

# Cabinet Members' Decisions

made between January to March 2016

Date Issued: 07 March 2016

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<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET MEMBER DECISION</b></p> <p align="center"><b>JANUARY 2016</b></p>	
<p align="center"><b>BACK SCANNING HOUSING MANAGEMENT FILES (NORTH OF THE BOROUGH)</b></p>	
<p><b>Report of the Cabinet Member for Housing</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b></p>	
<p><b>Key Decision: No</b></p>	
<p><b>Wards Affected:</b> All wards covered by the Hammersmith North Neighbourhood Housing Office</p>	
<p><b>Accountable Director: Kathleen Corbett – Lead Director for Housing</b></p>	
<p><b>Report Author: Alistair Nimmons</b> <b>Head of Systems and Programme Management</b></p>	<p><b>Contact Details:</b> Tel: 020 8753 1924 Email: alistair.nimmons@lbhf.gov.uk</p>

AUTHORISED BY: .....

The Cabinet Member has signed this report.

DATE: 8 January 2016

**1. EXECUTIVE SUMMARY**

- 1.1 Housing wants to back scan all the paper documents held in the Housing Management files for the in-house Tenancy Management Team in the North of the Borough. This removes the risk of losing important tenancy information due to fire or water damage and the impact this would have on Service delivery. It also reduces the risk of documents being misplaced or lost.
- 1.2 At present, Housing Officers are dependent upon paper records for accessing tenants' correspondence, forms, tenancy agreements etc, and cannot access this data when with they are out of the office. By back scanning tenants' files Housing Officers will have access to tenants' data electronically, at any time,

from any location, including from within tenants homes, improving officer productivity and the service to customers.

- 1.3 This is part of the Housing's Customer Service Improvement Programme and also supports mobile working, bringing services closer to customers. It will also allow for a more single view of the customer as officers will also be able to access data held in our Housing Management System for rent information etc.
- 1.4 Back scanning Housing Management files will also facilitate business transformation as new documents will be processed electronically moving towards a paperless office. It will allow for the better use of office space due to the removal of filing cabinets.

## **2. RECOMMENDATION**

- 2.1 That Northgate Public Service (NPS) scanning bureau carries out the back scanning through the councils IT Services Contract with Hammersmith and Fulham Bridge Partnership (HFBP) for the back scanning of the Housing Management files for the North of the Borough up to a cost of £93,762. This is funded from existing IT budgets in the Housing Revenue Account.

## **3. REASONS FOR DECISION**

- 3.1 Housing is proposing to back scan the paper documents for the reasons as set out in the Executive Summary. These will be scanned into the council's Electronic Data Management System (EDMS) called Information@Work (I@W) supplied by Northgate Public Sector. Once the documents have been scanned they will be securely destroyed and I@W will be used to hold all tenants correspondence, letters, forms etc in electronic format from then on.
- 3.2 Northgate is also the supplier of the Housing's main Housing Management Information System (iWorld), and it should be possible to integrate this with the EDMS system in the future, further improving the service to customers.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1 The Housing is moving towards a paperless office to facilitate the benefits described above. This builds upon the back scanning of the Allocations files in 2013 that supported a reorganisation and office move. The intention now is to move the rest of the department to a paperless office starting with the Housing Management files. Due to the size of this work, it has been decided to break this down into separate phases:
  - a) Housing Management files in the North of the Borough (around 6,500 files requiring an estimated 1,850,000 scanned pages)
  - b) Housing Management files in the South (Pinnacle contract) (around 5,500 physical files), as a separate project.
  - c) Sheltered (around 1,000 physical files).
  - d) Leasehold Services (which may run concurrently with the above)

- 4.2 Back scanning the Housing Management files in the Hammersmith Neighbourhood Office as the first phase will allow Housing to learn from this process and identify efficiencies, which can be fed into the following phases.
- 4.3 It is not proposed to use I@W to hold maintenance or property asset data. Instead these will be loaded into The Tech Forge (corporate) Asset Management system, which has the facility to hold documents electronically against the property asset.

