

Cabinet

Agenda

MONDAY
7 MARCH 2016
7.00 pm

COURTYARD ROOM
HAMMERSMITH
TOWN HALL
KING STREET
LONDON W6 9JU

Membership

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

Date Issued
26 February 2016

If you require further information relating to this agenda please contact: Kayode Adewumi, Head of Governance and Scrutiny, tel: 020 8753 2499 or email: kayode.adewumi@lbhf.gov.uk

Reports on the open Cabinet agenda are available on the Council's website: http://www.lbhf.gov.uk/Directory/Council_and_Democracy

PUBLIC NOTICE

The Cabinet hereby gives notice of its intention to hold part of this meeting in private to consider items (20 to 23) which are exempt under paragraph 3 of Schedule 12A to the Local Government Act 1972, in that they relate to the financial or business affairs of any particular person, including the authority holding the information.

The Cabinet has received no representations as to why the relevant part of the meeting should not be held in private.

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

DEPUTATIONS

Members of the public may submit a request for a deputation to the Cabinet on non-exempt item numbers **4-16** on this agenda using the Council's Deputation Request Form. The completed Form, to be sent to Kayode Adewumi at the above address, must be signed by at least ten registered electors of the Borough and will be subject to the Council's procedures on the receipt of deputations. **Deadline for receipt of deputation requests: Wednesday 2 March 2016.**

COUNCILLORS' CALL-IN TO SCRUTINY COMMITTEES

A decision list regarding items on this agenda will be published by **Wednesday 9 March 2016**. Items on the agenda may be called in to the relevant Accountability Committee.

The deadline for receipt of call-in requests is: **Monday 14 March 2016 at 3.00pm**. Decisions not called in by this date will then be deemed approved and may be implemented.

A confirmed decision list will be published after 3:00pm on **Monday 14 March 2016**.

Cabinet Agenda

7 March 2016

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1.	MINUTES OF THE CABINET MEETING HELD ON 8 FEBRUARY 2016	1 - 14
2.	APOLOGIES FOR ABSENCE	
3.	DECLARATION OF INTERESTS	
	<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.</p>	
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18.	EXCLUSION OF PRESS AND PUBLIC	

The Cabinet is invited to resolve, under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

19.	EXEMPT MINUTES OF THE CABINET MEETING HELD ON 8 FEBRUARY 2016 (E)	
20.	ICT TRANSITION PHASE 3 - THE TRANSITION TO THE INFORMATION TECHNOLOGY AND COMMUNICATIONS SERVICE DELIVERY MODEL AND NEW SERVICE PROVIDERS : EXEMPT ASPECTS (E)	

- 21. PROCUREMENT OF MANAGED SERVICES PROVIDER FOR THE PROVISION OF AGENCY WORKERS : EXEMPT ASPECTS (E)**
- 22. EXTERNAL REFURBISHMENT OF THE ELEVATIONS, ROOF WORKS AND SOME DEFINED INTERNALS FOR HAMMERSMITH CENTRAL LIBRARY : EXEMPT ASPECTS (E)**
- 23. ENHANCEMENT OF ALTERNATIVE PROVISION AT THE BRIDGE AND GRESWELL STREET SITES : EXEMPT ASPECTS (E)**

London Borough of Hammersmith & Fulham

Cabinet Minutes



Monday 8 February 2016

PRESENT

Councillor Stephen Cowan, Leader of the Council
Councillor Michael Cartwright, Deputy Leader
Councillor Max Schmid, Cabinet Member for Finance
Councillor Vivienne Lukey, Cabinet Member for Health and Adult Social Care
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Sue Fennimore, Cabinet Member for Social Inclusion
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents Services
Councillor Ben Coleman, Cabinet Member for Commercial Revenue and Resident Satisfaction
Councillor Sue Macmillan, Cabinet Member for Children and Education

ALSO PRESENT

Councillor Lucy Ivimy

135. MINUTES OF THE CABINET MEETING HELD ON 11 JANUARY 2016

RESOLVED:

That the minutes of the meeting of the Cabinet held on 11 January 2016 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

136. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillor Andrew Jones.

137. DECLARATION OF INTERESTS

There were no declarations of interest.

138. DRAFT REVENUE BUDGET AND COUNCIL TAX LEVELS 2016/17

Councillor Max Schmid commended the draft budget papers to the meeting. He noted that the Council had cut the Council Tax on the previous year and had been one of the few councils to freeze it this year, while maintaining and improving services and reducing significant number of fees and charges.

RESOLVED:

That the draft Revenue Budget and Council Tax Level 2016/17 Report be forwarded to Budget Council, subject to any changes agreed by the Cabinet Member for Finance.

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.

139. TREASURY MANAGEMENT STRATEGY REPORT 2016/17

RESOLVED:

1. That approval be given to the future borrowing and investment strategies as outlined in this report and that the Strategic Finance Director be authorised to arrange the Council's cash flow, borrowing and investments in 2016/17.
2. In relation to the Council's overall borrowing for the financial year, to note the comments and the Prudential Indicators as set out in this report and the four year capital programme 2016/17 to 2019/20.
3. That approval be given to pay the Housing Revenue Account (HRA) investment income on unapplied HRA receipts and other HRA cash balances calculated at the average rate of interest (approximately 0.60% p.a.) earned on temporary investments throughout the year with effect from 1 April 2015.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

140. CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2015/16 (THIRD QUARTER)

RESOLVED:

To approve proposed technical budget variations to the capital programme totalling £20.6m (summarised in Table 1 and detailed in Appendix 2).

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.

141. FOUR YEAR CAPITAL PROGRAMME 2016/17 TO 2019/20

RESOLVED:

1. To approve the General Fund Capital Programme budget at £43.5m for 2016/17 (paragraph 5.1, Table 2 and Appendix 1).
2. To approve the continuation of the Council's rolling programmes and the continued use of internal funding for 2016/17 General Fund 'Mainstream' Programme as set out in Table 3 (paragraph 5.2) and specifically as follows:
 - Capital receipts amounting to £5.48m to fund the Council's rolling programmes as follows:

	£m
Disabled Facilities Grant [ASC]	0.45
Planned Maintenance/DDA Programme [ENV]	2.50
Footways and Carriageways [ENV]	2.03
Parks Programme [ENV]	0.50
Total	5.48

- Contributions from revenue amounting to £0.544m to fund the Council's rolling programmes as follows:

	£m
Controlled Parking Zones [ENV]	0.275
Column Replacement [ENV]	0.269
Total	0.544

3. To note existing capital receipts funded schemes previously approved, but now scheduled for 2016/17 (paragraph 5.2, Table 3):
 - Schools' Organisation Strategy - £2.73m
 - Carnwath Road - £ 3.07m
4. To approve the Housing Programme at £69.1m for 2016/17 as set out in Table 5 (paragraph 7.2) and Appendix 1.
5. To approve the annual Minimum Revenue Provision policy statement for 2016/17 in Appendix 4.
6. To approve the Chartered Institute of Public Finance & Accountancy (CIPFA) Prudential Indicators as set out in Appendix 5 to the report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

142. CORPORATE REVENUE MONITOR 2015/16 MONTH 7- OCTOBER

RESOLVED:

1. That the General Fund and HRA month 7 revenue outturn forecast be agreed.
2. That the drawdown of £1.445m from the Corporate demands and pressures reserve to fund the 2015/16 Children's Services demand pressures arising from unfunded new burdens imposed on the Council be agreed.
3. That all overspending departments to agree proposals/action plans for bringing spend in line with budget.

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.

143. CORPORATE PLANNED MAINTENANCE PROGRAMME 2016/2017

RESOLVED:

1. That the 2016/2017 CPMP be approved subject to any amendments as agreed for operational reasons by the Strategic Director of Finance, the Director for Building and Property Management, with the final commitment of any individual project over £25,000 subject to a Cabinet Member Decision or Key Decision depending on the value of works.
2. That the 2016/2017 CPMP be monitored incorporating operational changes made by the Strategic Director of Financial Corporate Services and the Director for Building and Property Management, via progress reports to the Corporate Asset Delivery Team and the appropriate Cabinet Member.
3. That the 2016/2017 CPMP monitoring report be prepared for the Cabinet Member every quarter to show any deviations over or under £5,000 compared to the original key decision report for the year. Projects with variations under £5,000 are to be reported in the summary as a financial adjustment within the report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

144. FINANCIAL PLAN FOR COUNCIL HOMES: THE HOUSING REVENUE ACCOUNT FINANCIAL STRATEGY, 2016/17 HOUSING REVENUE ACCOUNT BUDGET AND 2016/17 RENT REDUCTION

RESOLVED:

1. To endorse the revised long term 40 Year Financial Plan for Council Homes as set out in section 8 of this report.

2. To approve the Housing Revenue Account 2016/17 budget for Council homes as set out in Appendix 1.
3. To note the 1% reduction in rents for each of the four years commencing in April 2016 the potential £76 million reduction in planned repairs required over the next 10 years as a result of this if the housing stock is not transferred to a Registered Provider.
4. To approve a freeze in tenant service charges at 2015/16 levels as set out in section 9 of this report.
5. To endorse the HRA Medium Term Financial Strategy which plans to deliver further on-going annual revenue savings of £0.9million per annum by 2016/17, rising to £2.4million per annum by 2020/21, with savings coming principally from back office costs.
6. To note that £5.9m of housing debt is due to mature in 2016/17 and to approve the refinancing of £5.5m during 2016/17, in order to both meet the investment in repairs and improvements to Council homes, and to balance the gap in the financial plan that is a result of the combined effect of recent changes in central Government social housing policy and the latest stock condition survey.
7. To note that the water regulator OFWAT is not due to confirm the increase in tenants' water charges until January 2016, and therefore to delegate authority to the Lead Director of Housing (Director of Finance & Resources (Housing & Regeneration) to agree the average increase in water charges as set out in section 14.
8. To approve a freeze in the communal heating charge at 2015/16 rates as set out in section 14 of this report.
9. To approve a freeze in parking charges as set out in section 14 of this report.
10. To approve a freeze in garage charges as set out in section 14 of this report.
11. To note the risks outlined in section 11 of this report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

145. VARIATION TO THE STRUCTURE AND CONTRACTUAL TERMS OF THE JOINT VENTURE VEHICLE

Councillor Ivimy noted that the response given by Councillor Andrew Jones to the public question at Council on 29 January 2016 regarding the legal status of the Council's housing Joint Venture was misleading.

The Leader noted that he was aware that a complaint had been received regarding the response to this public question and advised that this was purely accidental. There was no intention to mislead at all.

Councillor Jones accurately explained that legal advice had been received which concluded that the Joint Venture was likely to be judged ultra vires. That legal advice was obtained by the funders whilst the Council's own legal advice is that the Joint Venture was not likely to be judged ultra vires.

However the decision to wind up the LLP and create a new company in order to remove any uncertainty from potential funders is a direct result of these competing counsel's opinions and the risk to the JV this caused.

This uncertainty and the risk that the JV could be judged to be ultra vires led to the decision by the Council to change the structure. Had the JV not originally been established as an LLP, neither the risk nor the need for the decision would have arisen. This is what caused the delay, which is the answer to the question asked.

Councillor Jones would like to apologise for any misunderstanding this has caused.

The Leader asked Councillor Ivimy if she accepted the apology. Councillor Ivimy acknowledged that she did but expressed her concerns in relation to the planning consideration of the development which proposed 100% affordable housing to be provided at Edith Summerskill House largely funded by S106 contributions. She noted that this was in breach of the GLA planning guidelines which required a maximum of 40%.

She also added that S106 contributions was meant to be used to mitigate the adverse impact from the development and not to fund more developments. She questioned whether it would be an appropriate use of the funds and if officers had sought legal advice in this respect. Officers advised that the S106 contributions were secured for either affordable housing or social and physical infrastructure purposes in the Borough, and therefore perfectly legal to use that for this purpose.

Councillor Ivimy believed that there would be a financial loss to the Council due to the total number of affordable housing units involved at Edith Summerskill House. She urged Cabinet to reconsider the proposal.

The Leader noted that any potential financial loss would be compensated by the very robust figure negotiated for S106, which had been the most successful anywhere in the country, and that the Administration would use it to tackle the housing crisis to accommodate local people.

RESOLVED:

1. That approval be given for the Council to take such actions as are necessary to wind up the LLP and to establish a new company, with the Council becoming a shareholder in the New Company alongside Stanhope Plc.
2. That delegated approval be granted to the Cabinet Member for Economic Development and Regeneration, in conjunction with the Director for Planning and Growth to enable the appointment of the Council's directors to the New Company and any other decision that is required so as to effect the foregoing recommendations, including the approval of any amendments to existing contracts, termination of existing contracts and approval of new contracts required to effect the foregoing.
3. That the revised SSDP ESH, as set out at Appendix 1 of the exempt report on the exempt Cabinet agenda, be approved so they can be adopted by the LLP (or, if applicable, the New Company).
4. That approval for the appointment by the Council (as a member or shareholder of the JV) of an RP partner by the JV be delegated to the Cabinet Member for Economic Development and Regeneration in conjunction with the Director for Planning and Growth and the Lead Directors of Housing.
5. That approval be given for the Council to directly undertake the demolition of ESH.
6. That approval be given to undertake a procurement exercise to appoint a demolition contractor to undertake the demolition of ESH.
7. That approval for the appointment of the demolition contractor and any consultant appointments required in respect of the demolition of ESH be delegated to the Cabinet Member for Economic Development and Regeneration in conjunction with the Director for Planning and Growth.
8. That approval be given to the Council providing a contractual obligation to reimburse the JV its costs (capped at £2m for ESH and £2.5m for WMC) for fees incurred in achieving planning consent in the unlikely event that the opportunity sites are not redeveloped. In this scenario the land will be returned to the Council free from adverse rights and with detailed planning consent.
9. That approval be given for the Council to incur additional consultancy fees for ongoing legal and professional advice as set out below:

Legal Advice	£100,000
Valuation Advice	£ 75,000
Financial Advice	£ 10,000
Other Professional Advice	£ 15,000

As costs incidental to the disposal of assets, these may be offset against capital receipts that ensue.

10. That approval to incur any additional fees in relation to the Council meeting its obligations under the terms of the conditional JV agreement be delegated to the Cabinet Member for Economic Development and Regeneration, in conjunction with the Director for Planning and Growth and the Lead Directors of Housing as Edith Summerskill House is designated as Housing Land.
11. To note that if negotiations with remaining leaseholders at ESH prove unsuccessful a compulsory purchase order (CPO) will be required to facilitate development.

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.

146. DIRECT AWARD OF A CONTRACT FOR THE PROVISION OF OLDER PEOPLE'S FLOATING SUPPORT

RESOLVED:

That approval be given to a direct award of a contract to the recommended organisation identified in the exempt report for the period and cost as set out in Table 1 in the exempt report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

147. APPROVAL TO PROCEED TO PROCUREMENT OF GENITOURINARY MEDICINE (GUM)

RESOLVED:

- 1 To support the Council's ongoing participation in the 29 London borough collaborative.
- 2 To agree to progress with the procurement of mandatory open access GUM provision within the three boroughs on behalf of the 29 participating authorities in the London Sexual Health Transformation (LSHT) collaborative as outlined in option 2 below. Each authority retains sovereignty within the collaborative arrangements.
- 3 To agree that the procurement process is progressed on behalf of the London collaborative in line with current framework arrangements.
- 4 To agree that LBHF continue to commit to the inter local authority agreement regarding the London collaborative. This agreement will sets out the liabilities and obligations of each authority across London.

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.

148. PROCUREMENT OF LOCAL HEALTHWATCH SERVICES FOR RBKC, H&F AND WCC

RESOLVED:

1 For the London Borough of Hammersmith and Fulham

- That Cabinet notes that the award of contract is recommended by the Tri-Borough Contracts Approval Board and the Director of Delivery and Value;
- That Cabinet agrees to the award of a contract for the provision of Local Healthwatch Services to Hestia Housing and Support in association with Local Healthwatch Central West London for the fixed period of 1 April 2016 to 31 March 2018 with the option to extend the contract until 31 March 2019; and

- That approval on whether to extend the contract to a third year be delegated to the Cabinet Member for Health and Adult Social Care.

2 For the Royal Borough of Kensington and Chelsea

- That this report be exempt from disclosure by virtue of the Local Government Act 1972 Schedule 12A, Part 1, paragraph 3 (as amended) in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information);
- That the Cabinet Member for Resident Engagement and Voluntary Organisations, notes that the award of contract is recommended by the Tri-Borough Contracts Approval Board and Director of Strategy and Local Services; and
- That the Cabinet Member for Resident Engagement and Voluntary Organisations, agrees to the award of a contract for the provision of Local Healthwatch Services to Hestia Housing and Support in association with Local Healthwatch Central West London for the fixed period of 1 April 2016 to 31 March 2018 with the option to extend the contract until 31 March 2019.

3 For Westminster City Council

- In view of the value of the new contract being below the required threshold for a decision by Westminster's Cabinet Member for Adults & Public Health, the decision will be delegated to the Executive Director of Adult Social Care. The Cabinet Member for Adults & Public Health has been fully briefed on the contract award.

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.

149. CONTRACT AWARD FOR THE VEHICLE POUND AND REMOVAL SERVICES

RESOLVED:

That the London Borough of Hammersmith and Fulham (LBHF) authorise the Royal Borough of Kensington and Chelsea (RBKC) to award a shared contract for vehicle pound management and removals and relocation services to NSL at a total cost to LBHF of £474,000 per annum over 12 years. The contractual

arrangements between the two boroughs will be set out in the in the inter authority agreement.

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.

150. FORWARD PLAN OF KEY DECISIONS

The Key Decision List was noted.

151. 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.]

152. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 11 JANUARY 2016 (E)

RESOLVED:

That the minutes of the meeting of the Cabinet held on 11 January 2016 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

153. VARIATION TO THE STRUCTURE AND CONTRACTUAL TERMS OF THE JOINT VENTURE VEHICLE : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations contained in the exempt report be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

154. DIRECT AWARD OF A CONTRACT FOR THE PROVISION OF OLDER PEOPLE'S FLOATING SUPPORT : EXEMPT ASPECTS (E)

RESOLVED:

That the recommendation contained in the exempt report be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

155. APPROVAL TO PROCEED TO PROCUREMENT OF GENITOURINARY MEDICINE (GUM) : EXEMPT ASPECTS (E)

RESOLVED:

That this 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.

156. PROCUREMENT OF LOCAL HEALTHWATCH SERVICES FOR RBKC, H&F AND WCC : EXEMPT ASPECTS (E)

RESOLVED:

That the appendix 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.

157. CONTRACT AWARD FOR THE VEHICLE POUND AND REMOVAL SERVICES : EXEMPT ASPECTS (E)

RESOLVED:

That this 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: 7.18 pm

Chair

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>7 MARCH 2016</p>	 <p>h&f hammersmith & fulham</p>
CORPORATE REVENUE MONITOR 2015/16 MONTH 8 - NOVEMBER	
Report of the Cabinet Member for Finance – Councillor Max Schmid	
Open Report	
Classification: For Decision	
Key Decision: Yes	
Wards Affected: All	
Accountable Director: Hitesh Jolapara – Strategic Finance Director	
Report Author: Jade Cheung – Finance Manager - Capital	Contact Details: Tel: 020 8753 3374 E-mail: Jade.Cheung@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. The General Fund outturn forecast is an overspend of £1.185m (a decrease of £2.180m from month 7), with budget risks of £4.524m.
- 1.2. The HRA is forecast to underspend by £0.762m with HRA general reserves of £16.401m at year end. The HRA budget risks are £0.050m.
- 1.3. Due to the on-going implementation of the Agresso financial system the CRM8 forecast is still not based on actual expenditure data taken from Agresso. CRM8 is focused on high risk areas and reflects discussions with service managers and information taken from other systems (e.g. Adult Social Care framework-i care payments & management system). Whilst this provides some assurance to the forecast figures it does expose the authority to a higher than normal financial risk. The longer the transition takes the greater the financial risk.
- 1.4. A local MSP stabilisation team has been created to enable LBHF to take forward MSP stabilisation work and develop processes required to mitigate financial risks (including the closing of accounts). As a result there have been some improvements in the operational functionality of Agresso. An update on Managed Services (BT contract) is given in section 7.

1.5. Carry-forward requests for underspends will be considered in the CRM9 report.

2. RECOMMENDATIONS

2.1. To note the General Fund and HRA month 8 revenue outturn forecast.

2.2. All overspending departments to agree proposals/action plans for bringing spend in line with budget.

3. REASONS FOR DECISION

3.1. The decision is required to comply with the Councils' Financial Regulations.

4. CORPORATE REVENUE MONITOR (CRM) 2015/16 MONTH 8 GENERAL FUND

Table 1: General Fund Projected Outturn – Period 8

Department	Revised Budget At Month 8 £000s	Forecast Year End Variance At Month 8 £000s	Forecast Year End Variance At Month 7 £000s
Adult Social Care	60,723	840	1,238
Centrally Managed Budgets	25,040	(220)	(120)
Children's Services	48,323	1,575	3,234
Corporate Services	16,399	185	120
Environmental Services	45,490	119	49
Controlled Parking Account	(20,318)	(1,302)	(1,144)
Housing General Fund	6,694	(12)	(12)
Library Services (Shared Services)	3,221	0	0
Public Health Services	0	0	0
Net Operating Expenditure*	185,572	1,185	3,365
Key Risks		4,524	8,040

*note: figures in brackets represent underspends

4.1. A budget virement transfer to CHS totalling £1.445m from the Corporate Demand and Pressures Reserve is included in the CHS budget £48.323m.

4.2. Detailed variance and risk analysis by department can be found in appendices 1 to 8. Details of the main adverse variances can be found in appendices 1 (Adult Social Care), 3 (Children's Services), and 4 (Corporate Services).

4.3. The favourable variance for Centrally Managed Budgets excludes any unspent contingency funds. Currently £2.0m of contingency balances are uncommitted.

CORPORATE REVENUE MONITOR 2015/16 HOUSING REVENUE ACCOUNT

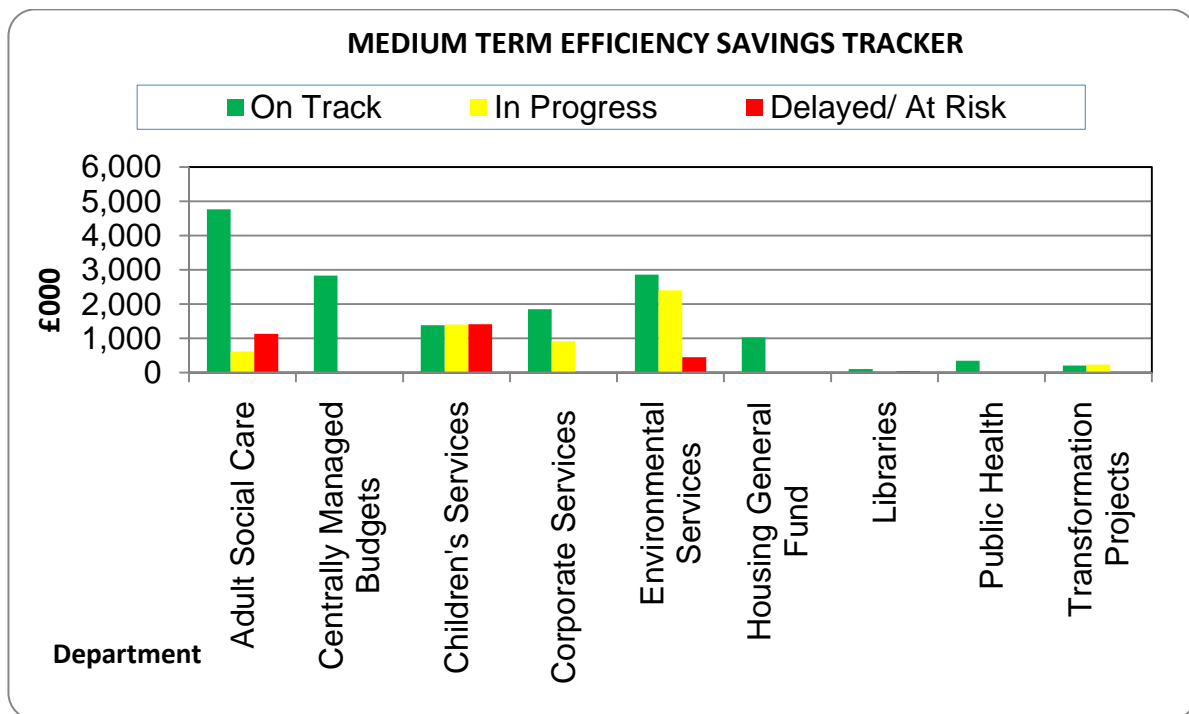
Table 2: Housing Revenue Account Projected Outturn - Period 8

Housing Revenue Account	£000s
Balance as at 31 March 2015	(13,165)
Add: Budgeted Contribution to Balances	(2,474)
Add: Forecast Underspend	(762)
Projected Balance as at 31st March 2016	(16,401)
Key Risks	50

4.4. Detailed variance and risk analysis can be found in Appendix 9.

5. MEDIUM TERM FINANCIAL STRATEGY EFFICIENCY TRACKER SUMMARY

5.1. The 2015/16 budget included efficiency proposals of £24m. Progress against these is summarised below and detailed in appendices 1 to 9.



6. VIREMENTS & WRITE OFF REQUESTS

6.1. Cabinet is required to approve all budget virements that exceed £0.1m.

6.2. There are no virement or write-off requests at month 8.

7. MANAGED SERVICES PROJECT

- 7.1. A brief update on MSP is given in this section. A local MSP stabilisation team has been created to enable LBHF to take forward MSP stabilisation work and develop processes required to mitigate financial risks (including the closing of accounts). As a result there have been some improvements in the operational functionality of Agresso. However, efforts are ongoing to achieve stabilisation in all areas.
- 7.2. The Accounts Payable function has seen improvements with the majority of payments being processed correctly first time. Invoices are being raised on the Sales Ledger in some areas. Although departments are working to recover income we are still some way from having a fully functioning recovery process in place for following up late payers.
- 7.3. Core reconciliations (bank, trial balance) are being worked on however, the trial balance has not balanced yet and there are outstanding items on the bank reconciliation and payroll. Cabinet on the 12th of October approved additional funding of £2m to enable the completion of the MSP implementation. Current forecasts indicate that there is likely to be additional costs of £2.1m incurred which represents an overspend of £0.1m. This is mainly due to additional staffing backfill costs. There is a risk that costs may increase in order to complete the interface work for departmental feeder systems.

8. CONSULTATION

- 8.1. N/A.

9. EQUALITY IMPLICATIONS

- 9.1. Adjustments to budgets are not considered to have an impact on one or more protected groups so an EIA is not required.

10. LEGAL IMPLICATIONS

- 10.1. There are no legal implications for this report.

11. FINANCIAL AND RESOURCES IMPLICATIONS

- 11.1. The General Fund outturn forecast at month 8 is for an overspend of £1.185m (a decrease of £2.180m from month 7). The forecast overspend excludes any application of the £2.0m of currently uncommitted contingency balances. Part of the reason for the reduction in the forecast overspend is that allowance has been made for a budget virement transfer to CHS totalling £1.445m from the Corporate Demand and Pressures Reserve.
- 11.2. The HRA outturn forecast at month 8 is an underspend of £0.762m.
- 11.3. Due to the on-going implementation of the Agresso financial system and Managed Services from BT, the CRM8 forecast is not based on actual expenditure data taken from

Agresso. CRM8 is focused on high risk areas and reflects discussions with service managers and information taken from other systems (e.g. Adult Social Care framework-i care payments & management system). Whilst this provides some assurance to the forecast figures it does expose the authority to a higher than normal financial risk. The longer the transition takes the greater the financial risk.

11.4. Implications verified/completed by: Jade Cheung.

12. IMPLICATIONS FOR BUSINESSES

12.1. There are no implications for local businesses.

13. RISK MANAGEMENT

13.1. Details of actions to manage financial risks are contained within departmental appendices (1-9).

14. PROCUREMENT AND IT STRATEGY IMPLICATIONS

14.1. N/A

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		

LIST OF APPENDICES

- Appendix 1 Adult Social Care Revenue Monitor
- Appendix 2 Centrally Managed Budgets
- Appendix 3 Children's Services Revenue Monitor
- Appendix 4 Corporate Services Revenue Monitor
- Appendix 5 Environmental Services Revenue Monitor
- Appendix5a Controlled Parking Account Revenue Monitor
- Appendix 6 Housing Department General Fund Revenue Monitor
- Appendix 7 Library Services (Shared Services) Monitor
- Appendix 8 Public Health Services Monitor
- Appendix 9 Housing Revenue Account Monitor

APPENDIX 1: ADULT SOCIAL CARE**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Integrated Care	45,546	797	1,187	<p>Similar to the previous year, there are increasing pressures on the Home Care Packages and Direct Payments budgets as part of the out of hospital strategy, to support customers at home and avoid hospital admission or to enable early discharge. This has led to an increase in home care costs above that which would have normally occurred. There is a projected overspend of £1,816,000 which is partially offset by Community Independence Service (CIS) one off Investment allocation of (£358,000) and Care Act funding of (£557,000) to £901,000. Since the commencement of the year there has also been an increase in customer numbers of 123 in 2015/16 which accounts for some of the projected overspend.</p> <p>The department jointly with the Clinical Commissioning Groups (CCG) have commissioned a piece of work to understand the pressures on the health system and what is causing the overspend in homecare. Constructive discussions continue with Health towards a contribution to the additional Home care costs. There will be additional cost pressures on the Homecare budget with the tendering of the new Home care contracts during 2015/16 - both from an increase in prices to improve quality and a potential increase in demand, although this is excluded from the current projections. The modelling of the effects of the contract will also include mitigations such as negotiating a contribution from the CCG and potential economies from new ways of working.</p>

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
				<p>There is an underspend in the Private Finance Initiative (PFI) budget of (£294,000) in 2015/16 due to an out of court settlement reached with Care UK under the PFI contract in April 2015. This settlement resulted in significant one off savings for the Council and for Health. The Council saved (£1.66m) which was reflected in the outturn figures in 2014/15.</p> <p>Within the Learning Disability (LD) Service, there is a net projected underspend of (£375,000). Since last month's report, the projections have improved due to a number of management actions with a review of packages and the closure of two cases, the transfer of customers who meet Continuing Health Care and a lowering of the risk factored in for Transitions customers.</p> <p>Within Mental Health services, the net projected overspend is £17,000. The Placements budget shows a continued reduction in customer numbers since the commencement of this year and is projecting an underspend of (£256,000). This is offset by pressures in Home Care of £168,000 and in Supporting Living with four new customers with a projected overspend of £105,000.</p> <p>There are pressures continuing in the Assistive Equipment Technology budget due to the out of hospital strategy and the additional spending on the CIS to prevent entry into hospital.</p> <p>The total projected overspend was £120,000 which has been offset by one off budget virement of (£120,000) from earmarked reserve. From 2015/16, there is CCG funding from the CIS model to assist with the budgetary pressure. There is an income shortfall of £280,000 on Careline services, which has been fully funded by one off budget virement from earmarked reserve.</p>

Departmental Division	Revised Budget £000s	Variance Month 8 £000s	Variance Month 7 £000s	Variance Analysis
				<p>Within the ASC 2015/16 base budget is an MTFS efficiency of £2m following the negotiations with health over the first year of the Better Care Fund. The £2m efficiency target has various target measures to deliver this saving which include avoidance of care in residential and nursing placement, reduction in home care hours, saving from jointly commissioning section 75 contracts and securing lower prices from placement providers.</p> <p>To date the department is projecting the delivery of the following against this target:</p> <p>Reductions in residential and nursing placements is moving in the right direction with some reduction in volumes of placements with savings of (£669,000) factored in. A number of contracts have been renegotiated relating to Elgin and Olive House homes with savings of (£133,000). There is a projected underspend of (£650,000) from savings from Better care Fund and working closer with Health leaving a net shortfall of £548,000.</p>
Strategic Commissioning & Enterprise	7,044	56	64	The main variances in this Division are a projected net underspend of (£42,000) from Supporting People procurement savings. There is net overspend of £33,000 of unachievable MTFS savings relating to Advocacy contract. There has been work undertaken on the S.113 recharges resulting in a net projected overspend of £117,000 which is partly offset by a projected under spend of (£52,000) within Meals services.
Finance & Resources	7,351	0	0	
Executive Directorate	782	(13)	(13)	There is a projected underspend of (£75,000) within the workforce development training budgets which is offset by S113 salaries recharge overspend of £62,000 .
Total	60,723	840	1,238	
Funding from Pressures	0	0	0	Cabinet have approved £1,237,000 from the ASC Pressures and Demand

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
and Demand Reserve				reserve to partly offset the budget pressures. The total Reserve at the commencement of the financial year was £4.4m. After allowing for the total drawn down of £1.237m, the balance of the reserve of £3.163m is earmarked for further pressures resulting from the new Home Care contracts and demand pressures in Learning Disabilities and Older people care groups over the next two financial years.
Variance Post Reserve Funding	60,723	840	1,238	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
There is an aging population as growth is expected to be 1% per annum. The budget has been set with no overall growth for this financial year.		450
Increase in inflationary pressures for Older People, Physical Disabilities & Learning disabled people.		150
Increase in demand Learning disabled transitions placements and care packages as no growth has been budgeted for.		50
Total		650

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Adult Social Care		MTFS Target	On Track	In Progress	Delayed/ At Risk
		£000s	£000s	£000s	£000s
Total MTFS Savings		6,514	4,767	615	1,132
Schemes Delayed / At Risk	£000s	Reason			
	615	Discussions are on-going with the service providers and at this stage are expected to be delivered.			
	1,132	Factored into the month 8 projections to be managed as part of the overall departmental budget.			

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

Adult Social Care (ASC) is projecting a net overspend of £840,000 as at end of period eight, this is an decrease in the overspend of £398,000 compared to the period seven projected overspend of £1,238,000. This is after funding from the pressures and demand balance sheet reserve of (£1,237,000) to mitigate on a one off basis the overall projected pressures of £2,077,000.

The department is expected to deliver savings of £6,514,000 in this financial year and at this stage of the year 73% are on track to be delivered.

Similar to last month's report, the projections should be treated with caution due to difficulties experiencing of the introduction of the Agresso new Managed Services system.

Action Plan to Monitor Budget Overspend

The Department has commenced work with budget managers to produce action plans to reduce overspend and bring the budget to break-even. Since last month's report, the management actions have reduced the projected overspend by £398,000 mainly from a review of Learning Disability (LD) customers with care packages or placements and from renegotiated contracts relating to Elgin and Olive House homes.

In addition, the ASC Transformation Programme reviews progress on a two-weekly basis of the projects and programmes which will bring about the savings, with deep dives to check on progress.

The reviews have focused on the LD budget overspend, the emerging supported living customers, the review of homecare costs pressures and level of reserve funding that can be utilised on a one-off basis to bring the budget into balance.

The Executive Director and Deputy Executive Director have commenced funding negotiations with Health colleagues for 2016/17, in liaison with the LBHF Director for Finance. The department's expectation is funding will be available from Health to contribute to the Home care costs as part of the out of hospital strategy to support customers at home and avoid hospital admission or to enable early discharge. The department will review the operational service model if sufficient funding is not available.

Transfer of Independent Living Fund (ILF) to Local Authorities

Hammersmith and Fulham took responsibility for the payment of Independent Living Fund (ILF) to 48 customers on 1st July 2015. These customers have had annual reviews of their Adult Social Care needs by social workers and have been kept informed via a series of meetings and letters regarding the transfer of ILF. The unringfenced grant determination issued by the Department of Communities and Local Government confirmed funding for LBHF of £671,292, which covers the ILF payments of the 48 ILF customers for the period 1st July 2015 to 31st March 2016. This grant has been vired into the ASC budget to fund the full ILF financial requirements for 2015/16. This has been actioned and now included in the ASC net budget.

The grant determination also advises that funding beyond April 2016 will be decided as part of the next Government spending review. The financial commitments from 2016/17 is estimated at an annual figure of £894,458.

APPENDIX 2: CENTRALLY MANAGED BUDGETS**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Corporate & Democratic Core	5,857	(20)	(20)	Audit Fees are forecast to be under budget.
Housing and Council Tax Benefits	(91)	0	0	
Levies	1,570	0	0	
Net Cost of Borrowing	1,082	0	0	
Other Corporate Items (Includes Contingencies, Insurance, Land Charges)	6,786	0	0	
Pensions & Redundancy	9,836	(200)	(100)	Unfunded pension costs (from historic redundancies) are forecast to be under budget.
Total	25,040	(220)	(120)	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
Shared Services Office Accommodation Costs are currently under review.	0	720
Land Charge Income risk due to housing market activity levels.	0	100
Total	0	820

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Centrally Managed Budgets		MTFS Target	On Track	In Progress	Delayed/ At Risk
		£000s	£000s	£000s	£000s
Total MTFS Savings		2,833	2,833		
Schemes Delayed / At Risk	£000s	Reason			

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

Better information from the Agresso finance system (e.g. regular allocation of Land Charges income) and the bedding in of new processes (e.g. regular processing of payments for the unfunded pension costs) mean that the period 8 monitor is more robust than previous versions for Centrally Managed Budgets.

APPENDIX 3: CHILDREN'S SERVICES**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Family Services	31,518	1,078	2,704	<p>The favourable movement from the previous month is mainly due to the assumption that a budget virement proposal to meet the demand-led pressures reported throughout the year is approved at Cabinet in February. (£1,445k)</p> <p>There has also been a forecast increase in income from the sale of bed nights at the Haven, and an improvement in our placements forecasts as a result of a service review (£181k).</p> <p>There are staffing cost pressures across the service of £209k. Within this pressure, £111k is in relation to the Looked After Children (LAC) and Leaving Care teams as expenditure on agency workers has been higher than expected due to difficulties in the recruitment to permanent posts.</p> <p>LAC numbers are not falling as has been anticipated in year – there are 10 additional LAC in care that are unexpected at this stage based on the assumption that we would have 15 less LAC in the year.</p> <p>In addition, the delay of the Semi-Independent Living (SIL) contact implementation has meant the full year effect has not been realised this year, although this should take effect in full next year - £185k.</p> <p>A further £220k pressure is now forecast in Youth Offending services, mainly as a result of the impact of the new Government's recent decision to</p>

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
				<p>reduce Youth Justice grant funding by 14%.</p> <p>The Multi Agency Safeguarding Hub (MASH) continues to present an unfunded budget pressure of £185k as the expected reduction in assessments has not materialised. This is being reviewed by the service with a view to reducing expenditure to manage this pressure.</p> <p>A shortfall of income at the Haven short break residential unit is forecast as a result of non-achievable MTFS target resulting in a pressure of £63k, pressures on Virtual Schools as a result of a shortfall on the MTFS target and a reduction in grant funding of £173k, plus pressures in relation to Serious Review case costs of £43k.</p>
Schools Commissioning and Education Services	4,531	(40)	49	<p>The favourable movement from month 7 is mainly due to the impact of delayed recruitment to additional posts to address the current overspend, plus a reduction on non-salary expenditure within the Educational Achievement team.</p> <p>A pressure of £243k is forecast as a result of the requirement for additional unfunded posts required to support service stability through the conversion of SEN Statements into the new Education, Health and Care Plan (EHCP) format. There are also additional pressures on team costs within Schools Improvement of £91k.</p> <p>This pressure is mitigated by projected underspends within the Schools Standards (£281k) and Educational Achievement services (£90k), and in other small underspends within the directorate (£3k).</p>
Children's Commissioning	5,290	328	272	<p>Pressure on salaries due to delayed implementation of restructure and additional costs associated with transition to new structure of £528k partially mitigated by in year savings on LAC Designated Nurse (£140k) and Fulham College budgets. (£55k)</p>

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
				The increase in forecast from the previous month is due to confirmation that the service restructure has been delayed until April 2016.
Safeguarding, Review and Quality Assurance	1,737	209	209	The projected overspend is due to staffing costs pressures within the Safeguarding team, mainly as a result of previous years MTFS target not being achieved in full.
Finance & Resources	5,247	0	0	There are pressures in relation to delivery of savings within the Finance team due to the delay in full implementation of the Managed Services project, plus costs to support the development of major projects and service reviews within Family and Children's Services and ICT team costs. These pressures are offset by additional rental income.
Total	48,323	1,575	3,234	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
21+ Increase in Education	0	60
Staying Put	0	70
Consequential Costs of Staying Put Arrangements	0	50
18+ Children With Disabilities not meeting ASC criteria	0	80
Impact of Secure Remand on Leaving Care	0	50
Serious Case Review Costs	43	50
Unaccompanied Asylum Seeking Children 18+ (unfunded 25 FTEs)	0	100
No Recourse to Public Funds	0	50
Southwark Judgement	0	30
Delayed start to Assessment Contract	92	100

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
ICT Costs	30	50
New users to SEN Transport service	0	50
LAC and Leaving Care Team	90	115
Tower Hamlets Kinship Fee Payments	0	100
Multi Systemic Therapy (MST) contribution	0	50
YOT Grant Reduction	95	100
Delay in Commissioning restructure	256	300
Total	606	1,405

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Children's Services		MTFS Target	On Track	In Progress	Delayed/ At Risk
		£000s	£000s	£000s	£000s
Total MTFS Savings		4,199	1,386	1,400	1,413
Schemes Delayed / At Risk	£000s	Reason			
People Portfolio Savings	128				
Commissioning staff reduction	140	Implementation of service restructure delayed to April 2016			
IFA Review	250	The profile of the current LAC population and the un-availability of suitable in-house foster carers has meant an over reliance on more expensive Independent Fostering Provider placements. Strategies to increase the pool of available in-house foster carers are currently being scoped.			
Finance Restructure	250	Delay in the proposed restructure of the service as resources are retained for the full implementation of the Managed Services project.			
Better support to foster carers to reduce residential need	250	There has been an increase in the number of children presenting with complex needs and requiring residential placement in 15/16, in some cases where fostering placements have proved to be unsustainable, there has been no other alternative available to the service.			

Substitution funding (Education DSG, PHS, Troubled Families)	200	The strategy to deliver the £200k saving has not yet been defined. The strategy of using one off grant funding or Performance By Results will not result in long-term efficiencies and is uncertain.
10 more relative placements	70	The service will explore the availability and willingness of connected persons to care for LAC children in all appropriate cases, however may not be able to achieve this target.
New model for Respite overnight care (The Haven)	125	The strategy to deliver this saving has not yet been clearly defined.

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

The departmental overspend has reduced by £1,659k since month 7 on the assumption that a budget virement proposal to meet the demand-led pressures reported throughout the year is approved at cabinet in February.

Children Services continue to be affected by changes in practice forced by legislation and Government policies including changes in Youth Justice Funding. In total current pressures are forecast at £1,575k.

In terms of the remainder of the spending pressures, the department is reviewing proposals to contain expenditure for the rest of the year and these should become more evident by the Period 9 revenue monitor. These steps will include consider deferring expenditure until 2016-17 where it does not impact significantly on service delivery.

At present, we have 5 children who were taken into care as a direct result of concerns over Child Sexual Exploitation (CSE). These children are typically moved away from their local area and we forecast that we are currently spending £362k towards their placement costs. In addition, 2 children who were Looked After Children (LAC) have had to be moved to different placements due to ongoing concerns over CSE, with a resulting increase in the placement forecasts of £117k from the previous year.

Within the Commissioning directorate, there are potential opportunities in Youth, Health Commissioning and funding on Fulham College (£202k) to mitigate the current overspend, but these are still being assessed and will be confirmed later in the year.

APPENDIX 4: CORPORATE SERVICES**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
H&F Direct	19,252	230	230	The main pressure remains a projected £230k (£150k in CRM5) shortfall in court costs recovery (due to an expected reduction in recovery resulting from Agresso delays and a shortfall against income targets). Work continues to mitigate budget pressures elsewhere.
Innovation & Change Management (ICM)	(5)	0	0	Work continues to mitigate the previously reported risks.
Legal and Electoral Services	(183)	65	0	The legal service is forecasting an adverse variance of £65k. This is mainly as a result of not fully delivering staff reductions until period 5 due to the late implementation of shared legal services. The unit will continue to review costs to find alternative savings to offset this variance. Electoral services may generate a small underspend which will be added to the reserve held for this service to offset pressures in future years.
Finance & Audit	265	0	0	No change
Shared ICT Services & Procurement	(2,630)	0	0	Expected to be within budget, provided budget virements are made for special projects that were funded centrally in previous years.

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Executive Services	(716)	0	0	No change
Human Resources	393	(110)	(110)	This is due to the early achievement of next year 80K savings and use of graduates and holding vacancies
Delivery and Value	23	0	0	Expected to be within the overall budget with overspending areas offset by underspends elsewhere in the division.
Total	16,399	185	120	

2: Key Risks

None to report that have not been reported elsewhere.

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Finance & Corporate Services	MTFS Target	On Track	In Progress	Delayed/ At Risk
	£000s	£000s	£000s	£000s
Total MTFS Savings	2,762	1,845	917	
Schemes Delayed / At Risk	£000s	Reason		

APPENDIX 5: ENVIRONMENTAL SERVICES**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Cleaner, Greener & Cultural Services	20,935	(1,122)	(1,143)	<p>(£1,080k) Waste Disposal – Western Riverside Waste Authority (WRWA) has been able to freeze waste disposal tonnage prices for 2015/16 and as a result we are expecting to underspend by £446k on overall waste tonnages. Year to date total waste tonnages are broadly in line with last year, but recycle tonnages have reduced by an average 4%. No commodity income from the sale of recycle is forecast (only £50k was achieved last year). An additional £634k one off rebate has also been received relating to the period 2011/2012 to 2014/15, arising from the treatment of government payments to electricity generators set out in the contract between WRWA and Cory. We do not know at this stage whether such payments will flow in the future.</p> <p>(£37k) Waste Policy – staffing underspends due to vacancies pending implementation of a new structure, partly offset by £25k income shortfall on waste sack advertising.</p> <p>(£35k) Waste Contract and Enforcement – Forecast underspend on contract is due to negative inflation in 2015/16.</p> <p>£30k Other smaller net overspends</p>
Safer Neighbourhoods	7,781	657	620	<p>£120k Transport – The Transport budgets are set on the assumption that the Passenger Transport service would be brought back in house for 2015/16, meaning £100k p.a. additional management and repair income for the Transport workshop. It has now been agreed that this service will remain outsourced and so the full year shortfall is included in the forecast. Budget growth to remove the ongoing pressure is being pursued.</p>

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
				<p>£54k Coroners Service - Pressure due mostly to increased legal fees for high profile cases and one off office moves (potentially to be funded corporately). Partially offset by savings on undertakers contract.</p> <p>£71k Mortuary - £46k pressure on salaries due to additional resource required to deal with a high volume of cases and a £25k MTFS target for digital autopsies not expected to be achieved due to two reasons; delays in implementation and uncertainty over the long term future of the site.</p> <p>£70k Hammersmith All Weather Pitch – the arrangements for the leisure facility have been reviewed and it is not expected that the prior year saving in this area will now be achieved.</p> <p>£279k Phoenix Fitness Centre – invest to save. The £319k one off investment required to deliver ongoing annual savings of £350k is included in the forecast. This was approved by Cabinet.</p> <p>£58k Parks and Open Spaces - pressure due to not drawing down from the reserve to fund Bishops Park/Fulham Palace maintenance. This will enable the reserve to last longer and fund more of the future year spend commitments as set out in the Heritage Lottery funding agreement.</p> <p>£5k Other smaller net overspends</p>
Customer & Business Development	600	87	13	<p>£81k Registrars – Forecast income shortfall of £138k, partially offset by £57k staffing underspend due to vacant posts. Resourcing and opening hours currently under review with the aim of maximising income generating potential and reducing the forecast overspend before year end.</p> <p>£267k Ducting contract – Worsening position due to a revision of the forecast to reflect slippage on the contract commencement date.</p> <p>(£215k) Commercial Waste – mostly due to waste disposal charges attributable to commercial waste being less than budget.</p> <p>(£77k) Director post – early delivery of 2016/17 MTFS saving</p> <p>£31k Other net overspends</p>
Former ELRS	(94)	114	64	£153k People Portfolio Saving – the savings target is not expected to be

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Executive Directorate & Finance				met, neither in this year nor in future years. (£51k) Executive Director post – early delivery of 2016/17 MTFS saving £12k Other smaller net overspends
Building & Property Management (BPM)	(1,928)	772	839	<p>The adverse variance in BPM relates to the following £729k in Advertising Hoardings – Income has recovered in the period September to November, but the Council is still carrying the adverse variance that arose from April to August. Deloitte has now completed its audit. The main issue stated is in relation to free advertising slots offered by Ocean. Officers met with Ocean on the 1st week of December. Another meeting has been scheduled with Ocean in January 2016 for further discussion on options to address the income shortfall. These include the possibility of changing the charging system from a profit sharing model to a mixture of a fixed rental with a profit sharing element; continuing with the current agreement and retendering the site in 2017; and varying the planning conditions to permit moving images at specific times, which may result in increased income.</p> <p>£30k in Civic Accommodation – This is due to a combination of an unachievable rental income target of about £42k offset by a favourable variance of (£12k) on supplies and services.</p> <p>£139k Valuation Services - There is a risk that the Property Disposal section will overspend by £240k due to costs incurred on properties that may not be sold. However, this will be offset by a drawdown from reserve of (£100k).</p> <p>£39k Technical Support and BPM Business Support – Staffing overspend.</p> <p>The above overspends will be offset mainly by the following:- (£62k) Facilities Management – (£57k) of this favourable variance is due to the staffing restructure in BPM Professional Services. There is a further</p>

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
				underspend of (£20k) from the EC Harris contract. However, the sum of these underspends is offset by an overspend of £15k in the Carbon Reduction Section where a budget reduction is assumed. (£66k) Building Control – This is due to additional income from large building schemes. (£38k) Rent and Other Properties. Higher than expected income in Commercial rents.
Transport & Highways	12,684	(240)	(314)	(£240k) Network management – (£181k) of the variance is due to income from permits and fines. There is a further surplus of (£59k) from Gazetteer income.
Planning	2,622	(167)	(70)	The favourable position is mainly from higher than expected levels of income from Planning Regeneration.
Environmental Health	3,480	0	21	
Former TTS Support Services	(590)	18	18	
Total	45,490	119	48	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
Due to the delay in the sales to cash module in Agresso becoming operational the department is still catching up with sales invoicing, which increases the likelihood of bad debts. This is a particular risk where services have already been provided but invoicing was delayed (e.g. events and filming).	0	300
Risk that central government funding will not be secured for the additional Coroner and Mortuary costs associated with the terror attacks in Tunisia (LBHF share of the West London costs).	0	100
If expenditure incurred on disposed assets cannot be met by disposal receipts and on properties not	0	400

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
being sold, this would need to be funded from Corporate Reserves.		
If there is a continuing shortfall for the rest of the year in advertising hoarding income on certain sites (Two Towers and L'Oreal).	0	500
If a legal challenge on license fees is successful.	0	42
Total	0	1,342

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Environmental Services	MTFS Target	On Track	In Progress	Delayed/ At Risk
	£000s	£000s	£000s	£000s
Total MTFS Savings	5,702	2,855	2,403	444
Schemes Delayed/ At Risk	£000s	Reason		
Increased income from CCTV ducting contract	160	See table one		
Income from digital autopsies	25	See table one		
Advertising Hoarding Income	200	Lower than expected income from Advertising Hoardings sites.		
LED lighting and Column replacement maintenance budgets.	59	Street lighting LED pilots are running, and plans are in place to extend this. In the current year, only 41% of the savings are expected to be achievable.		

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

The main financial problems that have arisen this year are the drop in advertising hoardings income and the pressures in Safer Neighbourhoods. Set out in the above main tables, are the proposed actions to address these problems. The financial position is being assisted significantly by the underspend in waste disposal due mostly to the one off waste disposal rebate from Western Riverside Waste Authority. Environmental Services are achieving an early implementation of senior management savings which have been brought forward from 2016/17.

A number of other pressure areas exist. Budget growth is in the plans for resident access to the leisure facilities and an invest to save bid will be submitted for the one off pressures on the Phoenix Fitness Centre. Budget growth is also being pursued to remove the ongoing income pressure as a result of the Passenger Transport service not transferring back in house. It would be desirable for the People Portfolio target to be reviewed council-wide to determine whether this is deliverable in the longer term. The pressures on the Coroners Service and Mortuary will continue to be reviewed and reported.

Property Services are actively exploring the possibility of renting out Civic Accommodation to increase rental income. There is also continued monitoring of the expenditure on properties that have been disposed of, and those that are no longer being sold, and how expenditure already incurred on those disposals may be met.

Progress in all budget areas will continue to be regularly monitored by the management team. Where there are significant variances, remedial actions and financial controls (as set out in this report) are being applied to contain actuals within budget for Environmental Services as a whole.

APPENDIX 5a: CONTROLLED PARKING ACCOUNTS (CPA)**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Pay & Display (P&D)	(12,229)	821	1,124	Pay and display receipts are lower in the first eight months of 2015-16 than they were in the same period last year. Other boroughs in London are seeing similar reductions. However, there have been some signs of improvement in the cash and card receipts in November.
Permits	(4,690)	46	68	The amount received for parking permits to the end of November is similar to the previous year.
Civil Enforcement Officer (CEO) Issued Penalty Charge Notice (PCN)	(6,814)	577	645	The number of PCNs issued in the first eight months of 2015-16 is 8% lower than in the same period last year. This has resulted in a forecast shortfall against budget.
Bus Lane PCNs	(915)	(642)	(677)	There has been an increase in the numbers of PCNs issued in the first eight months of the year as compared with the same period in the previous year. This has led to a forecast surplus against budget.
CCTV Parking PCNs	0	(50)	(52)	New legislation came into effect in 2015-16 to no longer allow the enforcement of parking through the use of CCTV, except in certain limited circumstances. The budget has been adjusted to reflect this.
Moving Traffic PCNs	(5,814)	(1,365)	(1,321)	The number of PCNs issued in the first eight months of 2015-16 is higher than the same period in the previous year. This has led to a forecast surplus against budget.
Parking Bay Suspensions	(2,423)	(831)	(855)	Income from parking bay suspensions has continued at the level seen last year. The budget for income was increased by £863k for 2015-16.
Towaways and Removals	(352)	64	48	Receipts from towaways are at a similar level to the previous year.

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Expenditure and Other Receipts	12,919	78	(124)	Staffing is forecast to underspend by £124k. A carry forward of £200k is assumed within the forecast to fund future changes in signage to comply with the Information Commissioners Office (ICO) Code of Practice on CCTV surveillance.
Total	(20,318)	(1,302)	(1,144)	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
There are no risks to declare this month		
Total		

3: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

Officers will continue to keep a close eye on the performance of Parking income and expenditure and in particular review regularly Suspension income which may change at short notice due to fluctuations in demand.

APPENDIX 6: HOUSING DEPARTMENT - GENERAL FUND**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Housing Options, Skills & Economic Development	6,758	(12)	(12)	<p>This mainly relates to:</p> <ul style="list-style-type: none"> a reduction in procurement costs (£195k) following the expiry of an expensive lease for temporary accommodation (this relates to an early achievement of MTFS savings to be delivered in 2016/17), a reduction in the net costs of Bed and Breakfast (B&B) accommodation of (£348k) due to lower average client numbers (101 forecast compared to 175 in the original budget) which is offset by a predicted overspend of £397k as a result of inflationary pressures on rents for suitable temporary accommodation from private sector landlords. £134k salaries overspend as a result of long term sickness in the Reviews and Complex Cases team.
Housing Strategy & Regeneration	7	0	0	
Housing Services	43	0	0	
Strategic Housing Stock Options Appraisal - General Fund				
Finance & Resources	(114)	0	0	
Total	6,694	(12)	(12)	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
Temporary Accommodation Procurement Costs – recent months have seen increased difficulties in containing the inflationary cost pressures associated with procuring suitable temporary accommodation from private sector landlords. Officers are continuing to make use of incentive payments to private landlords in mitigating this risk. This cost pressure has been further exacerbated by the withdrawal of properties by some landlords due to late payments as a result of the Managed Services implementation. In the event that this risk crystallises, the resultant costs will be mitigated by the Temporary Accommodation reserve.	101	247
Managed Services – the general lack of data available from the system, the lack of systems assurance and reconciliation reporting, the time taken to resolve payment issues, the opportunity cost of officer time in managing issues arising and other factors are expected to have both a financial and non-financial impact on the Council.	Unknown	Unknown
Total	Unknown	Unknown

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Housing Department	MTFS Target	On Track	In Progress	Delayed/ At Risk
	£000s	£000s	£000s	£000s
Total MTFS Savings	1,023	1,023		
Schemes Delayed / At Risk	£000s	Reason		

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

The Housing and Regeneration department currently expects the overall outturn for the year 2015/16 to produce a favourable variance of (£12k). There is no movement since last month. It should be noted that it has not been possible to complete detailed budget monitoring via Agresso this month due to the delay on the roll out of key monitoring reports. However, finance officers have met with Heads of Service in order to identify significant variances from budget and to ensure that appropriate management action is taken in order to contain cost pressures. Nevertheless, there remains a significant risk to the accuracy of forecasts until Managed Services is fully implemented. Further details relating to the issues arising as a result of Managed Services are outlined in the Key Risks section above.

