

Cabinet Members' Decisions

made in February 2015

Date Issued: 03 March 2015

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London Borough of Hammersmith & Fulham

CABINET MEMBER DECISION

FEBRUARY 2015

SECONDMENT AGREEMENT

Report of the Leader of the Council

Open Report

Classification: For Decision

Key Decision: No

Wards Affected: All

Accountable Executive Director: Nigel Pallace, Interim Chief Executive

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AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 18 February 2015.....

1. EXECUTIVE SUMMARY

- 1.1 Since January 2014, Jane West, Executive Director of Finance and Corporate Governance at H&F, has been leading on the Tri-borough Corporate Services Review and has been increasingly involved in the Tri-borough Managed Services Programme. She has also taken on line management during the year for City of Westminster's Directors of HR, Legal and Procurement as well as line managing the Tri-borough Chief Information Officer and the Bi-borough Directors of HR, Legal and Finance.
- 1.2 Following the change of Administration and the need to consider alternative potential approaches as well as to have regard to the report of the Critical Friends Board, it was not appropriate to pursue and conclude the Corporate Services Review as originally conceived under the previous Administration. Jane West's revised position has consequently not been formalised and H&F have not yet been receiving any contribution from Westminster or the Royal Borough of Kensington and Chelsea for the salary costs for Mrs West. This needs to be corrected.
- 1.3 Future arrangements for managing Shared Corporate Services across the three authorities and, potentially, other parties, have yet to be agreed by Members in all three councils although both H&F and RBKC have agreed the proposals for triborough ICT and legal services. This report sets out an interim proposal for a period anticipated to be of between three and six months' duration, which will be further developed, alongside the emerging changes to senior management in H&F likely to arise from an anticipated management restructure that will deliver on the new administration's manifesto commitments to reduce management, reduce costs and improve efficiency. A permanent set of arrangements should be capable of being put in place by the summer of 2015.
- 1.4 Hammersmith & Fulham has decided not to participate in a shared corporate services directorate and does not support the creation of a post of tri-borough shared executive director of corporate services. H&F will retain a direct reporting line between directors or heads of shared corporate services and the chief executive or other senior manager(s) with a predominantly solo H&F remit, dependent upon the outcome of the anticipated corporate restructure in H&F. Westminster City Council (WCC) has already set up a post of Tri-borough Executive Director of Corporate Services in its senior management structure, in anticipation of the original direction of travel under the corporate services review, which Mrs West is effectively currently covering alongside her usual responsibilities dating back to March 2014. The Royal Borough of Kensington and Chelsea (RBKC) is also of the view that the shared executive director post is necessary for at least a temporary period but has yet to decide whether it would wish to see such a post

on a permanent basis which, in the absence of H&F's participation in a tri-borough corporate services directorate, would be a bi-borough post shared by RBKC and Westminster. A decision on this is anticipated shortly by RBKC.

- 1.5 It is possible therefore that the post of Executive Director of Shared Corporate Services will exist within the next twelve months, even if only on a Bi-borough basis between WCC and RBKC. This report recommends interim arrangements to provide cover for the shared executive director post and capacity to complete the Triborough Corporate Services Review and Managed Services Programme. It is recommended that Mrs West be seconded to cover this role on a temporary basis provisionally until the end of August 2015.
- 1.6 As a consequence, Mrs West would not be funded by H&F from 1 April 2015 and her role of s151 officer will need to be covered. It is proposed that Hitesh Jolapara, Bi-borough Director of Finance, takes on the H&F s151 responsibility on an interim basis from a date to be agreed in February 2015, pending the anticipated management restructure in H&F, reducing his role in RBKC to an estimated 20% (one day per week) commitment.
- 1.7 Mrs West is also the H&F Returning Officer for the General Election to be held in May 2015. As this is a separate employment, Mrs West would continue to undertake this role during the secondment period and until after the general election has taken place.

2. RECOMMENDATIONS

- 2.1 This report seeks the approval of the Leader for:-
 - Jane West, Executive Director of Finance and Corporate Governance to be seconded to Westminster City Council to cover the post of Interim Bi-borough Executive Director of Corporate Services for WCC and RBKC from 1 March 2015, with her salary costs being met by Westminster City Council and the Royal Borough of Kensington and Chelsea from 1 April 2015.
 - Hitesh Jolapara to be the Interim s151 officer for H&F, from a date to be agreed in February 2015. His salary will become 80% chargeable to H&F with a 20% recharge to RBKC reflecting his one day a week continuing commitment to RBKC.

3. REASONS FOR DECISION

- 3.1 The establishment of an Interim Bi-borough Executive Director of Corporate Services role for WCC and RBKC will allow new permanent arrangements to be developed, alongside the establishment of a new senior management structure at H&F. It also allows the Interim Executive Director to devote a significant

proportion of time to the delivery of the Managed Services Programme which is on schedule to go live on 1 April 2015.

4. INTRODUCTION AND BACKGROUND

4.1 Jane West currently line manages the following posts:-

- Executive Director of Housing and Regeneration at H&F, Mel Barrett
- Tri-borough C10, Ed Garcez
- Bi-borough Director for Finance and Acting Director for H&F Direct, Hitesh Jolapara
- Bi-borough Director of HR, Debbie Morris
- Bi-borough Director of Law, Tasnim Shawkat
- Director of ICM and Acting Director of Strategy and Communications, H&F, Martin Nottage
- Director of Law, WCC, Peter Large
- Director of HF/OD, WCC, Carolyn Beech
- Chief Procurement Officer, WCC, Anthony Oliver
- Tri-borough Head of Managed Services ICF, Jeremy Beresford
- Tri-borough Managed Services Programme Director, Maria Benbow

4.2 Mrs West is currently leading on the following specific projects-

- H&F MTFS and Council Tax Setting
- Tri-borough Corporate Services
- Managed Services
- Business Intelligence
- Bi-borough Customer Strategy
- H&F General Election

4.3 She is also the Returning Officer, Senior Information Risk Owner (SIRO) and the s151 officer for H&F.

5. PROPOSAL AND ISSUES

5.1 This report proposes a revised, temporary formulation of Mrs West's changed role to provide capacity to make the changes required to restructure the shared Corporate Services across principally WCC and RBKC and to complete the implementation of Managed Services. The main proposal is that Mrs West be seconded from her current role of H&F Executive Director of Finance and Corporate Governance in order to take up the temporary role of Interim Bi-borough Executive Director of Corporate Services, initially located in Westminster from 1 March 2015 to potentially 31 August 2015.

- 5.2 This will require Mrs West to relinquish her statutory role(s) of s151 officer. It is proposed that the Bi-borough Director for Finance, Hitesh Jolapara takes up the role of interim s151 officer for H&F from a date to be agreed in February. It is also proposed that Ed Garcez, Chief Information Officer takes on the role of SIR0 (Senior Information Risk Owner - the statutory responsibility for information governance).
- 5.3 Finally it is proposed that Mrs West will relinquish the line management of Executive Director of Housing and Regeneration at H&F, Mel Barrett; and Bi-borough Director for Finance and Acting Director for H&F Direct, Hitesh Jolapara; she would share line management of Bi-Borough Director of ICM and Acting Director of Strategy and Communications, Martin Nottage, with Nigel Pallace, Interim Chief Executive of H&F.
- 5.4 In order to complete the Shared Corporate Services Review, Mrs West will continue to manage all other direct reports listed at 4.1 during the secondment period for WCC and RBKC, subject to there also being a dual reporting line to Interim Chief Executive (H&F) or other designated H&F senior officer in respect of the heads of ICT, Legal Services and HR pending the anticipated corporate restructure in H&F Martin Nottage, Ed Garcez, Tasnim Shawkat and Debbie Morris will continue as H&F employees under these joint line management arrangements.
- 5.5 Mrs West will continue to lead for the time being on the following projects, plus other projects as required:-
- Developing the future Shared Corporate Services arrangements for WCC and RBKC including defining senior management relationships across the three boroughs and governance arrangements.
 - Second phase of Tri-borough h ICT restructure, initiating the possible restructure or wider sharing of HR post-Managed Services plus developing revised arrangements for Procurement in WCC and RBKC.
 - In conjunction with appropriate senior officers in H&F, development of a potential target operating model for single Borough Procurement at H&F that meets Members aspirations for local control of procurement whilst also complementing the Tri-borough arrangement.
 - Completion of the Managed Services Programme - specifically delivery of the new arrangements for 9 April 2015 and dealing with any subsequent issues as the new systems bed in.
 - Running of the General Election in H&F and implementing Individual Electoral Registration.
- 5.6 Hitesh Jolapara will take on the lead for the H&F MTFs and Council Tax Setting.

- 5.7 Given that Charlie Parker is Senior Responsible Officer for Managed Services and Shared Corporate Services, it is proposed that Mrs West's line management will move to Mr Parker for the period of the secondment.
- 5.8 Mrs West will continue to attend WCC's Executive Management Team, the Bi-borough Joint Management Team, the Bi-borough Joint Transformation Board and the Shared Services Board. She will also chair a Shared Corporate Services Management Board meeting.
- 5.9 She will meet with the Tri-borough Corporate Services Members as required and will attend informal and formal Cabinets and Scrutiny Panels as required/invited.

6. LEGAL IMPLICATIONS

- 6.1 A secondment agreement will need to be signed defining the arrangements set out in this report.

Implications verified/completed by: Tasnim Shawkat, Bi-borough Legal Services London Borough of Hammersmith and Fulham, Tel: 020 8753 2700.

7. FINANCIAL AND RESOURCES IMPLICATIONS

- 7.1 A detailed analysis of Mrs. West's workload since April 2014 demonstrates that Mrs West has been spending approximately 19-20% of her time supporting WCC and 16-17% of her time supporting RBKC. It is anticipated that this balance of workload will continue until the end of March 2015 as she hands over to officers in H&F. The following table sets out the financial implications of this breakdown.

	WCC %	WCC £	RBKC %	RBKC £
1/4/14 - 30/6/14	19%	10,925	16%	9,200
1/7/14 - 31/3/15	20%	34,500	17%	29,325
Total		45,425		38,525

- 7.2 It is intended that H&F will charge WCC and RBKC for £83,950 in total for Mrs West's time in respect of 2014/15.
- 7.3 At this stage it is unclear the extent to which Mrs West will be still contributing to outcomes at H&F during the period of her secondment but this is likely to be small and diminishing over time. It is intended that H&F will cease funding any of

Mrs West's time from 1 April 2015, recognising that H&F met the whole cost of her contribution to the tri-borough corporate services programme prior to April 2014. If, in practice, despite this intention, Mrs West is asked to continue to undertake more than a small amount of work for the benefit of H&F then the s113 apportionment will be revisited accordingly.

- 7.4 Therefore from 1 April 2015 it is anticipated that Mrs West's costs of £19,167 per month will be split equally between WCC and RBKC i.e. £9,583 per borough per month of the secondment. WCC
- 7.4 RBKC will no longer be recharged for half of Hitesh Jolapara's salary but will meet 20% of this cost. The additional net cost to H&F can be offset by the saving in relation to Jane West's salary. The overall impact will be a saving to H&F in 2014/15 and 2015/16.
- 7.5 There is a new process being developed to report the quarterly recharging between the three boroughs to the Shared Services Board (senior officers) and the Leaders' Board Meeting. This process will be used to provide assurance that the s113 recharging mechanism that has been in place since 2012/13 is refreshed and adjusted as appropriate. There is also an independent annual review of all s113 agreements in February each year by the Finance Integration Project Board which includes senior finance staff from all three boroughs.
- 7.6 Implications verified/completed by: Hitesh Jolapara, Bi-borough Director of Finance, Tel: 020 8753 2501.

8. RISK MANAGEMENT

- 8.1 If the secondment is not agreed, there is a risk that the senior management arrangements being developed across the three key boroughs sharing various corporate services will be incompatible causing duplication and potentially gaps in provision. It will also potentially put the Managed Services implementation at risk by reducing the available resources.

9. PROCUREMENT AND IT STRATEGY IMPLICATIONS


- 9.1 Not applicable.

10. HR IMPLICATIONS

10. It is proposed that for the period of the secondment Mrs West remains an employee of H&F.

LOCAL GOVERNMENT ACT 2000
BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None.		