## **5. PROPOSAL AND ISSUES**

- 5.1 The back scanning of Tenancy Management files (North) will be completed in two phases: a set up phase to configure I@W and to test the processes followed by a production phase where the back scanning will be completed in 10 consignments.
- 5.2 Housing will prepare and pack the files for NPS to pick up. NPS will then prepare the files for scanning; scan and index them, and upload the files onto the council's network by secure means so that HFBP can download the files into a pre-configured I@W system for HD to check that the documents have been loaded correctly.
- 5.3 Subject to Housing's approval, NPS will securely destroy the paper documents and issue certificates of secure destruction. Some key paper documents e.g. Tenancy Agreements, will not be destroyed and will be returned to the office.
- 5.4 NPS operate a file retrieval service, where, if required, NPS can return a physical file within 24 hours
- 5.5 The intention is to complete the set up phase by mid February 2016 and the production stage by early May 2016.
- 5.6 The work has been scheduled to start after the corporate upgrade of I@W which was successfully completed on 28<sup>th</sup> November 2015.

## **6. OPTIONS AND ANALYSIS OF OPTIONS**

- 6.1 Initially a quote was obtained from the council's specialist back scanning supplier IDSL. However, this was thought high, so a second quote was requested from Northgate as the council's EDMS supplier (through the HFBP contract), and this came back £13,370 lower.

## **7. CONSULTATION**

- 7.1 Consultation has taken place with corporate Information Management and discussions held with suppliers through the IT Services contract with HFBP. Members of staff in the Neighbourhood Office have been involved in the design of the new business processes.

## **8. EQUALITY IMPLICATIONS**

None

## 9. LEGAL IMPLICATIONS

- 9.1. There are no legal implications for this report.
- 9.2. Implications verified/completed by: Janette Mullins, Principal Solicitor (Housing Litigation 020 8753 2744

## 10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. The costs associated with the back scanning of the Housing Management files for the North of the Borough will not exceed £93,762 in total and are set out in detail below:

<u>Project Charges</u>	(£)
HFBP costs:	26,001
Hardware costs:	2,496
NPS Services:	<u>63,900</u>
	92,397

<u>Annual Charges</u>	(£)
Year 1:	304
Year 2 (April – October 2016):	1,061

**Total** **93,762**

- 10.2. These costs are revenue in nature and will be funded from existing IT commissioning budgets within the Housing Revenue Account. The budget is held against the following cost code: HC78420 R5700 R5700AA.
- 10.3. As explained in section 6, officers compared IDSL's quotation with Northgate Public Services' quote in order to provide assurance that value for money is being achieved for the Council.
- 10.4. It should be noted that the project will involve back scanning in batches which will allow learning to take place (as outlined in paragraph 4.2). This will enable cost efficiencies to be realised where possible (for example, through purging obsolete records that don't need to be scanned).
- 10.5. It should also be noted that annual charges will still be incurred after October 2016, but these will be applied by replacement service providers and not Hammersmith and Fulham Bridge Partnership.
- 10.6. Implications completed by: Daniel Rochford, Head of Housing Finance, 020 8753 4023.

## 11. IMPLICATIONS FOR BUSINESS

This work is being sourced through the Council's existing suppliers.

## 12. RISK MANAGEMENT

These have been identified in the Solution Proposal drafted by HFBP. Two medium risks have been identified, the rest being identified as low risks.

The medium risks are

- 12.1 As the preparation of the majority of the 6,500 files will be carried out by NPS, there is a risk that errors are made and essential documents are not back scanned, leading to operational issues for the Housing Management Service.

H&F will carry out quality assurance activities by signing off the set up phase and signing-off selected samples of uploaded PDFs during the production phase.

- 12.2 Following the recent upgrade of I@W, the Retention & Disposal and Advanced Cache Management modules have yet to be deployed, there is a risk of HFBP resources not being available at the required times, leading to delays to commencing the initial activities within this project.

Should delays to initial activities occur the tasks will need to be rescheduled.

- 12.3 Implications verified/completed by: Alistair Nimmons, Head of Systems and Programmes Management 020 87531924.

## 13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 13.1 The Council's contract Standing Orders (CSO's) provide for Cabinet members to sign off award reports over £20,000 but below £100,000.

- 13.2 It is noted that HFBP have been commissioned to execute and procure this piece of work, all of which will be implemented and completed within the period up to 31 October 2016 (the expiry date for the partnership agreement between HFBP and the Council).


- 13.3 The Corporate Procurement Team has and will continue to provide support as and when necessary.

- 13.4 Implications verified/completed by: (Robert Hillman, Procurement Consultant x1538).