APPENDIX 7: LIBRARY SERVICES (SHARED SERVICES)**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Libraries Shared Service	3,221	0	0	At this stage forecast is to budget
Total	3,221	0	0	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
Increased premises and utility costs including Westfield	10	30
Reduced income from customer fees and changes due to less demand for increasingly obsolete product formats (DVDs, CDs etc.)	10	30
Total	20	60

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Libraries Shared Services	MTFS Target	On Track	In Progress	Delayed/ At Risk
	£000s	£000s	£000s	£000s
Total MTFS Savings	162	107	21	34
Schemes Delayed / At Risk	£000s	Reason		
Review of inter-Library transport arrangements	34	There have been delays in this scheme being launched		

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

Not applicable.

APPENDIX 8: PUBLIC HEALTH SERVICES**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Sexual Health	6,410	(112)	(112)	Estimated underspends on Chlamydia and youth services' contracts.
Substance Misuse	5,464	(47)	(47)	Various minor underspends including homeless outreach and drug testing.
Behaviour Change	2,753	(383)	(383)	Estimated underspends in Behaviour Change services, including health checks, smoking cessation and Community Champions.
Intelligence and Social Determinants	89	(40)	(40)	Underspend caused by delay in commencing new projects.
Families and Children Services	5,135	(270)	(270)	Variance due to the 0-5 programme which was transferred to LBHF in Period 7; actual figures replacing the original estimates included the budgeted figures.
Public Health Investment Fund (PHIF)	2,185	616	616	PHIF to be reviewed in P10 for activity progress and forecast change.
Salaries and Overheads	1,435	(200)	(200)	Salaries and vacancy monitoring identify savings for 15/16 year.
Drawdown from Reserves	(783)	(818)	(818)	Variance is the balancing figure of all the other differences.
Public Health – Grant	(20,855)	1,417	1,417	Confirmed grant cut based on Department of Health consultation responses.
Public Health 0-5 Programme Grant (from Oct 2015)	(1,833)	(163)	(163)	Variance due to the 0-5 programme (see Families & Children's above).
Total	0	0	0	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
	£000s	£000s
There are no risks to declare this month.		
Total		

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Public Health Service	MTFS Target	On Track	In Progress	Delayed/ At Risk
	£000s	£000s	£000s	£000s
Total MTFS Savings	350	350		
Schemes Delayed / At Risk	£000s	Reason		

4: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

The £350,000 MTFS target is achieved by reducing the budgeted contribution from the General Fund from £350,000 in 2014/15 to zero in 2015/16.

Other contributions from Public Health to the MTFS, take the form of transformation funding in other council departments who are contributing to Public Health outcomes. These savings are reported within those departments.

The Public Health Investment Fund will be fully reviewed in December for the monitoring of progress.

APPENDIX 9: HOUSING REVENUE ACCOUNT**BUDGET REVENUE MONITORING REPORT – PERIOD 8****1: Variance by Departmental Division**

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
Housing Income	(77,484)	(750)	(500)	It is anticipated that there will be an underspend on the bad debt provision for rental income on Council homes, primarily as a very prudent allowance was made in the budget for the impact of Welfare Reform. The full impact of Welfare Reform has not been felt yet and the Government has not rolled out Universal Credit at the speed allowed for in our budget.
Finance and Resources	15,164	(65)	(225)	Underspends on salaries (£75k) and IT projects (£50k) are expected to be offset by a reduction in the capitalisation of staffing costs resulting from delays in commencing construction on Housing Development programme projects compared to those assumed in the budgets.
Housing Services	9,578	0	0	
Commissioning and Quality Assurance	3,119	0	0	
Strategic Housing Stock Options Appraisal HRA	0	0	0	
Property Services	2,163	0	0	
Housing Repairs	13,748	90	0	This is due to an increase in the forecast number of empty Council homes which need to be brought up to a lettable standard.
Housing Options	369	(20)	(20)	
HRA Central Costs	0	0	0	
Adult Social Care	48	0	0	
Regeneration	267	138	0	This relates to a reduction in the capitalisation of staffing costs resulting from delays in commencing construction on Housing Development programme projects compared to the position assumed when the original

Departmental Division	Revised Budget	Variance Month 8	Variance Month 7	Variance Analysis
	£000s	£000s	£000s	
				budget was prepared.
Safer Neighbourhoods	578	0	0	
Housing Capital	29,976	(155)	(155)	This relates to additional interest receivable on HRA balances following a review of the average interest rate on short term investments and the forecast balances expected within the HRA general reserve, major repairs reserve and Decent Neighbourhoods Fund.
(Contribution to)/ Appropriation From HRA General Reserve	(2,474)	(762)	(900)	

2: Key Risks

Risk Description	Lower Limit	Upper Limit
Managed Services: the general lack of data available from the system, the lack of systems assurance and reconciliation reporting, the time taken to resolve payment issues, the delay in implementing the system for leaseholder service charges, delayed and missing cash files preventing rent arrears from being managed and the associated bad debt risk, the opportunity cost of officer time in managing issues arising and other factors are expected to have both a financial and non-financial impact on the department.	unknown	unknown
Housing Repairs - There is a risk of approx. £50k for the CCTV (Chroma Vision) contract where there is no budget provision and where an additional request has been made for further funding by corporate colleagues and a business case is awaited.	50	50
Total	Unknown	Unknown

3: MTFS Progress (with explanations of schemes Delayed or at Risk)

Housing Revenue Account		MTFS Target	On Track	In Progress	Delayed/ At Risk
		£000s	£000s	£000s	£000s
Total MTFS Savings		2,187	2,187		
Schemes Delayed / At Risk	£000s	Reason			

4: HRA General Reserve

	B/Fwd.	Budgeted (Contribution to)/Appropriation from General Reserve	HRA Variance (Surplus)/ Deficit	Forecast C/F
	£000s	£000s	£000s	£000s
HRA General Reserve	(13,165)	(2,474)	(762)	(16,401)


5: Supplementary Monitoring Information (Action Plans, Virement requests or key concerns)

The Housing Revenue Account currently forecasts an under-spend of (£762k) for 2015/16, an adverse movement of £138k since last month.

The main reason for the movement is a reduction in the forecast capitalisation of staffing costs of £198k which has resulted from commencement of construction works on Housing Development programme projects being later than originally predicted when the budget was prepared. Additionally, there has been a reduction in the underspend on IT projects of £100k as a result of a plan to convert paper housing management records into an electronic format, and an increase in the forecast number and cost of repairs of £90k to return empty Council homes to a lettable standard. These increases have been partially offset by an increase in the underspend on the bad debt provision for rental income on Council homes of (£250k), primarily as the full impact of Welfare Reform has not been felt yet.

It should be noted that it has not been possible to complete detailed budget monitoring via Agresso this month due to the delay on the roll out of key monitoring reports. Whilst BT has released these reports to LBHF, they still cannot be accessed by key staff. However, finance officers have met with Heads of Service in order to identify significant variances from budget and to ensure that appropriate management action is taken in order to contain cost pressures. **Nevertheless, there remains a significant risk to the accuracy of forecasts until Managed Services is fully implemented.**

Further detail relating to the issues arising as a result of Managed Services are outlined in the Key Risks section above.

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>7 MARCH 2016</p>	
<p>ICT TRANSITION PHASE 3 - THE TRANSITION TO THE INFORMATION TECHNOLOGY AND COMMUNICATIONS SERVICE DELIVERY MODEL AND NEW SERVICE PROVIDERS</p>	
<p>Report of the Cabinet Member for Finance – Councillor Max Schmid</p>	
<p>Open Report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt financial information.</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Executive Director: Nigel Palace, Chief Executive</p>	
<p>Report Author: Jackie Hudson, Transition Director, shared ICT services</p>	<p>Contact Details: Tel: 020 8753 2946 Email: jackie.hudson@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

1.1. H&F Bridge Partnership (HFBP), a joint venture company owned by Agilisys and LBHF, currently provides all ICT services to LBHF. The HFBP service contract expires on 31 October 2016, at which time Cabinet has determined that one of the following four strategic outcomes must have been achieved for all 20 services provided by HFBP:

- move to a new supplier via an existing procurement route (such as a framework contract);
- move to a new supplier via a new procurement;
- move to the Shared Services' ICT service (provided by officers shared by three shared service councils);
- the council ceases to use a particular service.

- 1.2. A previous paper entitled “ICT Transition phase 2 transition of the ICT service desk, data centre services and desktop computing from HFBP to new service provider” dealt with the first three service towers to move.
- 1.3. This paper deals with the service delivery model for the fourth service tower, information technology and communications, which covers data networks, unified communications and telephony.
- 1.4. All principal local authorities are Category 1 (core) responders under the Civil Contingencies Act 2004. As such, they are, alongside the emergency services, some health bodies and the Environment Agency, subject to the full set of civil protection duties in the Act and must ensure that LBHF remains resilient and able to respond to emergencies.
- 1.5. These ICT services are business critical. Residents calls to and from the council; all staff calls to and from business and other service users are via the telephony and the unified communications service and amongst the most vital services the council expects. The other main element is the data network which is the underpinning mechanism for the entire council’s ICT service.
- 1.6. The key success factors for this element of the ICT transition programme are the continuity of telephony and data network services post October 2016 and maintaining or improving network performance compared to current levels.
- 1.7. There are several considerations for the council in deciding how data networks, unified communications and telephony will be delivered in the future. They are the council’s drivers for change; the options for procurement; the ongoing management, renewal and transformation of current environment; and the choice of a service delivery model.
- 1.8. On November 3rd 2015, RBKC awarded a pan-London single supplier contract for the Information Technology and Communications Framework to BT. The framework is based on a service catalogue from which the council can choose to call-off a full managed service, delivering outcomes, or individual commodity items, or any service in between.
- 1.9. Within LBHF there are a number of key drivers for change, apart from the end of the service contract, which include:
 - Completely outdated equipment, particularly at the heart of the telephony service, which risks compromising all phone calls including residents’ telephone calls to and from the council plus some end of life network equipment which again threaten service disruption and must be replaced soon;
 - The opportunity for exploitation of unified communications linked to the proposed Office 365 deployment; and,
 - Major business change, the Hammersmith town hall (HTH) refurbishment, which demands modern technology to deliver future-proof services and a further significant increase in mobile working.

- 1.10. On November 27th 2015, the lead Cabinet Member for Finance approved in a report entitled “ICT transition phase 3 - transfer of the Information Technology and Communications service from HFBP to new service providers” these recommendations:
- a) the council call-off from the Information Technology and Communications Framework supplier, BT, via the shared service procurement, in order to provide an option for the supply of commodity items and services, with officers to begin now ordering commodity items, where required to achieve the transition from HFBP.
 - b) any new service provider, BT or another, would deliver the management of steady state and transform or renew some services during and after the transition from HFBP.
- 1.11. The decision still to be made is the choice between two service delivery options:
- Option 1 - Procure the information technology and communications services as fully outsourced and managed services from an agreed supplier, including service management and commodity items where the supplier provides the entire set of outcomes the council needs; or,
- Option 2 – In-house ICT services deliver the services through a partnership model working collaboratively with both external and internal service providers.
- 1.12. The council has now carried out an assessment of the two options. The recommendation is that the in-house ICT services team should provide the service. In this option, shared ICT services can buy commodity items or services from any appropriate framework agreement, including the Information Technology and Communications Framework agreement with BT.
- 1.13. The shared ICT services team, which already manages these services in RBKC, would need to expand, through the hire of new LBHF-employed staff, to ensure sufficient capacity and capability is available to both LBHF and RBKC, firstly to manage the transfer of service and then to assure service quality post transfer. This would include delegation of authority to flex service resource to meet business requirements.
- 1.14. Post-transition, the in-house ICT services would manage the existing environment, renewing the end of life telephony at point of transfer and over a longer period of time work with the HTH programme to transform the service over the following 18 months to three years.
- 1.15. Benefits of this service operating model are a strategic approach; proven experience; agility and flexibility; the opportunity to leverage existing components, assuring the service; and savings. It would be a mutually beneficial approach which will deliver improved, transformed and more cost effective services for the councils.

2. RECOMMENDATIONS

- 2.1 To approve the new in-house delivery model that will work in partnership with both external and internal service providers to deliver data networks, unified communications and telephony services, working collaboratively to deliver the management of steady state in the short term.
- 2.2 To delegate to the Chief Information Officer (CIO) approval of appropriate Section 113 and inter-authority agreements for staffing and service delivery to enable the growth of a team that would consist of shared ICT services staff employed by LBHF and RBKC providing services to both councils in line with their respective telephony strategies.
- 2.3 That the shared ICT services assist the HTH refurbishment programme with the transformation of key services, some during and some after the transition from HFBP.

3. REASONS FOR DECISION

- 3.1. This report's recommendations seek to balance the mitigation of risk with the need to achieve the substantial level of savings required.
- 3.2. The council has business critical services which it has to continue to provide post the end of the service contract with HFBP. These include among other services the platforms for all inbound and outbound calls to residents.
- 3.3. The council needs to have the capacity to deliver the HTH refurbishment to a high quality with good ICT.

4. BACKGROUND

- 4.1. The council has a number of drivers for change and additional requirements which need to be delivered as the service transfers to the new provider.
- 4.2. At the end of the HFBP contract, to manage steady state and replace end of life equipment, the council needs to:
 - Bring end of life equipment up to date and replace it ahead of its failing.
 - Manage and plan the level of disruption to service to keep it to a minimum
 - Design and plan for future transformations, taking account the requirements of the other councils and partners
 - Align contract renewal with other partners, allowing better value for money through aggregation of demand and economies of scale
 - Consider resilience levels and base them on those determined by the LBHF's SRG
 - Meet customer expectations both short and longer term.
- 4.3. The HTH plan which the council can, to a certain extent at this point, anticipate, based on the member and senior officer vision, combined with the use cases in the Information Technology and Communications' Invitation to

Tender, would see the council maximising mobility, availability and the productivity of staff, as described in the original outcomes and requirements for the procurement. Based on this there is a high likelihood the council will want to share some of its office space with partners and/or local residents and businesses.

- 4.4. There are a number of differing elements of the existing service and the council's requirements which are changing, making it difficult to build a like-for-like business case. The analysis of the business case is not solely based on delivering the service at a cheaper cost, a key consideration. It also factors in the changing environment, both physical and technological that the service needs to ensure continued service delivery.
- 4.5. The conclusion of the HFBP contract means not just procurement of new services, but also a requirement to replace key ICT servers and hubs based in Hammersmith Grove, HFBP's office. This necessitates a re-design of the existing data network, and the build and deployment of a new communications hub, which is likely to be based on a very different technology than the previous communications hub. The complexity of this task is increased as the council migrates to new data centres during the same period.
- 4.6. The HTH refurbishment poses a number of logistical issues for the ICT service including maintaining services to remote and decanted staff. However, it does present opportunities as well, for example the chance to future-proof LBHF infrastructure within the building ensuring that staff can work flexibly and collaboratively.
- 4.7. A previous paper considered how the council wants to manage the current and future service and determined that the aim was to manage steady state and transform or renew some services during the transition and some after. This incremental approach to transformation would enable the emerging HTH programme requirements to be met.
- 4.8. The ability to flex resources to aid development of ICT solutions during the design phase of the HTH refurbishment programme is also critical. A lack of agility and responsiveness in designing, testing and rolling out solutions that enable the refurbishment will likely lead to the council incurring additional cost and/or not realising potential benefits. This is a key consideration that has informed the choice of the preferred option.
- 4.9. It is likely that new ICT solutions will need to be designed and tested with users during 2016, to enable the HTH programme to brief the architect, and to deliver ICT related changes when required. It is possible that an HTH model office will be established in the first half of 2016 for piloting furniture, ways of working and potential ICT solutions. Details will be confirmed once the design team is on board, and the timetable is developed. The rollout of some new ICT solutions, to some users, during the next 6 – 18 months may be necessary to enable delivery of the HTH programme.
- 4.10. Key dates related to the HTH programme have not yet been agreed. Current estimates are noted below and will be firmed up once the design team for the

HTH refurbishment has been appointed, and site surveys and design work for the HTH have commenced, expected during the first quarter of 2016.

- 4.11. The council's current preference is for construction works in the HTH to be carried out in phases, whilst H&F staff continue to occupy parts of the building. Further detail on the HTH programme timelines are included in **Appendix 1**.

5. OPTIONS AND FINANCIAL CONSIDERATIONS

- 5.1. Options analysis of the two possible delivery models is in **Appendix 2** (contained in the exempt report on the exempt Cabinet agenda). The recommendation, based on analysis and financial considerations, is that the information technology and communication services be delivered through Option 2, the shared ICT services.

6. RISK MANAGEMENT

- 6.1. Several strategic risks, all relating to the timeliness and proximate risk, of decision-making need to be managed. A timely decision is essential or legal and procurement impact, staffing impact and service failure are all likely. These would impact negatively, if realised, on the following risks, listed in the Shared Services risk register, 1. Managing in year and medium term budgets, risk 4 market testing and achieving the best possible services at lowest possible cost to the local taxpayer, Service Resilience, risk number 6 and risk 12, decision making and the consequential impact on the reputation of services. A further risk is that of the complexity and risk in the programme generally.
- 6.2. If the council cannot decide on the level of call-off or pushes back the timeline any further, this will increase the risk to a major extent. It would call for potential contract extensions to current major contracts, which over the life of the contract would exceed the EU Procurement Regulations threshold (£164k) and could lawfully therefore not be extended.
- 6.3. Furthermore, an urgent upgrade to telephony equipment is needed. Without this the LBHF telephony switches are beyond end of life. Unless the council plans and implements renewal soon, it is likely that there will be a service failure where members of the public potentially would not be able to call into the council. This service failure would have significant reputational risk to the council and would incur extra cost to deliver the service, perhaps through differing resources whilst the issue is resolved.
- 6.4. The council is also at risk of losing key staff, who should transfer to any new service provider under TUPE regulations, meaning that the experience, understanding and knowledge of the council's services would be lost as staff, due to future uncertainty, would choose to pursue alternative career options.
- 6.5. The programme is full of complexity and risk, and it has key interdependencies with other programmes such as the contact centre, HTH refurbishment and O365. Fully outsourcing at this point may give the council

more risk than it can possibly manage, in the sense that it could lose control, not be quick enough about decision-making, and not be able to be responsive enough to the changing environment.

7. CONSULTATION

- 7.1. This paper has been discussed with members and the chief executives of LBHF and RBKC as well as the CIO and the shared ICT services DLT.

8. EQUALITY IMPLICATIONS

- 8.1. There are no direct equality implications arising from the recommendations of this paper. There is some risk of indirect equality impacts on age and disability resulting from telephony service failure if the current telephony system is not upgraded and improved (see 10.3). Service failure would negatively impact in a disproportionate way on the protected characteristics of age and disability as those groupings are more reliant on telephony than face to face for their interactions with the council. It is important therefore that this channel is effectively maintained.
- 8.2. Understanding the Equality implications for HFBP employees and their options relating to TUPE will require a full EIA as part of the Human Resources process of setting up the shared ICT services partnering model.

Equality implications verified by David Bennett – Head of Change Delivery (Acting) – 0208 753 1628.

9. LEGAL IMPLICATIONS

- 9.1. As set out in the exempt report on the exempt Cabinet agenda.

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. Cabinet on 6th of July 2015 approved funding to implement the transition of ICT services to new suppliers. The costs identified within this paper are to be funded from this approved budget.

Verified by: Gary Ironmonger, Finance Manager – Strategic Finance 020 8753 2109.

11. BUSINESS IMPLICATIONS

- 11.1. Previous papers on the ICT procurement strategy and approach have dealt with the social value aspects of ICT procurement. This paper is at the final stage of the IT and communications procurement and largely deals with the implementation of a service delivery model.

Verified by Antonia Hollingsworth, Principal Business Investment Officer, Economic Development Learning & Skills, Planning & Growth. Telephone 020 8753 1698.

12. PROCUREMENT IMPLICATIONS

- 12.1. There are no immediate procurement related implications contained in the recommendations.
- 12.2. Consideration may, at some future date, to the establishment of a formal legal entity between the participating councils. This would allow the councils to enter into a formal contractual arrangements under Regulation 12 of the Public Contracts Regulations 2015 without going through a formal procurement exercise.

Verified by: Alan Parry, Interim Head of Procurement (Job-share). Telephone 020 8753 2581.

13. IT STRATEGY IMPLICATIONS

- 13.1. The report is aligned with the current shared services ICT strategy and vision of converging software and infrastructure, whilst enabling better collaboration and productivity amongst staff. It is a key enabler to a range of critical council initiatives, including the realisation of savings in excess of £4.7m from 2017/18.

Verified by: Ed Garcez, CIO, 020 8753 2900.

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	Background Paper: EDR ICT Phase 3 IT and comms service model review (published)	Jackie Hudson East Wing Hammersmith Town Hall, ext 2946	FCS

LIST OF APPENDICES

Appendix 1 Hammersmith town hall refurbishment draft timelines.

Appendix 2 Proposals and options analysis 9 (contained in the exempt report on the exempt Cabinet agenda).

Appendix 1 Hammersmith town hall refurbishment draft timelines

1.1. At the same time as the HTH refurbishment programme is responsible for the HTH works, the King Street development project is responsible for the design and construction of the council's new civic accommodation on Nigel Playfair Avenue. The HTH refurbishment programme and King Street development project are being managed as separate, though dependent, pieces of work.

1.2. An architect has been appointed to design the new civic accommodation as part of the King Street development project and it is anticipated that they will work to the same architects' brief as for the HTH, as far as is possible. Key dates for detailed design work for the new civic accommodation are awaiting confirmation.


1.3. Estimated key dates for the HTH refurbishment programme are noted below, to be confirmed following appointment of the design team and commencement of design work:

- Development of high level vision for HTH refurbishment programme: Dec 2015 – Feb 2016
- Appointment of design team: Quarter 1, 2016
- Appointment of programme manager: Jan 2016
- Development of detailed Blueprint, including ICT requirements: Quarter 1 – Quarter 3, 2016
- Detailed design work and procurement of principal contractor: Quarter 1, 2016 to Quarter 1, 2017, HTH construction commences: Quarter 1 or 2, 2017.
- There is an ambition for all construction phases for the HTH to be complete before the Council needs to deliver vacant possession of HTH Extension.
- H&F receives completed new civic accommodation from developer: Quarter 3 or 4, 2018
- H&F deliver vacant possession of HTH extension, and hands site to developer: Quarter 3 or 4, 2018 (minimum 12 weeks after LBHF receives new civic accommodation)

1.4. There are a number of imminent activities in HTH:

- August 2016: Parking relocate CCTV from the ground floor;
- October 2016: ICT relocate new comms hub should be up and running, including new telephony routers.

Agenda Item 6

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>7 MARCH 2016</p>	
PROCUREMENT OF MANAGED SERVICES PROVIDER FOR THE PROVISION OF AGENCY WORKERS	
Report of the Cabinet Member for Finance – Councillor Max Schmid	
Open Report	
A separate report on the exempt part of the Cabinet agenda provides exempt information.	
Classification - For Decision	
Key Decision: Yes	
Wards Affected: NONE	
Accountable Executive Director: (Debbie Morris, Shared Director for Human Resources	
Report Author: Gordon R Smith Shared Senior HR Business Partner	Contact Details: Tel: 020 8753 2958 E-mail: gordon.smith@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. The Council's contingent workforce is currently facilitated through a Managed Services Provider (MSP) for the provision of agency workers. The contract is due to terminate in June 2016 without the option for extension and it is necessary to ensure that a new contract is substantiated timeously.
- 1.2. This report provides a business case for continuing with a managed service provider arrangement for agency workers, details a number of options for the means of ensuring that a new contract is put in place, justifies the selection process and makes recommendations to contract with a specific Managed Service Provider for Agency Workers. The managed service is volume-based and consistent with the administration's commitments to reduce the use of agency staff and to promote the London Living Wage.

- 1.3. In accordance with the relevant legislation this report is part exempt from disclosure. A separate report on the exempt part of the Cabinet agenda provides exempt information.

2. RECOMMENDATIONS

- 2.1. That approval be given to enter into an access agreement with ESPO in order to formally utilise ESPO Framework (No 653F_15) for Managed Services for Temporary Agency Resource (MSTAR2).
- 2.2. That subject to 2.1, above, the ESPO Framework (No 653F_15) for Managed Services for Temporary Agency Resource (MSTAR2) should be accessed to call off the services of a Managed Services Provider for Agency Workers.
- 2.3. That the Potential Provider should be awarded a call off contract under the ESPO Framework (No 653F_15) with effect from 1 July 2016 for a period of two years with the option of extending on 1 July 2018 for a further one year and also on 1 July 2019 for a further 1 year, providing for a maximum contract period of four years.
- 2.4. That the contract award should be in relation to Lot 1, Neutral Supply Chain management for both Transactional and certain Strategic Services as detailed in the MSTAR2 Framework.
- 2.5. That the Council continues with the requirement that the chosen supplier operates 'pay between assignments'.
- 2.6. That conditional to the award of contract and in accordance with terms of the MSTAR2 Core Specification for Transactional Services, the Potential Provider should be required to commit to delivery proposals that will provide target savings of up to £170k against anticipated MSTAR2 expenditure. Further information is provided in Section 8 of this report.
- 2.7. That integral to the pricing matrix, an additional marginal management fee (0.005p per hour transacted) should be introduced to part fund a contract management resource within the Shared Human Resources Service. At current usage this would equate to £22.5k per annum to be combined with an identical recommendation in RBKC to provide combined funds of circa £39.5k per annum. Further information is provided in Section 9 of this report.
- 2.8. That the appropriate Cabinet Member should be delegated with authority to exercise the option to extend the term of the contract in accordance with para 2.3 above.

3. REASONS FOR DECISION

- 3.1. The Councils contract with Pertemps, its extant Managed Services Provider for Agency Workers expires on 30 June 2016. There is no option for extension under the current contract which was procured for 1 year only following Cabinet

decision on 5 January 2015. Pertemps previously held the contract from October 2011 – June 2015.

- 3.2. The existing contract was 'called off' from the MSTAR framework for a period of one year and was generated due to particular circumstances within the Council and to provide the Council with the opportunity to consider options and opportunities for procurement in the meantime.
- 3.3. Options available and considered to date have included, a full self-managed procurement exercise, One Source Collaborative Procurement, competitive procurement from the MSTAR2 framework along with RBKC and / or WCC; and LBHF procurement through direct call off from the MSTAR2 Framework. These options and opportunities are described more fully in the body of the report.
- 3.4. The Council's services are, over the long term equipping to manage, integrate and purposefully utilise (Agresso) BT as the Managed Services MSP for Shared Services. This is on-going and time consuming and requires significant use of HR Service resources and departmental management and goodwill.
- 3.5. As the organisation goes through significant change in its operating processes for HR and Finance managed services, it is viewed as desirable in relation to an Agency Worker MSP to:-
 - maintain as much stability as possible.
 - Obtain a return on investment and utilise the interface that has already been put in to place with Agresso negating the potential for trial and error of any new interface that may be required as a result of MSP Procurement.
 - provide for service managers to continue to utilise a known, embedded agency worker recruitment, management and payment system that is well known, well used and working well.
 - ensure that the necessary procurement exercise is completed on time, without over expending Council resources in terms of time or budget in doing so.
 - Provide the Council with the option to Procure or to extend the contract on completion of years 2 and 3.
- 3.6. The ESPO (Eastern Shires Purchasing Organisation) MSTAR2 Framework provides a simple but competitive route to procure an MSP for Agency Workers.
- 3.7. All suppliers on the Framework are preselected by ESPO as being capable of providing a comprehensive range of services that incorporates both quality and value for money. Further detail is contained in part 6 of this report Options and Analyses of Options.

4. INTRODUCTION AND BACKGROUND

- 4.1. The Council's Workforce Strategy is linked and dedicated to the Council's strategic priorities, business aims and objectives. The workforce strategy is in part dependant on the availability of a high quality contingent resource, for

example, in order to resource temporarily needed specialist functions, to cover the gradual reduction of the overall workforce, during reorganisations or where emergency cover is required.

- 4.2. Cabinet approval for the procurement of a framework agreement for the supply of temporary agency workers was obtained in 2011 for a period of four years. At that time, the annual contract value was approximately £17.5m. Spend had been reducing and subsequently continued to reduce further.
- 4.3. On 5 January 2015, Cabinet approved a recommendation to procure via a direct call off from the original MSTAR framework for one year until 30 June 2016 in order that the Council could consider procurement options and opportunities that were likely to become present over the following year.
- 4.4. The current MSP provision is a streamlined process that gives service managers 24/7 access to the ordering system, a very quick turnaround in the engagement process, standardised, efficient processes, an easy payment system and direct contact with the MSP which in turn manages the relationship with approximately 97 Agency Worker suppliers.
- 4.5. In the run up to the introduction of Managed Services for HR and Finance it was necessary to commission Pertemps, the extant MSP to develop an electronic interface between its agency management system and Agresso to ensure electronic payments etc. This entailed considerable activity including a one off budgetary expenditure of £40k. (Although this was supplemented by Pertemps agreeing to take over a related payment function at nil cost that had previously cost the Council £130k per annum in licence fees.)

5. PROPOSAL AND ISSUES

- 5.1. In April 2015, the new managed Services arrangements for HR and Finance were introduced across the three boroughs, LBHF, RBKC and WCC.
- 5.2. The options and issues arising out of the implementation of managed services have been carefully considered.
- 5.3. One anticipated opportunity was to align Agency Worker MSP contracts across the three boroughs and to facilitate this in part, arrangements were put in place to align Agency MSP contract commencement dates across the three boroughs for July 2016.
- 5.4. It was anticipated that aligned MSP contracts could utilise economies of scale and reduce Agency Worker costs in the Councils.
- 5.5. However, it has also been necessary to weigh this up against the need for ensuring that Council services may function as smoothly and effectively as possible and the benefits of facilitating where possible, the use of management systems that are well known, well used and working well, wherever possible for the meantime.

- 5.6. To enter into contract alignment with both RBKC and WCC (both of whose extant Agency MSP is Comensura), is now considered to be counterproductive as it would, without doubt necessitate a change of Provider, systems, processes, impacting further on service delivery for at least one Council and possibly all three councils.
- 5.7. Therefore, to help ensure stability it is considered to be more appropriate to utilise the MSTAR2 framework and to directly call off the potential Provider for a period of up to four years subject to formal review on completion of years two and three.

This will provide the opportunity for the Council to provide for the stability in process and system knowledge that is deemed currently necessary by:-

- completing the management of the implementation of managed services,
- ensuring the continuity of agency worker provision without the need to re-implement or to retrain managers in a new system,
- negating the need for a further electronic interface with Agresso for timesheet, agency payroll services and invoice management.

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1. The Options That Were Considered For Meeting The Business Need.

- 6.2. A number of options have been actively considered in determining the most appropriate route to procurement. These include:-

MSTAR2

- 6.3. The Eastern Shires Purchasing Organisation (ESPO) Framework (No 653F_15) for Managed Services for Temporary Agency Resource (MSTAR2) is a simple and competitive route to procure a managed service for temporary agency resources. I.e., where the Managed Service provided (MSP) manages the arrangements with numerous agency worker providers, rather than the local authority itself.
- 6.4. All suppliers on the framework have been pre-selected by ESPO for their ability to provide a comprehensive range of services that incorporates both quality and value for money. Appendix 2 details the Suppliers included in the MSTAR2 Framework.
- 6.5. The framework is especially established for use by public sector bodies in the UK including Local Authorities . Reportedly, over 150 Contracting Authorities are using the framework since its inception on 2011.
- 6.6. Benefits include:-
- Obtaining better value for money, minimise costs, improve contract performance
 - Aggregating spend and procurement 'know how' to obtain better value

- Compliance with UK / EU procurement legislation, negating the need for LBHF or partner authorities to run a full procurement process
- All suppliers have been included on the framework as they have already been assessed during the ESPO procurement process for their financial stability, track record, experience and technical and professional ability.
- The managed service is volume-based and consistent with the administration's commitments to reduce the use of agency staff and to promote the London Living Wage.

6.7. In accordance with Contract Standing Orders, Para 8.3, it is permissible to call off directly from such a framework without further competition. MSTAR2 provides for calling off directly provided that the pre-determined rates are used. Alternatively, a mini-competition amongst the providers in the MSTAR2 framework would need to be conducted in order to elicit different (improved) rates. Subject to approval of this report, it is intended that the pre-determined rates will be initiated by the Potential Provider. A commitment to achieve savings in accordance with MSTAR2 is detailed in Part 8 of this report.

MSTAR2 Lots

6.8. There are three different Lots to select from according to the commercial model preferred by the authority. A call off from the framework for Lots 1 and 2 may be done so with or without further competition. However, further competition is necessary for Lot 3.

6.9. Lot 1 – Neutral

A Managed Service provider manages a supply chain of agencies but may not itself supply any temporary agency workers or tiers of Agencies to provide temporary agency workers to fulfil bookings (unless through a subsidiary coy).

6.10. Lot 2 - Master

A Managed Service provider generates a pool of workers (a 'first tier' which may include the authority's own pool) from which they fill vacancies.

6.11. Lot 3 - Hybrid

A combination of models to suit the Authority's resourcing objectives

6.12. Lots 1 and 2 are designed to provide basic core Transactional Services and also include an optional menu of Strategic Services that may be procured as appropriate.

6.13. Appendix 3a outlines services prescribed as Transactional (Core) and Appendix 3b those Strategic Services selected as appropriate to LBHF (contained in the exempt report on the exempt Cabinet agenda).

6.14. **Options for Lots Considered under MSTAR2**

6.15. As the Transactional and certain Strategic Services would meet LBHF specification requirements, there is no particular need to develop a Hybrid Model, the decision as to which Lot should be procured lies between Neutral or Master vendor.

- 6.16. As described above, a Master Vendor model of supply chain management occurs when a Master Vendor generates their own pool of potential agency workers and will seek to fulfil all orders, only using the Agency worker supply chain when necessary. Due to the volume of agency use within the Council and the spread of disciplines required it is deemed to be inappropriate to place such a significant volume of recruitment service delivery in one organisation.
- 6.17. The Neutral Vendor model of Supply Chain management occurs when a Neutral Vendor manages a supply chain of agencies but may not itself supply any temporary agency workers or tiers of Agencies to provide temporary agency workers to fulfil bookings (unless through an associate or subsidiary coy). This spreads the potential risk and business opportunity across the many organisations in the supply chain, several of which will be locally based, and also spreads the likelihood of successful recruitment in terms of volume and discipline across many different Recruitment organisations.
- 6.18. Therefore subject to authorisation it is intended to procure on the basis of a Neutral Vendor Supply Chain Management model as referenced in recommendation 2.4, above.
- 6.19. MSTAR2 presents several opportunities for procurement:
- 6.20. **Direct Call Off from MSTAR2**
- 6.21. As a framework agreement, MSTAR2 is designed to facilitate direct call off. Equally, LBHF Contract Standing Orders, Part 8.3 provide for direct call off from a recognised framework agreement.
- 6.22. Therefore given the opportunity of securing both quality and value for money via MSTAR2 and also given the unique issues currently facing the Council and the clear need for continued stability in process, interface and knowledge, direct call off from MSTAR2 is a compelling option. The Pricing Matrix of the potential Provider is detailed in Appendix 4 (contained in the exempt report on the exempt Cabinet agenda).
- 6.23. **Mini Competition using Mstar2 Framework via OneSource (Led by Havering & Newham Councils)**
- 6.24. The MSTAR2 Call Off by One Source is an MSTAR2 London Mini-Competition User Group which is conducting a further mini competition. Led by the London Borough of Havering and Newham and comprising a number of London Councils.
- 6.25. Although it is anticipated that this facility will be price driven via a reverse auction (and may well provide a less expensive contract), LBHF would not have any direct input in selecting the new MSP under the above call off competition and there is a real risk that in comparison with our current service provision, a lower quality and unsustainable service delivery mechanism might be delivered as a result. In addition, the potential to secure a return on investment in the Agency / Agresso interface would be significantly diminished.

6.26. Mini Competition or Contract alignment Across LBHF, RBKC and WCC.

6.27. It was anticipated that a mini Competition or aligned MSP contracts could utilise economies of scale and reduce Agency Worker costs in the three Councils and therefore activity has been undertaken previously to align contract termination dates across the three Councils in June 2016.

6.28. However, to enter into contract alignment with both RBKC and WCC (both of whose extant Agency MSP is Comensura), is now considered to be counterproductive given the unprecedented and resource intensive implementation phase of Managed Services for HR and Finances.

6.29. Contract alignment would, without doubt necessitate a change of Provider, systems and processes, impacting further on service delivery for at least one and possibly all three Councils.

6.30. Run stand-alone OJEU Procurement

6.31. It would be possible for LBHF to initiate a unique procurement exercise. This would provide for a greater degree of flexibility in designing a bespoke service solution and would possibly provide for the Council to obtain an appropriate ratio of quality and cost. However, conducting a full tender process on behalf of LBHF alone would be resource and time intensive with limited if any added value when compared with Mstar2 options which provide a quicker route to market, together with greater clarity on the pricing to be charged. Therefore this option could not be regarded as a cost effective use of the Council's resources. It would not necessarily secure a better outcome in the service solution compared to other options detailed in this section.

7. PAY BETWEEN ASSIGNMENTS

7.1 The Agency Workers Regulations (AWR) entitle agency workers to get the same basic pay and conditions as comparable employees after a 12 week qualifying period. However, if the temporary work agency offers the agency worker a permanent contract of employment and pay between assignments (PBA) then the entitlement to comparable pay (with LBHF) does not come in to play. This does not affect agency workers' entitlements to other provisions under the AWR such as annual leave after 12 weeks, 'day one' rights and rest breaks.

7.2 This is commonly known as The Swedish Derogation – so called because it was introduced into the Regulations at the request of the Swedish Government.

7.3 The current use of PBA represents a reduction in costs of between £750k and £1m per annum and therefore, has significant financial implications. Given that up to £1m per annum would otherwise be required to be allocated, the financial constraints facing the Authority and that PBA is currently embedded in agency workers engagement, this report recommends at 2.5, above, that the potential Provider should operate PBA.

8. COMMITMENT TO ACHIEVE SAVINGS

- 8.1 As detailed in Appendix 3a, the MSTAR 2 Core Specification for Transactional Services requires the MSP to “establish a process of year on year improvement Service delivery proposals must include direct cost savings that are delivered transparently as well as indirect cost savings to be achieved through process efficiencies.”
- 8.2 With this in mind it is reasonable to establish target savings and to ask the potential Provider to commit to achieving these savings against our anticipated MSTAR2 expenditure in Year 1 and in each subsequent year.
- 8.3 Agency expenditure varies year on year depending largely on the number and grade of Agency Worker engagements along with fees and charges of Agencies.
- 8.4 Therefore using 2014/15 agency usage as a benchmark, target savings of up to £170k against anticipated MSTAR2 expenditure will be inbuilt to an award of contract to ensure that agency spend remains comparable if not less than that of 2014/15 in each year of the contract.
- 8.5 It should be noted that there is the possibility that the actual figure may vary up or down dependent on the volume and grade of agency workers engaged.

9. MANAGEMENT CHARGES

- 9.1 ESPO is a not for profit, self-funded organisation. It recovers its overheads by means of a retrospective rebate from suppliers. The rebate for the MSTAR2 framework is charged at £0.01 per hour transacted and this is added to the total hourly charge rate by the selected MSP. This currently equates to £45,000 per annum.
- 9.2 ESPO has confirmed that it is possible for customers using this framework to recover a rebate in addition to the ESPO rebate, for example, to fund an internal resource to manage the contract and / or work with the Managed Service Provider. In such circumstances ESPO advises that the Customer should advise the Managed Service Provider what amount (pence per hour) is to be charged and this will be added into their Total Charge Rate.
- 9.3 Contract research and significant elements of procurement along with the management of the contract and the MSP is currently the responsibility of the Shared Director for Human Resources. In addition, a number of other contracts with specialist Agencies are arranged via HR for the supply of interim senior officers and managers. Within Human Resources, there is no dedicated or established position to cover this activity. Therefore, in this regard, it is proposed to add an additional £0.005 per hour transacted to recover a rebate from LBHF Service Departments in order that Human Resources Service may fund an appropriate resource related to these activities. ‘
- 9.4 HR is a shared service and RBKC are concurrently renewing their contract for the supply of agency workers on the same time line. RBKC will seek authorisation to

apply a similar rebate and the combined rebate will be used to provide a shared resource to manage all aspects of the Agency/Recruitment contracts in both boroughs. Dependant on future engagement numbers is anticipated that LBHF service department contributions will be approximately £22.5k.

10. EQUALITY IMPLICATIONS

- 10.1. The recruitment of temporary agency workers has the potential to impact on each of the protected characteristics identified in the Equality Act 2010.
- 10.2. Both the framework agreement and the call off contract with the potential Provider make clear that temporary agency workers are not and cannot become employees of the Council as part of their agency engagement.
- 10.3. Both the framework agreement and the call off contract include robust non-discrimination provisions and require the potential Provider to take all reasonable steps to ensure that anyone engaged in the performance of the contract with the Council observes these provisions.
- 10.4. The new call off contract will reinforce with the potential Provider its obligations to comply with the law in relation to equality whether with respect to age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity (including ethnic or national origins, colour or nationality) religion or belief (including lack of belief), sex or sexual orientation. It will include a commitment to ensuring that the potential Provider and its suppliers understand the Council's commitment to equality and diversity, monitor and review fairness and equality throughout the recruitment process and, where appropriate, agree action to improve diversity in recruitment. An Equality Impact Assessment is attached as Appendix 5.
- 10.5. Implications completed by: Albert Rose Equalities Consultant Human Resources Tel 020 8753 4975.

11. LEGAL IMPLICATIONS

- 11.1. It is understood that the Council is able to access the MSTAR2 (Managed Services for Temporary Agency Resource) Framework Agreement (the Framework Agreement). The direct award of a call-off contract under the Framework Agreement will need to be made in compliance with Regulation 33 (8) (a) of the Public Contracts Regulations 2015. Legal Services will carry out a review of the terms and conditions for the call-off prior to execution and will work with officers to arrange for the execution of the contract.
- 11.2. Implications verified/completed by: Kar-Yee Chan, Solicitor (Contracts), Shared Legal Services, 020 8753 2772.

12. FINANCIAL AND RESOURCES IMPLICATIONS

- 12.1. The proposed contract is for a maximum period of four years for the provision of agency staff. The report provides justification with continuing with a managed

service provider arrangement (MSTAR2) by awarding a call off contract. If the potential provider is retained, the council will save the cost of developing an interface between an alternative provider and the Council's system. In addition other costs associated with changing provider such as training managers on the new system, can be deferred.

- 12.2. In the new MSTAR2 framework, the contract will cost £170k more than last year if the same level of agency staff are engaged. So the 170k target (which will vary up or down depending on volume) is geared to ensure that the overall cost of the new contract is at least comparable (or less) than the current contract. However, there will be opportunity to negotiate contract savings with the provider by requiring them to reduce its rate or provide a volume discount.
- 12.3. The Council is committed to reviewing all areas of expenditure to become more efficient. The proposed contract has no minimum level of spend and will therefore support this approach and will not commit the Council to any expenditure.
- 12.4. It is proposed that an additional management fee of £0.005p per transaction be introduced for part funding an appropriate Human Resource Service to manage the contract. On current level of transactions LBHF contributions are expected to be around £22.5k. This will be an additional cost to service users and it has to be contained within their existing budgets. It should be noted that the proposed contract will continue with the requirement that the chosen supplier operates "pay between assignments". This approach represents a reduction in costs of between £750k to £1m per year to the Council.
- 12.5. Implications verified/completed by: Andrew Lord, Head of Strategic Planning and Monitoring, ext. 2531.

13 IMPLICATIONS FOR BUSINESS

- 13.1 Subject to the recommendations of this paper being approved, the extant provider will continue to provide a virtually identical level of service which will realise no new impacts on businesses at this time.
- 13.2 In accordance with recommendation 2.4 of this report, Neutral Supply Chain Management will provide for additional vendors of appropriate calibre with local bases or branches to seek inclusion in the Agency Worker provider supply chain. Under the extant Neutral Vendor contract with Pertemps, the supply chain currently includes 67 Agencies, of which 3 are understood to have offices / facilities based within Hammersmith and Fulham.
- 13.3 In terms of social value, the potential Provider will manage functions involving approximately 67 recruitment agencies and the wages of numerous agency workers and therefore the overall turnover of the contract comprises salaries and also fees and charges to the recruiting agencies. However, subject to the approval of the recommendations in this report, representation will be made to the Potential Provider to support the improvement of a new interactive Web Site for Work Zone (the Council's recruitment service for unemployed residents).

13.4 Implications completed by: Antonia Hollingsworth, Principal Business Investment Officer - 020 8735 1698.

14 RISK MANAGEMENT

14.1 The recommendations align themselves to a number of risks on the Shared Services Strategic Risk Register. Market testing, achieving the best quality service at lowest possible cost for the taxpayer and business resilience are corporately identified risks, risk numbers 4 and 6, and the report proposes that continuity with the incumbent provider is the best solution to ensure that services remain relatively unaffected when seeking to appoint agency staff during a period of significant change due to the implementation of Managed Human Resources Services.

14.2 Resilience through this period is extremely important and contributes to the ongoing management of reputation and service standard risk, risk number 12 on the Strategic Risk Register. Continuity with the incumbent provider is again the best option to maintaining service standards. The Human Resources Shared Services, London Borough of Hammersmith and Fulham and Royal Borough of Kensington and Chelsea, would be required to ensure that the successful provider are considered within their Business Resilience Plans and suitably monitored in their service risk register.

14.3 Additional system change risks would emerge from any Information Management or Technological changes required should the incumbent provider change.

14.4 Implications verified by: Michael Sloniowski, Shared Services Risk Manager ext 2587

15 PROCUREMENT AND IT STRATEGY IMPLICATIONS

15.1 In accordance with CSO 8.3, the Interim Head of Procurement has been consulted and the Director of Law will be consulted on the terms and conditions of the proposed contract. The terms of the framework also need to be complied with.

15.2 The Corporate Procurement Team has assisted in this procurement progress and agrees with the recommendations contained in the Report.

15.3 Implications verified/completed by: Robert Hillman, Procurement Consultant Telephone: 020 8753 1538.

16 PRIVACY IMPACT ASSESSMENT

16.1 A Privacy Impact Assessment is attached as Appendix 6.
(Further input to be requested from Ciara Schimidzu)

17. CONSULTATION

- 17.1 There is no requirement to consult on the content of this report with external organisations.

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

No.	<i>Description of Background Papers</i>	Name/Ext of holder of file/copy	Department/ Location
1.	N/A		

LIST OF APPENDICES:

Appendix 1 – Details of Potential Provider

Appendix 2 - Suppliers included on MSTAR2 Framework

Appendix 3a – MSTAR2 Core Specification

Appendix 3b – Pricing Schedule 2 – Strategic Services (contained in the exempt report on the exempt Cabinet agenda).

Appendix 4 Pricing Matrix (contained in the exempt report on the exempt Cabinet agenda).

Appendix 5 – Equality Impact Assessment

Appendix 6 – Privacy Impact Assessment

London Borough of Hammersmith and Fulham

**Procurement of Managed Services Provider for the Provision of
Agency Workers**

Details of Potential Provider

The Potential Provider referenced throughout the body of the report is:

Pertemps Managed Solutions,
Meriden Hall,
Main Road,
Meriden
CV7 7PT

Service Coverage

The following table illustrates the suppliers included on the framework (in alphabetical order, they are not ranked in any way) and the services they are able to provide under the scope of this framework.

Supplier	Lot 1 Neutral Supply Chain Management	Lot2 Master Supply Chain Management	Lot 3 Supply Chain Optimisation (Hybrid)
Adecco	x	✓	✓
Brook Street	x	✓	x
Comensura	✓	x	✓
de Poel	✓	x	✓
Guidant Group	x	x	✓
Hays	x	✓	✓
Manpower	✓	✓	✓
Matrix	✓	x	x
Pertemps	✓	✓	✓
Randstad Sourceright	✓	✓	✓
Reed	✓	✓	✓
Retinue	x	x	✓
Swanstaff	x	✓	x

MSTAR² CORE SPECIFICATION

In general terms all Customers want a similar service delivered in respect of a Managed Service for the provision of Temporary Agency Workers. However, as this is a national framework available for use by a range of Customers (County, Unitary, Metropolitan, and District Council Customers as well as Central Government, educational establishments, Housing Associations, wider public sector bodies such as NHS, Fire & Rescue Services, Police and Third Sector groups such as charities), suppliers must recognise that the Customers will have some differing needs in service delivery, and therefore they will need to offer a degree of flexibility and tailoring.

This core specification has been established to describe the fundamental Services and deliverables that are common requirements for all customers and that a Managed Service Provider therefore must be able to provide.

2.1 General requirements

- 2.1.1 The Managed Service Provider must be able to supply and manage the effective provision of Temporary Agency Workers across the Customer organisation.
- 2.1.2 The Managed Service Provider must be able to supply Temporary Agency Workers themselves or through Agencies:
 - 2.1.2.1 for all Assignments; this will be up to 24 hours a day, seven days a week, 365 days a year (dependent upon the type of Temporary Agency Worker required)
 - 2.1.2.2 in all skill sets required across the entire Customer organisation (a list giving a broad overview is enclosed at Appendix C of this Invitation to Tender)
 - 2.1.2.3 in a timely manner i.e. in accordance with the timescales set out in the SLA (see Schedule 6 of the Customer Agreement) or as otherwise for individual service delivery or Assignments
- 2.1.3 The Managed Service Provider should fill the vacancy with the Candidate that most closely meets the job description and person specification (or equivalent) as provided by the Hiring Manager with any adjustments made to make it a free and fair process.
- 2.1.4 The Managed Service Provider must deliver a service which meets the needs of the Customers to which they supply Services as described above; these may include county, unitary, metropolitan borough or district Council Customers, wider public sector bodies, Central Government, NHS and third sector groups.
- 2.1.5 In doing this the Managed Service Provider must deliver, to the Customer, Services which meet the needs of the various parties within the Customer organisation e.g. the HR department, the procurement team, and the Hiring Managers.
- 2.1.6 The Managed Service Provider is required to ensure that their staff provide Temporary Agency Workers with access to work in a fair and non-discriminatory manner

- 2.1.7 The Managed Service Provider must deliver a service which represents and continues to represent excellent value for money in light of pressures on spending that continue to exist within the public sector.
- 2.1.8 Regardless of the service model proposed, the Managed Service Provider must establish a process of year-on-year improvement, by setting measurement tools at the beginning of each year of the Contract in agreement with the customer. The Managed Service Provider shall be mindful of future developments and ensure that any service offering will be able to be further developed to meet future requirements as required, which will be measured against the relevant year's baseline.
- 2.1.9 Service delivery proposals offered must include direct cost savings that are delivered transparently on a year-on-year basis as well as indirect cost savings to be achieved through process efficiencies amongst other efficiencies. Savings should be calculated on a 2014 / 2015 baseline initially (or other appropriately current basis) and reviewed and re-set at the end of each year in consultation with the customer.

2.2 Recruitment and management of agencies

- 2.2.1 Recognising that the service delivery model proposed will vary, where the Managed Service Provider is using Agencies to provide Temporary Agency Workers to fulfil Assignments, the Managed Service Provider shall be the interface for all new and existing Agencies wishing to supply Temporary Agency Workers to the Customer. The Managed Service Provider should actively source (and work with Agencies to ensure provision of) an accessible pool of Candidates to meet the Customer's needs.
- 2.2.2 Where applicable, the Managed Service Provider shall operate a structure of one or more Tiers of Agencies for the Customer. Where a tiering structure is offered, the Managed Service Provider should have the capability and capacity to vary the tiering structure dependent upon the structure and needs of the Customer, including but not limited to varying the Agencies and tiering across different categories of staff and the numbers of Agencies in the various Tiers.
- 2.2.3 Where a tiering structure is in place, the Customer and the Managed Service Provider shall agree which Agencies shall be placed and retained in which Tier, based upon Key Performance Indicators (KPIs) agreed with the Managed Service Provider.
- 2.2.4 The Customer reserves the right to add, keep or remove an Agency from the Tiers where such a structure is offered, and to specify the numbers of Agencies required for particular skill sets.
- 2.2.5 If the Managed Service Provider also wishes to be a supplier of Temporary Agency Workers they may with the agreement of the Customer be appropriately included in the Tiers and shall also be tiered, reviewed and managed based on their performance. Where the Customer wishes the Managed Service Provider to compete on an equal basis with all other Agencies (all having an equal opportunity to supply), the Managed Service Provider will be required to demonstrate full neutrality of provision in this event.
- 2.2.6 The Managed Service Provider must operate formal processes for:

- 2.2.6.1 procuring, managing , reviewing performance and refreshing tiering of tiered Agencies (where tiers are in operation)
- 2.2.6.2 delivering Services against service level agreements and measuring performance
- 2.2.6.3 reviewing, negotiating and agreeing Agency margins
- 2.2.7 Where Agencies are used, the Managed Service Provider shall be responsible for ensuring all Agencies utilised meet the required standards and policies of the Customer. The Managed Service Provider shall vet potential Agencies, both in terms of business and financial suitability when signing them up to supply Services through the Managed Service Provider. The Managed Service Provider shall re-assess Agencies on an annual basis and at the individual request of the Customer.
- 2.2.8 Where Agencies are used, the Managed Service Provider shall be responsible for carrying out bi-annual audits and/or spot checks when specified by the Customer on Agency compliance with both legislative requirements and contract compliance and report to the Customer any anomalies in the form of an exception report. For some categories these audits and / or spot checks may be required more regularly, for example, the social care arena. The Managed Service Provider shall operate a process for addressing different levels of anomalies, including implementation of a plan to address the issues, and suspension from use for serious breaches. Where an anomaly is sufficiently serious to cause suspension, the Customer shall be notified immediately.
- 2.2.9 The Managed Service Provider shall have arrangements in place to ensure that they and Agencies, where applicable, understand and recognise their obligations under the Framework and that Agencies work with the Managed Service Provider to fulfil the Contract requirements.
 - 2.2.9.1 The Managed Service Provider shall operate a documented process for managing and working with the Agencies so that they can work together to fulfil the Contract requirements.
 - 2.2.9.2 The Managed Service Provider shall carry out, as a minimum, bi-annual reviews of Agency performance. In the case of social care agencies those reviews should be quarterly. Reviews will be in relation to the KPIs and performance levels agreed with the Customer and the managed Service Provider shall provide the outcome and details of such reviews to the Contract Manager, where required/requested (this shall be agreed in detail when defining the Service Level Agreement).
 - 2.2.9.3 The Managed Service Provider shall ensure that any feedback received from the Customer is shared with the Agency supplying the Temporary Agency Worker so that the Agency can learn from feedback given and act upon it. The Managed Service Provider shall also seek feedback from Agencies to identify issues with the Managed Service

Provider and / or the Customer that are affecting Services or provide opportunities for savings.

- 2.2.9.4 The Managed Service Provider is responsible for supplying regular updates and feedback to Agencies within the Tiers about the Customer so that Agencies can understand and aim to meet the needs of the Customer. For example this may include providing information on numbers and types of Temporary Agency Workers required, known peak requirements and known specific skill sets, in order that Agencies can seek to have the right calibre and skill sets of staff available for the Customer when they are needed.
- 2.2.9.5 Any failures by the Managed Service Provider and the Agencies in their performance shall be addressed immediately by the Managed Service Provider and to the satisfaction of the Customer. At no time will the Customer accept liability for poor performance by any Agency and the Managed Service Provider will be solely responsible for the resolution of the Customer's complaints to the Customer's satisfaction. Agencies may be suspended on a temporary or permanent basis if they fail to comply with performance and/or audit requirements.
- 2.2.9.6 The Managed Service Provider will provide Agencies with an appropriate means of contacting them, whether to register interest in supplying Temporary Agency Workers or to raise queries and resolve issues. Such means of contact shall be by telephone and/or email and where charges apply, these shall not be charged at premium rates.
- 2.2.9.7 The Managed Service Provider must have an adequate complaints procedure in place for any complaints from Agencies. The Contract Manager shall be promptly informed of complaints and the Managed Service Provider's mechanisms for resolution, a summary of which must be provided as part of the performance review process.
- 2.2.9.8 In the interest of equal treatment and objectivity, all Agencies shall be engaged on the same terms and conditions of supply. Exceptions to this are to be agreed by the Managed Service Provider with the Contract Manager at the discretion of the Customer. The terms and conditions between the Agencies and the Managed Service Provider shall be no less favourable than those afforded to the Managed Service Provider under the framework (except in relation to charge rates which may vary dependent upon the Managed Service Provider's service delivery model).
- 2.2.9.9 It is recognised that there may need to be some operational variation of the terms and conditions of supply due to the nature of the Temporary Agency Worker, i.e.

self-employed individuals and those provided via an Agency, but the Managed Service Provider needs to ensure that materially the agreements are consistent and fair in their approach

- 2.2.9.10 The Managed Service Provider must make the necessary checks to ensure self-employed workers are compliant with the Intermediaries legislation IR35.
- 2.2.10 Where Agencies are used, the Managed Service Provider shall, at the request of the Customer, arrange or support the arrangement of a 'meet the buyer' session to enable Agencies to hear from and raise questions with the Customer directly.
- 2.2.11 The government recognises the invaluable contribution of SMEs to the economy and has made a commitment to "promote small business procurement, in particular by an aspiring to 25% of government contracts should be awarded to small and medium size businesses and by publishing government tenders in full online and free of charge". The Coalition: our programme for government May 2010 (http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf). The Two Years On report can be found here: (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/231994/SME_Two_Year_On_Report.pdf) Where the customer so wishes, the Managed Service Provider shall advertise opportunities to ensure fair and open competition through services for example (but not limited to) websites like Contracts Finder (a free online 'one-stop shop' to search for and receive email alerts on suitable central and wider public sector low value government contracting opportunities.
- 2.2.12 The Managed Service Provider shall ensure that Temporary Agency Workers are given access to Assignments in a fair and non-discriminatory manner and shall require any Agencies supplying Temporary Agency Workers to do the same. The Managed Service Provider shall monitor quality and seek to actively implement quality into their own working practices, and encourage Agencies to do the same.