	<p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">CABINET MEMBER DECISION</p> <p align="center">FEBRUARY 2015</p>
<p align="center">APPROVAL OF GREENSIDE PRIMARY SCHOOL ACADEMY CONVERSION</p>	
<p>Report of the Cabinet Member for Children & Education Services: Cllr Sue MacMillan</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p>	
<p>Key Decision: No</p>	
<p>Wards Affected: Askew</p>	
<p>Accountable Executive Director: Andrew Christie, Tri-Borough Executive Director of Children's Services</p>	
<p>Report Author: Alan Wharton, Tri-Borough Head of Asset Strategy (Schools and Children's Services)</p>	<p>Contact Details: Tel: 020 7 641 2911 E-mail: awharton@westminster.gov.uk</p>

<p>AUTHORISED BY:</p> <p>The Cabinet Member has signed this report.</p> <p>DATE: 13 February 2015.....</p>
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1. EXECUTIVE SUMMARY

- 1.1 In line with the delegated power from Cabinet from the 5th March 2012 the Cabinet Member for Children's Services in consultation with the Executive Director of Children's Services is requested to approve the following recommendations to enable the conversion of Greenside Primary School to become a sponsored academy.

2. RECOMMENDATIONS

- 2.1 To approve the grant of a 125 years lease of Greenside Primary School to The Elliot Foundation Academies Trust in accordance with the Academies Act 2010.

- 2.2 To note that the Council will enter into a Commercial Transfer Agreement transferring the schools assets, contracts and staff from Greenside Primary School to The Elliot Foundation Academies Trust.
- 2.3 To approve the grant of a separate lease of the site manager's house to The Elliot Foundation Academies Trust for a term expiring in accordance with clause 5.2 below.

These recommendations are dependent on the formal funding agreement between the Academy Trust and the Secretary of State.

3. REASONS FOR DECISION

- 3.1. The decision is required to comply with the procedures necessary to give effect to conversion of Greenside Primary School to academy status.

4. INTRODUCTION AND BACKGROUND

- 4.1 As part of the Government drive to empower schools to be more in control of their delivery, schools are encouraged to convert to academy status. This has included a simplification of the process and a generic standardisation of the required documentation to enable both existing trustees (usually local authorities or dioceses) and local authorities as the current funding bodies to effect the necessary change from maintained schools to academies.
- 4.2 This standard documentation is the end of a process that commenced when the schools individually registered their interest in considering academy status with the Secretary of State and then underwent a series of steps including broad stakeholder consultation and consideration of this by the governing body before making their final applications to the Secretary of State.
- 4.3 Once the Secretary of State has considered their requests and approved their conversion to academy status, then the following aspects are required before the school can formally convert:
 - a funding agreement is approved between the Secretary of State and the academy
 - to enable the Secretary of State to enter into a funding agreement, the academy must have entered into a long term (125 years) lease with academy
 - to enable the converting academy to deliver continuous education the existing staff are TUPE'd to the new academy and relevant contracts and assets are novated across under the terms of a Commercial Transfer Agreement.
- 4.4 The latter action involves the local authority as a co-signatory.

5. PROPOSAL AND ISSUES

- 5.1. The standard length of lease for an academy is 125 years. The Council has negotiated terms which broadly follow the DfE form of lease, in accordance with the Academies Act 2010 (but with the Council insuring the property and the school paying the premium), with a commencement date of 1 April 2015.
- 5.2. The School currently employs a site manager who occupies a house (the caretaker's house) adjacent to the entrance of the school. The Council has excluded the house from the lease of the school site, and proposes to grant a separate lease of the house to the academy trust so that on the current site manager's retirement or his vacating prior to this date, or on vacation or retirement of any successor serving exclusively as the site manager for Greenside Primary School, the house will revert to the Council. In the event that the lease is not completed at same time as the academy lease the Council may issue a 'tenancy at will' to the academy trust from 1 April 2015, pending agreement of the terms of this lease.
- 5.3 The transfer of the staff, assets and contracts is dealt with by way of a commercial transfer agreement which sets out the staff, contracts and assets to be transferred as well as the respective rights, obligations and liabilities of the parties. There is a model form of contract provided by the DfE upon which the commercial transfer agreement between the Council and The Elliott Foundation Academies Trust has been based.
- 5.4 In typical cases, the Schools Contracts Team is responsible for maintenance and repair of kitchen equipment. In the case of Greenside Primary School, the equipment has been purchased by the school and is therefore school property. The Council has agreed a condition that appropriate arrangements are in place for maintenance and repair.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1 There are no alternative options to consider in this case.

7. CONSULTATION

- 7.1 There is no consultation required in this case.

8. EQUALITY IMPLICATIONS

- 8.1. There are no equality implications to consider in this case.

9. LEGAL IMPLICATIONS

- 9.1 Under the Academies Act 2010 (the “Academies Act”) the Secretary of State for Education may enter into Academy funding agreement with an Academy Trust for establishment of an independent school/academy. Local authorities are required to comply with such Secretary of State decision to transfer land and assets to the Academy Trust. Further, the Academies Act gives the Secretary of State powers to make transfer schemes relating to land, property, rights or liabilities to the Academy where agreement cannot be reached between the Local Authority and the Academy Trust.
- 9.2 The Secretary of State for Education pursuant to his powers conferred under the Academies Act has exercised powers to convert Greenside Primary School to Academy status. The Academies Act provides that on the conversion date (1 April 2015) the school closes and opens as a sponsored academy under the academy arrangements under section 1 of the Academies Act.
- 9.3 Under the statutory provisions of the Academies Act, as the Council holds the school land and buildings as freeholder, it is required to negotiate and grant a lease of the land and buildings where it is used wholly or mainly for the purposes of the school. The Council has therefore, granted a lease of the land and buildings occupied by the school to the Academy Trust for a term of 125 years at a peppercorn rent.
- The principal terms of the academy lease, which is recommended by the Department for Education together with other terms or variations of the principal terms as deemed appropriate by the Council and the Academy Trust have been agreed and incorporated unto the lease.
- 9.4 Non-compliance would prompt the issue of a Direction and the required decisions would be taken by the Secretary of State for Education.
- 9.5 The DfE has drawn up a model form of Commercial Transfer Agreement which sets out the terms under which the assets, contracts and staff are transferred from the school or local authority to the new academy.
- 9.6 Legal Services have consulted with officers to finalise and agree the lease and commercial transfer agreement.

Implications verified/completed by: Kar-Yee Chan, Solicitor (Contracts), 0208 753 2772 and Rachel Silverstone, Solicitor (Property) 0208 753 2210

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. The Director of Finance has been consulted during the preparation of the final documentation for both the lease and commercial transfer agreement, and notes that these decisions are required to enable the conversion of academies, and are based on model national documentation.
- 10.2. In accordance with guidance for maintained community schools transferring to Academy status, the land must be leased to the academy sponsor on a 125 year (operating) lease for a peppercorn rent. As an operating lease, the Council will continue to be the freeholder and the asset will continue to be recognised on the Council's balance sheet.
- 10.3 In order to facilitate conversion, the school must have arranged transitional arrangements including the provision of payroll services. The school cannot convert without putting in place arrangements with their new payroll provider.

Implications verified/completed by: Dave McNamara (Director of Finance and Resources, Children's Services), tel: 020 8753 3404


LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Cabinet Report 5 th March 2012 (School Organisation Report) - published	Alan Wharton, Head of Asset Strategy (Schools and Children's Services)	Children's Services, Kensington Town Hall

LIST OF APPENDICES:

none

	<p>London Borough of Hammersmith & Fulham</p> <p>CABINET MEMBER DECISION</p> <p>16th February 2015</p>
<p>THAMES WATER COUNTERS CREEK MELINA ROAD Suds SCHEME</p>	
<p>Report of the Cabinet Member for Environment, Transport & Residents Services</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: No</p>	
<p>Wards Affected: Askew</p>	
<p>Accountable Executive Director(s): Lyn Carpenter - Bi-Borough Executive Director of Environment, Leisure & Resident Services</p>	
<p>Report Author: George Warren – Flood Risk Manager</p>	<p>Contact Details: Tel: 020 (753 6991) E-mail: (George.Warren@lbhf.gov.uk)</p>

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 22 February 2015..

1. EXECUTIVE SUMMARY

- 1.1. This report has been prepared with the purpose of briefing the Cabinet Member for Environment, Transport & Residents Services about the Sustainable Drainage Systems (SuDS) measures proposed by Thames Water Utilities Limited (“TWUL”) to be installed within Melina Road.
- 1.2. In addition to this the paper also seeks approval for the construction (and maintenance) of the SuDS measures to be undertaken by the London Borough of Hammersmith & Fulham’s (“LBHF”) Highways Department on behalf and to be fully funded by TWUL.

2. RECOMMENDATIONS

- 2.1. Approve the Melina Road scheme proposed by TWUL and grant permission for LBHF Highways Department to undertake the construction works and maintenance programme, as set out in the report

3. REASONS FOR DECISION

- 3.1. With Surface Water Flooding posing a significant risk to LBHF the implementation of a SuDS scheme is seen as the most environmentally friendly and potentially the most cost effective way of reducing the risk of flooding to the community.
- 3.2. With Melina Road being a scheme initiated, financed and initially managed by TWUL it is seen as a great means by which to trial a number of SuDS technologies to see the impact on surface water flooding as well as to monitor the costs associated with construction and maintenance with limited risk to the Council. It will also provide first-hand experience of the construction and maintenance of such applications or schemes for Council staff and contractors.

4. INTRODUCTION AND BACKGROUND

- 4.1. Over 2,000 properties within the Counters Creek catchment have reported sewer flooding in recent years and widespread flooding occurred in July 2007 following severe weather. The Council has been committed to implementing more SuDS projects to help reduce the amount of surface water draining into the combined sewerage system to reduce the risk of flooding to properties within the borough. In addition to the flooding benefits, SuDS can also provide environmental and social benefits.
- 4.2. SuDS are becoming an increasingly hot topic regarding the management of surface water in the UK. There have been many discussions lately within DEFRA and Central Government around the implementation of Section 3 of the Flood and Water Management Act (2010) and how SuDS can be rolled out across the UK. Therefore, this project is seen as a great opportunity to trial out new SuDS technologies within LBHF at no capital cost to the Council, whilst also forming a working relationship with TWUL, a key stakeholder moving forward.
- 4.3. TWUL has an obvious vested interest in encouraging SuDS, due to their ability to reduce the rate of flows to the sewer. As part of their overall Counters Creek investigation, TWUL are commissioning a series of retrofit pilots in three streets, Melina Road, Mendora Road and Arundel Gardens (RBKC), to help understand the costs, benefits, deliverability and customer acceptability of SuDS. These particular streets were chosen, from a shortlist of over 15 potential streets, as they were deemed to be representative of the streets found within the two boroughs. In addition to this the sewers in each street are not greatly influenced by rainwater flows

from neighbouring streets, allowing for more accurate measurements of the direct benefits of SuDS.

4.4. TWUL has employed the services of an Independent Advisory Group (IAG) since 2006 to provide expert independent advice and guidance while the Counters Creek scheme was being designed. These consist of three eminent professors:

- Professor David Balmforth is Executive Technical Director at MWH, a leading international wet infrastructure and water management company, and President of the Institution of Civil Engineers.
- Professor Bob Andoh is Chief Technology Officer at Hydro International, which develops solutions for stormwater and wastewater management companies globally. Bob is an expert on urban flooding, sewerage systems and the wastewater treatment processes.
- Professor Adrian Saul, Professor of Water Engineering at the University of Sheffield, is a leading academic in the Flood Risk Management Research Consortium.

