

Cabinet

Minutes

Monday 7 April 2014

PRESENT

Councillor Nicholas Botterill, Leader (+ Regeneration, Asset Management and IT)
Councillor Greg Smith, Deputy Leader (+ Residents Services)
Councillor Mark Loveday, Cabinet Member for Communications (+ Chief Whip)
Councillor Andrew Johnson, Cabinet Member for Housing
Councillor Victoria Brocklebank-Fowler, Cabinet Member for Transport and Technical Services
Councillor Georgie Cooney, Cabinet Member for Education

186. MINUTES OF THE CABINET MEETING HELD ON 3 MARCH 2014

RESOLVED:

That the minutes of the meeting of the Cabinet held on 3rd March 2014 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

187. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Helen Binmore and Marcus Ginn.

188. DECLARATION OF INTERESTS

There were no declarations of interest.

189. REVENUE BUDGET 2013/14 - MONTH 10 AMENDMENTS

RESOLVED:

- 1.1. That £398,000 of bad debt be written off.
- 1.2. That approval be given to the carry forward of departmental underspends of £3.752m as detailed in Appendix 2 to this report.

- 1.3. That the Executive Director of Finance and Corporate Governance be given delegated authority to authorise a reallocation of the current Children's Services reserves to help them manage their 2014/15 risks in line with their current risk assessment.
- 1.4. That approval be given to virements totalling £2.056m as set out in Appendix 1 to this report.
- 1.5. That approval be given to the request for the Executive Director of Finance and Corporate Governance, in conjunction with the Leader, to take the necessary decisions required to ensure the Council's accounts are closed by 30 June 2014.

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.

190. DEVELOPING TRI-BOROUGH CORPORATE SERVICES

RESOLVED:

- 1.1 That the three Cabinets agree with the principle of the establishment of Tri Borough Corporate Services.
- 1.2 That the three Cabinets appoint the Chief Executive of Westminster City Council to be the SRO overseeing the development of detailed business plans, including the establishment of necessary business cases, for the creation of Tri Borough Corporate Services.
- 1.3 That the three Cabinets endorse the decision of the Chief Executive of Westminster City Council to appoint the s151 officer from the London Borough of Hammersmith and Fulham to undertake the consequent planning and implementation of the Tri-borough Corporate Services, plus day to day line management of Legal Services, Human Resources and Procurement in Westminster City Council on an interim basis.
- 1.4 That further reports with detailed business cases for Tri Borough Corporate Services be provided to all three Cabinets in due course for formal agreement.
- 1.5 That a budget of £210,000 is allocated by each Council, funded from the Efficiency Projects Reserve in H&F.

- 1.6 That in accordance with a previous delegated decision, the s151 officers in the three boroughs are requested to approve all s113 agreements required to underpin Tri-borough Corporate Services.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

191. CONTRACT FOR CASH IN TRANSIT AND CASH PROCESSING SERVICES

RESOLVED:

- 1.1. That the Contract for Cash in Transit and Cash Processing Services be awarded to Contract Security Services Limited as the tenderer with the most economically advantageous tender submission in terms of price and quality.
- 1.2. That approval be given to the Council entering into a contract for services, commencing on 1 June 2014 for a period of six years, with an option to break after the third anniversary of the commencement of the contract, for a contract value as set out in the exempt 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.

192. ELECTRONIC DOCUMENT MANAGEMENT SYSTEM CONTRACT EXTENSION

RESOLVED:

That approval be given to potential contract costs as set out in the exempt report for the provision of a corporate EDMS from carried forward Finance and Corporate Services resources.

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.

193. BUSINESS INTELLIGENCE

RESOLVED:

- 1.1. That the Tri-borough Councils approve plans for the 18 month Business Intelligence (BI) Service Pilot, and that funding of £1,743,000 be approved for the 18 month BI Service Pilot with assured ROI of 55% over 3 years with other projects providing a contribution that will increase the ROI beyond 55% (projected and possible).
- 1.2. That the Tri-borough Councils approve the setting up of a Section 113 agreement to enable the virtual team to be established.

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.

