

Cabinet

Minutes

Monday 6 July 2015

PRESENT

Councillor Stephen Cowan, Leader of the Council
Councillor Michael Cartwright, Deputy Leader
Councillor Andrew Jones, Cabinet Member for Economic Development and Regeneration
Councillor Max Schmid, Cabinet Member for Finance
Councillor Vivienne Lukey, Cabinet Member for Health and Adult Social Care
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Sue Fennimore, Cabinet Member for Social Inclusion
Councillor Ben Coleman, Cabinet Member for Commercial Revenue and Resident Satisfaction
Councillor Sue Macmillan, Cabinet Member for Children and Education

14. MINUTES OF THE CABINET MEETING HELD ON 1 JUNE 2015

RESOLVED:

That the minutes of the meeting of the Cabinet held on 1st June 2015 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wesley Harcourt.

16. DECLARATION OF INTERESTS

There were no declarations of interest.

17. DELIVERING THE SCHOOLS CAPITAL PROGRAMME - WINDOWS REPLACEMENT

RESOLVED:

1.1 That the creation and funding of a capital programme for the replacement and/or repair of windows in the borough's maintained schools for which the Council is the responsible body, be approved.

- 1.2 That the cost of this capital programme be funded through prudential borrowing, or such other routes as established by the Council's section 151 officer, and that repayments are financed through future capital allocations from the EFA and a top-slice of the schools maintenance budget (DSG).
- 1.3 That the commissioning of 3BM Ltd. to project manage on behalf of the Council the procurement of a framework contract from which suitably qualified providers can be competitively sourced to install and maintain the new windows in H&F schools where these are required, be approved.
- 1.4 That the appointment of 3BM Ltd to project manage each subsequent call-off made from the framework, and the delivery of the individual projects, be approved.
- 1.5 That Addison Primary school (for reasons described in paragraph 4.2.4 of the report) be prioritised and procured separately, in advance of the establishment of the framework.
- 1.6 That the commissioning of 3BM Ltd to project manage the procurement of a suitably qualified provider for the immediate works at Addison school, be approved.
- 1.7 That the inclusion of Social Value and local economic considerations as part of the criteria for award of the Addison school contract and for inclusion on the larger framework and award of call-offs from it as well as the requirement to provide work experience opportunities for students from the borough's schools, be approved.
- 1.8 That the award of the framework be approved.
- 1.9 Prior approval to delegate the award of the Addison school contract to the Leader and Cabinet Member, as per 12.6.1 of the Council's Contracts Standing Orders.
- 1.10 Prior approval to award call-off contracts from the framework that are less than £1m to the Cabinet Member for Children and Education, and those that are more than £1m and less than £5m to The Leader and Cabinet Member for Children and Education.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

18. HAMMERSMITH PARK SPORTS FACILITY

RESOLVED:

- 2.1 That approval be given to the following variations to the Council's contract with PlayFootball for the development and provision of sports and leisure management services at Hammersmith Park namely:
- The new sports and associated facilities at Hammersmith Park (namely ten 5-a-side football pitches, a clubhouse with pavilion and park café, a small car park, two refurbished tennis courts and MUGA).
 - That the 35-year lease and concession awarded to PlayFootball on 18th July 2011, signed and executed noon 28th September 2012, be amended to a management agreement for a period of 7 years, with an option to extend for a further 7 years subject to a review that demonstrates that PlayFootball have delivered the contract terms.
 - That the revised contract term commences 31st July 2015.
 - Cabinet commits the council to consulting with the residents if there is to be any change to the arrangements proposed in this report in the future
 - The Final Negotiated Terms of opening hours and financial business plan will be delegated to the Leader of the Council, the Cabinet Member for Regeneration and Arts in consultation with the Executive Director for ELRS.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

19. TERMINATION OF THE SECTION 113 AGREEMENT WITH THE LINK

RESOLVED:

That approval be given to serve Notice terminating the Link Agreement entered into by Hammersmith and Fulham Council on the 5th December 2013 with Westminster City Council and the Royal Borough of Kensington and Chelsea.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

20. DIRECT HOUSING DELIVERY PROGRAMME AND SINGLE CONTRACTOR FRAMEWORK

RESOLVED:

- 1.1. That the undertaking of Phase 1 of the Direct Housing Development programme as outlined below, be approved.
- 1.2. That the allocation of £7.6 million of section 106 funds required to complete Phase 1 of the Direct Housing Development programme, be approved.
- 1.3. That the use of £3.25 million Right to Buy (RTB) required to complete Phase 1 of Direct Housing Development programme, be approved.
- 1.4. That the undertaking of necessary work to achieve detailed planning consent on Phase 2 schemes, be approved.
- 1.5. That the undertaking of additional feasibility work for the Direct Housing Development programme and undertake pre-application discussion with the planning authority and resident consultation where appropriate, be approved.
- 1.6. That approval be given to incur additional consultancy fees for ongoing professional, technical and legal advice to complete Phase 1 of the Direct Housing Development programme, to undertake work up to and including submitting a planning application for Phase 2 of the direct housing development programme, and to undertake feasibility work on remaining schemes included in the Direct Housing Development programme as set out below:

Legal Advice	£ 30,000
Architectural and Design Services	£350,000
Technical and Cost Advice Services	£350,000
Surveys	£ 70,000
Contingency	£ 50,000

- 1.7. That authority be delegated to the Cabinet Member for Economic Development and Regeneration, in conjunction with the Director of

Planning, Regeneration and Growth, the Director of Finance and Resources and the Director of Law, to approve the appointment of consultants required to undertake work on Phase 2 of the Direct Housing Development programme and additional feasibility work as required.