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

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	HFBP Solution Proposal - exempt	Alistair Nimmons x1924	HD



<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET MEMBER DECISION</b></p> <p align="center"><b>JANUARY 2015</b></p>	
<p align="center"><b>RESOURCES REQUIRED FOR ZERO BASED BUDGETING TO DELIVER OUTCOMES</b></p>	
<p align="center"><b>Report of the Cabinet Member for Finance – Councillor Max Schmid</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b></p>	
<p><b>Key Decision: No</b></p>	
<p><b>Wards Affected: None</b></p>	
<p><b>Accountable Director: Kim Dero</b></p>	
<p><b>Report Author:</b> Sue Littleson– Head of Portfolios (Acting) – Innovation and Change Management</p>	<p><b>Contact Details:</b> Tel: 0208 753 3533 E-mail: susan.littleson@lbhf.gov.uk</p>

AUTHORISED....

The Cabinet Member has signed this report

DATE: 12 January 2016.....

**1. EXECUTIVE SUMMARY**

- 1.1. The Council has to make significant year on year savings to deliver services within existing and anticipated budgets. The current forecast is a gross budget gap of £40m from 2017/18 to 2019/20. In order to make these savings, indicative costs of resources to implement a different approach to service delivery, and subsequent budgeting, are included.
- 1.2. The administration supports a new approach to closing the budget gap. The development of ‘zero based budgeting to deliver outcomes’ (ZBBO). It is intended that this will better align limited resources with the achievement of outcomes which cut across departments. Initial funding is required to support the delivery of the new approach.

## **2. RECOMMENDATIONS**

- 2.1. That the Cabinet Member approves resources of up to £99,500 to establish the detailed work programme required to achieve ZBBO for 2017/18 financial year.
- 2.2. That the Cabinet Member approves the draft corporate outcomes and principles integral to the delivery of zero-based budgeting.

## **3. REASONS FOR DECISION**

- 3.1. In order to implement ZBBO resources are needed. If there are no additional resources, it will be not be possible to implement this project within proposed timescales.
- 3.2. Additional resources are needed to gain commitment and cooperation from already pressed Outcome Leads officers who are undertaking this additional, large-scale detailed and transformational work at the same time as existing responsibilities.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1. Delivering ZBBO to the tight schedule needed to deliver savings in 2017/18 will require additional resources to supplement the current corporate and departmental teams capacity.
- 4.2. The proposed resourcing model uses a mix of internal and additional extra resources. It is anticipated that the resources will be in a central support team and will be deployed flexibly across outcomes and departments as needed. The possibility of using secondments is also being explored.
- 4.3. This paper focuses on additional external resource requirements, over and above those which are easily available internally. It provides information on the anticipated high level resource costs. It then goes on to show the tasks to be carried out by the additional resources, in order to implement the project.

## **5. PROPOSAL AND ISSUES**

- 5.1. This paper requests Cabinet Member approval of the strategic outcomes and principles underpinning the zero based budgeting activity. Strategic council outcomes have been developed to guide policy formation and service delivery and these determine the focus for zero based budgeting activity. The H&F outcomes are:
  1. Economic Growth – Enterprise thrives, businesses are resilient; economic, social and cultural growth are fostered with improved jobs, skills and opportunities for residents.
  2. Children – Children protected from harm and all young people given the best possible start in life.
  3. Residents - The views and ideas of residents are at the heart of the council’s work; as custodians of the area, the council works with residents protecting community strengths and assets such as the voluntary sector and acute health facilities.
  4. Decent Homes – Residents find it easier to buy and rent decent homes.
  5. Reducing Homelessness – Reduced level of homelessness and overcrowding.
  6. Supporting Vulnerable Adults – Vulnerable adults have the right levels of support to live in dignity and as independently as possible.
  7. Safer & Healthier Place – A safer and healthier place to live, work and visit.
  8. Sustainable Borough – A clean, green and more sustainable borough.

In addition cutting across all outcomes are three core principles:

- To be the best council, working in partnership with schools, health, the police, the voluntary sector and other key organisations.
- To deliver increased value for money and revenue while improving frontline services and reducing the cost of the council to residents.
- To increase social inclusion through everything we do.

5.2. This paper also requests an initial £99k for the following resources.

5.3. Deliverables for this phase include defining the project in more detail and more fully scoping the resources needed as the project progresses.

5.4. The table below shows the estimated types and numbers of resources to support the project. The requests from departments are not yet included as not all are available. The day rates are assumed. It should be noted that most of the time consuming and detailed work will take place over the first six months; and that programme manager and assistant will most likely be needed for a full 12 months.

