' and the LATMP is designed to create an environment around Olympic venues (away from the main Olympic park) that discourages spectators driving to venues and to protect parking for local residents and businesses.
- 3.4 The venue is served by two rail stations: Earls Court (District and Piccadilly Lines) and West Brompton (District Line, Overground Services and National Rail). Both stations will be operating passenger management controls, with Earls Court station operating a one way system with passengers exiting onto Earls Court Road and entering via Warwick Road.

3.5 The spectator entrance to Earls Court is from West Brompton Road and the exit on Warwick Road.

#### 4. DRAFT LOCAL AREA TRAFFIC MANAGEMENT AND PARKING PLAN (LATMP)

4.1 LOCOG, through the Project Centre, formally issued the LATMP on Wednesday 27 July 2011. Highways and Engineering officers have been working with and challenging the traffic management and parking restrictions required to facilitate the event with the express intention of limiting the impact of the competition on background travel.

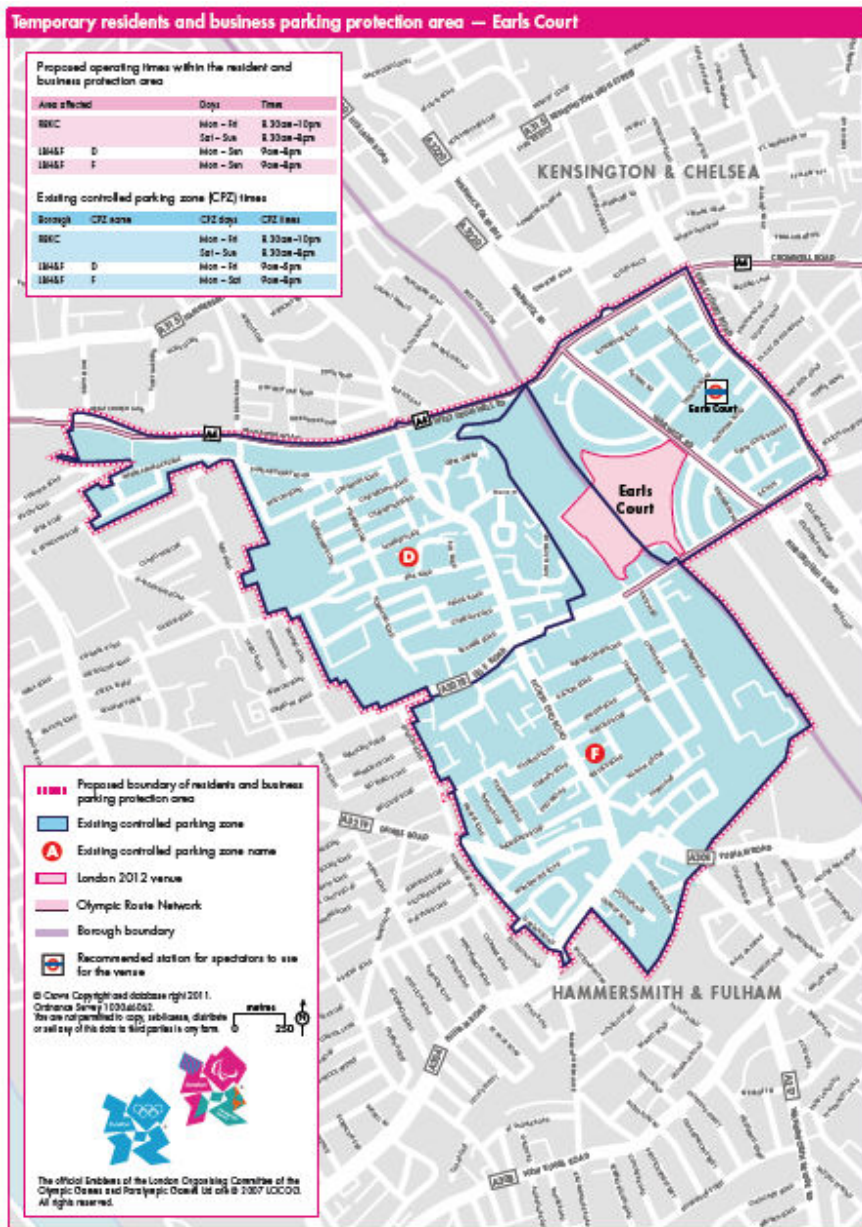
4.2 For the 16 days of the competition, **Lillie Road** will be closed from North End Road to Warwick Road to traffic with the exception of buses, coaches, taxis, cycles, permitted access and Games family traffic. The closure is likely to be in place daily from 6am to potentially 1am the following morning. Diversion routes will be signed as North End Road, Hammersmith Road, A4 and Warwick Road. The impact of the diversion traffic alongside the other Olympic activity in the borough has been strategically modelled with the results published on the TfL microsite; [www.tfl.gov.uk/2012](http://www.tfl.gov.uk/2012).

4.3 In **CPZ D** it is proposed to extend the controlled hours of Monday to Friday from 9am to 5pm to 9am to 8pm and to introduce restrictions of Mon - Sun, 9am to 8pm.

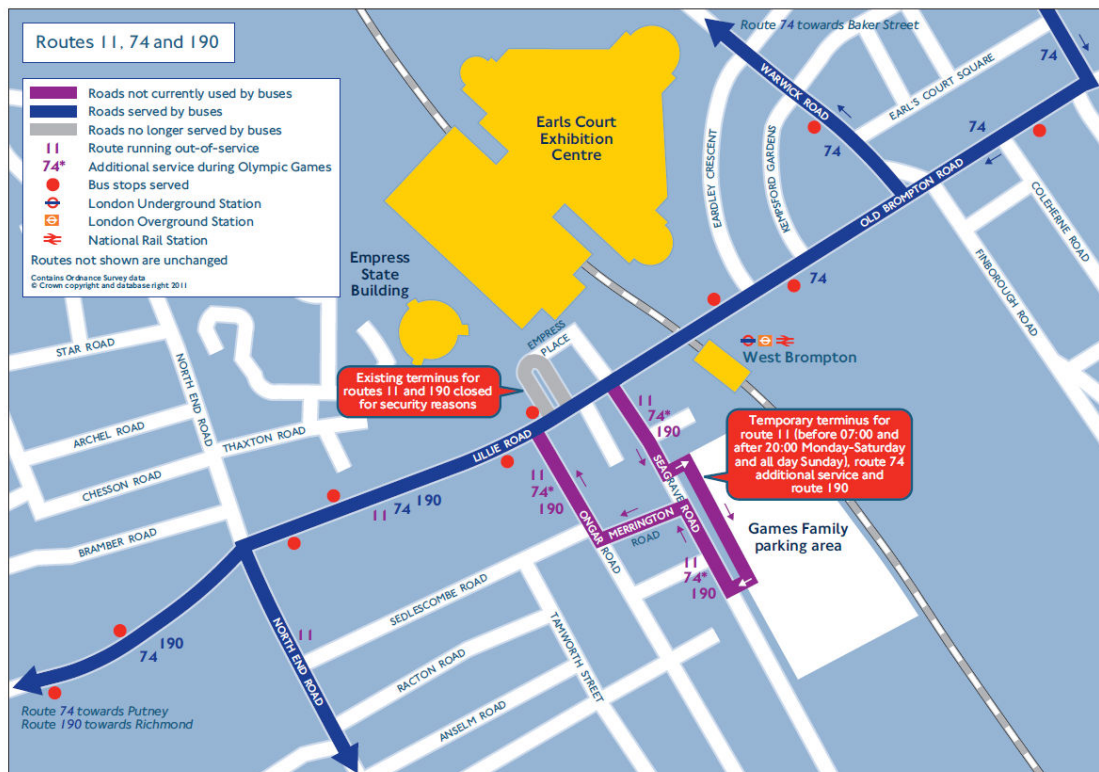
4.4 In **CPZ F** it is proposed to include Sunday between 9am and 8pm. This zone has permit holder parking only between 6.30pm to 8pm Monday to Friday, and on Saturday between 2pm to 4pm and between 6.30pm to 8pm. Therefore it is proposed to introduce permit holder priority timing on Sundays for 2pm-4pm for the duration of the event.

4.5 In addition, in both zones **the maximum stay will be reduced to 2 hours** in all shared use bays to prevent spectators coming by car from using the bays to go to Earl's Court. In zone F the maximum stay is currently 8 hours. Pay & Display machines would need to be adjusted to only allow a maximum of 2 hours. Officers have proposed to maintain the existing maximum stay at the Coomer Place car park to meet the needs of business users.

4.6 The plan overleaf shows the extent of CPZ D and F and the existing and proposed restrictions, including those in RBKC.



4.7 In order to facilitate the Seagrave Road coach parking, disabled parking and vehicle security arrangements a temporary one way system is required for sections of Seagrave Road, Merrington Road and Ongar Road, alongside some on-street parking suspensions to facilitate vehicle turning movements. The extent of the temporary one way system and alterations to bus terminations in the area are set out in the plan overleaf.



## 5. LATMP ACTIVITIES CARRIED OUT BY THE BOROUGH

- 5.1 LOCOG are seeking the borough's commitment to deliver some of the traffic management works, which will be fully funded. It is likely that, given the merger between the highways divisions at LBHF and RBKC, a joint approach will be developed to deliver the works in both boroughs. The following paragraphs detail the works the borough is to carry out in LBHF using its own powers and term contracts;
- 5.2 **LILLIE ROAD CLOSURE** – The borough shall supply and maintain the infrastructure required to facilitate the closure (signs and cones). In addition the borough shall be installing, maintaining and removing all necessary signage to advise of the closure and the diversion routes. The borough shall also prepare and advertise the necessary traffic regulation orders to allow a legal closure of the road.
- 5.3 **CPZ AMENDMENTS** – The borough shall install, maintain and remove all signage to indicate the change in restrictions to CPZ D and F. The borough shall also make the necessary amendments to the ticket machines in the two zones and prepare and advertise the necessary traffic regulation orders. The borough shall further provide the additional enforcement services to cover the additional hours and days the restrictions are in place.
- 5.4 **TEMPORARY ONE WAY SYSTEM** – The borough shall install, maintain and remove all signage required for the temporary one way system

alongside all temporary lining and parking suspensions. In addition, the borough will carry out limited enabling work which includes dropped kerbs and amendments to the existing width restrictions on Seddlescombe Road and Ongar Road.

- 5.5 The estimated cost of the above, based on the information available to date (December 2011) is **£300,000**. As the exact detail is finalised it is likely that this cost will reduce slightly. The cost estimate includes all professional fees required to deliver the LATMP.
- 5.6 The means by which LOCOG will fund the borough work will be set out in an 'undertaking' which will be agreed between LOCOG and the borough. In order to facilitate feasibility work on the project before the undertaking is formally approved by both parties LOCOG have issued a letter confirming an interim figure of up to £100,000.

## **6. ENGAGEMENT**

- 6.1 Engagement on the LATMP will be led by LOCOG and a draft engagement strategy has been submitted and reviewed by LBHF communications officers.
- 6.2 Preliminary engagement with residents, businesses and Ward Councillors across both authorities was carried out in Summer 2011 by LOCOG on the emerging LATMP measures. In addition to this the Cabinet Member for the Environment and Asset Management receives bi-monthly briefing reports on all transport-related Olympic activity in the borough.
- 6.3 A plethora of meetings are attended by officers across both authorities in assisting the planning of the competition and a trial event was held in Summer 2011. However this was only to test the playing surface and scoring system and was not a ticketed event.
- 6.4 Detailed engagement is planned for early in the new year, led by LOCOG, and the borough is planning additional communication activity to dovetail with that carried out by LOCOG (at their expense)

## **7. RISK ASSESSMENT**

- 7.1 Chapter 3 of the Cabinet and TfL approved Transport Plan deals with project risk management. The table overleaf details the generic project risk and mitigation measures;

Risk	Mitigation measure(s)
Cost increase/budget reduction	all designs developed to be flexible to allow amendments to reflect budget reduction whilst still maintaining principles of LIP objectives
Delay to schemes	LIP funding to be allocated in consecutive years to allow more involved projects to be run over 18 months rather than the traditional 12 months
Lack of Stakeholder support	develop designs that meet our LIP objectives that can be justified and presented to stakeholders in a suitable manner
Policy compatibility	to develop a bespoke policy compliance tool that all potential projects will be assessed against
Lack of resources to deliver	to maintain our working relationships with the RB Kensington & Chelsea and framework consultants to ensure resources are in place to deliver LIP objectives.

- 7.2 The corporate Olympic risk register contains all strategic and operational risks associated with all Olympic activity in the borough.

## 8. EQUALITY IMPLICATIONS

- 8.1 An EIA screening tool has been prepared in support of this report, identifying no equality implications.

## 9. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 9.1 LOCOG has agreed an interim amount of £100,000 by means of an “undertaking”. However, it is unclear from the report when they will agree to the higher figure of £300,000 and when the Council will actually receive payment.
- 9.2 There is no alternative source of funds for this project and at the very least it should not proceed until LOCOG have provided an undertaking for the full project cost.

## 10. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

- 10.1. The Assistant Director (Legal and Democratic Services) has read and is satisfied with the contents of this report.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of hold of file/copy</b>	<b>Department/ Location</b>
1.	Planning consent for Earls Court to host Olympic Volleyball	Nick Boyle X3069	5th floor HTHX
2.	Draft Earls Court LATMP	Nick Boyle X3069	5 <sup>th</sup> floor HTHX
<b>CONTACT OFFICER:</b>		<b>NAME: Nick Boyle</b> <b>EXT. 3069</b>	





London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**DEPUTY LEADER  
(ENVIRONMENT +  
ASSET  
MANAGEMENT)**  
*Councillor Nicholas  
Botterill*

**TFL FUNDED ANNUAL INTEGRATED TRANSPORT  
INVESTMENT PROGRAMME 2012/13**

**Wards:  
All**

Summarising the TfL funded integrated transport investment programme for 2012/13. Nineteen projects are proposed totalling £1.988 million under three programme areas; Corridors, Neighbourhoods and Smarter Travel.

In addition, stage one (design and engagement) for the Shepherds Bush Town Centre West major project is proposed totalling £180,000 in 2012/13.

The purpose of the projects is to help meet the Transport Plan (LIP2) objectives of improving access to the borough's regeneration areas, improving the efficiency of the road network, improving the quality of our streets and air quality, making it easier for everyone to gain access to transport, controlling parking spaces fairly for residents and businesses and reducing the numbers of people killed and injured on our roads.

**HAS A EIA BEEN  
COMPLETED?  
YES**

The funding has been provided specifically for these purposes by Transport for London and will be designed to give maximum value for money and reduce longer term maintenance costs to the Council. There will be full consultation on the details of projects with residents, businesses and road user groups and projects will only be supported if they have broad local support.

**HAS THE REPORT  
CONTENT BEEN RISK  
ASSESSED?  
See chapter 7**

**Recommendations:**

- 1. That approval be given to carry out feasibility design and consultation on projects C1 to C3 and N1 to N4 at a total cost of £217,000 (approximately 15% of the project total) as set out in paragraph 3 of the report.**

ADLDS



- 2. That authority be delegated to the Deputy Leader (Environment + Asset Management), in consultation with the Executive Director of Transportation and Technical Services, to approve implementation of the seven individual schemes (C1 to C3 and N1 to N4) subject to local consultation.**
- 3. That approval be given to complete the 2011/12 LIP projects, at a cost of £190,000 and to initiate the 2013/14 projects, at a cost of £50,000, as detailed in paragraph 4 of the report.**
- 4. That approval be given to deliver the smarter travel programme at a cost of £303,000, as detailed in paragraph 5 of the report.**
- 5. That approval be given to carry out stage 1 of the Shepherds Bush Town Centre West Major Project at a cost of £180,000, as detailed in paragraph 6 of the report.**

## 1. STRATEGIC OBJECTIVES

1.1 The six goals set out in the Mayor's second transport strategy for London are as follows;

- Support economic development and population growth
- Enhance the quality of life for all Londoners
- Improve the safety and security of all Londoners
- Improve transport opportunities for all Londoners
- Reduce transport's contribution to climate change and improve its resilience
- Support delivery of the London 2012 Olympic and Paralympic Games and its legacy

1.2 The seven borough transport objectives as part of the approved Transport Plan (Local Implementation Plan 2 or LIP2) are as follows;

- To support sustainable population and employment growth in the five regeneration areas - White City, Earl's Court/West Kensington, Hammersmith Town Centre, Fulham Riverside and Old Oak Common.
- To improve the efficiency of our road network.
- To improve the quality of our streets.
- To improve air quality in the borough.
- To make it easier for everyone to gain access to transport opportunities.
- To support residents and businesses by controlling parking spaces fairly.
- To reduce the number of people injured and killed on our streets.

1.3 As part of our Transport Plan we are required to have a costed and funded delivery plan showing how we intend to meet our targets, as below. This annual funding submission to TfL, which was approved by the Deputy Leader (+ Environment and Asset Management) on 5 September 2011, is an integral part of this delivery plan.

Target no.	LIP2 objective	Indicator	Baseline	Short-term (interim target)	Long-term target (indicative)
1a.	1,2,4	<b>Walking mode share</b> % of residents trips by main mode	36.9%	37.5% (2013/14)	40% (2030/31)
1b.	1,2,4	<b>Cycling mode share</b> % of residents trips by main mode	3.9%	4.5% (2013/14)	8%(2030/31)
2.	2	<b>Bus service reliability</b> average excess wait time for high frequency services (mins)	1.2	1.2 (2013/14)	1.2 (2017/18)
3.	2,3,5	<b>Asset condition</b> % of the Borough Principal Road Network with a UKPMS score greater than 70.	8.4%	8.4% (2013/14)	10% (2017/18)
4a.	7	<b>Road casualties</b> Number of KSI (3 year rolling average)	110	99 (2013)	51 (2030)
4b.	7	<b>Road casualties</b> Number of all casualties per billion vehicle kilometres (3 year rolling average)	1195	1074 (2013)	558 (2030)
5.	2,3,4	<b>CO<sup>2</sup> emissions</b> Kilotonnes (kt) emanating from ground-based transport per year	155	130 (2013)	85 (2025)

## 2. CHANGES TO INTEGRATED TRANSPORT PROJECT FUNDING

- 2.1 In 2010/11 TfL changed how it funds borough transport projects to a formula based system for which the borough received £2.431m for our integrated transport programmes (corridors, neighbourhoods and smarter travel)
- 2.2 This funding approach is to be maintained for 2011/12 to 2013/14 with the following indicative funding levels;
- 2011/12 - £2.072m**  
**2012/13 - £1.988m**  
**2013/14 - £1.704m**
- 2.3 These figures reflect the back loaded reduction in TfL funding as a result of the comprehensive spending review and represent a 3%, 5% and 12% reduction over the three years of the delivery plan (2011/12 to 2013/14).

- 2.4 One difference in the funded programme is that this grant is now a single budget rather than three separate budgets for the three programme areas; corridors, neighbourhoods and smarter travel. However, due to the different approaches to how these projects are designed, delivered and managed officers have kept them as three distinct programme areas.
- 2.5 The following three chapters detail the projects and initiatives that have been developed through a cross-divisional working party taking into account strategic and local objectives and targets.

### 3. 2012/13 CORRIDORS & NEIGHBOURHOOD SCHEMES

- 3.1 The following seven projects form the majority of the capital programme in the borough for 2012/13, and are presented in no particular order. The plan attached as Appendix 1 shows the location of these schemes.

- **Goldhawk Road Corridor (C1) - £100,000**

It was the initial intention of the Transport Plan to design and deliver the Goldhawk Road major project; however following discussions with TfL they felt we would have a better chance in securing funding with a 'town centre' major project (as detailed in paragraph 6) and a Goldhawk Road corridor project.

This newly refined corridor project will utilise the feasibility design work and modelling carried out in 2010/11 and 2011/12 to support our major project bid and re-visualise them into deliverable corridor improvements building on the successful improvements to the toucan crossing on Goldhawk Road at the junction of Brackenbury Road.

There is significant pedestrian guard rail along Goldhawk Road which will be reviewed and innovative road space reallocation initiatives will be explored such as 'stop and shop' off peak parking in bus lanes and on footway loading facilities.

- **Uxbridge Road Corridor (C2) - £100,000**

Uxbridge Road is a very busy east-west corridor with numerous competing road user needs. It has had very little highway investment in previous years and exhibits accident and casualty figures higher than the borough average for this type of road.

Officers have identified a pelican crossing at the junction of Percy Road that would benefit from upgrading and there is potential for the installation of a small number of raised entry treatments at busy side roads within the town centre. Furthermore innovative road space reallocation initiatives will be explored such as stop and shop off peak parking in bus lanes and on footway loading facilities.

- **Fulham Palace Road (South) Corridor (C3) - £575,000**

This is the year two of three for the Fulham Palace Road corridor project with year one concentrating on the northern section between Hammersmith and Lillie Road. Year one (2011/12) saw the installation of a number of raised entry treatments and design and modelling work for the Lillie Road junction and the Fulham High Street junction.

The year 2 (2012/13) project will deliver the improvements to the Lillie Road junction addressing the casualty and capacity issues that are present in its current configuration. It will also continue the installation of raised entry treatments south of Lillie Road to Fulham High Street.

All proposals will meet the emerging boroughs transport objectives and as such officers will review all possible solutions and seek to deliver those that provide the greatest benefits to the travelling public along our most important strategic north-south corridor.

- **Du Cane Road Neighbourhood (N1) - £140,000**

The Du Cane Road Corridor covers the road network between Du Cane Road and the Westway and the 'East Acton' area. However it does not contain Du Cane Road itself which was subject to a substantial corridor project in 2010/11 and which saw the removal of a significant amount of unnecessary street furniture.

The East Acton area is one of the borough's 20mph zones and traffic calmed through a variety of measures which will be reviewed and rationalised as part of this project. The area houses a school and tube station and exhibits a specific, if not unique travel demand pattern.

- **Riverside Neighbourhood (N2) - £180,000**

The Riverside neighbourhood is bounded by the river to the west, Fulham Palace Road to the east, Bishops Avenue to the south and Hammersmith Bridge Road to the North (as set out in appendix 1 to this report). The area exhibits a modest accident profile and in 2008 the council submitted a bid for this area to be the London trial area for time over distance 20mph camera enforcement. The bid was unsuccessful and since the project has been curtailed by TfL.

The area houses a number of schools, Fulham Football Club and the disability forums premises. There is limited traffic calming however a number of point closures are present which have been in place for a number of years to reduce rat running when Fulham Palace Road is performing poorly.

- **Fulham Palace Road (East) Neighbourhood (N3) - £180,000**

Fulham Palace Road (East) Neighbourhood is bounded by and the Fulham Palace Road to the west, Munster Road to the east, Lillie Road to the north and New Kings Road to the south (as set out in appendix 1 of this report). The boundaries have been set to tessellate with neighbourhood projects in 2012/13 and previous years. As with all neighbourhood projects the boundaries are 'fuzzy' to allow a flexible approach to highway improvements.

The area sits between two of the boroughs limited and major north-south routes (Fulham Palace Road and Munster Road) and houses a number of schools Fulham cemetery.

- **Charing Cross Hospital Neighbourhood (N4) - £170,000**

Charing Cross Hospital Neighbourhood is bounded by Talgarth Road to the north, North End Road to the east, Lillie Road to the south and Fulham Palace Road to the west (as set out in Appendix 1 of this report). The area contains many schools, the hospital, Hammersmith Cemetery and the Queens Club.

The area is plagued by north-south rat running due to its location between the capacity constrained junctions of Fulham Palace Road and Hammersmith Broadway and North End Road with the A4. There are other projects (both in design and implementation) that will go some way to increase the capacity at both these

bottlenecks which will allow improvements to be realised within this neighbourhood.

#### **4. COMPLETION OF 2011/12 SCHEMES AND INITIATION OF 2013/14 SCHEMES**

4.1 Given the change in nature of the capital programme and the extended scheme design and engagement process officers have extended the life of a project from 12 months in one financial year to 18 months straddling three financial years. This has allowed a phased delivery of the programme alongside the highway maintenance programme and avoided a rush to deliver schemes in the final quarter of the financial year.

4.2 The first three months of a project consist of the blank canvas consultation in the first of the three financial years. Year two consists of the bulk of the project; the detailed design, consultation and construction. Year three (which this section of the programme will be funding) is the completion of the project including safety audits and project reviews.

4.3 **£190,000** of funding has been allocated to complete six corridor and neighbourhood projects below that have been substantially delivered in 2011/12;

- **Wormholt Neighbourhood**
- **Dawes Road Neighbourhood**
- **Parsons Green Neighbourhood**
- **Moore Park Road Neighbourhood**
- **Riverwalk Corridor**
- **Scrubs Lane Corridor**

4.4 **£50,000** has been allocated to initiate projects of the 2013/14 indicative programme as set out in the Transport Plan. The detail of this will be submitted to TfL in the winter of 2012 and the initiation will consist of preparing the borough's annual casualty analysis and carrying out the blank canvas consultations to ascertain the local transport problems residents and businesses perceive and face.

#### **5. SMARTER TRAVEL PROJECTS**

5.1 The Smarter Travel programme addresses three Transport Plan objectives:-

- **To improve the efficiency of our road network.**
- **To improve air quality in the borough.**
- **To reduce the number of people injured and killed on our streets.**

5.2 “Smarter Travel” refers to a range of related activities in road safety education and travel awareness. The areas of activity range from working with schools through road safety education and school travel plans to the development of work place travel plans. There would also be specific road safety campaigns addressing current road safety trends along with travel awareness campaigns promoting appropriate choices of travel. There is a growing body of evidence that these ‘travel demand management’ measures are increasingly effective at reducing congestion through reducing the impact of casualties on the road network (through police closures etc) and managing the growth in car trips. School travel plans have also been effective in reducing congestion caused by the “school run”.

5.3 The smarter travel programme is split into four broad areas, and the list below details the individual small scale initiatives delivered under each broad area;

- **Children - £170,000**

<b>Project</b>	<b>Description</b>
Moving on	Developing road safety skills for years 5 & 6 as they travel independently
Roadwise Rangers	Partnership linking sports skills with road safety
Junior Citizen	Combined initiative with Police to promote good citizenship in year 6
Urban Studies Centre	Working with the Urban Studies Centre to work with 10 schools to review their travel plans
School Travel Plan coordinator	Partial cover for the cost of funding a School Travel Plan assistant
School Travel Plan cover	Funding supply teaching cover where necessary for time spent updating travel plans
School grants	These small grants fund practical facilities at schools who have completed STPs
Child pedestrian training	A full range of road safety training for younger children up to year 4



Walk on Wednesdays	Rewarding children with badges who walk to school regularly
Bike it	Practical work in schools with Sustrans (charity) to develop a continuing a cycling culture

- **Cycling - £69,000**

Cycle Training	Funding 'Bikeability' cycle training for children, adults and, potentially supporting, bicycle maintenance classes and "all ability" cycling
Cycling and HGV awareness	A" changing places " project with cyclists in cabs and lorry drivers on bikes raising awareness of visibility to prevent serious accidents

- **Tailored road safety campaigns - £31,000**

In car safety	Promotional work using a demonstration sledge to illustrate the importance of wearing seatbelts
Powered two wheelers	Supporting motorcycle and motor scooter training and skills to reduce accidents
Road safety linked to health improvement	Developing a project with groups in the community needing exercise but unconfident to walk
Drink/drug driving	Highlighting road safety dangers created through impairment by drink and drugs and to promote social responsibility in these areas

- **Travel Awareness - £33,000**

Workplace Travel Plan development	Supporting the development of Workplace Travel Plans in LBHF
Travel Awareness promotion	Funding for a range of activities and materials promoting sustainable travel and reducing congestion

## 6. OTHER TFL FUNDED PROGRAMMES

- 6.1 As part of the 2012/13 approved annual spending submission a bid for **£180,000** for stage 1 funding (design and engagement) was made and subsequently approved by TfL.
- 6.2 The background to the submission is that in 2010/11 a visioning study was carried out by one of our term transport consultants The Project Centre (who designed Walworth Road and Exhibition

Road) to allow an independent view of what could be achieved with the existing road space, and exhibited and predicted traffic movements. The purpose of the scheme is to enable the economic regeneration of Shepherd's Bush by providing an efficient and attractive street environment for all road users.

- 6.3 Taking this project forward, during the final quarter of 2011/12 a project plan will be prepared with feasibility work starting in the first quarter of 2012/13. In order to secure stage 2 funding for construction (indicatively programmed for 2013/14 and 2014/15) further submissions are required to TfL which will be reported to the Cabinet Member for the Environment in due course.
- 6.4 As with the previous two years **£100,000** has been made available to the borough to spend on local transport initiatives of our choice, providing they broadly meet the objectives in the MTS and our Transport Plan. Approval of this programme will be submitted to the Cabinet Member for the Environment in due course.
- 6.5 In 2011/12 the local transport fund enabled us to carry out the following projects;
- School Travel Plan identified improvements
  - Cycle parking
  - Accessibility and Decluttering works
- 6.6 As part of 2012/13 LIP programme, £300k has been bid for strengthening the North End Road Bridge (outside the West Kensington Tube Station) so that the northbound traffic bottle neck can be removed by returning the carriageway width to its original dimension. The allocations for bridge strengthening programme will be confirmed by TfL in January 2012 and a separate report will be submitted to obtain authority for this work

## **7. RISK ASSESSMENT**

- 7.1 Chapter 3 of the Cabinet and TfL approved Transport Plan deals with risk management. The table overleaf details the capital programme risk and mitigation measures:

Risk	Mitigation measure(s)
Cost increase/budget reduction	all designs developed to be flexible to allow amendments to reflect budget reduction whilst still maintaining principles of LIP objectives
Delay to schemes	LIP funding to be allocated in consecutive years to allow more involved projects to be run over 18 months rather than the traditional 12 months
Lack of Stakeholder support	develop designs that meet our LIP objectives that can be justified and presented to stakeholders in a suitable manner
Policy compatibility	to develop a bespoke policy compliance tool that all potential projects will be assessed against
Lack of resources to deliver	to maintain our working relationships with the RB Kensington & Chelsea and framework consultants to ensure resources are in place to deliver LIP objectives.

- 7.2 The London 2012 Olympic Games will have an impact on what construction work can occur on the boroughs road network next year. It is likely that there will be a works moratorium between March and September 2012 which has been factored into the 2012/13 delivery programme. Negotiations are ongoing with colleagues in network management, TfL and the ODA with regards to which projects can be possibly delivered during the moratorium which have a limited risk to any Olympic activity in the borough, based on their design, timetables and location. Early contenders for pre-Olympic delivery are Fulham Palace Road (south) Neighbourhood and Du Cane Road Neighbourhood.

## 8. EQUALITY IMPLICATIONS

- 8.1 An EIA screening tool has been prepared in support of this report identifying no equality implications. In addition to this a full EIA screening was prepared for the Council's Transport Plan of which this programme forms part of the three year delivery plan.

## 9. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 9.1 Transport for London (TfL) have approved funding for 2012-13 as follows:

Corridors, Neighbourhoods and Supporting Measures	£1.988m
Major Schemes	£0.180m
Smarter Travel	£0.100m
<b>Total</b>	<b>£2.268m</b>

9.2 At present, the costs of each scheme are based on an estimate. These are subject to change once the detail of each scheme has been costed. The funding however is limited to the amount approved by the TfL board plus a contingency. Any variation in costs in excess of the contingency cannot be assumed to be funded by TfL unless this is approved in advance. Alternatively, officers may need to manage the workload to ensure that expenditure is contained within the approved provision.