**194. DEPOT WELFARE FACILITIES - HAMMERSMITH PARK :
REFURBISHMENT OF THE EXISTING STAFF WELFARE BLOCK FOR
OCCUPATION BY THE STREET CLEANING TEAMS AND THE GROUNDS
MAINTENANCE TEAMS**

RESOLVED:

- 1.1 That approval is given for the works to be procured from Amey Community Limited (ACL) in accordance with the approved Terms and Conditions of the Tri-Borough TFM contract at an estimated cost of the works will be £134,225 which includes a contingency sum of £12,200 to which fees of £20,134 will be added, making a total cost for approval of £154,359.
- 1.2 The funding for this scheme will be met from the Corporate Planned Maintenance Programme 2012/2013 which was approved by Cabinet as a Key Decision on 30th January 2012 and the WSTF08 Westfield Section 106 agreement dated 11 June 2010 clause 11.29.3.

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.

195. SPECIAL GUARDIANSHIP ALLOWANCE POLICY

RESOLVED:

That the new Special Guardianship allowance policy (attached as Appendix 1 to 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.

196. DELIVERING THE SCHOOLS CAPITAL PROGRAMME

Cabinet noted that the report described William Morris School as “a newly-established academy” but the process of conversion to a post-16 academy was still in progress. The planned conversion date (subject to final Governor

approval) is 1 July 2014. The first sentence of paragraph 5.6.1 should therefore read: "William Morris is in the process of converting to an academy..."

RESOLVED:

1.1. That approval be given to the capital allocations, and appropriate delegations where required to develop the priority schemes at the following schools:

1.2. Ark Conway

1.2.1. To note that the Council is the contracting authority for the expansion of the Ark Conway Free School, subject to confirmation that the construction qualifies for zero-rating for VAT purposes, and that the costs of the project are underwritten by the Education Funding Agency (EFA). Ministerial approval is being sought for a contract sum of £4,282,297.

1.2.2. That the Leader and the Cabinet Member for Education approve the appointment of the contractor for these Ark Conway works, following a competitive exercise.

1.3. Burlington Danes

1.3.1. To note the increased funding requirement of approximately £1.5m (to approximately £6m) for the creation of a primary school within the grounds of Burlington Danes and the contribution from the Burlington Danes Trust to cover the cost of expanding the sixth form.

1.3.2. That the Council undertakes the role of Contracting Authority for the establishment of new-build construction at Burlington Danes subject to confirmation that the construction qualifies for zero-rating for VAT purposes.

1.4. New King's & Sullivan (and re-location of Paray House from New Kings to Normand Croft)

1.4.1. That Contract Standing Orders be waived and that approval be given to the direct award to Elliott Group Ltd for the supply and installation of the temporary classroom units at Sullivan at an estimated cost of £500,000 to accommodate the students to be relocated from New King's School.

1.4.2. That Contract Standing Orders be waived and that approval be given to delegate the approval of the contractor for Normand Croft refurbishment works to the Cabinet Member for Education in order to facilitate the relocation of Paray House from New King's primary school.

1.4.3. That approval be given to the procurement strategy as set out at paragraph 5.4 of the report for the procurement of a contractor to carry out further construction works, and that the Leader and the Cabinet Member for Education approve the award the contract for the construction works at New King's primary school, providing the tendered sum is within the estimated value of £3.8m for this project. (This particular delegation is needed in order to

facilitate a timely submission of the planning application and commencement of building works. The estimated cost of works is currently £3.8m).

1.5. St. Peter's

1.5.1. That the Leader and Cabinet Member for Education approve a funding agreement between the Council and the school, and other appropriate parties, to draw down funding up to the maximum available of £2.279m subject to satisfactory planning and contract award approvals to allow the school to carry out the project described in paragraph 5.5.1 of this report.

1.6. William Morris

1.6.1. That the approval of a funding agreement between the Council and the school for the provision of post-16 SEN teaching facility be delegated to the Cabinet Member for Education, subject to the development of agreed education strategy for post-16 SEN, the availability of the adjacent St. Dunstan's site, and planning permission.

1.7. Wood Lane Special School

1.7.1. Subject to receiving tenders within the estimated value of the proposed works of £750,000, that approval of the contractor for the expansion of Wood Lane Special School be delegated to the Cabinet Member for Education in order to facilitate the commencement of works in May 2014 and completion in September 2014.

1.8. Lady Margaret's

1.8.1. That approval be given to additional Council funding of £500,000 up to £6.5m to fund 1 form of entry expansion proposals as described in paragraph 5.8 of this report.