2.3 Ordering of temporary agency workers and timesheet submission

- 2.3.1 The Managed Service Provider shall have the facility for Hiring Managers to request a Temporary Agency Worker via a variety of channels (i.e. via email, telephone, or through an electronic booking system) and in a manner which is instantaneous. The Customer shall define the preferred method(s) of format(s) prior to the commencement of the Contract.
- 2.3.2 The Managed Service Provider shall ensure that sufficient information is collected at the time of the Hiring Manager's request to enable the correct skill set, experience level and grade (appropriately skilled and experienced for the role and available and willing to accept the relevant pay rate) of Temporary Agency Worker to be supplied and for the specified management information to be collected and provided.
- 2.3.3 A booking service is required 24 hours a day, seven days a week; staffed inside service hours, automated outside of the service hours

- 2.3.4 The Managed Service Provider shall also have available a telephone and fax booking system for the supply of Temporary Agency Workers for Customer locations without internet access.
- 2.3.5 The Managed Service Provider's response team shall be staffed by personnel that are suitably trained and experienced in the system being used, between the service hours of 7.30am and 5.30pm. Monday to Friday.
- 2.3.6 Outside of 7.30am and 5.30pm the Managed Service Provider shall have available suitable on call or out of hours arrangements to ensure that a Service is provided 24 hours a day, seven days a week. Ideally this should be the same or as similar as possible to the service received during normal hours.
- 2.3.7 A telephone booking system shall also be available for booking requests made outside regular office hours. Such a system should not be via a premium rate telephone number
- 2.3.8 The Managed Service Provider shall have the facility to operate an electronic timesheet process to support invoicing. The Managed Service Provider will manage timesheets to ensure:
 - 2.3.8.1 Temporary Agency Workers / Agencies complete and submit a timesheet to the relevant Hiring Manager for authorisation before it is returned to the Managed Service Provider via the Agency.
 - 2.3.8.2 For locations without access to the internet the Managed Service Provider shall have the facility for either a paper timesheet to be used by the Temporary Agency Worker or to log the timesheet on behalf of the Temporary Agency Worker. All paper timesheets shall have a unique identifier.
 - 2.3.8.3 Auto-approval of timesheets must only be used at the request of the Contract Manager.

2.4 Provision of temporary agency workers

Scope of temporary agency workers

- 2.4.1 A wide range of Temporary Agency Workers are required and the Managed Service Provider must be able to supply all Temporary Agency Workers as needed by the Customer (relevant to the Lot for which the Tenderer is bidding). The list given within **Appendix B** describes the spectrum of the roles included, but Tenderers should note that this list is not exhaustive and other job roles outside of this list may also be required, therefore the list may be revised to include additional roles added during the duration of the Framework. The precise scope to be covered shall be defined by the Customer organisation entering into a Customer Agreement with the Managed Service Provider.
- 2.4.2 A list of the job categories that may be required by Customers is included at **Appendix C** of this Invitation to Tender document. Tenderers should note that this list is not exhaustive and other categories of staff outside of this list may also be required. It is inappropriate to include Job Descriptions and Person Specifications at

this stage given the variation amongst potential Customers. Sample Job Descriptions and Person Specifications will either be confirmed at the point where the Customer calls off from the framework, or where Customers undertake a further competition exercise under the framework.

- 2.4.3 Where the Customer has not previously engaged a Managed Service Provider, it is anticipated that the Managed Service Provider will audit the Customer's current Temporary Agency Worker requirements prior to implementation, taking into account TUPE implications where applicable. Where Managed Service Provision is currently in operation, the Customer where possible / available, shall supply the new Managed Service Provider with the relevant historical data prior to implementation of the Contract.
- 2.4.4 Where the Customer has not previously engaged a Managed Service Provider, the Managed Service Provider will adopt the Customer's existing supply chain so that those Agencies can still submit candidates for roles that the Customer requests, subject to agreement with the Agencies concerned. In the event that the Managed Service Provider considers that an Agency from the Customer's existing supply chain does not or is unable to meet the requirements of the Contract or refuses to accept the terms and conditions of the Managed Service Provider for appointing Agencies then the Managed Service Provider shall seek agreement from the Customer to remove such an Agency from the supply chain.

Requests for temporary agency workers

- 2.4.5 A list of all Authorised Users of the Service will be agreed by each Customer with the Managed Service Provider prior to commencement of the Contract. This authorisation list must be strictly adhered to when processing requests for temporary staff. The Customer will be able to add to and remove people from the list during the course of the Contract.
- 2.4.6 The type and grade of Temporary Agency Worker required will be detailed by the Hiring Manager. If Temporary Agency Workers of a higher grade are provided, payment will only be made as per the grade requested.
- 2.4.7 The Hiring Manager will specify whether they require a number of CVs to be submitted. The actual number of CVs to be submitted may be dictated by the Hiring Manager.
- 2.4.8 The Hiring Manager will specify the timescales in which they require responses to their request.
- 2.4.9 The Managed Service Provider is required to update the Hiring Manager on the progress in meeting their requirements and on outstanding orders.
- 2.4.10 All requests for Temporary Agency Workers will go via the Managed Service Provider and the Managed Service Provider shall ensure Agencies are aware that they must not send speculative emails to or make unsolicited calls to Customers, however Hiring Managers should be able to contact agencies to discuss the finer details of a requirement and

this should be managed and administered by the Managed Service Provider.

Provision of candidates

- 2.4.11 The Managed Service Provider shall consistently provide Customers with high quality Temporary Agency Workers that have the right mix of skills, experience and qualifications as required and specified by the Hiring Manager, and have undergone the relevant safeguarding checks prior to placement. Temporary Agency Workers supplied into social care must have the relevant checks, as detailed later in this section 2.4. Evidence of these checks must be provided to the Hiring Manager prior to the Temporary Agency Worker commencing the Assignment.
- 2.4.12 The Managed Service Provider must ensure that they and Agencies provide Temporary Agency Workers that are at all times competent, punctual and appropriately trained.
- 2.4.13 The Managed Service Provider must ensure that all CVs or person specifications submitted by themselves and Agencies are anonymised / unbranded so that Hiring Managers cannot identify the Agency that is putting the Candidate forward. Customers would ideally like to be able to specify a standard format for such CVs to enable easy comparison to be made by the Hiring Manager.
- 2.4.14 Temporary Agency Workers provided in response to a request shall meet any Departmental or Service specific standards of the Customer. The Managed Service Provider will be responsible for ensuring they and all Agencies provide such details to the Temporary Agency Worker in advance of their assignment. Details of these will be made available to the Managed Service Provider at the implementation stage although the Customer may update these standard requirements from time to time in line with, for example, changes to legislation, addition of new services, re-structuring of the Customer organisation, unfilled requests for Temporary Agency Workers. The Contract Manager shall communicate such changes to the Managed Service Provider.
- 2.4.15 CVs or person specifications provided by the Managed Service Provider to the Hiring Manager should be sufficiently well detailed and fully aligned with the Hiring Manager's requirement to enable him to make an informed decision about which Temporary Agency Worker to hire.
- 2.4.16 The Managed Service Provider must recognise that there may be circumstances where a Temporary Agency Worker is required at very short notice or to fill an Assignment in an emergency. Ideally the Service will be able to accommodate such requests without simply relying on populating the system retrospectively after the request occurs.
- 2.4.17 The Managed Service Provider is required to ensure that they and all Agencies are fully informed and understand the individual needs of the Customer to which they are supplying Temporary Agency Workers.

Selection and rejection of candidates

- 2.4.18 The Managed Service Provider shall ensure that at least 2 references from previous employers are sought. One must be from the most recent

previous employer. References should be verified as being genuine. The Managed Service Provider will be required to seek references in accordance with the Customers standard practices for employees.

- 2.4.19 The Customer, where it deems it necessary, may wish to interview one or more Temporary Agency Workers prior to an Assignment and may wish to do this on a face-to-face basis. The Customer shall reserve the right to reject Candidates as unsuitable. Feedback shall be provided by the Hiring Manager as to the reasons for rejection which shall be passed onto the Agency for their information and review.

Induction and performance

- 2.4.20 The Managed Service Provider shall ensure that Temporary Agency Workers are given clear instructions in advance of their Assignment in relation to the following:

- Geographical location of the place of Assignment
- Customer department location
- When to report
- Who to report to
- The nature of the Assignment
- Working hours (including provision for breaks) and potential duration of the assignment
- Dress Code and any uniforms including Personal Protective Equipment (PPE) required
- Any additional matters e.g. provision for parking, reimbursement of expenses
- Any Customer specific policies in place that are relevant to the role
- How to submit timesheets
- Code of conduct
- Confidentiality
- Access to work adjustments
- Data protection
- Health and Safety
- Any documents to be provided to the Hiring Manager on commencement of the Assignment

- 2.4.21 The Managed Service Provider shall ensure that Hiring Managers are given clear instructions of any specific requirements the Temporary Agency Worker may have e.g. equipment required for them to perform their duties effectively, in advance of the commencement of the Assignment. It is a legal duty for the Customer to make reasonable adjustments to enable disabled Temporary Agency Workers to access their Assignments, and the Managed Service Provider is expected to assist the Customer to achieve these aims.

- 2.4.22 Temporary Agency Workers on Assignment to the Customer shall work under the supervision, direction and control of the Customer's officers.
- 2.4.23 The Managed Service Provider undertakes to ensure that all Temporary Agency Workers are completely aware that at no time will the Customer class a Temporary Agency Worker as an employee and the Managed Service Provider is responsible for the conduct, negligence, performance and quality of Temporary Agency Workers and other employment issues. The Contract Manager will advise of any additional policies or revisions during the Contract period. The Managed Service Provider will operate a process for addressing grievances that aligns with the Customer's grievance process.
- 2.4.24 Temporary Agency Workers are required to adhere to the Customer's policies and procedures including; fire, manual handling, health and safety requirements, matters of discipline. These policies and procedures will be supplied to the Managed Service Provider at Contract implementation.
- 2.4.25 Serious misconduct and poor performance by a Temporary Agency Worker will be conveyed to the Managed Service Provider (in the first instance verbally and subsequently in writing) who will, if so requested, terminate the Assignment of the Temporary Agency Worker(s) concerned. At no time is compliance with this clause to be used as evidence of a Temporary Agency Worker gaining employment status with the Customer. In the case of an allegation against an Temporary Agency Worker in respect of child protection or the protection of vulnerable adults, the Temporary Agency Worker, the Agency and the Managed Service Provider will comply with the requirements of the Customer with regards to attendance at hearings and case conferences and the implementation of any decisions.
- 2.4.26 The Managed Service Provider shall bring to the attention of all Temporary Agency Workers the need for any information gained during their placement with the Customer to remain confidential. The Managed Service Provider shall, if required, ensure that all Temporary Agency Workers sign a confidentiality agreement, as agreed with the Customer, prior to any placement and this signed agreement is to be filed within the Temporary Agency Worker's personnel file, a copy of which is held by either the Managed Service Provider (when providing workers themselves) or the Agency.
- 2.4.27 The standard of dress and hygiene of the Temporary Agency Worker shall be in accordance with the Customer's departmental standards. The Customer reserves the right to request a change in dress if it is deemed to be inappropriate, offensive or below the standard reasonably required. In the event that Temporary Agency Workers are required to wear Personal Protective Equipment as part of their placement with the Customer it will be the responsibility of the Managed Service Provider to ensure that they arrive for work correctly attired. The actual operational process to enable this will be agreed with the Managed Service Provider at the implementation of the contract.
- 2.4.28 Where use of a car is stated by the Hiring Manager to be required as part of the service and journeys have been undertaken by the

Temporary Agency Worker, the Agency will pay appropriate mileage in line with the HMRC or Customer expense policies (as specified by the Customer). Agreement to pay mileage allowance must be with the prior agreement of the Hiring Manager. Mileage allowance will not be paid for travel to and from the place of work. These rates may be adjusted by the Customer during the Contract period.

- 2.4.29 The Managed Service Provider is required to ensure that the Agency has had sight of the Temporary Agency Worker's driving licence, MOT and insurance documents allowing for business use. Agencies are required to ensure that the Temporary Agency Worker is aware of the Customer's work force travel plans and policies for travel when on duty.
- 2.4.30 Temporary Agency Workers will be required to complete the Managed Service Provider's standard mileage claim form, which, when authorised by the Hiring Manager, will be submitted on a monthly basis. A copy of this document will be provided with the invoice.
- 2.4.31 The Managed Service Provider shall be solely responsible for all arrangements associated with the reimbursement of all expenses.

Cancellation of booking and rejection of workers

- 2.4.32 In the event of any circumstance affecting the arrival of a Temporary Agency Worker the Managed Service Provider shall ensure that the Hiring Manager is notified without delay.
- 2.4.33 The Managed Service Provider shall use their best endeavours to find a suitable replacement Temporary Agency Worker. Data on numbers of and reasons for cancellations shall be kept and a breakdown by Agency provided to the Contract Manager on a (quarterly) basis as part of the performance management of Agencies. Repeat cancellations may result in Agencies being suspended or moved down Tiers (where a tiering system is in operation). The Customer reserves the right to cancel or amend any such booking.
- 2.4.34 The Customer shall notify the Managed Service Provider of the requirement for any change or cancellation of any booking no less than 90 minutes before the booking commencement. If the Customer cannot comply with this then they shall pay for 25% of the first day of the Assignment or where it is less than one day, 25% of the Assignment that is cancelled, if the Temporary Agency Worker cannot be placed elsewhere within the organisation. The payment from the Customer shall be passed on to the Agency supplying the Temporary Agency Worker (if this is not the Managed Service Provider himself) for payment to the Temporary Agency Worker.
- 2.4.35 The Managed Service Provider shall make no charge to the Customer in the event that a Temporary Agency Worker;
- fails to attend an Assignment at the reporting time
 - is rejected within a trial period for specified Assignments where such a period has been agreed between the Customer and the Managed Service Provider
 - has been rejected as unsuitable within the first 3 hours of the Assignment

- rejects the Assignment or does not attend the Assignment
- is found not to have the defined requirements for the role i.e. in terms of qualifications, eligibility to work, DBS check
- is found not to have correct and valid credentials that would allow them to legally work
- is identified as unfit to work or not being capable of carrying out the majority / most / or all of the specified tasks or activities required safely and to the necessary standard.

In any of the above circumstances the Managed Service Provider shall offer the Hiring Manager the option of cancelling the booking or use their best endeavours to find a suitable replacement Temporary Agency Worker as quickly as possible.

2.4.36 In the event that a Candidate is rejected by a Customer and where an Assignment is closed before the official Assignment closure date, the Managed Service Provider shall be responsible for investigating the circumstances of that rejection. Depending on the justification for the rejection;

a) The Customer acting reasonably may request that the Temporary Agency Worker does not work for the particular department or directorate again and the Managed Service Provider shall ensure that if the Temporary Agency Worker is offered for other vacancies within that department or directorate that the Hiring Manager is made aware of previous reports on performance.

b) The Customer may request that the Temporary Agency Worker does not work for the organisation again and the Managed Service Provider shall ensure the Temporary Agency Worker is not offered for any vacancies within that organisation

c) Where a serious rejection occurs, it is the Managed Service Provider's responsibility to make Hiring Managers aware of such rejections when the Candidate in question is put forward for future Assignments to enable Hiring Managers to make an informed decision.

Vetting and compliance with policy and legislation

2.4.37 The Managed Service provider must ensure that all vetting and compliance checks are carried out prior to the placement of Temporary Agency Workers.

2.4.38 The Managed Service Provider shall verify the identity and nationality of Agency Workers in accordance with UK Border and Immigration Agency guidelines and codes of practice. The Managed Service provider shall ensure that proof of address is kept on file, and must be kept up to date and/or revisited as required. The Managed Service Provider shall ensure suitable processes and procedures are in place to ensure that any permits granted to the Temporary Agency Worker are checked in advance of expiry in order that the Customer is not at risk of employing someone who is not eligible to work in the UK.

2.4.39 The Managed Service Provider shall ensure that any qualifications held by the Temporary Agency Worker in order to meet the Authorised

Officer's person specification are verified by the Agency (or the Managed Service Provider if he is providing Temporary Agency Workers himself) having had sight of the original certificates. Certified photocopies of qualification certificates are to be held on file throughout the duration of a placement by the Managed Service Provider and/or Agency and for a period of at least 5 years to comply with the Customers' audit regulations.

2.4.40 In relation to the Immigration, Asylum and Nationality Act 2006 and any other relevant legislation and/or code of practice:

2.4.40.1 The Managed Service Provider shall be required to comply with the requirements of the Asylum and Immigration Act 2006 and shall be responsible for checking that all Temporary Agency Workers have the right to work in the United Kingdom either as a British Citizen or that necessary permits have been obtained and this should be evidenced in the Temporary Agency Workers employment portfolio. All certified photocopies are to be retained on file throughout the duration of a placement and for a period of at least 5 years to comply with the Customers' audit regulations. Evidence of this may be required of the Temporary Agency Worker when they attend the Assignment

2.4.40.2 The Managed Service Provider should ensure that they (if the Managed Service Provider is providing Temporary Agency Workers himself) and Agencies have procedures for monitoring relevant clearance / visas on an ongoing basis allowing Temporary Agency Workers to work in different areas. This will involve monitoring status, expiry dates and hours worked and ensuring that visas / work permits do not restrict where the Temporary Agency Worker can work.

2.4.41 The Managed Service Provider is required to comply with all current as well as future legislation in respect of the Agency Worker Regulations, and any other relevant legislation to make certain that the requirements of such legislation is being met throughout the duration of the Contract period.

2.4.42 The Managed Service Provider is required to ensure that Agencies, where used, put forward Candidates on whom they hold and maintain up to date information on the following:

- A 5 year employment history, together with a satisfactory explanation of any gaps of 4 weeks or more in employment, including where owing to a disability
- A signed application form or Curriculum Vitae (CV)
- Documentary evidence of all relevant qualifications
- Proof of NI number for Right to Work where a passport is not available
- Applicable training i.e. manual handling

- Eligibility to work in the UK - in line with current Government requirements
- Proof of identity, including a recent photograph i.e. in the form of a valid and current passport or driving licence or a full form birth certificate with additional supporting evidence of any name changes plus a colour photograph.
- Proof of address, for example; utility bills/benefit statement/Bank statements issued in the last 3 months, mortgage statements or pension statements must be less than 12 months old, (Online statements can be accepted). P45/P60, EU national ID card, HM Forces ID card, a document from a Central/Local Government/Government Agency and letters from Head Teachers or Principals for younger candidates
- Verification of why employment / position was ended in the case where a Candidate has previously worked with children or vulnerable adults
- 2 written references, 1 which is from the most recent previous employer Where written references are not possible, for lower skilled roles 2 verbal references should be obtained
- DBS/PVG disclosure check which is appropriate to the role offered i.e. the relevant barred list children / adult has been checked
- Details of any criminal offences including where detailed on Candidate's DBS/PVG disclosure
- Driving licence / motor vehicle insurance and a current MOT certificate
- Professional memberships; i.e. for security staff professionals valid SIA registration is required and must be renewed before the expiry date, not after the expiry date

2.4.43 Where qualified social care workers are to be put forward the following requirements and safeguarding checks must be followed/completed as a minimum prior to the placement of staff.

- Policies and procedures must be in place covering the agencies recruitment process and safeguarding checks.
- New candidate registration process undertaken before placement.
- Employment history should be obtained for the last 10 years of employment/education. Any gaps of 4 weeks or more will need to be investigated and verified.
- A rehabilitation of offenders declaration signed and dated.
- Proof of Identity by means of original documentation showing photographic evidence. A valid UK passport, both parts of a UK or EU driving licence or a full form birth certificate with additional supporting evidence of any name changes plus a colour photograph.
- Proof of address, for example; utility bills/benefit statement/Bank statement statements issued in the last 3 months, mortgage

statements or pension statements must be less than 12 months old, (Online statements can be accepted). P45/P60, EU national ID card, HM Forces ID card, a document from a Central/Local Government/Government Agency and letters from Head Teachers or Principals for younger candidates

- Eligibility to work in the UK - in line with current Government requirements
- Proof of NI number for Right to Work where a passport is not available
- Documentary evidence of all relevant qualifications
- Health and Care Professions Council (HCPC) check for England or CCW in Wales, SSSC in Scotland
- DBS check or PVG in Scotland
- Overseas candidates' police checks should be obtained where a candidate has worked or lived overseas during the last 5 years for a period of 6 months or more.
- References to cover the previous 5 years with at least 2 references commenting on the candidates social work practice
- Overseas qualified social workers must be able to provide their qualifications and be registered with the HCPC/CCW/SSSC. Checks to both identify and verify the qualifications must be in place.
- Secure retention of all records in relation to safeguarding, in line with the data protection act, must be kept for 2 years after the worker leaves the post.

MSP's will be responsible for validating the accuracy of the information supplied by all Agencies

- 2.4.44 A number of jobs may have a requirement for additional checks to be undertaken on Temporary Agency Workers before they are put forward for placement to any Customer. These will be identified by Hiring Managers at the implementation stage of the contract, and if required a charging structure agreed for the provision of this service. Charges will not be raised where checks have already been made and evidenced to the satisfaction of the Customer.
- 2.4.45 The Managed Service Provider will be responsible for ensuring that they, if they are providing Temporary Agency Workers themselves and Agencies are undertaking such checks and must make available on request to the Customer the reference number and date of the DBS/PVG check of any Temporary Agency Worker put forward for placement by the Managed Service Provider. The Managed Service Provider will not put forward for placement any individual who appears unsuitable as a result of the information received from the checks.
- 2.4.46 The Managed Service Provider will ensure that they, if they are providing Temporary Agency Workers themselves, and Agencies comply with the requirements of the DBS and that the hiring Manager is shown a copy of the disclosure prior to the commencement of the Assignment. Managed Service Providers are also required to be compliant with the Safer

Recruitment in Education Guidance and to hold the DfE Quality Mark for Education if providing roles within the education sector.

- 2.4.47 The Managed Service Provider must ensure that the Customer is informed where a Candidate is under investigation from external agencies. This includes but is not limited to, the HCPC / CCW / SSSC.
- 2.4.48 The Managed Service Provider must ensure that if they, where providing Temporary Agency Workers themselves, and the Agency receive 'additional information' about a Candidate from the DBS that a Chief Constable considers relevant to the post applied for and where this cannot be shared with the Customer, this may well affect their ability to be engaged to fulfil an Assignment. Such a Candidate will not be allocated any Assignment within the Customer organisation which involves working in areas requiring a DBS check.
- 2.4.49 The Managed Service Provider must also ensure that Temporary Agency Workers make a signed and dated declaration regarding unspent previous criminal convictions subject to the Rehabilitation of Offenders Act 1974. A copy must be held on file by the Provider and form part of their risk assessment process. Existing Temporary Agency Workers and new applicants for temporary work who have a previous criminal record should only commence work after the approval of the Customer is sought. All applicants for placement at any of the Customers must be informed in writing that undeclared criminal convictions which subsequently become known may result in the Customer instructing the Managed Service Provider that the Temporary Agency Worker may be removed from the delivery of services. If a Temporary Agency Worker is convicted of an offence whilst on Assignment, the Managed Service Provider shall notify the Customer immediately and seek to reach agreement on the appropriate course of action. Generally speaking this shall not include motoring offences though for certain posts motoring offences may need to be reviewed. Customers shall agree with the Managed Service Provider which posts motoring offences must be reviewed.
- 2.4.50 The Managed Service Provider should ensure that Agencies provide current and suitable references for Candidates put forward for an Assignment
- 2.4.51 In the unlikely event that a waiver to any of the above vetting and compliance issues is sought by the Hiring Manager, the Managed Service Provider shall not agree to such a waiver without the express consent of the Customer's Contract Manager. Such a waiver should be treated as temporary and only until such a point where any waived items/checks are completed as agreed between the Managed Service Provider and the Customer's Contract Manager.

2.5 Service delivery

- 2.5.1 Fulfilment of a request shall be defined as the supply of a suitable Temporary Agency Worker, accepted by the Hiring Manager, within the timeframe as set out in the Service Level Agreement for the skill group to be established during contract implementation.

- 2.5.2 The Managed Service Provider shall aim to fulfil 100% of each Customer's requirements but is required to meet a minimum of 98% of requests at all times.
- 2.5.3 For individual positions that are considered to be 'difficult to fill' this figure may be reviewed at a later date, with the consent of the Customer.
- 2.5.4 If the Managed Service Provider falls below 98% for more than 2 consecutive months or below 90% for 1 month the Customer shall require an exception report detailing the action being taken by the Managed Service Provider to remedy the situation and the timescale for rectification. Until the service provided meets the required level an update report shall be submitted to the Customer's nominated Contract Manager on a regular basis.

2.6 Managed service provider personnel & contract management

- 2.6.1 The Managed Service Provider shall ensure that only suitably experienced and qualified staff shall be used to provide the Services.
- 2.6.2 The Managed Service Provider shall demonstrate how they manage business continuity and ensure effective recruitment and retention of staff.
- 2.6.3 The Managed Service Provider shall nominate an Account Manager to the Contract who is the primary and single point of contact for the Customer's Contract Manager.
- 2.6.4 The Managed Service Provider will ensure that there is a suitable structure and level of resource in place to deliver the Services which will be fronted by the nominated Account Manager.
- 2.6.5 Once operational, significant changes or reductions in the assigned personnel will not be made without prior written consent of the Contract Manager; such consent will not be refused unreasonably.
- 2.6.6 The Managed Service Provider will participate in regular contract review meetings with the Contract Manager. Attendance at regular review meetings is essential and will be at no cost to the Customer.
- 2.6.7 The Customer reserves the right to request additional meetings where necessary to address any matters arising in between the review meetings. Such requests shall not be made unreasonably and again will be at no cost to the Customer.
- 2.6.8 The Managed Service Provider will manage the supply chain in a systematic manner which can enable them to organise and regularly provide feedback to the Agency in respect of:
- the Agency's performance – feedback in terms of the standard of service they are supplying.
 - the Temporary Agency Worker – why their Applicant was accepted / rejected, general feedback in terms of the Temporary Agency Worker's ability, suitability for the post and conduct.
- 2.6.9 The Managed Service Provider shall provide evidence that they are actively seeking feedback from Agencies on their performance and that

of the Customer to maintain and improve Service standards. Such feedback shall be shared with the Contract Manager at regular review meetings.

2.7 Pay rates to temporary agency workers

- 2.7.1 The rates of pay received by the Temporary Agency Worker shall be determined by the Customer's Contract Manager in agreement with the Managed Service Provider. Any such agreement shall take into account the provisions of the Agency Worker Regulation and any other such relevant legislation which comes into effect.
- 2.7.2 The Managed Service Provider will use their knowledge and expertise to work with the Customer to identify appropriate pay rates for roles.
- 2.7.3 For PAYE Temporary Agency Workers the Managed Service Provider will ideally charge actual NI on the earnings of the Temporary Agency Worker as well as WTR and Pension Auto Enrolment contributions which will equate to the total wage costs.
- 2.7.4 For Limited Company Workers their total wage costs will be equal to their pay rate as tax and statutory costs will be paid through their company.
- 2.7.5 Payments shall be in line with Working Time Regulations. This payment and employer's NI charged will be itemised separately on invoices and available as part of all management information.

2.8 Fees and savings

- 2.8.1 The Managed Service Provider Fees to be charged by the Managed Service Provider shall be agreed at the outset and capped for the duration of the contract.
- 2.8.2 The Managed Service Provider Fees should provide excellent value for money, and be transparent to all parties; including the Agencies and the Customers. The MSP must recognise the potential for fees to be benchmarked following any re-opening of competition and in particular those competitions utilising reverse e-auction technology. MSP should avoid multiple pricing policies and must use their best endeavours to provide managed services at a consistent best value rate across the Framework provision.
- 2.8.3 The Service must deliver savings for the Customer and any savings generated must be objectively measured and demonstrable, to assist Customers to reach their savings targets.
- 2.8.4 Taking geography into account, the Managed Service Provider will advise the Customer of the most competitive Agency Fees that they have achieved with Agencies across all Customers and will endeavour to secure similar or comparable rates for that Customer where appropriate. The Agency Fee charged will be available as part of all Management Information.

2.9 Invoicing and payment requirements – managed service provider

- 2.9.1 It is envisaged that most Customers will require a single consolidated invoice, although some may require a small number (e.g. 3 or 4) of departmental invoices. Invoices are to be submitted in arrears on a

weekly basis (unless otherwise agreed with the Customer). The Managed Service Provider must ensure that invoices are raised without delay, enabling Agencies to be paid promptly.

2.9.2 Payments will be made by BACS.

2.9.3 Invoices shall be supported by detailed electronic information in a format as agreed with the Customer to enable internal charging to relevant budget holders. This is likely to include:-

- Order reference number
- Job title
- Hours worked; regular hours, overtime hours (including night shifts), double time hours and total hours
- Unique work record per individual not per assignment
- Total hourly / daily rate
- Hourly / daily pay rate to Temporary Agency Worker
- National Insurance contributions
- Working Time Regulations (WTR)
- Pension Auto Enrolment (PAE)
- Value Added Tax
- Agency Commission (Agency Fee)
- Managed Service Provider Commission (Booking fee)
- Department and/or Section
- Cost Centre Code and if required Hiring Manager
- Name of individual that the Temporary Agency Worker reports to
- Date timesheet submitted and approved
- Name of Hiring Manager timesheet approved by

This detailed electronic information is to be presented in a format prescribed by the Customer in order to allow immediate uploading onto the Customer's financial system.

2.9.4 In support of the invoice the Managed Service Provider shall provide each Agency with a timesheet (electronic where required by the Customer) that must be used by all Temporary Agency Workers. Timesheets must indicate that all breaks are unpaid and must not be added to hours worked.

2.9.5 Completed timesheets shall be submitted electronically (either by the Temporary Agency Worker or the Managed Service Provider) to the Hiring Manager for authorisation. The Managed Service Provider should provide the Contract Manager with an exception report of unauthorised timesheets, ideally accessible with real-time information, but at a minimum on a weekly basis.

2.9.6 Where the Customer has implemented an internal policy restricting the number of hours a Temporary Agency Worker can work, the Managed

Service Provider will ensure that this restriction is reflected in the invoicing and payment to Agencies. Allowance for time off in lieu may also be required by some Customers.

- 2.9.7 The Managed Service Provider shall only process timesheets that have been authorised by the appropriate Hiring Manager. In the event that a Hiring Manager refuses to certify a timesheet the Managed Service Provider shall be notified within 2 Working Days and resolve with the Hiring Manager in the first instance. If further resolution is required the incident should be referred to the Contract Manager.
- 2.9.8 The Customer will advise the Managed Service Provider if auto-approval of timesheets is required for their Contract prior to commencement of the Contract. As a rule, the default position will be that timesheets are not approved automatically.
- 2.9.9 Should there be a dispute regarding hours worked, the hourly rate, statutory contributions or the commission claimed by the Managed Service Provider in respect of a Temporary Agency Worker, the Customer reserves the right to withhold payment of the sum in dispute until such time as the matter can be resolved. The Managed Service Provider will ensure that the consolidated invoice does not include such amounts so as not to delay payment of the remaining authorised sums.
- 2.9.10 The Managed Service Provider is required to ensure fair and agreed payment terms, for all elements of the total charge, are in place for all (Tiered) Agencies i.e. terms that do not allow payment to Agencies to be delayed beyond 5 Working Days after the Managed Service Provider has been paid and that in total, in any event, payment takes no longer than 21 days from submission of an undisputed invoice.
- 2.9.11 The Customer is required to pay the MSP within 14 calendar days of undisputed invoice.
- 2.9.12 Where the Customer has agreed shorter payment terms in order to meet policy obligations or to support their suppliers, the benefit of this must also be reflected through the supply chain to the Tiered Agencies.
- 2.9.13 The Managed Service Provider is required to ensure agreed payment terms are in place for all Temporary Agency Workers i.e. no more than 14 days from submission of a timesheet.
- 2.9.14 The cost model proposed by the Managed Service Provider is required to be financially transparent, particularly in relation to:
 - Pay rate
 - National insurance
 - WTD
 - National insurance on holiday pay
 - Pension Auto Enrolment (PAE)
 - Agency fee
 - Total amount paid to the Agency
 - Managed Service Provider transaction charge

- Total charge to the Customer
- Temporary Agency Worker's status in terms of whether they are PAYE or a Ltd Company also needs to be stated.

The aim of the Managed Service Provider providing this breakdown is to provide Customers with overall clarity of what costs are built up from.

2.10 Management information

- 2.10.1 The Managed Service Provider must be able to provide configurable and comprehensive real time management information from implementation and on an ongoing basis relative to all activity under this contract at no cost to the Customer
- 2.10.2 The Managed Service Provider will provide, management reports in a suitable electronic format on a monthly basis. The type and level of detail of the reports will be decided at the implementation of the Contract so that they are tailored to only provide the information that each individual Customer specified is relevant to them. This does not preclude changes being made during the life of the Contract should the Customer require it. This information should be provided in a clear format which is both easy to understand and easy to interpret. Tenderers are required to provide details of the suite of reports and data that they are able to provide, and its typical use by the Customer.
- 2.10.3 The System proposed by the Managed Service Provider shall offer a flexible management information tool that can be tailored to only provide the information that each individual Customer specifies is relevant to them. The Managed Service Provider will be able to offer as a minimum a suite of pre-defined reports, which can be tailored to the Customer, but it is also desirable that the Customer can run their own reports where the system allows.
- 2.10.4 Reports and data should be presented in a format which can be exported into MS Office Applications or other similar packages used by the Customer that can be used to manipulate data.
- 2.10.5 Customers shall be able to specify the Management Information reports that they require which can include but are not limited to the following:
- 2.10.5.1 Active assignments (current headcount report)
 - 2.10.5.2 Detailed order status report – showing individual order information
 - 2.10.5.3 Usage by department – scheduled end dates for each order, sorted by Customer department and position
 - 2.10.5.4 Comparison of old and new Agency Fees/Margins (in pence)
 - By Customer department
 - By job discipline
 - 2.10.5.5 Temporary Agency Worker assignments undertaken by Customer Residents
 - 2.10.5.6 Temporary Agency Worker assignments (numbers and value) filled by Agencies supplying from an address within

the Customer's region, including size of company (number of employees)

- 2.10.5.7 Performance monitoring report: time taken to fill each booking (from initial order and from Cost Centre Manager authorisation) compared against agreed service levels:
 - By Customer department
 - By job discipline
- 2.10.5.8 Full details of any posts that could not be filled.
- 2.10.5.9 Summary of comments/complaints with corrective action taken
- 2.10.5.10 Agency usage – Agencies ranked in terms of number of Assignments
- 2.10.5.11 Ethnic profile – The ethnic profile of interim workers assigned to the Customer where applicable / appropriate
- 2.10.5.12 Disability profile – Volumes of disabled and non-disabled interim workers assigned to the Customer
- 2.10.5.13 Gender profile – Volumes of male and female Temporary Agency Workers assigned to the Customer
- 2.10.5.14 Age profile – The age profile of Temporary Agency Workers assigned to the Customer
- 2.10.5.15 Temporary Agency Workers – a list of Temporary Agency Workers who have been assigned to a specific order, showing:
 - Name of worker
 - Geographical profile
 - Religion
 - Sexual orientation
 - Order reference number
 - Job discipline
 - Job title
 - Council Department
 - Cost Centre Manager
 - Start date of assignment
 - Anticipated end date of assignment
 - Assignment duration report – by Temporary Agency Worker

The system proposed by the Managed Service Provider must be flexible to accommodate additional requirements / changes to the above.

- 2.10.6 In addition, the Managed Service Provider shall comply with the following:

- 2.10.6.1 The Managed Service Provider agrees to provide ESPO with information relating to the services procured and any payments made under the Contract.
- 2.10.6.2 The Managed Service Provider shall supply the Management Information to ESPO and in the form set out at Schedule 5 of the Framework Agreement, during the framework Contract period.
- 2.10.6.3 Upon receipt of the Management Information supplied by the Managed Service Provider in accordance with 2.10.6.2, the Customer and the Managed Service Provider hereby consent to ESPO:
- storing and analysing the Management Information and producing statistics; and
 - sharing the Management Information or any statistics produced using the Management Information, with any other Contracting Customer.
- 2.10.6.4 ESPO may, but not unreasonably, make changes to the Management Information which the Managed Service Provider is required to supply and shall give the Managed Service Provider at least 1 month's written notice of any changes.

2.11 System requirements

- 2.11.1 The appearance and operation of the System should be similar to those in general widespread and common use for other functions to enable Hiring Managers to be able to use the System easily from Implementation.
- 2.11.2 The System must be able to accommodate various account coding from the Customer's financial management system e.g. Oracle, SAP, Agresso.
- 2.11.3 Ideally the System will not use any jargon or technical terminology and will use language easily recognisable by the Customer's officers. Where use of jargon or technical terminology is unavoidable the Managed Service Provider will include easily accessible and clearly identifiable help functions and/or user manuals to enable users to use the System effectively with minimum support.
- 2.11.4 The System will be supported by online / interactive documentation, manuals and FAQs which may be delivered in the form of tutorials.
- 2.11.5 The structure of any System or processes implemented by the Managed Service Provider in order to deliver the Services must be flexible, Customer-driven and easy to adopt in a public sector environment.
- 2.11.6 The Managed Service Provider must give a minimum of 3 months' notice to any Customer where fundamental changes to the System or platform are proposed.
- 2.11.7 The Managed Service Provider shall ensure that a log of System issues, including but not limited to major failures and system bugs, is established and maintained and is supported by a proposed programme for resolution which recognises the need for business continuity, disaster

recovery procedures, timescales for rectification and escalation to appropriate levels within the Managed Service Provider's organisation.

2.11.8 The Managed Service Provider must be able to provide by the date of Contract award / Implementation the following customers data transfer:

- 2.11.8.1 Online ordering and candidate selection
- 2.11.8.2 Online electronic time sheeting
- 2.11.8.3 Online electronic invoicing and or/payment systems
- 2.11.8.4 real-time management reporting
- 2.11.8.5 Online monitoring of AWR requirements
- 2.11.8.6 Online audit trail of compliance requirements
- 2.11.8.7 Integration of any or all of the above; with each other, and ability to integrate with Customer legacy systems

2.11.9 The Managed Service Provider shall offer full online or in-system training for Customers (and any Agencies used as part of the supply chain). The Managed Service Provider must offer training via a variety of methods if online and in-system training is not deemed sufficient and should be aware that on-going training may be required for additional and/or new users of the System, as new Hiring Managers join the Customer or new Agencies commence supply of the Services

2.11.10 The Managed Service Provider's solution shall provide 24-hour system support for functional and/or technical problems to help and support service users as required for example a help desk. If the proposed solution is via telephone, this 24-hour system should not be premium rate and preferably calls shall be charged at local rate or lower. This may include online support outside of typical working hours and some means of logging emergency or major Systems issues may be required.

2.11.11 The Managed Service Provider must confirm that the proposed solution will be compliant with the requirements of the Data Protection Act in accordance with (but not limited to) the following criteria:

- 2.11.11.1 Ensure integrity of data
- 2.11.11.2 Have adequate privacy enhancement techniques
- 2.11.11.3 Allow archive and deletion of data
- 2.11.11.4 Rejection of duplicate records with meaningful error messages at the point of data entry

2.11.12 User Access and Data

- 2.11.12.1 The Hiring Manager must be able to specify all relevant information for an Assignment including; start/end date, location, job type, reason for use, skill requirements and other parameters and the System shall support definition of standardised job groups, job descriptions and skill sets. The Customer should define which fields will be mandatory for their organisation; however the Managed Service Provider should ensure that there are appropriate mandatory fields within the System to capture the data.

- 2.11.12.2 The System should support the entry and display of all relevant Contract data for the Temporary Agency Workers requisitioning process e.g. pricing conditions, delivery conditions, payment terms, etc.
 - 2.11.12.3 Users must be able to track the status of an order from order creation via approval to invoice receipt and payment. The Contract Manager should be able to see an overview or 'dashboard' containing details of any open requests.
 - 2.11.12.4 All data must be maintained centrally or locally, dependent upon access rights granted. The Customer maintains ownership of this data and will have access to download data in its entirety at any time during the duration of the contract as well as on expiration of the contract period.
 - 2.11.12.5 The Hiring Manager shall be notified via email when a Temporary Agency Worker's assignment (of longer than 4 weeks) is approaching expiry. The Hiring Manager along with the Contract Manager shall be notified via email when an individual Temporary Agency Worker has been on an assignment approaching 8 weeks (or to a timescale as agreed by the Customer at Implementation) in order that the Customer can review and decide the future of the Assignment prior to the Temporary Agency Worker having been on Assignment for more than 12 weeks.
 - 2.11.12.6 The System shall include processes for the approvals of requests for Candidates, extensions to Assignments and approval of timesheets. The Customer must be able to define parameters for the system, including but not limited to; maximum assignment durations, blocking of certain categories of worker, requirements for post numbers/ authorisation for workers and any other data which is required by the Customer.
 - 2.11.12.7 The System shall enable Hiring Managers to re-assign approval rights when there is a period of absence. Should this be unplanned, there will be a defined process to enable the Contract Manager or Managed Service Provider to re-assign rights as necessary.
- 2.11.13 The System proposed by the Managed Service Provider shall allow for straightforward management of timesheets for the Customer, Agency and Temporary Agency Worker that does not cause unnecessary complexity for any of the parties.
- 2.11.14 The System proposed by the Managed Service Provider must provide Management Information that enables sharing of data and experiences of the Customers that are using the Managed Service Provider's System via the framework in order that Customers can use this information in benchmarking activities. Any Management Information should be easily exported into a commonly used spreadsheet format.

2.12 Implementation

- 2.12.1 The Managed Service Provider shall provide to the Contract Manager details of its:
- 2.12.1.1 Strategy for obtaining / defining baseline information against which service improvements and financial savings (direct and indirect) can be measured. This baseline should be the most current year prior to entering into this contract, and the evidence should be shared with the Customer.
 - 2.12.1.2 Strategy for dealing with current Agencies
 - 2.12.1.3 Strategy for dealing with current Temporary Agency Workers
 - 2.12.1.4 Strategy for communication before and during the implementation
 - 2.12.1.5 Proposals for Implementation for each Customer, as relevant, either by Department, Temporary Agency Worker category, or the organisation as a whole.
 - 2.12.1.6 The Managed Service Provider will be required to facilitate the adoption of existing supply chain of Agencies and existing Temporary Agency Workers where requested by the Contract Manager.
- 2.12.2 The Managed Service Provider shall draft and agree Service Levels with each Customer in respect of fulfilment rates, response times, request fulfilment timescales and the reduction of Agency margins. These shall be shared with ESPO to support the overall management of the Framework.
- 2.12.3 The Managed Service Provider shall provide detailed timescales for the Implementation of the Service from Contract award to the Customer specified go live date. The Managed Service Provider must ensure they have sufficient capacity to enable the implementation timescales to be adhered to when implementing multiple organisations at the same time.

During the Implementation period the Managed Service Provider may be required to organise and deliver a small number of workshops for the Customer's staff and proposed Agencies at no extra cost to the Customer or attendees to promote and market the new arrangements.

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	July 2016 / June 2020
Name and details of policy, strategy, function, project, activity, or programme	<p>Title of EIA: (e.g. XX Strategy) State whether new or existing NEW – Procurement of a Managed Services Provider for the Provision of Agency Workers – Report to Cabinet</p> <p>Short summary: The Council’s contingent workforce is currently facilitated through a Managed Services Provider (MSP) for the provision of agency workers. The contract will terminate in June 2016. It is necessary to engage a new MSP and this report details the process, options and recommendations to procure a new MSP.</p> <p>Note: If your proposed strategy will require you to assess impact on staff, please consult your HR Relationship Manager.</p>
Lead Officer	<p>Name: Gordon R Smith Position: Shared Senior HR Business Partner Email: gordon.smith@lbhf.gov.uk Telephone No: 020 8753 4693</p>
Date of completion of final EIA	30 November 2015

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Section 02	Scoping of Full EIA								
Plan for completion	<p>Timing: Resources: N/A</p>								
Analyse the impact of the policy, strategy, function, project, activity, or programme	<p>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.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%; text-align: center;">Protected characteristic</th> <th style="width: 60%; text-align: center;">Analysis</th> <th style="width: 15%; text-align: center;">Impact: Positive, Negative, Neutral</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Protected characteristic	Analysis	Impact: Positive, Negative, Neutral			
Protected characteristic	Analysis	Impact: Positive, Negative, Neutral							

Age	Although the potential for discrimination exists in terms of Agency Worker assessment and selection, established provisions exist to help prevent such actions and to protect Agency Workers / the Council against discriminatory practices. Further analysis is provided in Section 05 below	Neutral
Disability	“	Neutral
Gender reassignment	“	Neutral
Marriage and Civil Partnership	“	Neutral
Pregnancy and maternity	“	Neutral
Race	“	Neutral
Religion/belief (including non-belief)	“	Neutral
Sex	“	Neutral
Sexual Orientation	S“	Neutral

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

	<p>advice</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? Yes/ No</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)? Yes/No</p>
--	--

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	Hammersmith and Fulham Agency Workers Policy, Hammersmith and Fulham Equal Opportunities Policy. Agency workers are afforded protection from unlawful discrimination, victimisation and harassment under the Councils Agency Workers policy and Equal Opportunity policy. Agency workers will also benefit from the Councils various policies to advance equality of opportunity.
New research	If new research is required, please complete this section

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

Section 05	Analysis of impact and outcomes
Analysis	<p>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).</p> <p>Groups with protected characteristics have different experiences within employment which impact on their opportunity to gain employment, enter management positions and to be free from discrimination, bullying and harassment.</p> <p>Age</p>

From April to June 2015 there were 922,000 young people (aged from 16 to 24) in the UK who were Not in Education, Employment or Training (NEET), a decrease of 21,000 from January to March 2015 and down 44,000 from a year earlier (Office for National Statistics 2015)

Disability

The Labour Force Survey (2012), showed that disabled people are now more likely to be employed than they were in 2002, but disabled people remain significantly less likely to be in employment than non-disabled people. In 2012, 46.3% of working-age disabled people are in employment compared to 76.4% of working-age non-disabled people.

Gender Reassignment

People considering or undergoing gender reassignment are afforded protection under the Equality Act 2010 against unlawful discrimination, bullying, harassment and victimisation. Recruitment agencies should have measures in place to support trans gender agency workers in their pursuit of employment.

Agencies should ensure that transgender workers are recognised and respected as the gender in which they live. This is the case whether or not they have had medical treatment or acquired a Gender Recognition Certificate. Recognition of change of gender for employment purposes is usually from the point at which the person begins living in their new gender.

Marriage and Civil Partnership

The Equality Act says that staff or agency workers must not be discriminated against in employment because they are married or in a civil partnership. In the Equality Act, marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman or between partners of the same sex. Civil partnership is between partners of the same sex.

Pregnancy and maternity

Women who are pregnant or on maternity leave are afforded protection under the Equality Act and further protection under the Agency Workers Regulations 2013.

Race

The 2011 Census, found the combination of all 'White Groups', used in the survey had the highest employment rate

(77%), of all ethnic groups (aged 16 to 64). This was the case for both men (82%) and women (72%) from this group.

The proportion of men aged 16 to 64 who were unemployed was highest in the Other Black (17%), White and Black Caribbean (16%) and Caribbean (15%) ethnic groups. For women it was highest for Black African (12%), White and Black Caribbean (11%) and Other Black (11%) groups.

Young people (aged 16-24) from the Gypsy or Irish Travellers (14%), White and Black Caribbean (13%) and Black Caribbean (12%) ethnic groups had the highest proportion of young people who were unemployed.

Religion/belief (including non-belief)

Agency workers who have religious, faith or philosophical beliefs are protected from discrimination, bullying, harassment and victimisation, either from the agency or organisation they are placed with.

Sex

Table 1 shows the Labour Market Statistics between March 2011 to October 2012 for men and women in full and part-time employment. The vast majority of men in employment work full-time (86-87 per cent) compared to just over half of all women in employment (56-57 per cent). Significantly more women in employment work part-time (43%) compared to men (13%). Therefore, although more women work full-time than they do part-time, unlike men, the difference between those working full and part-time is not as stark.

Labour Market Statistics (ONS 2012), show the majority of men are in full time employment (86-87%), compared to just over half of women in full time employment (56-57%). More women are likely to be in a parttime employment (43%) compared to men (13%).

Employment rates for women are lowest in Northern Ireland and London (approx 63%) and highest in East of England (70%) (Annual Population Survey (APS) - Office for National Statistics 2013)

Sexual Orientation

Research conducted in 2014, 'The Ups and Downs of being, Lesbian, Gay or Bisexual at Work' (Manchester University and Plymouth University), found that Lesbian, Gay and Bisexual staff were more than twice as likely to be bullied and discriminated against than heterosexual employees, in a range of sectors.

One in five (19.2%) bisexual staff reported the highest levels of bullying with a third reporting regular bullying. One in

six (16.9%) lesbian staff reported bullying at work with approximately a third reporting regular bullying.
Gay men reported more than double the levels of bullying compared to heterosexual staff.

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p>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.</p> <p>The process and proposals for appointing a new Managed Service Provider has not highlighted any adverse impact for any of the groups with a protected characteristics. However, the analysis has found that groups with a protected characteristics have different and sometimes adverse experience in gaining employment and issues surrounding bullying and harassment.</p> <p>Hammersmith and Fulham Council, as an equal opportunity employer is keen to use a diverse range of agency staff which reflects the characteristics of the borough and the wider Greater London Population. In ensuring that Hammersmith and Fulham Council, meets its Public Sector Equality Duties to:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act; • Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; • Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>Hammersmith and Fulham Council has included equality and diversity provisions into its 'Councils Contract Standing Orders'. Clause 18.2 specifically places an obligation not to discriminate against any group with a protected characteristic. Clause 18.5, places an obligation to comply with the Equality Act and take all reasonable steps to eliminate discrimination, harassment and victimisation. In addition to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p>

Clause 18.8 states:

'The Contractor shall, no later than twelve months from the Commencement Date and annually thereafter submit a report to the Authority demonstrating its compliance with this Clause **Error! Reference source not found.**'.

It is recommended that the successful Managed Service Provider for providing Agency Workers, is required to submit a report to Hammersmith and Fulham Council demonstrating compliance with Clause 18.

The recruitment of temporary agency workers has the potential to impact on each of the protected characteristics identified above.

Both the framework agreement and the proposed call off contract with Pertemps make clear that temporary agency workers are not and cannot become employees of the Council as part of their agency engagement.

Both the framework agreement and the call off contract include robust non-discrimination provisions and require Pertemps to take all reasonable steps to ensure that anyone engaged in the performance of the contract with the Council observes these provisions.

The new call off contract will reinforce with Pertemps its obligations to comply with the law in relation to protected characteristics. It will include a commitment ensuring that Pertemps and its suppliers understand the Council's commitment to equality and diversity, monitor and review fairness and equality throughout the recruitment process and, where appropriate, agree action to improve diversity in recruitment.

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 N/A					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan
	Successful MSP to provide Hammersmith and Fulham Council with annual report demonstrating compliance with Clause 18, 'Councils Contract Standing Orders'	Requirement to be built into contract	?	?	Information will provide a means for Hammersmith and Fulham to be assured that the provision of agency workers is undertaken in accordance with the Councils obligations under the public sector equality duty.	?

Section 08		Agreement, publication and monitoring	
Chief Officers' sign-off	Name: Debbie Morris Position: Shared Director for HR Email: Debbie.morris@lbhf.gov.uk Telephone No: 020 8753 3068		
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: 8 February 2016 Key equalities issues have been included: Yes/No		
Opportunities Manager (where involved)	Name: Albert Rose Position: HR Equalities Consultant Date advice / guidance given: 30 November 2015 Email: albert.rose@lbhf.gov.uk Telephone No: 020 8753 4975		

Tri-Borough Privacy Impact Assessment Template

1. What Is a Privacy Impact Assessment (PIA)?

A privacy impact assessment is a simple, risk based mechanism to help identify the potential level of risk when undertaking a project involving the use of personal data.

2. When Is a PIA required?

At the point where any process, programme or project brief is being created it must be risk assessed using a PIA. The PIA must be undertaken at the point a business case is being devised, prior to the Project Initiation phase. This ensures the risks are fully understood and can be integrated when assessing the viability of the project, as the costs of mitigating the risks may be too great.

3. Completing the PIA

Each section of the PIA is to be completed as fully as possible - the more information that is provided, the easier it is to ensure the risks properly assessed. If a question or section is not relevant to your project then it should be indicated as N/A (Not Applicable).

Each section of this template has been created to make things as straightforward as possible, with specific guidance notes in place. Prior to completing this PIA you should familiarise yourself with the Information requirements, policies and guidelines of you local borough:

[City of Westminster – Knowledge and Information Management](#)

[Hammersmith & Fulham – Information Management](#)

[Royal Borough of Kensington and Chelsea – Information Management](#)

If you have any further questions please contact your local Information Manager (contact details at end of document).

4. Process For completion

- a. The Project Manager/lead officer from the service to complete the PIA
 - Section 1 – This provides an initial screen to identify those projects that do not require the completion of a full PIA.
 - Section 2 – This section must be completed if any of the initial screening questions are **YES**
- b. Send completed PIA to the Tri-borough Information Managers who will review and feedback.
- c. Once the review process is completed send to the relevant Senior Information Risk Owner, Information Asset Owner or Information Manager for sign-off
- d. Hold onto a copy of the signed PIA with the project documentation and also send a copy to your local Information Manager

DO NOT SUBMIT THIS COVER SHEET

Tri-Borough Privacy Impact Assessment

Section 1 - Assessment Details

1.1	Title of Project/Programme/Process	Procurement of MSP for Agency Workers
1.2	Date of Completion of form	29 December 2015
1.3	Name of person completing form	Gordon R Smith
1.4	Your job title	Shared Senior HR Business Partner
1.5	Your telephone number	020 8753 2958
1.6	Your directorate	FCS
1.7	Your Business Unit	Human Resources
1.8	Your Team	HR

1.9 What is the aim of the project, and what activities are involved?

Response:

The Council currently outsources the recruitment, management and payment of Agency Workers to a Managed Services Provider (MSP). The contract is due to terminate in June 2016 without the option for extension and it is necessary to ensure that a new MSP contract is procured timeously.

Agency Workers are not Council employees.

The cabinet report seeks permission to procure a new MSP contract direct via a national framework which will negate the need to go to tender.

Therefore no personal information is being used or stored to assist the Procurement Exercise.

However, the Contract to be procured relates to the recruitment of Agency Workers and therefore recruitment agencies will be required to obtain and share certain personal and screening recruitment information with Pertemps, BT (Agresso) and H & F to assist with eg selection processes, salary administration, record keeping and monitoring etc projects deemed necessary for the smooth running of the Contract.

The Contract will include reference and adherence to all relevant aspects of the DPA and the Privacy of sensitive information by Pertemps and the c 67 recruitment agencies.

- 1 Approximately 67 Recruitment Agencies will ingather recruitment information submitted by job applicants and will also conduct screeneing for eg right to work, DBS etc
- 2 Recruitment information for selected candidates will be shared with H & F recruiting Managers who will make value judgements on candidates shared information.
- 3 Pertemps will hold relevant recruitment information on engaged agency workers and will share this with BT via an electronic interface established between PAWS (Pertemps Agency Workers System) and Agresso for finance, invoice and payment purposes. Candidate names will be visible on agresso
- 4 Pertemps will share engaged information with selected HR staff on request to assist with monitoring, future procurement, and other specific exercises.

--

Guidance Note – 1.9

Please specify if this involves the procurement, commissioning or upgrade of a service or technology, or other

The more detail that is included in this section, the easier it will be to assess the impacts of the project. Outputs of the project must be clearly identified.

1.10 Initial Screening Questions

#	Question	Yes	No
1	Will the project involve the collection of new information about individuals?	x	
2	Will the project compel individuals to provide information about themselves?	x	
3	Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?		x
4	Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?		x
5	Does the project involve you using new technology which might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition.		x
6	Will the project result in you making decisions or taking action against individuals in ways which can have a significant impact on them?		x
7	Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For nexample, health records, criminal records or other information that people would consider to be particularly private.		x
8	Will the project require you to contact individuals in ways which they may find intrusive?		x

Did you Answer **YES** to any of the above? If so Section 2 **MUST** be completed!