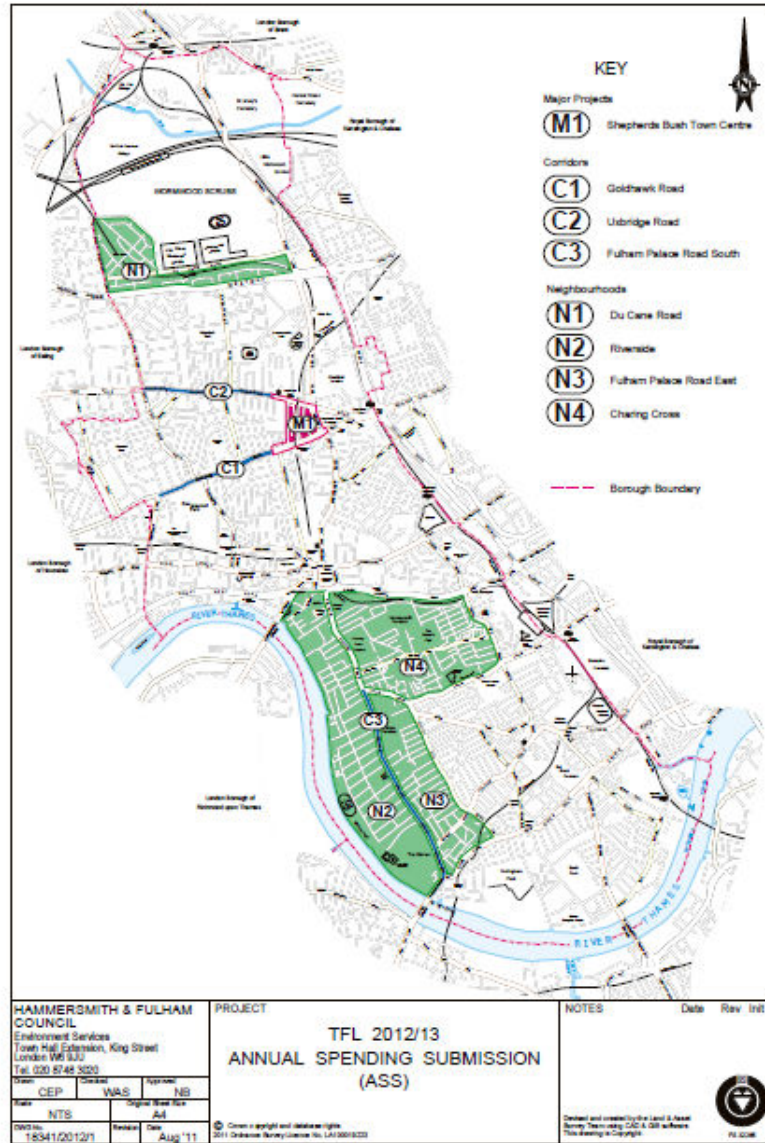
**10. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

10.1. The Assistant Director (Legal and Democratic Services) has read and is satisfied with the contents of this report

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of hold of file/copy</b>	<b>Department/ Location</b>
1.	Transport Plan for Hammersmith & Fulham 2011 - 2031	Nick Boyle X3069	5th floor HTHX
2.	TfL annual spending submission 2012/13	Nick Boyle X3069	5 <sup>th</sup> floor HTHX
<b>CONTACT OFFICER:</b>		<b>NAME: Nick Boyle</b> <b>EXT. 3069</b>	

**Appendix 1 – borough map showing geographical extent of Corridor, Neighbourhood and Major projects.**



5 MARCH 2011

**CABINET  
MEMBER FOR  
CHILDREN'S  
SERVICES**  
*Councillor Helen  
Binmore*

## **SCHOOL ORGANISATION STRATEGY 2012/13**

**Wards:  
All**

This report builds on the previous report (School Organisation Strategy for Hammersmith & Fulham 2011/12). It sets out the Council's School Organisation Strategy to deliver our key educational priorities:

- To meet the Council's statutory responsibility to provide school places to meet demand; and
- The Council's commitment to:
  - The Schools of Choice agenda for expanding popular schools
  - Increase the percentage of resident children choosing the borough's schools
  - The Special Schools Strategy

The strategy reflects the current financial climate, providing a prudent and sustainable plan within available resources. Approval is sought (subject to consultation where necessary) to the development of the priority schemes as follows:

- Expansion of St Stephens Primary School
- Expansion of Pope John Primary School
- Creation of Primary Provision at the Burlington Danes Academy
- Further development of improvements for Bentworth Primary School
- West London Free Schools Primary Bid
- Sacred Heart High School Building Expansion (Sixth Form Provision)
- Lady Margaret Bulge Class
- John Betts Primary Bulge Class
- Brackenbury Bulge Class
- Creation of Studio School at Henry Compton site
- William Morris
- Relocation of Contact Service from Askham Centre to Fulham Cross Youth Centre (enabling project for Queensmill expansion and relocation)
- Allocations to Schools for Infrastructure works from the 2012/13 Capital Allocations

- Prioritisation of the Revenue Funded Maintenance Programme including the Health and Safety related schemes (£1.335m)

**CONTRIBUTORS**

DCHS  
DFCS  
ADLDS

**HAS A EIA BEEN COMPLETED?  
YES**

**HAS THE REPORT CONTENT BEEN RISK ASSESSED?  
N/A**

**Recommendations:**

1. That approval be given to the revised School Organisation Strategy, as set out in this report.
2. That approval be given to develop the proposals to facilitate a tender process for the relocation of Holy Cross to the Clancarty Road site and the subsequent relocation of the infant bilingual provision to Basuto Road, as set out in paragraph 2.3.1 of the report.
3. That approval be given to further develop proposals and to invite tenders for the following schemes as set out in paragraph 2.3.1 of the report, and that authority be delegated to the Cabinet Member for Children’s Services, in consultation with the Executive Director of Children’s Services, to award contracts to the successful tenderers:
  - Clancarty Road – project management and design (up to £300,000)
  - Basuto Road – enabling works (up to £850,000)
  - Queensmill Special School – temporary facilities at Gibbs Green School (up to £300,000)
4. That approval be given to further develop proposals, including surveys, project management and design work, for Queensmill Special School and the Haven Respite Centre, as set out in paragraph. 2.3.2 of the report.
5. That approval be given to the suspension of the disposal of Fulham Cross Youth Centre for a period of two years to enable the relocation of the Contact Service, as set out in paragraph 2.3.3 of the report.
6. That approval be given to delegate the tender award for the enabling works at Fulham Cross Youth Centre to the Cabinet Member for Children’s Services in consultation with the Director of Children’s Services up to £100,000.

- 7. That approval be given to further develop feasibility studies in respect of securing additional capacity at St Stephens Primary School , Pope John Primary School, Bentworth Primary School and Burlington Danes Academy, as set out in paragraph 3.1 of the report.**
- 8. That approval be given to £1 million of in year capital funding being allocated to Sacred Heart High School to manage directly, as part of a contribution to the estimated capital project estimated to cost £2.5 million, to develop the recently vacated convent section of the school for enhanced provision.**
- 9. That approval be given to the allocation of £400,000 directly to Lady Margaret School as part of the Council's contribution to facilitate a bulge class in September 2012 as set out in paragraph. 3.1.5 of the report, and to support its longer term aspiration of increasing capacity.**
- 10. That approval be given to invite tenders for bulge classes at John Betts Primary and Brackenbury up to £250,000 per school subject to further feasibility work, and that authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to award contracts to the successful tenderer.**
- 11. That up to £100,000 of capital funding be allocated to supplement approved government funding, if necessary, to deliver the Studio School at the Fulham Education Federation from September 2012 as set out in paragraph 3.1.9 of the report, and that approval be given to invite tenders for the scheme and that authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to award contracts to the successful tenderer up to the total £700,000 allocation.**
- 12. That approval be given to the leasing of the Cambridge School site to West London Free School as set out in paragraph 3.1.10 of the report and that the Cabinet Member for Children's Services be authorised, in consultation with the Executive Director of Children's Services, to agree the final lease**



**subject to government approvals.**

- 13. That approval be given to develop proposals for the William Morris 6<sup>th</sup> form provision at the Dunstan Road Clinic building as set out in paragraph 3.1.11 of the report.**
- 14. That authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to finalise land transfers in accordance with statutory guidelines for Academy/Trust schools as set out in paragraph 3.4 of the report.**
- 15. That authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to approve projects for inclusion in the annual Revenue Maintenance Programme up to the remaining value of £835,000 with priority given to works that address issues of health and safety compliance, as set out in paragraph 3.5 of the report .**

## 1. BACKGROUND AND CONTEXT

- 1.1 The Council has a statutory responsibility to ensure the appropriate provision of school places for the residents that require them. The Council undertakes this responsibility in line with its Schools of Choice agenda, reflecting parents' wishes to access their preferred local school.
- 1.2 To date, the Council has managed to provide sufficient places in local schools despite the rapid growth in demand. Extra provision has been developed strategically to facilitate additional capacity at popular and high performing schools in line with parental and pupil preferences. A much higher proportion of families are now applying for maintained schools than in previous years.
- 1.3 Unfortunately, the Council has currently been unable to accommodate every child's school of choice. At Primary, for example, St Stephens had 74 first preferences from borough parents seeking access to the 30 available places.
- 1.4 The challenge for meeting parents first preferences is even greater at Secondary level. 258 children registered a first preference for Lady Margaret, with only 90 places being available. The school was able to offer an additional 30 bulge places but a full expansion of the school is not possible without significant capital investment.
- 1.5 On 3 November 2011, Government announced in-year funding of £500m nationally for 2011/12 to support Local Authorities in addressing the growing demand on school places. The Council received almost £15.1m grant funding from this allocation.
- 1.6 The Council has adopted a new transparent approach to capital allocation in order to unlock the creative potential which exists within our schools. The Cabinet Member for Children's Service wrote to all schools requesting expressions of interest and outline proposals for accessing this additional resource in line with the Council's Schools of Choice strategy and drive for excellence.
- 1.7 The Executive Director of Children's Services subsequently wrote to schools on 25 November 2011 to set out in more detail the timeline and priorities that schools were requested to bid against. Letters were sent back to schools indicating whether they were successful at the end of the Autumn Term.
- 1.8 This transparent process enabled schools to set out their future aspirations for the Council to reflect on. The bids were assessed against the following criteria:
  - Development of additional capacity to support the Councils Schools of Choice agenda (particular emphasis for this first round of bids was Primary provision in the Centre and North localities where the demand is greatest)
  - Progress and attainment

- Schools of choice
- Innovation
- Value for money
- Deliverability

- 1.9 The successful school bids have been incorporated as recommendations in this report.
- 1.10 The basic need requirements for the Council's 37 community schools (where the Council is the Landlord) equates to £22.8m over the next five years. The voluntary aided, foundation, trust and academy schools are the responsibility of their respective trustees. The detailed breakdown, following a comprehensive survey programme, of type of spend and the time profile is set out in Appendix 1. It should be noted that the borough deals with issues such as asbestos as a priority and spent £225k in 2010/11, from its revenue maintenance budget, updating its asbestos surveys and removing unwanted asbestos, as required.
- 1.11 Further government announcements were made on 13 December 2011 regarding the Provisional Capital Allocations for 2012/13. The Council's allocations are set out in Table 1 below. Figures for our partner boroughs have been provided for reference.
- 1.12 These allocations will be finalised in April 2012, following the national re-assessment of Academy conversions and the appropriate financial transfers required.
- 1.13 The Council is committed to running another bidding process for the additional grant funding in 2012/13. This process will enable schools to set out their long term vision of how the capital funding could be used to ensure the Council delivers its statutory responsibilities regarding schools places but also to ensure the continuous improvement of educational standards and outcomes and ensure the best use of school assets on a borough wide basis.

**Table 1: Provisional capital allocations for 2012/13**

Funding Stream	LBH&F £'000's	WCC £'000's	RBK&C £'000's	Description
Maintenance Funding	1,917	950	1,004	To address the need for capital spending on School Building Infrastructure
Basic Need	14,382	2,151	1,195	Funding to provide additional places in the Borough to meet the demand for school places
<b>Directly allocated by Local Authorities</b>	<b>16,299</b>	<b>3,101</b>	<b>2,199</b>	<b>This is the resource that we direct</b>
Devolved (to schools directly) Capital Funding Community Schools	293	149	153	This funding is devolved directly to community schools on the basis of a nationally set formula

<b>Total LA (including Community Schools Devolved)</b>	<b>16,592</b>	<b>3,250</b>	<b>2,352</b>	<b>Total for the LA to use for its overall School Organisation Strategy</b>
Voluntary Aided (VA) Schools Basic Need	749	1,384	921	Managed between the LA and the Dioceses to provide building infrastructure funding to VA schools
Devolved (to schools directly) Capital Funding VA <sup>1</sup> schools	133	263	155	This funding is devolved directly to community schools on the basis of a nationally set formula
<b>Totals for LA and its Schools</b>	<b>17,474</b>	<b>4,897</b>	<b>3,428</b>	

- 1.14 On 21 March 2011, Cabinet adopted a strategy to allocate the £6.2m government funding available, plus the additional Council investment, to fund various expansion projects for 2011/12. This report provides an update on the progress of the schemes approved. In addition, the report recommends a number of new projects that will be funded by the in-year allocation of **£15.1m**. Cabinet will note a focus towards Primary provision in these recommendations, reflecting the pressure on demand locally.
- 1.15 The provisional capital allocation for 2012/13 (see Table 1 above) of **£16.3m** of Council directed grant, will be subject to a further report and recommendation to Cabinet in the Autumn, following the second round of bidding. It is expected that this report will offer a more holistic strategy for all types of schools and age ranges.
- 1.16 In addition, Cabinet should note the success of the Fulham Federation in identifying an opportunity to enhance its offer to young people through Studio School Provision. Following a successful bid process, the federation have been awarded a DfE capital grant of £600k to create a new Studio School Provision within the Henry Compton site. Subsequently, this positive development forms part of the schools organisation strategy and further supports the school of choice agenda.

**Recommendation 1:** That approval be given to the revised School Organisation Strategy, as set out in this report.

## **2. UPDATE ON PROJECTS PREVIOUSLY COMMITTED AND FURTHER RECOMMENDATIONS**

- 2.1 The School Organisation Strategy approved by Cabinet in March 2011 approved the delivery of a number of projects.
- 2.2 The following projects have been, or are close to being completed, with no further decision required by Cabinet:

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<sup>1</sup> Includes Foundation Schools

2.2.1 **Cambridge Relocation to Bryony Centre**

This project has been completed on time and under budget.

2.2.2 **Old Oak Expansion to 2FE**

This project currently under construction with expected completion April 2012.

2.3 The following projects require further decision by Cabinet and a number of recommendations have been listed below:

2.3.1 **Holy Cross Expansion and Bi-lingual Project**

As part of the strategy, consulted on in summer 2011, to deliver the collective needs of Holy Cross, the Lycee and the bi-lingual partnership, the project scope has been developed.

The current plan is to incorporate infant French provision and infant bi-lingual provision on the Basuto Road site and Holy Cross and junior Lycee and junior bi-lingual to be delivered on the Clancarty Road site.

The intended site swap is scheduled for September 2014 and is interlinked with the Queensmill development.

Queensmill school have requested that, in order to assist in the development and avoid disruption and noise impact on autistic children, the Council explore relocation of the primary provision to their secondary provision, hosted at Gibbs Green. This proposal is supported by Officers as it will significantly de-risk both the Holy Cross expansion and reduce pressure on the Queensmill project.

To facilitate the Holy Cross expansion to 2FE from September 2012, the diocese, who are leading the project management, have submitted a planning application to increase the teaching capacity through a modest on-site development.

The Council is leading the design works for the Clancarty Road site and approval is sought to develop proposals to facilitate a tender process through the LHC framework for the following services:

- the project management and design works through Stage D and Stage E (in preparation for tender) for Clancarty Road up to £300k
- The enabling works on Basuto Road for the capacity required as part of the Holy Cross / Bi-lingual project up to £850k
- The request from Queensmill Special school to develop temporary facilities at Gibbs Green school that will enable the possible re-location of the Primary aspects of Queensmill Special school on the single site up to £300k.

This funding allocation is within the previously allocated funds for this project as set out in the Schools Organisation Strategy for 2011.

**Recommendation 2:** That approval be given to develop the proposals to facilitate a tender process for the relocation of Holy Cross to the Clancarty Road site and the subsequent relocation of the infant bilingual provision to Basuto Road, as set out in paragraph 2.3.1 of the report

**Recommendation 3:** That approval be given to further develop proposals and to invite tenders for the following schemes as set out in paragraph 2.3.1 of the report, and that authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to award contracts to the successful tenderers:

- Clancarty Road – project management and design (up to £300,000)
- Basuto Road – enabling works (up to £850,000)
- Queensmill Special School – temporary facilities at Gibbs Green School (up to £300,000)

### 2.3.2 **Queensmill Relocation**

This project involves co-location with Haven Respite Centre ('Haven') currently under design with target delivery date of September 2014.

Further work is required to develop the proposals, including surveys, project management and design work, for Queensmill Special School and the Haven Respite Care Service that will need to be tendered for. The results of the tender process will be subject to a future Cabinet Report and decision.

**Recommendation 4:** That approval be given to further develop proposals, including surveys, project management and design work, for Queensmill Special School and the Haven Respite Centre as set out in paragraph 2.3.2 of the report.

### 2.3.3 **Dalling Road refurbishment**

The Haven service successfully relocated to Dalling Road in February 2012. To enable the demolition to commence on the future Queensmill/Haven site, the Contact Service at Askham Centre will need to relocate. The originally intended decant site at 11 Farm Lane is no longer available due to broader regeneration proposals. The only suitable site for relocation of this service is Fulham Cross Youth Centre, which is currently scheduled for disposal. A procurement process is in place for works to enable this decant, subject to approval to suspend the disposal of this site for two years.

**Recommendation 5:** That approval be given to the suspension of the disposal of Fulham Cross Youth Centre for a period of two years to enable the relocation of the Contact Service as set out in paragraph 2.3.3 of the report.

**Recommendation 6:** That approval be given to delegate the tender award for the enabling works at Fulham Cross Youth Centre to the

Cabinet Member for Children's Services in consultation with the Director of Children's Services up to £100,000.

### 3. NEW PROJECTS

3.1 The recent schools bidding process, to allocate the additional in-year capital grant of £15.1m, has identified the following schemes. These proposals address the need for additional capacity whilst supporting the Council's Schools of Choice strategy:

3.1.1 **Expansion of St Stephens Primary School**

Expansion from 1FE to 2FE of a successful school which is popular with parents. The proposals require acquisition by the Diocese of adjoining private land which has been agreed in principle with the owners.

3.1.2 **Expansion of Pope John Primary School**

Expansion from 1FE to 2FE of a successful school which is popular with parents. The proposals require acquisition by the Diocese of adjoining Council owned land adjacent to the White City Area Housing Office.

3.1.3 **Creation of Primary Provision at the Burlington Danes Academy**

Provision of 1FE primary provision, future-proofed to enable expansion to 2FE if future demand is demonstrated.

3.1.4 **Creation of improved facilities at Bentworth School**

The school submitted an innovative bid that officers wish to further explore to address capacity issues at the school.

**Recommendation 7:** That approval be given to further develop feasibility studies in respect of securing additional capacity at St Stephens Primary School, Pope John Primary School and Burlington Danes Academy, and explore further strategies to deliver enhanced facilities at Bentworth as set out in paragraph 3.1 of the report.

3.1.5 **Sacred Heart High School Building Expansion (Sixth Form Provision)**

Remodelling of former Convent accommodation to provide 11 classrooms in support of additional 1FE and 6<sup>th</sup> Form. The priority for this enhanced provision is 6<sup>th</sup> form provision, subject to government decisions. If this proves unsuccessful the funding will provide increased opportunities for 11-16 provision at the school.

**Recommendation 8:** That approval be given to £1 million of in year capital funding being allocated to Sacred Heart High School to manage directly, as part of a contribution to the estimated capital project estimated to cost £2.5 million, to develop the recently vacated convent section of the school for enhanced provision.

3.1.6 **Lady Margaret Bulge Class**

A standalone classroom that is part of a wider proposal to expand to 4FE in the future.

**Recommendation 9:** That approval be given to the allocation of £400,000 directly to Lady Margaret school as part of the Council's contribution to facilitate a bulge class in September 2012 as set out in paragraph. 3.1.5 of the report and to support its longer term aspiration of increasing capacity.

3.1.7 **John Betts Primary Bulge Class**

As part of a wider proposal to improve accommodation at this successful and popular school. The bulge class will help address demand for places in the centre of the borough.

3.1.8 **Brackenburg Bulge Class**

This bulge class will help to address demand for places in the centre of the borough.

**Recommendation 10:** That approval be given to invite tenders for bulge classes at John Betts Primary and Brackenburg up to £250,000 per school subject to further feasibility work, and that authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to award contracts to the successful tenderer.

3.1.9 **Creation of Studio School for the Fulham Education Federation** (capital funded by DfE)

As the federated school has moved to trust status, completion of the statutory requirement to transfer the capital asset (land and buildings) from Council to trustees is a requirement of PfS funding. Project proposals are being developed with PfS to deliver vocational facilities in the City Learning Centre building by September 2012.

**Recommendation 11:** Following the successful bid for government funding of £600k (see 1.16), to allocate a further provision of up to £100k to supplement the government funding if necessary from the Council's capital, to deliver the Studio School at the Fulham Education Federation from September 2012, and that approval be given to invite tenders for the scheme and that authority be delegated to the Cabinet Member for Children's Services, in consultation with the Executive Director of Children's Services, to award contracts to the successful tenderer up to the total £700,000 allocation.

3.1.10 **West London Free Schools (WLFS) Primary Bid** (capital funded by DfE)

The Council has previously identified the need for additional Primary school places. These calculations have been revisited in this report (see section 5 for detailed information).

Subject to a successful bid from WLFS to DfE, the funding for the capital build of a new Free School will be provided by additional government allocations. The Council, in line with the creation of maintained/ Academy schools, will be required to provide PfS with assurance of the long term security of the site. To enable the delivery of the required 2FE Primary provision, the Council will need to provide a long term lease (in line with current Academy



regulations). Otherwise, the Council, without a successful WLFS bid, would have to identify alternative proposals to deliver the increased capacity.

It is envisaged that the former Cambridge School site, currently being occupied on a temporary basis by WLFS secondary, would be the ideal location to enable WLFS to extend its offer into Primary provision. This would also enable the Council to discharge its statutory responsibilities. This will be possible when the WLFS secondary provision moves to its permanent location at Palingswick House, which is currently planned for September 2013.

**Recommendation 12:** That approval be given to the leasing of the Cambridge School site to West London Free School as set out in paragraph 3.1.10 of the report and that the Cabinet Member for Children's Services be authorised, in consultation with the Executive Director of Children's Services, to agree the final lease subject to government approvals.

3.1.11 **William Morris**

The longer term strategy for Dunstan Road Clinic is to relocate the existing disabled children's service to a more suitable location. As this property becomes available it could be developed to contribute to the delivery of services at William Morris 6<sup>th</sup> Form to further enhance the offer available to 16-19 students. Agreement to this arrangement would be subject to the school coming forward with a clear and viable plan for its future development.

**Recommendation 13:** That approval be given to develop proposals for the William Morris 6<sup>th</sup> form provision at the Dunstan Road Clinic building as set out in paragraph 3.1.10 of the report.

3.2 The process for development of existing commitments and new projects has been recommended below.

3.2.1 Officers to carry out further works with schools and Dioceses to establish robust costings, and viability in terms of planning and timescales,

3.2.2 A case by case decision by Cabinet Member for Children's Services, in consultation with Executive Director of Children's Services and informed by project development process, to:

- Delegate agreed funding direct to schools to procure and deliver projects.
- Use existing Council frameworks for design, procurement and project management services to deliver projects.
- Procure bespoke teams best positioned to deliver project requirements for design, procurement and project management services to deliver projects.

3.2.3 On all schemes, the Cabinet Member for Children's Services, in consultation with Executive Director Children's Services, to have authority to vary scheme, scope and values on the basis of professional input from the project development process. Within

the constraints set out by Cabinet, and where appropriate subject to future Cabinet decision.

- 3.3 It is expected that the combined costs of these schemes can be contained within the £15m envelope available. If some additional funds are required these can be drawn from the further £16,299,000 available for 2012/13 which has not been committed at this stage.
- 3.4 Were school organisation proposals or schools individual proposals incorporate the school moving to foundation/ Academy or trust status, it is a statutory requirement to transfer the capital asset (land and buildings) to the trustees.

**Recommendation 14:** That authority be delegated to the Cabinet Member for Children’s Services, in consultation with the Executive Director of Children’s Services, to finalise land transfers in accordance with statutory guidelines for Academy/Trust schools as set out in paragraph 3.4 of the report.

- 3.5 The Council, as part of its revenue budget, has allocated £1.335m to the schools Revenue Maintenance programme. £0.5m of this is committed on ongoing spending incorporating existing health and safety projects such as asbestos removals, mechanical and electrical testing etc.

**Recommendation 15:** That authority be delegated to the Cabinet Member for Children’s Services, in consultation with the Executive Director of Children’s Services, to approve projects for inclusion in the annual Revenue Maintenance Programme up to the remaining value of £835,000 with priority given to works that address issues of health and safety compliance, as set out in paragraph 3.5 of the report.

#### 4. FUNDING MODEL AND ASSUMPTIONS

- 4.1 The anticipated funding for Children’s Services to deliver the new projects listed in Section 3 of this report is made up as follows:

**Table 2: Funding Model**

<b>Grant funding</b>	<b>Allocation (£)</b>
Additional DfE Capital Grant 2011/12	15,071,565
Studio School capital grant (pending final costs)	600,000
<b>TOTAL:</b>	<b>15, 671,565</b>

- 4.2 In addition to the schemes for approval, detailed in 3.1 above, there is a commitment of £1,335,000 for Revenue Maintenance Programme schemes.
- 4.3 The process for final allocation of funding to projects provides authority to the Cabinet Member for Children’s Services, in consultation with the Executive Director of Children’s Services, to vary scheme scope and values to meet the available funding envelope

- 4.4 The assumptions associated with this funding model are:
- No developers' contributions (Section 106) from new developments have been included
  - The Revenue Maintenance programme commitment is £1,335,000 (for health and safety and other non-avoidable projects)
- 4.5 Once the bid process for the capital schemes against the 2012/13 allocation is completed, another report will be submitted to Cabinet, making recommendations for the next stage of the capital programme. This bid process will ensure there is adequate maintenance of existing stock. Stock surveys have already been completed for all Community schools. The results are being discussed with schools and, alongside the bidding process, will inform the development of the revised programme. This revised programme will be part of the future recommendations to Cabinet, contingent upon subsequent capital allocations from the Government.

## **5. DATA TO SUBSTANTIATE RECOMMENDATIONS**

- 5.1 This section of the report has been included to illustrate the key pupil place planning issues that have informed the recommended proposals.
- 5.2 **Primary Sector**  
In line with the rest of London, the Council has seen a significant increase in demand for Primary school places. The proposed factors which have affecting this demand are:
- Increasing birth rates, as detailed in this report
  - Fewer families moving out of the borough as their children get older
  - More families expressing a preference for the maintained sector for their child's education
  - New housing developments in the borough producing a 'child yield'
- 5.3 In Hammersmith and Fulham, the growing preference for the maintained sector has been driven by the Council's Schools of Choice strategy, as well as the prevailing economic circumstances.
- 5.4 The challenge for the Council is to make adequate predictions of demand to ensure that there is sufficient capacity available. The approach adopted by the Council to forecast demand is to consider the historical requirements alongside contemporary factors and the strategy to develop those schools where parents have demonstrated a preference.
- 5.5 The recent changes to the Local Housing Allowances will potentially impact on some families within the borough. Officers are working with

colleagues across the Council to further model the potential impact for borough residents. Given the current demand levels and predicted growth in birth rates officers do not believe the proposals will have a material impact on the place planning set out in this report.

- 5.6 The pressure on Primary places is particularly concentrated in the North and centre of the borough (as defined by the Locality areas). Table 2, below, shows the sum total of applications, by Ward, received by the Council and the total number of offers made, including to out-borough pupils.<sup>2</sup> The table demonstrates, that on a purely crude assessment, if every child in the South of the borough had made their preference for a maintained school they would have been accommodated.
- 5.7 This is not the case in the north (69 places short) and centre (64 places short) of the borough where the Council would effectively be unable to accommodate the demand. There are additional pressures on places in the north and centre of the borough due to out-borough applications. In 2011 there were a further 48 out-borough applications in the north and 86 in the Centre, compared to only 30 in the South. This challenge becomes further compounded by the location of several schools in the north and centre locality being very close to the borough boundaries.
- 5.8 The data used in Table 2, includes all applications (including late applications) to Primary schools in the borough. Previous Cabinet tables have referenced on time data for comparison and to demonstrate the increasing trends on primary demand.

**Table 2: Total Primary Applications including late submissions**

WARD / LOCALITY	2010	2011	2010/11 Average	Provision Sept 2012	Proposed Provision Sept 2014
College Park and Old Oak	122	121	122	120	150
Shepherd's Bush Green	87	120	104	60	90
Wormholt and White City	203	204	204	180	210
<b>NORTH</b>	<b>412</b>	<b>445</b>	<b>429</b>	<b>360</b>	<b>450</b>
Addison	71	105	88	120	120
Askew	161	159	160	120	120
Avonmore and Brook Green	95	70	83	90	90
Hammersmith Broadway	132	108	120	90	150
Ravenscourt Park	127	120	124	90	90

<sup>2</sup> Note the Greenwich Judgement precludes Local Authorities from using Borough Boundaries as a determining factor for Admissions Criteria, therefore with the profile of LBHF many children in neighbouring boroughs have preferential access to schools close to the borders on distance criteria.

<b>CENTRE</b>	<b>586</b>	<b>562</b>	<b>574</b>	<b>510</b>	<b>570</b>
Fulham	62	66	64	180	180
Broadway					
Fulham Reach	74	71	73	60	60
Munster	76	76	76	0	0
North End	83	97	90	45	45
Palace	43	54	49	60	60
Riverside					
Parsons Green and Walham	45	52	49	88	88
Sands End	153	136	145	105	105
Town	77	93	85	90	90
<b>SOUTH</b>	<b>613</b>	<b>645</b>	<b>629</b>	<b>628</b>	<b>628</b>
<b>LBHF TOTAL</b>	<b>1,611</b>	<b>1,652</b>	<b>1,632</b>	1,498	1,648
Preferences made for Out Borough <sup>3</sup>	(65)	(80)	(73)		
Less Mobility	(161)	(177)	(169)		
Offers made to Borough Pupils	1,385	1,395	1,390		
Plus Offers made to Out-Borough Pupils	77	117	97		
<b>Total Places required / taken up</b>	<b>1,462</b>	<b>1,512</b>	<b>1,487</b>		
<b>Places made available</b>	<b>1,543</b>	<b>1,543</b>			
<b>Surplus capacity percentage surplus capacity</b>	81	31			
	5.2%	2.0%			

5.9 In the schools organisation strategy in 2011, it was assumed that 1,603 places would be made available. This included 90 free school places (subsequently reduced to 30 at Ark Conway) and 90 places through bulge classes that were provided at:

- Good Shepherd RC Primary School
- Wormholt Park Primary
- Flora Gardens Primary school

5.10 This provided a total of 1,543 places. Of the bulge provision, 60 places were created in the North of the borough and 30 in the centre. The reduction in capacity was managed, however the final offers made for 2011 were 1,512 (including out-borough pupils), leaving very little capacity in the system for additional in-year admissions.

5.11 The Council had assumed that 1,515 net offers would be made to residents seeking a borough school. This calculation was based on the assumption that some parents would ultimately move out of the borough after stating their preferences, some parents would making a first preference outside the borough, and that some parents, failing to get their respective school choices, would move to independent

<sup>3</sup> 2007,2009 parents usually applied directly to the borough where the place was sought not via LBHF

provision. However, the final numbers showed net offers to borough parents of 1,395. 120 parents were not made an offer as they withdrew their application in favour of independent provision. These are included in the mobility figures in Table 2.

- 5.12 There was also an increase in out-borough pupils applying to Hammersmith and Fulham schools and ultimately being allocated a place (applications were 164 and final places allocated were 117 against previous estimates of 85 places).
- 5.13 These trends have been reflected in the projections moving forward. The projections now assume 75 places for out-borough schools as a first preference for our residents and mobility of 150 to reflect those families who either leave the borough or opt for independent provision. The Council is committed to reducing migration to independent schools and is confident in its schools of choice strategy to further convince parents to choose maintained schools within the borough.
- 5.14 Table 3 sets out the required places for the next few years. It identifies the need for additional capacity, as set out in the proposals contained within this report. It also identifies the need for potentially 60 bulge places for September 2012. The current proposals assume this would be developed with Brackenbury and John Betts. If there are deliverability issues within either of these schools then a further school will be identified as required.

**Table 3: The demand assumptions for future provision for primary school places<sup>4</sup>**

	2011 Baseline	2012 Estimated demand	2013 Estimated demand	2014 Estimated demand	2015 Estimated demand
Birth Rates	2,774	2,696	2,734	2,841	2,773
Percentage of birth rates	60%	61%	62%	62%	62%
Gross demand	1,652	1,631	1,695	1,761	1,719
Assumed reduction for children seeking schools in other boroughs	(80)	(75)	(75)	(75)	(75)
<b>In-Borough demand</b>	<b>1,572</b>	<b>1,556</b>	<b>1,620</b>	<b>1,686</b>	<b>1,644</b>
Mobility and parent preference to independent schools	(177)	(150)	(150)	(150)	(150)
Total Places required for in-borough pupils	1,395	1,406	1,470	1,536	1,494

<sup>4</sup> 2012 includes the previously planned expansions of Old Oak (15) , Holy Cross (30); 2013 includes the proposed expansions of St Stephens (30) / West London Free School (60) Pope John (30); 2014 includes the planned expansion of Burlington Danes Academy (30)

The planned bulge classes are Brackenbury and John Betts both over-subscribed schools who have expressed an interest in supporting bulge classes for 2012 or 2013, subject to deliverability.

Plus required places for out-borough demand	117	110	110	110	110
<b>Total Places planned</b>	<b>1,512</b>	<b>1,516</b>	<b>1,580</b>	<b>1,646</b>	<b>1,604</b>
Permanent Places available	1,453	1,498	1,618	1,648	1,648
Bulge Classes	90	60	0	30 (tbc)	0
<b>Total Places made available</b>	<b>1,543</b>	<b>1,558</b>	<b>1,618</b>	<b>1,678</b>	<b>1,648</b>
Surplus capacity	31	42	38	32	44
Percentage surplus capacity	2.0%	2.7%	2.3%	1.9%	2.7%

### 5.15 **Secondary Sector**

The vision for secondary education was set out in the Schools for Choice strategy.

5.16 The demand for secondary places has increased, creating a need to develop capacity within borough secondary maintained schools. Furthermore, the population of children of secondary age is projected to rise in line with the secondary projections data presented in the March 2011 School Organisation Strategy.

5.17 Beyond population changes, performance is seen as the biggest single influence on parental choice for secondary provision.

5.18 Every secondary school in Hammersmith & Fulham is now rated either “Good” or “Outstanding” by Ofsted. The authority is rated second in Inner London for the percentage of 5 GCSEs gained at A\*-C, including English and Maths, and the top performing Borough in Inner London applying the English Baccalaureate standard.

5.19 Demand over recent years has been increasing consistently in line with expectations, and there is significant pressure for Year 7 places (currently only one school has additional capacity available in Year 7).

5.20 The introduction of the West London Free School and the Hammersmith Academy in September 2011 have further enriched the offer to local families.

## 6. **RISK MANAGEMENT**

6.1 The approach to risk management for this strategy mirrors the corporate approach and, as such, inherent risks are identified and given a rating based on the potential impact of that risk multiplied by the likelihood of it happening. All risks are quantified by using a standard 5 x 5 form of measurement, therefore if a risk has a very high likelihood and a very high impact it will have a combined rating of 25. As part of the ongoing risk management strategy, mitigation is identified in the risk register.

6.2 A risk register will be compiled by means of a risk workshop with input from key stakeholders. Ongoing risk management and monitoring of mitigation controls will be the responsibility of the project manager, in liaison with individual risk owners.