1.9. St Thomas'

1.9.1. That a provision of up to £124,000 be established to settle a contractual dispute with the contractors as further described below in paragraph 5.9 and that authority be delegated to the Tri-borough Executive Director of Children's Service, and to the Cabinet Member for Education if required, to determine the appropriate use of this provision in settling the dispute.

1.10. Pope John

1.10.1. That approval be given to the allocation of up to £100,000 to fund the cost of providing temporary classroom to accommodate the additional children on roll for September as described in paragraph 5.10 of the report.

1.11. Queensmill @ Fulham College for Boys

1.11.1. That approval be given to the allocation of £50,000 to fund the expansion of the autism pilot run by Queensmill school at Fulham college for

Boys as described in paragraph 5.11 of this report, the school being the contracting authority.

1.12. Contingency

1.12.1. That approval be given to the establishment of a contingency fund of £742,000 and that authority be delegated to the Cabinet Member for Education to determine the appropriate use of this contingency fund in support of the schemes approved by Members as part of the Schools' Capital Programme..

1.13. That approval be given to establish a Planned Maintenance Programme in the value of £1,481,072.

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.

197. SCHOOLS ORGANISATION AND INVESTMENT STRATEGY 2014

RESOLVED:

That approval be given to the School Organisation and Investment Strategy 2014 contained in Appendix B of the report and the recommendations contained therein.

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.

198. APPROVAL OF A ROLL-OVER OF TEAM WHITE CITY PROGRAMME BUDGET UNDERSPEND INTO 2014/15.

RESOLVED:

That approval be given to a roll-over of £136,000 underspend from the Team White City programme budget into 2014/15.

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.

199. BETTER CARE FUND PLAN

RESOLVED:

- 1.1. That approval is given to the Better Care Fund Plan and specifically to the following elements:
 - i. The establishment of a Better Care Fund Programme of work relating to integrated operational services; service user experience; integrated contracting and commissioning; and programme delivery.
 - ii. The development of a Better Care Fund pooled budget, to be held by the local authority on behalf of both the Council and the NHS, to enable the development of integrated health and social care services for the people of Hammersmith and Fulham.
 - iii. The allocation of £47,781,199 local authority existing budgets to the pooled budget in 2015/16 (this is a minimum figure based on existing partnership commitments and during 2014-15 further proposals may be brought to the Cabinet Member (and the CCG Governing Bodies) for possible inclusion in the pooled budget).
 - iv. Confirmation of the Integration Partnership Board as the BCF Implementation Board, reporting to the Hammersmith and Fulham Health and Wellbeing Board on delivery of the BCF Programme.
 - v. Agreement that, following sign off, any significant variations to the Plan relating to the allocation of funds by the local authority will be brought back to the Cabinet Member for approval.

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.

200. HRA HOUSING CAPITAL PROGRAMME 2014/15 TO 2016/17

RESOLVED:

- 1.1. That approval be given to the projects and schemes identified in Appendix 1 of this report which form the 2014/15 Housing Capital Programme to the value of £48.391 million (this envelope of £48.391 million was approved at Budget Council on 26 February 2014).
- 1.2. That approval be given to the budget envelope of £43.580 million for 2015/16 and £43.543 million for 2016/17 together with capital receipts contributions of £21.386 million for 2015/16 and £21.115 million for 2016/17 from the Decent Neighbourhoods Fund and to note that revenue contributions will also be made to the programme, subject to future quarterly / annual changes to the overall Council capital programme.
- 1.3. That authority be delegated to the Cabinet Member for Housing, in conjunction with the Executive Director of Housing and Regeneration, to award contracts over £100,000 and, if appropriate, exercise built-in options to extend such contracts in respect of any individual projects and schemes under the Housing Capital Programme identified in Appendix 1, in accordance with Contract Standing Order 9.4 and 9.4.1.
- 1.4. That authority be delegated to the Cabinet Member for Housing, in conjunction with the Executive Director of Housing and Regeneration, to approve future amendments to the 2014/15 programme for operational reasons where such amendments can be contained within the overall approved 2014/15 – 2016/17 budget envelope and available resources.

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.