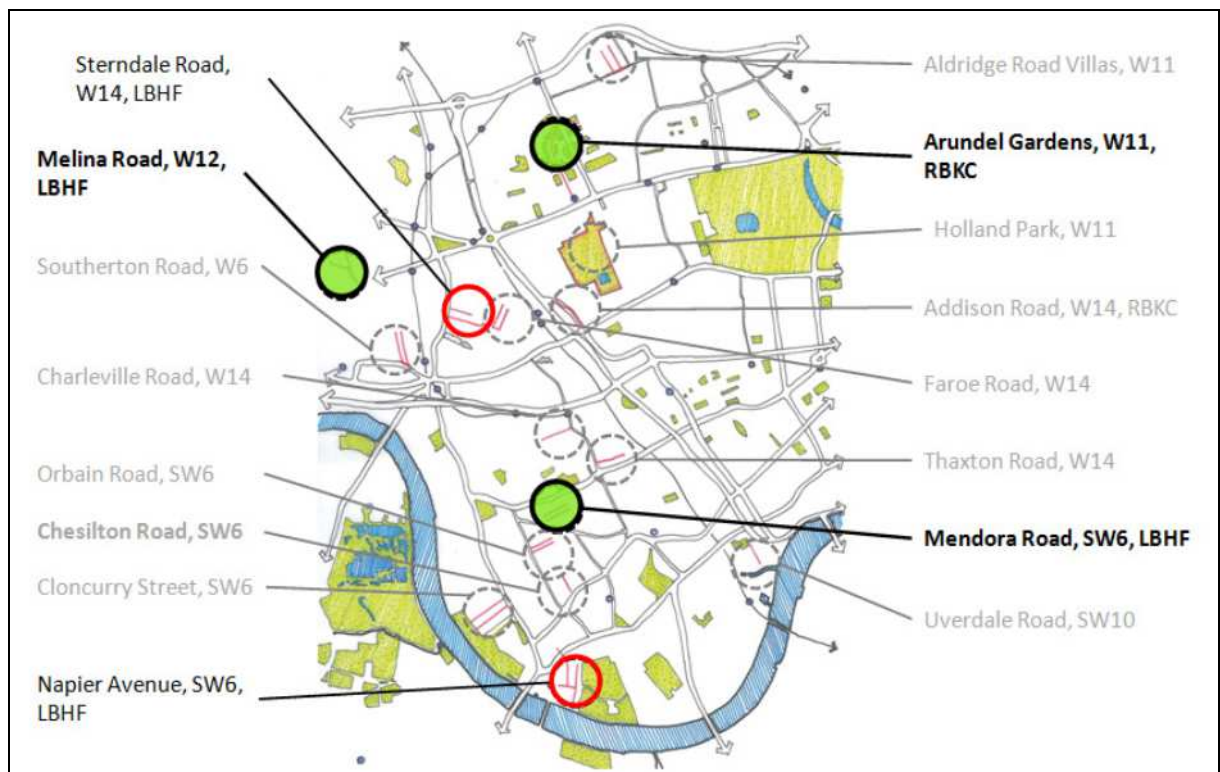


Figure 1 - Location of the three selected pilot streets (rejected streets from the shortlist shown in red. De-selected streets from the original long list greyed out)

4.5. Specific aims of the study are as follows:

- Measure the effectiveness of retrofitting SuDS in reducing rainwater runoff to the combined sewer system

- Evaluate how easy it is to engage the public with regards to SuDS
 - Evaluate engagement with stakeholders
 - Assess the social impact
 - Assess the cost of retrofitting SuDS compared with conventional flood alleviation schemes, taking into account the environmental costs/benefits of both approaches.
 - The approach looks for innovative ways to minimise rainwater flows to the combined sewer system that also enhance the customer experience by greening streets, improving properties and their value and engaging the public in water issues.
- 4.6. This report focusses on the Melina Road scheme.

5. PROPOSAL AND ISSUES

- 5.1. Currently, surface water flows from the existing Melina Road carriageway and enters the combined sewer through the existing road gullies and connection arrangements. The existing sewer approximately runs down the centre of Melina Road and then into an 1150mm diameter sewer in Goldhawk Road, via Cathnor Road.
- 5.2. The selected proposal involves the installation of new rain gardens in the existing pedestrianised area at the southern end of the road. This had more support from residents, particularly those living closest to the largest expanse of pedestrianised area, as they thought the rain gardens would break up the hard standing area and deter gangs of youths from congregating.
- 5.3. The proposal would divert these run-off flows from the carriageway into rain gardens adjacent to Cathnor Park at the south end of Melina Road. This would be achieved by excavating locally at a number of the existing gullies and capping off. The existing gully arrangement would then be modified so that flows are diverted into a number of rain gardens. There are four rain gardens proposed, each will have geo-cellular water storage units beneath them to provide the necessary attenuation volume while minimising excavation depth. The rain gardens have an impermeable membrane liner.
- 5.4. The storage has sufficient capacity to store surface water runoff from this area for an event up to the 100 year event plus an allowance for climate change (+30%). This will provide an increased flood protection to the immediate area as well as freeing up significant capacity within the combined sewer network for areas downstream to potentially drain to.
- 5.5. The rain garden will intercept and hold flows, releasing them at a controlled rate to the sewer network. A water retentive phenolic foam layer will be installed below the soil layer to extend the irrigation of the plants in the rain garden once water has drained at a controlled rate back into the

combined sewer. Flows from each rain garden are controlled by a weir arrangement and are measured via sensors, all contained within a small number of chambers on the downstream side of the rain garden.

- 5.6. The final planting regime has been agreed with ELRS's Parks Department and has been selected to tie in with the planting regime within Cathnor Park where possible to provide some continuity between the two spaces.
- 5.7. The proposal will result in the relocating of the maintenance access point to Cathnor Park from its current location beside number 45 to a location suitable for vehicular access, as requested by the Cathnor Park maintenance team. The current access point has been problematic and therefore this alteration is considered to be a positive for Cathnor Park. This will require the installation of a dropped curve and the removal of an existing bollard.
- 5.8. A visualisation of the proposals for Melina Road is shown in Figure 2 below:



Figure 2 - Artists Impression of Melina Road

- 5.9. Detailed drawings of the raingardens and the maintenance statement can be provided upon request.
- 5.10. The Melina Road proposed scheme spans land managed and maintained by both the Parks Department and the Highways Department within LBHF and therefore requires input from both parties. As the local highway authority LBHF is responsible for all publicly maintained roads in the borough, with the exception of the Transport for London Road Network (TLRN). Therefore in order to install any form of SuDS along Melina Road TWUL will need to work closely with LBHF.
- 5.11. TWUL have been carrying out baseline modelling on Melina Road and along Cathnor Road monitoring the flows within the sewer, so as to be able to determine the impact of these measures on reducing the flow rate from the street once the measures have been implemented.
- 5.12. TWUL has proposed to fund the construction of the project including the monitoring and maintenance of the installations for a period of 24 months post completion of the construction works. Once this 24 month period has

expired the monitoring and maintenance responsibilities will lie with the Council thereafter.

- 5.13. LBHF submitted a lump sum fixed fee price for the construction of Thames Water's design on the 30/10/14 for £317,098.91. This includes the contractors fee, 10% contingency, a consultancy fee to cover officers time supervising the works and a 7.5% fee for administrative charges. It is proposed that this fee be paid in three stages by Thames Water (25%, 50%, 25%).
- 5.14. An agreement will need to be reached between LBHF and Thames Water over what constitutes a successful pilot scheme. It is the intention to utilise the IAG in these discussions, as impartial experts in the field. It is important to also identify what constitutes failure so as to ensure that LBHF aren't tied into the adoption of a pilot scheme which turns out not to function as intended. These discussions will be necessary prior to construction commencing.
- 5.15. The construction will be carried out on behalf of the Council by the Highways Department's, principal contractor, F M Conways.
- 5.16. The proposed programme shows a 3 weeks lead in subject to approval being given and then 12 weeks for construction, during which time disruption to residents will be minimised where possible.
- 5.17. During the construction phase weekly meetings between LBHF staff, F M Conways and TWUL will occur to ensure that the project remains on track and that any potential issues are resolved quickly and efficiently.
- 5.18. Maintenance will be carried out according to the Maintenance Statement, (the maintenance programme) jointly by ELRS's existing parks maintenance contractor, Quadron, highways officers and the existing highways maintenance contractor, F M Conways. As previously stated this will be funded for the first 24 months by TWUL, with an upfront annual payment made on the basis of an estimated cost for the additional maintenance burden.
- 5.19. In order to help facilitate the implementation of the project within LBHF TWUL has offered to fully fund an engineering internship within LBHF Highways team for 12 months. This will provide the opportunity for a junior member of staff to gain experience in highways construction as well as SuDS.

6. CONSULTATION

- 6.1. An extensive consultation process has been undertaken by TWUL throughout the project, details of which can be found within Appendix A.
- 6.2. In addition to regular updates to residents regarding the progress of the works during construction, TWUL and F M Conways will provide a presentation to the pupils and staff at the two schools adjacent to the site,

Hammersmith Academy and the Cathnor Park Children's Centre, about the works and their benefit to the local area. This is seen as a perfect opportunity to educate local residents about the benefits of SuDS.

7. LEGAL IMPLICATIONS

- 7.1. An agreement must be executed between the Council and TWUL detailing the agreed costs to be paid to the Council for the construction works and associated maintenance programme of these SuDS measures for the 24 month period after installation of the construction works.
- 7.2. Implications verified by Sharon Cudjoe: Solicitor, Tel: 020 8753 2993

8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1. Quadron Services Limited are the grounds maintenance contractor for the council.
- 8.2. They have agreed to maintain the improved site from their additional resource. Should this change and result in an increased contract payment then additional funding will be required.
- 8.3. Implications verified/completed by: Gary Hannaway, Head of Finance, Ex. 6071

9. PROCUREMENT IMPLICATIONS

- 9.1. The construction works are to be purchased by Thames Water and actioned by LBHF as Private Works.
- 9.2. Once awarded it is proposed to procure the services of the LBHF Highways Term Contractor, F M Conways, to undertake the construction work at both locations simultaneously under the supervision of an LBHF Highways Projects Officer.
- 9.3. A quotation was acquired from F M Conways, using our framework of pre-agreed rates, from which a "Lump Sum" Fee Estimate was created and submitted to Thames Water on 30/10/14 to undertake the works.
- 9.4. The fee estimate for Thames Water did not declare our pre-agreed rates with F M Conways, instead it showed their total for the work plus a 10% contingency, a £28,425 fee for consultancy services (for each site) and a 7.5% administrative charge.

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.			

2.			
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Appendix A - Thames Water Consultation Process



SuDS Pilot: Communication and Consultation Process

The SuDS pilot project communication and consultation process began in June 2012 and has taken a twin-track approach to community engagement, undertaking a wide community education and engagement programme in the London Borough of Hammersmith and Fulham (LBHF), with a more targeted engagement of residents specifically on the shortlisted streets and final pilot streets in both LBHF and RBKC.

Consultation with officers and members of both the London Borough of Hammersmith and Fulham and the Royal Borough of Kensington and Chelsea (RBKC) at bi-borough meetings began the communication process with discussions about the long-listed street selection. By September 2012, meetings to discuss the short-listed street selection were able to take place with Councillor Botterill, Leader of LBHF and Cabinet Member, Councillor Brocklebank-Fowler and at RBKC with Cabinet Members Councillor Ahern and Councillor Pascall. The specific ward councillors and council officers were kept informed and involved as the project progressed. Regular project meetings with both borough's flooding officers and members of the highways teams took place to discuss the practical details for implementation of the scheme in due course.

The wide community engagement and education programme in LBHF was led by London Sustainability Exchange (LSx), a charity that promotes sustainability and health and well-being issues. LSx initially researched 45 community groups with a vested interest in flooding including gardening groups, Thames rowing groups, schools, community action groups, tenants' and residents' associations and the citizens' advice bureau. Finding in-roads to the community proved challenging, with many organisations saying they were happy to support SuDS initiatives in principle but that they did not have the capacity to become actively involved in the project. LSx ultimately recruited community champions from three organisations to support the project - Phoenix High School (Phoenix), Urban Partnership Group (UPG) and Hammersmith Community Gardens Association (HCGA). The champions were trained to communicate SuDS issues to other members of the community, carrying out resident surveys and providing local observations and records of flooding. The aim of these activities was to build awareness of urban flooding issues and to encourage support for a wider roll out of retrofitted SuDS in the future.

Following evening consultation workshops in December 2012 at both town halls for residents and community representatives, a more focussed street-specific consultation exercise was carried out during 2013. An initial one-page questionnaire was sent to residents of the shortlisted streets to explain the aims of the project and get a measure for the level of awareness and enthusiasm for SuDS and willingness to participate in the pilot scheme.