## 7. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 7.1 Cabinet were presented with a report on the School Organisation Strategy 2011/12 on the 21<sup>st</sup> March 2011. The report sought and received approval for priority schemes. The spends on these schemes are monitored and reported to members through the monthly corporate capital monitor. A brief update on the progress of these schemes are presented in section 2 above.
- 7.2 On the 3 November 2011, the government announced increased 2011/12 capital funding of £15.072m to the council to address the need in managing shortfalls in providing pupil places. This report seeks approval for the allocation of this fund to the following priority areas :-

<b>Scheme</b>	<b>Amount</b>	<b>Funds delegated</b>
Expansion of St Stephens Primary School (Paragraph 3.1.1)	£0.250m	Yes
Expansion of Pope John Primary School (Paragraph 3.1.2)	£0.250m	Yes
Primary provision at Burlington Danes Academy (Paragraph 3.1.3)	£0.250m	Yes
Creation of improved facilities at Bentworth School (Paragraph 3.1.4)	£0.250m	No
Sacred Heart High School Building Expansion (Paragraph 3.1.5)	£1.000m	Yes
Lady Margaret Bulge Class (Paragraph 3.1.6)	£0.400m	Yes
John Betts Primary Bulge Class (Paragraph 3.1.7)	£0.250m	Yes
Brackenbury Bulge Class (Paragraph 3.1.8)	£0.250m	No
Creation of Studio School at Henry Compton site. (£0.600m – DfE Grant) (Paragraph 3.1.9)	£0.100m	No
<b>Total Allocation</b>	<b>£3.000m</b>	

In the case of Academies and Voluntary Aided Schools – namely where the school commission and undertake their own capital expenditure – the proposed capital expenditure from the Council’s point of view is tantamount to making a grant. As such, in these cases, this report is seeking approval to pass this money over to the school. These are marked as funds to be delegated in the above table.

In the case of Community Schools – where the Council commissions and undertakes capital expenditure on behalf of schools - this report seeks Cabinet approval to go to tender on these projects and that power be delegated to the lead cabinet member to subsequently award contracts. As per the Constitution, this delegated power cannot exceed £1million. In the event that any contract exceeds £1million further cabinet approval would be required. These are marked as funds not to be delegated in the above table.

It should be noted that there is a balance of £12.072m that is yet to be specifically allocated to named schemes, once a decision has been



reached on how these funds will be allocated, Cabinet approval will be required in order for the schemes to progress.

- 7.3 On 13 December 2011, the government announced a provisional Capital Allocation of £16.299m to the Council. This allocation will be finalised in April 2012, following the national re - assessment of Academy conversions and the appropriate financial transfers required. A further report will be presented to members to seek approval on the allocation of this fund.
- 7.4 The Executive Director has considered these proposals and notes that they are contained within the Council's Revenue and Capital Strategies. The potential delay in the receipt from Fulham Youth Centre will be accommodated within existing strategies.

## **8. EQUALITY IMPLICATIONS**

- 8.1 The proposals set out in this strategy will increase the opportunity for children in the borough to access education and further deliver the Council's Schools of Choice agenda.
- 8.2 The Equality Impact Assessment (EIA) for the School Organisation Strategy 2011 was completed on 11 February 2011. The full report can be found in the background papers. An updated EIA, considering the proposals in this report has been provided at Appendix 2.
- 8.3 The EIA followed our consultation on the plans for the transformation of secondary education in the borough that took place from 21 April 2008 to 9 June 2008, our subsequent Predictive Equality Impact Assessment (PEIA) in June 2008 and our SEN consultation that took place from 24 November 2008 to 19 January 2009, with a further subsequent Predictive Equality Impact Assessment (PEIA) in February 2009.

## **9. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 9.1 The Assistant Director (Legal and Democratic Services) has been consulted and notes that the Recommendations outlined in this report appear to be lawful recommendations which may be taken by the Cabinet Member for Children's Services. A number of these may require statutory proposals at a later date, in the case of the Studio School (recommendation 11) statutory proposals have already been submitted.

### **LOCAL GOVERNMENT ACT 2000** **LIST OF BACKGROUND PAPERS**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department / Location
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1	School Organisation Strategy Cabinet 21 <sup>March</sup> 2011	X3768	Children's Services
2	School Condition Surveys	X3768	Children's Services
<b>Responsible officer: Andy Rennison x. 3768</b>			

## Appendix 1

TYPE	Category	Year 1	Year 2	Year 3	Year 4	Year 5	Grand Total
<b>Nursery</b>	External Works	50,000	119,800				<b>169,800</b>
	Roofs	18,000		2,300			<b>20,300</b>
	Sanitary & Drainage	500					<b>500</b>
	Mechanical & Electrical	31,250	199,500	26,000			<b>256,750</b>
	External Windows & Doors	1,200	16,200		16,000		<b>33,400</b>
	Internal Works	1,000	2,000			18,000	<b>21,000</b>
<b>Nursery Total</b>		<b>101,950</b>	<b>337,500</b>	<b>28,300</b>	<b>16,000</b>	<b>18,000</b>	<b>501,750</b>
<b>Primary</b>	External Works	193,000	858,250	818,500	124,600	150,650	<b>2,145,000</b>
	Roofs	951,700	585,000	195,500	132,250	361,000	<b>2,225,450</b>
	Sanitary & Drainage	263,200	233,000	45,650	67,000	77,000	<b>685,850</b>
	Mechanical & Electrical	360,300	1,519,250	1,521,500	738,400	1,052,910	<b>5,192,360</b>
	External Windows & Doors	154,500	599,370	803,000	258,900	210,000	<b>2,035,770</b>
	Internal Works	146,400	570,150	158,150	72,400	279,800	<b>1,226,900</b>
<b>Primary Total</b>		<b>2,069,100</b>	<b>4,365,020</b>	<b>3,542,300</b>	<b>1,393,550</b>	<b>2,141,460</b>	<b>13,511,330</b>
<b>Secondary</b>	External Works	56,800	533,000	19,000	105,000		<b>713,800</b>
	Roofs	141,000	495,000	2,000	4,000	500	<b>642,500</b>
	Sanitary & Drainage	1,000	67,800	225,000	15,500	12,000	<b>321,300</b>
	Mechanical & Electrical	35,000	1,599,000	505,000	635,200	1,481,000	<b>4,255,200</b>
	External Windows & Doors	5,000	141,500	2,200	50,000	30,000	<b>228,700</b>
	Internal Works	28,000	149,900		119,600		<b>297,500</b>
<b>Secondary Total</b>		<b>266,800</b>	<b>2,986,200</b>	<b>753,200</b>	<b>929,300</b>	<b>1,523,500</b>	<b>6,459,000</b>
<b>Special</b>	External Works	29,800	143,000	140,000	12,000	20,000	<b>344,800</b>
	Roofs	37,100	417,900	85,500		147,000	<b>687,500</b>
	Sanitary & Drainage	2,500	38,000	55,000	20,000	15,250	<b>130,750</b>
	Mechanical & Electrical	356,500	62,500	27,000	45,000	205,000	<b>696,000</b>
	External Windows & Doors	112,350	103,000	10,000			<b>225,350</b>
	Internal Works	1,000	20,000	230,000	15,000	20,000	<b>286,000</b>
<b>Special Total</b>		<b>539,250</b>	<b>784,400</b>	<b>547,500</b>	<b>92,000</b>	<b>407,250</b>	<b>2,370,400</b>
<b>Grand Total</b>		<b>2,977,100</b>	<b>8,473,120</b>	<b>4,871,300</b>	<b>2,430,850</b>	<b>4,090,210</b>	<b>22,842,480</b>

### Schools where the Council has Landlord responsibilities and contained within the condition survey above:

Nursery	<b>Bayonne</b>		Primary	<b>Addison</b>		
Nursery	<b>James Lee</b>		Primary	<b>Bentworth</b>		
Nursery	<b>Randolph Beresford EYC</b>		Primary	<b>Brackenbury</b>		
Nursery	<b>Vanessa</b>		Primary	<b>Flora Gardens</b>		
			Primary	<b>Fulham Primary</b>		
			Primary	<b>Greenside</b>		
Secondary	<b>Henry Compton</b>		Primary	<b>Kenmont</b>		
Secondary	<b>Hurlingham &amp; Chelsea</b>		Primary	<b>Langford</b>		
Secondary	<b>Phoenix High</b>		Primary	<b>Lena Gardens</b>		
			Primary	<b>Melcombe</b>		
			Primary	<b>Miles Coverdale</b>		
Special	<b>Bridge Academy</b>		Primary	<b>Normand Croft</b>		
Special	<b>Jack Tizard</b>		Primary	<b>Old Oak</b>		
Special	<b>Queensmill</b>		Primary	<b>Queens Manor</b>		
Special	<b>Queensmill Secondary</b>		Primary	<b>Sulivan</b>		
Special	<b>Woodlane High</b>		Primary	<b>Wendell Park</b>		
			Primary	<b>Wormholt Park</b>		

## Equality Impact Analysis Full Tool with Guidance      Appendix 2

### Overview

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one– with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 5<sup>th</sup> April 2011 onwards. It is designed to help you analyse decisions of high relevance to equality, and/or of high public interest.

### General points

1. 'Due regard' means the regard that is appropriate in all the circumstances. In the case of controversial matters such as service closures or reductions, considerable thought will need to be given the equalities aspects.
2. Wherever appropriate, and in all cases likely to be controversial, the outcome of the EIA needs to be summarised in the Cabinet/Cabinet Member report (section 08 of this tool) and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.

### Timing, and sources of help

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk) or ext 3430.

## Full Equality Impact Analysis Tool

<u>Overall Information</u>	<u>Details of Full Equality Impact Analysis</u>
<u>Financial Year and Quarter</u>	<u>2012/2013</u>
<u>Name and details of policy, strategy, function, project, activity, or programme</u>	<p><b>School Organisation Report</b></p> <p>The School Organisation Strategy is to address the inadequate capacity issues within our primary, secondary and special schools</p>
<u>Lead Officer</u>	<p><u>Name: Andy Rennison</u>  <u>Position: Assistant Director of Schools Funding &amp; Capital Programme</u>  <u>Email: andy.rennison@lbhf.gov.uk</u>  <u>Telephone No: 020 8753 3768</u></p>
<u>Date of completion of final EIA</u>	<u>15.02.2012</u>

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<u>Section 02</u>	<u>Scoping of Full EIA</u>
<u>Plan for completion</u>	<p><u>Timing: To be agreed at Cabinet 5<sup>th</sup> March 2012</u>  <u>Resources</u>  <u>Lead Officer: Andy Rennison</u></p>
<u>What is the policy, strategy, function, project, activity, or programme looking to achieve?</u>	<p>The School Organisation Strategy is to address the inadequate capacity issues within our primary, secondary and special schools.</p> <p>The objective of the School Organisation Strategy will be to meet the aspirations of parents/pupils within the borough, within a constrained financial budget. This plan is already described as part of the Council's strategy to deliver its schools of choice agenda.</p> <p>The proposal of the School Organisation Strategy has a positive impact on all the residents of Hammersmith and Fulham, with children of school age.</p>

**The strands that it is intended will benefit from the strategy are:**

Age	At present, Age does not apply to under 18s and so this protected characteristic is not relevant. Assessment under age-related issues is given under Children's Rights (below)	N/A	N/A																																																
Disability	<p>The strategy will be of high relevance to, and have a positive impact on disabled children, which will be delivered through the enhanced offer for children with Special Educational Needs (SEN). This will be delivered through the offer of a fully integrated primary to secondary curriculum on one site for children with autism as part of the Queensmill relocation.</p> <p>In addition to Queensmill, the SEN profile for the additional schools affected by the strategy compared to the maintained schools average has been included.</p> <table border="1"> <thead> <tr> <th>Special Educational Needs information</th> <th>Children attending maintained schools (OCTOBER 2011/12 CENSUS)</th> <th>St Stephens Primary School</th> <th>Pope John Primary School</th> <th>Sacred Heart High School</th> <th>Lady Margaret</th> <th>John Betts Primary</th> <th>Brackenburg</th> </tr> </thead> <tbody> <tr> <td>Non-SEN</td> <td>76.2%</td> <td>87.1%</td> <td>58.5%</td> <td>89.2%</td> <td>91.3%</td> <td>80.8%</td> <td>85.5%</td> </tr> <tr> <td>School Action</td> <td>13.0%</td> <td>8.7%</td> <td>27.2%</td> <td>8.9%</td> <td>4.5%</td> <td>10.4%</td> <td>10.3%</td> </tr> <tr> <td>School Action+</td> <td>7.3%</td> <td>2.3%</td> <td>13.6%</td> <td>1.3%</td> <td>1.7%</td> <td>7.3%</td> <td>2.5%</td> </tr> <tr> <td>Statement</td> <td>3.5%</td> <td>1.9%</td> <td>0.8%</td> <td>0.6%</td> <td>2.4%</td> <td>1.6%</td> <td>1.7%</td> </tr> <tr> <td>COMMENTS</td> <td></td> <td>There is slightly greater number of non-SEN</td> <td>There is a greater number of SEN children</td> <td>There is slightly greater number of non-SEN</td> <td>There is a greater number of non-SEN children</td> <td>There is slightly greater number of non-SEN</td> <td>There is slightly greater number of non-SEN</td> </tr> </tbody> </table>	Special Educational Needs information	Children attending maintained schools (OCTOBER 2011/12 CENSUS)	St Stephens Primary School	Pope John Primary School	Sacred Heart High School	Lady Margaret	John Betts Primary	Brackenburg	Non-SEN	76.2%	87.1%	58.5%	89.2%	91.3%	80.8%	85.5%	School Action	13.0%	8.7%	27.2%	8.9%	4.5%	10.4%	10.3%	School Action+	7.3%	2.3%	13.6%	1.3%	1.7%	7.3%	2.5%	Statement	3.5%	1.9%	0.8%	0.6%	2.4%	1.6%	1.7%	COMMENTS		There is slightly greater number of non-SEN	There is a greater number of SEN children	There is slightly greater number of non-SEN	There is a greater number of non-SEN children	There is slightly greater number of non-SEN	There is slightly greater number of non-SEN	M	+
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			<p>children than the schools average. The strategy to expand St Stephens Primary is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>that the schools average. The strategy to expand Pope John Primary is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a slight positive benefit for SEN groups.</p>	<p>children than the schools average. The strategy to expand Sacred Heart High Schools is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>than the schools average. The strategy for the Lady Margaret bulge class is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>children than the schools average. The strategy for the John Betts primary bulge class is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>	<p>children than the schools average. The strategy for the Brackenbury primary bulge class is an all encompassing strategy for all learners in the borough regardless of disability. Given the existing SEN profile, if the school continues to attract a similar profile of students, there is likely to be a neutral benefit for SEN groups.</p>		
	<p>Only one of the schools identified for expansion within the strategy has a higher SEN profile than the schools average. As a result some neutral benefits have been identified. Despite this, officers have concluded that overall the strategy has a positive impact on disability as the strategy will offer of a fully integrated primary to</p>									

	secondary curriculum on one site for children with autism as part of the Queensmill relocation. This will have a positive impact on SEN groups.		
Gender reassignment	The strategy will not directly have an impact on this strand, as it is an all encompassing strategy for all learners in the borough. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools.	N/A	N/A
Marriage and Civil Partnership	This is not applicable as the Strategy is not seeking to provide a service to married people or civil partners. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged. Under the Admissions Code. the Admissions Criteria could not ask for marital status to be declared.	N/A	N/A
Pregnancy and maternity	The strategy will not directly have an impact on this strand, as it is an all encompassing strategy for all learners in the borough. The current number of pregnant school children and/or school children with dependents attending maintained schools is low and not statistically significant. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged and can not discriminate on ground of pregnancy and maternity. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools as a result there is a low positive benefit.	L	+
Race	<p>The strategy is an all encompassing strategy for all learners in the borough. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged and do not discriminate with regards to race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools.</p> <p>The following table identified the current borough averages for children attending maintained schools broken down by race is as follows in comparison to the borough profiles:</p>	M	+



	<b>Children attending maintained schools (OCTOBER 2011/12 CENSUS)</b> *NOTE: Academies and PRU not included	<b>Borough Profile (ONS ethnicity estimates for 2009)</b>
White	39.6%	76%
Black	27.7%	9%
Asian	7.5%	8.2%
Mixed	10.9%	3.7%
Chinese or Other ethnic group	13.1%	3.2%
Not obtained	1.3%	0%

This data suggests that in comparison to the borough profile White groups are under represented in maintained schools compared to the borough average. Black, Mixed and Chinese or Other groups are over represented in maintained schools compared to the borough average. Asian groups are slightly under represented in maintained schools compared to the borough average. Although the strategy does not discriminate with regards to race, the improved choices for local children to attend local schools may be proportionately of more relevance to those race groups that are over-represented. **Because of this, officers consider the strategy to be of medium relevance to Race, as some race groups could be differently affected by the proposals.**

The below table looks more specifically at the schools affected by the strategy proposed in the Cabinet Report (see recommendations) with regards to race.

Race	Children attending maintained	St Stephens Primary School	Pope John Primary School	Sacred Heart High School	Lady Margaret	John Betts Primary	Brackenbury	Queensmill
White	39.6%	53.2%	30.9%	71.8%	70.3%	75.1%	42.9%	33.7%
Black	27.7%	28.5%	34.7%	7.7%	10.2%	5.7%	25.1%	26.3%
Asian	7.5%	4.6%	9.1%	5.8%	4.5%	5.2%	9.1%	10.5%
Mixed	10.9%	12.5%	15.1%	6.8%	7.4%	7.3%	12.4%	7.4%
Other	13.1%	0.8%	9.1%	4.0%	4.5%	5.7%	9.7%	21.1%
Not obtained	1.3%	0.4%	1.1%	3.9%	3.0%	1.0%	0.8%	1.1%
COMMENTS		There is a slightly greater intake of Black, White and Mixed ethnic groups than the schools average. There is a slightly lower intake of Asian children. The strategy to expand St Stephens Primary is an all encompassing strategy for all learners	There is a slightly greater intake of Black, Asian and Mixed race groups compared to the schools average. There is a slightly lower intake of white students. The strategy to expand Pope John Primary is an all encompassing strategy for all	There is a lower intake of Black, Asian and Mixed groups and an overrepresentation of White groups compared to the schools average. The strategy to expand Sacred Heart Schools is an all encompassing strategy for all learners in the	There is a lower intake of Black, Asian and Mixed groups and an overrepresentation of White groups compared to the schools average. The strategy for the Lady Margaret bulge class is an all encompassing strategy for all learners in the	There is a lower intake of Black, Asian and Mixed groups and an overrepresentation of White groups compared to the schools average. The strategy for the John Betts primary bulge class is an all encompassing strategy for all learners	There is a slightly lower intake of Black, Asian group and a slight overrepresentation of White and Mixed groups compared to the schools average. The strategy for the Brackenbury primary bulge class is an all encompassing strategy	There is a slightly greater intake Asian groups and a slightly lower intake of White, Black and Mixed groups compared to the schools average. The strategy to expand Queensmill is an all encompassing strategy for all learners in the borough

			<p>in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a slight positive benefit for those groups currently overrepresented.</p>	<p>learners in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a slight positive benefit for those groups currently overrepresented.</p>	<p>borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a less benefit for those groups currently underrepresented.</p>	<p>borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a neutral benefit for those groups currently underrepresented.</p>	<p>in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a neutral benefit for those groups currently underrepresented.</p>	<p>for all learners in the borough regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a neutral benefit for those groups currently underrepresented.</p>	<p>regardless of race. The new opportunities that this strategy will provide will improve the choices for more local children to attend local schools. Given the existing race profile there is likely to be a slight positive benefit for Asian groups currently overrepresented.</p>		
	<p>*NOTE: Academies and PRU not included</p> <p>Overall the schools listed in the strategy attract a wide mix of ethnic groups to reflect the diversity of the borough. It is therefore concluded the strategy to be of medium relevance to Race, with a positive impact.</p>										

Religion/belief (including non-belief)	The School Organisation Strategy will have a positive albeit low impact on local faith residents, through the extended offer in our faith schools, through the extension to existing provision.	L	+
Sex	<u>The School Organisation Strategy will have a positive impact on this protracted characteristic by extending the offer of single sex provision at our over subscribed schools. This includes a medium positive impact for females by expanding the single sex offer at Sacred Heart High School and Lady Margaret and increased single sex provision for males at the Henry Compton site (refer to Cabinet Report section 3.1 for greater detail of the new projects).</u>	M	+
Sexual Orientation	The School Organisation Strategy will not directly have an impact on this strand, as it is an all encompassing strategy for all learners in the borough. The admission criteria for all the affected schools (which are subject to annual consultation) will remain unchanged	N/A	N/A

#### **Human Rights and Children's Rights**

Will it affect Human Rights, as defined by the Human Rights Act 1998?

Yes: Article 2 of Protocol 1: Right to education. It is expected that the strategy will have a positive impact on this (e.g. via additional learning capacity for borough learners).

Will it affect Children's Rights, as defined by the UNCRC (1992)?

Yes: the right to education, and special rights for disabled children. It is expected that the strategy will have a positive impact on these rights (e.g. via additional learning capacity for borough learners)

#### **Section 03**

#### **Analysis of relevant data and/or undertake research**

#### **Documents and data reviewed**

Please see details from EIA in 2011 below: Plus Admissions & Census data, plus current pupil data. We also did a bid process with all schools on how they could deliver within the schools of choice agenda.

We undertook a consultation that was open to all strands, from 21 April to 2008 to 9 June 2008, through a variety of ways:

- Pupil post to all parents of primary, secondary and special schools in the borough
- To parents of primary age parents at independent schools
- All Early Years settings
- Hammersmith and Fulham website
- Freepost questionnaires left at municipal buildings in the borough
- Partner agencies
- Voluntary organisations
- 20 meetings at various schools (parent, governors and staff)
- 22 meetings with children at their schools
- 7 meetings with specific groups such as early years providers, employers steering group and school staff
- Special meeting with headteachers
- 8 road shows at libraries and town halls
- A children's conference at Chelsea Football ground

With a total of 1,304 children and 437 adults attended the above meetings.

Nearly 3,000 questionnaires were received in response to the consultation and recommendations were made to take into account the views were portrayed.

The main strands positively affected by the consultation were, age, disability, gender and religion, through the schools community. All these strands were affected positively by the recommendations that were contained within the Cabinet Reports that detailed the consultation and results. The relevant consultation and questionnaires, can be found in the Cabinet Reports of 14 July 2008 and 2 March 2009 respectively and are detailed in the background papers to this strategy

We undertook a consultation that was open to all strands, but primarily aimed at parents of SEN children, from 24 November 2008 to 19 January 2009, through three options:

- Parents of children at all the schools affected by the proposals (given a summary via pupil post)

	<ul style="list-style-type: none"> <li>• An executive summary sent to other stakeholders and made available at public libraries and both town halls</li> <li>• The detailed documents (and summaries) were published on the Councils website.</li> </ul> <p>The main positively affected strand was disability, by the proposals that were captured by the responses to the consultation and the recommendations that were approved by Cabinet. The relevant consultation and questionnaires can be found in the Cabinet Report of 2 March 2009 and are detailed as background papers to this strategy.</p> <p><u>Mid Year Population Estimates</u> Data has been compared to that of the ONS Mid Year Population Estimates for 2009, which can be accessed here: <a href="http://www.lbhf.gov.uk/Directory/Council%20and%20Democracy/Plans%20performance%20and%20statistics/Statistics%20and%20census%20information/Census%20information/7057%20Demographic%20Data%20for%20Hammersmith%20and%20Fulham.aspx">http://www.lbhf.gov.uk/Directory/Council and Democracy/Plans performance and statistics/Statistics and census information/Census information/7057 Demographic Data for Hammersmith and Fulham.aspx</a></p> <p><u>October 2011/12 CENSUS</u> Data has been taken from the October 2011/12 CENSUS concerning the schools profiles.</p>
<u>New research</u>	N/A.

<u>Section 04</u>	<u>Undertake and analyse consultation</u>
<u>Consultation</u>	Given the previously undertaken detailed consultation a further consultation is not required for this strategy.
<u>Analysis</u>	From the previous consultations, listed above, all stakeholders that had responded were in favour of our proposals. Please refer to the Cabinet papers of 14 July 2008 and 2 March 2009 which are listed as background papers to this strategy for full details.

<u>Section 05</u>	<u>Analysis of impact and outcomes</u>
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<b><u>Analysis</u></b>	The consultation and assessment data have shown support for the proposals and these were taken into consideration in our recommendations to Cabinet.
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<b><u>Section 06</u></b>	<b><u>Reducing any adverse impacts</u></b>
<b><u>Outcome of Analysis</u></b>	The consultations did not exclude any member of the strands, as the consultations were open for all to respond to if desired.

<b><u>Section 07</u></b>	<b><u>Action Plan</u></b>
<b><u>Action Plan</u></b>	The action plan is to receive Cabinet Approval on the recommendations contained within the report and the implementation of these via the Lead Officer (Andy Rennison) in consultation with the Chief Officer (Andrew Christie).

<b><u>Section 08</u></b>	<b><u>Agreement, publication and monitoring</u></b>
<b><u>Chief Officer sign-off</u></b>	<u>Name: Andrew Christie</u> <u>Position: Director of Children's Services</u> <u>Email: <a href="mailto:andrew.christie@lbhf.gov.uk">andrew.christie@lbhf.gov.uk</a></u> <u>Telephone No: 020 8753 3601</u>
<b><u>Key Decision Report</u></b>	<u>Date of report to Cabinet/Cabinet Member: 05/02/12 – Cllr Helen Binmore</u> <u>Confirmation that key equalities issues found here have been included: Yes</u>
<b><u>Opportunities Manager for advice and guidance only</u></b>	<u>(When EIAs have been determined to be of high relevance)</u> <u>Name: Carly Fry</u>

Position: Opportunities Manager  
Email: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk)  
Date: 13.02.2012



# Cabinet

5 MARCH 2012

**LEAD MEMBER  
FOR COMMUNITY  
CARE**

*Councillor Joe  
Carlebach*

**REMODEL OF DAY SERVICES**

**Wards:  
All**

This report is in two parts:

**1. The remodel of Ellerslie Road and Nubian Life day services**

Following a 12 week consultation with service users and carers, this report outlines the resulting recommended changes to the Ellerslie Road and Nubian Life day services. It recommends that, in light of the outcome of the consultation, Nubian Life should relocate to 50 Ellerslie Road and share the premises with the existing mental health drop-in.

**2. Procurement proposals for Elgin Resource Centre**

This section will outline the procurement proposals for Elgin Close Resource Centre, which is a day centre for older and disabled people.

**CONTRIBUTORS**

AD FOR ASC  
EDFCG  
ADLDS

**Recommendations:**

1. **That approval be given for the existing mental health drop-in to continue to operate from 50 Ellerslie Road and share the premises with Nubian Life day service, and to minor improvements to the building to accommodate the needs of the respective service users to be done in consultation with the users of both services.**
2. **That the Council negotiates and awards a contract with the current providers (Nottingham Housing Trust) for the management of Elgin Resource Centre for a period of a further 18 months and that authority be delegated to the Cabinet Member for Community Care and the Executive Director of Adult Social Care to approve final terms.**
3. **That approval be given to waive Contract Standing Orders for the reasons detailed in the report (contract annual value £278,200).**

<p><b>HAS AN EIA BEEN COMPLETED?</b> YES</p>
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<p><b>HAS THE REPORT CONTENT BEEN RISK ASSESSED?</b> YES</p>
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## **PART ONE:**

### **1. BACKGROUND TO THE REMODEL OF ELLERSLIE ROAD AND NUBIAN LIFE DAY SERVICES**

- 1.1. In February 2011, Cabinet gave approval for changes to some of the borough's day services, which included developing day care options for all care groups that involved activities and support away from traditional building based day centres. Following this Cabinet decision, there has been further progress in the modernisation of day care, specifically for people with mental health needs.
- 1.2. Further consideration has also been given to the buildings currently used for day care. A thorough review of these buildings demonstrated that three of them have become unsuitable for the care groups that are currently using them. These are:
  - 1.2.1 **280 Goldhawk Road** (used by the Options learning disabilities service). This building is Grade II listed and therefore has restrictions on how it can be adapted for wheelchair users. This means that since the recommissioning of this service, which saw the service change to one specialising in people with profound and multiple learning disabilities, the whole of the large upstairs area cannot be accessed by service users.
  - 1.2.2 **50 Ellerslie Road** (used by mental health services users) has capacity for more services to be located from it because traditional mental health day services are not needed as they once were. 50 Ellerslie Road is a large, purpose built, fully accessible day centre and is currently being used on a regular basis by just 20 service users at any one time.
  - 1.2.3 **50 Commonwealth Avenue** (used by the Nubian Life Resource Centre for a range of African Caribbean older peoples' services) is a building that is in a very poor state of repair, being some 20 years past its original lifespan. Nubian Life is a thriving service and cannot continue to run from such a poor building. The upstairs is inaccessible for most service users because there is no lift. It would be prohibitively expensive to repair and adapt the building, so a new location needs to be found for the service.
- 1.3 Buildings-based day opportunities services are reducing because the prevalent opinion is now that people should be supported to engage in activities within the community rather than in a dedicated building.
- 1.4 The need for dedicated buildings has not disappeared but it has reduced significantly. Last year the Council decided to rationalise the use of day centre buildings for older and disabled people by concentrating that service on two sites rather than three and at the same time introduce a community access service. This has successfully been put into effect and 147 Stevenage Road is no longer used as a

day centre. This same change in philosophy equally applies to mental health services and the proposal in this report is a consequence of that change in thinking about service need.

- 1.5 Original consultation proposals suggested that the Ellerslie drop-in could manage without a dedicated staff resource. However following feedback from service users and interest groups, the recommendation is for the drop-in to be staffed at a level that is deemed appropriate for the service.
- 1.6 Because of the reduced need for buildings based day services for people with mental health needs, there is also a reduced need for the staffing numbers. There is a proposal to reduce the Ellerslie staff team and the Medium Term Financial Strategy assumes a reduction in expenditure on the staffing of the service. The staff will be consulted about the reduction, following the formal Council organisational change process, in due course. The reduction in staffing is a separate and distinct issue from the use of the space available at Ellerslie Road. There are no financial implications identified in the Medium Term Financial Strategy from the proposal that the building be shared with Nubian Life.
- 1.7 It is possible that the manager of Nubian Life may be asked to manage both services in the building. Any decision on staffing numbers and their management arrangements will be taken as a Cabinet Member Decision and no approval for it is being sought in this report.
- 1.8 The building review and intention to remodel mental health day services as a consequence of the change in thinking about service need, prompted a consultation about changes to day services, which took place over 12 weeks from 3 October to 23 December 2011. The original consultation questionnaire can be found in appendix 1 and the consultation process in appendix 2.

## **2. ORIGINAL CONSULTATION PROPOSALS:**

- 3.1 Turn the Ellerslie Road building into a Resource Centre, providing space for a learning disabilities services, an all-age physical needs service and a small mental health support group (for existing Ellerslie Road users only). This proposal would involve the following actions:
  - 3.1.1 Move Options from 280 Goldhawk Road into Ellerslie Road, to occupy the ground floor. The service would also have access to the main garden.
  - 3.1.2 Move Nubian from 50 Commonwealth Avenue into Ellerslie Road, to occupy part of the first floor. The service would also have access to the commercial kitchen.

- 3.1.3 Move the existing Ellerslie Road drop-in service users from the ground floor to the first floor, so they would have access to one main room and shared office space.
- 3.1.4 Each service would have its own entrance to the building.
- 3.1.5 The Options service manager would be the overall manager of the Ellerslie Road Resource Centre, coordinating the three services within the building.
- 3.2 Reserve space in the Ellerslie Road building for a small, existing cohort of mental health day service users to continue to meet regularly to provide each other with support in the familiar space they have been used to for many years. This would be self-managed by service users, therefore unstaffed.

### **3. CONSULTATION FEEDBACK AND OUTCOMES:**

- 3.1 The consultation highlighted strong opposition to the original remodel proposals from the majority of the service users and carers of the three day services affected. Full consultation feedback, both quantitative and qualitative can be found in appendix 3, but the main objections were:
  - 3.2 There is not enough space at Ellerslie Road to accommodate three services. Each service would have to reduce in numbers;
  - 3.3 The Options (learning disabilities) service users and carers strongly believed that a learning disabilities day service could not share a building with other care groups, because the needs of the service users are too different and the service would be compromised;
  - 3.4 Although the Nubian Life service users and carers largely supported a move, they believed that the original proposal of only two activity rooms at Ellerslie would not accommodate their service needs.
  - 3.5 The reasons for the objections, coupled with a thorough assessment of the space at 50 Ellerslie Road, influenced officers to change the original proposal for Options to move into Ellerslie Road. The original reasons for the proposals still stand; however during the consultation it was concluded that it is not possible to resolve all of the problems faced by the three day services by moving them all into one building. Therefore the Ellerslie Road building is no longer being considered for the Options (learning disabilities) day service.
  - 3.6 As a result of the consultation, this report recommends that Nubian Life and Ellerslie drop-in will share the day centre building at 50 Ellerslie Road. This proposal will involve the following actions:

- 3.6.1 Nubian Life will be offered a lease for 50 Ellerslie Road, with sole use of the ground floor space for Nubian Life services and activities.
  - 3.6.2 Nubian Life will provide space for the existing Ellerslie mental health drop-in on the first floor.
  - 3.6.3 Nubian Life and Ellerslie drop-in service users have started negotiating how the entire building can be shared by all service users in order for residents to benefit from all activities and opportunities that the centre will house. These negotiations will continue to be led by Nubian Life as the leaseholder of the building.
  - 3.6.4 Both services – Nubian Life and the Ellerslie drop-in will share the main entrance to the building.
  - 3.6.5 Options day service remains at 280 Goldhawk Road. As there is no change to this service, it is not included in the accompanying Equality Impact Analysis.
- 3.7 It should be noted that the proposals to remodel day services were taken to the Health, Housing and Adult Social Care Select Committee both during the consultation and once the consultation was concluded. Select Committee members and the public showed a keen interest in the remodel proposals and influenced the final recommendations to Cabinet.
- 3.8 Positive feedback in support of the proposals to reduce building-based day care for people with both physical and mental health needs was received from interest groups in response to the consultation. This feedback is detailed in appendix 3.

