

Cabinet

Minutes

Monday 1 December 2014

PRESENT

Councillor Stephen Cowan, Leader of the Council
Councillor Michael Cartwright, Deputy Leader
Councillor Sue Macmillan, Cabinet Member for Children and Education
Councillor Andrew Jones, Cabinet Member for Economic Development and Regeneration
Councillor Max Schmid, Cabinet Member for Finance
Councillor Vivienne Lukey, Cabinet Member for Health and Adult Social Care
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Sue Fennimore, Cabinet Member for Social Inclusion
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents Services

ALSO PRESENT

Councillor Andrew Brown
Councillor Marcus Ginn
Councillor Steve Hamilton
Councillor Lucy Ivimy
Councillor Harry Phibbs
Councillor Greg Smith

90. MINUTES OF THE CABINET MEETING HELD ON 3 NOVEMBER 2014

RESOLVED:

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

91. APOLOGIES FOR ABSENCE

There were no apologies for absence.

92. DECLARATION OF INTERESTS

There were no declarations of interest.

93. ENHANCED POLICING REPORT

Cabinet was informed of proposals for a new Enhanced Policing Model in the borough, in line with the Administration's Manifesto Commitments, to increase the size of the current team from 36 to 44 officers, a 22% increase in resourcing. The additional officers would boost ward level policing, tackle social exclusion and promote social inclusion within the Borough.

Councillor Cartwright was pleased that the Administration had found £4 million through section 106 funding to finance this initiative. He noted that this was a key achievement for the Administration within its first 6 months in office. He added that there had been a lot of positive comments on the Internet about the new policy.

In response to a question, the Leader stated that the Crime Prevention Design Officer post would be retained. The Administration was committed to reducing crime and anti-social behaviour in the borough through a new, expanded model of Enhanced Policing. The new model will put additional police resources into ward level policing across the Borough.

Councillor Fennimore noted that the Town Centre teams would still be in place while the additional resources will target exclusion caused by homelessness, involvement in anti-social behaviour or youth violence.

RESOLVED:

- 1.1. That the current contract between H&F and MOPAC for the purchase of additional policing resources (36 officers) be extended until 31 March 2015. (The budget for 2014/15 was set on the assumption that the existing contract would be extended to March 2015, and s106 funds have been identified as sources. The £642,000 cost of the extension will therefore be met from existing approved budgets, subject to formal allocation of S106 funds.)
- 1.2. That approval be given to a new three year Enhanced Policing Model for the borough, which increases the Council funded police resources by 22%, from 36 to 44 officers (from 1st April 2015 to 31st March 2018), at a cost of £4,735k for the three year contract. (A three year period is to suit MOPAC planning. No details are available yet for costs for 2018/9 but the Cabinet is recommended to note the possible requirement for an additional £1,630k if the contract were extended for a fourth year).
- 1.3. To note the possible requirement for an additional £1,630k of funding if the contract were extended for a fourth year.
- 1.4. To note that it is probable that all costs can be met from S106 agreements, but where s106 funds are being relied upon which are not yet in the possession of the Council they will initially be funded from Council Reserves, creating a reserve specifically for policing, which will be reimbursed if and when those s106 funds are received.

- 1.5. That approval be given to a new model of local policing whereby the local authority supplements the Local Policing Model by increasing the number of named ward officers and introduces a social inclusion role for them.

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.

94. CORPORATE REVENUE MONITOR 2014/15: MONTH 6

RESOLVED:

To note the General Fund and HRA month 6 revenue outturn forecast.

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.

95. CAPITAL MONITOR AND BUDGET VARIATIONS 2014/15, (SECOND QUARTER)

RESOLVED:

That the proposed technical budget variations to the capital programme totalling £7.6m (summarised in Table 1 and detailed in Appendix 2), 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.