The Thames Water SuDS Bus visited the selected three streets on several occasions for the whole day on Saturdays and drop-ins were also held at community venues close to the selected streets during late weekday afternoons and evenings. Attendance by the project team members at specific local meetings such as the Arundel and Elgin Garden Committee Meeting, the Askew Ward Panel meeting and the Cathnor Park Area Action Group Meeting has also taken place with the purpose of consulting and communicating to as wide an audience as possible in the area of the three streets.

What has emerged from the community engagement activities is that a core community of 10-15% of people on each road is highly supportive of the scheme and attend each engagement event but to get wider buy-in, a very direct approach is required. This has involved door-to-door visits in the evening and at weekends as well as setting up individual appointments to see residents via email and telephone calls.

Communications with residents originally began with a focus on flood risk issues but have been changed over time to focus more on landscaping and the wider benefits of the SuDS scheme. One of the most successful methods of engaging residents was the use of simple, graphically attractive postcards offering residents a water butt and permeable paving for their front garden. Feedback from residents was that they noticed this much more than other communications issued by the project team and the offer of free garden benefits had attracted them more than focusing on flood risk or streetscape issues.



Community engagement events and an example of the invitation postcards sent to residents




Engagement levels have markedly improved from the original 10% response to the questionnaire issued at the start of the project. However, there is wide variance between streets due to the different types of housing and ownership profiles. Mendora Road has had the best response as the properties are mainly occupied by a single tenant or owner. The large Georgian properties on Arundel Gardens are generally sub-divided into five apartments and it has been more difficult to engage with residents in the higher apartments who are not affected by flooding. In Melina Road there is a higher proportion of transient housing association and council tenants as well as quite a high proportion of sub-divided properties so it has also been more difficult to engage residents on this road.

During the past year there has been engagement with residents and interested parties to provide further information on the development of the project plans. Thames Water representatives accepted an invitation to attend the Cathnor Park AGM and were able to give a short presentation to inform the members of the group and local ward councillors of the project's progress.

The Thames Water SuDS Bus was used once again together with a small gazebo, at Melina Road to act as a focal point and communication base. On-street discussions about the project design took place with visitors to Cathnor Park, some of the residents of the local area and the schoolchildren, parents and teachers from the Academy and the Nursery School. The proposed rainwater gardens were marked out on the paved area and samples of plants were brought along to provide residents with an idea of the type of planting that would take place. The location of the gardens has since been slightly amended as a result of the discussions, to accommodate pedestrian flows and ease the access to the park.

Consultation and communication with the residents of all three streets is ongoing and will become more frequent and focussed as timescales for the construction of the SuDS infrastructure are put in place and specific work is planned for each road next year.

	<p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">CABINET MEMBER DECISION</p> <p align="center">FEBRUARY 2015</p>
<p align="center">THAMES WATER COUNTERS CREEK MENDORA ROAD SuDS SCHEME</p>	
<p align="center">Report of the Cabinet Member for Environment, Transport & Residents Services</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: No</p>	
<p>Wards Affected: Fulham Broadway</p>	
<p>Accountable Executive Director(s): Nigel Pallace - Bi-Borough Executive Director Transport & Technical Services</p>	
<p>Report Author: George Warren – Flood Risk Manager</p>	<p>Contact Details: Tel: 020 (753 6991) E-mail: (George.Warren@lbhf.gov.uk)</p>

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 16 February 2015..

1. EXECUTIVE SUMMARY

- 1.1. This report has been prepared with the purpose of briefing the Cabinet Member for Environment, Transport & Residents Services about the Sustainable Drainage Systems (SuDS) measures proposed by Thames Water Utilities Limited (“TWUL”) to be installed within Mendora Road.
- 1.2. In addition to this the paper also seeks approval for the construction (and maintenance) of SuDS measures to be undertaken by the London Borough of Hammersmith & Fulham’s (“LBHF”) Highways Department on behalf and to be fully funded by TWUL .

2. RECOMMENDATIONS

- 2.1. Approve the Mendora Road scheme proposed by TWUL and grant permission for LBHF Highways Department to undertake the constructions works and maintenance programme as set out in the report.

3. REASONS FOR DECISION

- 3.1. With Surface Water Flooding posing a significant risk to the LBHF the implementation of a SuDS scheme is seen as the most environmentally friendly and potentially the most cost effective way of reducing the risk of flooding to the community.
- 3.2. With Mendora Road being a scheme initiated, financed and initially managed by TWUL it is seen as a great means by which to trial a number of SuDS technologies to see the impact on surface water flooding as well as to monitor the costs associated with construction and maintenance with limited risk to the Council. It will also provide first-hand experience of the construction and maintenance of such applications or schemes for Council staff and contractors.

4. INTRODUCTION AND BACKGROUND

- 4.1. Over 2,000 properties within the Counters Creek catchment have reported sewer flooding in recent years and widespread flooding occurred in July 2007 following severe weather. The Council has been committed to implementing more SuDS projects to help reduce the amount of surface water draining into the combined sewerage system to reduce the risk of flooding to properties within the borough. In addition to the flooding benefits SuDS can also provide environmental and social benefits.
- 4.2. SuDS are becoming an increasingly hot topic regarding the management of surface water in the UK. There have been many discussions lately within DEFRA and Central Government around the implementation of Section 3 of the Flood and Water Management Act (2010) and how SuDS can be rolled out across the UK. Therefore, this project is seen as a great opportunity to trial out new SuDS technologies within LBHF at no capital cost to the Council, whilst also forming a working relationship with TWUL , a key stakeholder moving forward.
- 4.3. TWUL has an obvious vested interest in encouraging SuDS, due to their ability to reduce the rate of flows to the sewer. As part of their overall Counters Creek investigation, TWUL are commissioning a series of retrofit pilots in three streets, Melina Road, Mendora Road and Arundel Gardens (RBKC), to help understand the costs, benefits, deliverability and customer acceptability of SuDS. These particular streets were chosen, from a shortlist of over 15 potential streets, as they were deemed to be representative of the streets found within the two boroughs. In addition to this the sewers in each street are not greatly influenced by rainwater flows

from neighbouring streets, allowing for more accurate measurements of the direct benefits of SuDS.

4.4. TWUL has employed the services of an Independent Advisory Group (IAG) since 2006 to provide expert independent advice and guidance while the Counters Creek scheme was being designed. These consist of three eminent professors:

- Professor David Balmforth is Executive Technical Director at MWH, a leading international wet infrastructure and water management company, and President of the Institution of Civil Engineers.
- Professor Bob Andoh is Chief Technology Officer at Hydro International, which develops solutions for stormwater and wastewater management companies globally. Bob is an expert on urban flooding, sewerage systems and the wastewater treatment processes.
- Professor Adrian Saul, Professor of Water Engineering at the University of Sheffield, is a leading academic in the Flood Risk Management Research Consortium.

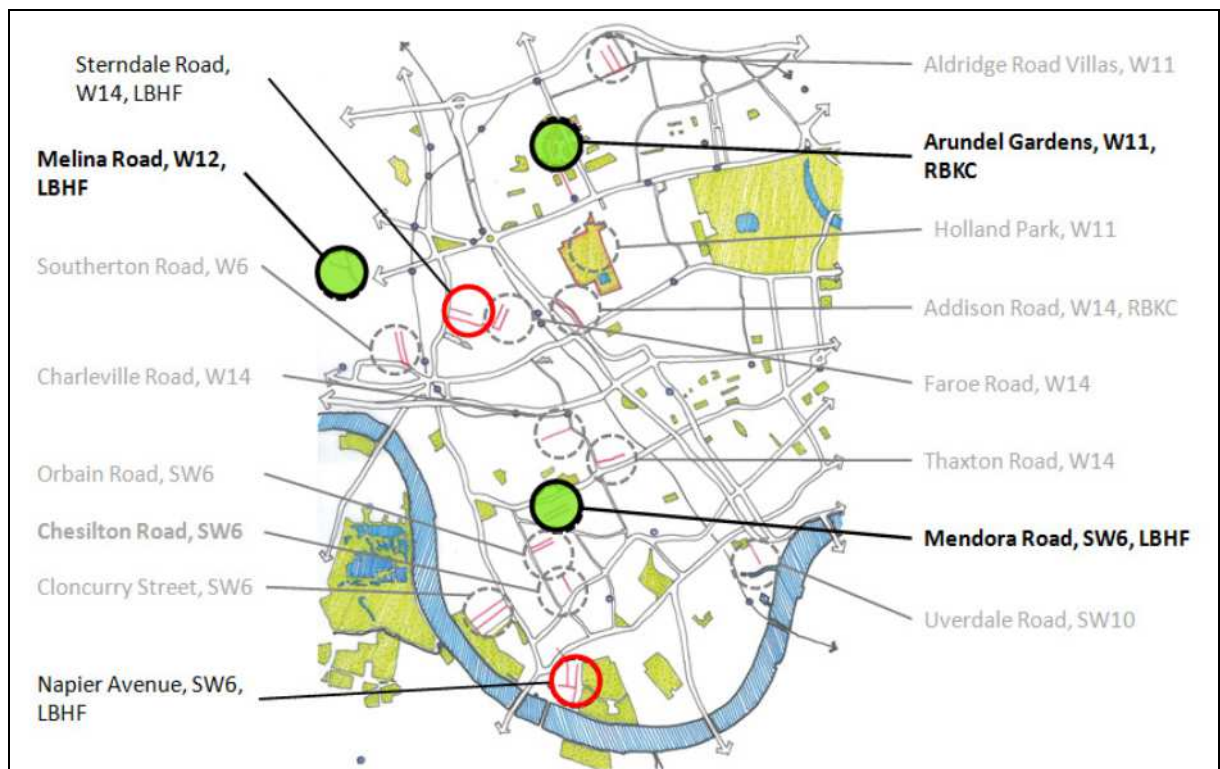


Figure 1 - Location of the three selected pilot streets (rejected streets from the shortlist shown in red. De-selected streets from the original long list greyed out)

4.5. Specific aims of the study are as follows:

- Measure the effectiveness of retrofitting SuDS in reducing rainwater runoff to the combined sewer system

- Evaluate how easy it is to engage the public with regards to SuDS
 - Evaluate engagement with stakeholders
 - Assess the social impact
 - Assess the cost of retrofitting SuDS compared with conventional flood alleviation schemes, taking into account the environmental costs/benefits of both approaches.
 - The approach looks for innovative ways to minimise rainwater flows to the combined sewer system that also enhance the customer experience by greening streets, improving properties and their value and engaging the public in water issues.
- 4.6. This report focusses on the Mendora Road scheme.

5. PROPOSAL AND ISSUES

- 5.1. Currently, surface water flows from the existing Mendora Road carriageway and enters the combined sewer through the existing road gully and connection arrangement. The existing 300mm diameter sewer runs to the south of Mendora Road and joins into the existing 300mm diameter sewer running down the centre of Rylston Road.
- 5.2. The selected proposal involves the installation of permeable block paving contained within the existing parking bays on the north and south sides of the road. On the south side of the road the permeable paving will be installed above an open graded crushed rock sub-base. On the north side of the road a greater volume of attenuation is required because half of the roof area from the houses currently drain to the highway. In order to maximise volume and minimise the depth of excavation, it is proposed that a geo-cellular sub-base replacement system (Permavoid or similar) will be used. The permeable paving systems intercept and hold flows, releasing them at a controlled rate to the sewer network via a series of chambers at the west end of Mendora Road.
- 5.3. The proposed scheme is designed to have capacity to store surface water runoff from the catchment up to a 100 year event plus an allowance for climate change (+30%). This will provide improved flood protection for the immediate area as well as freeing up significant additional capacity within the combined sewer network for areas downstream to drain to.
- 5.4. As the local highway authority LBHF is responsible for all publicly maintained roads in the borough with the exception of the Transport for London Road Network (TLRN). Therefore in order to install any form of SuDS along Mendora Road TWUL have been working closely with LBHF.
- 5.5. Consideration was given to replacing existing street trees in new bio-retention tree pits and to building new rain gardens to attenuate the road

and footpath runoff. This was rejected as parking spaces would have been lost, which was deemed to be unacceptable.