#### **4. CHANGES TO ELLERSLIE ROAD DAY SERVICE**

- 4.1 It is proposed that the first floor of 50 Ellerslie Road is maintained for the Ellerslie mental health drop-in.

#### **5. CHANGES TO NUBIAN LIFE DAY SERVICE**

- 5.1 Nubian Life will be offered a lease for Ellerslie Road. The current Nubian Life service should be unaffected by the move – the same numbers of people will attend to start with and it is hoped that the service will expand. This will be dependent on service users choosing to purchase the service with their personal budgets.
- 5.2 The award of the lease will be executed under existing delegated powers, which enable officers to agree terms for the letting or renewal

of lettings not exceeding a term of 7 years to Voluntary Organisations funded by the Council or registered charities subject to the appropriate budget adjustment having been made. This is delegated to the Assistant Director Building and Property Management in consultation with the CEO/Director of Finance and Corporate Services and the Service Director.

- 5.3 It should be noted that as part of the consultation the Nubian Life service users agreed with a 76% majority that their service should be changed to accommodate people of all ages. Therefore in future people of all ages with physical day care needs could be referred to Nubian Life. It should also be noted that in 2011 Nubian Life changed their constitution in order to be able to offer a service to all local residents.
- 5.4 Although the 50 Commonwealth Avenue building, which is owned by the Council, will be surplus to the requirements of Adult Social Care day services, it is unclear at this stage what the future intentions for this building are.
- 5.5 It is intended that Nubian Life and the Ellerslie drop-in integrate to create inclusive services where day time activities and all building facilities are shared. An implementation plan will be followed leading up to the move, which will include workshops and meetings for the users and staff of both services to plan how service integration and shared use of space will work in practice.

## **6. PART TWO:**

### **PROCUREMENT PROPOSALS FOR ELGIN RESOURCE CENTRE**

- 6.1 Nottingham Housing Trust have been the provider of day services for Elgin Resource Centre since 2002.
- 6.2 There have been a number of extensions to this contract, with the final extension expiring in June 2011. At this time a tender was in the planning stage and this has now been completed.
- 6.3 The tender was unsuccessful as insufficient providers submitted an acceptable PQQ. Subsequent enquiries with providers found that the new model of service delivery and the payment structure were new to the market and they were reluctant to commit to these in the current financial climate.
- 6.4 The project board for remodelling day services have considered this and propose to continue to test the new model of service delivery with Imperial Wharf Resource Centre (which is currently an in-house provision) and to engage with the market on this. This engagement will also involve the payment structure and how the Council can move from

block provision to something that is more flexible for those service users wishing to operate a direct payment.

- 6.5 It is anticipated that this engagement and testing of the service model could take up to 18 months.
- 6.6 We are therefore requesting permission to negotiate a contact with the current provider on the same terms and conditions as the existing (expired) contract to cover this period.
- 6.7 This proposal would allow continuity for service users during the period of engagement with the market and testing of the new model. As there would be no change to the service, it is not included in the accompanying Equality Impact Analysis.
- 6.8 The proposal, however, does carry a level of risk of challenge as we have not followed procurement rules by opening this service contract to the market. A tender is likely to take at least six to nine months and this would mean the new provider would be in place for a maximum of a year. This is likely to be unattractive to the market. It would be very disruptive to the service users, with two possible changes of providers in a short period of time and would not be cost effective to the Council.

## **7. RISK MANAGEMENT**

- 7.1. The 50 Ellerslie Road building has been assessed by the corporate Health and Safety team and by the Disability Forum, to check that it is suitable for more than one service to occupy it. It has been concluded that there are no health and safety risks to Nubian Life and the Ellerslie mental health drop-in sharing the building. Some recommendations for small adaptations have been made.
- 7.2. The procurement proposals for Elgin Resource Centre do carry a level of risk as we would not be following procurement rules. However this can be mitigated with the need to continue a vital service to older and disabled people and the overriding need for continuity. In addition we have been to out to tender and failed to appoint a new provider.

## **8. EQUALITY IMPLICATIONS**

- 8.1 An Equality Impact Analysis (EIA) has been carried out on the impacts of moving the services as outlined in this report and summarised at recommendation 1 ('the remodel of Ellerslie Road and Nubian Life Day Services') on the front page of this Cabinet Report.
- 8.2 The EIA has found that the proposal to remodel the above day services will on the whole have a positive or neutral impact on each of the protected groups, and will be of more relevance to some groups than to others, such as Age, Race and Disability.

- 8.3 The positive impacts will reach people currently using Nubian Life who have physical disabilities in particular - the move to Ellerslie Road will offer superior facilities to meet their day care needs. People with disabilities under the age of 55 will be advantaged because the Nubian service that is currently unavailable to them will be opened up for people of all ages. Those over 55 will still be able to access a service for their age group, as given in the EIA.
- 8.4 Negative impacts mostly concern the transition for all service users that will be affected by sharing a building with new people. Older people and people with mental health needs often find change hard to cope with, so staff will need to be very supportive to ensure a smooth transition. Workshops, opportunities to mix and share activities will be available to the Ellerslie drop-in and Nubian Life service users before the move happens.

## **9. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 9.1 As detailed in the report, the remodelling of day services requires two delegated decisions around the awarding to Nubian Life of a lease for 50 Ellerslie Road and the awarding of the contract extension for the management of Elgin Resource Centre. Both decisions will detail the financial implications of the proposed changes.
- 9.2 Detailed in the report is the need to reduce the staffing numbers for the mental health drop-in service at Ellerslie Road. The proposal to reduce the staffing numbers and the Medium Term Financial Strategy assumes a reduction in expenditure on the staffing of this service of £290k which will be a separate Cabinet Member's Decision report on the delivery and management of the remodelled service.

## **10. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 10.1 For those people who are ordinarily resident in the borough and have an assessed need for such services this Authority has a duty to provide day centres and other facilities.
- 10.2 That duty arises under two statutory provisions. Firstly under s29 National Assistance Act 1948 and in accordance with guidance under LAC(93)10 at Appendix 2 para 2(1)(c), which refers to the duty "to provide, whether at centres or elsewhere, facilities for occupational, social, cultural and recreational activities." Secondly under s2(1)(c) Chronically Sick and Disabled Persons Act 1970 which includes the duty to provide recreational facilities outside the home, and to assist in taking advantage of educational facilities.



- 10.3 The proposed remodelling of older and disabled persons services required full consultation. There is case law guidance as to what constitutes proper consultation. Consultation should include the following:
- (a) It should be carried out when the proposals are still at a formative stage.
  - (b) Sufficient reasons should be given for the proposals to allow those consulted to give intelligent consideration and an intelligent response
  - (c) Adequate time must be given for responses
  - (d) The product of consultation must be conscientiously taken into account when the ultimate decision is taken.
- 10.4 The comprehensive consultation process followed is set out in Appendix 2 and the product of the consultation is set out in detail in Appendix 3 and summarised in paragraph 3 of this report.
- 10.5 When making a decision as to changes in service provision this Authority must comply with the public sector equality duty provisions of the Equality Act 2010 which came into force on 5 April 2011 and widened the general equalities duties with which a local authority has to comply.
- 10.6 The protected characteristics to which the general equalities duties apply now include age as well as the grounds on which the previous equalities legislation already protected people from discrimination by local authorities (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex). It is clear that the general equalities duties apply to the current users of the three day services affected.
- 10.7 Section 149 of the Act provides (so far as relevant) as follows:
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
  - (3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

10.8 Case law has established the following principles which Cabinet will need to take into account:

(i) Compliance with the general equality duties is a matter of substance not form. However for a decision such as this it is necessary for the duties to be consciously addressed and the consideration given to them fully documented.

(ii) The duty to have "due regard" to the various identified "needs" in the relevant sections does not impose a duty to achieve results. It is a duty to have "due regard" to the "need" to achieve the identified goals.

(iii) Due regard is regard that is appropriate in all the circumstances, including the importance of the area of life of people affected by the decision and such countervailing factors as are relevant to the function that the decision-maker is performing. The weight to be given to the countervailing factors is in principle a matter for the authority. However in the event of a legal challenge it is for the court to determine whether an authority has given "due regard" to the "needs" listed in s149. This will include the court assessing for itself whether in the circumstances appropriate weight has been given by the authority to those "needs" and not simply deciding whether the authority's decision is a rational or reasonable one.

(iv) The duty to have "due regard" to disability equality is particularly important where the decision will have a direct impact on disabled people. The same goes for other protected groups where they will be particularly and directly affected by a decision.

(v) The general equality duties do not impose a duty on public authorities to carry out a formal equalities impact assessment in all cases when carrying out their functions, but where a significant part of the lives of any protected group will be directly affected by a decision, a formal equalities impact assessment ("EIA") is likely to be required by the Courts as part of the duty to have 'due regard'. The EIA is available to Cabinet electronically and will need to be read and taken into account in reaching a decision on the recommendations in this report. Additionally the equality implications are summarised at paragraph 8 of this report.

(vi) The duty to have “due regard” will normally involve considering whether taking the particular decision would itself be compatible with the equality duty and whether, if the decision is made to go ahead, it will be possible to mitigate any adverse impact on any particular protected group. It may also require consideration to be given to treating any particular affected group more favourably.

## **Legal comments relating to Part 2: Procurement proposals for Elgin Resource Centre**

- 10.9 It is noted that it is proposed to further extend the contract with the Notting Hill Housing Trust for the provision of day services at the Elgin Resource Centre. Whilst the services provided under this contract are categorised as Part B services, and are therefore not subject to the full regime of the Public Contract Regulations 2006, the Council is still required to comply with the general EU treaty principals of transparency and non-discrimination. This requires the Council to carry out a competitive process for the procurement of the services. A failure to comply with these principles leaves the Council at risk of challenge (including a claim for damages) under EU procurement rules.
- 10.10 It is also noted that the client department has attempted to carry out a competitive process to award a new contract for this service but was unsuccessful as the market was not, on the whole, willing to provide the service in accordance with the cost model proposed by the Council. The client department has set out in the main body of this report the justifications for extending the current contract as an interim measure whilst a new service model is tested.

## **11. COMMENTS OF THE ASSISTANT DIRECTOR PROCUREMENT AND IT STRATEGY**

- 11.1 In accordance with the Council’s Contract Standing Orders (CSO’s) a prior written waiver to the CSOs may be agreed by the appropriate Cabinet Member(s) and Leader of the Council for an estimated contract value of more than £100,000 if they are satisfied that a waiver is justified.
- 11.2 The waiver to CSO is for the following reason(s):
- “the nature of the market for the works to be carried out, or the goods to be purchased, or the services to be provided has been investigated and is demonstrated to be such that a departure from these CSOs is justifiable”

## APPENDICES

### 1. REMODEL OF DAY SERVICES QUESTIONNAIRE

### 2. CONSULTATION PROCESS

### 3. CONSULTATION FEEDBACK

#### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext holder file/copy	of of	Department/ Location
1.	<b>HHASC Select Committee report – Remodel of day services</b> January 2012	Hannah Carmichael x5384		QCP Commissioning
2.	<b>CMD to consult on the remodel of day services</b> September 2011	Hannah Carmichael x5384		QCP Commissioning
3.	<b>Key Decisions Cabinet report – Changes to day services</b> February 2011	Hannah Carmichael x5384		QCP Commissioning
4.	<b>Equality Impact Analysis – 20/01/2012</b> Available online	Hannah Carmichael x5384		QCP Commissioning
<b>CONTACT OFFICER:</b>		<b>NAME: Hannah Carmichael</b> <b>EXT. x5383</b>		

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## **CONSULTATION FEEDBACK**

### **1. QUANTITATIVE QUESTIONNAIRE RESULTS:**

- 1.1 56 day service users returned a questionnaire, out of a possible 183, giving a 31% response rate.
- 1.2 Of the 56 respondents:
- 31 (56%) were Ellerslie Road service users
  - 11 (20%) were Options service users
  - 11 (20%) were Nubian Life service users
  - Two respondents did not state which day service they were from and one respondent stated they attended all three services.
- 1.3 Of the 56 respondents:
- 41% agreed or strongly agreed and 54% disagreed or strongly disagreed that mental health day services do not need the whole of a large, purpose built day centre, meaning Ellerslie Road could be used by other day service users.<sup>1</sup>
  - 67% agreed or strongly agreed and 33% disagreed or strongly disagreed that Nubian Life should become an all-age service, rather than one exclusively for older people.
  - 85% agreed or strongly agreed and 15% disagreed or strongly disagreed that some space should continue to be provided at Ellerslie Road for the existing, long term mental health service users.
  - 70% of the respondents were concerned about the impact the proposals could have on particular communities in the borough<sup>2</sup>.

### **2. QUALITATIVE QUESTIONNAIRE RESULTS**

- 2.1 Some common comments received on the questionnaires about the proposals were:
- Disagreement about providing less building space for mental health service users
  - Concern about lack of space for three different services to operate from the same building
  - The need to involve service users in the design of new services
  - Ensuring the building would have specialist staff and equipment for each service user group

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<sup>1</sup> 5% of respondents did not answer this question

<sup>2</sup> This will be explored in more detail in the Equalities Impact Assessment (EIA) that will accompany the Key Decisions Cabinet Report, which is due to be taken to the 5<sup>th</sup> March 2012 Cabinet meeting.

### 3. CONSULTATION EVENT FEEDBACK

Meeting	Date	Feedback
<b>5.1.1</b> <b>Ellerslie Road</b> service users	20/11/11	Meeting attended by approximately 45 service users. The main concerns were: <ul style="list-style-type: none"> <li>• 3 course lunch no longer provided – some people rely on this meal for nutrition</li> <li>• No staff – service users rely on staff for advice and support</li> <li>• Facilities – some people rely on the shower and laundry facilities</li> <li>• Space – one room is not enough, space is needed for group work and private meetings</li> <li>• Smoking area – service users need access to outside to smoke</li> </ul>
<b>5.1.2</b> <b>Consultative Forum</b> members	25/11/11	Members were particularly concerned with the proposal to make all day services ‘all-age’ rather than specific to older people. They believe that there will be a lot of opposition to this proposal from Nubian Life. They also wanted to know whether the remodel was financially driven. It was explained that the main drivers are to find services better buildings and to modernise services in line with the recovery and personalisation agendas.
<b>5.1.3</b> <b>Shanti (TAHA)</b> director and managers	01/11/11	The director and manager expressed concern about how multiple services would manage to share space. They said there needed to be some careful planning around partnership working, to ensure the different services understood each other’s needs.
<b>5.1.4</b> <b>Options</b> service users and carers	02/11/11	Meeting attended by approximately 15 service users and carers. The main concerns were: <ul style="list-style-type: none"> <li>• Service users with learning disabilities and particularly those with autism struggle to understand change and may feel very anxious about their service moving to a different building</li> <li>• Ellerslie Road space is not as big as what the Options service currently enjoy at 280 Goldhawk Road</li> </ul>

		<ul style="list-style-type: none"> <li>Options is located very close to Ravenscourt Park and service users enjoy going to this space daily when the weather is good</li> <li>A lot of work has gone into the large garden at 280 Goldhawk Road</li> <li>Parking the mini bus to drop off and pick up service users - there is no car park at Ellerslie Road. Ellerslie Road might be unsafe for service users</li> </ul>
<b>5.1.5</b> Mind CEO and managers	08/11/11	<p>The CEO and manager were supportive of the consultation proposals. They understood that Ellerslie Road was under-used and agreed that day services should be modernised to encourage independence and recovery.</p> <p>They were supportive of the proposal to create an intensive recovery support service. They were enthusiastic about it being staffed by mental health service users and felt it would compliment some of the services provided by Mind, such as befriending.</p> <p>There was some concern about the drop-in continuing at Ellerslie without access to mental health staff. They felt that there should be some on-call availability for times of crisis and to provide some support, but agreed that staff support was not needed all day everyday.</p> <p>They were supportive of there being a long period to manage the change from having the whole centre to sharing the space. They agreed that six months would be enough time to make sure plans were in place for all individuals affected by the change.</p>
<b>5.1.6</b> Nubian Life service users, managers and trustees	09/11/11	<p>Meeting attended by approximately 25 service users. The main concerns were:</p> <ul style="list-style-type: none"> <li>The space available to them at Ellerslie would be smaller than what they are used to at 50 Commonwealth Avenue. The service has a desire to expand and they do not believe that could do this with the limited space that is on offer at Ellerslie Road</li> <li>Using a lift for the majority of service users, because nearly all of them have</li> </ul>

		<p>mobility problems</p> <ul style="list-style-type: none"> <li>• Safety of sharing a building with other services, wanted to ensure they would be in a separate space</li> </ul> <p>Other feedback:</p> <ul style="list-style-type: none"> <li>• There was little or no objection from the meeting about the 'all-age' model. Some people expressed that they liked the idea of sharing their service with people that are younger but had similar needs to them</li> <li>• They understand that their building would be too expensive to repair and appreciated that the Council are trying to find them a better space for their service</li> </ul>
<b>5.1.7 Strategic Commissioning Group</b> (mental health)	15/11/11	This meeting was cancelled by the Chair of the SCG.
<b>5.1.8 Disability Forum</b> members	16/11/11	The disability forum gave advice on making the Ellerslie Road building accessible for people with disabilities. The feedback was passed onto the Council's Health and Safety team, who visited the building to look at any issues there might be if service user groups were to share and there was an increase in people using wheelchairs. The feedback from H&S was that there are no concerns but there a suggestion that the entrance and reception area could be adapted to create more space for wheelchairs.
<b>5.1.9 Ellerslie Road</b> service users	22/11/11	This meeting was changed into a series of workshops with Ellerslie Road service users, exploring their main concerns about sharing the building and how to address the issues. The findings of the workshops were fed back to the AD of Adult Social Care on 19 <sup>th</sup> December (see para 5.1.14).
<b>5.1.10 Mencap</b> staff and parent/carers of Options day service	23/11/11	This meeting was attended by Mencap staff, one service user and parents/carers of the Options service. The meeting attendees were very concerned about



		Options service users sharing a building with people with mental health needs and some believed it could make the Options service users vulnerable to abuse. They expressed fear of mental health service users and fear of the area of the borough where Ellerslie Road is located. Concerns about travel time to the Ellerslie Road location and parking restrictions were also expressed.
<b>5.1.11 Carers</b>	23/11/11	Carers from a cross-section of care groups attended this meeting. Similar concerns were raised from learning disability carers about sharing space with mental health service users. This was rejected by the mental health carers. There was meeting consensus on the need to involve service users and carers with all aspects of service redesign. Some expressed keen interest in the new model of peer support reablement for mental health service users.
<b>5.1.12 HAFAD staff and service users</b>	01/12/11	The proposal to remodel day services with a focus on community inclusion is supported by HAFAD. The consultation meeting was cancelled at the request of HAFAD, but Kamran Mallick, HAFAD's Director, responded to the consultation in writing. Mr Mallick stated that HAFAD's position is 'we don't believe that day centre provision is the right one for disabled people and that individuals should be supported to live their lives with control over their choices and use mainstream services.' Mr Mallick also expressed that with any changes to services, service users 'must be fully consulted and what they say as residents of the borough should inform the authorities decision making'.
<b>5.1.13 Service User Network (SUN) management group (mental health)</b>	02/12/11	This meeting mostly discussed the proposed peer support reablement service. The meeting agreed with the principles of the service and believed it would be a good bridge builder for people that are being discharged from a long stay in hospital. There was some concern

		about 'people who don't recover' from their mental health issues and what services would be available for them. It was explained that people can always be referred back into mental health services and the preventative day services at Mind and Barons Court, which are open to all including self-referrers, have grant funding for 3 years.
<b>5.1.14</b> <b>Ellerslie Road</b> service users	19/12/11	<p>This meeting was arranged so the Ellerslie Road service users could feedback to the AD of ASC about the workshops they had participated in about sharing the building with Nubian Life. The feedback was:</p> <p>Service users want dedicated staff for the drop-in and to maintain the knowledge base of the existing staff. They want to maintain key working and to have meals provided, including specialist meals such as vegetarian. Cost of meals is an important issue.</p> <p>Service users want the services within the Ellerslie Road building to be fully integrated and for them to have access to all parts of the building. They want the space upstairs to be looked at, including offices, so best use can be made of it.</p> <p>If there are building alterations, service disruption or temporary closure should be kept to minimum.</p> <p>Laundry and shower facilities are important to some service users because they help people maintain their dignity, especially in times of mental health crisis. Service users therefore requested that these facilities remain available to them.</p>
<b>5.1.15</b> <b>Options</b> service users and carers	19/12/11	This meeting was cancelled because the proposals changed (the Options service was no longer being considered for the Ellerslie Road building). The Project Manager coordinating the consultation wrote to all service users and carers, explaining that the proposals had changed as a result of feedback received.
<b>5.1.16</b> <b>Nubian Life</b> service	20/12/11	The new proposal for Nubian Life to move to Ellerslie Road and occupy the ground

users		floor was discussed at this meeting. This was well received by the attendees and many expressed gratitude that the service they enjoy will be relocated to a much better building. Service users were very keen to visit Ellerslie and it was explained that a number of opportunities to spend time in the building before the service moves there would be arranged.
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## **CONSULTATION PROCESS**

In line with recommendations from the day services review programme, Lead Member Cllr Carlebach agreed on 14<sup>th</sup> September 2011 that a consultation about the proposals to remodel three of the borough's day service should go ahead.

The twelve week consultation began on 3<sup>rd</sup> October 2011 and finished on 23<sup>rd</sup> December 2011. The consultation focussed on the current users of the three day services affected (Options, Nubian Life and Ellerslie Road).

Service users from each of the above three services were written to and asked to provide feedback on the proposals in the form of a simple questionnaire (see appendix 1). Meetings at all three day services with the Commissioning and Project Manager and the AD for Adult Social Care were arranged and were well attended.

As well as the above day services, meetings with the following interest groups were also arranged:

1. Shanti Resource Centre (TAHA, The Asian Health Authority)
2. HAFAD
3. Consultative Forum for older people
4. Disability Forum
5. Mencap
6. Mind

# Consultation on the remodel of day services

3 October to 23 December 2011

**People who need care and support outside of their home sometimes go to a day service. This consultation is about proposals to remodel some of the Council's day services. The proposals include:**

- Changing the way we provide day services for people with mental health needs and
- providing day services for different care groups in the same building.

▶ **The Council wants to provide high quality day services for people of all ages.**

▶ **We want our day services to be delivered in excellent premises.**

▶ **We want service users to choose our day services.**

## What's new?

● The way the Council pays for people to be cared for has changed. Service users now have choice and control over how they receive their care, including having their own **personal budget**. They can spend this budget on any activity or service that will meet their needs. They do not have to buy services provided by the Council.

## How does this affect our services?

● The Council wants to encourage people to buy alternatives to traditional day care. We believe that if they are able, people should be independent and part of the community. We want to continue to provide building-based day care, but only for those that need this type of facility; for example for people with profound learning disabilities, who need specialist equipment and accessible facilities.

## What does this mean for the future of the day service buildings?

● Ellerslie Road is a state-of-the-art day centre. It is accessible for wheelchair users and has lots of space, so it could host many people. We want it to be full of activity and opportunity for the borough's residents that have day care needs.

At the moment the Ellerslie Road building is for people with mental health needs only. There is a lot of space in the building, but it is used by very few people. It hosts only mental health services: a Drop-in, a Social Inclusion service and a Reablement service. None of these services have enough users to keep them running and only the Drop-in needs to be based in a centre.

● The Council wants to turn the Ellerslie Road building into a Resource Centre, to be used by people with different needs. We want the whole building to be used by many people, everyday of the week. This proposal would mean the building would host a service for adults with learning disabilities (currently called **Options** and provided in-house), an all-age physical needs service (currently an older person only service and provided by **Nubian Life**) and a mental health drop-in.

● **Options** is currently based in 280 Goldhawk Road, which is a Grade II listed property. The Grade II listing and structure of the property means that it cannot be fully adapted to suits the needs of the learning disability service users. The building is under-used because there are areas of it that cannot be accessed by those with physical disabilities.

● **Nubian Life** is currently based in 50 Commonwealth Avenue, which is a building that is in a poor state of repair. It is small and has poor facilities for disabled people, making it hard for the service to provide for people with physical needs.

● **Ellerslie Road** is a superior building and we think it is large enough to host a service for people with learning disabilities, a service for people with physical needs and a mental health drop-in for those who currently use it. This would mean the **Options** and **Nubian Life** services could move to Ellerslie Road. 280 Goldhawk Road and 50 Commonwealth Avenue would therefore no longer be needed, so could be disposed of.

Learning disabilities day service (Options)

Mental health drop-in

Ellerslie Resource Centre

All-age physical needs day service (Nubian Life)

Other support services

### Where would the current Ellerslie Road service users go?

- They would all be offered an assessment for the opportunity to attend the new intensive recovery service. Mental health service users also have two other day services in H&F: Blythe Road, which is run by Mind and the Barons Court Centre. Both of these services offer drop-in support and activities for people with mental health needs. We are interested to hear your views on how these services would complement the changes at Ellerslie Road.
- There is a small number of long term Ellerslie Road Drop-in users and a group that use a weekend service known as the Blakafe. They are very reliant on the venue to get support from their peers. The Council understands their needs and wants to continue to provide space at Ellerslie Road for these long term users. The drop-in would no longer have lunch provided, but the weekend Blakafe would continue to have use of the kitchen.

### Why does the Council want to remodel the day services?

- The Council wants people with day care needs to be included in community life, rather than being separated in a day centre. We want to provide services that enable recovery, i.e that will help people to manage in the community and prevent them from needing long-term care.
- The Council is proposing to create a **short-term, intensive recovery support service** for mental health users, to replace the Reablement service at Ellerslie that very few people wanted to use. The existing service users of Ellerslie Road would be able to access this new service, as would many other people with mental health needs.
- This new intensive recovery service for mental health users would not need a purpose-built day centre to operate from; the groups and training would be based in community halls and venues. Therefore, as proposed above, Ellerslie Road could be used by other services.



- Ellerslie Road**  
50 Ellerslie Road  
London W12 7BW
- Nubian Life**  
50 Commonwealth Avenue  
London W12 7QR
- Options**  
280 Goldhawk Road,  
London W12 9PF
- Mind day service**  
62 Blythe Road  
London W14 0HP
- Barons Court Project**  
69 Talgarth Road  
London. W12 7BW



## Consultation on the remodel of day services

# Questionnaire



We would like to know what you think of our proposed changes to day services. We invite you to complete the following eight questions and come to one of our consultation meetings to tell us your views.

**Q1. The small number of mental health day service users do not need the whole of a large, purpose built day centre. This means Ellerslie Road can be used by other day service users. Do you agree?**

- Strongly agree
- Agree
- Disagree
- Strongly disagree

**Q2. The learning disabilities day service (Options) and a day service for people with physical needs (Nubian Life) cannot stay in their current buildings. We want both services to move to Ellerslie Road and use separate areas, so both will benefit from the modern, purpose-built day centre.**

**What do you think the Council should do to make sure this works for both services?**

**Q3. The Nubian Life service is currently only for older people. We think that day services should welcome all adults who need day care, whatever their age. Do you agree?**

- Strongly agree
- Agree
- Disagree
- Strongly disagree

**Q4. The Council believes it should continue to provide space at the Ellerslie Road centre for the existing, long-term service users of the Drop-in service. Do you agree?**

- Strongly agree
- Agree
- Disagree
- Strongly disagree

**Q5. Do you have any concerns about the impact of these proposals for any particular communities in the borough?**

- Yes
- No

If you have answered yes, which communities and how will they be affected?

**Q6. How could the Council make sure that the proposed changes will not impact negatively on people?**

**Q7. Are you a user of:**

- Options
- Ellerslie Road
- Nubian Life

**Q8. Are you answering this on behalf of a service user who lacks mental capacity?**

- Yes
- No

**Q9. Any comments?** If you have any further comments please use a separate piece of paper.



**This proposal is subject to a twelve week consultation period from 3 October to 23 December 2011. You can make your views known in one of the following ways:**

**1. Consultation questionnaire - you can complete the questions on this document and return it:**

- in the pre-paid envelope supplied
- via a day centre worker
- via a council staff member
- at any council reception point

You can ask a council staff member, a family member or a friend to help you complete the questions.

**2. Consultation events - you can express your views at one of the day services consultation events.**

Each day centre has a meeting arranged – please ask the staff for details of your event.

There will also be a series of consultation meetings with service users, carers and stakeholders. Details of consultation events will be posted on the council website [www.lbhf.gov.uk](http://www.lbhf.gov.uk)

## EQUALITIES INFORMATION

### AGE

- Under 16     16-24 yrs     25-29 yrs  
 30-39 yrs     40-49 yrs     50-59 yrs  
 60 yrs or over

### DISABILITY

Do you have a physical or mental impairment which has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities?

- Yes     No

### GENDER

- Female     Male     Transgender

Ethnic group I would describe myself as:  
(Please mark one box only)

### ASIAN OR ASIAN BRITISH

- Indian     Pakistani     Bangladeshi  
 Any other Asian background (please specify):

### BLACK OR BLACK BRITISH

- Caribbean     African

Any other black background (please specify):

### MIXED RACE

- White and black Caribbean  
 White and black African  
 White and Asian

Any other mixed background (please specify):

### WHITE OR WHITE BRITISH

- White British     White Irish  
 Any other white background (please specify):

### CHINESE OR OTHER ETHNIC GROUP

- Any other ethnic background (please specify):



### RETURN QUESTIONNAIRE TO

London Borough of Hammersmith & Fulham  
Community Services Department, 4th Floor, 77 Glenthorne Road, London W6 0LJ

**Many thanks for taking the time to complete this questionnaire.**

For further information, or if you would like any part of this document interpreted into your own language, or produced in large print, easy read or Braille, please email [hannah.carmichael@lbhf.gov.uk](mailto:hannah.carmichael@lbhf.gov.uk) or telephone Hannah Carmichael on 020 8753 5384.



# Cabinet

5 MARCH 2012

**CABINET MEMBER  
FOR COMMUNITY  
CARE**

*Councillor Joe  
Carlebach*

**AWARD OF THE WEST LONDON HOUSING  
RELATED SUPPORT JOINT FRAMEWORK  
AGREEMENT 2012 - 2016.**

**Wards:  
All**

Seeking approval for delegated authority to award the West London Housing Related Support framework agreement to be granted to the Cabinet Member for Community Care in conjunction with the Executive Director of Adult Social Care and the Executive Director of Finance and Corporate Governance.

The framework agreement covers eight boroughs: H&F, the Royal Borough of Kensington & Chelsea, Westminster City Council, and the London Boroughs of Ealing, Harrow, Hounslow, Hillingdon and Brent. H&F are the lead procurement and contracting borough. The framework will award preferred provider status to service providers within ten Lots covering both accommodation based and floating support services. Service contracts will be called of the framework agreement by each borough in line with their commissioning strategies.

The report also recommends that the award of service contracts from the framework agreement and authority to enter into ancillary agreements for the operation of the framework once awarded is similarly delegated.

**CONTRIBUTORS**

Head of Community  
Commissioning  
AD Quality  
Commissioning  
Procurement  
EDFCG  
ADLDS  
ADP&IT

**Recommendations:**

**That authority be delegated to the Cabinet Member for Community Care, in conjunction with the Executive Director of Adult Social Care and the Executive Director of Finance and Corporate Governance, to award the West London Housing Related Support Joint Framework Agreement 2012 – 2016, and to:**

- (i) award Hammersmith and Fulham call off contracts from the framework agreement throughout the four year period 2012-2016, and;**
- (ii) authorise the entering into of ancillary agreements (mini-tenders) for the operation of the framework once awarded.**

**HAS THE REPORT  
CONTENT BEEN  
RISK ASSESSED?  
YES**

**HAS A EIA BEEN  
COMPLETED?  
YES**

## **EXECUTIVE SUMMARY:**

The framework agreement is the procurement method to tender for all supported housing services across eight boroughs. The total spend is £70m across the boroughs, £10.8m in H&F, reducing to £9m by 2013/14. H&F have 57 housing support services. There will be 10 categories – by client group – for example mental health supported housing (building based) or generic floating support (visits people at home). Providers can tender to be in one or all categories. This is the second Supporting People framework set up for West London and now includes Westminster. It will start in May 2012 and last for 4 years. H&F have a £3m savings target against this service budget. The procurement of this framework aims to bring in 5%+ of the savings needed. The service model is about ensuring a “core” service to make it a safe and progressive environment for vulnerable people to live and receive support and for them to have as much choice and control over the support they get – for example what, who, when and where in relation to the support they get. Commissioners and service users assess providers for quality (40%) and their ability to manage the locality and ensure good engagement with the local community for example and their price (60%) and then rank providers in a list of preferred providers. The top provider is awarded the service. The definition of housing support has been widened to include low level adult social care tasks such as shopping and housework to support individuals who may not be eligible for social care services. 143 pre qualification questionnaires have been received at the first stage of the tender and about 80 providers are being invited to tender. Two H&F providers have not made it to tender stage. The tenders will be assessed with our partners in Children’s Services, housing, adult social care, mental health, the drug and alcohol team and probation and involves service users.

Contracts will be awarded either directly from the top ranked provider where it is a new service and no TUPE applies or there may be an award following TUPE information being provided and a new price submitted. If there are some changes to the specification a mini-tender can be carried out which allows some additional assessment of the providers and their ranking could change. Each time the borough wishes to award a contract it will seek approval from the Cabinet Member for Community Care in conjunction with the Executive Director for Adult Social Care and the Executive Director of Finance and Corporate Governance.