96. CORPORATE SERVICES - ESTABLISHING A SHARED ICT SERVICES FUNCTION AND IMPLEMENTING THE ICT TARGET OPERATING MODEL

RESOLVED:

1.1 To note and agree the business case, subject to required staff consultation.

1.2 That the Chief Information Officer be authorised to start staff consultation and implement the proposed target operating model for the shared ICT service, specifically:

That the following posts be deleted with effect from 1 April 2015:

- Chief Information Officer (WCC) – 1 FTE
- Director for Procurement and IT Strategy (H&F) – 1 FTE
- Head of Information Systems Division (RBKC) – 1 FTE
- Head of Business Technology (H&F) – 1 FTE
- Head of IS Strategy (WCC) – 1 FTE
- vacant posts within the structures as needed to fund the establishment of the new posts set out in recommendations 2.4 and 2.5 (any remaining vacant posts will be reviewed as part of phase 2 of the proposed restructure)

1.3 That the following new posts making up the shared ICT service divisional leadership team (ICT DLT) be created with effect from 1 April 2015:

- Head of Business Partnering – 1 FTE
- Head of Digital Services – 1 FTE
- Head of Information Management – 1 FTE
- Head of Operations – 1 FTE
- Head of ICT Portfolio Management – 1 FTE
- Head of Strategy and Enterprise Architecture – 1 FTE

(It is proposed that each Council will have a lead Head of Service to act as a key point of liaison for senior stakeholders).

1.4 That the following posts be created with effect from 1 April 2015:

- Strategic Relationship Manager – 4 FTE
- Problem Manager – 1 FTE

- 1.5 That the secondments in place for the Strategic Relationship Managers and Problem Manager be extended up to 31 March 2015 to allow the consultation process and any resulting recruitment to be completed successfully.
- 1.6 That the Interim Chief Executive Hammersmith & Fulham (on behalf of H&F) and the Town Clerk and Chief Executive Royal Borough of Kensington & Chelsea (on behalf of RBKC) and the Chief Executive Westminster City Council (on behalf of WCC) be authorised to enter into a section 113 agreement in respect of the shared ICT service.
- 1.7 That the Interim Chief Executive Hammersmith & Fulham in consultation with the Leader of the Council for H&F and the Town Clerk and Chief Executive Royal Borough of Kensington & Chelsea in consultation with the Leader of the Council for RBKC and the Chief Executive Westminster City Council in consultation with the Cabinet Member for Corporate and Customer Services for WCC be authorised to approve hosting arrangements for the shared ICT service (and as part of that to determine the employing borough for new roles in the ICT division) and to make any ancillary decisions to enable the services to operate effectively.
- 1.8 That a review of the reporting line of the WCC business intelligence function and team be considered in early 2015.

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.

97. CORPORATE SERVICES - SHARED LEGAL SERVICES BUSINESS CASE REPORT

RESOLVED:

- 1.1 To note and agree the business case and thereby create an integrated Legal Services across the three Boroughs, subject to staff consultation.
 - 1.1.1 That the following posts are deleted with effect from 31 January 2015:
 - Bi-borough Director of Law (H&F and RBKC) – 1 FTE
 - Head of Legal and Democratic Services (WCC) – 1 FTE

- 1.1.2 That a new post (1 FTE) of “Director of Law” is created from 31 January 2015.
- 1.1.3 To continue to review and optimise the mix of in-house and outsourced service delivery within Legal Services as well as explore options for sharing and selling our services beyond the three boroughs, to realise the vision of becoming a leading public sector legal services business.
- 1.2 That the Chief Executive of Westminster City Council for WCC, the Town Clerk for RBKC and the Interim Chief Executive of Hammersmith & Fulham, be authorised to enter into the section 113 Agreement in respect of Legal Services on the terms set out in Appendix 2 or such other broadly similar terms as they, in consultation with the relevant Director of Law, considers appropriate.
- 1.3 That the Chief Executive of Westminster City Council in consultation with the Cabinet Member for Corporate and Customer Services in WCC, the Town Clerk in consultation with the Leader of the Council for RBKC and Interim Chief Executive in consultation with the Leader of the Council for LBHF, be authorised to approve hosting arrangements for legal services and make any ancillary decisions to enable the services to operate effectively as a shared 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.