- 5.6. A visualisation of the proposed permeable paving in the parking bays of Mendora Road is shown in Figure 2 below:



Figure 2 - Artists Impression Mendora Road

- 5.7. Detailed drawings of the proposed design can be provided upon request.
- 5.8. TWUL has been carrying out baseline modelling at Mendora Road and Prothero Road, monitoring the flows within the sewer, so as to be able to determine the impact of these measures on reducing the flow rates from the street once the measures are implemented.
- 5.9. TWUL has proposed to fund the construction of the project and the monitoring and maintenance of the installations for a period of 24 months post completion of the construction works. Once this 24 month period has expired the monitoring and maintenance will become the responsibilities of the Council thereafter.
- 5.10. LBHF submitted a lump sum fixed fee price for the construction of Thames Water's design on the 30/10/14 for £551,492.14. This includes the contractors fee, 10% contingency, a consultancy fee to cover officers time supervising the works and a 7.5% fee for administrative charges. It is proposed that this fee be paid in three stages by Thames Water (25%, 50%, 25%).

- 5.11. An agreement will need to be reached between LBHF and Thames Water over what constitutes a successful pilot scheme. It is the intention to utilise the IAG in these discussions, as impartial experts in the field. It is important to also identify what constitutes failure so as to ensure that LBHF aren't tied into the adoption of a pilot scheme which turns out not to function as intended. These discussions will be necessary prior to construction commencing.
- 5.12. The proposed programme shows construction to run for 12 weeks, during which time disruption to residents will be minimised where possible.
- 5.13. Although during construction Mendora Road will no longer be a through road to traffic, residents will still be able to gain access to their properties at all times.
- 5.14. Given the nature of the work, parking spaces will be reduced during the construction phase. The exact construction methodology will be devised to minimise the impact upon the residents within the street where possible within the timeframe. According to the latest parking stress survey for the street there is 25% spare capacity, therefore it is proposed to limit the number of unavailable parking spaces at any one time to this quantity. Special arrangements will be put in place for disabled residents, discussions with whom will take place once approval is granted.
- 5.15. During the construction phase weekly meetings between LBHF staff, F M Conways and TWUL will occur to ensure that the project remains on track and that any potential issues are resolved quickly and efficiently.
- 5.16. Maintenance will be carried out according to the Maintenance Statement, (the maintenance programme) by LBHF's existing highway maintenance contractor F M Conways. As previously stated this will be funded for the first 24 months by TWUL, with an upfront annual payment made on the basis of an estimated cost for the additional maintenance burden.
- 5.17. In order to help facilitate the implementation of the project within LBHF TWUL has offered to fully fund an engineering internship within LBHF Highways team for a 12 month period. This will provide the opportunity for a junior member of staff to gain experience in highways construction as well as SuDS.

6. CONSULTATION

- 6.1. An extensive consultation process has been undertaken by TWUL throughout the project., details of which can be found within Appendix A.
- 6.2. F M Conways will be providing regular updates to residents regarding the progress of the works during the construction phase.

7. LEGAL IMPLICATIONS

- 7.1. An agreement must be executed between the Council and TWUL detailing the agreed costs to be paid to the Council for the construction works and associated maintenance programme of these SuDS measures for the 24 month period after installation of the construction works.
- 7.2. Implications verified by Sharon Cudjoe: Solicitor, Tel: 020 8753 2993

8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1. The cost of this project is rechargeable to Thames Water in full and as such there should be no financial implications for the Council. However, Thames Water are known to take a very tough line when reviewing costs incurred and in rechargeable Highways Works it has often taken a very long time (years) to obtain payment and even then at a discount to the actual cost. It is therefore highly recommended that all monies be paid in advance, including an allowance for the first two years of maintenance costs.
- 8.2. Implications verified/completed by: Gary Hannaway, Head of Finance, Ex. 6071

9. PROCUREMENT IMPLICATIONS

- 9.1. The construction works are to be purchased by Thames Water and actioned by LBHF as Private Works.
- 9.2. Once awarded it is proposed to procure the services of the LBHF Highways Term Contractor, F M Conways, to undertake the construction work at both locations simultaneously under the supervision of an LBHF Highways Projects Officer.
- 9.3. A quotation was acquired from F M Conways, using our framework of pre-agreed rates, from which a "Lump Sum" Fee Estimate was created and submitted to Thames Water on 30/10/14 to undertake the works.
- 9.4. The fee estimate for Thames Water did not declare our pre-agreed rates with F M Conways, instead it showed their total for the work plus a 10% contingency, a £28,425 fee for consultancy services (for each site) and a 7.5% administrative charge.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		
2.			
3.			

Appendix A - Thames Water Consultation Process



SuDS Pilot: Communication and Consultation Process

The SuDS pilot project communication and consultation process began in June 2012 and has taken a twin-track approach to community engagement, undertaking a wide community education and engagement programme in the London Borough of Hammersmith and Fulham (LBHF), with a more targeted engagement of residents specifically on the shortlisted streets and final pilot streets in both LBHF and RBKC.

Consultation with officers and members of both the London Borough of Hammersmith and Fulham and the Royal Borough of Kensington and Chelsea (RBKC) at bi-borough meetings began the communication process with discussions about the long-listed street selection. By September 2012, meetings to discuss the short-listed street selection were able to take place with Councillor Botterill, Leader of LBHF and Cabinet Member, Councillor Brocklebank-Fowler and at RBKC with Cabinet Members Councillor Ahern and Councillor Pascall. The specific ward councillors and council officers were kept informed and involved as the project progressed. Regular project meetings with both borough's flooding officers and members of the highways teams took place to discuss the practical details for implementation of the scheme in due course.

The wide community engagement and education programme in LBHF was led by London Sustainability Exchange (LSx), a charity that promotes sustainability and health and well-being issues. LSx initially researched 45 community groups with a vested interest in flooding including gardening groups, Thames rowing groups, schools, community action groups, tenants' and residents' associations and the citizens' advice bureau. Finding in-roads to the community proved challenging, with many organisations saying they were happy to support SuDS initiatives in principle but that they did not have the capacity to become actively involved in the project. LSx ultimately recruited community champions from three organisations to support the project - Phoenix High School (Phoenix), Urban Partnership Group (UPG) and Hammersmith Community Gardens Association (HCGA). The champions were trained to communicate SuDS issues to other members of the community, carrying out resident surveys and providing local observations and records of flooding. The aim of these activities was to build awareness of urban flooding issues and to encourage support for a wider roll out of retrofitted SuDS in the future.

Following evening consultation workshops in December 2012 at both town halls for residents and community representatives, a more focussed street-specific consultation exercise was carried out during 2013. An initial one-page questionnaire was sent to residents of the shortlisted streets to explain the aims of the project and get a measure for the level of awareness and enthusiasm for SuDS and willingness to participate in the pilot scheme.

The Thames Water SuDS Bus visited the selected three streets on several occasions for the whole day on Saturdays and drop-ins were also held at community venues close to the selected streets during late weekday afternoons and evenings. Attendance by the project team members at specific local meetings such as the Arundel and Elgin Garden Committee Meeting, the Askew Ward Panel meeting and the Cathnor Park Area Action Group Meeting has also taken place with the purpose of consulting and communicating to as wide an audience as possible in the area of the three streets.

What has emerged from the community engagement activities is that a core community of 10-15% of people on each road is highly supportive of the scheme and attend each engagement event but to get wider buy-in, a very direct approach is required. This has involved door-to-door visits in the evening and at weekends as well as setting up individual appointments to see residents via email and telephone calls.

Communications with residents originally began with a focus on flood risk issues but have been changed over time to focus more on landscaping and the wider benefits of the SuDS scheme. One of the most successful methods of engaging residents was the use of simple, graphically attractive postcards offering residents a water butt and permeable paving for their front garden. Feedback from residents was that they noticed this much more than other communications issued by the project team and the offer of free garden benefits had attracted them more than focusing on flood risk or streetscape issues.



Community engagement events and an example of the invitation postcards sent to residents




Engagement levels have markedly improved from the original 10% response to the questionnaire issued at the start of the project. However, there is wide variance between streets due to the different types of housing and ownership profiles. Mendora Road has had the best response as the properties are mainly occupied by a single tenant or owner. The large Georgian properties on Arundel Gardens are generally sub-divided into five apartments and it has been more difficult to engage with residents in the higher apartments who are not affected by flooding. In Melina Road there is a higher proportion of transient housing association and council tenants as well as quite a high proportion of sub-divided properties so it has also been more difficult to engage residents on this road.

During the past year there has been engagement with residents and interested parties to provide further information on the development of the project plans. Thames Water representatives accepted an invitation to attend the Cathnor Park AGM and were able to give a short presentation to inform the members of the group and local ward councillors of the project's progress.

The Thames Water SuDS Bus was used once again together with a small gazebo, at Melina Road to act as a focal point and communication base. On-street discussions about the project design took place with visitors to Cathnor Park, some of the residents of the local area and the schoolchildren, parents and teachers from the Academy and the Nursery School. The proposed rainwater gardens were marked out on the paved area and samples of plants were brought along to provide residents with an idea of the type of planting that would take place. The location of the gardens has since been slightly amended as a result of the discussions, to accommodate pedestrian flows and ease the access to the park.

Consultation and communication with the residents of all three streets is ongoing and will become more frequent and focussed as timescales for the construction of the SuDS infrastructure are put in place and specific work is planned for each road next year.

 <p>hammersmith & fulham</p>	<p>London Borough of Hammersmith & Fulham</p> <p>CABINET MEMBER DECISION</p> <p>FEBRUARY 2015</p>
<p>HAMMERSMITH BRIDGE – PROPOSED 20MPH SPEED LIMIT HAMMERSMITH BRIDGE ROAD – CYCLE IMPROVEMENTS</p>	
<p>Report of the Cabinet Member for Environment, Transport and Resident Services</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p> <p>Key Decision: No</p>	
<p>Wards Affected: Hammersmith Broadway</p>	
<p>Accountable Executive Director: Nigel Pallace - Bi-Borough Executive Director of Transport and Technical Services</p>	
<p>Report Author: Slobodan Vuckovic, Project Manager</p>	<p>Contact Details: Tel: 020 8753 3360 E-mail: slobodan.vuckovic@lbhf.gov.uk</p>

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 16 February 2015..

1. EXECUTIVE SUMMARY

1.1 This report details proposed highway improvements along Hammersmith Bridge Road and Hammersmith Bridge itself. Please see plan in Appendix 1 which shows the existing and proposed layout.

1.2 It is proposed to improve existing cycle facilities along this section of Hammersmith Bridge Road, by bringing cyclists off the carriageway onto the segregated cycle lane that runs parallel to the carriageway. The

existing cycle lane will be widened and resurfaced, with street furniture relocated away from this facility where practicable. Appendix 2, photo 1.

- 1.3 It is also proposed to make Hammersmith Bridge 20mph speed limit. The limit would apply to a small section of road on the approaches to the bridge (Hammersmith and Richmond sides) and the bridge itself. Appendix 2, photo 2.

2. RECOMMENDATIONS

- 2.1. That approval be given to proceed with the proposed improvements to the existing cycle lane as detailed in this report at an estimated cost of £50,000 to be funded from the Transport of London (TfL) Local Transport Fund allocation in 2014/15.
- 2.2. That approval be given to make Hammersmith Bridge 20mph speed limit at cost of £8,000 to be funded from the TfL Local Transport Fund allocation in 2015/16.

3. REASONS FOR DECISION

- 3.1. The works are intended to address safety issues along this section of Hammersmith Bridge Road and on Hammersmith Bridge.

4. INTRODUCTION AND BACKGROUND

- 4.1 A section of Hammersmith Bridge Road, see drawing attached, is dedicated for 'bus only' traffic. There is a barrier in place to allow bus only traffic.
- 4.2 Cyclists often take chance to continue along the carriageway, rather than taking the segregated cycle lane provided. This has caused some cyclists to be hit by the barrier. For this reason we propose to improve the existing cycling facilities along the road by widening the existing segregated cycle lane, removing street furniture, and improving the running surface.
- 4.3 Improved cycle facilities should encourage cyclists to use the much improved segregated cycle lane rather than continue cycling along the carriageway itself. Cyclists would get back onto the carriageway at the extant toucan type pedestrian crossing, designed to accommodate cyclists and pedestrians at the same time.
- 4.4 London Borough of Richmond has been consulted on the proposed cycling improvements and have no objections to the proposed measures.
- 4.5 In addition to the above proposed works along the segregated cycle lane, we also propose to introduce a 20mph speed limit on Hammersmith Bridge. This has been a specific request from Hammersmith and Fulham Cyclist

User Group. The reduced speed limit should result in reduced speed on the bridge thereby providing a route that cyclists will be more confident to use.