### **1. BACKGROUND**

- 1.1 London Borough Hammersmith & Fulham (H&F) has been procuring housing related support services (supported housing and floating support for all vulnerable groups) since 2008 via a framework agreement developed jointly with the Royal Borough of Kensington & Chelsea (RBKC), Ealing and Harrow. The current framework agreement expires in March 2012. Current joint working as part of the West London Alliance and in the context of Tri-borough proposals have indicated a need for another framework agreement covering eight boroughs: London Boroughs of Brent, Ealing, Hammersmith & Fulham, Harrow, Hillingdon and Hounslow, RBKC, and Westminster City Council. The new framework agreement will last for a period of four years until 2016.

- 1.2 The value of housing related support services across the eight boroughs in 2011/12 is approximately £70m. H&F intends to procure the significant majority of its housing related support services from the new framework agreement when current contracts expire or as a result of commissioning strategies. All of the current H&F housing related support contracts (approximately 57) expire during the lifetime of the new framework. Current spend on housing related support services in H&F in 2011/12 is £10.8m. The housing related support budget was set a £3m savings target to be achieved by 2013/14. An efficiencies programme has been set up to deliver these savings and in 2011/12 £437k has been achieved towards this target. A further £2.543m target is to be saved by 2013/14.
- 1.3 Through procuring housing related support services from a framework agreement, H&F can ensure that high quality services that have been subject to competition are secured. Service users benefit from receiving high quality support that is focused on achieving their individual outcomes. The framework agreement is built upon outcomes based service specifications that require providers to offer personalised services to give maximum choice and control to service users in supporting them to achieve their outcomes.
- 1.4 In addition, the participating boroughs have identified the following outcomes that the framework agreement will deliver:
- Improved public services and continuous improvement
  - Further cashable efficiency savings
  - Stimulation of the housing related support market
  - A mixed economy of service provision
  - Streamlined procurement and commissioning arrangements
  - Collaborative working amongst boroughs
  - Increased choice for service users by procuring services that can support both block and individual personalised purchasing arrangements
- 1.5 H&F and RBKC are jointly delivering the project to develop the framework agreement along with the West London Alliance.

## **2. COMMISSIONING OVERVIEW AND JOINT COMMISSIONING ARRANGEMENTS**

- 2.1 The framework agreement will cover housing related support services only across the eight boroughs from 1 May 2012 to 30 April 2016. It will cover accommodation based services (building based support) and floating support (outreach support in people's homes) services in ten Lots which cover all the client groups who receive housing related support services. There will be no extension to the framework agreement beyond 2016.
- 2.2 Service specifications have been developed for each Lot which reflect the current policy agendas for housing related support services. The framework agreement will enable boroughs to procure outcomes based services which offer service users the maximum choice and control and align with the personalisation agenda. Services will consist of core and

flexible elements that will be called off by boroughs using different contractual models. In some models, service users will be able to choose which provider supports them, whether they are in receipt of their own budget or not. Definitions of housing related support used in the framework agreement have been made more flexible to cover some non-traditional activities.

### **3. PROCUREMENT PROCESS**

- 3.1 H&F is the procurement and contract lead for the framework agreement. The intention of the Council is to procure a preferred provider list which all eight boroughs will be able to use to call off services in the ten Lots. The Council is using the restricted procedure under which a two stage tender process is being followed, consisting of a Pre Qualifying Questionnaire and Invitation to Tender.
- 3.2 This report is recommending delegated authority to the Cabinet Member for Community Care in consultation with the Executive Director of Adult Social Care and the Executive Director of Finance and Corporate Governance to award the preferred providers to the framework agreement as the tender process is still in progress. A number of participating boroughs need to call off services immediately from the framework agreement following the award of the tender which will not be known until May 2012. Delegated authority is requested to allow this decision to be taken without further approval from Cabinet which would impact on participating boroughs being able to commission services.
- 3.3 Delegated authority is also sought for the Cabinet Member for Community Care, in consultation with the Executive Director of Adult Social Care and the Executive Director of Finance and Corporate Governance, to award the Hammersmith and Fulham call off contracts from the framework agreement throughout the four year period and to enter into ancillary agreements for the operation of the framework once awarded.

#### Stage One: Pre qualifying questionnaire (PQQ) stage

- 3.4 A national advert was placed in June 2011 to invite all interested providers to submit a pre qualifying questionnaire. 143 PQQs were received by the deadline in August 2011. PQQs were assessed by a number of Tender Assessment Panels (TAP) during August to November 2011 which involved representatives from all eight boroughs. Following assessment, a number of moderator TAPs were held to review all PQQ submissions with a failed question and submissions where the TAP group did not reach consensus.
- 3.5 Approximately 80 providers will be taken through to the Invitation to Tender stage based on the evaluation methodology set out in the PQQ documentation.
- 3.6 Following PQQ assessment, initial indication is that four providers who currently receive funding for Housing Related Support services in H&F will not proceed to the Invitation to Tender stage. The impact of this on

service delivery is minimal, and future commissioning strategies will determine the future intentions for those services affected. For two providers, non inclusion in the framework will not affect their current housing related support service provision. For the other two providers, non inclusion in the framework may or will affect their current service provision. Analysis of the impact of providers not continuing to ITT stage is provided in the Equalities Impact Assessment which is available electronically.

Stage Two: Invitation to Tender (ITT)

- 3.7 The Invitation to Tender will be published in February 2012 with bids to be returned in March 2012. The tenders received at ITT stage will be assessed by a series of TAPs during March and April 2012 using a weighting of 60% price and 40% quality. Boroughs may choose to change these weightings when calling off contracts, by running a mini competition. The method statement provided as part of the ITT documentation set out how the 40% quality score is derived from a number of predefined questions.
- 3.8 The quality score of 40% will be made up from the assessment of responses in the following areas: Working Together, Achieving Outcomes, Giving Individuals choice and control, Creating a Positive Environment and the areas of night cover, unplanned moves, and locality management for providers wishing to deliver accommodation based services. Responses will be scored using a pre-determined scoring range of 0-5 which is communicated to bidders in the ITT documentation.
- 3.9 Tenderers will be required to submit a number of prices depending on the Lot and types of services they have been invited to tender for. Prices will allow for economies of scale for services over 200 hours and for different prices to be submitted to reflect the difference between providing core and flexible services.
- 3.10 The TAPs to assess the tenders will be made up of representatives from the eight boroughs and those with specific expertise in the client groups including colleagues from adult social care, children's services, housing, DAT and probation. Service users will also be represented on the tender assessment panels. A number of moderation TAPs will be held to assess tenders which are deemed to have failed or where a TAP group has not reached consensus. The moderation TAP may also review a sample of all tenders for the purpose of validation.
- 3.11 A customised database for the project will calculate the scores for price and quality to arrive at a total weighted score which will determine providers' position on the preferred provider list for each Lot. The database will be the tool by which boroughs select providers when calling off services, through entering the specific requirements for each services. The database will re-calculate the scores accordingly to generate a new ranking of providers.

3.12 Following the conclusion of the TAP assessments, the preferred provider list will be approved by the Project Board consisting of representatives from all eight boroughs. Delegated authority is requested through this report for the Cabinet Member for Community Care in consultation with the Executive Director of Adult Social Care to award the West London housing related support framework agreement from 1 May 2012. The commencement of the framework agreement will begin following this approval and after the required standstill (Alcatel) period.

#### **4. CALLING OFF SERVICES FROM THE FRAMEWORK**

4.1 Following the award of the framework agreement, participating boroughs will be able to call off services. The call off protocol determining the method by which boroughs will do this is part of the Invitation to Tender documents and has been agreed by the eight boroughs.

Services will be called off through a number of approaches:

- i. Direct Call-Off;
- ii. TUPE Call-Off;
- iii. Mini-Competition (with or without TUPE);
- iv. Service User Choice Call-Off

4.2 Service user choice call off, will be used under the core and flexible model of service delivery where service users have a choice of who provides the flexible element of their service; but they do not hold their own budgets. Under this model, the extent of the individual service user's choice will be limited to the four highest ranked providers in the applicable Lot. The reason for this limitation is to ensure that contracting authorities are still able to demonstrate Best Value in any call off contract entered into, based on a combination of assessed quality and price.

#### **5. CONSULTATION INCLUDING SERVICE USER CONSULTATION**

5.1 The provider market (existing and potential providers) were communicated to through two provider events held in May 2011 in Ealing and through a provider briefing document issued at the PQQ stage.

5.2 Service user consultation was led by RBKC on behalf of all eight boroughs. Three events were held in May 2011 in H&F, Harrow and Hillingdon for service user peer consultants. Peer consultants have received training to enable them to work with councils on projects and to support other service users. The events were attended by 19 peer consultants who reviewed a number of draft service specifications.

5.3 Wider service user consultation was carried out through three events held in H&F, Brent and Hounslow in July 2011. The events were publicised to all service users across the eight boroughs. The event in Brent was particularly aimed at people with learning disabilities and the event in H&F had a BSL signer for hearing impaired contributors.

- 5.4 55 service users attended the events representing the majority of client groups who receive housing related support services and representing all the eight boroughs. Feedback from the three events was compiled into a report which formed part of the ITT documentation. The report was considered by the project team and changes were made to the service specifications to reflect the feedback from service users.

## **6. FINANCE**

- 6.1 The value of the Supporting People/Housing Related Support programmes across the eight boroughs is approximately £70m in 2011/12. Most boroughs have savings targets to be achieved against their housing related support budgets over the period of the framework agreement. One of the agreed outcomes of the framework agreement is to achieve cashable efficiency savings. The housing related support budget in H&F was set a £3m savings target to be achieved by 2013/14. An efficiencies programme has been set up to deliver these savings and in 2011/12 £437k has been achieved towards this target. A further £2.543m target is to be saved by 2013/14. Savings from the new framework agreement are projected to contribute approximately 5% of the overall savings target.
- 6.2 H&F will undertake financial modelling of the savings that potentially could be realised through the framework agreement once prices are submitted. It is expected that prices submitted will be lower than current hourly rates seen across the eight boroughs. Exact savings can not be confirmed until services are called off the framework agreement, as it is likely that the ranking of providers will change when the specific service details are factored in, including TUPE. Savings are only achieved when new contracts are called off the framework agreement following the end or termination of existing contracts.
- 6.3 The financial modelling will be available for consideration by the Executive Director for Adult Social Care, Executive Director of Finance and and Corporate Governance and the Cabinet Member for Community Care at the point of award of the framework agreement.

## **7. RISK MANAGEMENT**

- 7.1. Risk is being managed through the project management and governance arrangements in place. A risk identified and analysed in this report is current housing related support providers in H&F not proceeding to ITT stage and/or not being successful on the framework.

## **8. EQUALITY IMPLICATIONS**

- 8.1 An Equalities Impact Assessment (EIA) is available electronically. The EIA assesses the impact on service users from the potential change of provider of their services. It examines the potential impact on service

users by their protected characteristics and in particular the risk that small or specialist providers will not be successful in the procurement process.

- 8.2 The procurement process is being conducted in a fair and transparent manner that allows potential providers to indicate if they are a specialist provider. The procurement process has been designed to allow for consortia and partnership bids which enables smaller or specialist organisations to be part of the framework agreement.
- 8.3 The EIA reports that the risk of losing specialist providers in H&F is low and therefore the impact on client groups based protected characteristics is described as neutral or positive. It highlights the impact of specialist providers not proceeding to ITT stage and the impact of this on the service and service users. Local commissioning strategies will determine the services to be provided in H&F and the council can choose not to call services off the framework if a specialist service is required, for which a separate tender exercise will be run.

## **9. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 9.1 As detailed in the report, approval is requested to delegate the authority for the award the West London Housing Related Support framework agreement to the Cabinet Member for Community Care in conjunction with the Executive Director of Adult Social Care and the Executive Director of Finance and Corporate Governance.
- 9.2 In addition, the report is recommending that the award of Hammersmith and Fulham call off contracts from the framework agreement is delegated to the Cabinet Member for Community Care in conjunction with the Executive Director of Adult Social Care and the Executive Director of Finance and Corporate Governance. Each of the proposed contract award reports will detail the financial implications of the contract award including the financial modelling undertaken and the projected efficiencies.
- 9.3 The Supporting People Budget for the eight boroughs is £70m. For H&F, the projected spend in 2011/12 is £10.8m and this after delivering efficiencies of £.437m in this financial year. Within The Council's Medium Term Financial plan, a further efficiency target of £2.543m is included for the Supporting People service to be achieved by 2013/14. Further work will be required to identify the additional efficiencies and will be reported during the letting and award of new contracts and a review of the overall programme.

## **10. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 10.1 Legal services has provided advice to the client department during the procurement and will continue to do so upon instructions. The AD (Legal and Democratic Services) supports the recommendation in this report.



**11. COMMENTS OF THE ASSISTANT DIRECTOR PROCUREMENT AND IT STRATEGY**

11.1 By collaborating with other Councils on joint tendering exercises the Council achieves savings through greater economies of scale. This is in line with the Council's Procurement Strategy. As the lead borough this tendering exercise will be undertaken using the Council's Contract Standing Orders.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	General specification	Jenny Platt ext 5034	QCP Commissioning team
2.	Call off protocol	Jenny Platt ext 5034	QCP Commissioning team
3	Report on service user consultation	Jenny Platt ext 5034	QCP Commissioning team
4.	EIA	Jenny Platt ext 5034	QCP Commissioning team
<b>CONTACT OFFICER: Jenny Platt</b>		<b>NAME: EXT. 5034</b>	

# Agenda Item 13



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**CABINET  
MEMBER FOR  
RESIDENTS  
SERVICES**  
*Councillor Greg  
Smith*

**AWARD OF THE CONTRACT FOR  
ADVERTISING AND SPONSORSHIP SERVICES**

**Wards:  
All**

This report proposes that the Council awards the contract for advertising and sponsorship services from 20 March 2012 to 19 March 2015, with an option to extend for a further one year (to 19 March 2016).

A separate report on the exempt Cabinet agenda provides information on tenders received and recommends the contract is placed with the successful tenderer.

**CONTRIBUTORS**  
AD of Commercial  
Services RSD and  
AD for  
Communications  
EDFCG  
ADLDS

**Recommendation:**

**That the report be noted.**

**HAS THE REPORT  
CONTENT BEEN  
RISK ASSESSED?  
N/A**

**HAS AN EIA BEEN  
COMPLETED?  
N/A**

## **1. BACKGROUND**

- 1.1 The Council continues to explore its approach around commercialisation as part of the transformation agenda. In particular, how it can explore opportunities to maximise income from sponsorship of key assets, such as: open spaces, libraries and boundary signs. Ideas will be pursued for sponsorship and as these key assets are developed, further approval will be sought as required, including consultation on any planning issues.
- 1.2 A Cabinet Member's Decision was endorsed on 20 June 2011 approving the recommendation to undertake a competitive process to recruit market specialists, on a payment by reward basis, with a view to securing borough-wide sponsorship opportunities to generate new income streams.
- 1.3 It is estimated that an income stream of circa £350k per annum can be generated from such opportunities.

## **2. PROCUREMENT PROCESS**

- 2.1 In accordance with the Council's procurement process a Tender Appraisal Panel (TAP) was established to oversee the procurement process of the project.
- 2.2 Advertisements inviting expressions of interest were placed on the London Tenders Portal and on the Council's website on the 1<sup>st</sup> November 2011. The tender invitation was issued for the provision of a market specialist to work on a risk and reward basis to appoint sponsorship across the borough.
- 2.3 A total of 34 suppliers requested applications.
- 2.4 Three tenders were received on the closing date of the 12 December 2011. Of the three received, two were deemed to be satisfactory and one was declined at the time of opening of the tenders due to incompleteness.
- 2.5. The financial standing, insurance, technical capability and capacity of the two accepted tenders were first assessed by members of the TAP. Both tenderers met the minimum standards set out in the tender documents and proceeded to the next stage of assessment.
- 2.6 The Tenderers' response to the Contractor's Proposal were then evaluated on the basis of a 50:50 Price/Quality Model in accordance with the evaluation criteria set out in the Invitation to Tender document and outlined in point 3 and 4, below.

### 3. QUALITY EVALUATION

- 3.1 On 14 December 2011, tenders underwent a qualitative assessment by the panel. All tenders were assessed in accordance with the Invitation to Tender document (ITT), with the weightings attributed to each of the areas as detailed in the exempt report.
- 3.2 A summary of the overall qualitative evaluation scores agreed by the panel is detailed in the exempt report.

### 4. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 4.1 The Council's savings plans assume growth over the three years 2012/13 to 2014/15 in advertising and sponsorship revenue. Such income is expected increase by £345k per year from 2012/13, with further increases from 2014/15. It was anticipated that such a significant increase would require the use of an external contractor, to be paid on a basis of a share of the revenues generated.

### 5. COMMENTS OF THE ASSISTANT DIRECTOR OF PROCUREMENT & IT STRATEGY

- 5.1 The AD Procurement and IT Strategy is represented on the Tender Appraisal Panel and supports the recommendations.

### 6. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

- 6.1 Legal Services has advised the client department during the procurement process and has been represented on the TAP. The AD Legal And Democratic Services supports the recommendation.

#### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Cabinet Member Decision (sponsorship of Key Assets) 20th June 2011	Sharon Bayliss Ext: 1636 & Simon Jones Ext: 2086	RSD – Glenthorne Road
2..	Project documents, avertissement, PQQ evaluations, TAP documents	Mary Byrne Ext: 2080	RSD – Glenthorne Road
<b>CONTACT OFFICER:</b>		<b>NAME: Mary Byrne Ext: 2080</b>	



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**CABINET MEMBER  
FOR RESIDENTS  
SERVICES**

*Councillor Greg Smith*

**AWARD OF THE MANAGEMENT OF  
RAVENS COURT PARK CAFÉ CONTRACT**

**Ward:  
Ravenscourt  
Park**

This report sets out the process leading to a recommendation to award a contract for the management of Ravenscourt Park Café and to enter into lease of the Café for four years with an option to extend for a further three years.

This contract was let through the use of the Council's forward eAuction process to maximise the contract value and offer an additional opportunity for the tenderers to re-consider their price offer.

A separate report on the exempt part of the Cabinet agenda provides exempt information on the procurement process and recommends that the contract be awarded to the successful tenderer from 1 April 2012.

**CONTRIBUTORS**

AD Customer &  
Commercial  
DFCS  
ADLDS

**Recommendation:**

**That the report be noted.**

**HAS AN EIA BEEN  
COMPLETED?  
YES**

**HAS THE REPORT  
CONTENT BEEN  
RISK ASSESSED?  
YES**

## **1. BACKGROUND**

- 1.1 At the heart of Ravenscourt Park lies the Café. With indoor and outdoor seating, the Cafe not only provides sit-in and takeaway catering facilities for park users, but is also a destination café in itself.
- 1.2 The Café has been well established and is frequently used by Park users throughout the year. It comprises a store, kitchen area, internal seating space, office, staff toilets and outdoor seating area. There is level access across the site.
- 1.3 Ravenscourt Park Café's current four year contract/lease will expire on 31 March 2012. RSD has been undertaking a tender process to contract out catering provisions for the Café since August 2011.

## **2. PROCUREMENT PROCESS**

- 2.1 In accordance with the Council's procurement procedures a Tender Appraisal Panel (TAP) was established to oversee the procurement process for the project. The TAP consists of officers from RSD Business Development Unit, Procurement, Property, Legal Services and Finance.
- 2.2 Advertisements inviting expressions of interest were placed on the London Tenders Portal and on the Council's website on 19 September 2011. The deadline for receipt of Pre-qualification questionnaires (PQQs) was 17 October 2011. Applicants were required to complete a questionnaire providing financial, insurance, technical capability and reference information. The qualifying bidders were then invited to the next round of the tender process and eAuction.
- 2.3 Pre-Qualification Questionnaires (PQQ) was made available for interested organisations. Nine PQQ's were returned by the closing date of 24 October 2011
- 2.4 A financial evaluation (pass or fail) was initially carried out on all organisations that returned a PQQ. Following this all organisations were assessed in four areas as below
  - Credit Safe Assessment
  - Public liability and employer's liability assessment
  - Technical capability assessment
  - Reference assessment
- 2.5 Evaluations were carried out by TAP and organisations were selected to be invited to tender as set out in the separate exempt report.

## Tender Process

- 2.6 The Council first evaluated the tender submission based on the quality of the Tenderers' response to the Contractor's Proposal in accordance with the evaluation criteria set out in the ITT. This is summarised below and detailed in Appendix A:

### Quality Evaluation Criteria

Section	Assessment Area	Weighting	Maximum Score Available
A	Catering Offer	25	125
B	Financial Information	15	75
C	Equipment & Maintenance	15	75
D	Management Structure & Resources	20	100
E	Marketing & Merchandising	15	75
F	Sustainability	10	50
<b>TOTAL</b>		<b>100</b>	<b>500</b>

- 2.7 Responses to questions were marked in accordance with the criteria set out in Appendix B.
- 2.8 Tenderers needed to achieve a total weighted quality score of 55% or more, with no individual sub-criterion being deemed "Unacceptable" or "Serious reservations". Tenderers who failed to reach this minimum quality requirement would be rejected and would not be invited to participate in the e-auction.
- 2.9 Forward eAuction process has been introduced to maximise the contract value and offer an additional opportunity for the tenderers to re-consider their price offer.
- 2.10. The tenderers were also requested to submit schedules of rates including the following:
- Percentage based commission from the Café revenue
  - Annual rent for years 1 to 4.
  - Annual rent for each extended year (from year 5 to year 7) including a 5% annual increase – year 5 to 7 payment is to be based on the

highest fixed rent year 1 to 4 and therefore years 5 to 7 are not to be evaluated for tender purposes.

The price scoring is summarised in the exempt report.

### **The eAuction Process**

- 2.10 The Council has introduced a new additional step to the e-tendering process of either a reverse or forward e-auction via the London Tenders Portal. A forward e-auction was included in this tendering process and was the first to be held by the Council. It was supported by Due North which is the London tenders Portal supplier.
- 2.11 The tenderers were trained to bid on the e-auction tool for a fixed rent sum for the first four years. The live e-auction was held on 8th December 2011.

### **3. RISK MANAGEMENT**

- 3.1 This project is included on the departmental project register. It has been assessed as a low risk project, as there is no financial contribution required from the Council.

### **4. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE & CORPORATE GOVERNANCE**

- 4.1 These are in the separate report on the exempt Cabinet agenda.

### **5. EQUALITY IMPLICATIONS**

- 5.1 The EIA concluded that this proposal will improve disability access to the café and that there are no negative impacts.

### **6. COMMENTS OF THE ASSISTANT DIRECTOR (PROCUREMENT & IT STRATEGY)**

- 6.1 The AD Procurement and IT strategy is represented on the Tender Appraisal Panel and supports the recommendations.

### **7. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 7.1 The procurement process has been carried out in compliance with the Council's contract standing orders and relevant EU procurement rules.



7.2 The AD (Legal & Democratic Services) supports the recommendation in this report.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Project documents, avertissement, PQQ evaluations, TAP documents	Jem Kale EXT. 2370	RSD – Glenthorne Road
<b>CONTACT OFFICER:</b>		<b>NAME: Jem Kale ext. 2370</b>	

## Appendix A

### Quality Evaluation Criteria

Section	Quality	Weighting	Total Maximum Score
A	<p><b>CATERING OFFER</b></p> <p>Degree to which Tenderer's catering offer responds to the desired Council's concept including:</p> <ol style="list-style-type: none"> <li>1. Overall concept of the catering offer and general scope of the menu offered</li> <li>2. Type of service</li> <li>3. Method of food preparation and procurement</li> <li>4. Value for money (as defined by food portion size, cost and ingredients)</li> <li>5. Style of food, branding, merchandising and packaging of the café.</li> </ol>	<p>25 total</p> <p>5</p> <p>5</p> <p>5</p> <p>5</p> <p>5</p>	125
B	<p><b>FINANCIAL INFORMATION:</b></p> <ol style="list-style-type: none"> <li>1. Robustness of 4 year forecast</li> </ol>	<p>15 total</p> <p>15</p>	75
C	<p><b>EQUIPMENT AND MAINTENANCE</b></p> <ol style="list-style-type: none"> <li>1. Level of investment proportionate to the proposed concept and service level</li> <li>2. Commitment to routine maintenance</li> </ol>	<p>15 total</p> <p>10</p> <p>5</p>	75
D	<p><b>MANAGEMENT STRUCTURE AND RESOURCES</b></p> <p>Degree to which catering offer responds to Council's concept preference including:</p> <ol style="list-style-type: none"> <li>1. Methods for delivering prompt, interested and enthusiastic service</li> <li>2. Methods for dealing with peak demand</li> <li>3. Commitment to taking a personal interest in the café's success.</li> <li>4. Staff requirement training</li> </ol>	<p>20 total</p> <p>4</p> <p>4</p> <p>4</p> <p>3</p>	100

<b>Section</b>	<b>Quality</b>	<b>Weighting</b>	<b>Total Maximum Score</b>
	5. Food hygiene; Health and safety systems 6. Quality management systems	2 3	
<b>E</b>	<b>MARKETING AND MERCHANDISING</b>  Proposals to: <ol style="list-style-type: none"> <li>1. Market the café within Fulham in general and across London in particular</li> <li>2. Secure repeat business from the general public</li> <li>3. Promote the café during the low season</li> </ol>	15 total  5 5 5	75
<b>F</b>	<b>SUSTAINABILITY</b>  Degree to which catering offer responds to Council's concept preference including: <ol style="list-style-type: none"> <li>1. Maximum use of fresh ingredients</li> <li>2. Minimising the use of packaging, disposables and the use of recycling of all waste, including the composting of food waste</li> <li>3. Low energy/environmental impact equipment, taking a whole life view of costs (i.e. purchase cost plus running costs)</li> </ol>	10 total  5 3 2	50
<b>TOTAL</b>		100 total	500

Quality Evaluation Model

Assessment	Score	Interpretation
Excellent	5	Exceptional demonstration by the Tenderer of the relevant ability, understanding, skills, and resource & quality measures required to provide the services. Response identifies factors that will offer potential added value, with evidence to support the response.
Good	4	Above average demonstration by the Tenderer of the relevant ability, understanding, skills, resource & quality measures required to provide the services. Response identifies factors that will offer potential added value, with evidence to support the response.
Acceptable	3	Demonstration by the Tenderer of the relevant ability, understanding, skills, and resource & quality measures required to provide the services, with evidence to support the response.
Minor Reservations	2	Some minor reservations of the Tenderer's relevant ability, understanding, skills, and resource & quality measures required to provide the services, with little or no evidence to support the response.
Serious Reservations	1	Considerable reservations of the Tenderer's relevant ability, understanding, skills, and resource & quality measures required to provide the services, with little or no evidence to support the response.
Unacceptable	0	Does not comply and/or insufficient information provided to demonstrate that the Tenderer has the ability, understanding, skills, resource & quality measures required to provide the services, with little or no evidence to support the response.

Price Evaluation Model

<b>PRICE</b>		
1	TOTAL RENT FOR YEARS 1 – 4 (EXCLUDING VAT) post eAuction	90 points
2	TOTAL COMMISSION BASED ON PROJECTED TOTAL % REVENUE FOR YEARS 1 - 4 (EXCLUDING VAT)	10 points
<b>TOTAL</b>		<b>100 points</b>

# Agenda Item 15



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**CABINET MEMBER  
FOR RESIDENTS  
SERVICES**

*Councillor Greg Smith*

**DELIVERY OF THE COUNCIL'S TRADE  
WASTE SERVICE FROM 2012/13**

**Wards: ALL**

The report provides an update on the current Trade Waste Service provided by the borough.

A separate report on the exempt Cabinet agenda provides information relating to the income from and costs of providing the service, which is commercially sensitive.

### **CONTRIBUTORS**

AD for Customer &  
Commercial Services,  
and AD Cleaner,  
Greener and Cultural  
Services, RSD  
ADLDS  
EDFCG

### **Recommendation:**

**That LBHF continues to deliver a Trade Waste Sales Operation while a further review is undertaken as part of the wider Bi-Borough transformation review for the new Environment, Leisure and Residents Services Department by March 2013.**

<b>HAS AN EIA BEEN COMPLETED? YES</b>
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<b>HAS THE REPORT CONTENT BEEN RISK ASSESSED? N/A</b>
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## 1. BACKGROUND

- 1.1 In April 2010, Cabinet endorsed the recommendation that LBHF continue to deliver a Trade Waste business for 2011/12 and through a more proactive approach to income generation, work towards an external income target of £2.4m. The financial summary from that report is reproduced at Appendix A.
- 1.2 However, with the increase in waste disposal charges effective from April 2011 and uncertainty about the future of the Landfill Allowance Trading Scheme, Cabinet asked that a further review of the financial viability of the service be undertaken in March 2011. This review was completed and the continuation of the service endorsed, to be reviewed again in March 2012.
- 1.3 There will be a review of trade waste services as part of the wider Bi-Borough transformation review for the new Environment, Leisure and Residents Services Department. In the meantime, based on the projected outturn and the predicted positive contribution of £466k for 2012/13, it is recommended that LBHF continue to deliver a Trade Waste sales operation.

## 2. FINANCIAL PERFORMANCE AND SALES PLANNING

### 2.1. Financial Performance since 2009

- 2.1.1 The latest income and expenditure data and forecasts for the period 2009/10 to 2012/13 are included in the report on the exempt part of the Cabinet agenda, on the grounds of commercial confidentiality.
- 2.1.2 The April 2010 Cabinet paper projected the following external income values.

£000's	Fcst 2009/10	Fcst 2010/11	Fcst 2011/12
External Income	2,013	2,366	3,274

In March 2011, a detailed sales and marketing plan was tabled and Cabinet endorsed an external income target of £2.5m for 2011/12. Cabinet will recall that the reduction in forecast income in year 2011/12 from £3.274m to £2.5m was a result of the detailed analysis that was undertaken by the new commercial team of the market share, competition and opportunities which existed in order to grow the business.

- 2.1.2 The Trade Waste operation continues to improve external sales performance, resulting in a three year improvement in external income of 28% which equates to £400k per annum increase compared to 2009/10.

2.1.3 For 2012/13 there is a targeted 10% increase in external income (compared to actual forecast outturn for 2011/12.) This challenging target is partly due to the need to recover increased waste disposal costs for 2012/13 (shown as an increase in variable costs) and partly based on an expectation of what is achievable in respect of further growing the customer base and increasing the sales value per existing customer.

2.1.4 The Trade Waste service is forecasting external year-end income of £2.401m for 2011/12 which is a 7% increase on 2010/11 which outturned at £2.253m. This is a significant achievement given the current financial climate and demonstrates that the sales team has the capacity and focus to deliver the increased sales target for 2012/13. It is to be noted that while sales have increased by 7%, debt levels have improved significantly ( see section 2.2.2)

2.1.5 It is to be noted that the Council has a statutory responsibility to provide a Trade Waste service to its business customer base. However the Environment Protection Act (1990) does not specify how this service is to be provided; for example, LB Wandsworth has exited the market through over inflated pricing points when compared to its competitors.

**2. 2 Improving the lifetime value of the Trade Waste Customer Base**

2.2.1 In April 2010, Cabinet endorsed the Trade Waste Sales Strategy which was a blended approach of retention, acquisition and win-back. The last three years have seen significant improvement in the lifetime value of the Trade Waste customer base.

2.2.2 Following a lean thinking review of the debt recovery process, the Trade Waste team has focused on recovering current and longstanding customer debt (30+ days overdue) by suspending or withdrawing service provision for non-payment. The result of this has been significant improvement in aged debt levels since June 2011. The table below outlines the improvement that has taken place

Debt > 30 days	June 2011	July 2011	Sept 2011	Jan 2012
£000's	1,352	792	479	485

2.2.3 Within a difficult economic climate for many business, through effective implementation of a 'win-back' strategy at the point of cancellation, net customer churn levels are currently 8%, 3% points improvement compared to 2010/11 when annual churn was running at 11%, and 7% points improvement compared to 2009/10 when annual churn was running at 15%.



2.2.4 Although the product portfolio saw no change from last year, the introduction of annual billing combined with the increased charges for bin collection services required a heightened degree of customer relationship management activity for the field and desk-based sales teams. This change in approach also served to reduce the operating cost base of the Trade Waste activity.

2.2.5 In 2009, the average annual income from our customer base was £1k per annum; in 2011 this has increased by 40% to £1.4k.

## 2.3 Sales Approach

2.3.1 The Cabinet Paper in March 2011, outlined in detail the income generation strategy for trade waste and the steps being taken to recover sales.

2.3.2 The trade waste sales activity has an established team of three experienced sales officers who are split across the three existing territories with the objective of generating new business, minimising customer loss (i.e. churn) and retaining the existing customer base through effective relationship management. An additional aspect of the role is to support the debt recovery effort, thus supporting the Central Finance debt team.

2.3.3 Performance monitoring and sales target achievement are linked to an improved incentive scheme for performance-related pay (PRP) which linked all four deliverables: acquisition, winback, retention and debt recovery alongside personal appraisal objectives. Monitoring mechanisms were managed through fortnightly sales meetings and 1:1s. These monitoring activities are supported by in house databases managed within BDU sales operations unit.

## 2.4 Implications of Bi-Borough

2.4.1 Although not yet fully understood, within the context of Bi-Borough there will be the potential opportunity to explore synergies and areas/practices of duplication or waste in back-office operations (for example) to realise economies of scales, standardisation and efficiencies which exist under a single head of service. The potential transformation opportunity will take into account issues around the sovereignty guarantee and demographic service delivery as well as existing contractual arrangements for service collection.

2.4.2 It is expected that all service reviews for this department will be completed by April 2014.

### **3. WASTE DISPOSAL CHARGES**

3.1 On 1 April 2012, the cost of waste disposal will increase due to uncontrollable increases in Landfill Tax and payments to Western Riverside Waste Authority (WRWA.) The increases are

- General Waste 8% (£138.00 per tonne)
- Recycled Waste 9% (£77.50 per tonne)

3.2.1 The Trade Waste operation is moving towards a model of full cost recovery in its pricing approach. The detailed proposals for 2012/13 are included within the Revenue Budget & Council Tax Levies report being tabled to Cabinet 30<sup>th</sup> January 2012.

### **4. RISK MANAGEMENT**

4.1 The sales performance and profitability of the Trade Waste activity is reviewed and monitored on a monthly basis, with action plans developed for any adverse variance.