98. PROPOSED OUTSOURCING OF COMMERCIAL PROPERTY MANAGEMENT FUNCTION

Councillor Schmid expressed his disappointment that local firms were unable to access the framework agreement. On a positive note, he stated that local businesses were pleased that the contract would result in a more professional and efficient service provision. There will also be better returns on the portfolio.

The Leader supported Councillor Ivimy’s call for broader social responsibility and benefits generated through the contract. The Council does not want to see betting and payday loan shops springing up across the borough. The contract would ensure a mixed economy and support a vibrant community.

RESOLVED:

- 1.1. That the Business Case document appended to the report and the case put forward for outsourcing the Council's Commercial Property Management Function to GVA Grimley Ltd, be noted.
- 1.2. That approval be given to the proposal to outsource the Council's Commercial Property Management Function and authorise officers to proceed to call off a contract from the Council's Property Framework with GVA Grimley Ltd, the named contractor on the Framework for providing commercial property management 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.

99. BI-BOROUGH LGPS PENSION ADMINISTRATION SERVICES FROM 1 APRIL 2015

RESOLVED:

- 1.1. That approval be given to the termination, by mutual agreement with the supplier, of the Capita pension administration service call-off contract for H&F and RBKC on 31 March 2015, to be achieved by means of a Deed of Termination to be approved by the Bi-Borough Director of Law and signed by all parties to the call-off contract.
- 1.2. That approval be given to Aquila Heywood ("Heywood") as the supplier of the pension administration software, for a period of five (5) years, to be administered by Surrey County Council, to be achieved by entering in to a specific/call-off contract from a framework arrangement established by NCC in May 2014, and in accordance with EU procurement requirements.
- 1.3. That Surrey County Council be approved as the new provider of pension administration services and payroll services for pensioners for H&F and RBKC from 1 April 2015, for an initial period of five (5) years.
- 1.4. That approval be given to one-off transition costs to the respective pension funds of £258,000 for H&F and £226,000 for RBKC for moving the new service to an alternative provider, and the estimated annual ongoing costs of £267,000 for H&F and £208,000 for RBKC. (These estimated costs reflect scheme membership numbers and other

membership movement activity in each borough where relevant, and also include estimated costs for the Heywood Altair software.)

- 1.5. To note the requirement to seek full Council approval at the full Council meetings of RBKC (on 3 December 2014) and H&F (on 28 January 2015) to approve and make arrangements for the discharge of its functions under section 101 of the Local Government Act 1972 and to delegate the H&F and RBKC pension administration service and pensioner payroll service to SCC from 1 April 2015, for an initial period of five (5) years. (An agreement will be drafted with SCC to formalise the arrangements between the parties. It is anticipated that the agreement will contain a minimum four (4) month termination clause).

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.

100. EXECUTIVE RESPONSE TO THE BUSINESS RATES SCRUTINY TASK GROUP

Both Councillors Ivimy and Jones endorsed the recommendations of the Task Group.

RESOLVED:

- 1.1 That approval be given to the proposed Executive Response to the recommendations made to the Council.
- 1.2 That a report including the full cost implications for recommendations that would change existing Council policy be submitted to the Economic Regeneration, Housing & the Arts Policy and Advisory Committee.
- 1.3 That the Economic Regeneration, Housing & the Arts Policy and Advisory Committee be responsible for monitoring the implementation of the Task Group's recommendations.

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.