- 4.6 The 20mph speed limit will be supported by the appropriate signage and road markings (20mph logos).
- 4.7 London Borough of Richmond has been consulted on the proposed 20mph speed limit over the bridge and their formal comments are awaited. The 20 mph limit scheme would need to be formally approved by the London Borough of Richmond, albeit that the necessary traffic order could be made by this Council on behalf of both authorities.
- 4.8 The proposed works on cycle lane improvements are planned to start this financial year and be completed in 2015/16. (The proposed works on Hammersmith Bridge are to start next financial year, as they are subject to further TFL notifications and approval).

5. PROPOSAL AND ISSUES

5.1. Hammersmith Bridge Road is part of the Strategic Route Network (SRN), which is under the control of Transport for London. As such notifications to and (SRN) approval for the 20 mph speed limit by TFL will be required. Works on the segregated cycle lane that runs along Hammersmith Bridge lane will not be significantly affecting traffic along Hammersmith Bridge, and therefore TFL has confirmed that this work does not require formal "SRN approval". This element of the works can therefore proceed in 2014/15 subject to Cabinet Member approval, with the 20 mph speed limit proposals be introduced in 2015/16.

5.2. Traffic collisions on Hammersmith Bridge

Three traffic collisions in the last three years occurred on the bridge, one of which involved a cyclist. A further two collisions occurred on the approach to the bridge, near the junction with Rutland Grove. All injuries were categorised as slight. Monitoring period : 01/08/2011 – 30/09/2014.

Note: collision data shown below refers to data occurring on the Hammersmith and Fulham side of the bridge only.

COLLISIONS INVOLVING	Fatal	Serious	Slight	Total
Motor vehicles	0	0	3	3
2 wheeled motor vehicles	0	0	1	1
Pedal cycles	0	0	1	1
Horses & others	0	0	0	0
Total	0	0	5	5

CASUALTIES	Fatal	Serious	Slight	Total
Vehicle Driver	0	0	3	3
Passenger	0	0	1	1
Motorcycle rider	0	0	1	1
Cyclists	0	0	1	1
Pedestrians	0	0	1	1

Other	0	0	0	0
Total	0	0	6	6

In addition to the above, a further 11 recorded collisions occurred at Richmond side of the bridge, for the same period of time.

Nine accidents occurred on the approach to the bridge, with two remaining accidents occurring at the bridge itself, both involving cyclists. See summary below.

CASUALTIES	Fatal	Serious	Slight	Total
Vehicle Driver	0	0	5	0
Passenger	0	0	0	0
Motorcycle rider	0	0	0	0
Cyclists	0	1	5	0
Pedestrians	0	0	0	0
Other	0	0	0	0
Total	0	0	0	0

Casualties at Richmond side of the bridge, monitoring period: 01/10/2011 – 30/09/2014

5.3. TRAFFIC SURVEY on Hammersmith Bridge

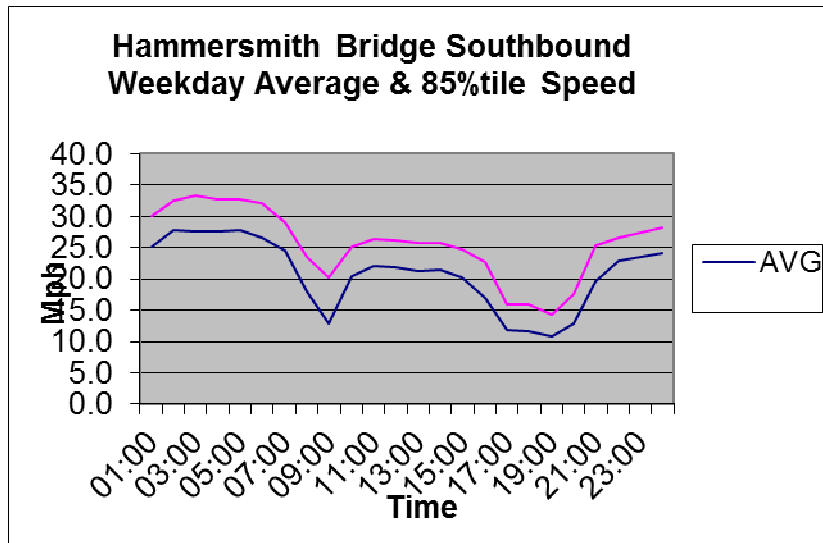
7 days speed surveys were carried in September 2012 and revealed that 64% of traffic travelling southbound was travelling at the speed greater than 20mph. This number was even higher for northbound traffic where 84% of traffic going northbound was traveling at the speed above 20mph.

SOUTHBOUND TRAFFIC						Total
Speed	0-10mph	10-20mph	20-30mph	30-40mph	40-50mph	
No of Veh	2022	29512	42750	13539	552	88375
%	2.3	33.4	48.4	15.3	0.6	100

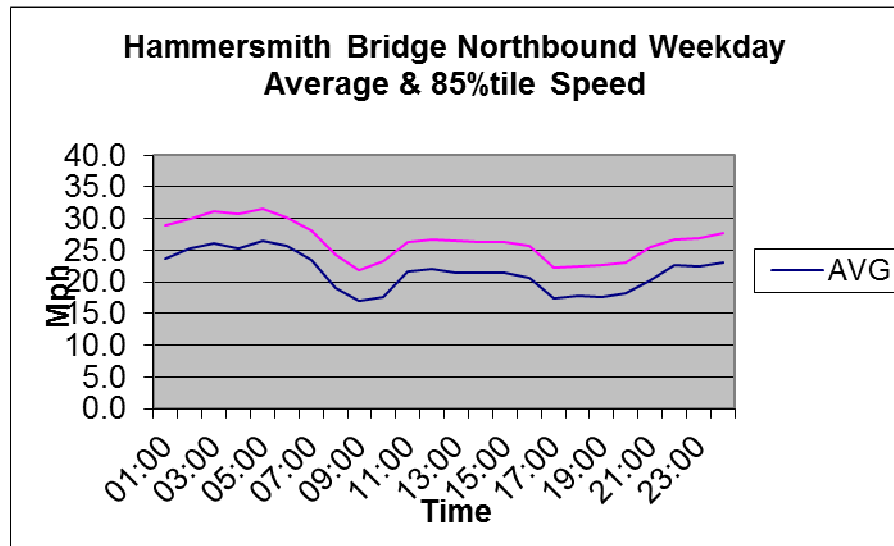
NORTHBOUND TRAFFIC						Total
Speed	0-10mph	10-20mph	20-30mph	30-40mph	40-50mph	
No of Veh	198	9642	39554	11342	469	61205
%	0.3	15.7	64.6	18.5	0.7	100

In addition to the above, we have also analysed the speed across the bridge during the same period of time, using 85% percentile speed value. This is the most commonly used statistic for examining speed issues (85 per cent of road users drive at or below this value and may be considered as the maximum safe speed for that location). The graphs below show the

85% percentile speed of vehicles going southbound and northbound, during an average week day.



Weekday			
Peak hour	AVG Veh Counts	AVG	85%tile
0700 - 0800	788.4	18.0	23.6
1300 - 1400	655.2	21.4	25.8
1800 - 1900	959.4	10.8	14.4



Weekday			
Peak hour	AVG Veh Counts	AVG	85%tile
0700 - 0800	654.2	19.0	24.2
1200 - 1300	503.6	21.5	26.6
1500 - 1600	476.2	20.7	25.6

Note: the 85% speed shown is the speed during peak hours only when the speed of traffic across the bridge is expected to be lower.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Hammersmith and Fulham Cycle User Group initially highlighted the issues cyclists were facing when cycling along Hammersmith Bridge Road as well as Hammersmith Bridge. The measures therefore seek to address the concerns and requests raised by this Group. As indicated in paragraph 5 the council intends to finish some of the proposed works this financial year with the remaining works to be finished next financial year.
- 6.2. An option in which it was planned to modify the barrier so cyclists can carry on cycling along the carriageway was dismissed due to the limited carriageway space and safety issues.

7. CONSULTATION

- 7.1 Introduction of a 20mph speed limit across Hammersmith Bridge are subject to consultation with statutory bodies, including London Borough of Richmond, Cycle User Group, Emergency Services etc, as well as member approval. At this stage we are seeking an approval from members to carry out consultation with regard to introducing 20mph speed limit across Hammersmith Bridge. Any objections or concerns will be the subject of a further report.

8. EQUALITY IMPLICATIONS

- 8.1 An Equality Impact Assessment has been completed and will be kept on file. No special issues were identified.

9. LEGAL IMPLICATIONS

- 9.1 The Council has the power to carry out the physical highways works anticipated in the report under the Highways Act 1980.
- 9.2 The Council can make an order under sections 83 and 84 of the Road Traffic Regulation Act 1984 to reduce the speed limit from 30 to 20 mph. In reaching its decision whether to do so, the council must exercise its function as far as practicable to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities. There is a statutory process which the council must follow. Prior to making the order, the council must carry out a formal consultation process, which may cause the council to consider that a public inquiry should be held. If an order is made, there are further notification requirements. The council will be required to erect traffic signs as required to provide adequate guidance for drivers.
- 9.3 Where further consultation is to be carried out (as indicated in various parts of the report), it must follow public law principles in that it must be

carried out at a formative stage of the decision making process, last for a reasonable period, provide sufficient information for consultees to make an informed representation and all representations must be taken into account before any decision is made.

- 9.4 Implications verified by Alex Russell (Bi-borough Senior Lawyer (Planning, Highways and Licensing) -Tel: 020 8753 2771

10 FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1 The Council receives £100,000 from TfL each year for Local Transport Projects. £50,000 has been allocated for this project in 2014-15 and £8,000 will be allocated in 2015-16. There are therefore no financial implications for the Council.
- 10.2 At present the costs are based on an estimate. This is subject to change once the detail of the 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.
- 10.3 Implications verified by Giles Batchelor (Finance Manager (Highways) - Transport & Technical Services) - Room 311/16, Pembroke Road, Tel. 020 8753 2407

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None		

APPENDIX 2 – PHOTOS



Photo 1 - Existing segregated cycle lane to be widened



Photo 2 – approach to Hammersmith Bridge, where 20mph speed limit is to start

LBHF Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has 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, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report 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.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (link), as well as from the Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430

LBHF Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	14/15 4 th Hammersmith Bridge Road, 15/16 1 st Hammersmith Bridge
Name and details of policy, strategy, function, project, activity, or programme	<p>a) Hammersmith Bridge – cycle improvements & It is proposed to improve cycling facilities on the existing segregated cycle lane, that runs parallel to Hammersmith Bridge Road, towards Hammersmith Bridge.</p> <p>b) Hammersmith Bridge – proposed 20mph speed limit It is proposed to introduce 20mph speed limit across Hammersmith Bridge in order to assist cyclists when riding over the bridge.</p> <p>Note: If your proposed strategy will require you to assess impact on staff, please consult your HR Relationship Manager.</p>
Lead Officer	Name: Slobodan Vuckovic Position: project engineer Email: slobodan.vuckovic@lbhf.gov.uk Telephone No:07786032909
Date of completion of final EIA	10 / 02 / 2015

Section 02	Scoping of Full EIA		
Plan for completion	Timing: financial year 2014/15 and 2015/16 Resources: in house		
Analyse the impact of the policy, strategy, function, project, activity, or programme	Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.		
	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral

Age	N/A	
Disability	the project will address accessibility and disability issues, by providing necessary measures to help vulnerable people (tactile paving)	Positive
Gender reassignment	N/A	
Marriage and Civil Partnership	N/A	
Pregnancy and maternity	N/A	
Race	N/A	
Religion/belief (including non-belief)	N/A	
Sex	N/A	
Sexual Orientation	N/A	

Human Rights or Children’s Rights

If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Equality Lead for advice

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

No

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

No

Section 03

Analysis of relevant data

Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data

	and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	Traffic surveys data; collision data
New research	If new research is required, please complete this section

Section 04	Consultation
Consultation	Details of consultation findings (if consultation is required. If not, please move to section 06)
Analysis of consultation outcomes	

Section 05	Analysis of impact and outcomes
Analysis	What has your consultation (if undertaken) and analysis of data shown? You will need to make an informed assessment about the actual or likely impact that the policy, proposal or service will have on each of the protected characteristic groups by using the information you have gathered. The weight given to each protected characteristic should be proportionate to the relevant policy (see guidance).