### **5. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

5.1 All fees and charges continue to be reviewed to ensure that they achieve full cost recovery whilst remaining competitive compared to other major providers in the area. Proposals for further revisions from 1 April 2012 are currently being finalised as part of the Council's budget setting process which will ensure that they are effectively communicated and implemented in line with this timescale.

5.2 Whilst corporate growth has been secured through the MTFs process to fund the increased waste disposal costs from 2012/13, the service should continue to be reviewed in terms of overall profitability to ensure that it remains a commercially viable business that is not unintentionally subsidised by the Council. A further review of the service is planned as part of the wider Bi-borough transformation review for the new Environment Leisure and Residents Services Department.

5.3 The profitability figures set out in this and the exempt report assume that the service will continue to operate within the existing levels of service as set out in the current waste and street cleansing contract. Customer levels will need to be carefully monitored to ensure that management action is triggered when the current capacity of the vehicle and crew resource is being neared. At this point an assessment should be made as to whether to continue to grow the business, as once capacity is reached the additional incremental costs to be

recovered through fees and charges income will be significant (such as the cost of an extra collection round etc). Customer levels should be monitored and reported through the Business Development Unit.

## 6. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL & DEMOCRATIC SERVICES)

- 6.1 Under s.45 (4) of the Environmental Protection Act 1990, a person at whose request waste other than household waste is collected under this section shall be liable to pay a reasonable charge for the collection and disposal of the waste to the authority which arranged for its collection; and it shall be the duty of that authority to recover the charge unless in the case of a charge in respect of commercial waste the authority considers it inappropriate to do so.

## 7. EQUALITY IMPLICATIONS

- 7.1 An equalities impact assessment has been undertaken and the proposals outlined will not impact any specific group.

### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Review of Trade Waste Collection (Cabinet:: April 2010)	Sue Harris, AD CGN, Ext: 4295	RSD / 77 Glenthorne Road
2.	Delivery of the Councils Trade Waste Service for 2011/12 (Cabinet: March 2011)	Sharon Bayliss, AD CCS Ext 1636	RSD/ 77 Glenthorne Rd
3.	Residents Service Changes to fees and charges effective from 1 <sup>st</sup> Jan 2011	Sharon Bayliss, AD Customer & Commercial Services, Ext: 1636	RSD / 77 Glenthorne Road
<b>CONTACT OFFICER:</b>		<b>NAME:</b> <b>Flora Ekundayo, Head of Business Development,</b> <b>Ext: 2092</b>  <b>Sharon Bayliss, AD Customer &amp; Commercial Services,</b> <b>Ext: 1636</b>	

## Extract from Report to Cabinet April 2010

Note the table in this section projects external income only.

## 5. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES

5.1 Table 2, below, demonstrates the financial impact of the preferred option 3a above, and includes increasing fees and charges, as well as market share. As can be seen within the data, the significant uplift of disposal costs during 2010/11 and 11/12 will lead to a less profitable business, although in future years profitability may increase, depending on landfill availability and costs (Defra decision). Due to the uncertainties surrounding the business it is suggested that a further review should be undertaken in 12 months time, once WRWA and the council are clearer on the long term costs of waste disposal, for both local authorities and commercial businesses. The table also demonstrates that if we stopped the business altogether, Corporate recharges and fixed management costs of £178,888 would still be incurred. The majority of these costs represent elements such as IT systems, the cost of the contact centre handling calls on behalf of trade waste and income processing and debt management costs carried out by corporate finance. These costs would return to the centre where they could be reduced or re-apportioned across other service areas. If the Corporate recharges could not be reduced they would still represent a cost to the Council.

	<b>2009/10</b>	<b>2010/11</b>	<b>2010/11</b>	<b>2011/12</b>
<b>Trade waste modelling scenario options 2 and 3a</b>	Forecast for the year	Assume increase in Business- 18% - in line with the sales plan projection	Stop the Business altogether	Assume no growth in 2011 /12 profit share with Serco and 5% increase in charges
<b>Trade waste income</b>	(2,012,800)	(2,365,800)	0	(3,273,616)
<b>Trade waste service expenditure</b>	1,763,105	2,237,923	28,111	3,183,003
<b>Gross Operating (surplus) deficit</b>	<b>(249,695)</b>	<b>(127,877)</b>	<b>28,111</b>	<b>(90,613)</b>
<b>SLA's and Corporate recharges</b>	150,777	150,777	150,777	150,777
<b>Net (surplus) Deficit</b>	<b>(98,918)</b>	<b>22,900</b>	<b>178,888</b>	<b>60,164</b>

*The figures above exclude the costs of the upgrade to the IT system (estimated to be in the region of £70-100K). Specifications are being finalised and once the full costs are known, these will form the basis of an invest to save bid to secure IT funding. Agreement to the preferred option in this report will however require this investment in order to be implemented. It is intended that this will be self financing and repayable over a three year period from 2011/12.*

*The projections above are based on increased sales of 18%. This is supported by the detailed business and sales plan for 2010/11 a summary of which is attached as Appendix A on the exempt part of the report. The proposed growth of 18% has been tested through a comprehensive sales and marketing plan. There is a risk that the actual income growth will not materialise, for example should there be no income growth, the position for 2010/11 would change to a gross operating deficit of approximately £125k. The income projections will be carefully monitored with a full year review in 12 months time.*

#### **Trade waste income targets for 2010/11**

*The budgeted target for external trade waste for 2010/11 is £3.4m per annum, made up of £2.7m for external customers and £0.7m for internal customers such as schools and housing estates. This includes an additional target for external trade waste of 200k for this year, a figure that was unfortunately agreed at a time of falling sales and without a detailed marketing sales plan explaining how the increased sales would be achieved. The impact on this shortfall against budget will be reviewed as part of the 2010/11 corporate performance monitoring process.*



# Cabinet

5 MARCH 2012

**CABINET MEMBER FOR RESIDENTS SERVICES**

*Councillor Greg Smith*

**CONTRACTS FOR THE MANAGEMENT, MAINTENANCE AND DEVELOPMENT OF SATELLITE TENNIS CENTRES.**

Seeking approval to award contracts for the management, maintenance and development of tennis centres at Eel Brook Common, Ravenscourt Park, and Hurlingham Park.

It is anticipated that by outsourcing tennis delivery to a dedicated tennis provider/s a more cost effective tennis offer will be delivered to the Council without compromising quality of service. This tender supports the Bishops Park tennis centre proposal which will become the borough's tennis centre hub.

The lease income to the Council is estimated to be a total of £21,000 per annum for all contracts, with a lease term of not less than 21 years.

**Wards:**  
**Parsons Green & Waltham**  
**Palace Riverside**  
**Ravenscourt Park**

**CONTRIBUTORS**

- DCGCS
- AD Procurement
- ADLDS
- EDFCG

**Recommendations:**

1. **That the tender process, as set out by the Council's Standing Orders, to outsource the management of tennis centres at Eel Brook Common, Ravenscourt Park and Hurlingham Park, which may include a forward eAuction for the annual rent, be approved.**
2. **That authority be delegated to the Cabinet Member for Residents Services, in consultation with Executive Director of Environment, Leisure and Residents Services, to award the contract(s) for the management, maintenance and development of the tennis centres at Eel Brook Common, Ravenscourt Park, and Hurlingham Park.**

<p>HAS THE REPORT CONTENT BEEN RISK ASSESSED? -                  YES</p>
--

<p>HAS AN EIA BEEN COMPLETED?                  YES</p>
--

## **1. BACKGROUND**

- 1.1 Tennis has been identified as a priority sport in the London Borough of Hammersmith and Fulham. Officers have reviewed the overall management and future of tennis development in the borough in partnership with the main stakeholders and propose outsourcing of tennis, where practicable, to dedicated operators who can invest more in both service delivery and site infrastructure.
- 1.2 To deliver the Council's objective to improve residents' health and well-being as set out in the Community Strategy, the Council has begun an ambitious programme to improve tennis provision across the borough. Recent refurbishment over the last 3 years includes the enhanced tennis facilities at Bishop Park with the aim of establishing a Tennis Centre Hub for the borough, a recognised Lawn Tennis Association (LTA) Beacon facility in West London, and renovations at South Park.
- 1.3 In the first phase of outsourcing tennis, it was agreed by Cabinet Member Decision in 2011 that the existing tennis centre in Bishops Park would be managed and maintained by an external contractor. This tender has now been awarded, and as part of the tender specification provisions are made that the central hub will also provide support to other subsequent satellite tennis sites in the borough when services are externalised.
- 1.4 This report presents the next stage of externalising tennis provision to provide a range of quality tennis facilities and tennis development programmes across the borough. It is considered more practical and cost effective that the remaining viable tennis sites are also outsourced to augment internal service provision as part of Council's MTFs. Maintenance of the courts is a major factor in outsourcing these facilities as presently these costs are borne by the Council. This is estimated by the Lawn Tennis Association to be £34,800 per court over a 21 year period. In addition, the revenue cost to continue delivering in-house support to manage tennis development and administering the booking operations is unviable.
- 1.5 No Council capital costs will be required to deliver this project with the exception of the commissioning cost for the project. The Council's financial return will be generated through the award of lease agreements and capital investment required from operators to improve and maintain site facilities. The tender specification includes a guaranteed sum that the tenderers will pay to the Council in rent per annum on the basis of the draft lease. The lease will include an Upward Open Market Review on an annual basis which would prevent the lease or rent value (income) ever reducing over the length of the lease.

## **2. SCOPE OF THE PROJECT**

- 2.1 It is proposed that the first tranche of satellite tennis centres sites to be outsourced, currently managed by Community Sport, will be:
  - Eel Brook Common (2 courts)
  - Hurlingham Park (3 Courts)

- Ravenscourt Park (7 courts)

2.2 Each site detailed in section 2.1 will be tendered as individual lots seeking an operator to maintain and manage all tennis provisions within a 21 year lease arrangement. There will be no restriction on how many lots a potential operator can bid or have a lease for.

### **3. TENDER PROCESS**

3.1 An open procedure will be followed to procure operatives, under Council Standing Orders, to manage, maintain and develop the various tennis courts in parks.

3.2 In accordance with the Council's procurement procedures, a Tender Appraisal Panel (TAP) is to be established to oversee the procurement process for the project. The TAP consists of officers from Parks and Sports Development, Procurement, Property, Legal Services, ELRS and Finance.

3.3 The financial standing of all submissions will be assessed by Corporate Finance.

### **4. TENDER SELECTION PROCESS, CRITERIA AND EVALUATION**

4.1 It is proposed that the tenders will be evaluated against a range of weighted quality criteria to ensure that a competent and experienced operator delivers the standard of tennis provision outlined in the contract specification. A total of 40% of the marks will be given for the quality criteria and the rest of the 60% of the marks allocated to price. Successful tenderers that pass the quality threshold may be invited to e-Auction.

4.2 As each site is different in the quality and quantity of the facilities being managed by an operator, the evaluation criteria will reflect the investment required to maintain each site in a satisfactory condition that will meet LTA standards and H&F's expectation.

#### **4.3 Indicative Programme of Procurement**

- Issue of tender documents – 16 January 2012
- Tender returns deadline – 16 February 2012
- Tender evaluation 16 -23 February 2012
- Key Decision to delegate award of contracts Cabinet Meeting - 5 March 2012
- Cabinet Member Decision to award contracts – post- 5 March 2012
- Selected preferred operators notified – March 2012
- Contract execution - March/April 2012



## 5. FINANCIAL MATTERS AND PROJECT FUNDING

5.1 The expected contract value in terms of lease revenue for each site per annum are as follows over a 21 year period, based on benchmarking and market appraisal:

Site	Expected lease income/year
Ravenscourt Park	£8,000
Eel Brook Common	£6,000
Hurlingham Park	£7,000
<b>Total</b>	<b>£21,000</b>

5.2 This contract is income-generating, therefore no funding will be required apart from the initial set up costs which have been budgeted at £5,000 for legal advice and procurement process costs.

5.3 Once the service delivery commences it is expected that annual lease income paid to the Council will be approximately £21,000 per annum for all tennis contracts for a period of not less than 21 years adjusted with inflation and subject to the upward Open Market Rent Review.

5.4 The outsourcing of each site over the term of the 21 year lease will bring additional benefit as follows:

- It will enable the Council to realise savings by transferring the capital costs associated with refurbishing the sites to the contractor. These costs are estimated by the Lawn Tennis Association to be approximately £400k over the 21 year lease period for all 12 courts included in this outsourcing phase (current refurbishment cost for each court on a 12 year cycle is £17.4k.)
- The Contractor/s may have access to grant funding, bringing added value otherwise not obtainable.

## 6. RISKS AND ISSUES

6.1 The major risk to this project is whether there will be sufficient external commercial interest for managing tennis facilities on behalf of the Council. Due to the potential cost of the investment required to maintain the standard of the facilities, tenderers may possibly submit a peppercorn rental value to compensate for continual investment of each site.

6.2 There is a need to ensure that the customers accessing these facilities are provided with an affordable and consistent service at the same or improved level currently provided by the Council. This issue we believe has been resolved by the requirements set out in the tender specification requiring a range of quality standards that have to be met and through a centralised booking service at Bishop Park that will provide a 'one stop shop' interface for customers.

6.3 Existing tennis coaches may be impacted by the possible loss of business which they have established over the years. To address this, in line with Standing Orders, a favourable set of tender financial criteria to encourage smaller operators such as tennis coaches to participate in the tender will be developed.

## **7. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

7.1 The net expenditure of the Council's current tennis delivery model is zero. The proposals set out within this paper would deliver an annual revenue to the Council in the region of £21,000 per annum through lease income. This lease contract would be for a minimum period of 21 years. The annual rental income will be fixed per annum and will be subject to RPI.

7.2 The estimated initial cost of £5,000 for internal legal advice and procurement process costs has been earmarked from existing Parks & Recreation budgets. No further Council expenditure is expected throughout the life of the contract.

7.3 The recommendations in this report are supported from a financial perspective on the basis that the capital development, improvement and maintenance works will be undertaken at zero cost to the Council. The estimated capital value to undertake these works is over £400K which will be funded by the preferred bidders.

## **8. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

8.1 Legal Services will assist the client department in undertaking the procurement process to ensure it is in compliance with EU procurement rules and the Council's Contract Standing Orders.

## **9. COMMENTS OF THE ASSISTANT DIRECTOR (PROCUREMENT & IT STRATEGY)**

9.1 Procurement and IT Strategy will assist the client department with undertaking the procurement process, and if it is found to be cost effective (costs do not outweigh potential benefit) the Council will utilise an electronic auction (eAuction) for submission of final prices for this contract/s. The purpose of the eAuction will be to maximise the income bidders are prepared to pay the Council in rent for operating the services.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name of holder of file</b>	<b>Department</b>
1.	Condition report of Hammersmith and Fulham tennis courts. LTA	Paul Bassi ext. 2599	RSD
<b>Responsible officer</b>		<b>Paul Bassi, ext. 2599</b>	



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**CABINET MEMBER  
FOR RESIDENTS  
SERVICES**

*Councillor Greg Smith*

**PARKS CAPITAL PROGRAMME 2012/13**

This report updates Cabinet on the current requirements to continue to enhance the borough's parks and open spaces as outlined in the Parks and Open Spaces Strategy 2008-2018. It seeks approval for the allocation of funding from various sources, including the parks capital investment fund, for improvements to parks and open spaces in 2012/13 and 2013/14. The report also seeks delegated authority to appoint to the design and build works contracts to deliver the improvements outlined.

**Wards:  
All**

**CONTRIBUTORS**

AD Cleaner Greener  
Cultural Services  
Head of Parks & Waste  
EDFCG  
ADLDS

**Recommendations:**

- 1. That approval be given to spend £500k from the Parks Capital Fund in 2012-13 plus other funds already budgeted, totalling £1.969m, to make park improvements as set out in paragraph 4.5 of the report.**
- 2. That approval be given to any resulting project underspends being reinvested back into park improvement projects including, but not exclusive to, Bishops Park, Hammersmith Park and Wormwood Scrubs as set out in paragraph 4.6 in consultation with the Cabinet Member for Residents Services and the Executive Director of Finance and Corporate Governance.**
- 3. That approval be given to consider the results of the public consultation for each of the parks and to undertake the prescribed works to the parks specified in paragraph 2.1 of the report.**

**HAS THE REPORT  
CONTENT BEEN RISK  
ASSESSED?  
YES**

**HAS A EIA BEEN  
COMPLETED?  
YES**

- 4. That approval be given to proceed with appropriate procurement, construction, and delivery of the proposed projects within the budget set out in Recommendation 1 above.**
- 5. That approval be given to reallocate the £400k funding set aside for the regeneration of Shepherds Bush Common to approved projects such as Hammersmith Park, Wormwood Scrubs, White City One o'clock club and Wormholt Park as part of the S106 agreement relating to Westfield dated 11 June 2010 clause 11.29.3, subject to informing Westfield.**
- 6. That retrospective approval be given for playground and park improvements at South Park totalling £177k as set out in paragraph 2.3 of the report.**
- 7. That retrospective approval be given to cumulative spend of: £23k at Wormholt Park; £36.5k at Ravenscourt Park and £26k at Hammersmith Park as set out in paragraph 2.4 of the report.**
- 8. That authority be delegated to the Cabinet Member for Residents Services, in consultation with the Executive Director of Environment, Leisure & Residents Services, to appoint contractors to carry out the works associated with the development projects, totalling £1.969m, as described in this report.**

## 1. BACKGROUND

1.1. The Council launched its Parks & Open Spaces Strategy in 2008, which sets out a ten year vision for the borough's parks & open spaces.

1.2. The vision for parks and open spaces in Hammersmith & Fulham is:

To improve the quality of life for all people in Hammersmith and Fulham through the provision of award winning parks and open spaces that are clean, green, safe and sustainable, by:

- Protecting existing open space.
- Providing open spaces, play spaces and access to local biodiversity.
- Creating safe, attractive and accessible spaces for all
- Improving the standard of management and maintenance.
- Actively involving the community in their local open spaces.
- Increasing participation in open spaces.

1.3. The parks capital improvements programme is the key delivery mechanism for the parks and open spaces strategy. Key achievements to date include:

### **Providing open spaces, play spaces and access to local biodiversity.**

- Playground improvements at William Parnell Park
- Ten new playground facilities at Old Oak Common, Hammersmith Park, Cathnor Park, Ravenscourt Park, Marcus Garvey Park, Hurlingham Park, Margravine Gardens, Lytton Estate and William Banfield Estate.

### **Improving the standard of management and maintenance**

- 6 Green Flags achieved in 2011 at Normand Park, Ravenscourt Park, Little Wormwood Scrubs, St Peter's Square, Frank Banfield and Margravine Cemetery.
- £3.2m improvement project for Shepherds Bush Common due for completion at the end of June 2012.
- Refresh of paths, fences, bins and benches at Parsons Green.
- Small capital repairs at Ravenscourt Park
- Improvements to buildings in Hammersmith Park

### **Creating safe, attractive and accessible spaces for all**

- £8m restoration of Bishops Park and Fulham Palace due to be completed in January 2012.

### **Actively involving the community in their local open spaces.**

- Consultation to identify the community priorities for improvements at Wormholt Park.

- 1.4. The projects outlined in this report deliver key strategic priorities for Hammersmith and Fulham as set out in the parks and open spaces action plan. All the projects contribute to actively involving the community in their local open spaces through the robust consultation process. The phase 1 proposals for Brook Green have taken this a step further, as the local Friends Group have helped develop a vision for the Green and a phased development plan to turn this into reality. The Friends Group have actively fundraised and secured £61k of external funding for the majority of the costs of the phase 1 works with a further £103k applied for.
- 1.5. The improvements to play facilities at Brook Green, Eel Brook Common, Wendell Park, Lillie Road Recreation Ground and South Park will deliver against the commitment to enhance and increase accessibility to open space and play areas, to refurbish play areas across the borough and to redevelop at least 2 play areas to be fully accessible for disabled children.
- 1.6. Under the priority to improve the standard of management and maintenance, planned improvements to Wormwood Scrubs, Normand Park, South Park, Wormholt Park, Hammersmith Park and the refresh of park assets will contribute towards retaining or achieving 10 Green Flags by 2015. Planned improvements at Eel Brook Common and Brook Green will contribute towards making creating inspirational spaces and enhancing the attractiveness of the borough's commons and key open spaces.

## **2. PLANNED CAPITAL PROJECTS**

- 2.1. This report seeks approval to proceed with the following projects:

### **Providing open spaces, play spaces and access to local biodiversity.**

- Play improvements at Eel Brook Common, Wendell Park, Lillie Road Recreation ground - Installation of new play equipment.
- Wormholt Park - Design and implementation of park improvements in consultation with Friends of Wormholt Park (subject to S106 or other external funds becoming available).
- Ravenscourt Park - Design and implementation of park improvements in consultation with park stakeholders.
- Marcus Garvey Park - Design and implementation of park improvements in consultation with park stakeholders.
- Hammersmith Park - Design and implementation of park improvements in consultation with park stakeholders.
- William Parnell Park – Completion of final elements of improvement works

- Normand Park - Refresh of specific park areas in consultation with park stakeholders (subject to S106 or other external funds becoming available).
- Wormwood Scrubs - Design and implementation of park improvements in consultation with park stakeholders (subject to S106 or other external funds becoming available).

**Improving the standard of management and maintenance.**

- Eel Brook Common Refresh - Refresh of paths, bins, benches and railings.
- Refresh of park assets – programme of repair and replacement of assets in the parks like bins, benches, fences and paths on a basis of priority.

**Actively involving the community in their local open spaces**

- Brook Green Phase 1 - Redevelopment of the play area, demolition of the existing hut, demolition and relocation of the road crossing on Brook Green (subject to sufficient external funds being available).

2.2. In addition, retrospective approval is sought to playground improvements at South Park totalling £177k. Budget for this scheme is contained within the overall parks strategy budget which was approved at Budget Council in February 2011. The spend is made up of £31k external funds and £146k parks capital fund.

2.3. Retrospective approval is also sought on cumulative spend in 2011/12 at Hammersmith Park, Ravenscourt Park and Wormholt Park.

£23k at Wormholt Park for consultation to identify community priorities and inform future developments
£36.5k at Ravenscourt Park for small capital works
£26k at Hammersmith Park for improvements to park buildings and other small capital works

**3. CONSULTATION**

3.1. For each of the projects listed in this report a consultation programme has been put in place to involve local communities and stakeholders in the development of their local park or open space.

3.2. The consultation programme involves other Council departments to ensure that wider issues including safety are also considered within park improvement projects.

3.3. Proposed works to Commons (Wormwood Scrubs, Brook Green and Eelbrook Common) may require Secretary of State consent from DEFRA under Article 12 of the Greater London Parks and Open Spaces Order



1967 or Section 38 Commons Act 2006. Where this could be the case officers will consult legal services or seek guidance from DEFRA.

<b>Park</b>	<b>Detail</b>	<b>Who was consulted</b>	<b>When</b>
Brook Green Phase 1	Location of play sites Design of play area Development of vision	Stakeholder Groups Ward Councillors Local Residents Partners Local businesses	June 2010  December 2010 – August 2011
Eel Brook Common Refresh	Proposals for bins, paths, fences and benches	Local Residents	November – December 2011
Hammersmith Park	Priorities for park	Stakeholder Groups Ward Councillors Local Residents	Spring – Summer 2012
Improvements to Marcus Garvey Park	Priorities for park	Stakeholder Groups Ward Councillors Local Residents	Spring – Summer 2012
Normand Park	Priorities for park Improvements	Stakeholder Groups Ward Councillors Local Residents	Spring – Summer 2012
Play improvements at Eel Brook Common, Wendell Park, Lillie Road Recreation ground	Location of play sites Design of play area	Stakeholder Groups Ward Councillors Local Residents Partners Local businesses	June 2010  December 2010 – August 2011
Ravenscourt Park	Priorities for park	Stakeholder Groups Ward Councillors Local Residents Partners	January 2012
William Parnell Park	Priorities for park	Stakeholder Groups Ward Councillors Local Residents	August – October 2009
Wormholt Park	Priorities for park	Stakeholder Groups Ward Councillors Local Residents Partners	July – August 2011
Wormwood Scrubs	Priorities for park Improvements	Stakeholder Groups Ward Councillors Local Residents	Spring – Summer 2012

#### **4. FINANCIAL IMPLICATIONS**

4.1. This reports sets out the park improvement projects planned for 2012/13 and seeks approval to carry out the works. The funding profile of the planned improvement works is £500k parks capital investment for 2012/13 and £1.4m additional funds sourced through S106 and other external funding streams including Western Riverside Environmental Fund. The increasing number of developments within the borough has led to an increase in the amount of funds available for park improvement projects via S106.

4.2. The projects listed have been scoped and costs have been estimated. Exact project costs will be confirmed during the tender process. Where consultation is yet to take place (Wormwood Scrubs, Ravenscourt Park, Hammersmith Park, Marcus Garvey Park and Normand Park), the scope of the project and exact costs are unknown. No allocation of parks capital funds has been made to these parks in 2012/13. These projects will only go ahead if sufficient additional funds become available and the project budgets will be equal to this amount.

Brook Green Phase 1 will only take place if sufficient S106 or other external funds become available. In the event that the external funds are not secured, the overall project budget will be equal to the combined sum of the parks capital fund (£58k) and the confirmed external funds (currently £61k) and the project scope amended appropriately. This project is phase 1 of 3, subject to additional external funds becoming available the amount offered to Brook Green for Phase 1 will be increased by up to a further £10k.

4.3. £1.5m S106 funds have been allocated for Highways works and works in Wormholt Park as part of the S106 agreement for the former Janet Adegoke Leisure Centre. The over all project budget will be equal to the combined sum of the parks capital fund (£25k in 12/13, £100k in 13/14) and the confirmed s106 amount. The indicative amount is £900k and the project scope will reflect the final agreed budget.

4.4. The table below outlines the proposed parks capital spend for 2012/13 and where known 2013/14.

Park	Parks Capital Fund Contribution 12/13 £000s	Parks Capital Fund Contribution 13/14 £000s	Other funding sources £000s	Total £000s
Eel Brook Common Refresh	155	-	145	300
Play Provision at Eel Brook Common, Wendell Park, Lillie Road Recreation ground	160	-	50	210
Brook Green Phase 1	58	-	174	232
Wormholt Park	25	100	900	1025
Ravenscourt Park	0	-	0	0
Refresh of park assets	93	-	0	93
Marcus Garvey Park	0	-	50	50
Hammersmith Park	0	-	50	50
William Parnell Park	6	-	0	6
Normand Park	0	0	tbc	tbc
South Park	3	-	0	3
Wormwood Scrubs	0	0	tbc	tbc
<b>TOTAL</b>	<b>£ 500</b>	<b>£ 100</b>	<b>£ 1,369</b>	<b>£ 1,969</b>

4.5. There is likely to be an underspend on the Shepherds Bush Common improvement project due to the competitive prices that were submitted during the tender process. This report seeks approval to reallocate any underspend from the £400k contingency for Shepherds Bush Common improvement project to fund approved projects such as improvements to Hammersmith Park Wormwood Scrubs, White City One o'clock club and Wormholt Park as part of the S106 agreement relating to Westfield dated 11 June 2010 clause 11.29.3 subject to informing Westfield. Where there is an underspend on any project it is recommended that this will be reinvested back into alternative parks projects, including but not exclusive to Bishops Park, Hammersmith Park and Wormwood Scrubs, that otherwise have minimal parks capital fund allocated, subject to any terms of funding that may be in place and in consultation with the Lead Member and Director of Finance and Corporate Governance.

## 5. RISK MANAGEMENT

5.1. The projects outlined in this report are recorded on the Council's project register for monthly monitoring. A detailed risk log is maintained for the project by the project manager. A project risk log, prepared by the Project Manager and approved by the Project Board, identifies and categorises risks associated with the project and proposes actions to mitigate. Identified risks are managed by the Project Manager in

accordance with agreed actions and reported to the Project Board monthly.

- 5.2. The Shepherds Bush Common Improvement project and Eel Brook Common refresh and play improvements are on the departmental risk register due to the proximity of the site to the Olympic Alternative Route Network. This risk is to be managed by scheduling the works closest to the Olympic Alternative Route Network first.

## **6. EQUALITY IMPLICATIONS**

- 6.1. The proposals in this report build very strongly on the RSD action from the DES (Disability Equality Scheme, no 43), which aimed to redevelop at least two park play areas to be fully accessible for disabled children. When complete, this will make a further 4 park play areas accessible, and not only two as per the original commitment. Sites are designed to be inclusive but not all equipment in each site is suitable for all children. All levels of ability are catered for. The proposals in this report aim to take account of disabled people's needs at the outset, which will help to improve equality of opportunity for disabled adults and children, and to facilitate equality of opportunity between disabled and non-disabled people.
- 6.2. The children's play areas at Eel Brook Common, Lillie Road Rec, Wendell Park, Brook Green and South Park require investment to bring them up to modern standards. The project aims to enhance the play value of the play areas and enhance accessibility for a wider age range of children. Currently the play offer is focused on younger children and toddlers. This project will provide more equipment and activities for children 8-12 years old and also more inclusive equipment for children with disabilities.
- 6.3. Once completed the play areas will be accessible to all with access to children of all abilities including disabled users. Play facilities will cater for children from 0-13 years enhancing the accessibility for age ranges, the improved open green spaces will provide space for relaxation. Enhancement of access points with improved paving and gates will further enhance accessibility for people with mobility difficulties.
- 6.4. Improvements to benches and paths at Eel Brook Common and as part of the assets refresh project will have a positive impact on the ability for people with restricted mobility to move around the parks and open spaces.

## 7. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

7.1. The Council Capital Programme includes an allocation of £500k from Capital receipts to support one of the Council's key priorities as outlined in the Parks and Open Spaces Strategy 2008-2018.

7.2. In addition to the Council's contribution, the following external funding has been secured:

Project	Amount £000s	Funding Source
Eel Brook Common Refresh	145	S106
Brook Green Phase 1		
	15	Wates Family Enterprise Trust
	25	WREF
	10	Friends of Brook Green
	11	Mercers Trust and Young Charitable Fund
Wormholt Park	900	S106
Hammersmith Park	50	PlayFootball
Play Provision at Eel Brook Common, Wendell Park, Lillie Road Recreation ground	50	NDC- subject to final grant audit certification
<b>TOTAL</b>	<b>1,206</b>	

7.3. And the following indicative contributions are yet to be confirmed

Project	Amount £000s	Funding Source
Brook Green Phase 1	113	
Marcus Garvey Park	50	
<b>TOTAL</b>	<b>163</b>	

7.4. The costs of the various Parks projects which are detailed in para. 3.3 are yet to be determined. Once these are known and the works have commenced, they will be reported to Members as part of the regular Capital Monitoring reporting process.

7.5. This report is also seeking retrospective approval for the following projects:

- South Park - £177k
- Wormholt Park - £23k
- Ravenscourt Park - £36.5k
- Hammersmith Park - £26k

- 7.6. While these form part of the overall funding provision for Parks and Open Spaces in the approved RSD capital budget for 2011-12, these projects have not been individually approved. In all of the above cases work is completed or nearing completion.
- 7.7. It should be noted that an approval has been requested for the use of a potential underspend of £400k of Section 106 monies in respect of the Shepherds Bush Common development for use within or in the vicinity of Shepherds Bush town centre and White City Opportunity Area. The use of this funding is subject to the agreement of the developers and until such agreement is secured these monies should not be used to fund any other associated schemes. The Lead Member and Director of Finance and Corporate Governance should be consulted in seeking an approval to reinvest any potential underspend.

## **8. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 8.1. The client department should ensure that works and services for each individual project is procured in accordance with the Council's contract standing orders and procurement rules.
- 8.2. Legal services will provide support where requested by the client department.

## **9. COMMENTS OF THE ASSISTANT DIRECTOR PROCUREMENT AND IT STRATEGY**

- 9.1. Procurement and IT Strategy will assist the client department in undertaking the procurement process to ensure it is in compliance with the Council's contract standing orders.

## **10. COMMENTS OF THE ASSISTANT DIRECTOR, PLANNING**

- 10.1. The 2010 Westfield S106 Agreement to vary the previous terms included clauses:

11.29 The Developer has paid to the Council the Key Worker Housing Subsidy and the Council shall use it towards any one or more of the following after first having informed the Developer: .....

1.29.3 the regeneration of or planning initiative project or scheme within or in the vicinity of Shepherds Bush town centre and White City Opportunity Area (provided that the Council shall first have informed the Developer of the particular details).

- 10.2. A report to ECM 22 June 2010 - REVIEW OF RESERVED AND UNALLOCATED S106 FUNDS, included £400,000 for "possible SB Common if costs increase due to phasing". It is this provisional allocation to the Shepherds Bush Common improvement project that is referred to in this report. In 2010 an amount of £400k from the revised Westfield legal agreement was provisionally allocated to meet potential increased costs of the Shepherds Bush Common improvement project. The proposed reallocation of these funds to the other Parks projects listed would be in accordance with the terms of the legal agreement, provided that the choice of projects meet the criteria to be "within or in the vicinity of Shepherds Bush town centre and White City Opportunity Area", and provided that the Developer is first informed the of the particular details.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Parks & Open Spaces Strategy 2008-2018	Donna Pentelow 0208 753 2358	ELRS
<b>CONTACT OFFICER:</b>		<b>NAME: Donna Pentelow EXT. 2358</b>	



London Borough of Hammersmith & Fulham

## Cabinet

5 MARCH 2012

**CABINET MEMBER  
FOR RESIDENTS  
SERVICES**

*Councillor Greg Smith*

**THE AGREEMENT FOR POLO in THE PARK  
2013 to 2019**

**Ward:  
Palace  
Riverside**

This report seeks approval for a seven year contractual agreement with City Events Limited (previously World Polo Limited), to organise and deliver the Polo in the Park event at Hurlingham Park.