101. DRAFT HAMMERSMITH AND FULHAM LOCAL PLAN – APPROVAL OF CONSULTATION DOCUMENT

Councillor Jones highlighted a number of proposed policy changes and noted that the consultation document would be circulated widely. In response to a question about tall buildings, the Leader noted that residents have a higher influence on planning issues under the current administration. Residents will have their say in setting local criteria to control the type of tall buildings in their area. Ongoing discussions are taking place with local residents and the developer on the Town Hall development proposal. On Charing Cross Hospital, he noted that the electorate had given them the mandate to oppose the closure of the Accident and Emergency department. This would be pursued rigorously.

RESOLVED:

- 1.1 That approval be given to the consultation draft Local Plan (see Appendix 1) and the Proposals Map changes (see Appendix 2), with a view that the documents and other associated material such as the Sustainability Appraisal are made available for public consultation.
- 1.2 That the Executive Director of Transport and Technical Services, in conjunction with the Cabinet Member for Environment, Transport & Residents Services, be authorised to approve any technical and other minor amendments to the consultation draft Local Plan.
- 1.3 That approval be given to commence consultation in January 2015 for a minimum of 6 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.

102. NEIGHBOURHOOD REFORM PILOTS TO TACKLE LONG TERM WORKLESSNESS

Councillor Jones congratulated officers for securing the funding.

RESOLVED:

- 1.1. That Westminster City Council's Cabinet Member for Housing, Regeneration, Business & Economic Development agrees the use of the Transformation Challenge Award as set out in this report.
- 1.2. That the Royal Borough of Kensington & Chelsea's Cabinet Member for Housing, Property and Regeneration agrees the use of the Transformation Challenge Award as set out in this report.
- 1.3. That the London Borough of Hammersmith & Fulham undertake further detailed work to identify how the funding can be best used to support local priorities to tackle long-term worklessness, and that incurring this expenditure be delegated to the Cabinet Member for Economic Development and Regeneration.

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.

103. SPECIAL EDUCATIONAL NEEDS REFORM AND BURDENS GRANT

RESOLVED:

That the grants currently being held in corporate finance accounts be made available to the Children's Services department to support the additional expenditure that will be incurred by the Education Directorate while enacting the SEN reforms over the next two 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.

104. APPROVAL TO PROCURE BULK PRINTING, SCANNING AND PAYMENT PROCESSING SERVICES FOR BI-BOROUGH PARKING SERVICES

RESOLVED:

- 1.1 That approval be granted to procure a joint Bi-Borough contract for printing of statutory documents, the scanning of incoming correspondence and processing of payments.
- 1.2 To note that for the purposes of the Public Contracts Regulations 2006 (as amended) the London Borough of Hammersmith and Fulham will be acting as the Contracting Authority.

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.

105. STRATEGIC HOUSING STOCK OPTIONS APPRAISAL

Councillor Homan noted that the report sets out proposals to give housing residents ownership and management of their homes. This was consistent with the tenets underpinning the Big Society and the Administration's commitment to devolve more power to the community. Councillor Ginn expressed concern about the structure of the transfer which could lead to less democratic accountability. The Leader pointed out that a residents' commission with independent advice would be set up. In addition, there will be a free ballot to determine the future of the housing stock. He noted that the Administration had engaged with many residents through the Policy and Advisory Committees and will continue to engage with them on policy development.

RESOLVED:

- 1.1. That approval be given to proceeding with and producing a Strategic Housing Stock Options Appraisal (SHSOA) for the future financing, ownership and management of the Council's housing stock, as set out in section 5 of this report.
- 1.2. That approval be given to carrying out an initial residents engagement programme to ascertain residents initial views on the possible options open to the council with regards to its Housing Stock, set out in Appendix 1, as the first stage of any strategic housing stock options programme.