Completed By.....**Gordon R Smith**.....
 Position.....**Shared Senior HRBP**.....
 Signature.....
 Date**30 December 2015**.....

Section 2 – Privacy Impact Assessment Checklist

2.1 Has a PIA/Checklist been undertaken for this initiative before? If so, please give dates and provide copy (where possible)

Response:

No

2.2 Please give details of any legal requirements for this project, e.g. government initiative, specific legislation for example: - Crime and Disorder Act 1998.

Response:

N/A

Guidance Note – 2.2

It is vital that any legislative requirement is outlined in this section; it will provide a strong support for the use of personal or sensitive personal data.

2.3 The project will use (process) the following data

Title of Dataset	Data Source		Is the Data Sensitive Personal Data (Y/N)
	Borough	System	
Recruitment and Personal Information	LBHF	PAWS / Agresso	Yes, in part

Guidance Note – 2.3

Please include all the data sets and their sources that will be used in the project. Even though some sources may not contain personal data, when combined with other data sets used these may create a new data set that will enable an individual to be identified.

Where the data used is either from CHS or ASC, the appropriate Caldicott Guardian must be consulted.

NOTE: For definitions of personal and sensitive personal data please refer to glossary at the end of the document.

2.4 How will that data be used and have the subjects of that data been informed of and/or provided consent for this purpose?

Title of Dataset	Metadata Element	Reason for use of Data	Has consent been obtained for use (Y/N)
------------------	------------------	------------------------	---

Personal Records	All	Recruitment, Assessment and Payment and monitoring	Yes

Guidance Note – 2.4

Any use (processing) of personal data has to be undertaken in a fair and lawful way. Data used must also be relevant and not excessive. Therefore the project must be able to demonstrate exactly why the use of a data set is important.

Note: this cannot be just a “fishing” exercise

Obtaining informed consent from the individual to use their data for the specific purpose will provide a robust legitimate reason for using the data. Not having consent does not prevent the use of data, but you should consult with your local information manager if you are seeking to use data without consent.

Note: Metadata Elements are the individual data parts of a dataset, for example a dataset of client information may contain metadata elements such as “forename, Surname, Address, Age” each of which potentially could be extracted individually

2.5 Who do you intend to share the data with (name all intended internal and external recipients)?

Data Title	Who be given access to the data	reason for access
Personal Records	Recruitment Agency	Recommending Worker(s)
	Pertemps	Recruitment information for selected candidates will be shared with H & F recruiting Managers who will make value judgements on candidates shared information. Pertemps will hold relevant recruitment information on engaged agency workers and will share this with BT via an electronic interface established between PAWS (Pertemps Agency Workers System) and Agresso for finance, invoice and payment purposes. Candidate names will be visible on agresso
	BT (Agresso)	for finance, invoice and payment purposes. Candidate names will be visible on agresso
	H and F	Selection Decisions (Recruiting Manager)

		and HR Staff for with selected HR staff on request to assist with monitoring, future procurement, and other specific exercises.

Guidance Note – 2.5

All data controllers must be able to trace when and where the data was collected and also who has been provided with access to the data.

2.6 When obtaining and/or sharing the data how will it be transferred? E.g. non-encrypted email, encrypted email etc.

Applicant response:

Electronic Transfer via password protected spreadsheets attached to emails

Guidance Note – 2.6

Personal data must be transferred in a safe and secure way. In this section you must outline the exact methodologies used in the project for moving/transferring data.

2.7 How will the data be stored, for how long will the data be stored, and what security arrangements are in place to maintain will exist in respect of the data?

Response: Within LBHF

Electronically in password protected desk top computers

Paper spreadsheets will be retained in locked drawers and / or cabinets

Both for the duration of the engagement or the exercise being conducted

Guidance Note – 2.7

Have you consulted / implemented where applicable, your borough's:

- Records Management Policy
- Retention Schedule

Information Security Standards:

- Have you consulted (and received sign-off from) the Information Security Manager (see contact details at end of this document)

2.8 What are the risks to the individuals whose data is being used in this project

Risk	Impact (i)	Likelihood (l)	Risk rating (i x l)	Mitigation
Public Access to personal records (Hacking)	Low 2	Improbable 1	2x1 = 2	The Councils Firewalls to be relied upon
Overall				

Guidance Note - 2.8

The PIA process is a risk based model the aim is to identify any risks that may result for the use of personal data. The misuse of personal data could lead to significant impacts on the lives of individuals therefore prior to using any personal data all risks must be identified and mitigated.

In order to measure the correct level of risk you are required to assess this using the following risk methodology to determine the overall impact to your service or the Council.

Impact	Description
1. Very Low	<ul style="list-style-type: none"> Insignificant impact to the service or the Council Unauthorised access to, loss or damage to ordinary personal data of up to 10 living individuals, cost impact £0 to £25,000
2. Low	<ul style="list-style-type: none"> Minor impact to the service or the Council Localised decrease in perception within service area – limited local media attention, short term recovery Unauthorised access to, loss or damage to ordinary personal data of 11-999 individuals, cost impact £25,001 to £100,000
3. Medium	<ul style="list-style-type: none"> Moderate impact to the service or the Council Decrease in perception of public standing at local level – media attention highlights failure and is front page news, short to medium term recovery Unauthorised access to, loss or damage to sensitive data of 11-999 individuals , cost impact £100,001 to £400,000
4. High	<ul style="list-style-type: none"> Major impact to the service or the Council, Decrease in perception of public standing at regional level – regional media coverage, medium term recovery from incident Unauthorised access to, loss or damage of sensitive data to over 1000 individuals, cost £400,001 to £800,000
5. Very High	<ul style="list-style-type: none"> Catastrophic impact to the service or the Council Decrease in perception of public standing nationally and at Central Government – national media coverage, long term recovery from incident Significant long term damage or distress to large numbers of people, cost £400,001 to £800,000.

Descriptor	Likelihood Guide
1. Improbable, extremely unlikely	<ul style="list-style-type: none"> Virtually impossible to occur 0 to 5% chance of occurrence.

2. Remote possibility	<ul style="list-style-type: none"> Very unlikely to occur 6 to 20% chance of occurrence
3. Occasional	<ul style="list-style-type: none"> Likely to occur 21 to 50% chance of occurrence
4. Probable	<ul style="list-style-type: none"> More likely to occur than not 51% to 80% chance of occurrence
5. Likely	<ul style="list-style-type: none"> Almost certain to occur 81% to 100% chance of occurrence

Mitigations

You are required to outline of any mitigating measures that have been taken as part of the project to help justify the score given.

Note: This risk may be subject to moderation following the review by the information managers

2.9 Will the project involve any surveillance of any person by any means? (e.g. CCTV, communications monitoring)

Response:
No

2.10 Will the project involve any targeted marketing activities? For example: the promotions of goods or services via post, telephone and/or email?

Response:
No – for LBHF only occasional emails reminding of payroll deadlines or changes to deadlines

Guidance Note – 2.10

Any targeted marketing activities will require consent of the data subject. This should if possible be explicit consent and evidenced as part of the completion of this process.

If explicit consent has not been provided then it may be possible to imply consent however to determine this you should consult with your local information Manager.

2.11 At what stage in the project are you completing this checklist and what is the target deadline for “go live”?

Response:
At point of finalising report to Cabinet scheduled on 7 March 2016

2.12 Have you or do you plan to include data protection in any of the governance documentation, such as requirements specifications, contracts, risk and issue logs or SLA?

Response:

Yes – contract will include rweference to DPA and will reqquire active adhesion to requirements

2.13 Do you plan to use live personal data in testing the new system?

Response:

No

2.14 Where will the shared data be held/stored?

Response:

N/A

**Project Manager Name...Gordon R
Smith.....**

Project Manager Signature.....

Date.....30 December 2015.....

Section 3 – Information Management Review (this is to be completed by the information managers)

3.1 Comments

IM Comments:	
H&F	
RBKC	
WCC	

3.2 Required Actions

#	IM Requirement	Date Met
1		
2		
3		

3.3 Final Agreed Project Risk Rating (Tick relevant box)

Risk level	
Low 1-10 - Project can proceed	
Medium 11-15 - Minor actions are required before proceeding	
High 16+ - Significant actions required	

3.4 Sign off Level – Recommendation

Following the review of this PIA the Information Manager/s recommend that this PIA is signed off by

Tick Box	Level
	Senior Information Risk Owner (risk level 16+)
	Information Manager (risk level 11-15)
	Information Asset Owner (risk level 1-10)

Section 4. Signatories

Signature of Information Asset Owner.....

Signature of Information Manager.....

Signature of Senior Information Risk Owner.....

Print Name of signatory.....


Date.....

Section 5 - Key Contacts

Information Managers		
Name	Council	Email Address
Ciara Shimidzu	LBHF	Ciara.Shimidzu@lbhf.gov.uk
Fatima Zohra	WCC	fzohra@westminster.gov.uk
Liz Man	RBKC	Liz.Man@rbkc.gov.uk
Information Security Managers		
Name	Council	Email Address
Adrian Dewey	LBHF	Adrian.Dewey@hfbp.co.uk
Phil Catling	WCC	pcatling@westminster.gov.uk
Valerie Benmehirize	RBKC	Valerie.Benmehirize@rbkc.gov.uk

Glossary

<To Be Added>

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">7 MARCH 2016</p>	
<p>EXTERNAL REFURBISHMENT OF THE ELEVATIONS, ROOF WORKS AND SOME DEFINED INTERNALS FOR HAMMERSMITH CENTRAL LIBRARY</p>	
<p>Report of the Cabinet Member for Finance: Councillor Max Schmid & Cabinet Member for Environment, Transport and Residents Services: Councillor Wesley Harcourt</p>	
<p>Open Report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt financial information.</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: Hammersmith Broadway</p>	
<p>Accountable Director: Maureen McDonald Khan – Director of Building and Property Management</p>	
<p>Report Author: Kevin Bridge – Project Manager (LINK)</p>	<p>Contact Details: Tel: 07739315400 E-mail: kevin.bridge@rbkc.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The external refurbishment of the roof, external elevations and external water drainage of Hammersmith Central Library is a key corporate priority for 2016. These works will provide reliable water proofing system, better drainage and improvement to the thermal quality of the building. This will preserve the life expectancy of the building and further protect the investment made internally in 2014 as part of the “More than a Library Brand”, to improve the customer offer, and to repair and upgrade the internal fabric of the building.
- 1.2. Post completion of the internal works in 2014 widespread water penetration from the exterior was identified. Amey Community Limited was commissioned in January 2015 to undertake a full external condition survey. This identified that the existing roof covering, exterior surface drainage and externals have deteriorated extensively in parts over time

and in a poor state of repair. This is causing the water to penetrate internally causing damage to the newly finished internal fabric in parts of the building.

2. RECOMMENDATIONS

- 2.1. That approval be given for the works to be procured from Amey Community Limited to commence on 4th April for a period of twenty-six weeks in accordance with the approved Terms and Conditions of the Shared Service - TFM contract.

3. REASONS FOR DECISION

- 3.1. This report is seeking Cabinet approval to instruct Amey Community Limited under the Shared Service - TFM contract in accordance with the approved Terms and Conditions to procure services from Heeran Construction and to manage and carry out the urgent external refurbishment and repairs required in order to protect the building asset from further deterioration.
- 3.2. The existing roof covering (including roof lights) and external walls have deteriorated extensively over time and are in a poor state of repair causing widespread water penetration damage to the internal fabric of the building. These works need to be undertaken to provide reliable water proofing and improve the thermal quality of the building which will extend the life expectancy of the building.
- 3.3. In 2014 Hammersmith Central Library underwent a major internal refurbishment as part of the “More than a Library Brand” to improve the customer offer, and to repair and upgrade the internal fabric of the building. Completion of the exterior refurbishment of Hammersmith Library, is now a key corporate priority for 2016 to further protect the investment already made internally.
- 3.4. Amey Community Limited have tendered and completed a quotation analysis which was verified by LINK and recommends that Cabinet accepts the quotation submitted by Heeran Construction for the proposed works as detailed in paragraph 5.1.

4. INTRODUCTION AND BACKGROUND

- 4.1 Hammersmith Library is a Carnegie Central Library designed by Henry T Hare and was constructed in 1905. It is a Grade II listed building. The library is considered to be an example of “Edwardian Baroque” with external walls comprising red stock brick and Portland stone construction with Palladian windows. The front elevation features sculptural ornaments (including those of Shakespeare and Milton and reliefs of Literature and Art, Industry and Science) in Portland stone. The roof is principally a pitched roof with a covering of natural slate although there are flat roofs

with asphalt roof coverings to the rear. The windows are predominantly single glazed leaded light metal casement windows within timber frames.

- 4.2 In 2014, as part of “More than a Library Brand” already implemented at other H&F libraries, Hammersmith Library underwent an extensive internal refurbishment. This aimed to incorporate all opportunities to improve the customer offer, to repair and upgrade the internal fabric of the building as well as ensuring the refurbished facility is as cost effective as possible.
- 4.3 Areas of water penetration were identified after the completion of the internal works. Amey Community Limited were commissioned in January 2015 to undertake a full condition survey to the roof & external elevations of Hammersmith Central Library. The subsequent report identified the existing condition and specified remedial works required to extend the life expectancy of the building. The finalised report was issued in April 2015, along with a preliminary programme for tender, procurement and completion of the works.
- 4.4 This report is seeking Cabinet approval under the Shared Service - TFM contract to instruct Amey Community Limited, in accordance with the approved Terms and Conditions, to procurement services and to manage and carry out the extensive external repairs urgently required.

5. PROPOSAL AND ISSUES

- 5.1. The proposed works are to replace the existing roof covering, repair water penetration points and improve drainage and water run-off whilst ensuring that the building remains operational and that disruption to the users is minimal. Works also include for the repair of cosmetic decoration damaged internally by water penetration in selective areas. The proposal will reduce the maintenance of the building and prevent further deterioration.

5.2 Procurement Details

- 5.2.1 The Cabinets of each of the Shared Services Councils gave approval to the appointment of Amey Community Limited to provide Facilities Management Services for a period of 10 years (Plus 3 year’s optional extension). The Cabinet of Hammersmith & Fulham Council gave their approval on the 13th May 2013.
- 5.2.2 Client-side officers from LINK (Shared Services) have reviewed the project requirements and programme timescale and agree that the appointment of Amey Community Limited is appropriate for this project. The contractor has been approached and agrees that they can meet the specific requirements of this project. LINK confirms that Amey Community Limited has procured the subcontractor in line with the Council’s procurement process.

5.3 Funding, Cash flow and programme of works

- 5.3.1 The funding for this scheme will be met from the Corporate Planned Maintenance Programme and was approved at Cabinet on the 3rd March 2015 as a key decision.
- 5.3.2 Amey Community Ltd has carried out a tender process and obtained specialist sub-contractor tenders.
- 5.3.3 It is recommended that the contract be awarded to Amey Community Ltd and their subcontractor Heeran Construction to undertake the urgent external refurbishment and repairs required in order to protect the building asset from further deterioration.

5.4 Programme of works

Projected start on site: 4th April 2016

Projected Completion: 3rd October 2016

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1 External refurbishment of the roof, external elevations and external water drainage of Hammersmith Central Library are urgently required due to extensive deterioration over time causing water penetration and damage to the newly finished internal fabric in parts of the building. If works are not carried out, this would continue to degrade further reaching limits beyond economical repair.

7. CONSULTATION

- 7.1 These works form part of the Corporate Planned Maintenance Programme – TFM which was approved by Cabinet on the 13th May 2015.

8. EQUALITY IMPLICATIONS

- 8.1 There are no Equality Implications.
- 8.2 Implications verified/completed by: Kevin Bridge, LINK

9 LEGAL IMPLICATIONS

- 9.1 The recommendation to carry out works which amount to planned maintenance is supported by the Project Agreement with Amey Community Limited dated 10th June 2013. This agreement allows sub-contracting.
- 9.2 The cost of these works including fees should be verified for pricing under the Project Agreement between the Councils (the agreement is between Amey and RBKC, WCC and LBHF) and best value considerations.

9.3 Implications verified/completed by: Jonathan Miller (Contracts)

10 FINANCIAL AND RESOURCES IMPLICATIONS

10.1 The funding for this scheme will be met from the Corporate Planned Maintenance Programme and was approved at Cabinet on the 2nd February 2015 as a key decision. This is a variation to programme and is in accordance with the agreed protocol for the programme amendment and scheme substitution.

10.2 Implications verified/completed by: Gary Hannaway, Head of Finance – TTS.

11. RISK MANAGEMENT

11.1 The Building and Property Management Service maintains a risk register, risks are regularly reviewed and assessed for their significance, the risks associated with the strategic risk register are;

- Market testing; risk number 4, ensuring the best possible services are delivered at lowest possible cost to the taxpayer through procured services.
- Business Continuity and service resilience, minimising any disruption of services to our customers, risk number 6;
- Managing Statutory duty including Health and Safety, risk number 8;
- and Maintaining Standards and Delivery of Care;

The recommendations to undertake the works contribute positively to the mitigation of risk. There are no other strategically significant risk implications associated with the report. Contractors to work safely and in accordance with the Council Health and Safety standards.

11.2 Implications verified/completed by: Michael Sloniowski, Shared Services Risk Manager (Risk Management).

12. COMMERCIAL & PROCUREMENT IMPLICATIONS

12.1 The Director agrees with the recommendations contained in this report. There are no procurement related issues as the recommendation relates to an order to be placed with Amey Community Ltd who is the Council's contractor responsible for managing its estate buildings under the "Tri-borough's' Total Facilities Management Contract". In accordance with the contractual arrangements with Amey, Amey have tendered the works and propose to sub-contract this element of the project to Heeran Construction.


12.2 Implications verified/completed by: Alan Parry, Interim Head of Procurement (Job-share).

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		

LIST OF APPENDICES:

None.

London Borough of Hammersmith & Fulham CABINET 7 MARCH 2016		 hammersmith & fulham
ENHANCEMENT OF ALTERNATIVE PROVISION AT THE BRIDGE AND GRESWELL STREET SITES		
Report of the Cabinet Member for Children and Education – Councillor Sue Macmillan		
Open Report A separate report on the exempt part of the Cabinet agenda provides exempt financial information.		
Classification - For Decision Key Decision: Yes		
Wards Affected: Palace Riverside		
Accountable Executive Director: Andrew Christie Executive Director of Children's Services		
Report Author: Dave McNamara Director of Finance & Resources, Children's Services	Contact Details: Tel: 07739314756 E-mail: dave.mcnamara@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1 This report requests that the Cabinet agrees to enhance the curriculum offer to H&F students at the borough's Alternative Provision at the Bridge Academy site run by TBAP, through the redevelopment of the site . The proposal will incorporate the proposed 16-19 Alternative Provision (AP) Free School and a new multi-agency hub to enable interagency work including that of the Youth Offending Service, NHS and employment support agencies, to be carried out on site. A map of the current site is attached as Appendix 2.
- 1.2 To facilitate the proposal, Action on Disability are to be supported to relocate from Greswell Centre, adjacent to Bridge Academy's current site to the Normand Croft Primary School site.
- 1.3 Subject to Secretary of State approval the Greswell St site is to be incorporated into the comprehensive Bridge Alternative Provision Academy including the Free School refurbishment and new build proposals.

- 1.4 The estimated cost of the scheme is £10m of which the Council will allocate £6m from Section 106 funding. The remainder of funding has been secured by TBAP from the EFA.

2. RECOMMENDATIONS

- 2.1 That the Council supports the enhancement of the curriculum offer to H&F students at the borough's Alternative Provision Academy at the Finlay Street site run by TBAP, through the redevelopment of the site
- 2.2 That the Council agrees to contribute £6m from S106 contributions subject to confirmation that the balance of the funding is secured by TBAP.
- 2.3 Subject to the approval of the Secretary of State, that the Council agrees to incorporate the Greswell St site in a 125 year academy lease to TBAP
- 2.4 That the Cabinet agree to the appointment of LSI architects to develop the scheme to Royal Institute of British Architects Stage 7 (occupation) as outlined below and in accordance with the procurement process advice given in Part B;
- 2.5 That the Council delegates to the Cabinet Member for Children and Education the appointment of a construction contractor, subject to the proper procurement processes being followed, the scope being agreed and the costs being within budget.

3. REASONS FOR DECISION

- 3.1 The Council established the Bridge Academy as an innovative Alternative Provision School at Finlay St in 2006 for 11-16 year olds who had been excluded or were at risk of exclusion. The Bridge Academy took over the running of alternative provision at Kensington & Chelsea and Westminster City Council and established itself as a highly regarded AP provider, subsequently converting into a multi-academy trust under the aegis of TBAP, the Tri-Borough Alternative Provision Trust.
- 3.2 Under its last OFSTED inspection in May 2013, the Bridge Academy was judged to be outstanding in all categories

The achievement of pupils
The quality of teaching
The behaviour and safety of pupils
The leadership and management

- 3.3 In order to enhance the education outcomes of children further the leadership and management of the Bridge Academy have identified a number of key elements to enhance the offer for H&F students.

Improved suitability to improve curriculum offer (Sports hall)

Enhanced curriculum enrichment offer on-site taking place before and after school and at weekends

New sixth-form provision

Multi-agency hub incorporating the youth offending service, health workers, including sexual health support, / therapeutic specialists and an Enterprise zone.

4. INTRODUCTION AND BACKGROUND

- 4.1 On November 3rd 2014 the Cabinet agreed in principle that the site of both the current Bridge Academy and the Greswell Centre be developed to include a 16-19 AP Free School (subject to the bid to the DfE being successful), under the aegis of the Tri-Borough Alternative Provision Trust (TBAP). A map of the current site is attached as Appendix 2.
- 4.2 The process of appointing a design team was begun under Director's Authority to Proceed commencing with an opportunity notice in March 2015. One bid was scored the highest in July 2015, that of LSI, coincidentally known to the Authority through its detailed design of Queensmill School. The evaluation process and details are set out in Part B below; Bridge senior staff joined with officers in that work and agreed the outcome.
- 4.3 Significant remodelling of the site is required in order to upgrade the current facilities to incorporate the new sixth-form and to enhance the additional support packages required for students and to make provision on site for the multi-agency services so important for effective delivery
- 4.4 A successful Priority Schools maintenance application is currently being quantified; but the work required to make the buildings fit for purpose going forward and to design and construct the Free School will require a significant investment from the Council.
- 4.5 As a result of the Council's investment, The Bridge would become a purposely designed, 21st facility on site, minimising numbers of young people not in education or employment (NEET) with an improved vocational education offer on site. The confidential Part B paper attached affords further detail.
- 4.6 This redevelopment would include remodelling and refurbishment of existing buildings and the provision of new educational facilities

5. PROPOSAL AND ISSUES

5.1 The proposal is to:

- Upgrade and remodel the current buildings on the site to provide a 21st century Alternative Provision School for predominantly LBHF pupils on the Bridge/ Greswell Centre site, to include improved sports and other specialist facilities;
- Provide a 16-19 Free School;
- Provide additional facilities to include multi-agency spaces for use by organisations such as the Youth Offending Service, Health Workers, a NEET [Not in Education or Employment] Action Zone and a Community Café. These will provide a more comprehensive and easily accessible support programme for young people and promote wider links with the local community.

Relocation of Action on Disability (AoD)

5.2 The Council occupy the freehold of Greswell Centre and Action on Disability currently occupy the Greswell St site, albeit on a reduced footprint since the service relating to children relocated to the Lyric Theatre. CHS officers have captured AoD service needs and it is now proposed that AoD be supported in their relocation to another site in Fulham, Normand Croft Primary School, subject to agreement. The adult education provision currently delivered at Normand Croft will also continue to be provided on site. The Director of Property & Building Management has delegated powers to agree terms of occupation with the school so AoD occupation is clearly outlined.

Appointment of Design Team for the Programme

5.3 The Project now requires the appointment of a Lead Consultant and a Design Team to enable the works to be progressed.

5.4 Separately the Project Manager/Employer's Agent and Quantity Surveyor will need to be appointed to eliminate any conflict of interest.

Appointment of a Construction Contractor

5.5 In relation to the appointment in due course of a construction contractor, every effort will be made to ensure that the preferred bidder adopts a social value approach to the execution of the contract, for example by:

- Delivering apprenticeships to local young people;
- Maximising opportunities for local small and medium-sized firms to form part of their supply chain.

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1 Three key options have been considered:

- Maintain the status quo;
- Minimal works to establish the new sixth-form
- The Council take the lead in funding the requirement to enhance the curricular offer for H&F students and incorporate it in to a design to establish the new sixth-form and expand the offer to include an inter-agency hub

6.2 The first option fails to utilise the EFA resource, does not address urgent maintenance issues and does not provide the 16-19 provision felt to be so critical in providing for the ongoing, mostly but not exclusively, academic education required for a significant number of young people and not appropriately offered elsewhere. It is therefore not preferred.

6.3 The second option is more appropriate; but still fails to address the inherent issues with the current buildings, which not only need the structural repairs proposed by the EFA; but also extensive remodelling and refurbishment to make them fit for purpose going forward. Included in current concerns are corridors which are too narrow for safety; rooms of the wrong size for appropriate teaching and too few properly provided specialist spaces.

6.4 The third option is the preferred one as it allows the provision a future in appropriately designed buildings with wider opportunities for personal and social development. It is likely that the not insignificant outlay will yield, over time, an improvement in the social inclusion of the young people concerned and a decrease, as a result, in the costly anti-social behaviour associated with limited achievement, low self- esteem and fragmented support.

7. CONSULTATION

7.1 To date consultation has been confined to officers, members and TBAP. Going forward, TBAP will lead on consultation with residents on the design and subsequent planning application.

8. EQUALITY IMPLICATIONS

8.1 An Impact Assessment was drafted to support an earlier report. The impact remains favourable for children in LBHF, as the proposal will increase achievement and social inclusion and thus address inequalities of opportunity.

9. LEGAL IMPLICATIONS

9.1 The Cabinet can undertake this proposal to provide additional resource for the AP Bridge School expansion under its general power of competence.

9.2 However, as this is Education land ,the current applicable legislation is Schedule 1 to the Academies Act 2010 (as amended by the Education Act 2011), which has replaced the old Schedule 35A of the Education Act 1996.Schedule 1 requires a local authority to obtain SOS consent when it disposes of land that has been used as a school or for a 16-19 Academy within the last eight years.

- 9.3 The Council own the freehold of Greswell Centre, which is not used for any school facilities or education provision . The Council will have to appropriate this land from its current purposes to Education purposes and in doing so confirm that the land is no longer required for the purpose for which it is currently held.
- 9.4 The competitive procurement carried out for procuring a multi-disciplinary design consultancy service for expansion and refurbishment of the AP Bridge Academy is still good as such changes to design are minor and the basic tender requirements have not changed and the award under such procurement to LSI is a valid award compliant with Public Contracts Regulations.
- 9.5 The recommendations are accordingly endorsed.

Implications completed by: Babul Mukherjee, Senior Solicitor(Contracts)
Phone: 02073613410.

10. PROPERTY LEGAL IMPLICATIONS

- 10.1 The Council granted a 7 year lease to TBAP Trust on 1st April 2013 as an interim measure whilst the re-provision of education facilities were being crystallised. It is proposed, this lease is surrendered and two 125 year leases are granted (i) in respect of the Bridge Academy facilities (occupying the same land as the current short term lease and also (ii) a separate 125 year lease for the adjoining new Free School provision. The Council own the freehold of Greswell Centre, which is not used for any school facilities or education provision.
- 10.2 The Council has a duty under Section 123 of the Local Government Act 1972 not to dispose of land for less than the best price that can reasonably be obtained. If this land is to be disposed of at an undervalue then Secretary of State consent is necessary as the general consent under Circular 06/03 only allows for reductions in value of up to £2m. A valuation of the site is being undertaken by an external consultant but it is likely the value of the Greswell site exceeded
- 10.3 In addition, the Council can also under section 16 of the Education Act 1996 sell land/buildings below market value to facilitate new schools, subject to SOS consent.
- 10.4 LBHF agree to grant a long lease to TBAP for the Greswell Centre at nil value if SOS consent is secured as outlined above. This would allow the Free School to be constructed.
- 10.5 LBHF would also need to ensure capital funds are finalised and an agreed specification of works are approved by AoD for their new accommodation at the Normand Croft Primary School. Any property revenue costs to be borne by AoD need to be understood.

- 10.6 If s106 monies are to be used the planning agreements will have to be reviewed and if necessary renegotiated. Legal advice and support will be necessary.

11. PLANNING IMPLICATIONS

- 11.1 A planning assessment has been issued to help ensure that the best form of future development takes place on this sensitive site. This work will continue as part of the pre-application and application process. The decision to progress this proposal will, as always need to be made without prejudice to any decision that may be made on any future planning application.
- 11.2 In respect of accessing the S106 funding, officers are currently working through the opportunities to use funds for this project.

Implications verified by Peter Kemp on behalf of Director of Planning and Growth.

12. FINANCIAL AND RESOURCES IMPLICATIONS

- 12.1 The Financial implications of this report relate to the disposal of Greswell St at nil receipt; the £6m funding of the project from the Council and the potential VAT implications in relation to the scheme.
- 12.2 In October 2014, the Council approved the disposal of the Greswell St site to TBAP. At that time the valuation was approximately £2m. A new valuation of the site is now being sought and is likely to be in excess of £2m. The eventual valuation will represent the value of the capital receipt the Council is foregoing in order to support this scheme. Foregoing a capital receipt represents an opportunity cost to the Council as a whole as it could otherwise be used to finance the capital programme or reduce capital debt.
- 12.3 The report proposes that the Greswell site is transferred at nil consideration. This would need to be done with regard to S123 of the Local Government Act 1972 which ordinarily requires property to be disposed of at best consideration. While exemptions to the Act exist under general consents from the Secretary of State (and would likely be applicable in this instance) the general consent in place only allows for reductions in value of up to £2m. As such an application will need to be made to the Secretary of State,
- 12.4 In addition to the transfer of land the Council's capital contribution to the scheme is set at £6m. This is to be funded from S106 contributions. S106 funding for this scheme would need to be set against specific S106 agreements that require funds for Education or Social and Physical Infrastructure. The work on identifying the funding sources is currently being carried out. The scheme is due to be built between September 2016 and December 2017.
- 12.5 If it is not possible to identify the full amount at this stage, then future S106 agreements will need to be set against the funding requirement of this scheme. In the meantime, funding for the scheme would be applied from

general capital funds and repaid by future S106 receipts. In the event that full funding from s106 cannot be identified any shortfall will need to be met from alternative sources, which could include general capital resources or borrowing. Were this to be the case there would likely be an impact on the Council's Capital Finance Requirement (CFR), either directly by increasing borrowing or indirectly by using resources which could have otherwise been used to reduce debt. This would result in an ongoing charge to revenue through increased Minimum Revenue Provision (MRP) charges. A reasonable estimate of such costs is 4% of the increase in CFR. If alternative funding is required, this will need to be subject of a further decision.

- 12.6 TBAP will access approximately £4m from the Priority Schools Building Programme and a grant to establish the sixth form as a Free School. Both of these funding elements will be distributed by the Education Funding Agency
- 12.7 The financial elements of the proposed scheme are complex and consideration must be given to the impact on the council's VAT partial exemption limit.
- 12.8 The VAT Partial Exemption makes special provisions for Local Authorities to reclaim the input tax on exempt activities providing such activities do not exceed 5% of the Council's overall input tax in a given year. If this threshold is exceeded then all input tax recovered on exempt activities must be repaid to HMRC. The threshold varies from year-to-year as it is a function of a variable number (total input tax) but for an average year an unmitigated breach of the threshold would cost the Council upwards £2m.
- 12.9 In order to manage the impact on VAT, consideration needs to be given as to how the Council may manage the project within existing thresholds including opting to tax and reviewing the flow of funding. It should be noted that if this project is managed within the threshold this may impact on other projects or activities across the Council.
- 12.10 The design and funding of the scheme must give due consideration to the most appropriate and efficient use of resources. It will be the responsibility of the Director of Finance and Resources (Children's Services) to ensure that the accounting for the scheme is appropriate within the £6m total contribution.
- 12.11 Revenue funding for the facility will be provided through the Dedicated Schools Grant

Implications verified by Dave McNamara, Director of Finance & Resources, Children's Services.

13. IMPLICATIONS FOR BUSINESSES

- 13.1 The construction programme will benefit local contractors and subcontractors, by offering work to them.

- 13.2 The development of the Enterprise Zone will seek to establish a link between local employers and students to encourage local job opportunities
- 13.3 It would also be the expectation that, through yet more effective 11-16 provision and the new 16-19 Free School, the local labour market would benefit from an increased number of young people entering it with both greater, more appropriate skills and a more focused attitude towards gainful employment.

14. RISK MANAGEMENT

- 14.1 The service department has a risk management framework in place. The framework requires that risks associated with projects are reviewed periodically, at least quarterly, and are escalated where they become significant. The most significant risks are captured on a service department risk register reviewed by the Senior Leadership Team, risks are allocated to individuals for their management and to ensure that there is sufficient accountability. The report proposes reasonable recommendations now that it is known that the scheme will be sovereign and not in partnership with the Royal Borough of Kensington and Chelsea. Strategic risks linked to the scheme and the Shared Services Risk Register are, risk number 4, Market Testing and ensuring that the Council secures the best possible commissioned services at best possible cost to the taxpayer, risk number 14 increasing complexity in managing relationships with schools.

Implications verified by: Michael Sloniowski, Shared Services Risk Manager, 020 8753 2587

15. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 15.1 The report seeks Cabinet approval for three procurement-related decisions:
- To proceed with a procurement to carry out the re-development of the Bridge Academy and Greswell centre sites, different than that originally advertised when sourcing the recommended architects for the scheme's design;
 - To appoint LSI Architects LLP as the Lead Consultant and full design team consultant for the development of the new scheme; and,
 - Prior approval to delegate the subsequent award of the construction contract to the Cabinet Member for Children and Education.
- 15.2 Legal advice on proceeding with the amended scheme is contained elsewhere within this report and not repeated here. Suffice to say that legal opinion is that the procurement does not need to be re-started.
- 15.3 The recommendation to appoint LSI Architects follows an OJEU notice and a mandatory fully regulated public procurement. As such, the competition to find the right Architects has been robust and transparent. The service

department recommendation to award to LSI is made on the basis on them having submitted the most economically advantageous tender, taking in to account quality and cost, and the Interim Director supports this recommendation.

15.4 Under the Council’s Contracts Standing Orders Cabinet can, if it wishes, give prior approval to delegate the award of forthcoming contracts, in this case the works contract for the construction of the new scheme, to:

- To the relevant Cabinet Member where the pre-tender estimate is below £1,000,000; or,
- To The Leader and the relevant Cabinet Member where the pre-tender estimate is between £1,000,000 - £5,000,000.

Where the pre-tender estimate exceeds £5,000,000, or the actual tender returned recommended for award is more than the estimate, CSOs require the award decision to be made by full Council. At the time of providing these comments, the report does advise of an estimated tender price.

15.5 The procurement of the construction and refurbishment elements of the scheme should provide good opportunities for the seeking of Social Value, local economic and community benefits from it. The service department should look to optimise these, with active advice and support from the Council’s Procurement and Local Economic Development Teams.

Implications completed by John Francis, Interim Head of Procurement (job-share), Chief Executive’s Department 020-8753-2582.

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

No.	<i>Description of Background Papers</i>	Name/Ext of holder of file/copy	Department/ Location
1.	N/A		

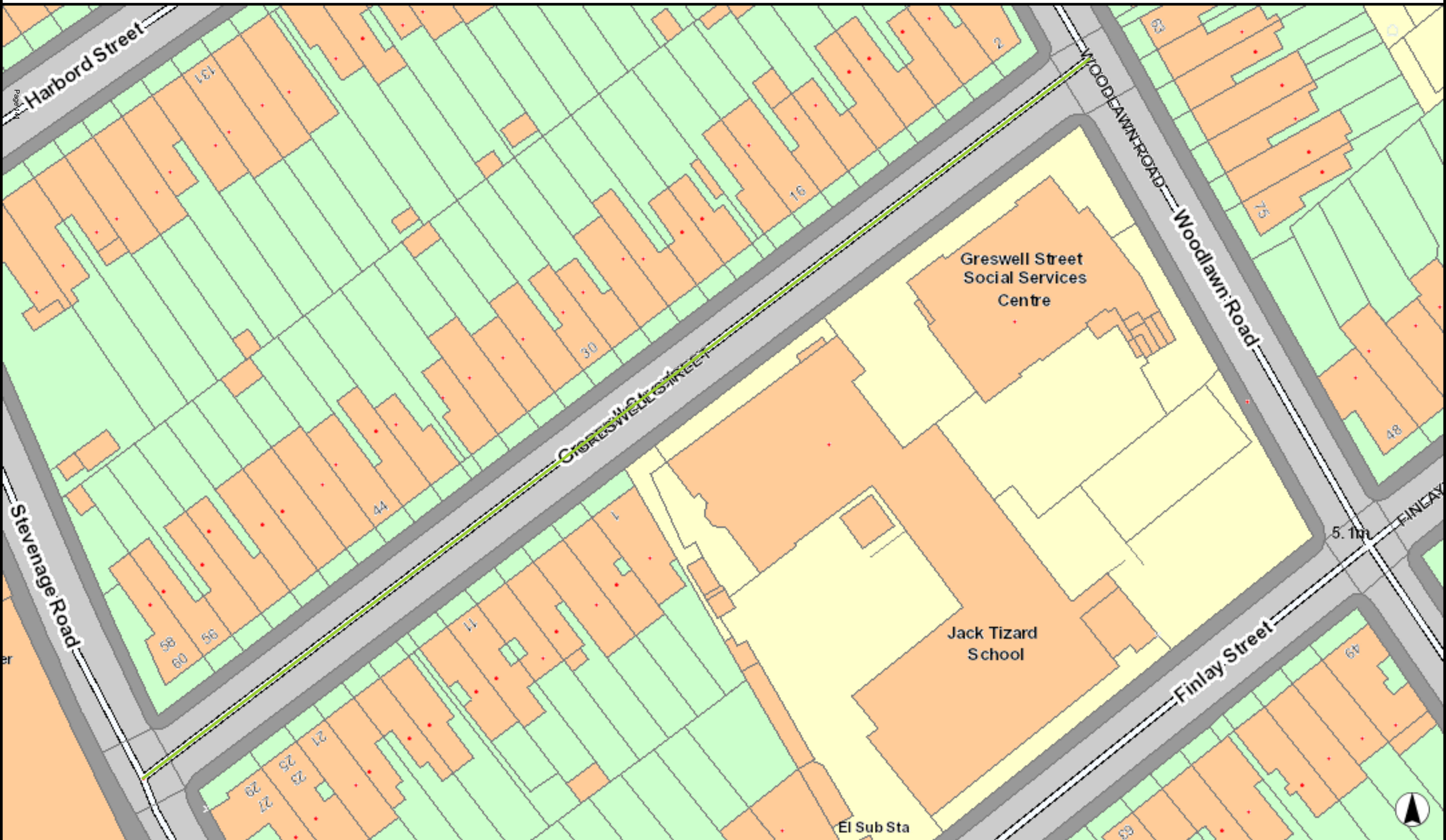
LIST OF APPENDICES:

Appendix 1 (contained in the exempt report on the exempt Cabinet agenda).


Appendix 2: Site Plan

London Borough of Hammersmith & Fulham

TBAP Site



Agenda Item 9

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">7 MARCH 2016</p>	
<p>COMMISSIONING AND PROCUREMENT STRATEGY FOR CHILDREN'S CENTRE SERVICES FOR HAMMERSMITH AND FULHAM</p>	
<p>Report of the Cabinet Member for Children and Education – Councillor Sue MacMillan</p>	
<p>Open Report – Yes</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Executive Director: Andrew Christie, Executive Director for Children's Services</p>	
<p>Report Author: Mike Potter Head of Commissioning (Early Intervention) Children's Services</p>	<p>Contact Details: Tel: 020 7641 2165 E-mail: mpotter@westminster.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report seeks agreement from Cabinet to waive the application of the Council's Standing Orders (CSO) is waived and for Cabinet to approve the direct award of twelve (12) contracts, with amended terms, for the provision of children centre services to incumbent providers. It is proposed to award all the contracts for one (1) year from 1st April 2016 – 31st March 2017 with the scope to extend for up to a further one (1) year, if required. It is anticipated that each of the 12 contracts will not exceed £589,148 (lifetime value).
- 1.2. The rationale for this request is that there is a comprehensive strategy being implemented to significantly change the way the service is delivered, and it is anticipated that the new model of delivery integrated with Early Help will be in place from 2017.

- 1.3. Until the new service is implemented, this approach seeks to ensure continuity of the existing children's centre provision and protect a range of statutory front-line services for vulnerable families.
- 1.4. The proposal for direct award has been approved by CoCo Board on 20th January 2016, and Business Board on 27th January 2016.

2. RECOMMENDATIONS

- 2.1 That the application of the Council's Standing Orders (CSO) be waived and for Cabinet to approve the direct award contracts to the existing service providers from 1st April 2016 up to 31st March 2017 with the scope to extend up to a further year if required. The maximum lifetime value of each of the 12 contracts will not exceed £572,000 (see appendix 1).
- 2.2 That Cabinet delegates authority to the Cabinet Member for Children and Education to approve:
 - i. any further actions necessary to ensure that the Council meets its statutory duties for the provision of children's centres and;
 - ii. any further extensions to the contracts to existing providers to run up to, but no longer, than 31st March 2018.

3. REASONS FOR DECISION

- 3.1. This approach is considered to be the optimum solution in order to;
 - achieve seamless quality service continuity for service users in the short interim period from 1st April 2016 to 31st March 2017 ensuring that the Council's compliance with statutory duties is not compromised;
 - develop, during this contract term, an innovative and integrated new service model (Children and Family Partnership model);
 - work with existing providers and partners to co-design the detail of the proposed Children and Family Partnership model, benefitting from their best practice and expertise;
 - enabling existing providers to shape delivery over the course of this interim contract towards the delivery of and supporting a smooth transition to the proposed Children and Family Partnership model.

4. INTRODUCTION AND BACKGROUND

- 4.1 Local authorities, under section 10 of the Children Act 2004, have a responsibility to promote inter-agency cooperation to improve the welfare of children, and under section 5A of the Childcare Act 2006 must ensure that there are sufficient children's centres, so far as reasonably practicable, to meet local need.

- 4.2 Hammersmith and Fulham currently commission a number of providers to deliver children's centre services across the 16 Children's Centre locations; the delivery is organised in a hub and spoke arrangement with seven hub children's centres and 9 spoke centres.
- 4.3 In October 2014 Cabinet extended the existing 16 Children's centre contracts for 1 year from 1st April 2015 until 31 March 2016.
- 4.4 The Council has provided Children's Centres with an exciting opportunity to work innovatively to deliver a service that has the core delivery aspirations of Sure Start at the centre – giving children the best start in life through improvement in childcare, early education, health and family support.
- 4.5 Building on the existing infrastructure and expertise in place to deliver the best possible offer for children and families, it is proposed that a new model for delivery through a single integrated early help offer is developed. This offer would connect a range of delivery partners Public Health, Clinical Commissioning Group (CCG) and Local Authority Family Services, including Children Centres) in support of a "Children and Families Partnership" (working title). This partnership approach will provide a single early help offer that supports children and families at all levels of need (Level 1-3). (see appendix 1 for further details).
- 4.6 The proposed model is an opportunity for Children's Centres to work innovatively and more effectively with partners, enabling them to further bring services and professionals together around a child and family to identify problems at an earlier stage, ensure a joined up response and improve outcomes for children and families. It is acknowledged that this model is a partnership model of delivery and therefore the engagement and commitment from key partners is critical to the realisation of benefits and the implementation of the new model.
- 4.7 The timeline for the development of the Children and Families Partnership model is:
- 4.8 **Phase 1: Design (Aug 15 – Mar 16)** The first stage has been to establish the design principles and identify new ways of working. During this phase Children's Services are working closely with colleagues in Public Health and Clinical Commissioning Groups to build a shared understanding of a future integrated service and seek their buy in for new ways of working and their commitment to the new service design.
- 4.9 **Phase 2: Transition (Apr 16 – Mar 17)** Continuation and development of existing provision, building capacity for change and aligning the current service offer with the proposed Children and Families Partnership
- 4.10 **Phase 3: Implementation (from April 2017)**

5. PROPOSAL AND ISSUES

- 5.1 From April 2016, in tandem with the development and co-design of the Children and Families Partnership model, Children's Centres will be commissioned from existing providers in a manner that supports the transition to the proposed Children and Families Partnership model, and reflects the Ofsted priority for targeted intervention through Children's Centres.
- 5.2 The performance of existing providers is good. There is a strong universal offer - the quality and range of services offered to families are good and feedback from families suggests that the provision is well regarded. However, there is an opportunity to deliver more effective support for families with additional needs (Level 2). This is reflected in recent Ofsted inspections.
- 5.3 Commissioning the provision in this way will drive service improvements through the development of a universal plus offer (Level 2) that responds to more complex family needs. (See appendix 2 for further details).
- 5.4 Existing Children's Centre providers will be commissioned to deliver the contracts from April 2016 for 12 months on the basis that they will work in partnership to co-develop the Children and Families Partnership model which will benefit from their best practice and expertise. They will be able to shape delivery so that it is more aligned to levels of need (universal and universal plus) over the course of this contract and build capacity for change, supporting a smooth transition to the proposed Children and Families Partnership model
- 5.5 It is anticipated that existing delivery sites may change in accordance with this. New sites may be required to better reach communities that need particular services. Contracts should be flexible to allow for provision to respond to need as it arises. Therefore there will be a shift away from having a contract for each site towards contracts with providers to deliver across their locality utilising multiple sites (where required) according to need. This will reduce the cost incurred by the Council in drafting multiple contracts for each site.
- 5.6 The funding level for Children's Centre provision remains the same as the previous financial year in 2015/16. In addition, efficiencies will be achieved through the development of an improved service offer for families with additional needs. Furthermore, by working in partnership with incumbent providers through a process of co-design, the longer term benefit of shared expertise will be realised through the development of new ways of working within the Children and Family Partnership model.
- 5.7 As the value for each of the 12 contracts will be below £589,148 (see appendix 1) they will not need to be advertised in the Official Journal of European Union and are not subject to the full extent of EU procurement rules

6 OPTIONS AND ANALYSIS OF OPTIONS

- 6.1 A number of options have been considered to ensure seamless service continuity for Children's Centres for at least 12 months whilst a new model is implemented:

6.2 **Option 1 – undertake an open competitive procurement exercise for a newly specified service.** This option would be the best practice route. However, in this instance, the incumbent providers are experienced in the delivery of the services to their local communities and could more easily accommodate the amendments we are seeking as they already have the infrastructure and the connections in situ. As a new service model is being developed for 2017, this option is not recommended as it would be expensive and not in the interest of the Council at present to procure new contractors.

6.3 **Option 2 - Modification of contracts during their term - not direct award**

As the extension period of the contract has not yet expired consideration can be given to modifying the contracts. This can be done provided there are no substantial modifications to the original contract. It is anticipated that the modifications in this case would not be considered substantial as:

- the modified contract will not be materially different in character with the current contract.
- There are no substantial modifications to the current contract
- There will not be an increase in the price of the contract during the interim period.

6.4 However, in order to remain within the permissible definition contained in the Public Contracts Regulations 2015 the term may only be extended for a short period (up to 12 months – end of March 2017). An extension beyond a year could exceed 50% of the tendered contract price and given the complexity of the project and there is a risk that the full implementation of a Children and Family Partnership may take longer than planned. The arrangements for the interim provision needs to be able to continue beyond 31st March 2017 should implementation be delayed.

6.5 **Option 3 - Direct award of new interim contracts with amended terms** To directly award contracts to incumbent providers with amended terms, will enable the Council to align service delivery with the proposals for the new service, ensuring continuity of provision until the new service is implemented.

6.6 It is acknowledged that there will be a risk that an organisation will question or challenge the direct awards being recommended. However, given the state of this particular supply market, the service department believes the risk of a challenge is unlikely and low. This could be further mitigated by posting a Prior Information Notice in 2016 stating the council's intention to develop a radical new service and inviting interested parties to express their interest and come and engage in pre-procurement dialogue with us to help shape this new service delivery model so that it works for all concerned – service users, schools, the Council, and the providers.

6.7 Considering the above, the optimum solution would be to replace the existing contracts with new contracts via a direct award (option 3), reflecting the need to re-specify the service and to align the provision with the future integrated services.

7 CONSULTATION

- 7.1 The new contracts do not result in any significant changes to service provision during this transition period, accordingly there is no requirement to consult on these minor changes. There will however be a full public consultation during 2016 with regard to the proposed Children and Families Partnership model.

8 EQUALITY IMPLICATIONS

- 8.1 The new contracts will result in only minor changes to service users. Out of the 16 sites from which we deliver services there are only two small changes to provision at 2 locations. The first location will offer different children's centre services (provision for under 5s) and the provision at the second site (which currently offers only 2 sessions a week which are barely attended) will be relocated within the same reach area in order to improve attendance and therefore benefit more families. The offer in this area will increase as a result. There will be extensive consultation and a full Equalities Impact Assessment undertaken on the new delivery model once this has been formulated. (David Bennett Head of Change Delivery (Acting) 020 8753 1628)

9 LEGAL IMPLICATIONS

- 9.1 The 12 individual contracts fall within the Light Touch Regime (LTR) under Chapter 3, Section 7 of the Public Contracts Regulations 2015 ("the Regulations"), as set out in Schedule 3 for contracts relating to social and other specific services. Contracts under the LTR with a value below £589,148 do not need to be advertised in the Official Journal of European Union and are not subject to the full extent of EU procurement rules.
- 9.2 In accordance with Regulation 76(1) the Council can determine the procedure to be applied in connection with the award of contracts and take into account the specificities of the service in question. However, the procedure must ensure compliance with the principles of transparency and equal treatment of economic operators. Under Regulation 76(7) the Council may apply procedures for the purpose of Regulation 76 which correspond (with or without variations) to procedures in the Regulations.

- 9.3 Implications verified/completed by Sharon Cudjoe, Solicitor, Tel: 020 7361 2993

10 FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1 The Contract price for the financial year 2016-17 is estimated at £2,045,200. The available funding for the Children Centres in 2016-17 is estimated at £2,045,200. The LBHF contracts are funded from the Council's core funding stream. This is estimated at £1,677,200 and the allocation of £368,000 funding from Public Health. Appendix 3 shows a summary of the figures stated above and of how the contracts funding costs have been calculated.

- 10.2 Implications verified/completed by: (Adele Patriciello, Senior Management Accountant, 020 8753 2897)

11. IMPLICATIONS FOR BUSINESS

- 11.1 This approach seeks to continue to procure Children's Centre provision from local organisations benefitting the local community. (Antonia Hollingsworth, Principal Business Investment Officer, Economic Development Learning & Skills, Planning & Growth. x 1698)

RISK MANAGEMENT

- 12.1 Market testing is a key strategic risk, achieving the best quality services at best possible cost for the local taxpayer, risk number 4. The risk of a Direct Award has been accepted by Children's Services to enable continued delivery of the service whilst a longer term strategy is worked through. The challenging financial setting of the service is one acknowledged as a financial risk in the short and medium term. The services risk management arrangements are that key risks are assessed periodically and are reviewed quarterly by the Senior Leadership Team.
- 12.2 Implications verified/completed by: Michael Sloniowski, Shared Services Risk Manager telephone 020 8753 2587.

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 13.1 Approval for the existing service arrangements for Children's Centres expires in April 2016. Normally, under the Council's Contracts Standing Orders, a competitive tendering exercise would be run to select providers for new contracts.
- 13.2 However, the Council does not currently have the clarity and certainty about the radically different future shape of the new service delivery model needed to run an efficient procurement, and deliver good quality value for money outcomes from it. Nor, at the moment, does the service department know exactly when the new delivery model will be finalised and the Council able to take it to the market; and, consequently, how long the interim arrangements need to run to ensure service continuity.
- 13.3 Under the Public Contracts Regulations 2015 (PCRs), which came into force on 26th February 2015, all of the services required from the Children's Centres are defined as "Social and Other Specific" services and fall under the Light Touch Regime; a mandatory competition would only be required if a contract value exceeds £589,148.
- 13.4 If the existing contracts can be modified under Regulation 72 of the PCRs for the period of time needed by the service department to ensure service continuity until the radically new contracts can commence, this course should be taken. If, however, it is not permissible under the PCRs to modify and

extend the contracts for the period of time needed, the Interim Head of Procurement supports the direct award of new interim contracts to run for a period of no more than 24 months, with options allowing earlier termination as and when the Council is able to take the new delivery model to the market.

- 13.5 Whilst each of the new contracts would be below the £589,148 figure requiring a mandatory competition, the risk of a possible challenge to the direct awards would remain. A balanced approach to this risk should be taken. Given the nature of the supply market for the interim contracts, and the economic unattractiveness of their short term to new entrants, the service department believe this risk is low. However low, it could be mitigated by the placing of some form of Prior Information Notice that both would signal the council's intention to run a competition for the radically new service in 2017/18, and at the same time invite interested parties to engage in pre-procurement dialogue with the Council to help inform the shape of the new delivery model.
- 13.6 Provision exists within Contracts Standing Orders for these to be waived if the appropriate body, in this case Cabinet, believe the waiver is justified, given the nature of the supply market, and in the Council's interests.
- 13.7 Comments provided by John Francis, Interim Head of Procurement (job-share), Chief Executive Department 020-8753-2582.

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.	October 6 th 2014 – Cabinet Paper - Interim proposal to extend current 16 Hammersmith and Fulham Children's Centre contracts for up to one year (published)	Yacoba Godwyll – x 2433	Children's services

LIST OF APPENDICES:

- Appendix 1**
- Appendix 2**
- Appendix 3**

Appendix 1:

Proposal for Children's Centres as part of an integrated early help offer: Children and Family Partnership model (from April 2017)

- 4.1 The Children's Centres play a key role in providing early help to vulnerable young families. They are ideally placed to identify early need and to work intensively with parents drawing on a range of multi-agency support, encouraging an asset based approach to enable individuals and families to be resilient and self-reliant.
- 4.2 A core strength of Children's Centres has also been in joining up services around children and families' needs and providing support from conception through the earliest years of a child's life. They bring services and programmes together for families and young children to have access to integrated, easily accessible health, early years and family support.
- 4.3 Building on the existing infrastructure and expertise in place to deliver the best possible offer for children and families, it is proposed that a new model for delivery through a single integrated early help offer is developed. This offer would connect a range of delivery partners Public Health, Clinical Commissioning Group (CCG) and Local Authority Family Services, including Children Centres) in support of a "Children and Families Partnership" (working title). This partnership approach will provide a single early help offer that supports children and families at all levels of need (Level 1-3).
- 4.4 The proposed model would marshal key resources to intervene earlier and to better target support to the most vulnerable children and families. This approach would work with families of children and young people from conception to age 18, (or up to 25 where there is an identified Special Educational Need).
- 4.5 It is proposed that 3 community based "Super" Children's Centres (working title) are developed, situated in key locations, through which the offer will be accessed. The "Super" Children's Centres would be a place in which a range of local services and provision comes together into a single integrated offer coordinated across multiple sites (maintaining at least the same number of sites offering Children's Centre services as there are currently), and ensuring that the benefits of universal provision (in terms of encouraging engagement amongst those families who might not access targeted provision and supporting the development of disadvantaged children through early intervention) are not lost.
- 4.6 This approach would ensure a core offer of support from conception into the early years of a child's life, but would recognise that children and families' needs do not stop there and that support is needed at different ages and stages.