- 1.8. That approval be given to establish a single contractor framework for the provision of development and construction services in order to deliver the Council's Direct Housing Development programme.
- 1.9. That approval be given to appoint Aecom Construction Services to the single contractor framework to provide development and construction services.
- 1.10. That approval be given to enter into build contracts (at a total cost and financing arrangements for each scheme as detailed in the exempt report on the exempt Cabinet agenda), subject to all outstanding terms being agreed, for the construction of:
 - Barclay Close
 - Becklow Gardens,
 - Spring Vale
 - Barons Court
- 1.11. That authority be delegated to the Cabinet Member for Economic Development and Regeneration and the Cabinet Member for Finance, in conjunction with the Director of Planning, Regeneration and Growth, the Director of Finance and Resources and the Director of Law to agree any outstanding terms in advance of entering into construction contracts to build Barclay Close, Becklow Gardens and Spring Vale.
- 1.12. That authority be delegated to the Cabinet Member for Housing, in conjunction with the Lead Director for Housing and the Director of Law, to approve Local Lettings Plans to govern the allocation of homes provided under Phases 1 and 2 of the Council's Direct Housing Delivery programme.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

21. **ADULT SOCIAL CARE SHARED SERVICES STRATEGIC BUSINESS CASE**

RESOLVED:

- 1.1 That Cabinet supports this business case, and the creation of a strategic funding facility of £6.22 million over a three year period 2015–2018, funded from each council's reserves, pro rata to planned savings for that council. The LBHF contribution to this facility is £2.46 million;
- 1.2 That Cabinet supports ASC plans for 2015-16, and the release of £833,000 in 2015-16 from LBHF reserves to execute these plans;
- 1.3 To note the following decision for Westminster City Council (WCC) and Royal Borough of Kensington and Chelsea (RBKC)

- Westminster City Council (WCC)

That the Cabinet Member for WCC supports this business case, and the creation of a strategic funding facility of £6.22 million over a three year period 2015–2018, funded from each council's reserves, pro rata to planned savings for that council. The WCC contribution to this facility is £2.41 million;

That the Cabinet Member for WCC supports ASC plans for 2015-16, and the release from WCC reserves of £737,000 in 2015-16 from WCC reserves to execute these plans;

- Royal Borough of Kensington and Chelsea (RBKC)

That RBKC Cabinet supports this business case, and the creation of a strategic funding facility of £6.22 million over a three year period 2015–2018, funded from each council's reserves, pro rata to planned savings for that council. The RBKC contribution to this facility is £1.35 million;
That RBKC Cabinet supports ASC plans for 2015-16, and the release of £499,000 in 2015-16 from RBKC reserves to execute these plans;

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

22. CARDIOVASCULAR DISEASE PREVENTION SERVICE

RESOLVED:

- 1.1 That Cabinet notes the award of a framework agreement for three years, with the option to extend for one further year to Supplier 2.
- 1.2 That approval be given to call off of the framework agreement and enter into a contract for three years from 1st October 2015, with the option to extend for a further year (subject to performance) with the recommended provider.
- 1.3 That approval be given to delegate the decision to award a one year extension to the “call off” from the framework to the Cabinet Member for Adult Social Care and Public Health in conjunction with the Executive Director for Adult and Social Care and the Section 151 Officer.
- 1.4 To note the following decisions for Westminster City Council (WCC) and Royal Borough of Kensington and Chelsea (RBKC)

- For the Royal Borough of Kensington and Chelsea

To note the award of a framework agreement for three years, with the option to extend for one further year to Supplier 2.

To call off of the framework agreement and enter into a contract for three years from 1st October 2015, with the option to extend for a further year (subject to performance), with the recommended provider.

- For Westminster City Council

The Contract Approval Board recommend that the Cabinet Member for Adult Social Care and Public Health call off of the framework agreement and enter into a contract for three years from 1st October 2015, with the option to extend for a further year (subject to performance).

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

23. PUBLIC HEALTH 0-5 YEARS SERVICES, DIRECT AWARD REPORT

RESOLVED:

That the recommendations for Westminster City Council, London Borough of Hammersmith and Fulham and The Royal Borough of Kensington and Chelsea (contained in the exempt report on the exempt Cabinet agenda), be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

24. APPROVAL TO ESTABLISH A FRAMEWORK FOR THE PROVISION OF NEW TEMPORARY ACCOMMODATION AND ASSOCIATED MANAGEMENT SERVICES

RESOLVED:

- 1.1 That approval be given to establish a framework for the provision of new temporary accommodation and management services. The framework is divided into two lots: Lot 1 involves the construction and management of accommodation on Council owned land; Lot 2 involves the framework panel sourcing and procuring existing properties from the open market and leasing them to the Council for the provision of short term accommodation.
- 1.2 That the appointment of Tando Property Services Limited and Hill Holdings Limited to the framework for the provision of services under Lot 1, be agreed.
- 1.3 That the the appointment of Tando Property Services Limited, Hill Holdings Limited and Mears Ltd to the framework for the provision of services under Lot 2, be approved.
- 1.4 That the feasibility work for the redevelopment of Lavender Court as it has been identified as outdated and the site is under-developed and can accommodate a significantly higher number of residential units, be approved.