- 1.3. That approval be given to the budget of £1.5 million funded from the General Fund Reserves for the preparation and submission of the Strategic Housing Stock Options Appraisal business case and report to Cabinet. The contribution from the HRA to these costs will be calculated after the procurement of services in line with DCLG regulations. Approval of this contribution is delegated to the Cabinet Member for Housing.
- 1.4. That approval be given to the establishment of a 'Residents Commission on Council Housing', for strategic oversight of the Stock Options Appraisal comprising of approximately a dozen residents supported by the programme manager.
- 1.5. That in accordance with the provisions of Contract Standing Orders paragraph 11.4, framework agreements operated by either the Crown Commercial Service and/or the Homes & Communities Agency be used to procure the necessary specialist advice.
- 1.6. That the requirements contained in Contract Standing Order 12.3 for the Cabinet to make contract awards be delegated to the Cabinet Member for Housing, in order to progress the related procurement processes for:
 - a) external Independent Tenants Advisor, including Contract Award on the basis that extension options are included to allow for further advice, should stock transfer be recommended.
 - b) external legal advice including Contract Award on the basis that extension options are included to allow for further advice, should stock transfer be recommended;
 - c) consultancy to conduct a comprehensive refresh of stock condition information to a warrantable standard including Contract Award on the basis that extension options are included to allow for further advice, periodic updates throughout the programme as required, rights to the data and analysis be available/assigned to any new organisation(s) and their advisors, should stock transfer be recommended;
 - d) external property and surveying advice including Contract Award on the basis that extension options are included to allow for further advice, should stock transfer be recommended;
 - e) external financial advice including Contract Award on the basis that extension options are included to allow for further advice, should stock transfer be recommended;
 - f) external Communications and Consultation Advisor including Contract Award on the basis that extension options are included to allow for further advice, should stock transfer be recommended.

up to a maximum cumulative estimated value of £1.5 million for the Strategic Housing Stock Options Appraisal.

- 1.7. That authorisation be given to the Programme Team to share data and analysis with the Residents Commission on Council Housing, external advisors, and funders etc as required throughout the Strategic Housing Stock Options Appraisal in accordance with the Council's Information Sharing Protocols.
- 1.8. That delegated authority be given to the Cabinet Member for Housing in conjunction with the Executive Director for Housing & Regeneration to progress the Options Appraisal and then report the outcomes back to the Cabinet, where there is a desire to deliver an interim progress report to the ERH&A Policy & Accountability Committee in May/June 2015, and to conclude this process at the earliest opportunity with a report to Cabinet in August/September 2015. This assumes timely progression of activities throughout the Strategic Housing Options Appraisal.
- 1.9. That authorisation be given to the Executive Director for Housing & Regeneration to hold exploratory discussions with Department for Communities and Local Government (DCLG), HM Treasury, Homes & Communities Agency (HCA) and Greater London Authority (GLA) on process, funding and timetable to ensure the Strategic Options Appraisal meets all parties' requirements.
- 1.10. That members of the Economic Regeneration, Housing and the Arts Policy and Accountability Committee be invited to participate in the Stock Options Appraisal process.

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.

106. WASTE FRAMEWORK DIRECTIVE - TEEP REGULATIONS

RESOLVED:

That approval be given to continue collecting recyclables in commingled form, i.e. make no changes to the current system of collection.

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.

107. KEY DECISIONS LIST

The Key Decisions List was noted.

108. 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.

109. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 3 NOVEMBER 2014 (E)

RESOLVED:

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

110. BI-BOROUGH LGPS PENSION ADMINISTRATION SERVICES FROM 1 APRIL 2015: 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.

111. PERMANENT PLACEMENT GRANT (E)

RESOLVED:

That the recommendations in 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.

112. APPROVAL TO PROCURE BULK PRINTING, SCANNING AND PAYMENT PROCESSING SERVICES FOR BI-BOROUGH PARKING SERVICES : 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.

113. STRATEGIC HOUSING STOCK OPTIONS APPRAISAL (EXEMPT ASPECTS)

RESOLVED:

That the exempt appendices 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.

Meeting started: 7.00 pm
Meeting ended: 7.48 pm

Chair