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	Include any specific actions you have identified that will remove or mitigate the risk of adverse impacts and / or unlawful discrimination. This should provide the outcome for LBHF, and the overall outcome.

Section 07	Action Plan					
Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan

Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Position: Email: Telephone No:
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: 16 / 02 / 2015 Key equalities issues have been included: Yes/No
Opportunities Manager (where involved)	Name: Position: Date advice / guidance given: Email: Telephone No:



London Borough of Hammersmith & Fulham

CABINET MEMBER DECISION

FEBRUARY 2015

AGREEMENT TO EXTEND CURRENT CONTRACTUAL ARRANGEMENTS FOR PROFESSIONAL ONE TO ONE ADVOCACY SERVICES FROM 1 OCTOBER 2014 TO 30 JUNE 2015

Report of the Cabinet Member for Health and Adult Social Care

Open Report

Classification - For Decision
Key Decision: No

Wards Affected: All

Accountable Executive Director: Liz Bruce, Executive Director, Adult Social Care and Health

Report Author: Tabby Eichler, Adult Social Care Procurement and Contracts Manager

Contact Details:
Tel: 020 7642 6640
E-mail:
teichler@westminster.gov.uk

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 25 February 2015.....

1. EXECUTIVE SUMMARY

- 1.1 This report seeks approval to vary and extend the advocacy service provided by the incumbent Professional Advocacy Service provider in Hammersmith and Fulham.
- 1.2 An extension and variation of services is required to enable the letting of a Framework Agreement for Professional Advocacy Services in Hammersmith and Fulham, Kensington and Chelsea and Westminster. The new service will commence by 1 July 2015.
- 1.3 The report requests authority in accordance with paragraph 20.1.2 of Contract Standing Orders to approve the direct award of two contracts for Individual Professional Advocacy provided by Action on Disability, for nine months from 1st October 2014 to 30th June 2015.

Clinical Commissioning Groups

- 1.4 The Clinical Commissioning Groups (CCGs) have considerable funding invested in Advocacy for people with mental health needs and dementia and the Commissioning Support Unit will be submitting a similar report to the CCG boards to extend current contractual situations as required.
- 1.5 As identified in the Care Act Implementation Impact Analysis (Jan 2014), future demand and service activity for advocacy services may increase during the extension period, as a result of the Care Act 2014, and the statutory duty to provide independent advocates. Officers are currently exploring the potential impact collaboration with the Business Analysis team.

2. RECOMMENDATION

- 2.1 That approval be given to the direct award of the contracts for General and Community Mental Health Advocacy and Individual Professional Advocacy for people with a Profound and Multiple Learning Disability provided by Action on Disability for nine months from 1 October 2014 to 30 June 2015 as set out in Table 1 of this report, in accordance with paragraph 20.1.2 of Contract Standing Orders.

3. RISK MANAGEMENT

- 3.1 This report recommends extension and variation of both services as set out at Table 1 for nine months, in order to allow a tender process to conclude.

Table 1 H&F Advocacy Services

Provider	Service Name	Description	Current Contract Start/End	Annual Contract Value	Health Contribution	ASC Contribution	Total Value for Contract Extension (9 months-01/10/14 – 30/06/15)	Total Contract Value inc 1 yr extension to 30/06/2015
Action on Disability	Professional Advocacy Service	General and Community Mental Health Advocacy service	16/02/09-30/09/14	£75,000	NIL	£75,000	£56,250	£478,130
Action on Disability	Professional Advocacy Service	Professional Advocacy for people with a Profound and Multiple Learning Disability	16/02/09-30/09/14	£48,000	NIL	£48,000	£36,000	£306,000

3.2 If the services are not extended and varied there is the potential for a gap in provision as the new services are not expected to start until the summer of 2015.

3.3 The recommendation ensures that the Council will meet its new statutory duties under the Care Act from April 2015.

4. EQUALITY IMPLICATIONS

4.1 It is envisaged that the outcome of this tender will have a neutral or positive impact on the protected groups. It is not anticipated that the services received by current service users will vary significantly from what is currently received. Eligibility for access to these services is not affected under this process and there is no planned reduction in budget. Future arrangements will be monitored on the take up of the service by diverse communities through monitoring and in relation to local population data analysis.

5. CONSULTATION

5.1 The current advocacy service providers have been advised of the proposed extension.

6. LEGAL IMPLICATIONS

- 6.1 The services described in this report are Part B services under the Public Contracts Regulations 2006 and are therefore not subject to the full regime of those Regulations. However, the Councils should still seek to comply with general treaty principles of transparency, equal treatment, non-discrimination and proportionality.
- 6.2 It can be demonstrated in this case that any cross-border interest in these two services is unlikely, i.e. European providers would not be interested in bidding. Services of the type described in this report offering local community provision tend to be delivered by local SMEs which do not attract cross border interest.
- 6.3 It is understood that the proposed direct awards, as set out in the body of the report, are an interim measure due to the delay in the current procurement exercise for the procurement of the long-term contract.
- 6.4 It is essential that the necessary contract documentation is completed in the event that the recommendations are accepted so that the Council is fully protected.
- 6.5 Implications completed by: Andre Jaskowiak, Solicitor (Contracts), Hammersmith and Fulham and Kensington and Chelsea Legal Services, 020 8753 2772.

7. PROCUREMENT IMPLICATIONS

- 7.1 As set out in the body of the report, the extension and variation of these services is an interim measure in order to allow a tender process to conclude. The procurement strategy for the tender of ASC Advocacy services named in this report was approved in accordance with LBHF Contract Standing Orders in May 2013.
- 7.2 Section 2 of this report seeks approval for the direct award of Professional Advocacy Services as set out in Table 1 in line with Contract Standing Orders of the Council.
- 7.3 Approval to extend and vary contracts named in this report is sought, in accordance with paragraph 20.1.2 of the H&F Contract Standing Orders as set out below:

‘Where there are no such provisions or where such provisions have already been exhausted then, in exceptional circumstances only, temporary arrangements may be sought from the current provider on existing terms and conditions to provide a continuation of service whilst a procurement exercise is undertaken. Authority to enter into a temporary contract may be authorised by the relevant Cabinet Member where the total value is £20,000 or greater but does not exceed £100,000 (subject to appropriate budgetary provision).’ It is confirmed at paragraph 9.4 that there is adequate revenue budget for the service extension.

7.4 Implications completed by: Joanna Angelides, Hammersmith and Fulham and Kensington and Chelsea Procurement Consultant, 020 8753 2586.

9. FINANCIAL AND RESOURCES IMPLICATIONS

9.1 Budgets are stated below and show the total value of a nine months extension to the Council.

<i>Please separate revenue and capital implications into two tables</i>	2014/15(Q3/4)		2015/16 (Q1)	
	Confirmed budget figure £	Costs of proposal £	Confirmed budget figure £	Costs of proposal £
Current Budgets	61,500	61,500	30,750	30,750
Council Revenue budget	61,500	61,500	30,750	30,750
Council Capital budget				
External funding sources, e.g. TfL, NHS etc.				
SUB TOTALS				
Start-up Costs				
Lifetime Costs				
Close-down Costs				
TOTALS	61,500	61,500	30,750	30,750

9.2 The recommendation to extend the service for HAFAD (Action on Disability) from 1st October 2014 to 30th June 2015 will cost £37,500 in 2014-15 (with the loss of anticipated MTFS savings of £13,500) and £18,750 in 2015-16 (with the loss of anticipated MTFS savings of £6,750).

9.3 The extension of the payment for HAFAD (Action on Disability) (subcontracted to MENCAP from 1st October 2014 to 30th June 2015 will cost £24,000 in 2014-15 (with the loss of anticipated MTFS savings of £4,000) and £12,000 in 2015-16 (with the loss of anticipated MTFS savings of £2,000).

9.4 The cost of the proposals and the loss of MTFS efficiency savings can be met from within the current commissioning revenue budgets for the appropriate years.

9.10 Implications completed by: Cheryl Anglin- Thompson, Principle Officer - Local Budgets, Hammersmith and Fulham Finance Services, 020 8753 4022

Liz Bruce
Executive Director, Adult Social Care

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Leader's urgent decision 4 June 2013 - Agreement To Procure Tri-Borough Professional One To One Advocacy Services (Jointly Funded With NHS) And Extend Current Contractual Arrangements To Cover The Procurement Process From April 2013 (exempt)	Martin Waddington Tel.020 8753 6235	Adult Social Care
2	Agreement to extend current contractual arrangements for Tri-Borough professional one to one Advocacy services from 1 April 2014 to 30 September 2014 (28 February 2024) – published	Peter McDonnell Tel. 020 7361 2715	Adult Social Care

Contact officer(s): Steven Falvey, Adult Social Care Senior Commissioner (Community) Tel 020 8753 5032 email: steven.falvey@lbhf.gov.uk

Tabby Eichler, Adult Social Care Procurement and Contracts Manager Tel: 020 7641 6640 email: teichler@westminster.gov.uk



London Borough of Hammersmith & Fulham

CABINET MEMBER DECISION

FEBRUARY 2015

CONSTITUTION OF THE GOVERNING BODY OF ST JOHN'S WALHAM GREEN CHURCH OF ENGLAND PRIMARY SCHOOL

Report of the CABINET MEMBER FOR EDUCATION

Open Report

Classification - For Decision

Key Decision: No

Wards Affected:

Accountable Executive Director: Jane West, Executive Director Finance and Corporate Governance

Report Author
Jackie Saddington
Tri-Borough Head of School Governor Services

Contact Details:
E-mail:
Jackie.saddington@rbkc.gov.uk

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 20 February 2015

1. EXECUTIVE SUMMARY

The report recommends a variation in the Instrument of Government for the governing body of St John's Walham Green Church of England Primary School to bring them in line with the School Governance (Constitution) England) Regulations 2012.

2. RECOMMENDATIONS

That the Instrument of Government for the governing body of St John's Walham Green Church of England Primary School, as set out in Appendix 1 of this report, be made, coming into effect from the 6th May 2015.

3. REASONS FOR DECISION

The Council is required to make a new Instrument of Government.

4. BACKGROUND

The Education Act 2002 and the School Governance (Constitution) (England) Regulations 2012 require the governing bodies of all maintained schools to conform to a constitutional model.

The regulations set out the options available to schools in terms of the overall number of governors, the categories of governor and the guiding principles for the constitution.

The constitution of each governing body is laid down in a document known as the Instrument of Government. A governing body may at any time change their constitution, in accordance with the regulations, by varying their Instrument of Government.

5. UPDATE

At the Full Governing Body meeting of St John's Walham Green Church of England Primary School held on 3rd December 2014 the governors voted to reconstitute the Governing Body to bring it in line with the School Governance (Constitution) (England) Regulations 2012. The Governing Body had previously been constituted under the School Governance (England) (Constitution) Regulations 2003. The total number of governors will remain the same at 14 and the numbers in each category will be amended to reflect the latest Regulations. The number of governors in each category will change as follows:

- Parent Governors will reduce from 3 to 2
- LA Governors remains the same at 1
- Staff Governors will reduce from 2 to 1
- Headteacher
- Foundation Governors remain the same at 8
- Co-opted Governors – A new category of 1

Total = 14

6. INSTRUMENT OF GOVERNMENT

Accordingly, they have asked the Authority to vary their Instrument of Government to show the amended categories of governors.

Appendix 1 of this report sets out the constitution of the governing body in the form of an Instrument of Government, as requested by the governors of St John's Walham Green Church of England Primary School.