Appendix 2

1. The commissioned offer during transition will therefore be based on the following principles:

- Strengthened preventative support within their universal offer
- Identification of those who need help early and connecting to appropriate support
- Increased availability of childcare and take up amongst vulnerable groups
- Improved parenting capacity and family attachment
- Improved school readiness
- Strengthened pathways to sustainable employment for parents
- A robust case work model approach to targeted work with families

2. The commissioned service will include:

- Access to a range of provision delivered in partnership and from multiple locations
- Transformation of generic Stay and Play sessions into needs led universal “drop in” provision that delivers best practice and innovation to promote:
 - i. early education, child development and school readiness
 - i. parenting aspirations, self-esteem and parenting skills;
 - ii. child and family health and life chances
- The development of a universal plus offer that includes a skilled home visiting case work element to support families with additional needs

Appendix 3

Reach area	Hub and spokes	Provider	Annual contract value	Lifetime contract value (including extension)
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Randolph Beresford	1. Randolph Beresford	Randolph Beresford Nursery		
TOTAL REACH SPEND			£286,000	£572,000

Old Oak	2. Old Oak	Mosaic		
TOTAL REACH SPEND			£285,000	£570,000

Cathnor	3. Cathnor Park	Vanessa Nursery	£175,000	£350,000
	4. Wendell Park			
TOTAL			£175,000	£350,000

Masbro	5. Masbro	Urban Partnership Group	£285,000	£570,000
	6. Masbro Brook Green	Urban Partnership Group	£38,000	£76,000
	7. Avonmore			
	8. Edward Woods			
	9. Shepherds Bush	Shepherds Bush	£20,000	£40,000
TOTAL REACH SPEND			£343,000	£686,000


Flora	10. Flora	Flora Primary School		
TOTAL REACH SPEND			£285,000	£570,000

Melcombe	11. Melcombe	Melcombe Primary	£285,000	£570,000
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		School		
	12. Bayonne	Bayonne Nursery School	£19,000	£38,000
	13. Normand Croft	Melcombe Primary School	£19,000	£38,000
TOTAL REACH SPEND			£323,000	£646,000

Fulham Central	14. Fulham Central	Pre School Learning Alliance	£285,000	£570,000
	15. Rays Playhouse Ltd.	Rays Playhouse Ltd	£19,000	£38,000
	16. New Kings/Thomas Academy	Pre School Learning Alliance	£44,000	£88,000
	17. Langford			
	18. Sullivan			
TOTAL REACH SPEND			£348,000	£696,000

Agenda Item 10

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>7 MARCH 2016</p>	
<p>APPROVAL TO EXTEND EXISTING CONTRACTS WITH CURRENT YOUTH SERVICE PROVIDERS TO ENABLE DEVELOPMENT OF A NEW COMMISSIONING STRATEGY WITHIN THE CONTEXT OF A PARTNERSHIP FOR YOUNG PEOPLE IN HAMMERSMITH AND FULHAM</p>	
<p>Report of the Cabinet Member for Children and Education – Councillor Sue Macmillan; and the Cabinet Member for Social Excursion – Councillor Sue Fennimore</p>	
<p>Open Report</p>	
<p>Classification: For Decision</p> <p>Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Executive Director: Andrew Christie, Executive Director of Children’s Services</p>	
<p>Report Authors: Paul Williamson, Interim Lead Commissioner - Young People</p>	<p>Contact Details: Paul Williamson: 07967 347643 E-mail: paul.williamson@rbkc.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval to extend the contract arrangements with existing youth service providers until March 2017 in order to develop a new borough-wide commissioning strategy.
- 1.2. A Partnership for Young People for Hammersmith and Fulham will be launched in February 2016. The Partnership for Young People will develop a new vision and set of priorities for young people. This will result in a comprehensive youth offer being delivered from April 2017.
- 1.3. The proposals in this paper are in line with the available budget for youth contracts in LBHF in 2016-17.
- 1.4. Subject to good performance, the intention is to direct award 12-month contracts to individual providers to ensure the continued delivery of universal and targeted youth services. Services will cover term-time and holidays and will be based in the community as well as in schools.

2. RECOMMENDATIONS

- 2.1. That approval be given to waive Contracts Standing Orders and extend the existing contracts with current youth service providers for a further one year.
- 2.2. That the Council's Contract Standing Orders, requiring public quotes to be sought for contracts be waived.
- 2.3. That specific approval be given to modify and extend the following service provision arrangements until 31st March 2017:
 - a) Provision of youth club services for North End and Fulham Broadway wards by the Brunswick Club with a contract value of £50,000.
 - b) Provision of youth club services for College Park and Old Oak wards by the Harrow Club with a contract value of £50,000.
 - c) Provision of youth club services for Wormholt and White City & Shepherds Bush wards by the Harrow Club with a contract value of £50,000.
 - d) Provision of youth club services for Sands End ward by the Harrow Club with a contract value of £50,000.
 - e) Provision of youth club services for Askew & Shepherds Bush wards by the Sulgrave Club with a contract value of £50,000.
 - f) Provision of youth club services for Avonmore and Brook Green, and Addison wards by Masbro Youth Club with a contract value of £50,000.
 - g) Provision of targeted holiday services by Action on Disability with a contract value of £50,000.
 - h) Provision of targeted term-time services by Action on Disability with a contract value of £50,000.
 - i) Provision of 'Sport, Fitness' and 'Well-being' holiday services by Let Me Play with a contract value of £49,600
 - j) Provision of universal community youth holiday Art and Fashion services by Let Me Play with a contract value of £49,700
 - k) Provision of universal community youth holiday Music and Performing Arts services by Let Me Play with a contract value of £49,200
 - l) Provision of a school-based term-time youth club by United Church School Trust at Hurlingham and Chelsea School with a contract value of £65,000
 - m) Provision of a school-based term-time youth club by Phoenix School with a contract value of £65,000
 - n) Provision of a term-time youth club with a contract value of £24,000 for children with disabilities. The service is currently under review and will be developed in partnership with key local organisations.
- 2.4. That a total budget of £741,060 be allocated for commissioned youth services in 2016-17. £702,500 of this funding will be made available for the direct award to existing youth providers, whilst £38,560 will be used for the Duke of Edinburgh Award Scheme and the printing of the 'Summer in the City' brochure.

3. REASONS FOR DECISION

- 3.1. The available funding for youth contracts in 2016-17 is £850,900.
- 3.2. A Partnership for Young People will be established in Hammersmith and Fulham. The Partnership will aim to bring together young people, key funders, businesses, youth providers, local residents and other key stakeholders. This will lead to the development of a comprehensive youth strategy which will attract resources to a set of agreed priority services.
- 3.3. Following the work of the Partnership for Young People, service models may vary significantly from April 2017. New models of provision are being explored to ensure the active engagement and commitment of key stakeholders, including residents, arts and sports organisations, local businesses, key agencies, and funding bodies.
- 3.4. The extension of existing contracts will ensure continuity of services during the development of a new borough-wide commissioning strategy within the context of the Partnership for Young People in Hammersmith and Fulham.

4. BACKGROUND

- 4.1. In August 2010, Cabinet agreed to the commissioning of youth provision in the borough. This meant that the council moved away from directly delivering provision, to a commissioned model, where services are delivered by a range of providers across the borough.
- 4.2. In January 2013, following a tender process, Cabinet agreed to a further period of commissioning of a range of providers for youth provision contracts from April 2013 to March 2015, which have subsequently been extended to March 2016.
- 4.3. The new administration is committed to the establishment of a multi-agency Partnership for Young People. The Partnership will seek commitment and sponsorship from a wide variety of partners, including businesses, young people, providers, agencies, residents, and other stakeholders.
- 4.4. Funded providers are working closely with the council on the development of new service models. They will benefit from a period of relative funding stability in 2016-17 to enable them to engage effectively in this process.

5. GOVERNANCE

- 5.1. It is planned that contracts with providers should be extended from April 1 2016. The contract extension will be 1 year, subject to performance and deliverables.
- 5.2. Specifications will be reviewed to ensure they reflect relevant outputs and outcomes expected of providers.
- 5.3. Providers will continue to be regularly monitored and are required to provide performance management information on a quarterly basis.

6. CONSULTATION

- 6.1. The LBHF Youth Council has been engaged in the development of the priorities for the Partnership for Young People in LBHF. A consultation with young people was carried out in April 2015 and the feedback will also inform the work of the Partnership for Young People once it has been established.
- 6.2. Regular meetings with the LBHF Youth Provider Forum have taken place. Providers are very keen to be involved in the Partnership for Young People and to develop new and more effective ways of working with a range of organisations.
- 6.3. The period of time to October 2016 will be used to effectively engage and secure the commitment of a range of stakeholders. The intention is to jointly plan, co-design and implement a borough-wide strategy for services for young people. This will be led by the Partnership for Young People and sponsored by key organisations, including the council.

7. EQUALITY IMPLICATIONS

- 7.1. Equalities issues will be addressed within contract meetings with providers and if equality issues are identified, an Equalities Impact Assessment will be prepared.
- 7.2. All existing services will continue to be funded at the same level as in 2015-16. Officers are confident that there are no equalities implications arising from this decision.

8. LEGAL IMPLICATIONS

- 8.1. The services described in this report fall under Schedule 3 of Public Contracts Regulations 2015 (known as the light touch regime).
- 8.2. It is noted that it is proposed to directly award the contracts listed in recommendation 2.3 for a 12 month period.
- 8.3. The value of each individual proposed contract is below threshold for the light touch regime. To the extent that there is potential cross border interest in the contracts the Council is required to comply with the EU principles of transparency and non-discrimination, which would normally require some form of competitive process. Where there is not cross border interest the Council is simply required to comply with its own contract standing orders.
- 8.4. The Council's contract standing orders require light touch regime contracts with a value over £25,000 and less than £625,050 to be competitively procured using the e-tendering system and the Government's Contracts Finder portal.
- 8.5. It is therefore necessary to waive the Council's contracts standing orders to allow for a direct award of the contracts. A waiver may be agreed where it is justified because:
 - the nature of the market for the services to be provided has been investigated and is demonstrated to be such that a departure from these CSOs is justifiable; or

- the contract is for works, goods or services that are required in circumstances of extreme urgency that could not reasonably have been foreseen; or
- the circumstances of the proposed contract are covered by legislative exemptions; or
- it is in the Council's overall interest; or
- there are other circumstances which are genuinely exceptional.

8.6. A departmental record of the decision approving a waiver and the reasons for it must be kept.

8.7. Written contracts should be entered into with all the providers, prior to commencement of the contracts. Legal services will assist with this up on instructions by the client department.

Legal implications completed by: Cath Tempest, Senior Solicitor (Contracts) tel: 020 8753 2774

9. FINANCIAL AND RESOURCES IMPLICATIONS

9.1. The available budget for youth services in 2016-17 is £850,900, including a £94,900 contribution from the 3SIF programme.

9.2. The required saving for 2016-17 of £128,000 has been achieved through previous decommissioning and service efficiencies. This will not have an impact on the current level of service and providers.

9.3. The existing providers will be funded at the current level of £741,060 for a further 12 months to March 2017.

9.4. A total of £40,000 will be made available to fund a revised young carers support service following a review of young carer services in 2015-16.

9.5. This will leave a balance of £69,840 to fund key projects and the development of the Partnership for Young People.

9.6. Implications verified/completed by: *Tim Raven, Business Partner, 020 7641 6191*

10. RISK MANAGEMENT

10.1. If the decision to direct award is not agreed services would need to be decommissioned from April 2016. This would result in a significant loss of services for young people, many of whom are from groups with additional needs and will impact on the sustainability of several of the organisations. To mitigate this risk, commissioners would work on alternative fundraising strategies with the providers.

10.2. The direct award will allow the council to prepare an alternative commissioning strategy. This will be implemented from April 2017. The direct award of contracts allows the council to continue to fund existing providers during this transitional period.

11. PROCUREMENT IMPLICATIONS

- 11.1 Approval for the existing service arrangements for Youth Services expire April 2016. Normally, under the Council’s Contracts Standing Orders, a competitive tendering exercise would be run to select providers for new contracts.
- 11.2 However, the Council will not have the clarity and certainty about the shape of future service models needed to run an efficient procurement until the new Partnership for Young People delivers its strategy and priorities for future provision next year.
- 11.3 The Council could run a procurement exercise and seek competitive tenders for one-year contracts to run from April 2016 to April 2017. But, given the process costs this would entail (for the Council and bidders, most of whom are SMEs), the relatively small financial value of the contracts, and savings currently being achieved, this would not be a particularly efficient use of public funds in current times.
- 11.4 The Interim Head of Procurement believes it would be more efficient to continue the existing arrangements as interim one-year measures, seeking further efficiency gains where these are possible, and then go to the market once the Partnership has delivered its priorities. Provision exists within Contracts Standing Orders for these to be waived if the appropriate person, in this case the lead Cabinet Member, believes the waiver is justified due to the nature of the supply market and in the Council’s interests.

Comments provided by John Francis, Interim Head of Procurement (job-share), Chief Executive Department 020-8753-2582.




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		

LIST OF APPENDICES:

None.

Executive Decision Report

Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken	Cabinet Date of decision: 7 March 2016	
	Cllr Mary Weale Cabinet Member for Adult Social Care, Public Health and Environmental Health Date of decision: 12 February 2016	 THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
	Cllr Rachael Robathan, Cabinet Member for Adults and Public Health Date of decision: 2 February 2016	 City of Westminster
Report title (decision subject)	Public Health , School Nurse services, Direct Award	
Reporting officer	Eva Hrobonova, Deputy Director of Public Health, Westminster	
Key decision	Yes	
Access to information classification	OPEN	

1. EXECUTIVE SUMMARY

- 1.1. Public Health services, including services for 5-19 year olds, became the responsibility of Local Authorities on the 1st of April 2013.
- 1.2. Contracts for the three boroughs were novated from the PCT and some were then extended to 1st April 2016.
- 1.3. The School Nurse services, including the NCMP, are currently delivered by Central London Community Healthcare (CLCH) across the three boroughs. The contracts

across all three Boroughs to date equals a total spend of £5,088,739 pa (see table on page 9).

- 1.4. The RBKC school nurse contract has been varied from 1st October 2015 to deliver an extended National Child Measurement Programme (NCMP) in the Golborne area as part of the Go Golborn child obesity initiative. The value of this provision is an additional £43,900 pa.
- 1.5. The recent review of 5-19 (school nurse) services across the three boroughs is informing a full service redesign and subsequent reprocurement exercise. The new services will provide a more equitable, efficient, evidence based and consistent service across the three boroughs and improve outcomes for school aged children as part of a joint agenda between Public Health and Children's Services.
- 1.6. This is being progressed through a re-commissioning and re-tendering business case presented in accordance with the governance structure for the three boroughs and will form the School Health Tender.
- 1.7. The reprocurement process began in November 2015 with the new service due to begin from November 2016.
- 1.8. This report seeks approval for a purposeful extension of contracts from each Borough to CLCH, using terms and conditions that have been approved for use, for the School Nurse services from 1st April 2016 until 31st March 2017 in order to allow time for a robust service redesign and tendering process. The total value of provision across the three authority is set out in Appendix A, Table 1. The justification for the waiver is set out in this report. These services need to continue through the direct award option as the terms and conditions of the existing contracts do not have an extension option that can be exercised. The recommendations for the direct award of three sovereign contracts to CLCH for the provision of school nurse services across the three boroughs for a period of 12 months includes the ability to terminate with 3 months' notice.
- 1.9. The risk of not approving the one year direct awards of contracts is that there will be at least a minimum 6 month gap in service provision which may put children and young people's health at risk and jeopardise the ability of a successful provider to recruit or retain appropriately trained staff. This contract covers mandatory services which we may be in breach of if there is a service gap.
- 1.10. Cabinet should note the potential legal implications of this direct award as reported in sections 7 and 11 of this report, to which commissioning officers recommend the Council(s) should take a balanced approach to risk.

2 BACKGROUND

- 2.1 From April 2013, local authorities became statutorily responsible for delivering and commissioning public health services for children and young people aged 5-19. These services are currently delivered by the school nursing service.
- 2.2 The existing NHS contract was novated to the three borough authorities for a one year period, effective from 1st April 2013. This was to allow public health commissioners to plan and submit a direct award of contract report, using local authority approved terms and conditions contracts for a period of two years effective from 1st April 2014. This formed the Executive Decision report "Public Health

Procurement Plan and Contract Award or Extension Report” which was approved for implementation in December 2013.

- 2.3 A single supplier, Central London Community Healthcare (CLCH) delivers these services across the three boroughs. The three school nurse services contracts includes delivery of the national child measurement programme (NCMP) which is a local authority prescribed service. The RBKC school nurse contract has been varied from 1st October 2015 to deliver an extended NCMP in the Golborne area as part of the Go Golborn child obesity initiative. The value of this contract variation for RBKC contract is an additional £43,900 pa, which will continue at same cost for 2016/17.
- 2.4 Since becoming responsible for 5-19 public health services, Public Health officers have undertaken an extensive review of the service and consulted with internal and external stakeholders.
- 2.5 The review identified that there are better ways to meet the needs of children and young people, schools and parents.
- 2.6 On the basis of that review and in consultation with Councillors a new model of School Health has been devised which will provide a more equitable, efficient, evidence based and consistent service across the three boroughs and improve outcomes for school aged children.
- 2.7 The decision has been made to re-commission a school health service using the new model as the service specification.
- 2.8 Re-commissioning business cases have progressed in accordance with the governance structure for the three boroughs and will form the School Health Tender.
- 2.9 The formal reprocurement process began in November 2015 with the new service planned due to begin from November 2016.
- 2.10 This report seeks approval for a one year direct award of contract for the School Nurse services from 1st April 2016 to 31st March 2017 in order to allow time for a robust service redesign and re-commissioning process. These services need to continue through the direct award option as the terms and conditions of existing contracts do not have extension options that can be exercised.

3 RECOMMENDATIONS

- 3.1 That the Executive Director of Adult Social Care and Health in consultation with Cabinet Member for Adult Social Care and Public Health, in addition to other borough specific delegates, for each authority approve the recommendation to directly award the contracts.
- 3.2 To note that each Authority’s governance procedure applies applicable to the value of contract award.
- 3.3 To note that the total spend for the school nurse services, across the three boroughs, for the 12 month period from 1st April 2016 to 31st March 2017 is £4,584,255 pa. This figure now includes the 10% saving achieved on previous year total spend for the provision.

For Hammersmith and Fulham Council , Cabinet is requested:

- 3.4 That Cabinet gives approval to award a contract for additional School Nurse services to the Central London Community Health Trust for the period 1st April 2016 to 31st March 2017 for the value of £1,728,119 pa, in accordance with Regulation 72 (1)(b)(ii) of the Public Contracts Regulations 2015 and on the grounds that not to do so will result in a temporary loss of service and significant inconvenience to vulnerable children, young children and their educational establishments.
- 3.5 Cabinet should note the potential legal implications of this direct award as reported in sections 7 and 11 of this report, to which commissioning officers recommend the Council(s) should take a balanced approach to risk.

For Royal Borough of Kensington and Chelsea the Cabinet Member is requested:

- 3.6 To approve a waiver in accordance with paragraph 2.09-2.12 (exemption/waivers of contract regulation) of the RBKC Contract Regulations to waive the requirement to seek tenders in order to allow the local authority to directly award the contract to CLCH as listed in Appendix A, Table 1.
- 3.7 To approve the direct award of the contract to CLCH as listed in Appendix A, Table 1 for the values of £1,039,092 pa, effective from 1st April 2016 to expire on 31st March 2017.

For Westminster City Council the Cabinet Member is requested:

- 3.8 The cabinet member approve a waiver in accordance with section 2.2 of the Westminster Procurement Code to allow the local authority to extend the contract to CLCH as listed in Appendix A, Table 1.
- 3.9 To approve the extension of the contract to CLCH as listed in Appendix A, Table 1 and for the values of £1,817,044 pa effective from 1st April 2016 to expire on 31st March 2017.

4 REASONS FOR RECOMMENDATIONS

- 4.1 The recommendations for the direct award of three sovereign contracts to CLCH for the provision of school nurse services across the three boroughs for a period of 12 months with the ability to terminate with 3 months' notice is proposed in order to:
- allow time to engage with relevant internal and external stakeholders around the future model and re-procurement.
 - Fit in with the timing for the completion of the smarter budgeting work.
 - allow sufficient time to redesign, re-procure services that will form School Health Service contracts.

- to ensure service continuity during the re-procurement phase.
- enable the termination of existing contracts ready for the new contract to begin following the re-procurement of the school health service.

4.2 Savings and efficiency discussion have taken place with CLCH over the past three months leading to this report. CLCH have been notified of efficiency savings of 10% of the existing contract values. These reductions in contract value will be implemented from April 2016 onwards. Figures in section 12 have been adjusted to reflect the savings made.

5 OPTIONS AND ANALYSIS

5.1 Option 1: do nothing – Do not Direct Award school nurse contracts.

Benefits of option 1

- There are no identified benefits for not extending the contracts for school nurse services.

Challenges presented by option 1

- The school nurse contracts end in March 2016 and would result in a gap in services for at least 6 months which could result in:
 - risks to children and young people, particularly regarding the safeguarding work of school nurses.
 - movement of school health workforce away from the three boroughs making it very difficult to fully resource a new school health service.

5.2 Option 2 – Direct Award : all school nurse contracts for 2016-17 (Recommended option)

Benefits of option 2

- avoids disruption of current services and associated risks

Challenges of option 2

- may require negotiation with current provider in order to ensure that they continue to provide the service as currently specified within reduced contract value to achieve efficiencies of 10%.

6 RISKS OF RECOMMENDED OPTION

Issue Identified	Risk	Potential impact	Likelihood	Mitigating factors
Budget: Funding received is insufficient to cover Direct Award Contract Prices for this period of award.	The contract pricing structure is that already paid to the supplier. We may have CLCH resisting an efficiency saving for the 2016/17 period	Medium	Medium	ASC (both adults and children's) and PH officers to work with the suppliers to examine the cost of staffing, service delivery cost for each of the borough services. This will establish if the existing contractual pricing structure deliver value for money within the allocated funding. We will

Issue Identified	Risk	Potential impact	Likelihood	Mitigating factors
				robustly push back where supplier challenges on the financial envelope.
Demand and Quality	The size of the client group increases due to changes in demographics, leading to increased demand. This places pressure on the budget (see above) and quality.	Medium	Medium	The demographic needs across the three boroughs are understood for this client group. An extensive service review has been completed for these services, to identify if the existing service arrangements deliver customer needs and to identify any gaps. Wider stakeholder input will also inform the new service model, when re-tendered, or influence other approaches for continued service delivery.
Timeline	There is a risk the 12 months period requested for contract award may not be sufficient.	Medium	low	Service review for this cohort of services has already been completed, incorporating the three authorities strategic commissioning intentions to develop integrated service model. A tender time table is already planned, a PIN notice has already been placed and a Supplier engagement event has been held so 12 months should be sufficient. The project team will consist of representatives from commissioning directorate and they will work closely with a wide range of stakeholders for this service area.
Timeline (2)	There is a risk that the 12 month period requested for contract award is too long, leading to "drift". Why not immediately re-tender	Medium	Medium	Preparation for the service review programme is concluded with recommendation and business case for the re-procurement duly submitted/presented to the wider authority stakeholders for information and approval. The latter has not been signed off as yet. The procurement timetable includes a 3 month mobilisation period following contract award This provides sufficient time to serve notice on the existing contract which will finish as the new one

Issue Identified	Risk	Potential impact	Likelihood	Mitigating factors
				begins.
Procurement Challenge	Risk of Procurement Challenge by a potential bidder for such services	High	Low	See section 7 below

7 RISK OF PROCUREMENT CHALLENGE

- 7.1 The Public Contracts Regulations 2015 (the Regulations) came into force at the end of February and implement revisions to the European public procurement regime as it applies in the UK.
- 7.2 The services that are the subject of this report used to be classified as “Part B” services under the previous Regulations of 2006; this meant that they were exempt from the requirement to tender them in accordance with those previous regulations, provided that there was not likely to be cross-border interest.
- 7.3 This distinction has now been abolished. Health and social services are now classified as Schedule 3 services which are subject to a regime known as the “the Light Touch Regime”, (LTR) if the value of the contract exceeds the current threshold of £625,050.00. One of the main requirements under the LTR is the obligation to advertise the opportunity on OJEU.
- 7.4 Where the authorities are at increased risk is where the Authorities propose a direct award of more than 12 months and do nothing. The risk of challenge for not complying with the Regulations would therefore be reduced if a shorter contract period is proposed, however, whilst there is a potential risk of challenge, authority officers have already commenced the re-procurement process and a market engagement event has already been held which provided a draft timetable for all interested parties who are all now aware of the timescales for the procurement relet.
- 7.5 Overall, despite this risk of challenge, it is considered in the best interest of the authorities to proceed with a direct award of contracts, and that there are exceptional circumstances to suggest that the appropriate waivers / exemptions from tendering should be granted.

Procurement time table

The below is an indicative time table for the Procurement process:

Task	Duration	Start	Finish
Approval to proceed	4 months	May 2015	August 2015
PIN and Market Engagement	6 weeks	July 2015	August 2015
Procurement Strategy Report	4 months	September 2015	December 2015
Procurement	5 months	January 2016	June 2016
Contract Award	4 months	June 2016	September 2016
Mobilisation	3 months	October 2016	December 2016
Contract Begins		January 2017	

8 CONSULTATION

- 8.1 Each stage of the service review, redesign and procurement commissioners have fully engaged with internal and external stakeholders.
- 8.2 Procurement and Public Health officers have already held a market engagement event. This has ensured providers have met with authority officers and engaged with other suppliers at the event.

9 EQUALITIES

- 9.1 The importance of giving every child the best start in life and reducing health inequalities throughout life has been highlighted by Marmot 'Fair Society Healthy Lives' and the Chief Medical Officer (CMO).
- 9.2 Marmot and the Chief Medical Officer have both recognised the importance of building on the support in the early years and sustaining this across the life course for school-aged children and young people to improve outcomes and reduce inequalities through targeted support. Universal and targeted public health services provided by the school nursing service are crucial to improving health and wellbeing of school-aged children.

10 BUSINESS IMPLICATIONS

- 10.1 There are no business implications in relation to this proposed procurement however there is considerable social value.

11 LEGAL IMPLICATIONS

- 11.1 Health and Social Services are Schedule 3 services for the purposes of the Public Contracts Regulations 2015 (Regulations). Schedule 3 services are subject to the "light touch regime", if the value of the contract exceeds the current threshold of £625,050.00.
- 11.2 As the value of some the proposed contracts set out in Appendix A, Table 1 exceed the current threshold for Schedule 3 services, the authorities are required to comply with the requirements set out in the Regulations, which include the requirement to advertise the contract opportunity on OJEU. Consequently, the proposed recommendations will result in the contracts being at risk of being declared ineffective.
- 11.3 It cannot be said with certainty that there is no risk of challenge, however, on the basis of the information provided by council officers, it is felt that a risk of challenge in this particular case is low. In mitigation, the proposal to extend the term of the identified current contracts is to enable the Council to carry out a service redesign and a re-procurement of the contracts.
- 11.4 In respect of those contracts below the threshold for Schedule 3 contracts, Part 4 of the Regulations applies. This requires that all contracts should be advertised on the Contracts Finder website where the value of the contract exceeds £25,000, unless the authority's standing orders specify a higher value for advertisement.

Regulation 114 of the Regulations state that a material failure to comply with Part 4 of the Regulations does not itself affect the validity of a public contract. As such, the proposed contracts cannot be set aside on grounds of non-compliance.

Implications verified by: Kar-Yee Chan, Solicitor (Contracts), Shared Legal Services, 020 8753 2772 -

12 FINANCIAL AND RESOURCES IMPLICATIONS

12.1 The school nursing services finance breakdown:

Service name	Supplier	Start date	End date	Borough	Annual cost	April 2016 onwards, annual cost
School Nurse Service	CLCH	01/04/2014	31/03/2016	RBKC	£1,105,769pa	£995,192pa
School Nurse Service	CLCH	01/04/2014	31/03/2016	LBHF	£1,920,132pa	£1,728,119pa
School Nurse Service	CLCH	01/04/2014	31/03/2016	WCC	£2,018,938pa	£1,817,044pa
Variation to RBKC School Nurse Service to Include enhanced NCMP	CLCH	01/10/2015	31/03/2016	RBKC	£43,900pa	£43,900pa

12.2 The cost of extending the contracts can be met from existing budgets and represents a saving of 10% for each Council. The £43,900 spend in RBKC for the NCMP services can be accommodated within the current funds available.

12.3 However, given that Public Health are facing an 2015/16 in-year cut and there are still concerns over future grant levels, further work regarding costs will need to be undertaken during the main re-procurement. With budget/savings targets set before going to tender.

Implications completed by: Jon Laker, Finance Business Partner, Public Health, 020 7641 1059

13 PROCUREMENT IMPLICATIONS

13.1 The Strategic Procurement report for Public Health has been agreed by officers of the Contracts Approval Board, where colleagues at Hammersmith and Fulham and Kensington and Chelsea provided input and advice in its formulation. Procurement advice has been provided by Westminster City Council's Strategic and Commercial Procurement Team. In line with agreed protocols for Public Health services, Westminster procurement processes have been followed.

Director name

Eva Hrobonova, Deputy Director of Public Health, Westminster


Local Government Act 1972 (as amended) – Background papers used in the preparation of this report - December 2013, The “Public Health Procurement Plan and Contract Award or Extension Report” Executive Decision Report (EDR) – published

Sunil Panchal, Commercial Contracts Manager, spanchal@westminster.gov.uk, 0207 641 4043

Elizabeth Dunsford, Public Health Commissioner Healthy Weight and Schools
Public Health, edunsford@westminmster.gov.uk, 0207641 4655.

Appendix A: TABLE 1.

Contract name	Supplier	Start Date	End Date	Local Authority	Aggregate value £	Annual Value £
Contract for the Provision of School Nurse Service	Central London Community Healthcare NHS Trust	01/04/2014	31/03/2016	Royal Borough of Kensington & Chelsea	2,211,538.0	1,105,769
Variation to RBKC School Nurse to Include NCMP	Central London Community Healthcare NHS Trust	01/10/2015	31/03/2016	Royal Borough of Kensington & Chelsea	21,950 (annual value- £43,900)	43,900
Contract for the Provision of School Nurse Service	Central London Community Healthcare NHS Trust	01/04/2014	31/03/2016	London Borough of Hammersmith & Fulham	3,840,264.0	1,920,132
Contract for the Provision of a School Nurse Service	Central London Community Healthcare NHS Trust	01/04/2014	31/03/2016	City of Westminster	4,037,876	2,018,938
					Total	£5,088,739

London Borough of Hammersmith & Fulham CABINET 9 MARCH 2016		 hammersmith & fulham
20MPH SPEED LIMIT EXTENSION		
Report of the Cabinet Member for Environment, Transport and Residents Services - Councillor Wesley Harcourt		
Open Report		
Classification - For Decision		
Key Decision: Yes		
Wards Affected: All		
Accountable Executive Director: Mahmood Siddiqi , Director for Transport & Highways		
Report Author: Chris Bainbridge, Special Transport Projects Adviser	Contact Details: Tel: 020 8753 3360 E-mail: slobodan.vuckovic@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1. The 2014 Labour Administration's manifesto committed to "take measures to improve safety for pedestrians and make our neighbourhoods better places to live" also saying "all residential streets, not trunk roads [should] become 20mph".
- 1.2. On 9 June 2015 the Mayor of London announced his target to halve the number of people killed or seriously injured on London's roads by 2020. That would mean a reduction of more than 14,000 Londoners' unnecessary deaths or serious injuries by 2020. The Mayor of London and TfL are proposing 20mph limits on parts of their main road network elsewhere in London that are effectively town centre high roads, and are supporting boroughs who want to extend 20mph limits as part of their Transport Local Implementation Plans (LIP)
- 1.3. On 9 June 2015, the Council launched a nine-week consultation on the extension of 20mph speed limits in the borough as part of our LIP.
- 1.4. The consultation was open to everyone. It was extensively publicised by:-
 - Delivering leaflets to every property in the borough
 - Sending emails to thousands of people in receipt of the council's e-newsletter

- Press releases that were picked up by local and regional newspapers
 - Posters on poster sites all around the borough
 - Signs on lamp post in areas across the borough with high footfall
- 1.5. There were also two Policy and Accountability Committee (PAC) public meetings held on 9th June 2015, where the consultation was launched and 18th November 2015, where the results of the consultation were discussed. Those were well attended by residents who played a full role in the discussions, with their comments contributing to the development of this report.
- 1.6. Six reasons were given as to why the extension of 20mph speed limits are being considered;
- To address a real danger
 - To reduce deaths and injuries
 - To reduce accidents
 - To make our children and all of us healthier
 - To cut delays on the road
 - To make our neighbourhoods more pleasant
- 1.7. In total 5,287 responses were received and recorded,
45% of respondents (or 2,367) replied **YES** for all roads managed by LBHF
26% of respondents (or 1,351) replied **YES** but not on all roads
29% of respondents (or 1,493) replied **NO**.
- 1.8. Thus 71% of respondents voted for some form of extension of 20mph speed limits in the borough (whether all roads or some roads). Those who wanted to retain a 30mph limit on some roads largely stated that the 'main road' network ought to remain at 30mph. Several of the main roads in the borough were specifically mentioned including; Fulham Palace Road, Shepherd's Bush Road, Fulham Road, New King's Road, Goldhawk Road and Uxbridge Road.
- Of the 5,287 people who took part in the consultation, 745 people asked that main roads are excluded from any 20 mph scheme. Fulham Palace Road came top of the list of those roads where people wanted to retain 30mph speed limit, with 346 people listing it as their priority. There were also roads where only one person asked for 30 mph. We have analysed and noted all of the consultation feedback and therefore will not be introducing a borough-wide 20mph on all roads and will instead leave out the main roads that were most mentioned by residents.
- 1.9. In the light of this, it is recommended that we proceed to:-
- introduce a 20mph speed limit on all remaining side roads in the borough
 - only introduce a 20mph speed limit on sections of main roads in the three town centres, where accident rates are high,
 - retain the 30mph speed limit on the other main roads in the borough (see map at Appendix 2),

- monitor the effect of the 20mph speed limits and collision data to inform the decision to implement traffic calming measures where these are considered necessary and subject to local consultation.

1.10. The cost of this work is some £500,000, and this will be fully funded by the Mayor of London via Transport for London as part of the Council's LIP programme.

1.11. The Council does not have the power or intention to generate income from speeding fines nor from any other source as a result of this scheme. That is not an aspect of this proposal.

2. RECOMMENDATIONS

2.1. That approval be given to implement 20mph speed limits on the remaining non-main roads in the borough that currently have a 30mph limit, but only on main roads as they pass through the borough's three town centres as shown on the map, at Appendix 2. The scheme to be fully funded from the £500,000 set aside from the TfL funded integrated transport programme for 2016/17 as approved by Cabinet on 2 November 2015.

2.2. That approval be given to carry out initial design and consultation on a range of measures to support a reduced speed limit in certain roads. The studies to be informed by (a) the response to the public consultation in which specific roads were identified as needing physical measures to reduce traffic speeds, and (b) monitoring exercises to identify locations where non-compliance with the limit and a high number of collisions remain.

2.3. That authority be delegated to the Cabinet Member for Environment, Transport and Resident's Services in consultation with the Director for Transport and Highways to approve the implementation of such traffic calming measures.

2.4. That subject to Cabinet approving the proposals as set out in the recommendations above, that delegated authority be given to the Director of Transport and Highways (or such other duly Authorised Officer) to deal with any representations arising out of the statutory consultation process under the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended) ("The Regulations") for the purposes of making the Traffic Regulation Order referred to in this report as the ("Order").

2.5. That all substantial objections (other than those matters previously raised through the consultation process that would normally be dealt with at officer level and therefore not regarded as having a material or otherwise adverse effect on the council's decision-making process) in respect of the proposed Order/s be referred to Cabinet for consideration.

3. REASONS FOR DECISION

3.1. Physical improvements to the public highway and programmes of work designed to reduce congestion, manage traffic and promote road safety fall under the

council's statutory duties under a variety of Acts of Parliament including the Traffic Management Act 2004.

- 3.2. The production, management and maintenance of a Local Implementation Plan is a statutory duty for all London boroughs under the 1999 GLA Act and failure to do so could ultimately result in TfL undertaking the work and charging the council for doing so.
- 3.3. Where changes to the highway are proposed, these are in line with section 122 of the Road Traffic Regulation Act 1984; securing the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities.

4. INTRODUCTION AND BACKGROUND

- 4.1 Cities around the world, such as New York with its Vision Zero scheme, and councils across the UK are doing their best to reduce traffic speeds and the number and severity of collisions, and to make town centres and residential streets safer and more pleasant places to walk, cycle and live. Several groups are campaigning for lower urban speed limits, including the Child Accident Prevention Trust, 20's plenty, Living Streets and the London Cycling Campaign. These bodies have been calling on councils to cut speed limits to 20mph. The Mayor of London and TfL are proposing 20mph limits on parts of their main road network which are effectively town centre high roads. To date, about half of inner London borough's have either adopted or voted to adopt 20mph on all borough roads, which includes their main road networks. The London Borough of Ealing is currently finalising consultation results and is likely to introduce 20mph speed limits on roads adjoining our borough boundary, as is Hounslow Council. Hammersmith & Fulham Council has been implementing 20mph zones and limits in residential areas since the early 2000s, and collisions and injuries have reduced significantly in these areas.
- 4.3 The Council's Transport Plan 2011 – 2031 (LIP2) was approved by both the Cabinet and TfL in 2011. The production of LIP2 is a statutory duty and its purpose is to show how the borough will implement the Mayor of London's Transport Strategy (MTS2) which was adopted in May 2010. The main focus of the MTS2 is how London will accommodate the predicted growth in population and employment in the capital – the equivalent of an additional city the size of Birmingham will have to be accommodated by 2031. Without significant interventions, problems of congestion, overcrowding, poor air quality, collisions and network disruption are likely to become significantly worse than they are at present.
- 4.4 In 2001 the council embarked on a programme of introducing 20 mph zones in residential side roads. To date, sixteen 20 mph zones and three 20 mph limit areas have been introduced covering around 40% of the borough. The map at Appendix 3 shows where these areas are and all were implemented with support from local people. Injuries from collisions within these areas dropped by up to 80% after the implementation of the reduced speed limit. The existing 20 mph zones in the borough were all designed to be self-enforcing with associated traffic

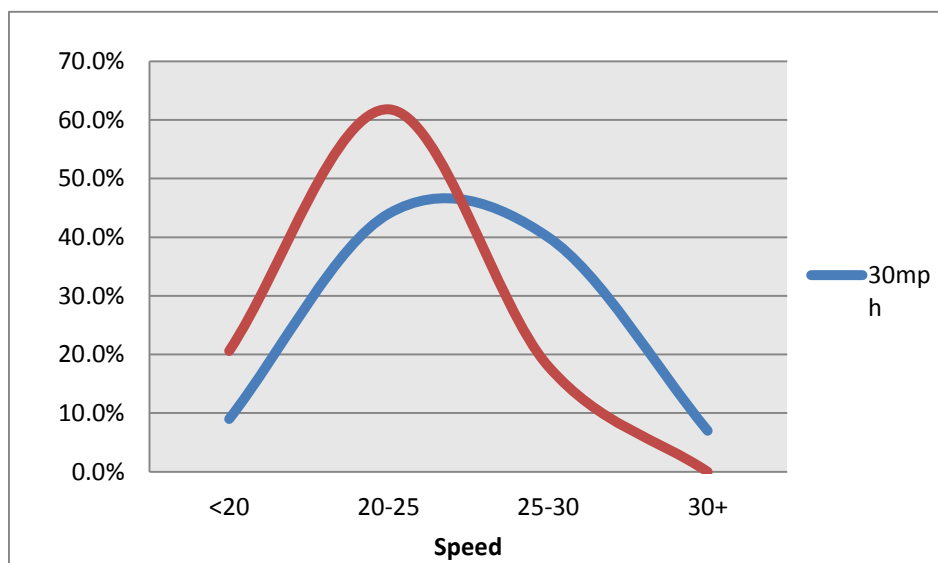
calming measures (such as road humps and raised entry treatments) to reduce traffic speeds. However traffic calming measures are costly to implement and maintain, and they do raise concerns about ground vibration and driver discomfort. The use of 20 mph limit areas without widespread traffic calming measures has become more popular in recent years.

- 4.5 In April 2015 the council conducted borough-wide speed surveys, in which the speed on 100 roads within the borough were surveyed, see Appendix 5. The surveys showed that the average 85th percentile speed on roads with a 30mph speed limit was 26mph, while the average 85th percentile speed on roads with a 20mph speed limit was 22mph.

Note: The 85th percentile speed is the speed that 85% of drivers did not exceed. This is a nationally recognised method of assessing traffic speeds. The average was taken for both directions continuously over 24 hours and seven consecutive days.

- 4.6 The graph below shows the speed profile of vehicles on non-main roads in the borough with 20 mph and 30 mph speed limits. The graph shows that traffic speeds on the 20 mph roads are lower (as would be expected) but also that drivers are generally all travelling at similar speeds, while on the 30 mph roads there is a wider spread across the range of speeds.

Speeds of vehicles in non-main roads with 20mph and 30mph speed limits



- 4.7 The proposal put forward in this report is to initially introduce 20mph speed limits on further roads in the borough without, at this stage, any additional features to reduce traffic speeds. Once introduced, the roads would be carefully monitored and traffic calming measures would only be considered in roads where average speeds still give rise to concerns and would be subject to consultation with the local community.

5 CONSULTATION RESULTS

- 5.1 The consultation was conducted in June and July last year. A leaflet was delivered to every household and business in the borough and responses could also be submitted online. The leaflet is shown in Appendix 1. Any responses received after the closing date of the consultation were still included in the analysis.
- 5.2 In total, 5,287 responses were received and recorded. A total of 3,151 (60%) were received by post while a further 2,136 (40%) were submitted online.
- 5.3 **Question 1** asked whether the respondent supported introducing a 20mph speed limit on more roads in the borough, and gave three options: - 1) Yes to all borough roads, 2) Yes but only on some roads, and 3) No support. The leaflet pointed out that the two roads that form part of the Transport for London Road Network, namely the A4 and the A40, were not included in the option for 'all roads'.
- 5.4 A detailed analysis of the responses is included in Appendix 4. Overall a total of 5,211 respondents expressed an opinion on introducing 20mph speed limits in the borough.
- 45% of respondents (or 2,367) replied YES to all roads in the borough
 - 26% of respondents (or 1,351) replied YES but only on some roads
 - 29% of respondents (or 1,493) replied NO

Note: 76 respondents to the consultation did not respond to question 1, and as such are not reported above

- 5.5 29% of respondents were therefore opposed to introducing more 20mph roads while 71% were in favour of extending 20 mph speed limits (either for all LBHF roads or with the exclusion of some roads).
- 5.6 Further questions were included to categorise the respondents by age, modes of travel and whether they were replying as a resident, a business or an employee.
- 5.7 Some respondents indicated that they represented an organisation, a total of 52 such responses were identified which included resident associations, action groups, schools, churches, disability groups and road user groups. The responses from these groups showed a slightly higher level of support (81% in favour of extending 20 mph limits) compared with the overall response.
- 5.8 **Question 3** asked respondents to indicate how often they used different modes of transport. In analysing the results, a 'frequent' user was defined as one who stated they were using a particular mode of transport either daily or 'several times per week'. All categories had a majority supporting the extension of 20mph speed limits. This showed that the highest level of support for extending 20 mph speed limits (75%) came from frequent cyclists, followed by bus users (73%) and pedestrians (72%). The response from pedestrians represented the view from the largest group (3,367 respondents). 62% of motorists supported extending 20mph

limits. The smallest group was frequent motorcyclists (270 respondents), 55% of whom were in favour of extending 20mph to more roads.

- 5.9 **Question 5** asked in what capacity the respondent was replying to the consultation. Three categories were given (resident, business and worker) albeit that many respondents indicated more than one category. 85% of responses came from residents (4,336) and the level of support for extending 20mph limits from this group was comparable to the overall result (72% in favour of extending 20mph limits to more roads). Of the 161 respondents who ticked all three boxes (resident, business and worker), 57% were in favour of introducing a 20mph limit to all or some roads.
- 5.10 Question 5 also asked respondents to indicate their age bracket. All age brackets supported more 20mph speed limits. Most respondents (3,526) indicated that they were in the age group between 25 and 65 years of age (72%), a further 1,227 (25%) were in the age group of 65 or over. Together these two age brackets made up 87% of the respondents. The response from the age bracket covering 25-65 years old was consistent with the overall result, with 70% in favour of further 20mph limits, while in the age bracket for over 65, the level of support increased to 77%.
- 5.11 **Question 2** asked those who replied 'Yes, but only on some roads' in response to Question 1, to identify the roads that they wished to see a 30mph speed limit retained. The majority of those who selected this option (745 respondents) replied that a 30mph speed limit should be retained on 'main roads'. 181 respondents mentioned 'secondary roads' and 67 mentioned 'TfL roads'. Fulham Palace Road was mentioned the most (by 346 respondents), followed by Shepherds Bush Road (153) and Fulham Road (148). A total 51 respondents also stated that a 20mph limit should be introduced outside schools.
- 5.12 **Question 4** asked what further measures would respondents like to see introduced to support a 20mph speed limit. The most popular feature mentioned was speed humps, followed by electronic signs and zebra or pelican crossings. A summary of the roads and the traffic calming measures mentioned is given in Appendix 4.
- 5.13 In summary, 71% of respondents were in favour of introducing 20mph speed limits to more roads in the borough. Every category (respondent's capacity, respondent's age and respondent's mode of travel) had a majority of support for extending 20mph limits. Those who indicated that a 30mph limit should be retained on some roads largely referred to the main road network. There was no wide scale support for traffic calming measures – the most popular was speed humps which was mentioned by 440 respondents.

6 CONCERNS EXPRESSED ON INTRODUCING 20MPH SPEED LIMITS

- 6.1 Some respondents to the consultation expressed concerns on the impact and effectiveness of 20mph speed limits. Officers have responded to these comments below:-

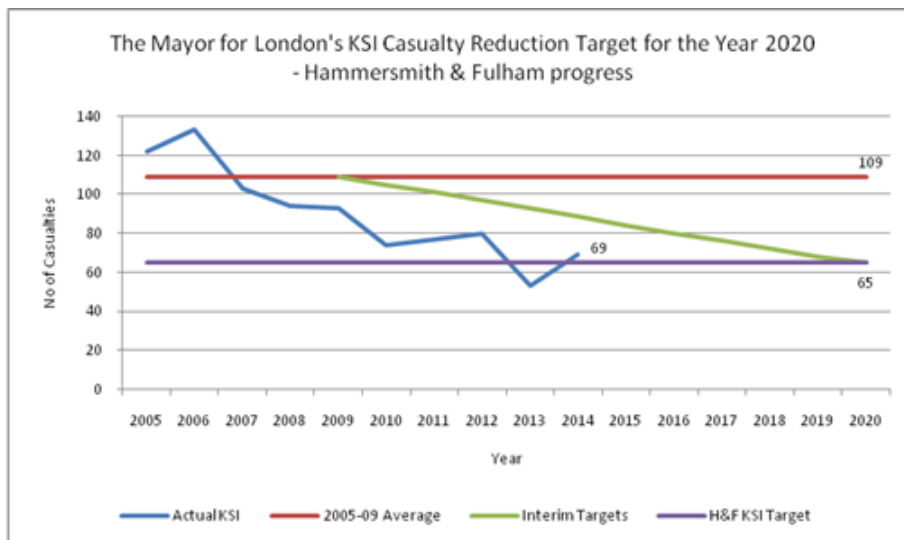
- 6.2 **More traffic congestion and increased journey times.** Journey times may be slightly longer for some motor vehicle journeys during off-peak times when roads are less congested and traffic speeds are higher. However, there is no evidence to suggest that journey times would be adversely affected overall. In fact, some studies (quoted by the group 20's Plenty) suggest that lower speeds actually increases the capacity of the highway network and therefore reduces congestion, as vehicles can safely follow each other more closely at lower speeds.
- 6.3 **Air Quality will be negatively affected.** It is important to note that traffic speed is not the primary determinant of vehicle-based emissions levels and fuel consumption for city driving. Fuel efficiency and emissions (exhaust and brake dust) in urban areas is influenced more by driving style (accelerating and braking) than vehicle speed. There are other factors that have a much bigger influence on air quality, such as the volume of traffic, the mix and type of vehicles, and weather conditions. If more people are encouraged to walk and cycle by the proposal, this might also have a positive effect on air quality by encouraging modal change and thereby impacting air quality in a positive way
- 6.4 **Lack of Enforcement.** The council does not have the power to enforce speed limits. Speed restrictions are enforced by the local police. The Metropolitan Police Service (MPS) guidance relating to 20mph limits states that:- *“to achieve compliance there should be no expectations on the police to provide additional enforcement beyond routine activity – unless agreed”*. However, according to the same guidance *“driving at any speed over the limit is an offence and police are not restricted and may prosecute”*. In addition, the MPS is currently rolling out Community Roadwatch in London and, where such problem locations are identified, these teams will be deployed to reduce speed through a high-visibility presence, backed up by education through contact with any speeding drivers.
- 6.5 **Average speeds are already at or below 20 mph.** The average speed in some roads at certain times of the day may already be at or below 20 mph, however, this is not true for many roads in the borough. A 20 mph limit over several roads would provide a more consistent message to motorists. There is some evidence that 20mph limits reduce the speed of the small number of vehicles that are travelling significantly above the speed limit.
- 6.6 **Detrimental impact on the street scene due to additional signage.** The minimum signage requirements to support 20 mph limits are not extensive and provide a choice between small circular signs and carriageway markings (see photos below). In addition, officers will engage with the Department for Transport to seek approval to further reduce the numbers of signs where possible.



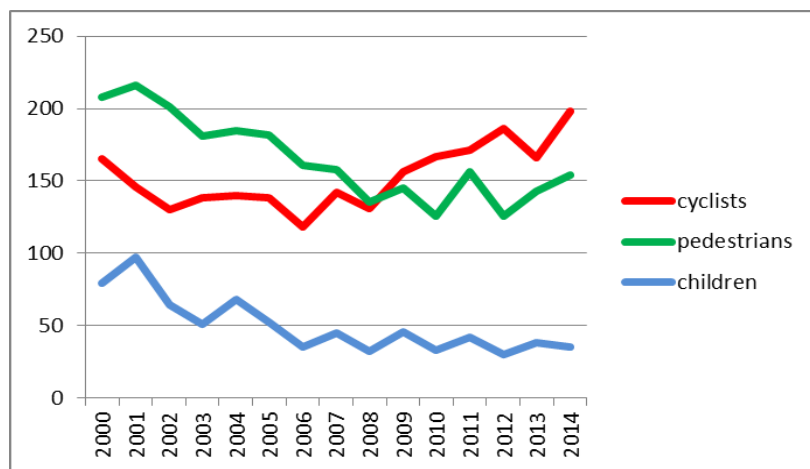
6.7 **Cost of scheme.** The proposed scheme fully qualifies for funding from Transport for London through our transport Local Implementation Plan. On 2 November 2015 Cabinet agreed to set aside £500,000 from our LIP allocation for 2016/17 to introduce more 20mph roads in the borough. Bids for further funding towards the cost of traffic calming would be made in subsequent years.

7 CASUALTY DATA

7.1 One of our key transport objectives (as shown in paragraph 4.1) is to reduce the number of people killed or seriously injured (KSI) on our streets. The average number of KSIs per annum between 2005 and 2009 was 109. The target set by the Mayor of London is to reduce our 2005-09 baseline KSI rate by 40% by 2020. This would equate to the KSI rate reducing to 65 by 2020. The graph below shows that though progress has been made, the reduction in the casualty rate is 'levelling off' and may even start to increase if further interventions are not introduced.



- 7.2 The reduction in casualties between 2005 and 2010 corresponds with the Council's previous intensified programme of introducing 20mph zones.
- 7.3 The map in Appendix 7 shows the distribution of traffic collisions (cluster map) within the borough between 2012 and 2014. There is potential for additional pedestrian / vehicle conflict in town centres areas due to the extra number of crossings made by pedestrians in these areas. Clusters of casualties can be observed in our town centre areas. For example in Shepherd's Bush town centre between 2012/14, a total of 147 collisions were recorded. Out of 147 collisions recorded, 42 injuries involved pedestrians and 51 were amongst cyclists.
- 7.4 The graph below shows the casualty trend between most vulnerable road users over the years in H&F. It shows increases in both pedestrian and cycling casualties in recent years, at least partly reflecting the growth in numbers of cyclists.



8 OPTIONS

8.1 The following four options were considered for 20mph limits:

- Option 1 – all side roads and main roads
- Option 2 – all side roads and some main roads
- Option 3 – all side roads only
- Option 4 – no further extension of 20 mph speed limits

8.2 OPTION ONE – ALL SIDE ROADS AND MAIN ROADS

Forty five per cent of respondents expressed the view that the whole borough should have the speed limit reduced to 20mph, including the borough's main and secondary roads. Almost half of the borough is already covered with a 20mph speed limit, either by way of 20mph zones or 20mph speed limits. The 20mph limit would not apply to those roads in the borough which are controlled by TfL (the TLRN). These are the A4, the A40 and the A3220 (former West Cross Route). TfL have no plans at present to alter the speed limits on those roads.

8.3 OPTION TWO – ALL SIDE ROADS AND SOME MAIN ROADS

In view of the fact that a large group of respondents wished to retain a 30mph speed limit on some main roads, this option proposes reducing the speed limit on all side roads and some of the main roads around the three town centre boundaries and links to other planned 20mph speed limits, namely Hammersmith Bridge and Chiswick High Road (in the London Borough of Hounslow). The main roads in the town centres have high levels of pedestrian movement and casualties. These roads were also not among those most frequently mentioned by residents who mentioned individual roads that should retain 30mph limits. Lower speeds are important to the economic viability and competitiveness of the town centres, making shopping, working and socialising in these critical economic areas more attractive.

8.4 Officers therefore recommend this option.

8.5 OPTION THREE - ALL SIDE ROADS ONLY

This option would not address the casualty rate in town centres or make the town centres safer or more pleasant places for shopping, leisure, etc. It would also mean the maintenance of 30mph on roads in the Town Centre that were not among those most often mentioned by residents who mentioned individual roads that should retain 30mph limits

8.7 OPTION FOUR - NO FURTHER EXTENSION OF 20MPH SPEEDS LIMITS

This option was not supported in the consultation by the majority of respondents. Almost half of the borough's roads are already limited to 20mph. Our surveys show that average speeds in these roads is lower than speeds on our 30 mph roads and that casualty rates have reduced in these roads.

9 CONCLUSION

9.1 A number of London boroughs have introduced or are about to introduce widescale 20 mph speed limits and the Mayor of London and TfL are piloting 20mph limits. Almost half of residential side streets in LBHF have a 20mph speed limit, some since 2001, and surveys show that drivers are generally complying with the lower speed limit and that there has been a reduction in the number of road casualties since the lower speed limits were introduced.

9.2 The results of the public consultation show that 71% of respondents are in favour of extending the 20mph limits to more roads in the borough, but that there was less support for lower speed limits on main roads, in particular a group of main roads mentioned specifically by respondents, such as Fulham Palace Road.

9.3 Option 2 recommends extending 20mph limits to the remaining side roads in the borough as well as main roads passing through the three town centres. This approach would address the higher casualty rate on main roads and also support "gateway" treatments for town centre areas to warn road users that they are entering a different street environment.

9.4 The lower speed limits on main roads would be introduced on a trial basis allowing monitoring to take place to assess its effectiveness This would include collection of traffic data, e.g. post implementation speed counts but would also seek feedback from the community as to the success or otherwise of the measures introduced.

10 PUBLIC HEALTH IMPLICATIONS

10.1 There is a complex relationship between the environment and health. National Institute for Health and Care Excellence (NICE) evidence which looked at physical activity in areas where 20mph speed limits were introduced found that 25% of residents increased their cycling and walking and 60% felt more children were playing outside as a result of the speed reductions.

10.2 10.3 Slower traffic is particularly important for people aged over 60 who face a 47% risk of fatality if hit by a vehicle, compared to 7% for younger people.”(KCL,2015 *Tinker and Ginn*). It is believed that social isolation raises a person’s chance of death irrespective of a person’s health or other factors.

10.5 GLA research on barriers to cycling in London that was carried out in 2010 identified two thirds of those interviewed for the research felt the roads were too dangerous for them to consider cycling. The concerns of being safe on the roads increased with age and was more prominent for women.

11 EQUALITY IMPLICATIONS

11.2 An Equality Impact Assessment was undertaken in October 2015 and is more particularly detailed at Appendix 6. There is a predicted positive impact on the following protected characteristics, age and disability. There are no predicted negative impacts. The EIA is designed to:

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

12 LEGAL IMPLICATIONS

12.1 The Council in its capacity as “Highway Authority” has the power under section 84 of the Road Traffic Regulation Act 1984 (“The Act”) to make orders imposing a 20mph speed limit. The procedure for making an Order in England and Wales is as follows:

- 12.2 **Preliminary requirements:** The Council must consult with anybody specified in Regulation 6 (such as the Police) and it must publish a notice in a local newspaper, the London Gazette and on its website. Adequate publicity must be provided to those likely to be affected. This may include display of notices in the relevant area and distribute the same to local properties and road users. The relevant documents must be held on deposit from the date that the notice of proposal is first published and must remain on deposit until six weeks after the proposed Order has been made (or a decision has been made by the Council not to proceed with the proposal)
- 12.3 **Public Objections and Inquiries:** Anyone may object in writing to an Order by the date specified on the notices or if later within 21 days of the notice being given and publicity being adequate. It should be noted that a public inquiry only has to be held in permitted circumstances under the regulations. Should the Council hold an inquiry it must give notice of the fact and the inquiry must begin within 42 days of that notice being made. The Inspector decides how the inquiry is to proceed.
- 12.4 **Consent for certain schemes:** The Secretary of State's consent is required where for example, a scheme affects a road for which (s)he is the traffic authority; where a scheme will restrict access to property for 8/24 hours; and a scheme involving speed limits, particularly where the limit is 30mph or less.
- 12.5 **Making an order:** Orders cannot be made before the statutory period for objections has ended or after a period of two years from the making of the initial notice. Within 14 days of making the Order the Council must place a notice in the local press announcing its decision, ensuring again that adequate publicity is given to the making of the Order and write to those who objected to the proposal outlining the reasons for the decision to proceed. Any traffic signs required as a consequence of the Order must be in place before it comes into force. It should be noted that the above requirements are strict and must be complied with in full so as to minimise the risk of judicial challenge on the grounds of procedural impropriety.
- 12.6 The Council has a duty under section 122 of the Act to exercise its functions (including setting speed limits) to "secure the expeditious, convenient and safe movement of vehicular and other traffic....". Accordingly, factors that the Council must have particular regard to are:
- Maintaining access to premises
 - Effect on amenities the area
 - National Air Quality Strategy
 - Facilitating the passage of public service vehicles
 - Other relevant matters
- 12.7 Section 89 of the Act makes it an offence for the driver of a vehicle to exceed the speed limit imposed under section 84 and liable to prosecution where necessary.
- 12.8 The Council must comply with the Traffic Signs Regulations and General Direction 2002 in relation to the erection and maintenance of speed limit signs.