### CONTRIBUTORS

AD Customer &  
Commercial  
EDFCG  
ADLDS

**HAS A EIA BEEN  
COMPLETED?  
N/A**

**HAS THE REPORT  
CONTENT BEEN  
RISK ASSESSED?**

**YES**

### Recommendations:

- 1. That the agreement with City Events Limited to organise and deliver the 'Polo in the Park' event at Hurlingham Park for seven years from 2013 to 2019 be approved.**
- 2. To note that under the new agreement the average net income for the event will be £81.4k per annum, representing a 43.5% increase on the previous commercial agreement (average £56.7k per annum.)**
- 3. To note that City Events Limited will undertake reinstatement works post event at their own cost.**



## 1. BACKGROUND

- 1.1 'Polo in the Park' event organiser (City Events Limited) approached the Council in 2008 to trial a polo event in Hurlingham Park in 2009. Following the successful pilot, a three year agreement (2010 – 2012) was put into place.
- 1.2 The event takes place over three days. Friday is attended by local and international businesses, Saturday is a fun day for all in London and Sunday is positioned as a family day.
- 1.3 A comprehensive stakeholder's forum has been facilitated by Council officers since 2008.
- 1.4 Independently, the event has won the accolade of 'Best Sports Attraction' at the London Lifestyle Awards 2010 and has been acknowledged by the governing body of Polo to be one of the top polo tournaments in the world.
- 1.5 Over 29,000 spectators attended the 2011 event, of which 80% were borough residents and businesses.
- 1.6 The organiser provides nine local School Discover Polo sessions over a period of three days as well as a pony parade and book bag insertions as part of 'The MINT Polo in the Park'. Hundreds of school children have been involved in these activities.
- 1.7 A number of local and national charities have been supported by the event organiser.
- 1.8 75 local businesses including the local Chamber of Commerce, art galleries and shops were involved with the 2011 event.
- 1.9 Local residents receive 2,012 free tickets, allocated via a ballot process.

## 2. THE COMMERCIAL ARRANGEMENTS: Fee Based

- 2.1 The table below provides a summary of the evolution of the commercial arrangements with City Events Limited.

£000's	2009 Agreement	Three-Year Agreement 2010-2012	Seven-Year Agreement 2013 – 2019
Total Fixed Income	25	170	521.4
Total Commission			49.0
<b>Total Income</b>	<b>25</b>	<b>170</b>	<b>570.4</b>
<b>TOTAL Average Annual Income</b>	<b>25</b>	<b>56.7</b>	<b>81.4</b>

2.2 Some key principles of the proposed agreement for 2013 – 2019 are;

2.2.1 The pricing schedule includes 5% uplift on fixed annual fee that will be re-negotiated in year 5 after the year 4 event.

2.2.2 The ticket sales commission is a new feature of the commercial arrangement and is set for the duration of the contract.

### **3. THE COMMERCIAL ARRANGEMENTS: Park Development**

3.1 Polo in The Park 2009 brought significant improvements to Hurlingham Park including opening up and improving the quality of the sports pitches.

3.2 Hurlingham Park is now seen as a destination for a world class sporting event with West London represented on a world stage, providing the opportunity for residents to visit and watch a live spectacular sporting event in their local park

3.3 As part of the three year agreement (2009 – 2012), in 2010, the event organisers invested £25k in a bore hole to irrigate the park sustainably. This investment was undertaken as a direct response from local resident feedback and this facility is available for use by the Council and its contractors.

3.4 To continue to ensure that resident and stakeholder concerns continue to be addressed, City Events Limited will continue to invest in Hurlingham Park and maintain it to the highest standard for the benefit of residents and park users all year round.

3.5 An enhanced maintenance programme will take place pre and post event, which will include reducing ground compaction, seeding and fertilisation.

3.6 Park reinstatement costs will be fully paid by City Events Limited at no cost to the Council.

### **4. LOCAL COMMUNITY ENGAGEMENT:**

4.1 Post event feedback regarding the event is always very popular. With regard the recent survey, the Council surveyed over 600 local residents, the table below provides an excerpt

Question	% response
<i>...the event was good or very good</i>	93
<i>...yes I would attend the event again</i>	84
<i>...yes I travelled by foot to the event</i>	80

- 4.2 A key consideration to the recommended decision is the view of certain key stakeholders. The Hurlingham District Resident Association and the Hurlingham Rugby Club have historically expressed concerns regarding damage to the sports pitches and accessibility to the park pre and post the Polo event.
- 4.3 The Council and the event organisers have worked hard to address the concerns of residents and stakeholders to mitigate against any damage to the park as a result of the event through ongoing dialogue and a reinstatement plan.
- 4.4 It is believed that through effective and regular communication and engagement with residents and stakeholders the Polo in the Park event can continue.

## **5. RISK MANAGEMENT**

- 5.1 The Polo in the Park event is included on the departmental project register. It has been assessed as a low risk project, as there is no financial contribution required from the Council.
- 5.2 However, it needs to be noted that should reinstatement works cause a delay to the park rugby pitches being available at the start of the season, the event would need to be re-categorised as high risk, due to potential loss of income and negative relations with Hurlingham Rugby Club.

## **6. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 6.1 This proposal is supported from a financial perspective as it will provide the Council with an additional income of £24k per annum, assuming the maximum commission on ticket sales is achieved (£17k increase assuming zero ticket sales commission). This increase will help to deliver new MTFS efficiencies expected from the Events service from 2012/13.

## **7. EQUALITY IMPLICATIONS**

- 7.1 Not applicable.

## **9. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 9.1 The Assistant Director has no comments on this report.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Polo in the Park Proposal, Event and Ground Maintenance Specifications, Terms and Conditions	Jem Kale EXT. 2370	ELRS – Glenthorne Road
<b>CONTACT OFFICER:</b>		<b>NAME: Jem Kale ext. 2370</b>	

# Cabinet

5 MARCH 2012

**CABINET MEMBER  
FOR HOUSING**

*Councillor Andrew  
Johnson*

**THE FUTURE OF RESIDENT INVOLVEMENT  
AND THE LEVY IN LBHF**

**Wards:  
All**

This report makes recommendations following the review of Resident Involvement in LBHF. It sets out a clear vision for re-engaging with residents following the return of Housing to the Council's control, and recommendations on the future of the Tenant Levy.

The proposed Resident Involvement Strategy at Appendix 1 has been through both informal consultation and formal Section 105 consultation with residents. Letters were sent to 16,945 residents in total. 12,504 Tenants and 4,441 Leaseholders. 12 responses were received, representing a response rate of 0.07%.

12,504 Tenants were consulted about the future of the Levy. 52 Tenants expressed a view. 22 direct comments were made and 30 responses via a standard letter. This represents a 0.4% response rate of those consulted.

A separate report on the exempt part of the Cabinet agenda presents exempt information relating to current resident involvement arrangements.

**CONTRIBUTORS**

ADHRD  
ADLDS  
EDFCG

HAS A EIA BEEN  
COMPLETED?  
YES

HAS THE  
REPORT  
CONTENT BEEN  
RISK  
ASSESSED?  
YES

**Recommendations:**

1. That the outcome of the Section 105 consultation with residents be noted.
2. That the Resident Involvement Strategy attached at Appendix 1 be adopted.
3. To cease the Tenant's Levy with effect from 1 April 2012.

## **1. BACKGROUND**

- 1.1 This report is a further update to the report made to the Housing, Health and Adult Social Care Select Committee held on 15<sup>th</sup> November 2011. It also makes recommendations following the consultation period on the draft Involvement Strategy which started on 30 October 2011 and closed on 8 December 2011; and the formal Section 105 consultation period which started on 6 January 2012 and ended on 27 January 2012.
- 1.2 Members will recall that LBHF regained management of its housing stock on 1 April 2011, when the ALMO contract ended. This presented the Council with an opportunity to review current working practices and ensure they were fit for purpose and in line with the Council's corporate model of service delivery.
- 1.3 Resident Involvement is a key factor in satisfaction for our tenants and leaseholders. However, it can also be used to drive continuous improvement, quality assurance and value for money to ensure our services are as effective and as efficient as possible.
- 1.4 The Council commissioned Phil Morgan to lead the independent review. As the former Chief Executive of the Tenant Participation Advisory Service (TPAS) and Executive Director of Tenant Services at the Tenant Services Authority (TSA), he is considered to be one of the country's leading authorities with regard to resident involvement.
- 1.5 Consultation and involvement with Tenants and Leaseholders (referred to as Residents throughout this document) is a statutory duty of a landlord.

## **2. REVIEW OF RESIDENT INVOLVEMENT**

- 2.1 The independent review had two key objectives:
  - Assess the current arrangements and determine their fitness for purpose against best practice and statutory compliance;
  - Engage with our residents to seek their views, and make recommendations for improvement.
- 2.2 Assess current arrangements and determine their fitness for purpose.
  - 2.2.1 LBHF's review of resident involvement was carried out against the national background of resident involvement which has been reviewed recently.

2.2.2 The Tenant Services Authority will be disbanded by the Localism Act 2011 and from April 2012 all social landlords are to be regulated by the Homes & Communities Agency Regulation Committee, through a series of standards including Involvement and Empowerment. This independent sub-committee takes over the regulatory function on 1 April 2012. The current Involvement and Empowerment Standard sets regulatory expectations of social landlords in the area of resident engagement including:

- Setting and monitoring standards
- Resident scrutiny
- Agreeing Local Offers and
- Producing an Annual Report to residents

2.2.3 There is currently a consultation on a revised standard which further emphasises the importance of resident scrutiny including access to information and a robust complaints policy.

#### 2.2.4 **Involvement Review Findings**

The main finding from the independent review was:

*“That the current approach to resident involvement in relation to housing management services falls short of best practice. There is some resident involvement, but not enough and more residents need to be involved in more ways with a greater impact on service improvement. A step change improvement is required.*

*There are pockets of good practice with the development of Local Offers (Local Offers are agreements between a Council and its residents on service standards in a neighbourhood), and Partnership meetings; which show the beginning of a wider approach to involving residents. The Review set out a number of proposals including setting up a Local Resident Panel, a Repairs Working Group and a new Involvement Strategy. These proposals will help demonstrate fitness for purpose and compliance with the current and future Regulatory Framework.”*

#### 2.3 Engage with our residents to seek their views, and make recommendations for improvement.

2.3.1 The Council commenced a full review in September led by an independent consultant, Phil Morgan. This review focused on both involved and uninvolved residents, staff and other stakeholders. A

range of focus groups and drop in sessions were held involving over 60 residents and stakeholders including 20 staff, leading councillors and an MP.

2.3.2 The Review included a draft Involvement Strategy. This draft Strategy was sent to all residents who attended the Review meetings as well as TRAs and residents on the Council's list of interested residents. The draft Involvement Strategy was also available to the public through the Council's website. Five further drop-in sessions (12 residents attending) were held along with presentations to Area and Leaseholder Forums and the Sheltered Housing Forum. Sessions were also held on recruitment for the Local Residents Panel (8 residents attending) and recognition criteria for Tenants and Residents Associations (7 residents attending). Three formal responses were received. During the consultation period over 40 residents commented on the draft Strategy and a number of amendments were made following their input.

2.3.3 These amendments include:

- Strengthening the emphasis on delivering the Strategy through a work plan with costings and the development of both Staff Involvement Champions and staff training on working with residents.
- Running workshops for staff and residents on rolling out our current pilots on Local Offers.
- Inclusion of Right First Time in the role of the Repairs Working Group.
- Ensuring our support for TRAs includes sustaining grants where recognition criteria are met, support for auditing of accounts, admin support and emphasising the role of Local Housing Officers.
- Reviewing Area Forums.
- Introducing a protocol on communication agreed with TRAs.
- Developing an expenses policy.

2.4 The draft Strategy highlighted four principles for the Council:

- a) We will increase the number, and diversity, of residents involved;
- b) We will widen the ways in which residents can be involved;
- c) We will ensure resident involvement delivers continuous improvement, value for money and services shaped by our residents within financial constraints;
- d) We will ensure residents have the information they need to monitor and make accountable Housing Services.



2.5 The draft Strategy also highlighted five methods of involvement identified by residents themselves in a 2010 survey:

- a) Improving local areas
- b) Improving customer service
- c) Making documents easier to understand
- d) Training for residents with difficulties
- e) TRA/Hammersmith and Fulham Federation of Tenants and Resident Associations

2.5.1 A formal statutory consultation process with secure tenants pursuant to Section 105 of the Housing Act commenced in January. This also gave the opportunity to seek tenants' views on the future of the Tenants Levy. Section 105 of the Housing Act requires Local Authorities to consult with their tenants on any decision that is likely to substantially affect them on any matters regarding the housing management. As with any consultation exercise, the Council is required to inform tenants of the proposals, give them the right to comment and give consideration to those comments.

2.6 The first consultation closed on 8 December 2011. The second consultation started on 6 January 2012 and closed on 27 January 2012. The views of residents and stakeholders have been considered, and the Strategy amended to take account of useful and constructive feedback. The Strategy is now ready for adoption by the Council. It represents the step change identified in the Review and would ensure resident involvement is both fit for purpose and regulatory compliant. The full Strategy is set out in Appendix 1. In the interim, a short term plan has been developed for the period January to March 2012 as set out in Appendix 2.

2.6.1 The longer term plan will encourage involvement from a more diverse group of residents and the development of wider consultation methods. We will also look at ensuring cross working and engaging with other Council resident forums. We can update Cabinet in Autumn 2012 on the progress of this activity.

2.7 Therefore this report proposes that the Council adopts the Resident Involvement Strategy at Appendix 1.

2.8 The Review also commented critically about the current arrangements for the Tenant Levy and HAFFTRA. Currently £160K per year is raised through the Tenant Levy and paid to HAFFTRA. The Review commented that:

*“The arrangements for the relationship with HAFFTRA on the Tenants Levy are arcane and unfit for purpose. There are no proper service standards in place, there are no quantitative or qualitative measures in place, there are no SMART targets and no proper or effective monitoring of the activity or impact of the Tenant Levy funding. There is no coverage of Value for Money for the Levy...HAFFTRA and its administration of the Tenant Levy has been a convenient ‘tick box’ approach to resident involvement. By continuing the funding, and paying little attention to how it was being spent, the Council has simply avoided its responsibilities on wider resident involvement. This is an unsustainable situation.”*

Clearly the current arrangements are no longer an option.

### **3. BACKGROUND TO THE TENANTS LEVY**

- 3.1 The Levy has been collected since 1992, with an express intention to review these arrangements every 4 years to ensure they were fit for purpose.
- 3.2 Collecting such a levy is a legitimate element of the rent and service charge payments under Section 24 of the Housing Act 1985, which states that Councils can make such reasonable charges as it determines for the tenancy or occupation of dwellings.
- 3.3 The Levy is eligible for Housing Benefit and the Council operates as a conduit for the transfer of the funds from the tenants to HAFFTRA. The Council does not monitor the use of the funds or their expenditure.
- 3.4 Hammersmith & Fulham Federation of Tenants and Residents Associations (HAFFTRA) has been in existence for the last 23 years. Over this time the Federation has co-ordinated and managed the way that the Council engages and consults with council tenants. HAFFTRA receives 100% of the Levy and uses this money to fund their activities.

### **4. CURRENT ARRANGEMENTS FOR THE TENANTS LEVY**

- 4.1 The current Levy for 2011/12 is £13.00 per year, which has been shown as a separate service charge to the rent since 2006, and raises approximately £160K per annum.
- 4.2 In 2006 the Council agreed to an extension of the Levy for a further 4 year period. In 2009 the Borough Forum agreed to extend the Levy for the year 2010-11, with a commitment of a fuller review in that year. However, as an outcome of the ALMO closure consultation programme in 2010, the review of the Levy was not completed as scheduled.

- 4.3 As a result, the Tenants Levy is overdue for a review, and has therefore been considered as part of the Councils wider review of Resident Involvement. Likewise the Partnership Agreement between the Council and HAFFTRA is also overdue for review.

## **5. THE NEED TO REVIEW THE TENANTS LEVY AND HAFFTRA PARTNERSHIP AGREEMENT**

- 5.1 The review of Resident Involvement does cover the future recognition of HAFFTRA. Over the past 23 years HAFFTRA and the Tenants Levy have become intertwined. Now is the correct time to acknowledge that the Council has a relationship with HAFFTRA that is not necessarily built upon the Tenant Levy

- 5.2 The independent review on Resident Involvement states:

*“The emphasis on solely working through a Federation, representing Tenant and Resident Associations, is now almost universally disregarded as a suitable way of involving residents. Nearly all landlords, and every good one, now have in place a wider involvement approach that will take account of representative resident bodies but in the context of commitments to involve more residents in more ways with more impact.”*

- 5.3 The current arrangements, which are largely unchanged since they were introduced in 1992, no longer support the approach taken by the Council in its Involvement Strategy. As set out in the Resident Involvement Strategy, the Council want to encourage more direct dialogue with its residents to drive improvements in the efficiency and effectiveness of its services.

- 5.4 The Council is not alone in considering changing this arrangement – only three London Boroughs (Hackney, Lewisham and Southwark) now have a similar arrangement in place and all charge substantially less (10p/week, 13p/week and £4.20/year respectively) than LB of Hammersmith and Fulham. Instead residents are involved in a far wider range of ways with more ability to help shape landlord services and involvement.

## **6. THE ROLE OF HAFFTRA**

- 6.1 The four principles of the Resident Involvement Strategy outline a step change in approach by the Council. There is a move away from dialogue between two monolithic structures and increased emphasis on:

- Widening involvement:
- Widening the ways in which residents are involved;
- Linking involvement with service delivery; and
- Resident monitoring.

- 6.2 The Review of Resident Involvement stated “Discussions should take place with HAFFTRA about their role in supporting the strategy, both in terms of their independent role on behalf of their members and the now overdue Review of the Tenant Levy”.
- 6.3 Discussions have taken place with HAFFTRA Workers, the HAFFTRA Executive and Officers have attended a HAFFTRA General Meeting to explain the reasons for the termination of the Partnership Agreement (as required by the current partnership agreement).
- 6.4 There is a partnership agreement between the Council and HAFFTRA about their operation of the Tenant Levy. This agreement outlines 26 tasks for HAFFTRA to carry out as part of the Agreement as well as payment, review and dispute. It also outlines how termination is dealt with. The Agreement has been in place since 2006.
- 6.5 A notice was served on HAFFTRA on 28 December to terminate the Partnership Agreement on 30 March 2012. The notice was served even though the Residents Involvement Strategy had not been formally adopted by the Council because it was the provisional view of Officers that the current Agreement with HAFFTRA was unsustainable in light of the review findings. Notice was served because failure to do so would allow the current Agreement to run into 2012/13 and the first installment of £68K covering 40% of the Tenants Levy would have been due for payment, irrespective of the Council’s decision on the Levy and without any robust mechanism in place for monitoring how the money is spent.

## **7. WORK CURRENTLY FUNDED BY THE TENANTS LEVY**

- 7.1 HAFFTRA as an independent organisation currently employs four staff. It is possible that the decision to end the current Partnership Arrangement could lead to their staff being made redundant. It is important to note that the Council do not intend to replicate the current service provided by HAFFTRA – whilst there are some tasks set out in the Involvement Strategy that do repeat HAFFTRA services (such as the payment of grants) our clear intention is not to repeat the majority of the 26 tasks currently covered in the agreement and not to incur the same level of costs. Instead we will look to provide new opportunities for involvement in line with the Strategy.

- 7.2 Tasks intended to be carried out include specific things such as auditing of TRA accounts and grants to TRAs. The Chair of HAFFTRA has rightly asked how these tasks might continue. The Resident Involvement Strategy states:

*“We will also ensure that there is support for auditing of accounts either through the grant payment and/or through identification of resource to support TRAs.”*

- 7.3 The Council will ensure that services such as grants continue and there is administrative resource to help with TRA support. These services will be funded from existing resources within the Housing and Regeneration Department. However, the Council does not envisage a like for like replacement of HAFFTRA’s current role. Instead the Involvement Strategy proposes a series of new services, including setting up and supporting the Local Residents Panel and Repairs Working Group, setting up Local Offers and providing training to residents and TRAs.
- 7.4 A budget of £70K plus identification of the Administrative resource will cover implementation of the Strategy and this can be found within the Housing Revenue Account. If Accountancy support can be provided in-house then the budget can be reduced further.

## **8. OPTIONS FOR THE LEVY**

- 8.1 The Council needs to consider the future of the Tenant Levy itself, separately from the future Partnership Agreement with HAFFTRA. When considering the future of the Levy, there are three main options.
1. To continue the Levy at its current level. This would bring in additional income to the Council beyond that currently envisaged by the Involvement Strategy. The advantages are that any likely budget for resident involvement would be met. The disadvantage is that residents would be paying directly and through housing benefit a greater amount than needed by the Strategy.
  2. To set the Levy at a lower rate, broadly level with the likely budget for resident involvement envisaged by the Involvement Strategy. The advantages are that the budget would, in effect, be guaranteed, and there is transparency over how that budget is spent. The disadvantage is that residents would still be required to pay a levy over and above their rent and service charges.

3. To cease the Levy. The advantages are that the budget would be contained within the Housing Revenue Account. The disadvantages are that resident involvement would in future be competing for resources within the Housing Revenue Account.

8.1.1 It is worth noting that by decoupling the decision on HAFFTRA from the Tenants Levy there is no 'keep the Levy with HAFFTRA option' – instead the options are purely about the Levy itself.

8.2 Section 105 consultation with tenants on the Tenants Levy ran in parallel with the Section 105 Consultation with residents on the Involvement Strategy.

## **9. RESIDENT FEEDBACK ON THE SECTION 105 CONSULTATION ON THE INVOLVEMENT AND TENANTS LEVY.**

9.1 The Council formally wrote to all residents on 3rd January 2012 with a Section 105 Consultation on two issues: the Involvement Strategy and the Tenants Levy.

9.1.2 Letters were sent to 12,504 Tenants and 4,441 Leaseholders (a total of 16,945 residents). Both Tenants and Leaseholders were consulted about the involvement strategy, and Tenants only were consulted about the Tenant Levy as Leaseholders do not pay for this.

9.1.3 The consultation for both the Levy and the strategy attracted 64 responses in total. This represents a response rate of 0.4% of the total consulted (16,945). The responses included 34 individual telephone, email and written responses, and one standard prepared letter signed separately by 30 residents delivered by HAFFTRA. In addition, 29 residents attended the four drop-in sessions advertised in the consultation letter.

9.1.4 Four requests were made for translation of the S105 Consultation document, covering three different languages. These were sent to the residents concerned.

### **9.2 Response to the consultation on the Tenants Levy.**

9.2.1 There has been limited feedback on the future of the Tenants Levy with only 52 tenants expressing a view (22 direct comments and 30 responses via the standard letter that is referred to above). This represents a response rate of 0.4% of those tenants consulted (12,504).

9.2.2 The little feedback that was received was mixed with 11 direct responses from tenants supporting retention of the Levy and a further 30 via the standard letter. Only 2 tenants supported a reduced Levy and 9 tenants supported abolition of the Levy.

### 9.3 **Response to the consultation on the involvement strategy**

9.3.1 A total of 12 responses were received in respect of the S105 consultation via letter, phone call or email, representing 0.07% of those consulted (16,945). There has been useful feedback about the Involvement Strategy from the above responses and from residents attending the drop in sessions that have taken place. Much of the feedback either explicitly or implicitly supports the current version. One amendment, now included in the Strategy, relates to the need for quarterly reports from the Local Residents Panel and Repairs Working Group to residents.

9.3.2 There were some critical comments about how difficult it was to understand the consultation letter and Strategy. This will be addressed in future by setting up the Readers Group, as proposed in the Strategy, which will help with making communications more easily understood by residents.

### 9.4 **Views expressed during the consultation**

9.4.1 There was a range of views expressed about HAFFTRA. Some residents argued very strongly for HAFFTRA. These arguments included the positive role HAFFTRA played with TRAs and the Council, that it was the Council not HAFFTRA that had been failing and that HAFFTRA was as one resident said, "our union", ensuring an independent voice for residents. Those residents were also those who supported the retention of the Tenants Levy as noted above. There was also a view that the TRAs could not operate without HAFFTRA, and would be stopped if they were no longer there. There were some other residents who, whilst supportive of HAFFTRA, were also aware of shortcomings and that there may need to be change.

9.4.2 Other residents were very critical of the role of HAFFTRA in blocking their involvement and actively excluding non-TRA residents from involvement structures.

9.4.3 At one drop-in session there was surprise at the size of the grant to HAFFTRA and the four staff supported by the £160K from the levy.

- 9.4.4 As concern had been raised in the consultation, it is worth noting that the Involvement Strategy does make a firm commitment to work with and support TRAs; which should allow them to work effectively with officers. It is also worth noting that the Council is committed to discussing the future relationship with HAFFTRA although this is likely to be on a very different basis than at present.

## **10. HOUSING, HEALTH & ADULT SOCIAL CARE SELECT COMMITTEE**

- 10.1 The Housing, Health & Adult Social Care Select Committee of 15 November 2011 considered the review of Resident Involvement and endorsed its interim findings.

## **11. SUMMARY RECOMMENDATION**

- 11.1 The response to the consultation is indicative of the low level of involvement identified in the review. Given that the current arrangements for resident involvement through HAFFTRA and the Tenants Levy cost residents £160k/year and have been in place for over 20 years, the response overall is disappointingly low. Likewise, the level of support shown for HAFFTRA and the retention of the Tenant Levy is also very low and restricted primarily to those currently working with them.
- 11.2 In conclusion, it is recommended that the Council adopts the resident Involvement Strategy which will create more opportunities for direct involvement with a wider range of residents. Furthermore, given the low level of support for retention of the Levy and the reasons given for its review, it is recommended that payment of the Levy is ceased.

## **12. FINANCIAL IMPLICATIONS**

- 12.1 The Council will identify a budget for resident involvement of £70k.
- 12.2 The Levy, if terminated, will both reduce income and expenditure by £160k.

## **13. MONITORING AND REPORTING IMPACT**

- 13.1 The Cabinet Member for Housing will receive an updated briefing at each Cabinet Member Briefing Session.



## **14. EQUALITY IMPLICATIONS**

- 14.1 Overall the proposals will support engagement with all groups through its approach to widen involvement and opportunities for involvement. This will be supported by an explicit commitment to monitor the diversity of the resident population and use that information to tailor services and support Value for Money. The approach to communication will support residents from all groups to be able to participate in the new structures.
- 14.2 The removal of the levy will have a positive impact on all residents including all ages, residents with disabilities, women with pregnancy and maternity, all race groups, all religious groups, all men and women (women proportionately more so than men) as the 25p per week charge (£13.00 per year) will not be paid as part of the weekly rent and will not be a small weekly outgoing for employed residents resulting in a positive impact for them and neutral impact for those on Housing Benefit. The resources provided to implement the strategy and assist residents become involved will not be affected due to the removal of the levy as existing resources will be used.
- 14.3 There is a full Equalities Impact Assessment, available electronically.

## **15 COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE**

- 15.1 It should be noted that the HRA budget strategy currently proposes that the Levy increases, along with the rent increase, to £14.04 per year from Monday 2 April 2012. As noted below in the legal comments clause 1.3 of the secure and probationary tenancy agreement states the Council will give tenants 4 weeks notice in writing of any change in weekly rent and the levy is collected as part of the rent. Therefore the letters notifying tenants of the rent increase will have already been dispatched as at the date proposed for this Cabinet decision. As noted in the legal comments below if Members decide to end the Levy it will be necessary to give tenants written notice and it is likely that this will result in approximately 2 weeks income from the levy in 2012/13. Therefore the financial impact of ending the levy in 2012/13 would be to reduce income by £154k with income reducing by circa £160k in the following year. The termination of the agreement with HAFFTRA reduces annual costs from 2012/13 onwards by £160k.
- 15.2 The proposed costs (identified in section 7.7 above) of £70k will be funded by the HRA by viring additional savings identified from within other Housing Services budgets.

**16. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 16.1 The Council has a Partnership Agreement with HAFFTRA dating back to 2006. It is a term of the Agreement that it can be terminated by the Council giving 3 months written notice. There is also a requirement of officers to attend a HAFFTRA general meeting and explain the reason behind the decision. As indicated in the report written notice was served on HAFFTRA on 28 December 2011 and the agreement will end on 30 March 2012. After that date the Council has no obligation to pay the tenants levy to HAFFTRA.
- 16.2 There has been statutory consultation with secure tenants pursuant to Section 105 of the Housing Act 1985. Before making a decision to adopt the Resident Involvement Strategy or end the tenant's levy Members must take into account any representations made by residents during the consultation.
- 16.3 The tenants levy is collected as part of the rent. Clause 1.3 of the secure and probationary tenancy agreement states the Council will give tenants 4 weeks notice in writing of any change in weekly rent. So if Members decide to end the Levy it will be necessary to give tenants written notice.
- 16.4 Th Appendix 4 to the exempt agenda has more information on the confidential legal comments.

**17. APPENDICES**

Appendix 1 – Resident Involvement Strategy:

Appendix 2 – Resident Involvement Action Plan:

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	HAFFTRA Partnership Agreement 2006	Jo Rowlands 1313	HRD, 3 <sup>rd</sup> Floor Town Hall Extension
<b>CONTACT OFFICER:</b>		<b>NAME: Jo Rowlands EXT. 1313</b>	

### **LB Hammersmith and Fulham**

#### **Resident Involvement Strategy**

##### **Introduction**

“This draft Strategy sets out LB Hammersmith and Fulham’s approach to involving residents. We see Resident Involvement as crucial to promoting accountability, providing valued feedback about services and improvement of those services. Whilst we already have some resident involvement the recent review of Resident Involvement showed we needed to do more about involving more tenants, through different ways and with greater input into service delivery than before. This Strategy is the start of the process and will help shape how we involve you as residents in the future.”

##### ***Councillor Andrew Johnson, Lead Member for Housing***

1. Our principles:
  - a. We will increase the number and diversity of residents involved;
  - b. We will widen the ways in which residents can be involved;
  - c. We will ensure resident involvement delivers continuous improvement, value for money and services shaped by our residents;
  - d. We will ensure residents have the information they need to monitor and make accountable Housing Services.
  
2. We currently have hundreds of residents involved through Tenants and Resident Associations (TRAs). They play an important role in working with officers and at their best a strong leadership role in their communities. However we know over 1,000 residents have told us that they are interested in being involved in some form. A survey of residents in 2010 showed up to 45% of residents wanted to be involved.
  
3. We also want to make sure that involvement will reflect the diversity of the resident population and ensure that we engage with young people, people from ethnic minorities and people with disabilities are also given the opportunity to be involved.
  
4. The 2010 Survey of residents showed support for five key mechanisms of involvement:
  - a. Improving local area - estate inspections and local offers/outcomes (46% of residents);
  - b. Improving customer service – mystery shopping, service improvement panels, quality assessors, satisfaction surveys and focus groups (39% of residents);

- c. Making documents easier to understand - Readers Groups (34% of residents);
  - d. Training for residents with difficulties – complaints handling and learning (31% of residents);
  - e. TRA/ Hammersmith and Fulham Federation of Tenants and Resident Associations (HAFFTRA) – work with TRA and HAFFTRA (29% of residents).
5. Improving local areas. We will make six proposals to involve residents in improving local areas:
- a. We will ensure Resident Involvement is a key part of local housing and technical officers work and they report on this to managers, Councillors and Residents. We will create a cohort of staff champions for resident involvement and provide training for all staff who work closely with residents;
  - b. We will look again at Estate Inspections, including Health and Safety inspections for sheltered accommodation, and ensure the right staff are involved in these and take forward agreed actions with Residents;
  - c. We will look at the learning from our pilots on Local Offers and Partnership Meetings and ensure every resident has the opportunity, supported by workshops, to agree Local Offers in their area or on their service. We will look at involving other landlords and residents where this will benefit the wider community;
  - d. We will ensure residents have access to independent advice if their area is being considered for regeneration;
  - e. We will create opportunities for residents to engage directly with Housing and Technical staff both at TRA meetings and through ‘Open Days’;
  - f. We will review with residents our approach to Minor Estate Improvement, allowing access of all community groups to the programme and introduce a new resident driven approach to assessing their value for money and effectiveness.
6. Improving customer service. We will make the following proposals to link involvement with customer service:
- a. Introduce a Repairs Working Group, drawn from all residents, that looks critically at the Repairs Service provided. It will examine performance of the Contractors, including the ability to interview them, and compare performance between different areas. It will look at setting targets for ‘Right First Time’ and monitor performance against this and other targets It will also provide resident input into the contracting of the repairs service including resident members on the Interview Panel;
  - b. We will look at holding workshops to support understanding by residents of how repairs and maintenances works in the Borough;

- c. We will look at setting up other Groups covering areas of interest to residents. These will look at performance in those areas and how this can be improved;
  - d. We will hold focus groups of Residents on their experience of service delivery and use that experience to improve our services;
  - e. We will ensure that when residents have made an impact in terms of services that we openly acknowledge that impact including in our publications.
7. Making documents easier to understand. We will set up a Readers Group of residents. This Group will look at all documents being shared with residents to ensure they can be easily understood.
8. Training for residents - we will make the following proposals:
- a. To monitor our approach to Complaints. This will be led by our new Local Residents Panel and will consider the current approach to complaints, residents' experiences of complaints and what learning there is from complaints. This will include working with the Council's Complaints Compliance Manager and take into account changes from the Localism Act.
  - b. We will provide training and support for leading residents to ensure they can act as advocates for other residents.
9. Work with TRAs and HAFFTRA. Currently the Council works with over 30 TRAs. TRAs have an umbrella body, HAFFTRA, that supports the work of TRAs through the Tenants Levy. We have some exceptionally strong TRAs that work effectively with officers and provide real leadership in their communities. We would like all TRAs to work towards that high level of achievement. We will make the following proposals:
- a. To set clear recognition criteria based on good practice internally and elsewhere. This will include return of accounts on time and ensure accountability to residents for the work of their TRAs. We will look to work with our neighbouring Borough of Kensington and Chelsea and see what lessons we can learn from their Gold Standard for TRAs and the benefits to TRAs. This recognition criteria will be in place from 1 April 2012 and based on work with TRAs on agreement of the criteria;
  - b. To set up and run a series of training courses in the first three months of 2012 designed to support TRAs and their Officers to meet the criteria. We will involve TRAs in the recruitment of trainers to deliver this training, or deliver it internally;
  - c. Grants, at least the same as the current amount, will be available for all TRAs that meet the criteria and we will continue to support and monitor compliance with the criteria;
  - d. Our intention is that the key relationship for TRAs with the Council will be through local Housing Officers. They will be the prime Council source of advice and support on improved involvement and service

- delivery. There will also be a small administrative resource for the TRAs to support their work and the Strategy itself. Together these will support the TRAs preparation of agendas, leaflets and queries;
- e. We will also ensure that there is a support for auditing of accounts either through the grant payment and/or through identification of resource to support TRAs;
  - f. We will support TRAs joining national resident bodies such as TPAS and TAROE to help gain a wider understanding of issues facing active residents elsewhere;
  - g. Our longer term intention is to work towards an approach like the Kensington and Chelsea Gold Standard for TRAs;
  - h. Once this strategy has been agreed we formally discuss the future of the Tenant Levy, which is due for Review;
  - i. That for all TRA (and other meetings such as Area Forums) there are officers present before the meeting to hold drop-in sessions and allow complaints and concerns to be dealt with effectively.
10. We will also set up a Local Resident Panel. This will lead the comprehensive monitoring of all our services, review the effectiveness of this strategy on a quarterly basis, agree performance targets for the service, monitor complaints and help develop the Annual Report. It will meet monthly and effectively inform the Lead Member for Housing and Director for Housing and Regeneration. It will also liaise with the Oversight and Scrutiny Committee when appropriate.
11. We will consider with members of the Panel the best time for meetings.
12. We will also look afresh at our Area Forums. These do provide an opportunity for some TRA reps to scrutinise our performance in each area although there is currently no wider opportunity for residents to attend or take part. The Council will consider common mission statements, constitutions, code of conduct, agenda setting with the Chair and surgeries before all meetings for individual queries for all Area Forums and discuss with Area Forums about opening the meetings to all residents.
13. We will also look to extend our current approach to training and working with resident inspectors to check out, from a residents perspective, the work we carry out.