201. APPROVAL OF THE 2014/15 HIGHWAYS MAINTENANCE WORK PROGRAMME

RESOLVED:

- 1.1. That approval be given to the programme in Appendix A to the report, with provision to make adjustments during the year as necessary.
- 1.2. That authority be delegated to the Cabinet Member for Transport and Technical Services, in conjunction with the Director for Transport and Technical Services, to make amendments to the programme as agreed for operational and cost effective reasons, in order to make the optimum use of resources.
- 1.3. That reports and updates on programme amendments (additions and removals) to the approved scheme list be made, as and when required, during the year to the Cabinet Member for Transport and Technical Services

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

202. PERMISSION TO TENDER FOR A BI-BOROUGH PARKING MANAGEMENT INFORMATION SYSTEM

RESOLVED:

- 1.1. That permission be given to carry out a Bi-borough regulated procurement process (in accordance with the Public Contracts Regulations 2006 (as amended)) for a hosted Parking Management Information System (PMIS) for Penalty Charge Notice (PCN) processing with options to include handheld devices, parking bay suspensions, permit processing, and printing and scanning services.
- 1.2. That the procurement exercise contains provision that would allow other London borough Councils the facilities to call off from a framework agreement (within the first 4 years after it has been awarded).
- 1.3. In accordance with the paragraph 12.5 of the Council's Contract Standing Orders that the decision to award the contract following the tender evaluation process be delegated to the appropriate Cabinet Member(s) providing that the actual contract value is within the estimated values set out in paragraphs 10.2 and 10.3 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.

203. COLLECTIVE INVESTMENT VEHICLE FOR LONDON LOCAL AUTHORITY PENSION FUNDS

RESOLVED:

That Cabinet agree:

- 1.1. that a private company limited by shares be incorporated to be the Authorised Contractual Scheme Operator (the “ACS Operator”) of the Common Investment Vehicle and that the Council become a shareholder in the ACS Operator;
- 1.2. to contribute £1 to the ACS Operator as initial capital;
- 1.3. the establishment of a London Councils “Pensions CIV Joint Committee”, to be formed under the Local Government Act 1972 and the Local Government Act 2000 and to delegate to the Joint Committee those functions necessary for the proper functioning of the ACS Operator, including the effective oversight of the ACS Operator and the appointment of Directors;
- 1.4. that Mayor Pipe, Councillors O’Neill and Dombey, Mr Chris Bilsland (Chamberlain, City of London), Mr Chris Buss (Finance Director, LB Wandsworth), Mr Ian Williams (Finance Director, LB Hackney), and Mr John O’Brien (Chief Executive, London Councils) be appointed as the interim Directors of the ACS Operator, subject to the consent of their relevant authorities to the appointments. These directors may be replaced once FCA authorisation is formally applied for;
- 1.5. to note that in the case of RBKC, the Cabinet will appoint the Chairman of the Investment Committee to the Joint Committee and will delegate to him the authority to act for the Council in exercising its rights as a shareholder of the ACS Operator;
- 1.6. to appoint the Chairman of the Audit, Pensions & Standards Committee to the Joint Committee and to delegate to him the authority to act for the Council in exercising its rights as a shareholder of the ACS Operator; and,
- 1.7. to note that in the case of WCC, the Cabinet will appoint the Chairman of the Superannuation Committee to the Joint Committee and will

delegate to him the authority to act for the Council in exercising its rights as a shareholder of the ACS Operator.

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.

204. KEY DECISIONS LIST

RESOLVED:

The Forward Plan was noted.

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.

205. 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.

206. CONTRACT FOR CASH IN TRANSIT AND CASH PROCESSING SERVICES : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations in the exempt report be agreed.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

207. ELECTRONIC DOCUMENT MANAGEMENT SYSTEM CONTRACT EXTENSION : EXEMPT ASPECTS(E)

RESOLVED:

That the recommendations in the exempt report be agreed.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

208. BUSINESS INTELLIGENCE : EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

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.

209. PERMISSION TO TENDER FOR A BI-BOROUGH PARKING MANAGEMENT INFORMATION SYSTEM : EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

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.

210. DISPOSAL OF 1-3 CARNWATH ROAD AND RELOCATION OF CO-OP HOMES TENANTS ON 5 CARNWATH ROAD : EXEMPT (E)

RESOLVED:

That the recommendations in the exempt report be agreed.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

Meeting started: 6.00 pm
Meeting ended: 6.03 pm

Chairman