This is particularly relevant when considering enforcement action and convictions for speed offences to be upheld. Members should note that these regulations are under review currently by the Government with the new regulations likely to come into force sometime in 2016.

12.9 Section 12 of the Health and Social Care Act 2012 places a duty on the Council to take such steps as it considers appropriate to improve the health of its people in its area as identified at paragraphs 11.1 to 11.5 above.

12.10 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention Right. The Council acting as Highway Authority will have particular regard to its rights and responsibilities under the Human Rights Act 1998 when aiming to reduce the speed limit across the borough. The Council will have regard to:

- **Article 6** that in the determination of civil rights everyone is entitled to a fair and public hearing within a reasonable period of time by an independent and impartial tribunal established by law
- **Article 8** that everyone has the right to respect for his home and private life; and
- **Article 1 of the First Protocol** that everyone is entitled to peaceful enjoyment of his or her possessions.

12.11 The recommendations are considered to be not contrary to HR legislation

12.12 Implications verified/completed by: Horatio Chance, Licensing and Highways Solicitor, Tel: 020 8753 1863.

13 FINANCIAL AND RESOURCES IMPLICATIONS

13.1 Officers have made a submission for £500,000 of TfL Funding in 2016-17 which will cover the cost of the proposals in 2016-17. There is no other funding available so officers will need to ensure that they manage and adjust the scheme as necessary to remain with the available funding. Officers plan to bid for further funding in 2017-18 if necessary.

13.2 It is proposed that reflective, non-illuminated signs are used so any ongoing revenue cost of maintenance should be manageable within normal sign maintenance budgets.

13.3 There are therefore no direct financial implications for the Council as a result of this scheme .

13.4 Implications verified/completed by: Gary Hannaway, Head of Finance, Telephone 0208 753 6071.

14 IMPLICATIONS FOR BUSINESSES

14.1 With a higher footfall in town centres, in front of shops and business and slower vehicle speeds around, it is anticipated that retail businesses are likely to see

increased activities too, albeit that empirical evidence to support this view is scarce.

- 14.2 Officers will explore opportunities for local businesses to provide services for this project, should it be approved. This could include manufacture and installation of signage or sponsorship.

15 RISK MANAGEMENT

- 15.1 A risk log has been created for the Programme that identifies the principal risks at this stage. This risk log will be maintained and reviewed periodically and any emerging significant risks addressed and mitigations proportionate to the exposure applied. Where significant risks emerge they will be escalated, if required, and documented on the Service Level or Strategic Level Risk Register.
- 15.2 The Council's approved Local Implementation Plan deals with programme level risk management, in particular chapter three, the delivery plan. The table below details the capital programme risk and mitigation measures for capital and revenue projects:

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

- 15.3 Implications verified by: Michael Sloniowski, Shared Services Risk Manager, telephone 020 8753 2587

16 PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 16.1 There are no direct Procurement or IT implications arising from the report .
- 16.2 Implications verified/completed by: Robert Hillman, Procurement Consultant x1538.

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		

LIST OF APPENDICES:

Appendix 1	The consultation leaflet
Appendix 2	Map showing Option 2 with a 20mph in town centres and some main roads retaining a 30mph speed limit
Appendix 3	Map showing existing 20mph zones and limits in LBHF
Appendix 4	Consultation analysis
Appendix 5	Location of speed surveys
Appendix 6	EIA assessment
Appendix 7	Collision map, year 2012-14



A 20mph speed limit?

Tell us what you think



Have your say

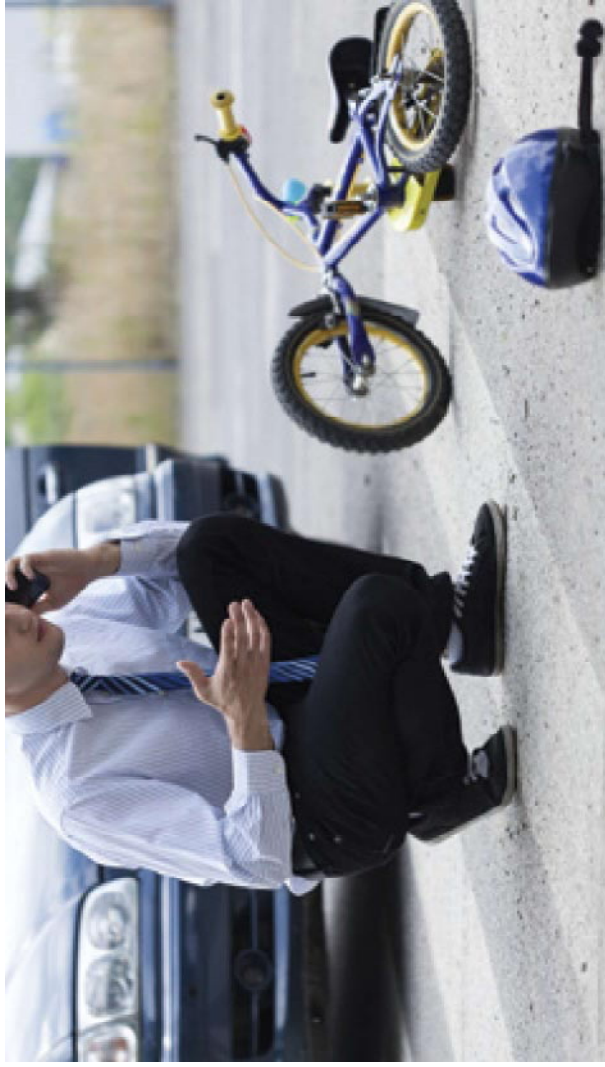
We are considering reducing the speed limit to 20 miles an hour across residential areas in Hammersmith & Fulham and would like your views.

- Please fill in and return the enclosed questionnaire
- Or fill in the form online at www.lbhf.gov.uk/20mph

The consultation runs **until 31 July**.

Why we are considering a 20mph speed limit

- To address a real danger
- To reduce deaths and injuries
- To reduce accidents
- To make our children and all of us healthier
- To cut delays on the road
- To make our neighbourhoods more pleasant

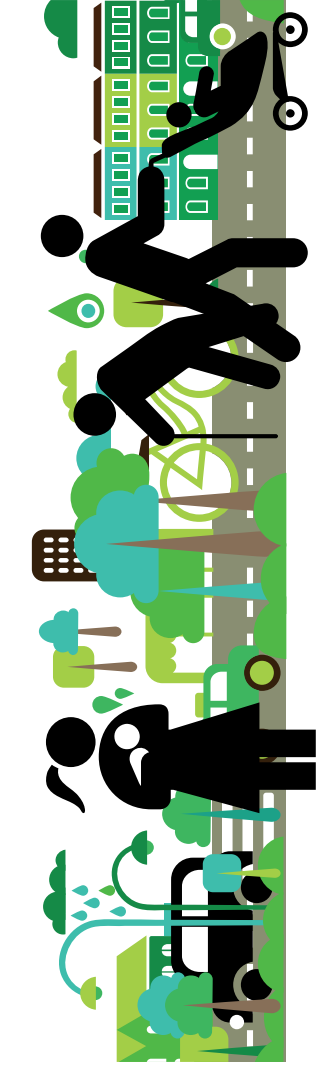
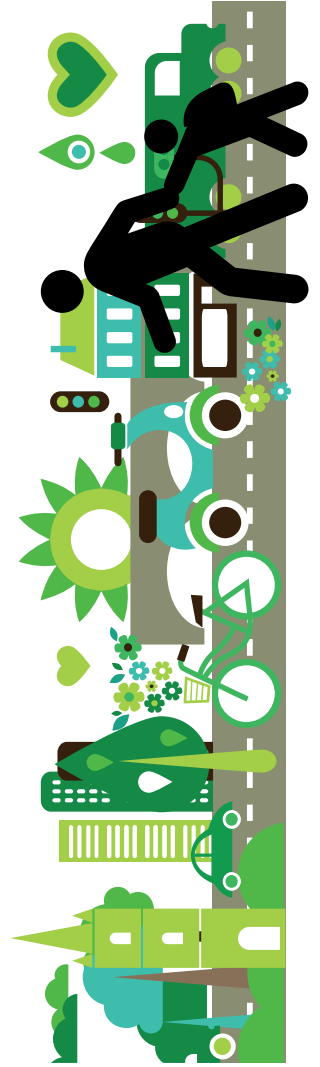


Addressing a real danger

- Three children a month are injured on H&F's roads on average.
- Of a total of 763 people injured on H&F's roads last year, almost half were cyclists or pedestrians.

Reducing deaths and injuries

- If you are hit by a car going at 30mph, your injuries are eight times more likely to be fatal than if the car is going at 20mph.



Reducing accidents

- At slower speeds, drivers have more time to react.
- We already have 20mph zones, which include traffic-calming measures, on more than a third of H&F's roads (see map). When the zones were introduced, injuries from collisions dropped by between 20 and 80 per cent.

Making our children and all of us healthier

- By making our streets safer, a 20mph limit would encourage children to walk to school and generally encourage walking and cycling - which are good exercise.

Cutting delays

- Collisions cause congestion, so fewer collisions would mean fewer delays.
- At lower speeds, vehicles flow through junctions more smoothly.

Making our neighbourhoods more pleasant

- Calmer roads would bring communities together by enabling neighbours and their children to get to know one another better.
- The lower, safer speed limit would encourage people to walk or cycle rather than drive, which would reduce pollution from cars.

The proposal

We are consulting on whether to implement a 20mph limit across the borough.

Which roads?

We are proposing a 20mph restriction on **all** roads in H&F, apart from those managed by Transport for London - the A40 (Westway), the A3220 and the A4 (Great West Road). If you think some other roads should be excluded from the new limit, please tell us which in Question 2.

Enforcement

The speed limit would be enforced by the police just as the 30mph limit is now. We are not proposing more speed cameras. Our questionnaire asks whether you would also like to see more traffic calming, such as speed humps, in specific areas to help slow traffic.

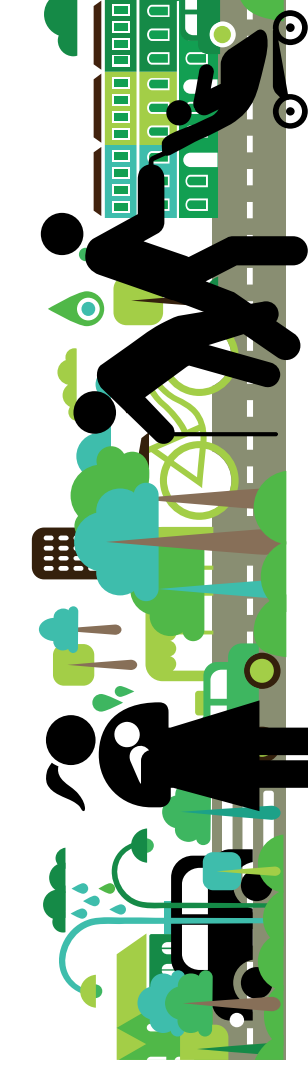
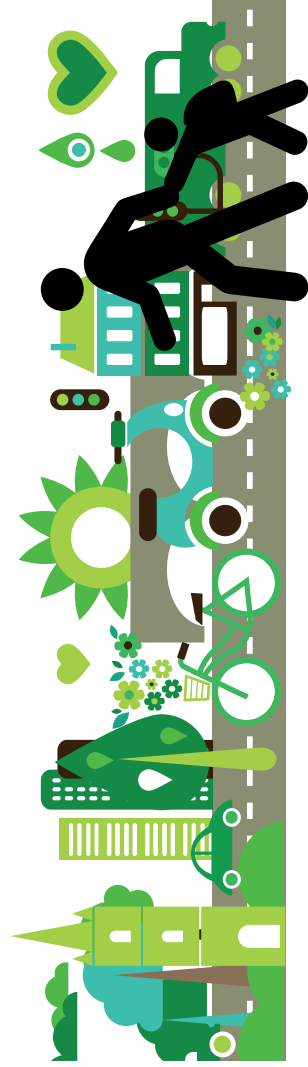
Signs

Each road would be clearly signed at the start of the speed limit, with signs repeated throughout the limit area.



Raising money from speeding fines

A 20mph scheme would **not** raise money for the council. Only the police are legally able to enforce speed limits. Neither the council nor the police will receive any income from this scheme.



What happens next?

Please send us your form before **31 July 2015**.

We will analyse the responses and the council's Cabinet will then make a formal decision on whether to go ahead. If a 20mph limit is approved, works would start next year and the new speed limit could be in force from autumn 2016.

For further information, please contact:

Telephone

Slobodan Vuckovic

020 8753 3360 or

Annelise Johns

020 8753 3005

Email:

20mph@lbhf.gov.uk

Postal address:

TTS, 6th Floor,

Town Hall Extension,

King Street, London W6 9JU

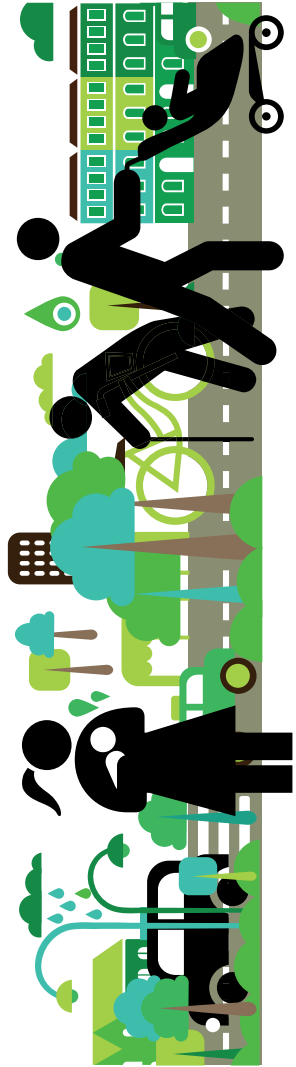
www.lbhf.gov.uk/20mph



NOT TO SCALE
Drawing No. 100000208
June 2015



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Questionnaire

Please complete the questionnaire, tear off this page only, and send it back to us in the pre-paid envelope we have enclosed. You do not need to put a stamp on it.

Question 1

Do you support a borough-wide 20mph speed limit on roads managed by Hammersmith & Fulham Council? Please tick only one box.

Yes Yes, but only on some of the roads No

Question 2

If you ticked 'Yes, but only on some of the roads', which road(s) should retain a 30mph speed limit? Please see the map on an earlier page.

Question 5

Please tick all boxes that apply to you

I am a resident I have a business in the borough I work in the borough

We are only able to consider responses from valid residential or business addresses in the borough. Please give us your name and postcode in order to ensure your response is considered.

Name.....

Business (if relevant).....

Address.....

Post Code.....

Age (optional): Under 25 25-64 65 or over

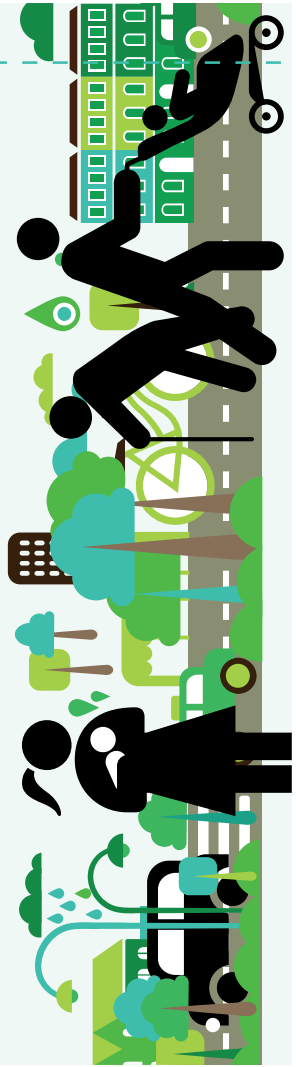
Question 3

If you are responding as an individual, please tell us how often you use the following ways of travelling? Please tick as many boxes as apply.

	Never	Daily	Several times a week	Several times a month
Bus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bicycle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Motorcycle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Car	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Walk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Taxi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 4

Please tell us about any further measures, such as speed humps or vehicle-activated signs, you would like to see to support a 20mph speed limit. Where should these go?



If you require any part of this document in large print or Braille please call 020 8753 3360








Transport for London is funding this consultation and would pay for the implementation of any scheme.











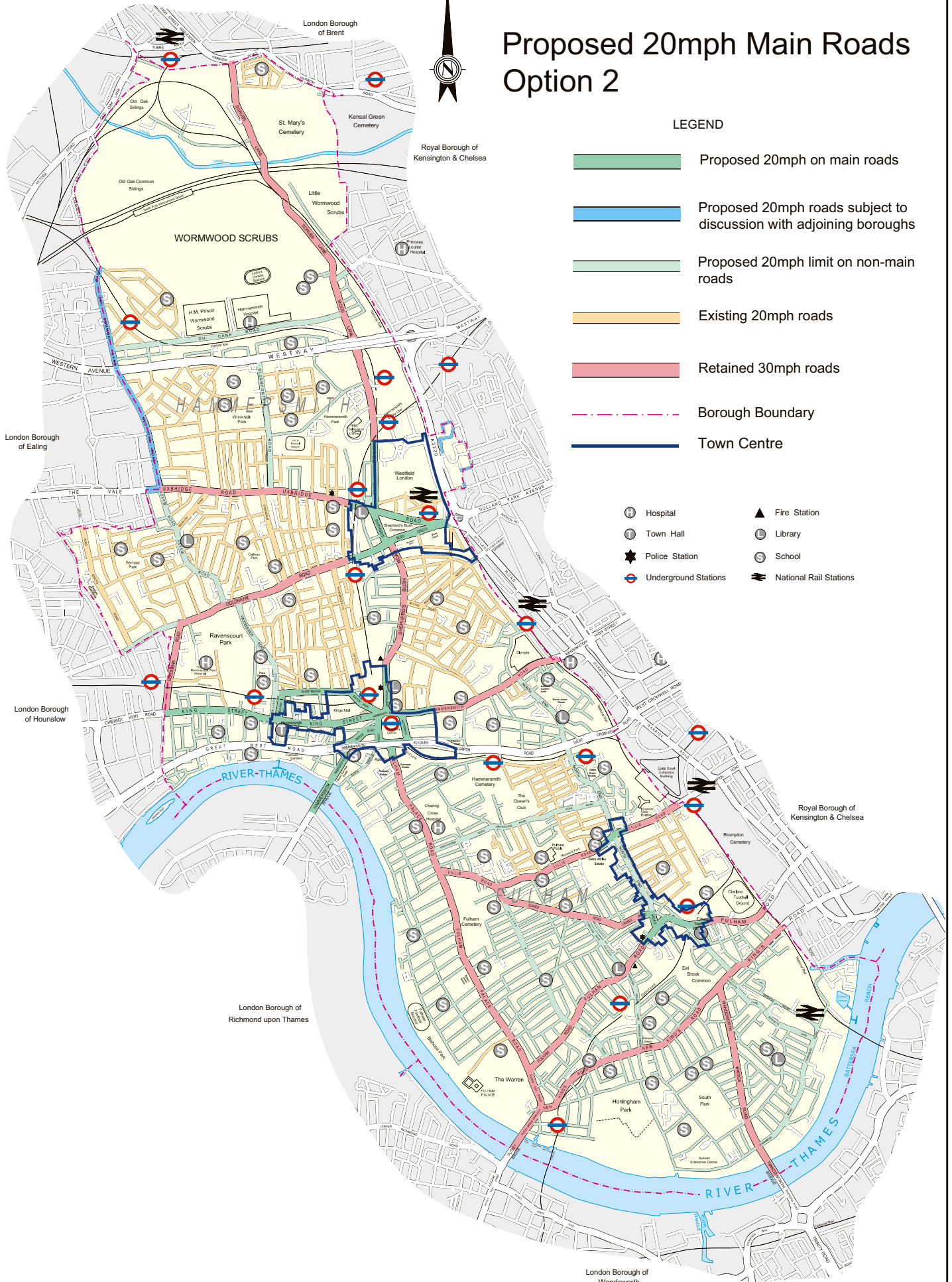
London Borough of Hammersmith & Fulham

Proposed 20mph Main Roads Option 2

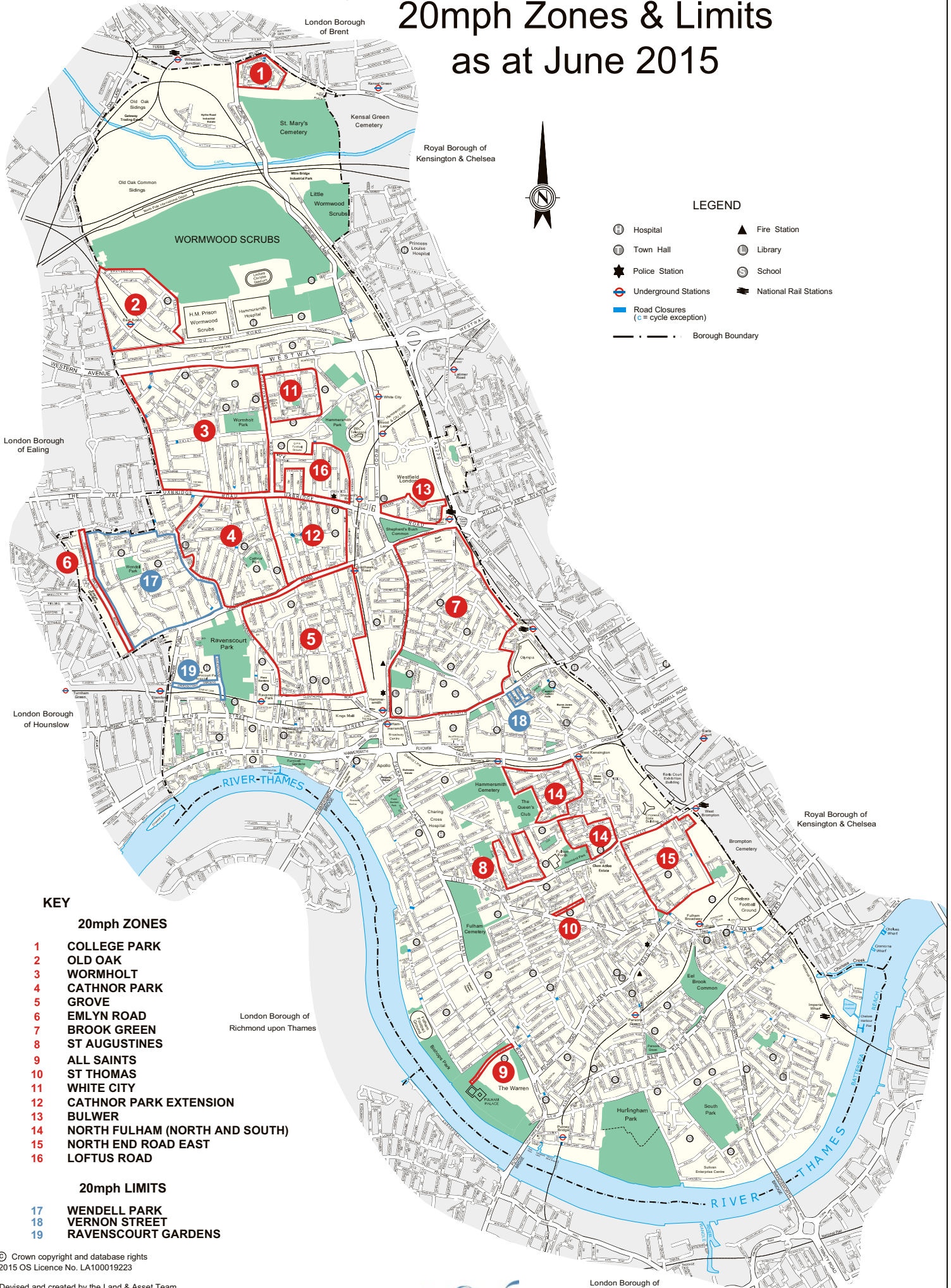
LEGEND

-  Proposed 20mph on main roads
-  Proposed 20mph roads subject to discussion with adjoining boroughs
-  Proposed 20mph limit on non-main roads
-  Existing 20mph roads
-  Retained 30mph roads
-  Borough Boundary
-  Town Centre

-  Hospital
-  Town Hall
-  Police Station
-  Underground Stations
-  Fire Station
-  Library
-  School
-  National Rail Stations



London Borough of Hammersmith & Fulham 20mph Zones & Limits as at June 2015



LEGEND

- Hospital
- Town Hall
- Police Station
- Underground Stations
- Road Closures (c = cycle exception)
- Borough Boundary
- Fire Station
- Library
- School
- National Rail Stations

KEY

20mph ZONES

- 1 COLLEGE PARK
- 2 OLD OAK
- 3 WORMHOLT
- 4 CATHNOR PARK
- 5 GROVE
- 6 EMLYN ROAD
- 7 BROOK GREEN
- 8 ST AUGUSTINES
- 9 ALL SAINTS
- 10 ST THOMAS
- 11 WHITE CITY
- 12 CATHNOR PARK EXTENSION
- 13 BULWER
- 14 NORTH FULHAM (NORTH AND SOUTH)
- 15 NORTH END ROAD EAST
- 16 LOFTUS ROAD

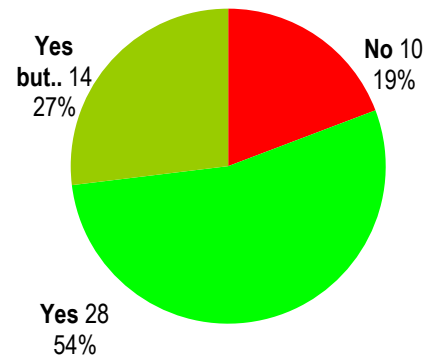
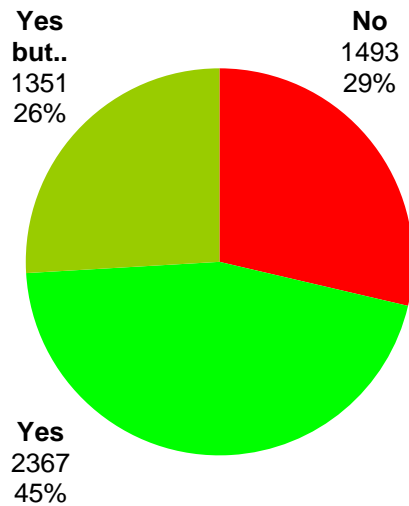
20mph LIMITS

- 17 WENDELL PARK
- 18 VERNON STREET
- 19 RAVENSCOURT GARDENS

Analysis of responses to consultation on 20 mph speed limit

Q1. Do you support 20mph speed limit on all roads in LBHF?

Overall Response (5211)



Responses from Resident Associations etc. (52)

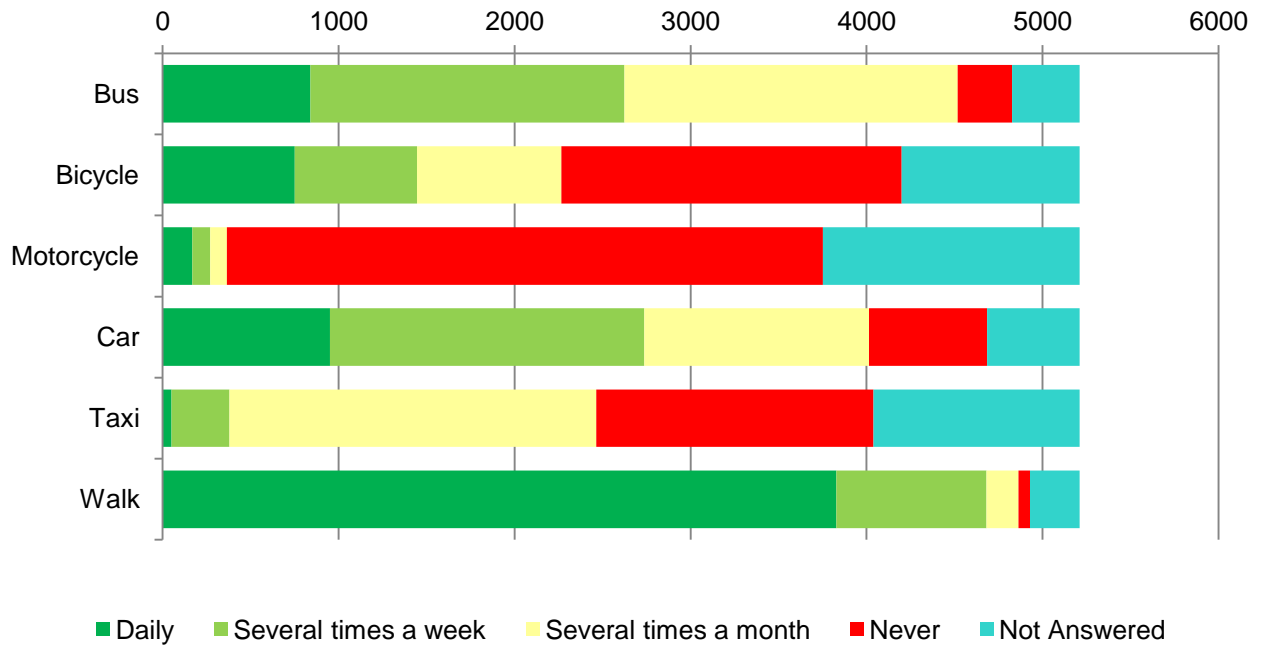
■ No ■ Yes ■ Yes, but only on some roads

Q2. If only on some roads, which roads should retain a 30mph speed limit?

General Type of Roads	Frequency	Road Name	Frequency
MainRoads	745	FulhamPalaceRoad	346
SecondaryRoads	181	ShepherdsBushRoad	153
TflRoads	67	FulhamRoad	148
AllRoads	50	NewKing'sRoad	144
ARoads	15	GoldhawkRoad	136
BusRoutes	14	UxbridgeRoad	128
ArterialRoads	6	WandsworthBridgeRoad	106
TrunkRoads	2	WoodLane	97
		LillieRoad	81
		ScrubsLane	81
		HammersmithRoad	50
		King'sRoad	48
		KingStreet	44
		DawesRoad	37
		NorthEndRoad	33
'20mph speed limit should be introduced outside schools'	51		

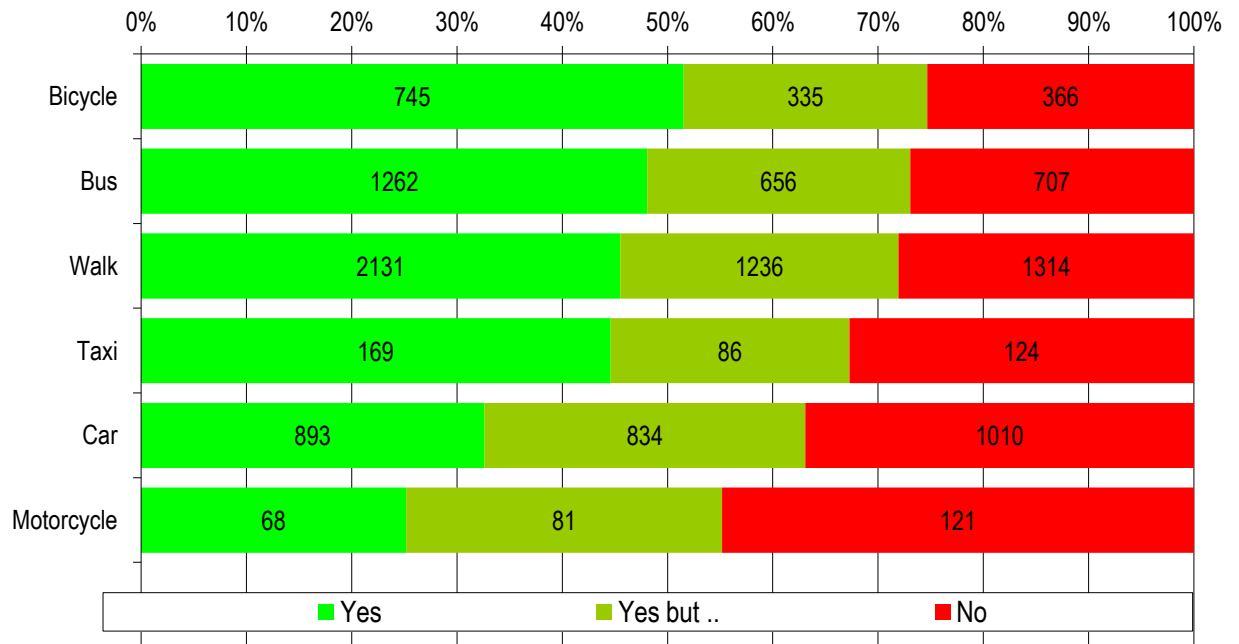
1351 respondents said they supported 20mph speed limits but only on some roads. Of these 1272 respondents stated roads where a 30mph speed limit should be retained. The roads most mentioned are listed above.

Q3. How often do you use these transport modes?



Support for 20mph from frequent users of each travel mode

Responses for travel modes show where respondent indicated either 'daily' or 'several times per week'



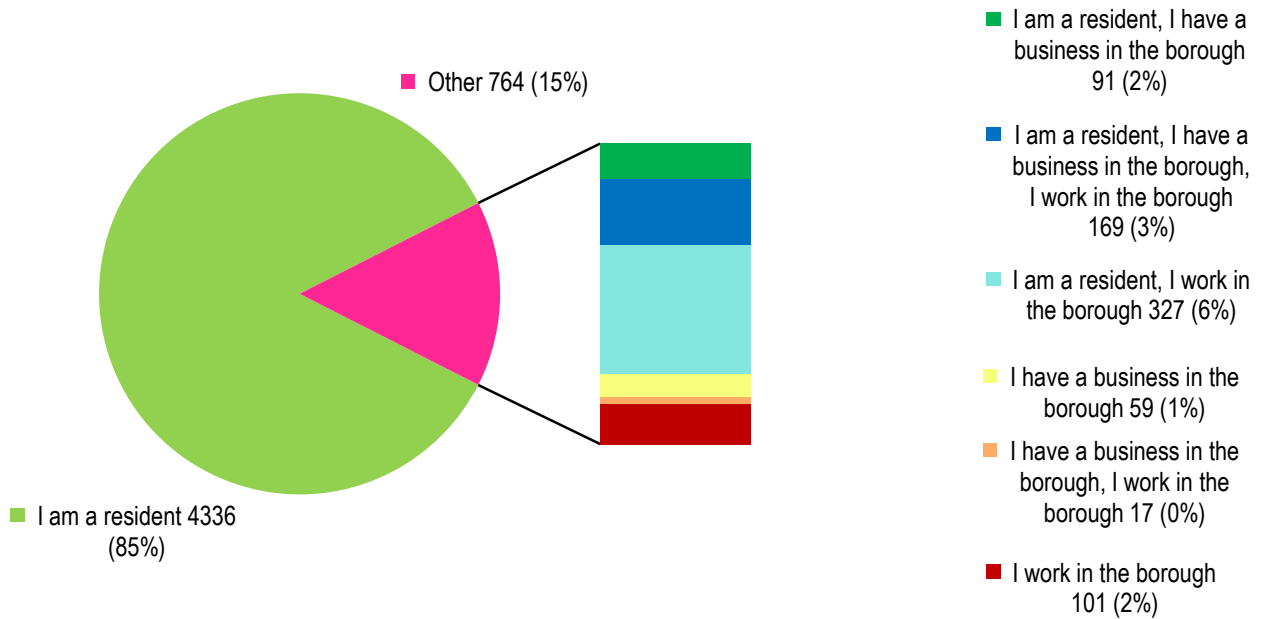
Q4. What measures would you like to see to support 20mph limits and where?

Feature	Frequency	Feature	Frequency
Speed humps	440	One way	45
Signs/electronic warning	387	Cycle lane	38
Vehicle Activated Signs (VAS)	380	Raised ped crossing	37
Speed cameras/ Speed Traps	208	Penalties	36
Physical traffic calming	115	Traffic lights	32
zebra/pelican crossing	113	Segregated cycle lanes	30
Bumps	84	Chicanes	30
Police	76	Enforce 30 mph speed limit	22
Education	61	Parking restrictions	21
Better Enforcement	54	Road Markings	20
Traffic Calming for cyclist & m/c	54	Restricted roads	17
Road narrowing	52	Count down at ped crossings	14

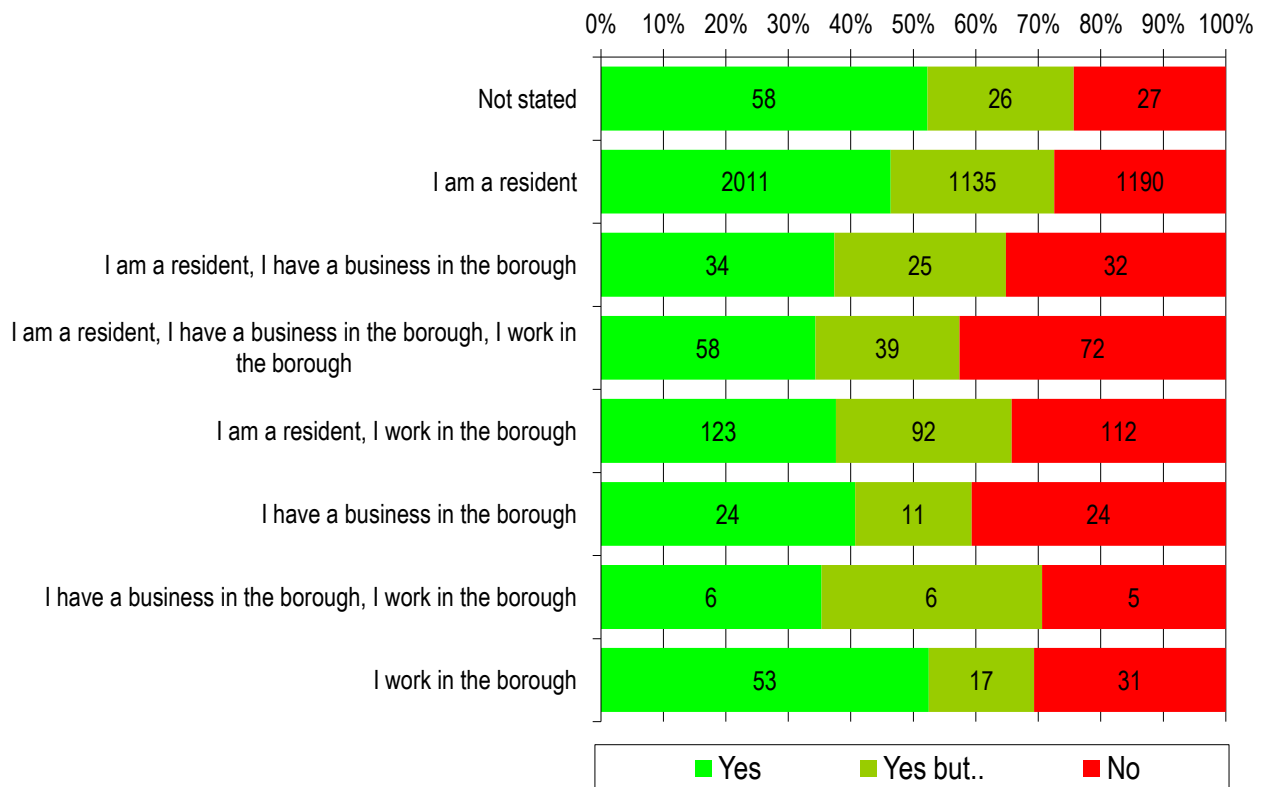
In which roads would you like to introduce these measures?

Askew Road Physical traffic calming	Fulham Road Cycle Lanes	Margravine Road Trees/fences	Parsons Green Lane Zebra/Pelican crossing
Raised Pedestrian crossing	Signs	Munster Road	Count down at pedestrian crossing
VAS	Chicanes	Raised Pedestrian crossing	Segregated cycle lanes
Bagleys Lane Planters	Goldhawk Road pedestrianisation	New Kings Road Speed cameras	Percy Road Speed cameras
VAS	Raised Pedestrian crossing	Cycle Lanes	Signs
Banim Street Speed cameras	Zebra/Pelican crossing	Enforcement 30mph speed limit	Closure of residential streets
Signs	Enforcement 30mph speed limit	Signs	St. Dionis Road Raised Pavement
VAS	Police	Traffic lights	Police
Broomhouse Road Count down at pedestrian crossing	Hammersmith Bridge Increase pedestrianisation	Zebra/Pelican crossing	Uxbridge Road
Emlyn Road Signs	Imperial Road Closure of residential streets	Chicanes	Speed cameras
Chicanes	King Street Trees/fences	VAS	Police
Speed cameras	Cycle Lanes	Planters	Enforcement 30mph speed limit
Fulham Palace Road Speed cameras	Count down at pedestrian crossing	Segregated cycle lanes	VAS
Physical traffic calming	Enforcement 30mph speed limit	North End Road Traffic lights	Pedestrianisation
Education	pedestrianisation	Raised Pedestrian crossing	Count down at pedestrian crossing
Count down at pedestrian crossing	Education	Education	Wandsworth Bridge Road Segregated cycle lanes
Cycle Lanes		Cycle Lanes	Enforcement 30mph speed limit
		Enforcement 30mph speed limit	Zebra/Pelican crossing
		Planters	

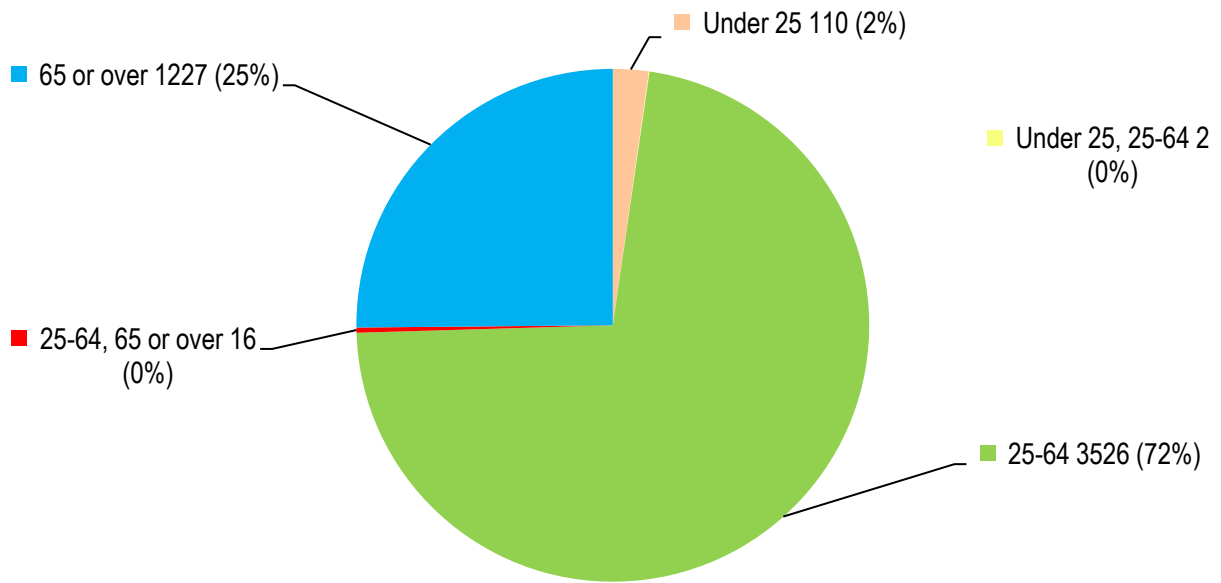
Q5. In what capacity are you responding?



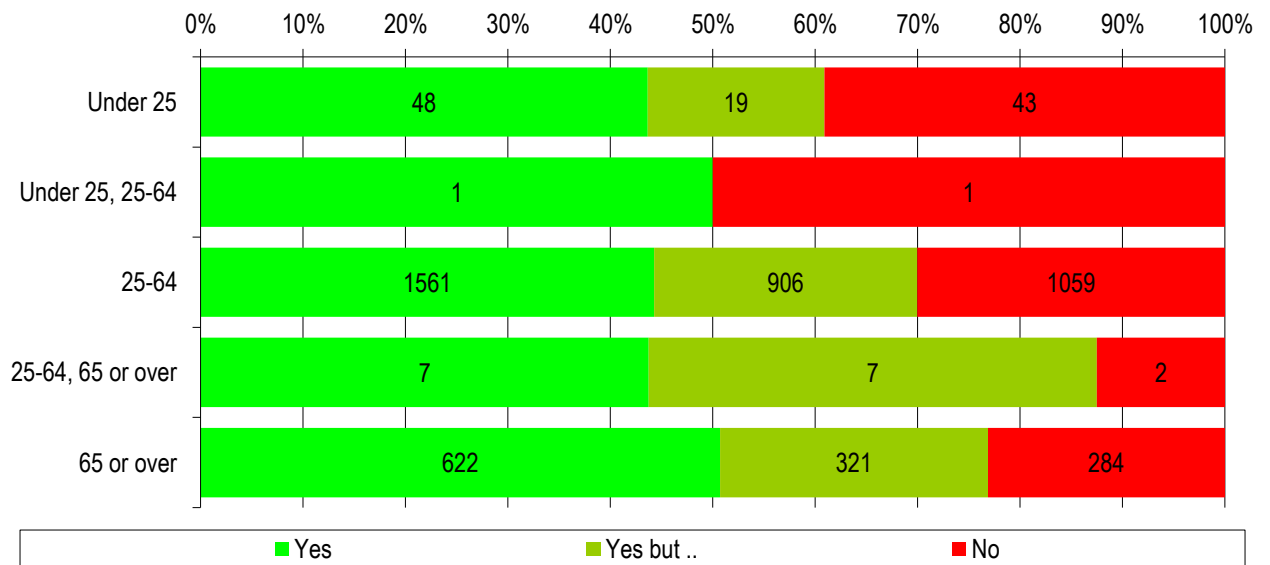
Support for 20mph by residents, businesses and employees



Q5. What is your age bracket?



Support for 20mph by age bracket



List of roads where traffic speed surveys were commissioned in 2015

1	Letchford Gardens (College Park)	51	Hammersmith Road
2	Old Oak Common Lane	52	Butterwick Road
3	Fitzneal Street	53	Queen Caroline Street
4	Wulfstan Road	54	Gliddon Road
5	Du Cane Road	55	North End Road
6	Old Oak Road	56	Avonmore Road
7	Bryoni Road	57	Queen Caroline Street
8	Wormholt Road	58	Margravine Gardens
9	Bloemfontein Road	59	Barons Court Road
10	Commonwealth Avenue	60	Vereker Road
11	Australia Road	61	North End Road
12	South Africa Road	62	Margravine Road
13	Ellerslie Road	63	Greyhound Road
14	Loftus Road	64	Fulham Pallace Road
15	McFarlan Road	65	Nella Road
16	Caxton Road	66	Ranoch Road
17	Uxbridge Road	67	Lillie Road
18	Uxbridge Road	68	Normand Road
19	Cobbold Road	69	Sedlescombe Road
20	Wendell Road	70	Tournay Road
21	Hartwood Road	71	Walham Grove
22	Flanchford Road	72	Fabian Road
23	Askew Road	73	Rylston Road
24	Percy Road	74	Dowes Road
25	Hadian Park Road	75	Sherbroke Road
26	Cathnor Road	76	Munster Road a)
27	Conningham Road	77	Munster Road b)
28	Lime Grove	78	Woodlawn Road
29	Pennard Road	79	Ellerbie Street
30	Golhawk Road	80	Gowan Avenue
31	Stamford Brook Road	81	Fulham Road a)
32	Ravenscourt Gardens	82	Fulham Road b)
33	Ravenscourt Park	83	Harwood Road
34	Paddenswick Road	84	Novello Road
35	Dalling Road	85	Shottendane Road
36	Brackenburry Road	86	New Kings Road
37	Banim Street	87	Kings Road
38	Cambridge Grove	88	Stokenchurch Road
39	Glenthorne Road	89	Quarenndon Street
40	Hammersmith Grove	90	Linver Road
41	Sulgrave Road	91	Fulham Palace Road
42	Shepherds Bush Road	92	Broomhouse Lane
43	Rockley Road	93	Clancarte Road
44	Richmond Way	94	Pearscroft Road
45	Bolinbroke Road	95	Broughton Road
46	Sinlcair Road	96	Wandsworth Bridge Road
47	Blythe Road	97	Townmead Road
48	Brook Green	98	Settrington Road
49	King Street	99	Hugon Road
50	Rivercourt Road	100	Wandsworth Bridge

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.

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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	2015 / 2016
Name and details of policy, strategy, function, project, activity, or programme	<p>Short summary: The transportation policy department has completed a borough wide consultation as part of the Local Implementation Plan 2016/2017 funding priorities to determine the opinion of the majority of residents and businesses in the borough to whether to extend 20mph speed limits in the borough.</p> <p>Note: If your proposed strategy will require you to assess impact on staff, please consult your HR Relationship Manager.</p>
Lead Officer	<p>Name: Annelise Johns Position: Design Team Manager Email: annelise.johns@lbhf.gov.uk Telephone No: 02087533005</p>
Date of completion of final EIA	13 / 10 / 2015

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Section 02	Scoping of Full EIA		
Plan for completion	In preparation of the plan to roll out the consultation the evidence that was gathered and statistic that were gathered that are most relevant to this report, as detailed in the information provided below.		
Analyse the impact of the policy, strategy, function, project, activity, or programme	The focus for this project is to explore the health implications speeding vehicles have across the borough's population in light of the current administration manifesto commitment to extend 20mph speed limits. Therefore a borough wide consultation was undertaken, the process leading to which and its results are therefore the subject of this Equality Impact Assessment.		
	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
	Age	The 20mph proposal has positive effects on the elderly population in particular. In 2030, a quarter of the population will be over the age of 65. This age group	Positive

Appendix 6

	has the highest cases of dementia, has the slowest reaction time, highest instability, the demographic affected the most by visual , hearing and mobility impairments all of which make them the demographic with the most to loose from speeds above 20mph. Equally in light of the design of 'home-zones or ply streets' speed is always less than 20mph to cater to the reaction time of children and their safety. The outcome will greatly benefit the older and younger populations quality of life. A by-product of roads with speeds above 20mph are the increased rates of social isolation in older populations and the increased rates of child obesity. Therefore, the positive effect to these demographic groups in particular is significant as is the improvement in preventative care and the savings in costs to the NHS.	
Disability	Similar to the benefits stated above for the younger and elderly populations those with disabilities are limited by various impairments that prevent them from using the public realm to the same level of convenience. Vehicular speeds above 20mph significantly reduce the already compromised the access of those whom have disabilities.	Positive
Gender reassignment	The scheme will have no impact on gender	Neutral
Marriage and Civil Partnership	The scheme will have no impact on gender	Neutral
Pregnancy and maternity	The scheme will have no impact on gender	Neutral
Race	The scheme will have no impact on gender	Neutral
Religion/belief (including non-belief)	The scheme will have no impact on gender	Neutral
Sex	The scheme will have no impact on gender	Neutral

Appendix 6

	Sexual Orientation	The scheme will have no impact on gender	Neutral
	<p>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</p>		
	<p>Will it affect Human Rights, as defined by the Human Rights Act 1998? Yes / No</p>		
	<p>Will it affect Children’s Rights, as defined by the UNCRC (1992)? Yes/No</p>		

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Section 03	<p>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.</p>
Documents and data reviewed	<p>LBHF: The research gathered in preparation for this project included a review of cabinet reports from across the UK boroughs, who have introduced 20mph speed reductions. Additionally, research from the National Institute for Health and Care Excellence and Public Health England were examined in particular, their evidence on health and the environment and their findings related to causes of obesity. Additionally, evidence from the World Health Organisation’s latest findings on traffic casualties and the demographics that most effected were reviewed. Additionally, much evidence from the transport and health global academic community has been gathered, specifically, The Canadian Medical Association, the American National Institute of Health and the Not for profit organisation Urban Design for Health , which focused on causes of death in urban centres and planning for health. Several articles from the Oxford Journal of Public Health were reviewed in relation to the 20mph evidence. Similarly, the Journal of Epidemiology and Community Health was reviewed in relation to the articles that addressed urban policies and social deprivation, as evidence shows, the highest number of traffic related injuries and casualties occur in neighbourhoods of economic deprivation. Research from Oxford University provided the biggest overview in terms of the social disruption of transport. Finally, much of the 20mph based evidence came from the UK’s leading Transportation and Health evidence data base Evidence on a Page where 30 or more journal’s findings are compiled.</p>
New research	If new research is required, please complete this section

Appendix 6

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).

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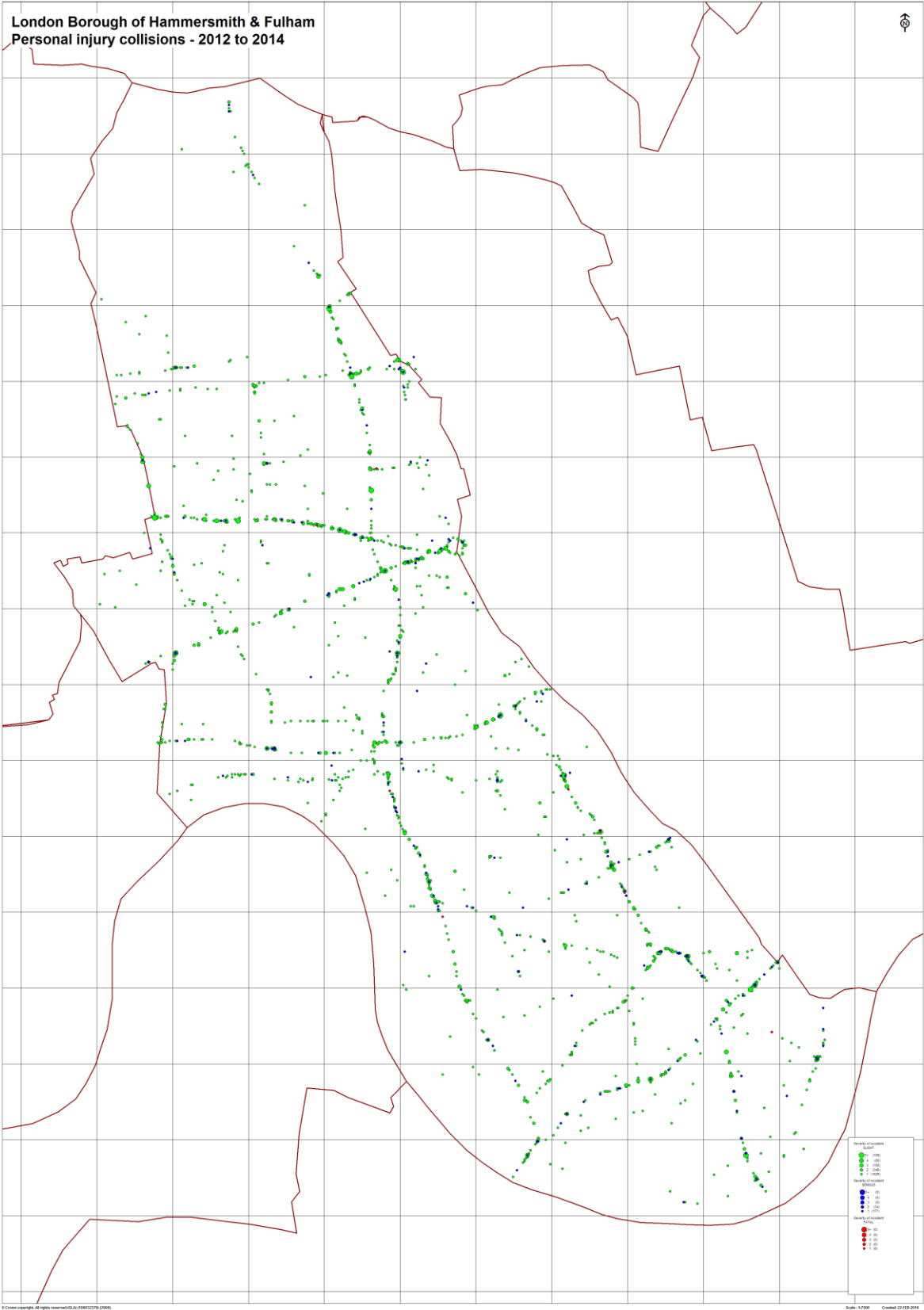
Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	Include any specific actions you have identified that will remove or mitigate the risk of adverse impacts and / or unlawful discrimination. This should provide the outcome for LBHF, and the overall outcome.