14. We know the importance of communication to residents – both in terms of services we provide and the opportunity to be involved. The 2010 Residents survey set out four ways in which residents wanted to be kept informed.
  - a. Leaflets and letters (85% of residents);
  - b. Magazine (47% of residents);
  - c. Resident Groups and TRAs (19% of residents);
  - d. Internet – website groups and E-Panel (16% of residents);  
Our work will be supported by developing a protocol with TRAs on communication with them and a core mailing list including TRA contacts.
  
15. We will make the following proposals in these five areas:
  - a. Maintain and improve our coverage of services and involvement opportunities through our leaflets and letters to you;
  - b. Ensuring that the magazine has resident input into both the content and measuring its effectiveness;
  - c. By maintaining a good level of communication with TRAs through officers and written information so they are well placed to work with their members;
  - d. Opening up how we use the internet including setting up website groups on areas of interest to residents and an E-Panel able to give us quick and easy responses on topical issues.
  - e. Ensure residents on the Local Residents Panel and Repairs Working Group issue quarterly updates to residents about their work.
  
16. We recognise the strength that comes from the diversity of our residents and the importance of both understanding that diversity and using that understanding to inform our services. We will continue to monitor the diversity of both our residents and those involved to ensure all residents get the same opportunity for good services and involvement. We will look at working with bodies such as the Equality Champion and Advocacy Groups.
  
17. We will also look at ways to involve young people, for example making links with the Councils Youth Forum.
  
18. Much of the above will support our relationship with leaseholders. We regard the Leaseholder Forum as a good model of creating opportunities to discuss individual issues beforehand and wider issues at meeting, and those meetings being open to all leaseholders. We will ensure 3 leaseholders are members of the Local Resident Panel/Repairs Panel and invited to join other Panels as appropriate.

19. We will monitor the impact of the Resident Involvement Strategy throughout the year including reporting to the Local Residents Panel quarterly on progress. We will also carry out an annual review of effectiveness working with and reporting to the Local Resident Panel.
20. We will also consider the role of residents in helping understand their views of our policies. We will therefore open up the Borough Forum to all residents and use this as a 'think tank' to explore resident views to help us understand resident views when developing and agreeing policies..
21. We will maintain the Sheltered Housing Forum. We will ensure that residents from Sheltered Schemes are included in the membership of the LRP and RWG.
22. We will develop an expenses policy to ensure no resident is out of pocket when participating. This will include consideration of using vouchers to engage residents who do not normally take part in traditional involvement structures but who want to be involved.
23. To support the above we will develop a detailed work plan that sets out initial activity for the first quarter of 2012 and activity for the remainder of the calendar year.



## Appendix 2 – Resident Involvement Action Plan

Action	Progress	Planned	Lead Officer	Result
Continued recruitment for the Local Residents Panel and Repairs Working Group	19 interviews taken place to date with 14 recommendations for membership.  The first meeting of the LRP and RWG took place on the 26 <sup>th</sup> of January.	Further interviews will be arranged as required.	<ul style="list-style-type: none"> <li>• Head of Neighbourhood Services</li> <li>• Head of Repairs</li> <li>• Supported by Resident Involvement (RI) Consultant</li> </ul>	update
Share the recognition criteria with TRAs along with a model constitution and training programme for TRAs to help them meet the criteria by April 2012	Recognition criteria finalised and Shared with HAFFTRA. Training plan approved.	Criteria to be shared in February along with training programme	<ul style="list-style-type: none"> <li>• Head of Neighbourhood Services</li> <li>• supported by RI Consultant</li> </ul>	
Complete the Estate Walkabout review	Consultation has taken place with residents	Final details to be agreed with Technical Services for staffing of walkabouts.	<ul style="list-style-type: none"> <li>• Head of Neighbourhood Services</li> <li>• AD for Property Services</li> </ul>	
Complete the Minor Estates Improvement Programme Review	Proposals developed and finalised	Going to Borough Forum on the 20 <sup>th</sup> of February.	<ul style="list-style-type: none"> <li>• Head of Estate Services</li> <li>• AD for Housing Services</li> </ul>	
Develop an expenses policy	Draft policy developed for consultation	Will look at similar policies	<ul style="list-style-type: none"> <li>• Head of Neighbourhood Services</li> <li>• supported by RI Consultant</li> </ul>	
Develop a core mailing list	<ul style="list-style-type: none"> <li>• Core list of TRAs in place</li> <li>• List of Interested Residents being developed via drop-in / consultation sessions and added to the TP tracker.</li> </ul>		<ul style="list-style-type: none"> <li>• Head of Neighbourhood Services</li> <li>• Business Analyst</li> </ul>	<ul style="list-style-type: none"> <li>• In place</li> <li>• Work in progress</li> </ul>

# Agenda Item 20



## **FORWARD PLAN OF KEY DECISIONS**

***Proposed to be made in the period March 2012 to June 2012***

The following is a list of Key Decisions, as far as is known at this stage, which the Authority proposes to take in the period from March 2012 to June 2012.

**KEY DECISIONS** are those which are likely to result in one or more of the following:

- Any expenditure or savings which are significant, regarding the Council's budget for the service function to which the decision relates in excess of £100,000;
- Anything affecting communities living or working in an area comprising of two or more wards in the borough;
- Anything significantly affecting communities within one ward (where practicable);
- Anything affecting the budget and policy framework set by the Council.

The Forward Plan will be updated and published on the Council's website on a monthly basis. (New entries are highlighted in yellow).

**NB:** Key Decisions will generally be taken by the Executive at the Cabinet. The items on this Forward Plan are listed according to the date of the relevant decision-making meeting.

*If you have any queries on this Forward Plan, please contact  
Katia Richardson on 020 8753 2368 or by e-mail to [katia.richardson@lbhf.gov.uk](mailto:katia.richardson@lbhf.gov.uk)*

## **Consultation**

Each report carries a brief summary explaining its purpose, shows when the decision is expected to be made, background documents used to prepare the report, and the member of the executive responsible. Every effort has been made to identify target groups for consultation in each case. Any person/organisation not listed who would like to be consulted, or who would like more information on the proposed decision, is encouraged to get in touch with the relevant Councillor and contact details are provided at the end of this document.

## **Reports**

Reports will be available on the Council's website ([www.lbhf.org.uk](http://www.lbhf.org.uk)) a minimum of 5 working days before the relevant meeting.

## **Decisions**

All decisions taken by Cabinet may be implemented 5 working days after the relevant Cabinet meeting, unless called in by Councillors.

## **Making your Views Heard**

You can comment on any of the items in this Forward Plan by contacting the officer shown in column 6. You can also submit a deputation to the Cabinet. Full details of how to do this (and the date by which a deputation must be submitted) are on the front sheet of each Cabinet agenda.

### **LONDON BOROUGH OF HAMMERSMITH & FULHAM: CABINET 2010/11**

<b>Leader:</b>	<b>Councillor Stephen Greenhalgh</b>
<b>Deputy Leader (+Environment and Asset Management):</b>	<b>Councillor Nicholas Botterill</b>
<b>Cabinet Member for Children's Services:</b>	<b>Councillor Helen Binmore</b>
<b>Cabinet Member for Community Care:</b>	<b>Councillor Joe Carlebach</b>
<b>Cabinet Member for Community Engagement:</b>	<b>Councillor Harry Phibbs</b>
<b>Cabinet Member for Housing:</b>	<b>Councillor Andrew Johnson</b>
<b>Cabinet Member for Residents Services:</b>	<b>Councillor Greg Smith</b>
<b>Cabinet Member for Strategy:</b>	<b>Councillor Mark Loveday</b>

*Forward Plan No 118 (published 14 February 2012)*

## LIST OF KEY DECISIONS PROPOSED MARCH 2012 TO JUNE 2012

*Where the title bears the suffix (Exempt), the report for this proposed decision is likely to be exempt and full details cannot be published.*

**New entries are highlighted in yellow.**

\* All these decisions may be called in by Councillors; If a decision is called in, it will not be capable of implementation until a final decision is made.

Decision to be Made by: (ie Council or Cabinet)	Date of Decision-Making Meeting and Reason	Proposed Key Decision	Lead Executive Councillor(s) and Wards Affected
<b>March</b>			
Cabinet	5 Mar 2012	<b>Award of Term Contract for Public Lighting and Ancillary Works 2012-2015</b>	Deputy Leader (+Environment and Asset Management)
	Reason: Expenditure more than £100,000	Decision to award the new Public Lighting and Ancillary Works contract to the most economically advantageous tenderer.	Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Remodelling of Day Services</b>	Cabinet Member for Community Care
	Reason: Affects more than 1 ward	Remodelling of day services, including proposals on relocation of some services and sharing building space with various care groups.	Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Delegated authority to award West London Housing Related Support Joint Framework Agreement</b>	Cabinet Member for Community Care
	Reason: Affects more than 1 ward	Request for delegated authority to the Cabinet Member for Community Care in consultation with the Executive Director of Adult Social Care for the new framework agreement for housing related support services across eight West London boroughs. LBHF is the lead procurement borough for the new framework.	Ward(s): All Wards

<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
Cabinet	5 Mar 2012	<b>Award of the contract for advertising and sponsorship services</b>	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000	Contract for Advertising and Sponsorship Services.	Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Award of the management of Ravenscourt Park Cafe contract</b>	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000	Contract award for catering provisions for the Ravenscourt Park Café.	Ward(s): Ravenscourt Park
Cabinet	5 Mar 2012	<b>Earls Court Olympic Volleyball - Local Area Traffic Management and Parking Plan (LATMP)</b>	Deputy Leader (+Environment and Asset Management)
	Reason: Expenditure more than £100,000	Details of the Local Area Traffic Management Plan to facilitate the Olympic Volleyball competition to be held at Earls Court from 28 July to 12 August 2012.	Ward(s): Fulham Broadway; North End
Cabinet	5 Mar 2012	<b>The General Fund Capital Programme, Housing Capital Programme and Revenue Monitoring 2011/12 month 9</b>	Leader of the Council
	Reason: Expenditure more than £100,000	The report seeks approval to changes to the Capital Programme and Revenue budgets.	Ward(s): All Wards
Cabinet	5 Mar 2012	<b>TfL funded annual integrated transport investment programme 2012/13</b>	Deputy Leader (+Environment and Asset Management)
	Reason: Expenditure more than £100,000	This report summarises the TfL funded integrated transport investment programme for 2012/13. Eighteen projects are proposed totalling £1.988 million under three programme areas; Corridors, Neighbourhoods and Smarter Travel.	Ward(s): All Wards

Decision to be Made by: (ie Council or Cabinet)	Date of Decision-Making Meeting and Reason	Proposed Key Decision	Lead Executive Councillor(s) and Wards Affected
		<p>The purpose of the schemes is to help meet the Transport Plan (LIP) objectives of improving access to the borough's regeneration areas, improving the efficiency of the road network , improve the quality of our streets and air quality, make it easier for everyone to gain access to transport, control parking spaces fairly for residents and businesses and reduce the numbers of people killed and injured on our roads.</p> <p>The funding has been provided specifically for these purposes by Transport for London and will be designed to give maximum value for money and reduce longer term maintenance costs to the Council . There will be full consultation on the details of schemes with residents, businesses and road user groups and schemes will only be supported if they have broad local support.</p>	
Cabinet	5 Mar 2012	<b>Delivery of Council's Trade Waste service from 2012/13</b>	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000	Review of viability of Trade Waste service operation.	Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Contracts for management, maintenance and development of Satellite Tennis Centres</b>	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000	To seek permission to appoint a contractor to oversee tennis provision in a number of sites across the borough.	Ward(s): All Wards

<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
Cabinet	5 Mar 2012	<b>Parks Capital Programme 2012/13</b>  To outline Capital Expenditure for Parks over the next 2-3 years.	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000		Ward(s): All Wards
Cabinet	5 Mar 2012	<b>National non-domestic rates write offs</b>  This report seeks approval to write off three National Non-Domestic Rate debts in excess of £100,000, in accordance with the Council's Financial Regulations.	Leader of the Council
	Reason: Expenditure more than £100,000		Ward(s): All Wards
Cabinet	5 Mar 2012	<b>School Organisation Strategy 2012/13</b>  The updated Schools Organisation Strategy and Capital Funding Strategy.	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Tri- and Bi-Borough Legal Agreements</b>  To obtain final approval to enter into Tri-Borough Legal Agreements.	Leader of the Council, Cabinet Member for Children's Services, Cabinet Member for Community Care
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Tri Borough Insurance Contract</b>  To approve the award of a contract for insurance cover as tendered under the Tri-Borough Arrangements	Leader of the Council
	Reason: Expenditure more than £100,000		Ward(s): All Wards
Cabinet	5 Mar 2012	<b>Polo in the Park Agreement</b>  To seek approval for a seven year contractual agreement to organise and deliver the Polo in the Park event at	Cabinet Member for Residents Services
	Reason: Expenditure more than		Ward(s): Palace Riverside

<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
	£100,000	Hurlingham Park	
Cabinet	5 Mar 2012	<b>Land at 282-292 Goldhawk Road</b>	Cabinet Member for Housing
	Reason: Expenditure more than £100,000	To agree the partnership and procurement arrangements necessary to bring forward the development of the sites.	Ward(s): Ravenscourt Park
Cabinet	5 Mar 2012	<b>The future of Resident Involvement and the Levy in LBHF</b>	Cabinet Member for Housing
	Reason: Affects more than 1 ward	This report makes the recommendations following the review of Resident Involvement in LBHF. It sets out a clear vision for re-engaging with residents following the return of Housing to the Council's control, and recommendations on the future of the Tenant Levy.	Ward(s): All Wards
Cabinet	5 Mar 2012	<b>The Irish Community Centre, Black Road, Hammersmith, London, W6</b>	Deputy Leader (+Environment and Asset Management)
	Reason: Expenditure more than £100,000	Cabinet agreed to release this property for disposal in February 2011 with the tenant being offered first refusal. The report seeks approval to the terms agreed with the tenant.	Ward(s): Hammersmith Broadway
<b>April</b>			
Cabinet	16 Apr 2012	<b>Riverside Studios, Crisp Road, London, W6</b>	Deputy Leader (+Environment and Asset Management)
	Reason: Expenditure more than £100,000	Re-development of Riverside Studios Site.	Ward(s): Hammersmith Broadway
Cabinet	16 Apr 2012	<b>The General Fund Capital Programme, Housing Capital Programme and Revenue Monitoring 2011/12 month 10</b>	Leader of the Council
	Reason: Expenditure more than £100,000	The report seeks approval to	Ward(s): All Wards



<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
		changes to the Capital Programme and Revenue Budgets.	
Cabinet	16 Apr 2012	<b>The Archives Service Review</b>	Cabinet Member for Residents Services
	Reason: Affects more than 1 ward	This report will outline the current position and recommend options for the future delivery of the Council's archives service.	Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Contract for the Provision of Service for Face to Face Customer Transactions</b>	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000	The successful contractor from current tender process (Dec 2011) will provide a full face to face payment and verification process for the Council which will include the requirements as specified in the report. The majority of payments will be cash or cheque but may also be via credit card or debit card or postal orders. The Contractor may be asked to support new payment types that emerge during the life of the Contract.	Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Section 106 Hammersmith Library Funding</b>	Cabinet Member for Residents Services
	Reason: Expenditure more than £100,000	Approval for funding for refurbishment of Hammersmith Library	Ward(s): Hammersmith Broadway
Cabinet	16 Apr 2012	<b>Measured Term Contract for the Provision of the Inspection and Maintenance of Fire Fighting Equipment in Council-owned Housing Properties 2012-2017</b>	Cabinet Member for Housing
	Reason: Expenditure more than £100,000	Periodic inspection, repairs and maintenance work to fire fighting equipment located on Council-owned housing properties for the London Borough of Hammersmith and	Ward(s): All Wards

<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
		Fulham.	
Cabinet	16 Apr 2012	<b>Care proceedings pilot</b>  A Tri-borough multi agency pilot to reduce the length of time care proceedings take in order to improve outcomes for children and reduce expenditure.	Cabinet Member for Children's Services
	Reason: Expenditure more than £100,000		Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Housing Investment Plan (HEIP) and Action Plan</b>  Following report approved at November Cabinet, consultation outcome has now been considered and assessment undertaken using the criteria agreed. Now returning to Cabinet with a recommended estate to be the first to benefit from the Housing Investment Plan.	Cabinet Member for Housing
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Housing Development Company Joint Venture</b>  Proposal to establish a joint venture company to deliver new affordable housing.	Cabinet Member for Housing
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Meals Service Contract</b>  To request authority for the outsourcing of the Meals Service to a "cook on route" model. To notify of multi borough tendering arrangements. To request that authority to award the contract be delegated to Cabinet Member for Community Care in conjunction with the Executive Director of Adult Social Care.	Cabinet Member for Community Care
	Reason: Expenditure more than £100,000		Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Hammersmith Town Hall - Smart Accommodation Programme - Phase 1</b>  Tender acceptance report to appoint contractor to carry out remodelling works on 1st and	Deputy Leader (+Environment and Asset Management)
	Reason: Expenditure more than		Ward(s): Hammersmith Broadway

<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
	£100,000	2nd floor offices at Hammersmith Town Hall to provide smart working, open plan accommodation to maximise occupancy.	
Cabinet	16 Apr 2012	<b>Network technology enabling multimedia use</b>	Leader of the Council
	Reason: Expenditure more than £100,000	Work is required to implement network technology enabling multimedia use. This will enable (for example) access to e-meetings, streaming from websites such as news or webinars, training materials or staff briefings from the Leader or Chief Executive. This will offer cost-effective just-in-time and personalised training courses, resulting in lower training costs and a higher-skilled workforce. There are also potential benefits from improved communication, e.g. videos of Leadership forum events.	Ward(s): All Wards
Cabinet	16 Apr 2012	<b>Tackling Youth Disaffection Creating Opportunities</b>	Leader of the Council
	Reason: Affects more than 1 ward	Initiative to establish a payment by results model to address youth unemployment	Ward(s): All Wards
<b>May - provisional date</b>			
Cabinet	14 May 2012	<b>Youth Provision Commissioning</b>	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward	Proposals for the commissioning of Youth Provision from 2013-2015	Ward(s): All Wards
Cabinet	14 May 2012	<b>Maintenance of Fire Fighting Equipment</b>	Cabinet Member for Housing
	Reason: Affects more than 1 ward	Re-procurement of contract for maintenance of Fire Fighting Equipment	Ward(s): All Wards

<b>Decision to be Made by:</b> (ie Council or Cabinet)	<b>Date of Decision-Making Meeting and Reason</b>	<b>Proposed Key Decision</b>	<b>Lead Executive Councillor(s) and Wards Affected</b>
Cabinet	14 May 2012	<b>Tri-Borough Integration of Health and Social Care Services - Update and Proposals for Next Steps</b>  Tri-Borough Integration of Health and Social Care Services - Update and Proposals for Next Steps.	Cabinet Member for Community Care
	Reason: Affects more than 1 ward		Ward(s): All Wards
<b>June - provisional date</b>			
Cabinet	11 Jun 2012	<b>Looked After Children Social Care Report</b>  Looked After Children Social Care report.	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	11 Jun 2012	<b>Child Protection Social Care Report</b>  Child Protection Social Care report.	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	11 Jun 2012	<b>Local Safeguarding Children's Board (LSCB) Social Care Report</b>  Local Safeguarding Children's Board (LSCB) Social Care report.	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward		Ward(s): All Wards
Cabinet	11 Jun 2012	<b>Replacement for Frameworki CHS Report</b>  Replacement for Frameworki CHS report.	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward		Ward(s): All Wards
<b>July - provisional date</b>			
Cabinet	9 Jul 2012	<b>Travel Assistance Policies</b>  Travel Assistance Policy – Special education needs (SEN)	Cabinet Member for Children's Services
	Reason: Affects more than 1 ward		Ward(s): All Wards



# Cabinet

5 MARCH 2012

**SUMMARY OF OPEN DECISIONS TAKEN BY THE LEADER AND CABINET MEMBERS REPORTED TO CABINET FOR INFORMATION**

**DEPUTY LEADER  
(+ENVIRONMENT  
AND ASSET  
MANAGEMENT)**  
*Councillor Nicholas  
Botterill*

**21.1 REVIEW OF CONTROLLED PARKING ZONE V**

This report details the results of the public consultation carried out in November 2011 in Controlled Parking Zone V. It explains the views of the residents and businesses on aspects of controlled parking such as hours of control, days of control, maximum stay for pay and display parking.

**Decision taken by Cabinet Member on: 23 January 2012**

1. That current parking controls in Zone V remain unchanged;
2. That the SMART Visitor Permit is introduced in Zone V;
3. Introduce double yellow lines at all dropped kerbs to improve access and declutter parking related signage and street furniture, where appropriate, whilst maintaining enforceability;
4. That parking are extended to maximise parking where feasible; it is estimated that at least 22 additional parking bays can be provided in Zone V.
5. That car club bays are introduced in areas of the zones where there is high demand from residents and where there is a relatively low demand for parking.

**Ward: Askew; Wormholt & White City**

**DEPUTY LEADER  
(+ENVIRONMENT  
AND ASSET  
MANAGEMENT)**  
*Councillor Nicholas  
Botterill*

**21.2 REVIEW OF CAR CLUB PILOT AND PROPOSED ADDITIONAL CAR CLUB BAYS BOROUGH-WIDE**

This report provides an update on the progress of the Car Club pilot scheme, which began in December 2010, it details feedback we have received and sets out proposals to introduce additional bays across the Borough this financial year (2011-2012)

The report also details research undertaken by officers and proposes the framework for assessing and implementing Car Clubs by comparing with boroughs across London.

Transport for London (TfL) is funding these proposals.

**Decision taken by Cabinet Member on: 23 January 2012**

1. To make permanent the four piloted Car Club bays detailed in this report.
2. Introduce additional on-street Car Club bays as per the proposed locations detailed in this report by the end of the 2011/12 financial year (funded through a TfL grant of £50k)
3. Include all Carplus accredited operators in extension of Car Club scheme (thereby offering residents a choice of multiple operators) and allocate locations to operators based on assessment criteria detailed in this report.
4. Approval of assessment criteria for future expansion of car club bays in LBHF.

Wards : All

**CABINET MEMBER  
FOR HOUSING**

*Councillor Andrew  
Johnson*

**21.3 BAYONNE NURSERY SCHOOL, 50 PAYNES WALK,  
W6 8PF – LAND TRANSFER**

Bayonne Nursery have planning permission to make improvements to the area in front of the school to improve safety for children and others at the entrance. The plans include fencing off an area of land which is held in the Housing Revenue Account (HRA).

**CABINET MEMBER  
FOR CHILDREN'S  
SERVICES**

*Councillor Helen  
Binmore*

**Decision made by Cabinet Members on: 23 January 2012**

**That the land as illustrated by the hatched area on plan in Appendix A be appropriated from the HRA to Children's Services with a one-off payment from Bayonne Nursery School to the HRA of £ 4,760.**

Ward: Fulham Reach

**CABINET MEMBER  
FOR CHILDREN'S  
SERVICES**

*Councillor Helen  
Binmore*

**21.4 CONSTITUTION OF THE GOVERNING BODY OF THE  
FEDERATION OF HURLINGHAM AND CHELSEA SCHOOL  
AND LANGFORD PRIMARY SCHOOL**

The report recommends that the instrument of government for The Federation of Hurlingham and Chelsea School and Langford Primary School, as specified, be made and come into effect from the date of making.

## **Decision made by Cabinet Member on: 30 January 2012**

**That the instrument of government for The Federation of Hurlingham and Chelsea School and Langford Primary School, as set out in Appendix 3 of this report, be made, coming into effect from the date of making.**

**Ward: Sands End**

### **CABINET MEMBER FOR HOUSING**

*Councillor Andrew  
Johnson*

### **21.5 STRATEGIC REVIEW OF SHELTERED HOUSING STOCK AND THE PROVISION OF EXTRA CARE UNITS IN HAMMERSMITH AND FULHAM**

The vision is to ensure that LBHF HRA stock is managed efficiently and profiled to meet changing aspirations and need in the Borough.

### **CABINET MEMBER FOR COMMUNITY CARE**

*Councillor Joe  
Carlebach*

A key driver is to provide sustainable, fit for purpose accommodation that meets the corporate objective of delivering high quality, value for money services.

Whilst the outcome of the review of the Sheltered Housing Stock cannot be predetermined, a primary objective is to deliver an additional 105 units of Extra Care accommodation within our existing Sheltered housing stock to support the operational requirements of Adult Social Care. Current stock will be assessed for potential conversion as part of the Review.

## **Decision made by Cabinet Members on: 30 January 2012**

**That it be noted that the Executive Director of Housing and Regeneration has begun the process to**

- (i) review current sheltered accommodation, and**
- (ii) secure the provision of 105 units of Extra Care within H&F's existing sheltered housing stock.**

**Wards: All**

### **LEADER**

*Councillor Stephen  
Greenhalgh*

### **21.6 AGREEMENT OF A CONTRACT WITH DELOITTE LLP**

This report seeks approval to appoint Deloitte LLP to Carry out a review of the cases of individuals paid by LBHF without deduction of tax and National Insurance Contributions (NIC's), advise LBHF on whether there is a need for a voluntary disclosure to HMRC and if such a disclosure is recommended support LBHF in managing it without exposing LBHF to any penalties.

## **Decision made by Cabinet Member on: 9 January 2012**

- 1. That approval is given to appoint Deloitte LLP to carry out a review of the cases of those individuals paid without deduction of tax and NIC's by LBHF and recommend action that should be taken.**
- 2. That approval is given for the expenditure of £19,000 to complete the review and make recommendations and, if a voluntary disclosure is recommended, that further approval should be sought, in accordance with the Council's Contract Standing Orders, to cover the cost of managing the process of voluntary disclosure with HMRC.**

**Wards: All**

### **LEADER**

*Councillor Stephen Greenhalgh*

### **CABINET MEMBER FOR HOUSING**

*Councillor Andrew Johnson*

## **21.7 ARMED FORCES COMMUNITY COVENANT**

The Government launched the Armed Forces Covenant in Summer 2011. Subsequently, the Chief Executive, Greater London Reserve Forces' and Cadets' Association, Col (Rtd) H M Purcell OBE DL in December approached all London Councils to support the Community Covenant by signing a Community Covenant pledge. This report sets out the Council's support of the Community Covenant and seeks authority for the Leader to sign the Community pledge on behalf of the Council.

## **Decision made by Cabinet Members on 20 February 2012:**

**That the Council supports the Armed Forces Community Covenant and the Leader signs the Community pledge on Sunday 11 March 2012 after the Freedom of the Borough Parade.**

**Wards: All**

### **DEPUTY LEADER (+ ENVIRONMENT AND ASSET MANAGEMENT)**

*Councillor Nicholas Botterill*

## **21.8 THE OLYMPIC CYCLING ROAD RACE – ADDITIONAL HIGHWAYS ENABLING WORKS**

This report details the additional highway works required in Kensington & Chelsea to facilitate the Olympic cycling road race as identified by LOCOG following the trial cycling road race (London Surrey Cycling Classic) which took place on 14 August 2011.

A further three sets of traffic islands are required, by LOCOG, to be replaced with demountable islands alongside the 16 islands that were replaced for the trial event.



**Decision made by Cabinet Member on 30 January 2012:**

1. That approval be given to implement the further highway enabling works in RBKC at a total cost of £90,000 as set out in paragraph 3 of the report. The enabling works are to be fully funded by TfL/LOCOG, and should full funding not be forthcoming the enabling works will not be carried out.
2. That approval be given to enter into a further section 8 legal agreement with RBKC as detailed in paragraph 2.4 of the report.

**Wards: Parsons Green and Walham, Town, Sands End**

**DEPUTY LEADER  
(+ ENVIRONMENT  
AND ASSET  
MANAGEMENT)**

*Councillor Nicholas  
Botterill*

**21.8 STREET TREE MANAGEMENT – PLANE TREE  
POLLARDING IN RYLETT CRESCENT, RYLETT ROAD  
AND BINDEN ROAD**

The report sets out the background to the recent consultation undertaken about the re-introduction of full pollarding. Reports on the results and Officer recommendations.

**Decision made by Cabinet Member on 30 January 2012:**

**That the results of the resident consultation be noted and that approval be given to the re-introduction of full pollard management as set out in the report.**

**Ward: Ravenscourt Park**

**DEPUTY LEADER  
(+ ENVIRONMENT  
AND ASSET  
MANAGEMENT)**

*Councillor Nicholas  
Botterill*

**21.10 WESTFIELD LONDON S106 – TRANSPORT AND  
STREETScape IMPROVEMENT PROJECT**

The report details a package of measures for the area around the Westfield London development that have stemmed from the impact of the development on the highway network.

Funding has been provided specifically for this project by way of a S.106 contribution from the Westfield development. The measures have been designed to reduce unnecessary street furniture and clutter and reduce longer term maintenance costs to the Council.

**Decision made by Cabinet Member on 30 January 2012**

**That approval is given to implement the highway improvements at a total cost of £99,500 as set out in paragraphs 4.2 to 4.6 of the report. This is funded by way of a S.106 contribution from the Westfield London development.**

**Wards: Wormholt and White City, College Park and Old Oak,  
Shepherds Bush Green.**

**DEPUTY LEADER  
(+ ENVIRONMENT  
AND ASSET  
MANAGEMENT)**  
*Councillor Nicholas  
Botterill*

**21.11 IT CABLING FOR THE 2<sup>ND</sup> FLOOR, HAMMERSMITH  
TOWN HALL EXTENSION**

The 2<sup>nd</sup> floor of the extension has experienced major problems with the IT system, which has resulted in officers not being able to use systems effectively and in some cases increasing unproductive time within the service. It is envisaged that investing in the upgrade of the cabling will reduce time lost in reporting problems and save £4,500 in the first year, reducing downtime and improving productivity with faster and more reliable IT systems. As the largest customer interfacing service with approximately 200,000 phone calls, over 70,000 visitors per annum, and collecting Council Tax and Business rates which amount to £262.5m, this is important as officers experience IT problems with frozen and slow IT systems while dealing with customers. This results in repeat calls, impacting on efficiency savings gained from dealing with enquiries at the first point of resolution wherever possible.

**Decision taken by Cabinet Member on 30 January 2012:**

**That approval be given to upgrade the IT cabling on the 2<sup>nd</sup> floor of the Town Hall Extension at a total cost of £30,264 as set out in paragraph 4 of the report.**

**Ward: Hammersmith Broadway**

## SUMMARY OF URGENT DECISION TAKEN BY THE LEADER REPORTED TO CABINET FOR INFORMATION

The following reports were considered in accordance with paragraph 1.21 of the Leader's Portfolio.

### ITEM

#### **22.1 COUNCIL LOAN FUND GUARANTEE TO THE ARCHITECTURAL HERITAGE FUND FOR WORKS TO GOTHIC AND COACHMAN'S LODGES AS REQUESTED BY FULHAM PALACE TRUST**

Fulham Palace Trust (FPT) have been offered a maximum £350,000 loan from the Architectural Heritage Fund (AHF) to fund the cost of the refurbishment of the Gothic and Coachman's Lodges, so they can be let at market rents. This will assist in the objective of making FPT financially self sustaining .

Due to FPT's charitable status, the lender requires a loan fund guarantee from the Council. This report seeks approval to provide that guarantee so that work can commence at these sites.

#### **Reasons for Urgency**

Fulham Palace Trust have tendered for the works but are unable to commence on site until the AHF loan has been drawn down. If works do not commence soon FPT will need to retender for the works. This will delay the financial return to the Trust in terms of commercial rent income.

#### **Decision taken by the Leader on: 13 February 2012:**

**For the Council to underwrite the Architectural Heritage Fund (AHF) loan by providing a loan guarantee for the duration of the 5 year loan period from 2012, up to the maximum loan offer of £350,000, plus the interest that will accrue on the loan.**

**Wards: All**