7. RISK MANAGEMENT

The subject of the report is not included on a departmental or corporate risk register.

8. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

There are no financial implications to the Council.

Comments supplied by Jackie Saddington

9. EQUALITY IMPLICATIONS

There are no equality implications.

10. LEGAL IMPLICATIONS

The School Governance (constitution) (England) Regulations 2012 set out the framework for the constitution of governing bodies and the process of making Instruments of Government. The Instrument of Government proposed in appendix 1 of this report complies with those regulations.

Comments supplied by Jackie Saddington

APPENDIX 1

LONDON BOROUGH OF HAMMERSMITH AND FULHAM

INSTRUMENT OF GOVERNMENT:

ST JOHN'S WALHAM GREEN CHURCH OF ENGLAND PRIMARY SCHOOL

1. The name of the school is St John's Walham Green Church of England Primary School.
2. The school is a Voluntary Aided school.
3. The name of the governing body is "The governing body of St John's Walham Green Church of England Primary School".
4. The governing body shall consist of:
 - a. 2 parent governors
 - b. 1 staff governor
 - c. 1 Local Authority governor
 - d. The Head Teacher ex-officio
 - e. 1 co-opted governor
 - f. 8 foundation governors
5. Total number of governors is 14.
6. The term of office for parent governors, the staff governor, the local authority governor and 7 foundation governors who are not ex-officio is 4 years.
7. Foundation governors shall be appointed as set out below:

- a. 2 by the London Diocesan Board for Schools (or any person for the time being exercising authority on behalf of the Board);
 - b. 3 by the Hammersmith and Fulham Deanery Synod;
 - c. 2 by the St John's Walham Green Parochial Church Council
- 8.** Foundation governor ex-officio
- a. The holder of the following office shall be a foundation governor ex-officio: the Chief Officiating Minister of St John's Walham Green Church
 - b. The Archdeacon of Middlesex shall be entitled to appoint a foundation governor to act in the place of the ex officio foundation governor whose governorship derives from the office named in (a) above, in the event that that ex officio foundation governor is unable or unwilling to act as a foundation governor, or has been removed from office under regulation 21 (1) of the Regulations.
- 9.** The Archdeacon of Middlesex shall be entitled to request the governing body to remove the ex-officio foundation governor referred to in 8 a. above and to appoint any substitute governor.
- 10.** A trust for the school exists.
- 11.** Recognizing its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church of England and in partnership with the Church at parish and diocesan level.
- The school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith, and promotes Christian values through the experience it offers to all its pupils.
- 12.** This instrument of government comes into effect on the 6th May 2015.
- 13.** This instrument was made by order of Hammersmith & Fulham Local Authority on
- 14.** A copy of the instrument must be supplied to every member of the governing body (and the Head Teacher if not a governor), any Trustees and to the appropriate religious body.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No .	Description of Background Papers	Name/Ext of Holder of File/Copy	Department/Location
1.	Education Act 2002	Jackie Saddington 020 7598 4782	Tri-borough Children's Services Kensington Town Hall
2.	The School Governance (Constitution) (England) Regulations 2012	Jackie Saddington 020 7598 4782	Tri-borough Children's Services Kensington Town Hall



London Borough of Hammersmith & Fulham

CABINET MEMBER DECISION

FEBRUARY 2015

CONSTITUTION OF THE GOVERNING BODY OF SULIVAN PRIMARY SCHOOL

Report of the CABINET MEMBER FOR EDUCATION

Open Report

Classification - For Decision

Key Decision: No

Wards Affected:

Accountable Executive Director: Jane West, Executive Director Finance and Corporate Governance

Report Author
Jackie Saddington
Tri-Borough Head of School Governor Services

Contact Details:
E-mail:
Jackie.saddington@rbkc.gov.uk

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 27 February 2015

1. EXECUTIVE SUMMARY

The report recommends a variation in the Instrument of Government for the governing body of Sullivan Primary School to bring them in line with the School Governance (Constitution) England) Regulations 2012.

2. RECOMMENDATIONS

That the Instrument of Government for the governing body of Sullivan Primary School, as set out in Appendix 1 of this report, be made, coming into effect on 2nd March 2015.

3. REASONS FOR DECISION

The Council is required to make a new Instrument of Government.

4. BACKGROUND

The Education Act 2002 and the School Governance (Constitution) (England) Regulations 2012 require the governing bodies of all maintained schools to conform to a constitutional model.

The regulations set out the options available to schools in terms of the overall number of governors, the categories of governor and the guiding principles for the constitution.

The constitution of each governing body is laid down in a document known as the Instrument of Government. A governing body may at any time change their constitution, in accordance with the regulations, by varying their Instrument of Government.

5. UPDATE

At the Full Governing Body meeting of Sullivan Primary School held on 2nd February 2015 the governors voted to reconstitute the Governing Body to bring it in line with the School Governance (Constitution) (England) Regulations 2012. The Governing Body had previously been constituted under the School Governance (England) (Constitution) Regulations 2003. The total number of governors will Reduce from 18 to 12 and the numbers in each category will be amended to reflect the latest Regulations. The number of governors in each category will change as follows:

- Parent Governors to reduce from 6 to 3
- LA Governors to reduce from 4 to 1
- Staff Governors to reduce from 4 to 1
- Headteacher
- Community Governors are renamed to Co-Opted Governors and will change from 4 to 6.

Total = 12

6. INSTRUMENT OF GOVERNMENT

Accordingly, they have asked the Authority to vary their Instrument of Government to show the amended categories of governors.

Appendix 1 of this report sets out the constitution of the governing body in the form of an Instrument of Government, as requested by the governors

of Sullivan Primary School.

7. RISK MANAGEMENT

The subject of the report is not included on a departmental or corporate risk register.

8. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

There are no financial implications to the Council.

Comments supplied by Jackie Saddington

9. EQUALITY IMPLICATIONS

There are no equality implications.

10. LEGAL IMPLICATIONS

The School Governance (constitution) (England) Regulations 2012 set out the framework for the constitution of governing bodies and the process of making Instruments of Government. The Instrument of Government proposed in appendix 1 of this report complies with those regulations.

Comments supplied by Jackie Saddington

APPENDIX 1

LONDON BOROUGH OF HAMMERSMITH AND FULHAM

INSTRUMENT OF GOVERNMENT:

SULIVAN PRIMARY SCHOOL

1. The name of the school is Sullivan Primary School.
2. The school is a Community School.
3. The name of the governing body is “The governing body of Sullivan Primary School”.
4. The governing body shall consist of:
 - a. ONE Head Teacher
 - b. ONE Local Authority Governor
 - c. ONE staff governor
 - d. THREE parent governors
 - e. SIX co-opted governors
5. Total number of governors is 12.
6. This instrument of government comes into effect on 2nd March 2015.
7. This instrument was made by order of Hammersmith & Fulham Local Authority on
8. A copy of the instrument must be supplied to every member of the governing body (and the Head Teacher if not a governor).

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No .	Description of Background Papers	Name/Ext of Holder of File/Copy	Department/Location
1.	Education Act 2002	Jackie Saddington 020 7598 4782	Tri-borough Children's Services Kensington Town Hall
2.	The School Governance (Constitution) (England) Regulations 2012	Jackie Saddington 020 7598 4782	Tri-borough Children's Services Kensington Town Hall



London Borough of Hammersmith & Fulham

CABINET MEMBER DECISION

FEBRUARY 2015

APPOINTMENT OF LA GOVERNOR – SACRED HEART HIGH SCHOOL

Report of the CABINET MEMBER FOR CHILDREN AND EDUCATION – Councillor Sue Macmillan

Open Report

Classification - For Decision
Key Decision: No

Wards Affected: ALL

Accountable Executive Director: Jane West, Executive Director Finance and Corporate Governance

Report Author
Jackie Saddington Head of School
Governor Services

Contact Details:
Tel: 0207 598 4782
E-mail: Jackie.saddington@rbkc.gov.uk

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 20 February 2015

1. EXECUTIVE SUMMARY

- 1.1 This report records the Cabinet Member's decision to appoint LA Governors which falls within the scope of her executive portfolio.

2. RECOMMENDATIONS

- 2.1. That the following LA Governor appointment be made:

That Cllr Michael Cartwright be re-appointed as LA Governor for Sacred Heart High School for a four year term with effect from date of signature.

3. REASONS FOR DECISION

- 3.1 The Cabinet Member gives the following reasons for the following appointments:

Cllr Cartwright has been a Hammersmith and Fulham councillor since 1992 and is Deputy Leader of the Council. He has served as a governor at Larmenier and Sacred Heart Primary, Flora Gardens Primary School and Sacred Heart High School at various times over 20 years. He is currently a governor at Flora Gardens Primary School and his term of office as a governor at Sacred Heart High School has just expired. He is a Justice of the Peace sitting at Hammersmith and Westminster Magistrates Courts. He is also a Professional member of First Tier Residential Property Tribunal, a Senior member of Valuation Tribunal for England and is a Retired Chartered Quantity Surveyor. He would continue to make a positive contribution to the work of the Governing Body of Sacred Heart High School, and should therefore be re-appointed.

4. INTRODUCTION AND BACKGROUND

- 4.1 The Council is entitled to appoint governors to school governing bodies. This power is delegated to the Cabinet Member.

5. PROPOSAL AND ISSUES

- 5.1 As above

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Not applicable

7. LEGAL IMPLICATIONS

- 7.1 The Council Constitution gives the Cabinet Member for Children and Education the power to appoint LEA governors. Item 3.9 ('Educations functions') states the following: "Appointments to school governing bodies".


- 7.2 Implications completed by: Tasnim Shawkat, Bi-Borough Director of Law tel 020 8753 2088.

8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1. Not applicable.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

 the low tax borough	London Borough of Hammersmith & Fulham CABINET MEMBER DECISION
APPOINTMENT OF LA GOVERNOR – ST STEPHEN’S CE PRIMARY SCHOOL	
Report of the CABINET MEMBER FOR CHILDREN AND EDUCATION – Councillor Sue Macmillan	
Open Report	
Classification - For Decision Key Decision: No	
Wards Affected: ALL	
Accountable Executive Director: Jane West, Executive Director Finance and Corporate Governance	
Report Author Jackie Saddington Head of Tri-Borough School Governor Services	Contact Details: Tel: 0207 5984782 E-mail: Jackie.saddington@rbkc.gov.uk

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 20 February 2015

1. EXECUTIVE SUMMARY

1.1 This report records the Cabinet Member’s decision to appoint LA Governors which falls within the scope of her executive portfolio.

2. RECOMMENDATIONS

2.1. That the following LA Governor appointment be made:

That Mrs Kate Greenwood is re-appointed as LA Governor for St Stephen’s CE Primary School for a four year term with effect from date of signature.

3. REASONS FOR DECISION

- 3.1 The Cabinet Member gives the following reasons for the following appointments:

Mrs Kate Greenwood has until recently, when her term of office expired, been a Local Authority Governor at St Stephen's CE Primary School and has been a governor at the school since 2007. She is an active member of the governing body and both she and the governors are keen to retain her experience. The governing body require a governor with a good understanding of the responsibilities of a school governor, a good understanding of the school, its intake and educational attainment and its areas of strengths and weakness, They also require a person who has the ability and knowledge to challenge the governing body on key policy issues and who has an understanding and appreciation of the school's values and ethos. They further require a person with knowledge of the local area and the challenges and opportunities facing a Primary school in Shepherd's Bush.

The Chair of governors is keen to see Mrs Kate Greenwood re-appointed as the governing body view is that she meets these requirements very well and makes a positive contribution to the work of the governing body.

4. INTRODUCTION AND BACKGROUND

- 4.1 The Council is entitled to appoint governors to school governing bodies. This power is delegated to the Cabinet Member.

5. PROPOSAL AND ISSUES

- 5.1 As above

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Not applicable

7. LEGAL IMPLICATIONS

- 7.1 The Council Constitution gives the Cabinet Member for Children and Education the power to appoint LEA governors. Item 3.9 ('Educations functions') states the following: "Appointments to school governing bodies".

- 7.2 Implications completed by: Tasnim Shawkat, Bi-Borough Director of Law tel 020 8753 2088.

8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1. Not applicable.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		