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												
	<table border="1"> <thead> <tr> <th>Issue identified</th> <th>Action (s) to be taken</th> <th>When</th> <th>Lead officer and borough</th> <th>Expected outcome</th> <th>Date added to business/service plan</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan						
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	: Telephone No: LBHF

Appendix 6

	Name: Mahmood Siddiqi Position: Bi-Borough Director of Transport and Highways Email: mahmood.siddiqi@lbhf.gov.uk Telephone No: 3019
Key Decision Report (if relevant)	LBHF January 11 2016 Key equalities issues that have been included Yes.
Opportunities Manager (where involved)	Name: David Bennet Position: Head of Change Delivery (acting) Date advice / guidance given: Email: PEIA@lbhf.gov.uk Telephone No: 1628



<p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">CABINET</p> <p align="center">7 MARCH 2016</p>	
<p>PARKING ON HOUSING ESTATES – PHASED ROLLOUT</p>	
<p>Report of the Cabinet Member for Housing, Councillor Lisa Homan and the Cabinet Member for Environment, Transport & Residents Services, Councillor Wesley Harcourt</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Directors: Mahmood Siddiqi, Director for Transport and Highways; Nilavra Mukerji, Director of Housing Services</p>	
<p>Report Authors: Chris Bainbridge, Special Transport Projects Advisor, and Sharon Schaaf, Head of Estate Services</p>	<p>Contact Details: Tel: 020 8753 2570 E-mail: sharon.schaaf@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. On 2nd November 2015 Cabinet agreed recommendations regarding residents' choice of parking control on seven of the Council's housing estates as Phase 1 of a rollout of parking controls, and agreed consultation on eight further housing estates as Phase 2.
- 1.2. This report seeks agreement to: roll out the outcome of the consultation on the Phase 2 estates; to commence consultation with residents on all remaining estates with parking areas boroughwide as Phase 3, (listed in Appendix 1); and to implement the favoured method of control for phase 3 by 31st March 2017.

- 1.3. The implementation cost for introducing a method to control unauthorised or obstructive parking on housing land contained within Phase 2 and 3 is estimated at £2.4m. A summary of the anticipated costs are included in Appendix 1. Phase 3 also includes housing land where parking is not allowed, but is occurring.
- 1.4. The consultation documents and methods to be used are those already approved for use in the first round of consultation on Phase 1 estates.
- 1.5. An implementation programme will be developed as each resident consultation is concluded.

2. RECOMMENDATIONS

- 2.1. To approve the introduction of Traffic Management Orders (TMOs) where resident consultation supports this as the favoured approach for Phase 2 and 3 consultations.
- 2.2. To approve a boroughwide TMO that permanently restricts parking to incorporate all areas of hard standing where no formal parking is provided to ensure that these areas can be kept clear of obstructive parking at all times. (Example addresses listed in Appendix 1).
- 2.3. To note the TMOs will be aligned as a minimum to the Controlled Parking Zone (CPZ) hours of operation immediately adjacent to the estates, and residents advised accordingly.
- 2.4. To agree the implementation of physical controls where TMOs are not supported by residents or are not suitable.
- 2.5. To give delegated authority to the Cabinet Member for Housing, and the Cabinet Member for Environment, Transport & Residents Services to agree any changes to the proposed implementation schedule should this be required in response to changes to local parking stress, or to amend the list of addresses included as Appendix 1 as necessary.
- 2.6. To give delegated authority to the Cabinet Member for Housing, and the Cabinet Member for Environment, Transport & Residents Services to review the outcome of any further engagement work required where initially resident opinion is divided, and decide upon the options to be pursued and the timeline for implementation.
- 2.7. To approve expenditure as a budget of £2.4m for the boroughwide rollout of parking controls across the remaining housing sites, to be financed from the Housing Revenue Account (HRA).

- 2.8. To approve the commencement of Phase 3 of consultation as set out at Appendix 1, to commence April 2016.

3. REASONS FOR DECISION

- 3.1. The Protection of Freedoms Act 2012 (POFA), removed the Council's ability to enforce parking restrictions on housing estates as removal and clamping of vehicles on private land became illegal. An inadvertent consequence for many Local Authorities including LBHF has been increased parking problems. These problems have escalated, and in recent months, essential services such as refuse collection have been frequently delayed.
- 3.2. Due to the difficulties being experienced, the Cabinet Member for Environment, Transport and Residents Services and the Cabinet Member for Housing agreed in May 2014 to consult with the 7 worst affected estates (Phase 1) on potential options to resolve this issue, and subsequently agreed in November 2014 to implement the resident's preferred method of control, and carry out further consultation on two estates where their preference was not clear.
- 3.3. Following advice from London Councils, the Council favours TMOs as the preferred option, but we will continue to make clear that solutions will not be imposed on residents, and the results from any consultation will be fully taken into account before a decision is made.

4. BACKGROUND

- 4.1. Works are underway to implement TMOs on the estates where residents were consulted as Phase 1, including the formal consultation required for a TMO. Housing's consultation with residents of Phase 2 estates as agreed previously will be completed between January and March 2016.
- 4.2. We will consult on the following options:
- Option 1 - Using Traffic Management Orders to create an Off Street Car Park (OSCP), as on White City Estate, whose OSCP was introduced in 2004.
 - Option 2 - Merge estate roads and parking spaces with the surrounding on-street CPZ.
 - Option 3 - Maintain status quo, (effectively no enforcement but with deterrent warning signs, or lockable bollards, or barriers where possible).
 - Option 4 - Alternative solutions as suggested by residents, with space provided for them to write their suggestions in the questionnaire.

- 4.3. There are a number of 'no parking' areas such as access roads leading to garages and refuse areas where obstructive parking is taking place. A single TMO with 'no parking, emergency vehicles only' rules will be put in place that can include all areas where this is an issue as part of the rollout of boroughwide parking control options.

5. CONSULTATION OVERVIEW

- 5.1. As with the consultation that took place for Phase 1 estate residents, we will consider a majority response of over 51% of returned questionnaires as an indicator of the preferred method of control from residents of all of the remaining sites, and will carry out further resident consultation if no clear decision is reached with the initial enquiries. Each estate will be offered a parking specific update at an open meeting to tie in with the consultation, and a 'parking surgery' on completion to update residents of the decision and the proposed solution.
- 5.2. Cabinet members and ward councillors will be kept updated on an estate by estate basis.
- 5.3. A dedicated email address and phone line will be offered for resident enquiries.
- 5.4. Further formal consultation will be carried out with the advertisement of all TMOs as is legally required.

6. IMPLEMENTATION COSTS AND ISSUES

- 6.1 The costs of implementing parking controls on the remaining estates, sites and no parking areas are estimated as £2.4m.
- 6.2 Income from parking permits will accrue to the Housing Revenue Account after deducting the costs of issuing the permits. The cost of Parking Enforcement (visits by Parking Attendants (Civil Enforcement Officers)), pay and display revenue, and income from Penalty Charge Notices (PCNs) will accrue to the Council's General Fund. Based on the experience on White City Estate where a TMO was introduced in 2004, it is anticipated that the income from enforcement and pay and display (to be limited to residents' visitors) will cover the associated costs of these activities, and become revenue neutral over time.
- 6.3 Income from parking permits depends on a number of factors, notably car ownership rates, and hours of operation. Car ownership on the estates is estimated at between 30 and 40% of properties. On the White City estate, permits currently issued equate to approximately half the available bays.

However, this is a special case as highways which are in Controlled Parking Zone O run through the estate, so many residents find it more convenient to have a Zone O permit than an estate permit. The current figures are 390 off-street permits and 215 Zone O permits issued to estate residents. This is not the case for the estates under consideration, where there is a reasonable likelihood of there being a higher take up of estate permits.

- 6.4 Although the majority of responses for Phase 1 consultation indicated a preference for controls 24 hours daily, this level of service cannot currently be resourced. Therefore it is proposed that the TMOs will be aligned as a minimum to the CPZ hours of operation immediately adjacent to the estates and residents be advised accordingly.
- 6.5 It is difficult to predict exactly how much revenue would be raised from the issue of parking permits as we do not have an accurate estimate of demand. However, in the light of experience at White City, and taking into account that estate's special circumstances, a reasonable estimate would be an annual revenue of £120 per annum per available bay. Based on this assumption, it would take between two and six years to recover the costs of implementing the TMOs, the difference being due to differing amounts of infrastructure work being needed on the roads in each estate to bring them up to enforceable standards.
- 6.6 After cost recovery, any maintenance of the estate lines and signs would be met from on-going permit sales.
- 6.7 It is possible that an incidental consequence of re-introducing parking controls may be an increase in garage lettings, if some residents opt to rent a garage rather than purchase a resident's parking permit.

7 NEXT STEPS

- 6.1. A supplementary report will be presented to give the update on the outcomes of Phase 2 in May 16, and following on from that the results of Phase 3 consultation at a later date. Subject to the recommendations therein being approved, the TMOs will be prepared for the relevant estates and the formal process commenced. This is expected to take 42 days. If no objections are received, the permits can be prepared and issued prior to the live dates.
- 6.2. Whilst the formal process is taking place, lining and signing will be organised along with providing more project specific information to residents.
- 7.3 Further engagement work will be undertaken and consultation feedback sought where there is no clear agreement on the preferred way forward, and the outcome of this activity provided to the Cabinet Member for Housing, and

the Cabinet Member for Environment, Transport & Residents Services for consideration and decision.

- 7.4 The works will be phased to ensure the highways contractors, and Traffic Orders and permit sections can cope with the workload without the need for additional resources.
- 7.5 If the Council receives objections to the TMOs, we have a duty to consider and respond to them. Depending on the nature and number of objections, the Director of Transport and Highways may decide on the response, in consultation with the appropriate Cabinet Members. If required, the matter may need to be referred back to Cabinet, or in some exceptional circumstances, a public inquiry convened. There is therefore a potential risk of anything between a month and a year being added to the process.
- 7.6 Throughout this process, we will continue where practicable to place warning stickers on cars parked without authority and install deterrent signs on estates in response to residents' requests, as these measures have a short term effect and it will be some time before we can introduce TMOs on all estates.

8 EQUALITY IMPLICATIONS

- 8.1 An initial informal consultation process has been or will be completed on all phases. A further round of formal consultation is required as part of the implementation of the Traffic Management Orders. Should adverse impacts be identified, officers will consider mitigating actions and if these are not possible, the overall benefits of any proposal must be considered before members make a final decision including the need to give due regard to the needs identified in the public sector equality duty in s149 of the Equality Act 2010. Disabled Blue Badge holders will particularly benefit from the enforcement of parking controls, as they have greater difficulty in getting between their homes and alternative parking spaces. Where holders have been identified, spaces will be located where possible, to best accommodate their needs.
- 8.2 A completed Equality Impact Assessment is attached in Appendix 2.
- 8.3 I have reviewed the equalities comment and the attached EIA and my advice is that due regard has been paid to PSED in this report.
- 8.4 Equalities implications verified by David Bennett Head of Change Delivery – 02087521628.

9 LEGAL IMPLICATIONS

- 9.1 The Council will need to comply with and follow the statutory procedure set out in the Road Traffic Regulation Act 1984 and secondary legislation when establishing a traffic order for both on-street and off-street car parking on housing estate land.
- 9.2 By virtue of section 122 of the 1984 Act, the Council must exercise its powers under the 1984 Act so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians and the provision of suitable and adequate parking facilities on and off the highway
- 9.3 Where consultation is to be carried out, this 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 Traffic regulation orders for on-street and off-street parking will continue to have effect on the housing estates irrespective of any change of ownership of the housing estates.
- 9.5 An on-street traffic regulation order can be created on housing land irrespective of who owns the land. The Council will continue to be responsible for enforcement of parking contraventions for on-street parking following a change of ownership of the estate land.
- 9.6 Under Section 32 of the Road Traffic and Regulation Act the Council can provide off-street parking spaces on its own land. The Council could make an arrangement with any subsequent owners of the housing land to continue to provide the existing off-street parking places following the sale of the estate land. It is considered that the proposed consultation will also satisfy the Council's obligation under section 105 of the Housing Act to consult with secure tenants who are likely to be substantially affected by a matter of housing management.
- 9.7 Implications completed by Adesuwa Omoregie, Solicitor (Planning Highways and Licensing) Telephone 020 8753 2297 and Janette Mullins Principal Solicitor (Housing and Litigation) Telephone 020 8753 2744.

10 FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1 The implementation cost for introducing a method to control unauthorised or obstructive parking on housing land contained within Phase 2 and 3 is estimated at £2.4m. The anticipated costs are set out in the table below (detailed costs are included in Appendix 1):

Phase	Total Anticipated Cost	Capital Cost	Revenue Cost
	£000s	£000s	£000s
Phase 2	420	260	160
Phase 3	1,790	1,610	180
Contingency	190	190	0
Total	2,400	2,060	340

- 10.2 The revenue costs of £340k include an allowance for the likely costs of consultation for both Phase 2 and 3. These revenue costs will be funded from an earmarked reserve set aside for this specific purpose from the Housing Revenue Account underspend in 2015/16 and approved by Cabinet on 11th January 2016.
- 10.3 The anticipated capital costs of £2,060k will be funded from the Decent Neighbourhoods Programme.
- 10.4 An allowance has been made within the revenue costs of £340k to provide for the risk of any further engagement work that may be required as part of the consultation process. Any potential overspend will be reported via the Council's revenue monitoring regime.
- 10.6 The resulting income stream from the issue of parking permits will contribute to implementation costs but it is likely it will take several years to recover them. Therefore good control of costs is essential. The extent to which this can be achieved will be dependent on the number of operational parking spaces provided and the on-going costs of managing the resulting parking service.
- 10.7 It should further be noted that any income from issuing penalty charge notices will accrue to, and parking enforcement expenditure will be met from, the General Fund.
- 10.8 Implications completed by: Danny Rochford, Head of Finance (Housing and Regeneration), (020 8753 4023).

11 IMPLICATIONS FOR BUSINESS

- 11.1 There are no implications for business arising from this report.

12 RISK MANAGEMENT

- 12.1 The project is to be managed within the Environmental Services programme and risks identified and communicated to the Economic Regeneration, Housing and the Arts Policy and Accountability Committee, and the Community Safety, Environment and Residents Services Policy and Accountability Committee, and Cabinet Members for Transport and Housing. Parking problems associated with the housing estates are an operational risk. Traffic flow risk is apparent and it is noted in the proposal that pedestrian and vehicle movements have become increasingly difficult, emergency services have also expressed concerns about inconsiderate and obstructive parking and the inability of residents to park in a space which they have paid.
- 12.2 Risk Management Implications verified by Michael Sloniowski, Shared Services Risk Manager Telephone 020 8753 2587

13 PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 13.1 It is noted that the works will be phased to ensure the highways contractors, (and Traffic Orders and permit sections) can cope with the workload without the need for additional resources.
- 13.2 If additional resources are required to be procured, they will need to comply with the Council's Contract Standing Orders.
- 13.3 Implications verified by Robert Hillman Procurement Consultant. Telephone 020 8753 1538

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		

LIST OF APPENDICES:

- Appendix 1 – Phase 2 and 3 summary information**
Appendix 2 – EIA

Rollout of parking controls - Phase 2 and 3 - estimated value of project £2.4M

Breakdown of addresses and estimated site values based on most likely outcome of consultation

Estate Name	Likely site requirements	Most suited for:	Estimated Capital Costs	Estimated revenue costs
Rollout as Phase 2				
Estates				
Bayonne Estate	Major works (resurfacing, signs & lines)	TMO	65,000	20
Maystar Estate	Minor Works Patching (Lining & Signing)	TMO	30,000	20
Margravine Estate	Minor Works (Lining & Signing)	TMO	35,000	20
Riverside Gardens	Minor Works (Lining & Signing)	TMO	15,000	20
Lytton Estate	Major works (resurfacing, signs & lines)	TMO	55,000	20
Wood Lane Estate	Minor Works Patching (Lining & Signing)	TMO	25,000	20
Flora Gardens	Minor Works (Lining & Signing)	TMO	15,000	20
Aintree Estate	Minor Works (Lining & Signing)	TMO	20,000	20
	Estimated cost:		260,000	160

Rollout as Phase 3					
Estates					
Aintree Street	Minor Works Patching (Lining & Signing)	TMO	£30,000	The revenue estimate for the phase 3 properties is £180,000.	
Townmead Estate	Minor Works Patching (Lining & Signing)	TMO	£50,000		
Queen Caroline	Major works (resurfacing, signs & lines)	TMO	£60,000		
Becklow Gardens	Major works (resurfacing, signs & lines)	TMO	£65,000		
Emyln Gardens	Major works (resurfacing, signs & lines)	TMO	£50,000		
Robert Owen	Major works (resurfacing, signs & lines)	TMO	£45,000		
Kelmscott Gardens	Minor Works (Lining & Signing)	Barrier	£25,000		
Aspen Gardens	Minor Works (Lining & Signing)	TMO	£30,000		
Springvale	Major Works (Resurfacing Sign & Lines)	TMO	£80,000		
Rowberry Close	Minor Works (Lining & Signing)	Barrier	£50,000		
AHenderson & WBanfield	Major works (resurfacing, signs & lines)	Barrier	£35,000		
	Estimated cost:		£520,000		
Sheltered Housing					
Seagrave/Viking Court	Minor Works (Lining & Signing)	TMO	£3,000		
Waterhouse Close	Minor Works (Lining & Signing)	Barrier	£14,000		
Eternit, Cedar/Ash Lodges	Minor Works (Lining & Signing)	TMO	£5,000		
Malvern Court	Minor Works (Lining & Signing)	Barrier	£3,000		
Barclay Road	Minor Works (Lining & Signing)	Barrier	£3,000		
Planetree Court	Minor Works (Lining & Signing)	Barrier	£5,000		
Manor Court	Minor Works (Lining & Signing)	Barrier	£10,000		
Rosewood Square	Minor Works (Lining & Signing)	Barrier	£14,000		
Munden Street	Minor Works (Lining & Signing)	Barrier	£10,000		
50 Vereker Road	Minor Works (Lining & Signing)	Barrier	5,000		
Swanbank Court	Minor Works (Lining & Signing)	Barrier	£10,000		
Banim St	Minor Works (Lining & Signing)	TMO	£2,000		
Wentworth Court	Minor Works (Lining & Signing)	TMO	£2,000		
Meadowbank Close	Minor Works (Lining & Signing)	TMO	£2,000		
Askham Court	Minor Works (Lining & Signing)	Barrier	£10,000		
Meadowbank	Minor Works (Lining & Signing)	Barrier	£10,000		
25 Vereker Road	Signs	Barrier	7,000		
Underwood	Major works (resurfacing, signs & lines)	Barrier	£35,000		
	Estimated cost:		£150,000		

	Smaller sites with parking		
Bulow/Pearcroft Estate	Minor Works (Lining & Signing)	Barrier	£25,000
Philpott Square	Minor Works Patching (Lining & Signing)	Barrier	£25,000
John Dwight House	Minor Works Patching (Lining & Signing)	Barrier	£25,000
Wyfold Road	Minor Works Patching (Lining & Signing)	Barrier	£20,000
Standish House	Minor Works (Lining & Signing)	Barrier	£20,000
Linacre Court	Minor Works (Lining & Signing)	Barrier	£20,000
Carnwath House	Minor Works (Lining & Signing)	Barrier	£20,000
EMacdonald & RKnight	Minor Works (Lining & Signing)	Barrier	£15,000
Burnfoot Avenue	Minor Works (Lining & Signing)	Barrier	£15,000
Hadyn Park Court	Minor Works (Lining & Signing)	Barrier	£10,000
Farm Lane	Minor Works (Lining & Signing)	Barrier	£15,000
Ethel Rankin Court	Minor Works (Lining & Signing)	TMO	£20,000
Broxholme House	Minor Works (Lining & Signing)	Barrier	£15,000
Dan Leno Walk	Minor Works (Lining & Signing)	TMO	£10,000
Landor	Major works (resurfacing, signs & lines)	Barrier	£15,000
Kier Hardy House	Minor Works (Lining & Signing)	Barrier	£15,000
Burlington Place 2-40	Major works (resurfacing, signs & lines)	Barrier	£15,000
Marryat Court	Minor Works but complex	Barrier	£20,000
Mylne Close	Minor Works but complex	Barrier	£20,000
Wheatsheaf Lane	Minor Works (Lining & Signing)	TMO	£10,000
Sulgrave	Major works (resurfacing, signs & lines)	Barrier	£45,000
Laurel Bank Gardens	Minor Works (Lining & Signing)	Barrier	£15,000
Wengham, Hayter & Orwell	Major works (resurfacing, signs & lines)	Barrier	£30,000
Frithville Gardens	Minor Works (Lining & Signing)	Barrier	£15,000
The Grange W12	Minor Works (Lining & Signing)	Barrier	£20,000
Chisholm Court	Minor Works (Lining & Signing)	Barrier	£20,000
Willam Morris House	Minor Works (Lining & Signing)	Barrier	£20,000
Conningham/Stowe	Minor Works (Lining & Signing)	Barrier	£20,000
Conningham Road	Minor Works (Lining & Signing)	Barrier	£30,000
43-57 Peterborough Road	Minor Works (Lining & Signing)	Barrier	£20,000
	Estimated cost:		£585,000
	Hardstanding and access, no parking provided		
Ashchurch Park Villas	Example addresses to be amalgamated as a single 'no parking, no waiting, emergency vehicles only' TMO with private land signs to be put in place, or barriers if more appropriate.		£355,000
Ashchurch Court			
Aldine Court			
Benbow Court			
Bradford & Burnham			
1 Vereker			
Walham Green ramps			
Verulam House			
Cardross Street			
Derwent Court			
Bentworth Road			
Wormholt Estate			
Wengham/Hayter/Orwell			
All garage areas			
Overall project contingency			
	Physical Implementation costs (Rev&Cap)	Totals:	£2,060,000
			£340,000

EIA DOCUMENT

LBHF Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2016/17 Q1-4
Name and details of policy, strategy, function, project, activity, or programme	PARKING ON HOUSING ESTATES To consult on parking controls in housing estates and implement preferred options
Lead Officer	Name: Chris Bainbridge Position: Special Transport Projects Advisor Email: chris.bainbridge@lbhf.gov.uk Telephone No: 020 7361 2094
Date of completion of final EIA	05/05/15

Section 02	Scoping of Full EIA		
Plan for completion	Timing: Ongoing through 2016/17		
Analyse the impact of the policy, strategy, function, project, activity, or programme	Examples of works that are likely to impact more on older and disabled people include:		
	Change to parking controls		
	Protected characteristic	Analysis	Impact:
	Age	Older people are more likely to not recognise the impact that a lack of parking controls may have on them, as eg car ownership	Negative

		<p>within our sheltered housing schemes is low. This can be mitigated by offering information to residents through various means - e.g. a help line, sheltered forums, tenant and resident meetings.</p> <p>Older people may have more difficulty walking longer distances than others, and are therefore disadvantaged by the present lack of enforcement of parking regulations. The proposals are likely to improve this situation</p>	Positive	
	Disability	<p>People with learning difficulties are more likely to not be able to understand the impact that a lack of parking controls may have on them. This can be mitigated by offering information to residents through various means - e.g. a help line, resident forums, tenant and resident meetings.</p> <p>People with mobility problems may be eligible for a personalised disabled persons' bay which would guarantee them a parking space close to where they live. They would particularly benefit from the effective enforcement of parking controls which would ensure that their space was not occupied by unauthorised users.</p>	Negative Positive	
	Gender reassignment	N/A	Neutral	
	Marriage & Civil Partnership	N/A	Neutral	
	Pregnancy & maternity	N/A	Neutral	
	Race	N/A	Neutral	
	Religion/belief	N/A	Neutral	


	Sex	N/A	Neutral	
	Sexual Orientation	N/A	Neutral	
	<p>Human Rights or Children's Rights</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)? No</p>			
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 & data reviewed	N/A			
New research	N/A			
Section 04	Consultation			
Consultation	Our consultations are open and accessible online and by post, and can be made available in different languages and Braille when requested.			
Analysis of consultation outcomes	N/A			
Section 05	Analysis of impact and outcomes			
Analysis	Following any parking consultation the results are analysed and presented to the Cabinet Member for a decision.			
Section 06	Reducing any adverse impacts and recommendations			

Outcome of Analysis	N/A
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Section 07	Action Plan
Action Plan	N/A

Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Mahmood Siddiqi Position: Director for Transport and Highways Email: Mahmood.Siddiqi@lbhf.gov.uk Telephone No: 020 8753 3019
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: Key equalities issues have been included: Yes

Agenda Item 14

London Borough of Hammersmith & Fulham CABINET 7 MARCH 2016	
AWARD OF LEASEHOLD BUILDINGS INSURANCE CONTRACT	
Report of the Cabinet Member for Housing – Councillor Lisa Homan	
Open Report	
Classification - For Decision Key Decision: Yes	
Wards Affected: All	
Accountable Director: Kathleen Corbett – Director of Finance & Resources and Joint Lead Director for Housing	
Report Author: Ray Chitty – Shared Service Insurance Manager	Contact Details: Tel: 07739315565 E-mail: Ray.Chitty@rbkc.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 Where the Council is the freeholder of a building and has sold residential properties under a long lease it is required under the terms of the individual leases to insure the property for buildings insurance purposes.
- 1.2 The current leasehold buildings insurance ends on the 31st March 2016. This report summarises the procurement and consultation process to date as well as the suggested changes to the current policy cover including:
 - Different rates for owner occupiers and those who sublet;
 - Enhanced cover for all leaseholders
 - Premium savings for all leaseholders

2. RECOMMENDATIONS

- 2.1. That Members note Officers' recommendation that the cover be placed with the successful tenderer, Ocaso S.A on the basis of a 5 year contract, and subject to comments of leaseholders during the second stage consultation under section 20 of the Landlord and Tenant Act 1985 (as amended).

2.2. That authority be delegated to the Cabinet Member for Housing in conjunction with the Joint Lead Directors for Housing to:

- a) Award the contract for the provision of building insurance to the successful tenderer for a period of 5 years, on the basis of the option preferred by majority of those leaseholders who respond to the second stage consultation and subject to due regard being taken of the outcome of the section 20 consultation as described in paragraphs 7.3 to 7.5 of this report.
- b) Approve any necessary amendments and variations to the contract in light of the consultation.

3. REASONS FOR DECISION

- 3.1. The successful tenderer following an OJEU compliant tender process was evaluated against the criteria of Price, Insurance Cover, Claims Service and Added Value as the winning bidder against all three lot options: - Standard Cover, Standard Cover with £100 excess and Accidental Damage with £100 excess. The summary of the tender evaluation matrix is included in Appendix 1.
- 3.2. Hammersmith and Fulham Council as freeholder are required to arrange buildings insurance for leaseholders in accordance with the terms of the individual residential leases.

4. INTRODUCTION AND BACKGROUND

- 4.1. As freeholder of housing properties some of which are sold to leaseholders; the terms of the individual leases require Hammersmith and Fulham Council to arrange suitable buildings insurance and the leaseholders to re-pay those insurance costs to the Council. The current insurance arrangements expire 31st March 2016.
- 4.2. Prices were sought for cover based on:
 - Entering into a 3 or a 5 year¹ contract
 - Three different options for the level of cover, either (a) on the same basis as the current policy; an excess of nil with the exception of subsidence where the excess is £1,000, (b) an excess of £100 with the excess for subsidence remaining at £1,000 and (c) an excess of £100 with the excess for subsidence remaining at £1,000 with the addition of accidental damage cover
 - Separate prices for residential leaseholders and for leaseholders who sublet their home
 - Increasing the cover for alternative accommodation / rent loss to be more appropriate for this area of London to up to 25% of the building re-instatement value or a minimum of £40,000 per dwelling whichever the greater, the previous cover provided was a fixed 20% of the building re-instatement value .

¹ 5 years with no extension possible

- 4.3. Up to date building re-instatement sums insured and property schedules were provided as part of the invitation to tender (ITT) issued via the procurement portal.
- 4.4. Procurement was undertaken via individual lots for Hammersmith and Fulham Council, City of Westminster and RB Kensington and Chelsea recognising the need to ensure the most economically advantageous terms on a sovereign Council basis for leaseholders. Bidders were however invited to specify a further discount that would apply to assist in securing other lots in order to demonstrate the economies of scale of the shared service arrangements for Insurance.

5. PROPOSAL AND ISSUES

- 5.1. Based upon the options and analysis of options undertaken below delegated authority is requested to place insurance cover with the successful tenderer, subject to due regard and completion of the Stage 2 Leaseholder Consultation responses.
- 5.2. Should the leaseholders vote agree with the Council's recommendation that cover is placed upon the enhanced basis to include Accidental Damage to the properties but subject to a £100 excess for all claims other than subsidence for which a £1000 excess applies, then for a 5 year contract an average saving of 35%² will be achieved.
- 5.3. The annual premium charge to the Council which is recoverable from leaseholders for 2016/17, if they select the Council's preferred option, will be £748,437.89³ plus a central government imposed Insurance Premium Tax at the new rate of 9.5% of the premium (an increase from the previous rate of 6%), giving a total cost of £819,572.33.
- 5.4. This compares to a cost for 2015/16 of £1,191,284.93 plus Insurance Premium Tax (at 6%) giving a total cost of £1,262,762.03. The exact charge to leaseholders for 2016/17 and their individual savings may of course be subject to small variations to reflect any recent changes in the sums insured requested by leaseholders.
- 5.5. The cost of the policy in future years will be subject to variation as a result of changes in the RICS house rebuilding cost index and any changes in residential leasehold property numbers and their sum insured.
- 5.6. As part of the Council's commitment to involving residents in decisions that directly impact on them the final decision on the basis of cover provided by the

² This assumes that the other two Councils also sign up to the lowest price tender. If the other two Councils do not sign up a 31.7% saving will be achieved.

³ This assumes that the other two Councils also sign up to the lowest price tender. If the other two Councils do not sign up the cost will be £787,829.36 plus Insurance Premium Tax at 9.5% giving a total of £862,673.14 this still represents a significant saving for leaseholders.

successful tenderer will be decided by the option the majority of leaseholders vote for as part of the Stage 2 consultation process.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Appendix 1 contains the leasehold tender evaluation matrix demonstrating that 4 bidders responded to the tender: - Zurich Municipal, NIG via Arthur J Gallagher (insurance brokers), Ocaso S.A. and current insurers Aspen. The bidders have been assigned random numbers on the matrix to protect commercial confidentiality. The tender evaluation matrix demonstrates Ocaso S.A were the most economically advantageous across all tender options when evaluated against Price, Cover, Claims Service and Added Value.
- 6.2. The successful tenderer also offered the most economically advantageous terms for the other lots in respect of RB Kensington and Chelsea and City of Westminster which triggered a further 5% rate discount which has been allowed for in the costs quoted in paragraph 5.3.
- 6.3. Analysis of the tender responses demonstrated that if the Council enters into a five year contract rather than a three year contract there is a further 5% reduction in premium which has been allowed for in the costs quoted in paragraph 5.3.
- 6.4. Consideration was given to continuing with the current level of cover and not offering other options. However one area of dissatisfaction for leaseholders is currently buildings insurance does not include cover for accidental damage. Every year this results in a small number of claims being turned down by insurers as the damage caused did not occur from a specified peril such as storm. Commonly this can be a factor in water damage based claims for unknown leaks or inadvertent damage to interior walls.
- 6.5. This has to be set against the concern that inclusion of accidental damage cover at all can lead to an increase in claims and subsequently premium costs in future years if the claims experience deteriorates.
- 6.6. The Council has therefore recommended to leaseholders in the stage 2 consultation that cover is placed on the basis of the enhanced accidental damage basis for better cover of their building assets on a five year contract term.

7. CONSULTATION

- 7.1. In accordance with Section 20 of the Landlord and Tenant Act 1985 a consultation process has been undertaken with leaseholders.
- 7.2. Stage 1 consultation was undertaken with Leaseholders regarding the proposed tender process and options to be sought. A copy of the Notice of Intention which was served on 4th September 2015. There were no responses requiring amendment to proposed basis of tender as set out in the notice other than to seek a price for increasing the cover to include accidental damage.

- 7.3. The Stage 2 consultation process is currently in progress and completes 24th February 2016. As part of this process Leaseholders have been asked to vote on their preferred level of cover, either (a) on the same basis as the current policy; an excess of nil with the exception of subsidence where the excess is £1,000, (b) an excess of £100 with the excess for subsidence remaining at £1,000 and (c) an excess of £100 with the excess for subsidence remaining at £1,000 with the addition of accidental damage cover.
- 7.4. The contract will not be awarded until any observations received from Leaseholders have been considered and the Council has had due regard.
- 7.5. The Council will insure based on the preferred level of cover chosen by the majority of leaseholders who respond, either (a) on the same basis as the current policy; an excess of nil with the exception of subsidence where the excess is £1,000, (b) an excess of £100 with the excess for subsidence remaining at £1,000 and (c) an excess of £100 with the excess for subsidence remaining at £1,000 with the addition of accidental damage cover. (i.e. individual leaseholders will not have the option to have different levels of cover).

8. EQUALITY IMPLICATIONS

- 8.1. Premium rates are based on property sums insured and status as owner occupier or sub letter. There are no post code differentiations or other status differentiation.

9. LEGAL IMPLICATIONS

- 9.1 As set out in the report it is a statutory requirement that Leaseholders are consulted on the award of the contract in accordance with the requirements of The Landlord and Tenant Act 1985 (as amended).
- 9.1. Implications verified/completed by: Janette Mullins, Principal Solicitor (Housing and Litigation) 020 8753 2744
- 9.2. The procurement of Leasehold Building Insurance is subject to the Public Contracts Regulations 2015 (the Regulations). It is understood that the procurement has been carried out in compliance with the Regulations and accordingly the Director of Law endorses the Recommendations.
- 9.3. Implications completed by: Kar-Yee Chan, Solicitor (Contracts), 020 8753 2772

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. This report recommends the awarding of a contract for the provision of buildings insurance for residential leaseholders to the successful tenderer.
- 10.2. The tenders were evaluated using a price-quality ratio of 60:40 and the results demonstrate that the successful tenderer offers the most economically advantageous terms on all three tender options. The table below sets out the full cost (the full cost includes Insurance Premium Tax) of each of the three possible options compared with the current cost of buildings insurance for leaseholders:

Tendered Options for 2016/17	Premium including IPT £000s
Standard Cover	796
Standard Cover with £100 excess	743
Enhanced (Accidental Damage) Cover with £100 excess	820
Current 2015/16 Cost - Standard Cover	1,263

- 10.3. It is expected that one of the above options will be agreed upon following consultation with leaseholders.
- 10.4. It should be noted that all leasehold insurance premiums obtained are passed directly to leaseholders. The cost of the insurance is recharged to leaseholders under the terms of their lease; therefore there is no net cost to the Council's Housing Revenue Account.
- 10.5. The financial standing of the successful tenderer has been examined during the evaluation stage. The financial checks carried out by Standard & Poor's indicates that the overall performance of the company is considered to be sound.
- 10.6. It is noted that as the successful tenderer also offered the most economically advantageous terms for the tenders for the Royal Borough of Kensington & Chelsea and the City of Westminster, this triggered a further 5% discount in the tendered prices for the Council. This discount is included in the prices in the above table at paragraph 10.2.
- 10.7. The contract is expected to commence on 1st April 2016. The term of the contract will be for 5 years. The cost of the policy in future years will be subject to variation as a result of changes in the RICS house rebuilding cost index and any changes in residential leasehold property numbers and their sum insured.
- 10.8. The Council recovers its administrative costs through a separate recharge to leaseholders.
- 10.9. Implications completed by: Danny Rochford, Head of Finance, 020 8753 4023.

11. IMPLICATIONS FOR BUSINESS

- 11.1 Claimant's and claims handling agencies are likely to engage local business where appropriate to affect repairs or re-instatements.

12. RISK MANAGEMENT

- 12.1 Premium savings contribute to the positive management of customer needs and expectations risk. Successful market testing is a strategic risk and opportunity noted on the Council's Strategic Risk Register, risk number 4, delivering the highest quality services at best possible cost to the local taxpayer. The service department maintains an active register of risks that are reviewed periodically by the senior management team, where risks are significant they are placed on the Shared Services risk register and discussed at Hammersmith and Fulham Business Board.

Implications verified by: Michael Sloniowski, Shared Services Risk Manager: telephone 020 8753 2587.

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 13.1 It is noted that the tender was compliant with OJEU procedures.
- 13.2 The Council's Contract Standing Orders (CSO) requires that Cabinet approval is given for all tender acceptances where the value equals or exceeds £100,000.
- 13.3 This report asks members to note the outcome of the tender exercise to provide Leasehold Buildings Insurance and recommends that delegated authority is given to the Cabinet Member for Housing in conjunction with the Director for Finance and Resources to award the contract following the section 20 consultation process (including any necessary amendments in light of the Consultations)
- 13.4 Following award of the contract, a Contract Award notice needs to be posted on the OJEU website and the result of the tender lodged on the government's Contract Finder portal
- 13.5 Implications verified/completed by: (Robert Hillman, Procurement Consultant x 1538).

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.	Stage one Leaseholder Consultation - Notice of Intention to enter in to a long term agreement for buildings insurance – leasehold (published)	Jana Du Preez Head of Leasehold Services Extn 4500	Finance & Resources 145 King Street
2.	Stage two Leaseholder Consultation - Notice of Proposal to enter in to a long term agreement for buildings insurance – leasehold (published)	Jana Du Preez Head of Leasehold Services Extn 4500	Finance & Resources 145 King Street

LIST OF APPENDICES:

Appendix 1 – LBHF tender evaluation

Appendix 1: Summary of evaluation outcome up to a maximum of 1000 points

Option 1 - Standard cover with nil excess

Bidder	1	2	Recommended bid (3)	4
Criteria				
Price including terrorism insurance but excluding Insurance premium tax - up to 600 points	466	No bid	600	465
Insurance cover offered - up to 100 points	80	No bid	80	70
Claims service up to 100 points	100	No bid	100	80
Added Value - up to 200 points	40	No bid	30	40

Total	686	No bid	810	655
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Option 2 - Standard cover with £100 excess


Bidder	1	2	Recommended bid (3)	4
Criteria				
Price including terrorism insurance but excluding Insurance premium tax - up to 600 points	454	456	600	447
Insurance cover offered - up to 100 points	80	100	80	70
Claims service up to 100 points	100	100	100	80
Added Value - up to 200 points	40	30	30	40

Total	674	686	810	637
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Option 3 - Extended Accidental Damage cover with £100 excess

Bidder	1	2	Recommended bid (3)	4
Criteria				
Price including terrorism insurance but excluding Insurance premium tax - up to 600 points	444	526	600	455
Insurance cover offered - up to 100 points	80	100	80	70
Claims service up to 100 points	100	100	100	80
Added Value - up to 200 points	40	30	30	40
Total	664	756	810	645

Agenda Item 15

London Borough of Hammersmith & Fulham CABINET 7 MARCH 2016	
HRA HOUSING CAPITAL PROGRAMME 2016/17 TO 2018/19	
Report of the Cabinet Member for Housing – Councillor Lisa Homan	
Open Report	
For Decision : Yes	
Key Decision: Yes	
Wards Affected: All	
Accountable Lead Directors: Kath Corbett and Mike England, Joint Lead Directors for Housing	
Report Author: Vince Conway, Asset Manager, Housing Property Services	Contact Details: Vince.Conway@lbhf.gov.uk Tel: 020-8753-1915

1. EXECUTIVE SUMMARY

- 1.1. This report provides specific details of the proposed 2016/17 housing capital programme, proposes budget envelopes for the following two years, and seeks authority to proceed with the various projects identified in Appendix 1.

2. RECOMMENDATIONS

- 2.1. To approve the projects and schemes identified in this report (see Appendix 1) which form the 2016/17 Housing Capital Programme to the value of £50.964 million (this envelope being considered at Budget Council on 24th February 2016).
- 2.2. To approve the budget envelope of £27.106 million for 2017/18 and £26.527 million for 2018/19 and note the funding streams identified as part of the Financial Plan for Council Homes: Housing Revenue Account Financial Strategy 2016/17. This recommendation is subject to future quarterly / annual changes to the overall Council capital programme as set out in future reports to Cabinet.
- 2.3. To delegate authority to the Cabinet Member for Housing, in conjunction with the Lead Directors for Housing, to issue orders for work and projects

to be carried out using, where appropriate, the council's ten year Term Partnering Contract with Mitie Property Services, approved by Cabinet 8th April 2013 or any other suitable contracts which are put in place in the period in accordance with Contract Standing Orders and recommendation 2.4 below

- 2.4. To delegate authority to the Cabinet Member for Housing, in conjunction with the Lead Directors for Housing to award contracts over £100,000 and, if appropriate, exercise built-in options to extend such contracts in respect of any individual projects and schemes under the Housing Capital Programme identified in Appendix 1, in accordance with Contract Standing Order 9.4 and 9.4.1.
- 2.5. To delegate authority to the Cabinet Member for Housing, in conjunction with the Lead Directors for Housing, to approve future amendments to the 2016/17 programme for operational reasons where such amendments can be contained within the overall approved 2016/17 – 2018/19 budget envelope and available resources.

3. REASONS FOR DECISION

- 3.1 The long term options for future management and ownership of the council housing stock has been the subject of a Residents Commission during 2015. Cabinet on 7th December 2015 approved the Commission's recommendation to formally pursue transfer to a new Registered Provider.
- 3.2 However, as the transfer process is on-going and as its potential outcome is uncertain, this report is written on the basis of business-as-usual. Approval of the 2016/17 budget is sought to ensure existing commitments can be met and to enable the council to continue to fulfil its statutory obligations and protect the health, safety and wellbeing of residents and stakeholders.
- 3.3 The proposed budget envelopes for 2017/18 and 2018/19 have been formed with due regard to the implications of the 1% reduction in rents for council homes for each of the next four years announced by the Chancellor of the Exchequer in his summer budget statement. This announcement means there is a lot less money to pay for maintenance even though further savings and additional commercial income are planned, because government has not provided any additional funding to compensate the Housing Revenue Account for the loss of rent.
- 3.4 The revised business plan maintains a level of investment for 2016/17 in line with that approved by Cabinet in January 2015, this allows the condition of the homes to be maintained while the Council seeks other solutions. In future years, however, if there is not a stock transfer the revised financial plan requires a postponement of planned work originally scheduled within the first ten years (2015/16-2024/25) equivalent to postponing window and door replacements for 4,440 homes, roof renewals for 2,650 homes, 4,400 new heating systems, 1,750 electrical rewires, 1,750 new kitchens and 1,100 new bathrooms.

3.5 Whilst there are choices about where limited resources will be targeted specific areas that will be affected include:

- Improvements to energy efficiency and the provision of affordable warmth. Whilst this will remain a priority, reduced financial resources will restrict the measures that can be implemented.
- Improvements to the estate environment and public realm.
- In the longer term delays in replacing kitchens, bathrooms, non-critical window replacement, and other elements of the properties.

3.6 Nonetheless, approval of the proposed budget envelopes will define parameters for prioritisation and provide some degree of certainty for programming.

4. INTRODUCTION AND BACKGROUND

4.1. On 24th February 2016 Budget Council will consider as part of the Council's four-year capital programme a funding envelope of £50.964 million for the housing capital programme for 2016/17. This report provides further details of the proposed projects to be undertaken in 2016/17 and of the proposed budget envelopes for 2017/18 and 2018/19. A list of schemes, including budget estimates, is provided in Appendix 1.

5. PROPOSAL AND ISSUES

5.1 The details of proposals for the 2016/17 programme and are provided in Appendix 1.

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1. The proposed 2016/17 programme seeks to meet the ongoing investment needs of the borough's social housing stock. The investment needs of the stock have been prioritised and a balance sought between maintaining homes at a decent standard and addressing the residual backlog of works to elements not specifically covered by the standard, particularly: specific Health and Safety risks; lift modernisation; controlled entry upgrades; landlord's electrical services; cyclical external and communal repairs.

6.2. A stock condition survey was undertaken by Savills during 2015 to inform the work of the Residents Commission. The survey has not been used to determine the 2016/17 programme as priorities had already been established and commitments made. However, the major element renewals identified for 2016/17 are encompassed by the survey findings.

7. CONSULTATION

- 7.1. There is a statutory obligation to consult with tenants and leaseholders before carrying out works and to have regard to any observations or representations made by the residents. For schemes included in the 2016/17 capital programme, residents will be consulted on the proposed works in line with the Department's updated communications strategy.
- 7.2. Residents are being consulted on the detailed options for the 10 year HRA Housing Capital Programme at the Housing Representatives Forum on 16th February 2016, where the implications and choices needed as a result of the 1% rent reduction imposed by Government for each of the next four years will be discussed.
- 7.3. Following approval of the programme it is proposed to submit to individual members, details of proposed schemes in their wards. Ward members will also be invited to resident consultation meetings. The detailed ten year programme, together with the implications of the rent cut for each large estate will also be discussed with the individual Tenant Representative Associations.

8. EQUALITY IMPLICATIONS

- 8.1. An Equality Impact Assessment (EIA) has been completed for the 2016/17 Housing Capital Programme and some key issues are discussed below.
- 8.2. The programme includes various projects specific to sheltered housing that is accommodation specifically designed or adapted for people aged 60 years or over. Schemes include upgrades to communal heating, renewal of warden call systems, and replacement windows. Other than the potential short-term inconvenience of having works on site, these schemes will have a positive impact.
- 8.3. The programme includes projects to modernise passenger lifts serving blocks on various housing estates. These works will mean that lifts are temporarily out of service and this may be of particular inconvenience to elderly residents, people with impaired mobility, pregnant women, or residents with young children. Prior to works, consultation with residents will be undertaken and alternative arrangements for vulnerable residents will be considered. In exceptional circumstances this may entail a temporary decant while service is interrupted. However, in the longer term, the works will improve the reliability of the affected lifts. This project is therefore analysed as having both positive and negative impacts, with the positive outweighing the short-term negative impacts.
- 8.4. The programme includes a budget of £0.8m for disabled adaptations. These are works that can help give tenants more freedom to move in and around their home and to access essential facilities within it. Adaptations can range from minor works such as the provision of grab rails or stair rails

to major improvements such as the installation of stairlifts, ramps or walk-in showers. Eligibility for equipment or adaptations is assessed under the Fair Access to Care Services (FACs) criteria. Major adaptations are subsequently assessed by the Council's Occupational Therapist and will be appropriate to meet the needs of tenants with a permanent or substantial disability.

- 8.5. The Head of Change Delivery has reviewed the EIA and commented that it has taken a detailed look at the potential impacts on the protected groups and that the conclusions drawn are reasonable. In his opinion, due regard has been given to the impacts on protected groups and the necessary thinking around mitigating actions on the temporary negative impacts of access to lifts is demonstrated by the EIA.
- 8.6. Equality implications verified by David Bennett – Head of Change Delivery – 0208 753 1628.

9. LEGAL IMPLICATIONS

- 9.1. The Council should ensure that individual projects are procured in accordance with the Public Contracts Regulations 2015 and the Council's Contract Standing Orders. In addition, any work issued under the Council's Term Partnering Contract with Mitie Property Service should be deemed in-scope and carried out in accordance with the terms of the Contract.
- 9.2. The Council has a statutory obligation to consult with tenants and leaseholders before carrying out works of improvement.
- 9.3. Implications completed by: Kar-Yee Chan, Solicitor (Contracts), Shared Legal Services, 020 8753 2772.

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. Budget Council on 24th February 2016 will consider a funding envelope of £50.964m for the 2016/17 housing capital programme. The various funding streams are shown in Table 1 below:

Funding Stream	Value (£m)
Major Repairs Reserve	18.503
Capital receipts	21.069
Leasehold contributions	5.525
Revenue contributions	5.867
Total	50.964

- 10.2. Any significant variances will be reported via the Council's quarterly capital monitoring regime.

- 10.3. With regard to the capitalisation of salaries (paragraph 5.1.9), officers will ensure that statutory capitalisation guidance is adhered to with time sheets being completed as appropriate.
- 10.4. It should be noted that the budget envelopes of £27.106 million for 2017/18 and £26.527 million for 2018/19 are subject to amendments (as required to reflect significant changes in housing resources) to the HRA Business Plan Financial Model. It is currently planned that this model will be formally updated every 6 months as a minimum.
- 10.5 Implications completed by: Paul Gulley, Head of Housing Financial Investment & Strategy: 020 8753 4729

11. RISK MANAGEMENT

- 11.1. Various risks associated with the delivery of the housing capital programme are included on the corporate risk register. Appropriate risk strategies will be developed for the programme overall and for individual projects.
- 11.2. Individual projects will be subject to separate, appropriate tender approval reports by Members or delegated officers. Recommendations for contract awards will include an assessment of the financial standing of successful contractors.
- 11.3. Implications verified/completed by: Stephen Kirrage, Director Asset Management & Property Services, Housing Department, 020-8753-3064.

12. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 12.1 All procurements will need to comply with the council's Contract Standing Orders and the Public Contracts Regulations 2015.
- 12.2 It is noted that recommendation 2.4 is to delegate authority to the Cabinet Member for Housing, in conjunction with the Lead Directors for Housing to award contracts between £100,000 and £1 million, if appropriate, exercise built-in options to extend such contracts in respect of any individual projects and schemes under the Housing Capital Programme identified in Appendix 1, in accordance with Contract Standing Order 9.4 and 9.4.1.
- 12.3 It is noted that recommendation 2.5 is "To delegate authority to the Cabinet Member for Housing, in conjunction with the Lead Directors for Housing, to approve future amendments to the 2016/17 programme for operational reasons where such amendments can be contained within the overall approved 2016/17 – 2018/19 budget envelope and available resources.
- 12.4 Implications verified/completed by: Robert Hillman, Procurement Consultant x 1538

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.	HRA Asset Management Plan 2013-16 (published)	Vince Conway x1915	Housing Property Services, 3 rd Floor HTH Extension

LIST OF APPENDICES:

Appendix 1: 2016-19 Housing Capital Programme, details of proposed schemes

5. PROPOSAL AND ISSUES

Detailed 2016/17 Capital Programme

5.1.1 The 2016/17 programme has been broadly divided into four categories as follows:

- Category 1: Prior commitments
- Category 2: Statutory works; health and safety priorities; capitalisation
- Category 3: Mechanical and electrical works; building structure
- Category 4: Internal amenities; estate environment; miscellaneous

Category 1: Prior commitments

5.1.2 Prior Commitments, Refs 1-15 (£16.954m): This category includes approved contracts currently on site where expenditure will continue to be incurred during 2016/17 and completed projects pending settlement of final accounts.

Category 2: Statutory and health and safety works; capitalisation

5.1.4 Fire Safety Improvements, Ref 16 (£1.5m): A management plan has been developed for the delivery of large-scale improvements to the borough's housing stock to comply with current regulations and best practice under The Regulatory Reform (Fire Safety) Order 2005. Specific works are dependent on the recommendations of detailed fire risk assessments and guidance from The London Fire Brigade. Works within the plan may include the replacement of communal or flat entrance doors, compartmentalisation of roof voids, improvements to means of escape and the like. Where feasible, fire safety works will be integrated within wider refurbishment projects.

5.1.5 Water Tank Replacements, Ref 17 (£0.1m): A rolling programme replacing old steel communal water tanks has been completed. The proposed budget provision for 2016/17 will allow for ad hoc replacements where the potential spread of legionella is identified as a risk during statutory biennial surveys or other site inspections. Works may also include the upgrade of loft spaces to ensure secure access and a safe working environment for operatives.

5.1.6 Disabled Adaptations, Ref 18 (£0.8m): A programme delivering major adaptations for disabled tenants living in council homes in order to meet their needs and statutory entitlements. The budget is specifically for council homes as a separate funding stream exists for private sector and housing association properties. The programme is important in restoring or enabling independent living, privacy, confidence, and dignity for individual tenants and their families. The Government Office for Disability Issues has published research showing that the provision of housing adaptations and equipment for disabled people produces savings to health and social care budgets by reducing the need for admission to, or facilitating the earlier discharge from, residential care; by reducing the need for home care; and by prevention of accidents within the home. The proposed budget is set to meet current demand and is broadly in line with the annual sums for Disability Facilities Adaptations assumed in the 2012 self-financing settlement.

A review of the Aids and Adaptations service is in progress, particularly looking to increase efficiency in delivery, improve longer-term maintenance arrangements and ensure value for money.

- 5.1.7 Landlord's Electrical Installations, Ref 19 (£0.5m): This programme seeks to ensure the safety and reliability of landlord's electrical installations and distribution systems. Blocks are being prioritised based on the recommendations of periodic inspections. Proposed works will include the replacement of old cabling, risers and distribution boards, together with improvements to communal and external lighting where currently inadequate and the provision of emergency lighting where none exists.
- 5.1.8 Capitalisation Works, Ref 20 (£2.55m): The day-to-day running of the housing repairs service will sometimes require works of a capital nature to be undertaken because circumstances mean they cannot be reasonably deferred to future planned programmes. Such work may include remedial works to address potential hazards, or to prevent deterioration of elements that might otherwise have a secondary effect to the detriment of the property and its occupants. The category includes the refurbishment of void properties to ensure they remain in a lettable condition.
- 5.1.9 Capitalisation of Salaries, Ref 21 (£1.75m): The delivery of the programme requires building architects, mechanical and electrical engineers, Quantity Surveyors, Construction Design Management (CDM) Co-ordinators, Clerk Of Works, project managers and support staff. These costs can be legitimately charged to capital as they are directly attributable to the works.
- 5.1.10 Category 3: Mechanical and electrical works, building structure.
- 5.1.11 Warden Call System Upgrade, Ref 22 (£1.032m): There are a total of 22 Sheltered Housing accommodation schemes within the Council's domestic property portfolio each fitted with hard-wired emergency call systems. These systems consist of alarm pull cords and speech units installed within each dwelling and provide two way remote communication between the resident and a warden or operators within a central monitoring station (Careline). The current system is obsolete and increasingly difficult to maintain. It is proposed to adopt new technology that provides a fully integrated service combining audio and video Telecare, door entry, and access control.
- 5.1.12 Heat Metering, Ref 23 (£1.2m): The Heat Network (Metering and Billing) Regulations 2014 requires suppliers to install point of entry meters and final customer meters in buildings with customers connected to communal heating or a district heat network. Approximately 1,700 homes are connected to communal or district heating system and, subject to further clarification from the National Measurement Regulation Office, may need to have meters installed. Suitable temperature control devices will also need to be provided, such as room thermostats or Thermostatic Radiator Valves (TRVs).
- 5.1.13 Communal Boilers, heating distribution systems, Refs 24-26 (£0.77m): Central boilers and associated plant supporting communal and district heating systems

have been gradually replaced as they approach the end of their economic lives to ensure residents continue to receive an efficient, effective supply of heating and hot water. The schemes to be progressed in 2016/17 will include Banim Street Sheltered Housing, Malabar Court, Wheatsheaf Lane, and Farm Lane. The budget envelope for future years is based on the age of existing boilers and distribution pipework and will be subject to review.

5.1.14 Communal Extract Fans – Ref 27 (£0.3m): A pilot scheme to replace the communal extract system at Bush Court, Charecroft Estate was successfully completed in 2015. It is now proposed to roll out these works to the remaining three blocks on the estate, Shepherds Court, Roseford Court, and Woodford Court. Investigations are ongoing into the performance of extract systems serving the three tower blocks on Edward Woods Estate which may result in similar works being programmed.

5.1.15 Lift modernisation, Refs 28-42 (£3.47m): The council's housing assets include 217 passenger lifts, the majority of which serve blocks of six or more storeys. In 2012 a prioritised programme began to modernise lifts that had exceeded or were approaching the end of their design life and were thus becoming increasingly difficult to maintain due to obsolete parts. A total of 193 lifts are included in the current programme which is scheduled to complete in the 2018/19 financial year. 80 lifts will have been completed by end of March 2016; a further 44 lifts are either on site or in contract (a total of £3.32m identified within prior commitments refs 4-11). The 2016/17 programme seeks to continue this accelerated catch-up programme and 30 lifts have been identified for full modernisation. Due to the long lead-in time for the design and manufacture of lifts these schemes will be approved during 2016/17 but some expenditure will fall in 2017/18. The individual scheme budgets will be re-profiled following tender approval. The budget envelopes for 2017/18 and 2018/19 allow for the completion of the lift modernisation programme within original timescales.

5.1.16 Window replacement and external refurbishment, Refs 43-49 (£6.788m): A number of blocks are scheduled for window replacement as existing units are old and in poor condition. New windows will be secure-by-design, more thermally efficient and, where low-maintenance materials are allowed, will help to reduce future decoration and pre-decoration repair bills. These projects are being delivered via the Term Partnering Contract with Mitie Property Services.

5.1.17 Major external and communal refurbishment, Refs 50-57 (£7.250m): Various other external and communal refurbishment schemes are currently being developed under the same contract but the scope of works are more varied. These include drainage works, amenity deck improvements and communal works at Ashcroft Square; roof renewal to Tom Williams and Jim Griffiths Houses on Clem Attlee Estate; potential overcladding schemes at The Grange W14, and Hartopp Point and Lannoy Point; and improvements to Charnock House on the White City Estate including the twenty commercial units at ground floor level fronting Bloemfontein Road. For the latter scheme, various options are being considered ranging from a fairly basic refurbishment to a more radical transformation including possible recladding of the block and a restyling of the shopfronts. The potential scope will be fully evaluated but the current budget

provision of £500k may need to be reviewed depending on the favoured option. The budget envelope for future years includes provision for the continuation of the Hartopp and Lannoy scheme and reduced capacity for future window replacement and external refurbishment projects.