- 1.5 That the undertaking of a mini-completion under Lot 2 for the provision of additional 50 units suitable for the provision temporary accommodation, be approved.
- 1.6 That approval be given to delegate authority to the Cabinet Member for Economic Development and Regeneration, in conjunction with the Cabinet Member for Finance, the Lead Director of Housing and the Director of Planning, Regeneration and Growth to agree any outstanding terms or amendments to the legal documents in advance of the establishment of the framework agreement.
- 1.7 That approval be given to delegate authority to the Cabinet Member for Economic Development and Regeneration, in conjunction with the Cabinet Member for Finance and the Lead Director of Housing to approve the initiation of future framework mini-competitions for procurement of additional temporary accommodation to meet the Council's requirements.
- 1.8 That approval be given to incur additional professional fees to establish the framework agreement as set out below:
- An additional £10,000 for legal work to be undertaken by Sharpe Pritchard
 - An additional £5,000 for procurement management work to be undertaken by Lambert Smith Hampton
 - Contingency of £5,000
- 1.9 That approval be given for additional professional fees of up to £20,000 for ongoing legal, property and technical advice to the Council post the establishment of the framework agreement.
- 1.10 That the considerations which would arise if the Council were to undertake directly the development and acquisition which are the subject of this report; these are set out in paragraphs 5.24 - 5.25 and 8.10 to 8.15, be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

25. LEASE AGREEMENT - REQUEST FOR DELEGATED AUTHORITY

RESOLVED:

That the Cabinet Member for Housing in conjunction with the Director of Law and the Lead Director for Housing be authorised to agree expenditure identified in the exempt report on the exempt Cabinet agenda to provide temporary accommodation for the homeless in the borough.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

26. THE PROCUREMENT OF QUANTITY SURVEYING SERVICES OFF THE CONSTRUCTION RELATED CONSULTANCY SERVICES FRAMEWORK AGREEMENT 2012 VIA A MINI- COMPETITION

RESOLVED:

1.1. That delegated authority be given to the Cabinet Member for Housing in conjunction with the Lead Directors for Housing to appoint the successful tenderer from one of the listed consultants via a mini-competition to carry out Quantity Surveying (QS) services for the delivery of programme of works within the TPC Repairs and Maintenance contract with Mitie for a contract period of 18 months.

1.2. That funding for these services is contained within the individual scheme budgets approved as part of the 2014/15 and 2015/16 Housing Capital Programme, be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

27. TASKFORCE ON SOCIAL VALUE PROCUREMENT

RESOLVED:

That Cabinet note the recommendations made by the Taskforce on Social Value Procurement and invite the Cabinet Member for Commercial Revenue and Resident Satisfaction to bring forward proposals to Cabinet and full Council for implementation.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

28. FORWARD PLAN OF KEY DECISIONS

RESOLVED:

The Key Decision List was noted.

29. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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

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

30. **EXEMPT MINUTES OF THE CABINET MEETING HELD ON 1 JUNE 2015 (E)**

RESOLVED:

That the minutes of the meeting of the Cabinet held on 1 June 2015 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

31. **HAMMERSMITH TOWN HALL - REMODELLING AND REFURBISHMENT**

RESOLVED:

That the recommendations in the exempt report be agreed.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

32. **REQUEST FROM SERCO FOR NOVATION OF WASTE CONTRACT : EXEMPT (E)**

RESOLVED:

The report was withdrawn.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

33. ICT TRANSITION FUNDING AND VIABILITY : EXEMPT (E)

RESOLVED:

That the recommendations in the exempt report, be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

34. HAMMERSMITH PARK SPORTS FACILITY : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations in the exempt report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

35. TERMINATION OF THE SECTION 113 AGREEMENT WITH THE LINK : EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

36. DIRECT HOUSING DELIVERY PROGRAMME AND SINGLE CONTRACTOR FRAMEWORK : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations in the exempt report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

37. CARDIOVASCULAR DISEASE PREVENTION SERVICE : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations in the exempt report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

38. PUBLIC HEALTH 0-5 YEARS SERVICES, DIRECT AWARD REPORT : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations in the exempt report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

39. APPROVAL TO ESTABLISH A FRAMEWORK FOR THE PROVISION OF NEW TEMPORARY ACCOMMODATION AND ASSOCIATED MANAGEMENT SERVICES : EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

40. LEASE AGREEMENT - REQUEST FOR DELEGATED AUTHORITY : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations in the exempt report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

Meeting started: 7.00 pm
Meeting ended: 7.08 pm

Chair