5.1.18 Controlled Access, Ref 58 (£0.3m): A rolling programme to replace ageing systems has been established and individual sites have been prioritised for 2016/17. Blocks which do not currently benefit from controlled access will be considered for installation where it is technically feasible, cost-effective, and supported by residents but, again, future budget capacity for this work is limited.

5.1.19 Estate Parking Control, Ref 59 (£2.060m): Cabinet on 2nd November 2015 approved the introduction of Traffic Management Orders on Clem Attlee, William Church, Lancaster Court, Sullivan Court and Barclay Close estates with Fulham Court and Edward Woods to be added subject to further resident consultation. Further phases are proposed subject to resident consultation and Cabinet approval. The budget allows for necessary resurfacing works, relining, and new signage.

5.1.20 Category 4: Internal amenity, estate works, miscellaneous

5.1.21 Internal Modernisation, Ref 60 (£1.5m): A programme of internal modernisation is nearing completion on White City Estate, replacing kitchens, bathrooms, and upgrading heating and wiring, as they reach the end of their standard lives. Budget provision for future years is limited to ad hoc priority cases, generally properties omitted from previous programmes, and will be assessed by technical officers.

5.1.22 Estates CCTV, Ref 61 (£0.45m): This budget will support the continued extension and upgrade of CCTV on housing estates, a programme started in 2009. Priorities for 2016/17 are being finalised by the Safer Neighbourhoods team in consultation with residents, housing management and the local police.

5.1.23 Minor Estate Improvement Programme, Ref 62 (£0.270m) and Groundwork Environmental Programme, Ref 63 (£0.220m): The Minor Estate Improvement Programme is an annual budget historically controlled by registered Tenant and Resident Associations (TRAs) and earmarked for small-scale improvements to the estate environment or tenant facilities. Schemes are considered and funding allocated by the Investment Forum facilitated by the Resident Involvement Team. The Groundwork Environmental Programme is an annual budget allocation also administered by the Investment Forum. The Forum considers and approves environmental improvement schemes submitted by TRAs which can include, for example, soft and hard landscaping of open spaces or provision of new play areas.

5.1.24 Estate Lighting and Estate Roads, Refs 64-65 (£0.2m): These allocations allow for the limited renewal of defective lighting columns and luminaires and remedial works to address potential hazards on estate roads and paths.

- 5.1.25 Tenant Halls, Ref 66 (£0.35m): A proposal to build a modular TRA building at William Banfield House is at feasibility stage. The future budget envelopes will allow a limited investment programme to tenant and community halls. Works will include necessary improvements for accessibility, essential repairs to building fabric, and modernisation of fixtures and fittings.
- 5.1.26 Play Areas, Ref 67 (£0.05m): This is a limited budget to address potential hazards identified during periodic safety inspections. This may include the renewal of equipment or surfaces.
- 5.1.27 Garage Improvements, Ref 68 (£0.1m): A prioritised programme of investment is required to address the backlog of works to garage sites and ensure that they remain suitable for letting.
- 5.1.28 Brought forward and unforeseen works, Ref 69 (£0.5m): This budget is proposed for unforeseen or emergency works that may arise during the year and where project substitution is not practicable. It will be allocated to specific projects in consultation with the Cabinet Member for Housing.

5.2 2017/18 and 2018/19 Budget Envelope

- 5.2.1 Approval of a budget envelope for the years 2017/18 and 2018/19 will provide greater certainty for forward programming. Appendix 1 includes some detail on the proposed spending plans in these years. However, further detailed site surveys and continued analysis of repairs data will be used to prioritise specific schemes within the headings identified.
- 5.2.2. Various lift and planned maintenance schemes identified and expected to be approved in 2016/17 will carry a significant commitment into 2017/18. This has been allowed for within the proposed budget envelope. Commitments will be closely monitored to ensure that expenditure does not exceed resources.

Housing Capital Programme 2016/17-2018/19 : Appendix 1


Category 1: Prior Commitments					
Ref	Scheme	Description	2016/17	2017/18	2018/19
1	Individual boiler replacements	Planned individual boiler replacement programme	1,950	1,350	1,375
2	Seagrave Road Estate heating	Replacement of district heating distribution pipework	300		
3	Major development voids	Major refurbishment, extension, conversion or deconversion of void properties to create new or larger units	2,000		
4	Munden St,Thamesview, Plane Tree, Manor Ct	Full modernisation of 8 no. passenger lifts	100		
5	Norland lifts, Edward Woods	Full modernisation of 3 no. passenger lifts	480		
6	Poynter & Stebbing lifts, Edward Woods	Full modernisation of 6 no. passenger lifts	900		
7	Jin Griiffiths & Tom Williams lifts, Clem Attlee	Full modernisation of 4 no. passenger lifts	285		
8	Durban, Mackay (AC), Malabar, Lugard, Wolfe lifts, White City Estate	Full modernisation of 5 no. passenger lifts	100		
9	Sullivan Court C,E,F,G,T	Full modernisation of 5 no. passenger lifts	100		
10	5-48 Walham Green Ct; 1, 25, 50 Vereker Rd	Full modernisation of 6 no. passenger lifts	625		
11	Malvern, Rowberry,Swanbank	Full modernisation of 6 no. passenger lifts	730		
12	600-602 Fulham Road	Window replacement; external refurbishment	120		
13	Manor Court, Stanford Court	Window replacement; external refurbishment	300		
14	Non-framework PPM (Clem Attlee Phase 1; Field Road)	External refurbishment	300		
15	Mitie Planned Maintenance framework Year 3	External/communal refurbishment, Mitie PPM framework	8,664		
Sub-total			16,954	1,350	1,375
Category 2: Statutory works; Health & Safety priorities; capitalisation					
Ref	Scheme	Description	2016/17	2017/18	2018/19
16	Fire Safety improvements	Various works arising from Fire Risk Assessments	1,500	1,500	1,500
17	Water tank replacements	Replacement of communal cold water storage systems	100	100	100
18	Disabled Adaptations	Provision of aids and adaptations	800	700	700
19	Landlord's electrical, various sites	Works arising from periodic testing of landlord's electrics	500	1,000	1,000
20	Planned capital repairs	Capitalisation of planned repair works; major voids; ad hoc capital projects	2,550	1,000	1,000
21	Project management	Project management costs, engineers, architects etc	1,750	2,005	1,925
Sub-total			7,200	6,305	6,225

Housing Capital Programme 2016/17-2018/19 : Appendix 1

Category 3: Mechanical & Electrical services, building structure					
Ref	Scheme	Description	2016/17	2017/18	2018/19
22	Warden Call System upgrade	Replacement of emergency call systems within sheltered housing	1,032		
23	Heat Metering	Installation of meters to properties served by communal and district heating	1,200		
24	Banim Street & Malabar Court heating	Replacement of life-expired communal boilers and associated works	350		
25	Farm Lane & Wheatsheaf Lane heating	Replacement of life-expired communal boilers and associated works	420		
26	Communal heating system upgrades	Planned replacement of life-expired boilers and associated works		800	800
27	Communal extract fans	Replacement of life-expired communal extract fans	300		
28	Sullivan Court Blocks V,U,T,S,R,P,N,A	Full modernisation of 8 no. passenger lifts	1,100		
29	Swan/Ravensworth; 21-40, 66-90, 91-105 Lancaster Court	Full modernisation of 4 no. passenger lifts	550		
30	1-20, 41-65, 106-130, 131-166 Lancaster Ct	Full modernisation of 5 no. passenger lifts	700		
31	Shackleton & Drake Courts	Full modernisation of 4 no. passenger lifts	720		
32	Ellen Wilkinson, Stafford Cripps	Full modernisation of 3 no. passenger lifts	450		
33	Springvale Estate	Full modernisation of 6 no. passenger lifts	900		
34	Lifts 16/17 reprofiling	Reprofiling of lift modernisation projects cashflowed over two years	-950	950	
35	Charecroft Estate	Full modernisation of 8 no. passenger lifts		1,500	900
36	Lytton Estate	Full modernisation of 5 no. passenger lifts		740	
37	Henrietta & Joanna Houses, QC Estate	Full modernisation of 4 no. passenger lifts		680	
38	The Grange W12; 1-35 Kelmscott Gardens	Full modernisation of 2 no. passenger lifts		310	
39	Pearcroft Court; Rainville Court; Wheatsheaf Lane; Seagrave Lodge; Sherbrooke Road	Full modernisation of 6 no. passenger lifts		520	180
40	Michael Stewart and Herbert Morrison Houses	Full modernisation of 4 no. passenger lifts		400	400
41	Batman Close; Mackay House C	Full modernisation of 6 no. passenger lifts			800
42	Linacre Court; Verulam House	Full modernisation of 4 no. passenger lifts			820
43	Rainville Court windows	Window replacement; external refurbishment	450		
44	Talgarth Road, Barons Ct Road	Window replacement; external refurbishment	1,182		
45	Frithville Gardens windows	Window replacement; external refurbishment	700		
46	Ashchurch Park Villas, Ashchurch Terrace, Hadyn Park Court, Coningham Road	Window replacement; external refurbishment	900		

Housing Capital Programme 2016/17-2018/19 : Appendix 1

47	Bulow Court, Keir Hardie Hse, Letterstone Rd	Window replacement; external refurbishment	850		
48	Hargraves, Abercrombie, Bathurst, Brisbane Houses, White City Estate	Window replacement; external refurbishment	2,300		
49	Dan Leno Walk, Bush Green House in 2016/17, then primarily street properties	Continuing programme of window replacement	406	2,200	2,000
50	Ashcroft Square	Drainage improvements; communal repairs and redecoration	1,000		
51	Non-framework PPM (Clem Attlee Phase 2, Tom Williams and Jim Griffiths Houses)	External refurbishment; roof renewal	2,000		
52	Verulam House	External/communal refurbishment	400		
53	The Grange	External/communal refurbishment	1,200		
54	Hartopp Point & Lannoy Point	External/communal refurbishment including overcladding	2,000	4,000	2,000
55	Charnock House/Bloemfontein Rd shops	External and communal repairs including shopfronts	500		
56	Millshott Close external works	External refurbishment	150		
57	PPM, non-framework	Window replacement; external refurbishment		4,500	8,200
58	Controlled Access upgrades	Upgrade of existing old installations, provision of new	300	300	300
59	Estate Parking initiative	Infrastructure and enabling works for introduction of controlled parking on housing estates	2,060		
Sub-total			23,170	16,900	16,400
Category 4: Internal amenity, estate works, miscellaneous					
Ref	Scheme	Description	2016/17	2017/18	2018/19
60	Internal Modernisation	Kitchen & bathroom renewal, electrical upgrade	1,500	500	500
61	Estates CCTV	New systems and extension of existing	450	250	250
62	Minor Estate Improvement programme	Minor improvements to estate amenities or tenant facilities	270	270	270
63	Groundwork Estate Improvements	Tenant led environmental projects via GWL	220	220	220
64	Estate lighting	Renewal of estate lighting columns, fixtures, fittings etc	100	150	150
65	Estate Roads	Major works to estate roads, paths, parking areas etc	100	150	150
66	Tenant Halls	Essential works to TRA/Community halls (H&S, DDA, general fabric)	350	200	200
67	Play Areas	Major refurbishment/new provision of play or amenity areas	50		
68	Garage Improvements	Major repairs and improvements to garage sites	100	200	200
69	Brought forward/Unforeseen works	Contingency for brought forward works/unforeseen new calls	500	611	587
Sub-total			3,640	2,551	2,527
Grand Total			50,964	27,106	26,527

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>7 MARCH 2016</p>	
<p>GARAGE REVIEW – AMENDMENT OF LICENCE, CHARGING AND LETTINGS POLICY</p>	
<p>Report of the Cabinet Member for Housing – Councillor Lisa Homan</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Nilavra Mukerji, Director of Housing Services</p>	
<p>Report Author: Paul Danek - Central Services Manager Housing Department 3rd Floor, Hammersmith Town Hall Extension King Street, London, W6 9JU</p>	<p>Contact Details: Tel: 020 8753 1926 E-mail: paul.danek@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval to amend the current garage licence agreement, and to make changes to the current garage charging policy. Subject to Cabinet approval, the changes will be implemented for April 2016.
- 1.2. Amendments to the garage licence agreement are necessary to enable the Council to remove unauthorised / abandoned vehicles from garages when appropriate. The current licence agreement does not clearly set out this provision.
- 1.3. The proposed changes in the current garage charging policy are set out at 2.3. The changes proposed are in line with the Council's aim to support social inclusion, and deliver efficient, customer focussed services.
- 1.4. It is anticipated that the above measures will enable the service to bring more garages back into use and generate additional HRA revenue. At present, of the 1,275 garages in the borough, 35% (446) are lying empty. If half of these can be

brought back into use, an additional £267k pa could be generated for the Housing Revenue Account.

- 1.5. The report does not propose any change to the standard charges of £75 per calendar month (pcm) for motorcycle garages, and £100 pcm for car garages.
- 1.6. Subject to Cabinet agreement, the changes to the licence and charging policy will be implemented for April 2016.
- 1.7. The focus for the service in the next 6 months will be to continue to improve management and service delivery, and getting more garages let. Cabinet will receive an update in October, which will also consider the longer term options and a draft business plan for the service.

2. RECOMMENDATIONS

- 2.1. To agree the amended garage licence agreement as set out at Appendix 1.
- 2.2. To agree that all existing garage licences be varied as above by service of an appropriate Notice, ensuring consistency between existing and new licences.
- 2.3. To amend the current garage charging policy (see Appendix 2) to:
 - 2.3.1. Apply the same net charge to all new private resident licencees as is applied to Council tenants and leaseholders, and their household members. New private garage licences will attract VAT at 20% on this net charge. This change will not apply to existing private residents renting a garage from us.
 - 2.3.2. Offer all LBHF blue badge holders irrespective of tenure, a 25% discount on the garage charge upon application.
 - 2.3.3. Offer all LBHF residents in receipt of a state pension irrespective of tenure, a 10% discount on the garage charge upon application.
 - 2.3.4. Where an LBHF has a Blue Badge and in receipt of state pension, the larger of the 2 discounts will be applied (ie 25% for the Blue Badge).
 - 2.3.5. Agree a fairer charging policy for double garages, introducing a 25% 'shared amenity' discount per licencee where a garage is shared with another licence holder, and to increase charges for new licencees to the equivalent to 2 garages where the new licencee wants exclusive use of a double garage. The proposed reduction will apply to current eligible licencees. The proposed increase will not be applied to existing sole licencees of double garages.
 - 2.3.6. Promote affordability and take up, reducing the requirement to pay 4 months in advance to 2 months in advance at sign up for Council tenants and leaseholders, and their household members, and then to

stay at least 1 month in advance. This will apply to all licences let after September 2013, subject to the provisions in 5.3.

- 2.4. To note that the change at 2.3.6 will not apply to private residents (4 months in advance payment at sign up, with the requirement to stay at least 3 months in advance will continue), nor to Council tenants and leaseholders with licences pre September 2013 (1 month requirement will continue).
- 2.5. To give delegated authority for the Cabinet Member for Housing to agree alternative uses for existing garage sites where there is persistent low demand and these have been deemed unsuitable for hidden homes.

3. REASONS FOR DECISION

- 3.1 The current garage licence agreement does not allow the Council to remove unauthorised or abandoned vehicles from garages. This causes significant management issues when a garage needs to be cleared. The proposed changes to the garage licence will enable the Council to undertake such clearances when required, and more efficiently.
- 3.2 The reduction in the advance payment requirement at sign up from 4 to 2 months in advance should increase affordability and therefore encourage more take up.
- 3.3 The proposed changes in the charging policy will provide an approach more consistent with the Council's commitment to delivering efficiency and promoting social inclusion through greater fairness and affordability.
- 3.4 The proposed changes are expected to yield some increased take up and therefore generate additional income for the HRA

4. INTRODUCTION AND BACKGROUND

- 4.1. The Housing Service currently has 1,275 garages for storage of domestic vehicles, including 54 motorbike and 58 double garages. These are available to rent to anyone living in the borough, but priority is given to council tenants, leaseholders and disabled residents (LBHF blue badge holders).
- 4.2. In September 2013, based on the findings of a review, garage charges were increased from £13.69 to £23.08 per week for cars, and from £9.68 to £17.31 per week for motorbikes. At the same time, an advance payment scheme was introduced, requiring all new licences to be set up with charges paid 4 months in advance at sign up with accounts maintained no less than 3 months in advance following this.
- 4.3. These changes had the effect of both increasing the void rate from 20% to 35% as some residents returned their garages, but also increasing total revenue for the HRA by approximately 14% (from £854k in 12/13 to £981k in 14/15).
- 4.4. From an initial assessment, it is clear that there has been little or no work undertaken to promote or manage garages effectively in the past few years, other than a review being undertaken. The management and delivery of the service

needs significant improvement before it is possible to look at the long term prospects, and develop a business plan for the service. The proposed changes to the licence agreement and limited changes to the charging policy are part of an initial drive to manage the service more efficiently, improve customer service, and promote more take up and greater affordability.

- 4.5. Work has commenced to bring garages back into use, and the current focus is to identify and progress garages where only clearances and or minor repairs are needed. A lettings campaign has been initiated, and further marketing and promotion will be undertaken over the coming months.

5. PROPOSAL AND ISSUES

Licence and charging

- 5.1. Council tenants and leaseholders or their household members are not required to pay VAT and must only pay the net garage charge. Private residents are however liable to pay VAT, and should therefore pay this on top of the net garage charge. Based on a review of accounts, a lower net garage charge has been levied on private residents, resulting in less actual revenue being collected from private residents on a per unit basis than Council tenants and leaseholders. It is therefore proposed that a standard net garage charge be applied consistently across the portfolio to all to new licence holders, and VAT added where applicable (see Appendix 2).
- 5.2. The proposed changes in charging policy are intended to provide a fairer and more affordable approach to charging, which will hopefully also generate greater take up. Based on an assessment of current accounts, the loss in income from the pensioner discount has been calculated as £17k pa, based on 141 garage users currently of pensionable age. This should be more than offset by increased take up resulting from the marketing and promotional activity. Letting an additional 15 car garages at full rent would make up this shortfall. There is currently no data available on disability, but the effect on existing licences is expected to be minimal.
- 5.3. It is anticipated that reducing the advance payment requirement for Council tenants and leaseholders and their household members from 4 months to 2 months at sign up with accounts maintained at least one month in advance following this will make garages more affordable and increase lettability. In order to be eligible, existing tenants and leaseholders will need to have maintained a good rent / service charge account, without arrears for at least 6 months, and with a regular pattern of payment.
- 5.4. The above reduction is not being applied to private residents at present, where the requirement will remain at 4 months in advance. Further consideration to extending the provision in 5.3 to private residents will be given as part of the report in October.

6. CONSULTATION

- 6.1. There are no statutory requirements to consult on the proposed changes to the licence agreement or the charging policy.
- 6.2. A presentation was given to the Housing Representatives Forum (HRF) in September at the start of the review, which was well received, with positive suggestions being made. The suggestions around incorporating a discount for blue badge holders and pensioners have been incorporated in the proposals. Comments at this meeting have also helped to shape the lettings campaign being undertaken. A further report was provided to HRF in December 2015.
- 6.3. A notice of variation (providing 7 days notice) will be sent to licence holders together with a copy of the revised licence should the recommendations be agreed by cabinet.
- 6.4. Any future proposals will be developed in consultation with residents.

7. EQUALITY IMPLICATIONS

- 7.1. Introduction of discounts for age and disability will require effective verification and maintenance of records. An Equality Impact Assessment has been completed and is set out at Appendix 3.

8. LEGAL IMPLICATIONS

- 8.1. Notice of change of terms will need to be given to all existing tenants as per 6.3.
- 8.2. Implications verified/completed by: David Walker, Principal Solicitor, 020 7361 2211

9. FINANCIAL AND RESOURCES IMPLICATIONS

- 9.1. This report sets out changes to the garages licencing agreement and charging policy. The main changes are an increase in the net garage licence charge before VAT for private residents; discounted garage licence charges for blue badge holders, pensioners and where residents share a double garage; and an increase in the garage licence charge for sole users of double garages.
- 9.2. The report refers to the intention to reduce the current void rate from 35% to 17.5%. Based on the new garage licence charging policy, it is expected that annual income of between £897k at current void rates and £1,140k at a void rate of 17.5% could be expected. The current 2015/16 budget for garages income is £936k. These forecasts take account of the plan to transfer 61 existing garages to the Hidden Homes programme.
- 9.3. The report also makes reference to the removal of unauthorised/abandoned vehicles and contents. These costs will need to be contained within existing Estate Services budgets.

9.4. Implications verified/completed by Danny Rochford, Head of Finance 020 8753 4023).

11. IMPLICATIONS FOR BUSINESS

11.1 As this reports relates to the management of garages for domestic use, there are no anticipated implications for businesses within the borough.

12. RISK MANAGEMENT

12.1 Housing Services manage risk within the corporate framework. Risks are reviewed periodically by the Senior Leadership Team. The proposed changes to the current garage licence agreement, and the charging policy present no strategically significant risks other than the loss of revenue highlighted in 5.2 which is a Strategic Risk on the Shared Services Risk Register, risk number 1 Financial Management of in year and medium term budgets and the ongoing challenge of reshaping and delivering council services, within significantly reduced funding levels and increased demand pressures

21.1 Implications verified by: Michael Sloniowski Shared Services Risk Manager telephone 020 0753 2587

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

13.1 There are no direct procurement or IT strategy implications contained in this report.

13.2 Implications verified/completed by: (Robert Hillman, Procurement Consultant, x1538)

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		

LIST OF APPENDICES:

- 1. Revised Garage Licence Agreement**
- 2. Comparison of current and proposed charges**
- 3. Equality Impact Assessment**

Appendix 1

GARAGE LICENCE AGREEMENT

*** All "days" referred to in this document are calendar days and all "months" are calendar months unless otherwise stated**

THIS AGREEMENT is made on the _____ day of _____ 20____

Between the London Borough of Hammersmith and Fulham ("the Council") and
Name _____ ("the Licensee")
Of _____
(Address)

WHEREBY IT IS AGREED AS FOLLOWS:

The Council hereby gives authority for the Licensee to use, effective from Monday
The _____ day of _____

Motorcar garage/ Motorcycle garage
Reference _____
Estate _____
Block _____
No. _____ ("The Garage")

For the sole purpose of garaging the following vehicle:

Reg. No. _____ Make: _____ Model _____ Colour _____
("Nominated Motor Vehicle")

1 LICENCE FEE:

- a) The weekly licence fee is £(insert amount) plus VAT (where appropriate) payable per calendar month at £(insert amount), (insert number of months) month / monthly in advance by direct debit only.
- b) Total weekly charges inclusive of VAT are £(insert amount) payable per calendar month at £(insert amount), (insert number of months) month / monthly in advance by direct debit only. VAT rates may vary.
- c) The above licence fee is standard/reduced/discounted/includes the additional charge of £_____ relating to _____ (delete as appropriate)

2 PERIOD OF LICENCE :

This is a weekly licence commencing or terminating on a Monday.

3 THE LICENSEE AGREES TO AND WILL:

- a) Pay the licence fee in advance and by Direct Debit on the _____ working day of every calendar month.
- b) The first payment will be made on the next working day after the _____ of _____ 20__.
- c) Ensure that the licence fee account does not fall into arrears, otherwise the Council has the right to terminate this Licence Agreement by immediate notice

4 LIMITATIONS OF USE - THE LICENSEE AGREES TO:

- a) Use the Garage for the sole purpose of garaging the Nominated Motor Vehicle. Not to use the Garage for storage of any kind other than the Nominated Motor Vehicle.
- c) Not to keep, whether permanently or temporarily, any petrol, diesel, benzol or other combustible chemicals or liquids or empty containers for their storage (except that contained in the tank of the Nominated Motor Vehicle).
- d) Not to do permit to be done any act or thing which may cause a nuisance, annoyance or inconvenience to other licensees, or the occupiers of any part of the building of which the Garage forms part of, or the owner and occupiers of adjacent or neighbouring garages or properties..
- e) Not to use the Garage, forecourt or the compound area in which the Garage is situated for any trade, business, commercial, advertising, illegal or immoral purposes whatsoever.
- f) Not to keep any animals or creatures in the Garage.

5 MAINTENANCE OF THE GARAGE - THE LICENSEE AGREES TO:

- a) Keep the Garage's fixtures and fittings(including the Garage door) in good repair and condition and not make any alteration or additions to the Garage save that the Licensee may affix a security lock to the Garage door at the Licensee's expense. Such lock to be removed by the Licensee at the expiry or termination of this licence.
- b) Keep the Garage including the doors, windows, gutters, fixtures and hard surfacing in the compound area in which the Garage is situated in good repair and in a clean and tidy condition.
- c) Notify the Council immediately of any defect or repair needed to the Garage or compound area including drains and other services.
- d) Permit the Council its employees, agents or workmen upon reasonable notice of 7 days (except in case of emergency) to enter upon and inspect the state of repair, cleanliness and/or usage of the Garage at all reasonable hours of the day and execute any repairs required to the Garage and/or adjoining garages.
- e) **In case of emergency immediate access must be granted to the Garage or the**

Council may force entry to the Garage and it reserves the right to do so. The Council will not be held liable for any damage caused to the Nominated Motor Vehicle or any of the Licensee's possessions due to necessary forceful entry.

6 OTHER CONDITIONS AND LIABILITIES APPLICABLE TO THE LICENSEE

THE LICENSEE AGREES TO THE FOLLOWING:

- a) To keep the doors of the Garage closed and locked at all times when the Garage is not in use and keep the entrance gates to the garage compound closed and locked, where they exist.
- b) To reimburse the Council if any special cleansing (including removal of blockages in drains) is required to the Garage or the compound area due to the Licensee having allowed the same to become dirty or infested by vermin.
- c) Not to pass or cause or permit to be passed into the drains serving the Garage or the compound in which the Garage is situated any petroleum spirit or oil.
- d) Not to use any lighting in the Garage other than electric lighting
- e) This licence is personal to the Licensee only and must not be assigned to any other person or third party.
- f) The Licensee may not permit any third party to make use of either the whole or any part of the Garage or the whole or any part of the compound area for any purpose whatsoever.
- g) The Licensee will notify the Council's Garage Team in writing within 7 days of any change of address or contact details including phone number or email address or of any change in the Nominated Vehicle (either in its colour or registration number, ownership or by nominating a different private motor vehicle in substitution of the original) and surrender the licence agreement so that a new licence can be issued.
- h) To park the registered Nominated Motor Vehicle in the Garage only and not on the forecourt/compound in front of the Garage (these must be kept clear at all times).
- i) To be responsible for all non structural repairs to the Garage, doors and locks caused by accidental or malicious damage.
- j) Not to undertake repairs, servicing, modifying or re-spraying of any vehicle stored in the Garage, either within the Garage or on the forecourt/compound. Normal minor routine maintenance of the nominated motor vehicle may be carried out.
- k) Not to use any equipment requiring a flame (whether protected or not)
- l) The Council reserves the right to move vehicles from any garage, forecourt and garage site, for the purposes of ensuring safety of people and property or to remedy obstruction to the Garage or forecourt area, by whatever method the Council considers appropriate (even if, as a consequence, the Nominated Motor Vehicle or any other vehicle substituted in its place is unavoidably damaged. To the degree that it may be necessary to exercise the rights under this condition, The Council reserves the right to drive or otherwise take the Nominated Motor Vehicle or any other vehicle substituted in its place onto a public highway).

- m) The Council reserves the right to dispose of any good or vehicles left in the garage on termination of this licence should the licensee refuse to do so. The Council further reserves the right to dispose of any goods or vehicles which it reasonably believes to have been abandoned and shall be entitled to regard as abandoned any goods or vehicles which are left in the Garage or parked on the forecourt for more than 14 days following repossession of the Garage.
- n) The Licensee accepts responsibility to directly reimburse the Council or any third third parties for damage or loss of vehicles or goods they have allowed to be stored within the Garage or on the forecourt in breach of this licence agreement. The Council accepts no responsibility for third party vehicles or goods found within the Garage or forecourt and these will be disposed of on termination of this licence in accordance with the terms of this agreement.

7 VARIATIONS TO LICENCE – THE LICENSEE AGREES TO:

Accept and abide by the Council's discretion to vary the licence fee, other charges or any terms of the Licence by giving 7 days written notice to the Licensee , unless before then the Licensee shall have served notice of termination under Clause 10 of this Licence.

8 INSURANCE - THE LICENSEE AGREES:

Not to commit any action or act of negligence likely to invalidate the Council's insurance. The Council's insurance does not cover any damage or loss to the Nominated Motor Vehicle or to any other vehicle or belongings of the Licensee and/or any other person or persons frequenting the Garage at the invitation or otherwise of the Licensee.

9 INDEMNITY - THE LICENSEE AGREES TO:

Keep the Council fully indemnified in respect of all loss or damage (howsoever caused) occasioned to the Council's property (other than reasonable wear and tear). The indemnity will also include the property of any other person, or in respect of any injury sustained by any person occasioned through the use or misuse by the Licensee.

Indemnify the Council for the cost of repairing or replacing the fixtures or fittings or damage to the Garage including removal of locks installed by the Licensee, if such damage is considered by the Council to have been caused deliberately, through neglect or carelessness on the part of the Licensee.

Indemnify the Council for the cost of removal and disposal of vehicles and goods from the garage or forecourt where the licensee has failed to do so either on request or following termination of the licence

10 TERMINATION - THE LICENSEE:

- a) May terminate this Licence by giving the Council 7 days' notice, in writing, to expire on a Monday, but subject to and without prejudice to the rights and remedies of the Council in respect of any breach by the Licensee of the terms of the Licence.
- b) Will serve any notice, in writing, on the Council by delivering it to the Council's offices or posting it by Registered First Class Post or Recorded Delivery to The Garage Team, Housing and Regeneration 3rd Floor Hammersmith Town Hall Extension, King Street, London W6 9JU.

- c) Upon termination of the Licence, the Licensee must leave the Garage clear of all belongings and in a reasonable state of repair and condition. Any vehicle or other belongings left and not claimed by the Licensee within 14 days from the date of termination of the Licence may be treated as abandoned and can be disposed of by the Council after taking reasonable steps to contact the Licensee by writing to the Licensee at his/her listed home address.
- d) Will reimburse the Council on demand the full cost of any cleaning, clearance or repair necessitated by the Licensee failing to leave the Garage in accordance with the Licensee's obligations under the terms of this Licence. And authorises the Council to set off any credits held at termination against such costs.
- e) Will ensure that all keys are labelled and returned to the Council at the address in section (10b) above, on termination and reimburse the Council on demand the cost of replacing keys not returned.
- f) Will abide by the Council's decision to terminate the Licence having received 7 days' notice to expire on a Monday or by immediate notice, unless before then the Licensee shall have served notification of termination under Clause 10a above.
- g) Accepts that any notice (including any consent) served on the Licensee by the Council shall deemed to have been served when it has been delivered to the Garage or the Licensee's listed home address, or 24 hours after it has been posted by recorded delivery to the Licensee's listed home address. A certificate of posting shall be conclusive evidence of posting and of subsequent service. A notice shall be sufficient if addressed to the Licensee by name or to the Licensee and shall remain valid notwithstanding the prior death of the Licensee.

11 TERMINATION- THE COUNCIL:

May terminate the Licence by giving the Licensee seven (7) days' notice in writing to expire on a Monday, or by immediate notice if the Licensee shall have breached any terms of this licence.

Signed _____ Date _____
(Licensee)

Before signing for the Council the officer must confirm all required documentary evidence including any supporting evidence applicable garage charge discounts has been received from applicants and has been stored on file.

Signed _____ Date _____
(Officer, on behalf of the Council the London Borough of Hammersmith and Fulham)

Appendix 2

Table 1 - Proposed changes to charges

	Current		Proposed	
	Charge (£pcm)	Advance period (mths)	Charge (£pcm)	Advance period (mths)
Existing Licences - Council Tenants / Leaseholders				
Licences pre Sept 2013 – <i>motorcycles</i>	£75	1	no change	no change
Licences pre Sept 2013 – <i>cars</i>	£100	1	no change	no change
Licences post Sept 2013 – <i>motorcycles</i>	£75	4	no change	2
Licences post Sept 2013 - <i>cars</i>	£100	4	no change	2
Existing Licences - Private Residents				
Licences pre Sept 2013 – <i>motorcycles</i>	£75 (incl VAT)	1	no change	no change
Licences pre Sept 2013 – <i>cars</i>	£100 (incl VAT)	1	no change	no change
Licences post Sept 2013 – <i>motorcycles</i>	£75 (incl VAT)	4	no change	no change
Licences post Sept 2013 - <i>cars</i>	£100 (incl VAT)	4	no change	no change
New Licences - Private Residents				
Licences post April 2016 – <i>motorcycles</i>	£75 (incl VAT)	4	£90 (incl VAT)	no change
Licences post April 2016 - <i>cars</i>	£100 (incl VAT)	4	£120 (incl VAT)	no change

Appendix 2

Table 2 - Rates for double garages

	Current	Proposed
	Charge (£pcm)	Charge (£pcm)
Existing Licencees Council Tenants / Leaseholders & Private Residents		
*Single occupancy of double garage	£100	no change
Shared occupancy (each licencee)	£100	£75
New Licencees Council Tenants & Leaseholders		
*Single occupancy of double garage	£100	£200
Shared occupancy (each licencee)	£100	£75
New Licencees Private Residents		
*Single occupancy of double garage	£100 (incl VAT)	£240 (incl VAT)
Shared occupancy (each licencee)	£100 (incl VAT)	£90 (incl VAT)

* All single occupants of double garages will be given the opportunity to share and reduce their charge

Table 3 - Discounts

Type	Amount
LBHF Blue Badge holder	25%
LBHF resident in receipt of state pension	10%
* LBHF resident in receipt of pension and Blue Badge holder	25%

* Where 2 discounts are applicable the higher discount will be applied

Appendix 3

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2015/2016
Name and details of policy, strategy, function, project, activity, or programme	Garage Review - Amendment of Licence, Charging and Lettings Policy
Lead Officer	Name: Paul Danek Position: Central Services Manager Email: paul.danek@lbhf.gov.uk Telephone No: 020 8753 1926
Date of completion of final EIA	9/11/2015

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Section 02	Scoping of Full EIA		
Plan for completion	Timing: April 1 st 2016		
Analyse the impact of the policy, strategy, function, project, activity, or programme	<p>It is not proposed to increase charges, however it is proposed to charge the same net garage charge to all new licencees irrespective of tenure, noting that the Council is required to levy VAT in addition at 20% for private residents.</p> <p>Garages are available to let to any resident of the borough who has a suitable vehicle registered to them. Bringing garages back into use and publicising their availability benefits all residents with the requirement to store a vehicle. At present waiting list is not required, however should they be required at particular sites in the future due to increased demand disabled residents are under current policies given priority.</p>		
	Protected characteristic	Analysis	Impact: Negative,

		Neutral
Age	A 10% discount will be applied to Hammersmith and Fulham residents, who are in receipt of the state pension. This will assist people in receipt of state pension to have safe and secure parking and help to reduce fear of crime.	Positive,
Disability	7.4% of working age residents, in the borough of Hammersmith and Fulham, suffered from a limiting long-term illness, in 2011 Census 2011). The proposal to change the charging policy recommends a 25% discount be applied to blue badge holders. This will benefit disabled applicants significantly, in applying for use of the boroughs garage stock.	Positive
Gender reassignment	N/A	Neutral
Marriage and Civil Partnership	N/A	Neutral
Pregnancy and maternity	N/A	Neutral
Race	N/A	Neutral
Religion/belief (including non-belief)	N/A	Neutral
Sex	N/A	Neutral
Sexual Orientation	N/A	Neutral

Human Rights or Children's Rights

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

No

	<p>Will it affect Children's Rights, as defined by the UNCRC (1992)?</p> <p>No</p>
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Section 03	Analysis of relevant data
Documents and data reviewed	<p>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.</p> <p>49% of the Hammersmith and Fulham population were male and 51% were female in the 2011 Census. 7.4% of working age residents, in the borough of Hammersmith and Fulham, suffered from a limiting long-term illness, in 2011 Census 2011). 31.9 per cent of Hammersmith and Fulham residents belonged to an ethnic group (2011), other than white.</p> <p>Data on the age range of garage customers held on council housing systems was analysed</p>
New research	N/A

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Section 04	Consultation
Consultation	Statutory consultation is not required – However the review was discussed at the housing representative forum
Analysis of consultation outcomes	N/A

Section 05	Analysis of impact and outcomes
Analysis	N/A

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	The current records held have significant omissions on information with regards to age and disability. The ability to record both age and disability data will be introduced going forward.

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
	Redesign application form to record age and disability.	Paul Danek	January 2016		Improved record keeping and ability to evaluate take up of services on the grounds of age and disability.	December 2015

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Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Nilavra Mukerji Position: Director of Housing Services Email: nilavra.mukerji@lbhf.gov.uk Telephone No: 020 8753 5610
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: February/March 2016 Key equalities issues have been included: Yes
Opportunities Manager (where involved)	N/A

NOTICE OF CONSIDERATION OF A KEY DECISION

In accordance with paragraph 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of Key Decisions which it intends to consider at its next meeting and at future meetings. The list may change between the date of publication of this list and the date of future Cabinet meetings.

NOTICE OF THE INTENTION TO CONDUCT BUSINESS IN PRIVATE

The Cabinet also hereby gives notice in accordance with paragraph 5 of the above Regulations that it intends to meet in private after its public meeting to consider Key Decisions which may contain confidential or exempt information. The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports relating to key decisions which the Cabinet will take at its private meeting are indicated in the list of Key Decisions below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please e-mail Katia Richardson on katia.richardson@lbhf.gov.uk. You will then be sent a response in reply to your representations. Both your representations and the Executive's response will be published on the Council's website at least 5 working days before the Cabinet meeting.

KEY DECISIONS PROPOSED TO BE MADE BY CABINET ON 7 MARCH 2016 AND AT FUTURE CABINET MEETINGS UNTIL SEPTEMBER 2016

The following is a list of Key Decisions which the Authority proposes to take at the above Cabinet meeting and future meetings. The list may change over the next few weeks. A further notice will be published no less than 5 working days before the date of the Cabinet meeting showing the final list of Key Decisions to be considered at that meeting.

KEY DECISIONS are those which are likely to result in one or more of the following:

- Any expenditure or savings which are significant (ie. in excess of £100,000) in relation to the Council's budget for the service function to which the decision relates;
- Anything affecting communities living or working in an area comprising two or more wards in the borough;
- Anything significantly affecting communities within one ward (where practicable);
- Anything affecting the budget and policy framework set by the Council.

The Key Decisions List will be updated and published on the Council's website on a monthly basis.

NB: Key Decisions will generally be taken by the Executive at the Cabinet.

If you have any queries on this Key Decisions List, please contact

Katia Richardson on 020 8753 2368 or by e-mail to katia.richardson@lbhf.gov.uk

Access to Cabinet reports and other relevant documents

Reports and documents relevant to matters to be considered at the Cabinet's public meeting will be available on the Council's website (www.lbhf.org.uk) a minimum of 5 working days before the meeting. Further information, and other relevant documents as they become available, can be obtained from the contact officer shown in column 4 of the list below.

Decisions

All decisions taken by Cabinet may be implemented 5 working days after the relevant Cabinet meeting, unless called in by Councillors.

Making your Views Heard

You can comment on any of the items in this list by contacting the officer shown in column 4. You can also submit a deputation to the Cabinet. Full details of how to do this (and the date by which a deputation must be submitted) will be shown in the Cabinet agenda.

LONDON BOROUGH OF HAMMERSMITH & FULHAM: CABINET 2015/16

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

Key Decisions List No. 41 (published 5 February 2016)

KEY DECISIONS LIST - CABINET ON 7 MARCH 2016

The list also includes decisions proposed to be made by future Cabinet meetings

Where column 3 shows a report as EXEMPT, the report for this proposed decision will be considered at the private Cabinet meeting. Anybody may make representations to the Cabinet to the effect that the report should be considered at the open Cabinet meeting (see above).

* All these decisions may be called in by Councillors; If a decision is called in, it will not be capable of implementation until a final decision is made.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
7 March 2016				
Cabinet	7 Mar 2016	<p>Corporate Revenue Monitor Month 8 - November</p> <p>To report the revenue outturn forecast as at the end of November. To request budget virements.</p>	Cabinet Member for Finance	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
	Reason: Affects 2 or more wards		Ward(s): All Wards	
Cabinet	7 Mar 2016	<p>Award of a Contract for provision of a Contact Centre</p> <p>This report seeks approval to award a contract to provide a Contact Centre post October 2016.</p> <p>The Council's Contact Centre and out of hours call handling service is the first point of contact for the majority of residents and general public. It is an essential service. The current service is run by Hammersmith and Fulham Bridge Partnership (who contracted it directly to Agilisys) and the contract comes to an end on the 31st October, with no option of extending. The recommendation to bring the</p>	Cabinet Member for Finance	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
	Reason: Expenditure more than £100,000		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		<p>daytime service back in-house and contract out the 'out of hours' service using the London framework follows the decision not to award the contract following a mini competition. Key to the successful implementation of this is ensuring the right people, telephony and IT systems are in place in time and connected to the appropriate back office systems. This will involve a significant amount of work from an HR and ICT perspective. Given that the Council is concurrently changing ICT provider and developing a new ICT shared service with neighbouring councils means there is additional complexity and time required to get the appropriate technology in place. Time is considered a critical factor as the deadline is immovable and thus a significant risk. The earlier the council can start this work will help mitigate this risk and provide time to sufficiently address the complexities.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		

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Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	<p>ICT Transition Phase 3 - The Transition To The Information Technology And Communications Service Delivery Model And New Service Providers</p> <p>Call-off from the Framework Agreement for Information Technology and Communications, data networks, telephony and unified communications from a new service provider</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Finance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Jackie Hudson Tel: 020 8753 2946 Jackie.Hudson@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	<p>Procurement Of Managed Services Provider For The Provision Of Agency Workers</p> <p>Details a number of options for the means of ensuring that a new contract is put in place, justifies the selection process and makes recommendations to contract with a specific Managed Service Provider for Agency Workers.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act</p>	<p>Cabinet Member for Finance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Gordon Smith, Debbie Morris Tel: 020 8753 2958, Tel: 020 8753 3068 Gordon.Smith@lbhf.gov.uk, debbie.morris@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	<p>Hammer smith central library external refurbishment of the elevations, roof works and some defined internals</p> <p>The works will preserve the life expectancy of the building providing reliable water proofing system, better drainage and improvement to the thermal quality of the building.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Finance</p> <p>Ward(s): Hammersmith Broadway</p> <p>Contact officer: Maureen McDonald-Khan, Sebastian Mazurczak Tel: 020 8753 4701, Tel: 020 8753 1707 maureen.mcdonald-khan@lbhf.gov.uk, Sebastian.Mazurczak@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	<p>Bridge Academy Development</p> <p>Further to the 2014 Cabinet agreement for a Bi-Borough alternative provision hub school on the Bridge and Greswell Centre site, this report asks Members to approve an LBHF-focused provision part-funded by LBHF.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information)</p>	<p>Cabinet Member for Children and Education</p> <p>Ward(s): Palace Riverside</p> <p>Contact officer: Ian Turner Tel: 020 7605 8337 Ian.Turner@rbkc.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	Commissioning and Procurement Strategy for Children's Centre Services for Hammersmith and Fulham This report sets out and seeks approval for a strategy to extend and modify the existing Children's Centre contracts for 1 year.	Cabinet Member for Children and Education Ward(s): All Wards Contact officer: Sarah Bright, Yacoba Godwyll Tel: 07770 702 347, Tel: 020 8753 2433 sarah.bright@lbhf.gov.uk, Yacoba.Godwyll@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	Approval to Extend Existing Contracts with Youth Service Providers Approval to extend existing contracts with Youth Service Providers to enable the development of a new commissioning strategy to enable development of a new commissioning strategy within the context of a partnership for young people in Hammersmith and Fulham.	Cabinet Member for Children and Education, Cabinet Member for Social Inclusion Ward(s): All Wards Contact officer: Paul Williamson Tel: 020 7938 8046 Paul.Williamson@rbkc.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	Public Health, School Nurse Service, Direct Award Public Health services, including services for 5-19 year olds, became the responsibility of Local Authorities on the 1st of April 2013. The School Nurse service is currently delivered by Central London Community Healthcare (CLCH). This report seeks approval for one year direct award of contract using terms and conditions that have been approved for use, for the	Cabinet Member for Health and Adult Social Care Ward(s): All Wards Contact officer: Gaynor Driscoll, Elizabeth Dunsford Tel: 0207 361 2418, gaynor.driscoll@rbkc.gov.uk, edunsford@westminster.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		<p>School Nurse services from 1st April 2016 until 31st March 2017 in order to allow time for a robust service redesign and tendering process. These services need to continue through the direct award option as the terms and conditions of the existing contracts do not have an extension option that can be exercised.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		
Cabinet	7 Mar 2016 Reason: Affects 2 or more wards	<p>Parking on Housing Estates - Phased Rollout</p> <p>Completion of consultation and introduction of resident's preference of local parking controls.</p>	<p>Cabinet Member for Housing</p> <p>Ward(s): All Wards</p> <p>Contact officer: Sharon Schaaf, Chris Bainbridge Tel: 020 8753 2570, Tel: 0208 753 3354 sharon.schaaf@hfhomes.org.uk, chris.bainbridge@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Mar 2016 Reason: Expenditure more than £100,000	<p>Award of Leasehold Buildings Insurance Contract</p> <p>Where the Council is the freeholder of a building and has sold residential properties under a long lease it is required under the terms of the individual leases to insure the property for buildings insurance purposes. The current</p>	<p>Cabinet Member for Housing</p> <p>Ward(s): All Wards</p> <p>Contact officer: Kathleen Corbett Tel: 020 8753 3031 Kathleen.Corbett@lbhf.gov.</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		leasehold buildings insurance ends on the 31st March 2016 and this report summarises the procurement process and suggested changes to the current policy cover including differentiation of rating between owner occupiers and those who sublet; and enhanced cover for all leaseholders whilst achieving premium savings for all leaseholders	uk	background papers to be considered.
Cabinet	7 Mar 2016 Reason: Affects 2 or more wards	HRA Housing Capital Programme 2016/17 to 2018/19 This report provides specific details of the proposed 2016/17 Housing Capital Programme and proposes budget envelopes for the following two years	Cabinet Member for Housing Ward(s): All Wards Contact officer: Stephen Kirrage Tel: 020 8753 6374 stephen.kirrage@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Mar 2016 Reason: Affects 2 or more wards	Garage Review – Amendment of Licence, Charging and Lettings Policy This report sets out some proposed changes to the current garage licence agreement, and the charging policy. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Housing Ward(s): All Wards Contact officer: Jennifer Liang, Paul Danek, Nilavra Mukerji Tel: 020 8753 1925, Tel: 0208 753 5610 jennifer.liang@lbhf.gov.uk, paul.danek@lbhf.gov.uk, Nilavra.Mukerji@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	7 Mar 2016	<p>Borough-wide 20 mph limit</p> <p>The report details;</p> <p>(i) evidence of the operation of 20 mph limits in the UK to date, (ii) the results of public consultation on a possible Borough-wide 20 mph limit in H & F, (iii) results of technical appraisals within H & F.</p> <p>The report will make a recommendation and will seek Cabinet approval on:</p> <p>a. whether to install a 20 mph speed limit Borough-wide (excepting Transport for London roads), or b. whether to install more 20 mph speed limits in the Borough excepting some Borough roads, or c. not to proceed with further 20 mph speed limits.</p>	Cabinet Member for Environment, Transport & Residents Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	
11 April 2016				
Cabinet	11 Apr 2016	<p>Corporate Strategy 2015-18</p> <p>A new Corporate Plan for H&F, setting seven key priorities and new corporate objectives to deliver on over the next three years.</p>	Leader of the Council	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	
Cabinet	11 Apr 2016	<p>Community Asset Proposal</p> <p>Report seeking authority to secure and protect the use of properties for community use</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it</p>	Cabinet Member for Finance, Cabinet Member for Social Inclusion	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background
	Reason: Expenditure more than £100,000		Ward(s): All Wards	

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		contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	sue.spiller@lbhf.gov.uk	papers to be considered.
Cabinet	11 Apr 2016 Reason: Affects 2 or more wards	Guidance For Assessing Young People Aged 19 And Above For Continuing In Education With An Education Health And Care Plan To agree initial guidance for assessing the need of young people aged 19 and above who have requested the support of an education, health and care plan.	Cabinet Member for Children and Education Ward(s): All Wards Contact officer: Ian Heggs, Steve Comber Tel: 020 7745 6458, Tel: 020 8753 2188 ian.heggs@lbhf.gov.uk, Steve.Comber@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	11 Apr 2016 Reason: Affects 2 or more wards	School Organisation & Investment Strategy 2016 Updated school roll projections and capital investment programme.	Cabinet Member for Children and Education Ward(s): All Wards Contact officer: Ian Heggs Tel: 020 7745 6458 ian.heggs@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet Full Council	11 Apr 2016 18 May 2016 Reason: Budg/pol framework	Libraries Future Delivery And Saving This report considers options to deliver Libraries service.	Cabinet Member for Environment, Transport & Residents Services Ward(s): All Wards Contact officer: Sue Harris, Mike Clarke, Donna Pentelow Tel: 020 8753 4295, Tel: 020 7641 2199, Tel: 020 8753 2358	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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			Sue.Harris@lbhf.gov.uk, mclarke1@westminster.gov.uk, donna.pentelow@lbhf.gov.uk	
Cabinet	11 Apr 2016 Reason: Expenditure more than £100,000	Street Lighting LED Lantern Replacement Bulk replacement of highway street lights with LED lanterns to provide energy and carbon savings, reducing maintenance and capital budgets	Cabinet Member for Environment, Transport & Residents Services Ward(s): All Wards Contact officer: Ian Hawthorn Tel: 020 8753 3058 ian.hawthorn@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	11 Apr 2016 Reason: Income more than £100,000	Serco Novation A request was received from Serco to novate the Waste, Recycling and Street Cleansing Services Contract to a new subsidiary following a decision to consolidate their core business. The Council's prior consent is required before any novation or assignment can take place. PRIVATE This report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Environment, Transport & Residents Services Ward(s): All Wards Contact officer: Kathy May Tel: 020 7341 5616 kathy.may@rbkc.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	11 Apr 2016 Reason: Expenditure more than	Catalyst Housing Group Contract Award Requests approval to waive the Contract Standing Orders to allow the Council to directly award a two	Cabinet Member for Health and Adult Social Care Ward(s): All Wards	A detailed report for this item will be available at least five working days before the date of the meeting and

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	£100,000	year contract to Catalyst Housing Group for the provision of 30 dementia Care beds at Acton Care Centre.	Contact officer: David Goulding Tel: 020 8753 5070 David.Goulding@lbhf.gov.uk	will include details of any supporting documentation and / or background papers to be considered.
Cabinet	11 Apr 2016 Reason: Affects 2 or more wards	<p>Award Of Contracts For Section 75 Services In Adult Social Care Integrated Learning Disability Teams To Central London Community Health Trust</p> <p>London Borough Of Hammersmith And Fulham - Award Of Contract For Section 75 Services In Adult Social Care Integrated Learning Disability Teams To Central London Community Health Trust. The Contract Is For The Health Staff Element Of The Integrated Teams</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Health and Adult Social Care</p> <p>Ward(s): All Wards</p> <p>Contact officer: Christine Baker Tel: 020 8753 1447 Christine.Baker@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	11 Apr 2016 Reason: Affects 2 or more wards	<p>Emission Linked Parking Permits</p> <p>A report reviewing the current parking permit structure and recommending options to change the residents parking permit structure to a sliding scale of charges based on emissions produced by the vehicle</p>	<p>Cabinet Member for Environment, Transport & Residents Services</p> <p>Ward(s): All Wards</p> <p>Contact officer: Edward Stubbing Tel: 020 8753 4651 Edward.Stubbing@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		<p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		
Cabinet	<p>Before 11 Apr 2016</p> <p>Reason: Affects 2 or more wards</p>	<p>School Meals Contract Award - London Borough of Hammersmith and Fulham</p> <p>The School Meals commissioning project is a shared services procurement to provide school meals across each of the following boroughs: the London Borough of Hammersmith and Fulham (LBHF), the Royal Borough of Kensington and Chelsea (RBKC) and Westminster City Council (WCC).</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Children and Education</p> <p>Ward(s): All Wards</p> <p>Contact officer: Hannah Lloyd, Labibun Nessa-O'Sullivan, Annabel Saunders Tel: 07739 316605, Tel: 020 7641 3743, Hannah.Lloyd@rbkc.gov.uk, Lnessa-O'Sullivan@westminster.gov.uk, Annabel.Saunders@rbkc.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	11 Apr 2016	<p>Hammersmith & Fulham Arts Strategy 2015 - 2022</p> <p>Hammersmith and Fulham is home to a cutting edge and vibrant arts and culture scene. We want to grow our dynamic and diverse landscape so that the creativity, production and skills development of the arts boosts our creative economy. In this paper we highlight the economic benefits of being a destination for the creative industries and the health and social benefits of participating in and creating art - from singing with dementia patients to offering diversionary activities for troubled teenagers. We also summarise our progress to date and set out our suggested actions and priorities for the future.</p>	Cabinet Member for Economic Development and Regeneration	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	
Cabinet	11 Apr 2016	<p>Corporate Revenue Monitor Month 9 - December</p> <p>To report the forecast outturn position as at the end of December. To request budget virements</p>	Cabinet Member for Finance	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	
Cabinet	11 Apr 2016	<p>Economic Development and Growth Strategy</p> <p>Economic Development and Growth Strategy</p>	Cabinet Member for Economic Development and Regeneration	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	

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Cabinet	11 Apr 2016	Homelessness Prevention Strategy This strategy follows on from a commitment in the 2015 Housing Strategy to produce an updated Homelessness Prevention Strategy	Cabinet Member for Social Inclusion	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards Contact officer: Helen Mcdonough Tel: 020 8753 4592 Helen.Mcdonough@lbhf.gov.uk	
Cabinet	11 Apr 2016	Parking Projects & Policy Programme 2016-2018 Details of the proposed programmes and budget for the parking policies team for the next two financial years	Cabinet Member for Environment, Transport & Residents Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards Contact officer: Edward Stubbing Tel: 020 8753 4651 Edward.Stubbing@lbhf.gov.uk	
Cabinet	11 Apr 2016	Transfer of Greswell street from the General Fund to Children's Services Key Decision for the transfer of Greswell Street from the General Fund to Children's Services for the development of the Bridge and Greswell Centre sites proposed and agreed in outline at Cabinet on November 3rd 2014. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption	Cabinet Member for Economic Development and Regeneration	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): Palace Riverside Contact officer: Ian Turner Tel: 020 7605 8337 Ian.Turner@rbkc.gov.uk	

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		outweighs the public interest in disclosing the information.		
Cabinet	11 Apr 2016 Reason: Income more than £100,000	<p>Lilla Huset</p> <p>Lilla Huset is currently occupied by Libraries and Children's Services. The existing lease expires in June 2016. This report will consider and recommend whether the Council should renew its lease.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Finance</p> <hr/> <p>Ward(s): Hammersmith Broadway</p> <hr/> <p>Contact officer: Nigel Brown, Lzhar Haq Tel: 020 8753 2835, Tel: 020 8753 2692 Nigel.Brown@lbhf.gov.uk, izhar.haq@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	11 Apr 2016 Reason: Expenditure more than £100,000	<p>Appropriation of Land at Wood Lane</p> <p>To Facilitate White City Development</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Finance</p> <hr/> <p>Ward(s): Wormholt and White City</p> <hr/> <p>Contact officer: Manjit Gahir Tel: 020 8753 4886 Manjit.Gahir@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	11 Apr 2016	<p>Community Champions Project Contracts Award</p> <p>To award six contracts to the recommended providers following a tender process for the Community Champions project.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Cabinet Member for Health and Adult Social Care	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): All Wards; Wormholt and White City	
6 June 2016				
Cabinet	6 Jun 2016	<p>ICT Transition phase 4 - Authority to execute ICT contract novations to the council and new service providers</p> <p>ICT Transition phase 4 - the Council needs the authority to execute ICT contract novations to the Council and new service providers at the end of the H&F Bridge Partnership service management contract.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in</p>	Cabinet Member for Finance	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		maintaining the exemption outweighs the public interest in disclosing the information.		
4 July 2016				
Cabinet	4 Jul 2016 Reason: Affects 2 or more wards	ICT Transition phase 5 - transfer of specialised services from HFPB to the council and/or new service providers ICT Transition phase 5 - transfer of specialised services from HFPB to the Council and/or new service providers PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Finance Ward(s): All Wards Contact officer: Jackie Hudson Tel: 020 8753 2946 Jackie.Hudson@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
5 September 2016				
Cabinet	5 Sep 2016 Reason: Affects 2 or more wards	ICT Transition phase 6 - procurement and implementation of print services ICT Transition phase 6 - procurement and implementation of print services PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act	Cabinet Member for Finance Ward(s): All Wards Contact officer: Jackie Hudson Tel: 020 8753 2946 Jackie.Hudson@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		