#### Programme establishment costs table

Role	No Resources	6 month cost
Project Manager	1	70000
Project Assistant	1	20000
Corporate Finance	0.5	20000
Dept Finance	tbc	
Business Analysis	3	165000
Change Management	3	165000
Total	8.5	440000

#### 5.5. Detail of Roles

The text below shows what the resources would be doing on the project.

##### Business Analysts

- These roles will support outcome leads with data collection, mapping activities to outcomes and work with finance to understand activity costs, and performance. They will support the compilation of investment scenarios and help develop impacts of different funding scenarios. They will play a key role in ensuring quality and standardisation of data capture.

##### Change Managers

- These roles will support the programme overall, and the outcome leads individually, to design and deliver interventions. These may be launch sessions, activity mapping sessions, staff involvement in ideas generation meetings, transformational thinking/service redesign/investment scenarios sessions. They will also help to embed roles and

responsibilities of all parties across the programme and advise on change management and help identify linkages across outcomes.

### Corporate Finance

- Help to identify activity costs and 'templates'; support the costing of outcomes and provision of financial information for investment scenarios, including modelling impact of different scenarios.

### Project Roles (Project Manager and Project Assistant)

- These roles will further develop the planning required to ensure success of ZBBO. They will ensure the project is driven to meet the ambitious timescales, implement project control, reporting, transparency and escalation of risks and issues.

## **6. EQUALITY IMPLICATIONS**

- 6.1. There are no direct Equalities impacts on any of the protected groups that would result from the council adopting the recommendations of this paper.
- 6.2. All equality implications which may arise as a result of the ZBB to deliver outcomes project will be consulted on during the development of proposals.

## **7. LEGAL IMPLICATIONS**

- 7.1. This paper is to gain approval to for funding for early resources to work on zero based budgeting to deliver outcomes project. The project aims to help the council maintain frontline services and deliver its statutory duties within a reduced funding climate. Legal comments signed off by Kevin Beale. (Principal Solicitor)

## **8. FINANCIAL AND RESOURCES IMPLICATIONS**

- 8.1. Finance have reviewed this paper and the figures have been checked by Andy Lord (Head of Strategic Planning and Monitoring)

## **9. IMPLICATIONS FOR BUSINESS**

- 9.1. All potential implications which may arise as a result of the ZBBO project will consider the impact on local businesses.

## **10. RISK MANAGEMENT**

- 10.1. Risk management is built into the project and risks will be managed as part of the on-going project management.

## **11. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 11.1. All potential implications which may arise as a result of the ZBBO project will consider all procurement and IT options and strategy.

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

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.			
2.			
3.			

**LIST OF APPENDICES: None**



**London Borough of Hammersmith & Fulham**

**CABINET MEMBER'S DECISION**

**H&F programme management for the remaining duration of the ICT transition programme**

**Report of the Cabinet Member for Finance**

**Open Report**

**Classification - For Decision**

**Key Decision: No**

**Wards Affected: All**

**Accountable Director: Ed Garcez,**

**Report Author: Jackie Hudson, Transition Director,**  
shared ICT services

**Contact Details:**

Tel: 020 8753 2946

E-mail: Jackie.Hudson@lbhf.gov.uk

AUTHORISED BY: .....

The Cabinet Member has signed this report.

DATE: 28 January 2016

**1. EXECUTIVE SUMMARY**

1.1. H&F Bridge Partnership (HFBP), a joint venture company owned by Agilisys and H&F, currently provides all ICT services to H&F. The HFBP service contract expires on 31 October 2016, at which time all HFBP services must have moved to other suppliers or across to the shared ICT services function or they will cease.

1.1. In a paper entitled "Phase 1 ICT transition-transfer of ICT to new service providers - programme definition and management", it was agreed that approval be given for the creation of a 2-year fixed-term H&F-sovereign Transition Director post within the ICT Service to coordinate and lead the transition from the HFBP service contract, and the establishment of a permanent post within ICT of a specialist H&F ICT Programme Manager whose initial two year allocation would be to this critical H&F programme.

1.2. Since April 2015, Dot Y Plus Solutions Ltd has provided, on an interim basis, a specialist in relation to the management of the ICT transition

programme. This was done in order to assure the specialised skills and experience the programme needs in the following key areas of activity:

- Defining and planning the programme
- Managing programme and project risk and issues
- Managing high level relationships with key service provider and internal staff
- Ensuring effective due diligence with service providers
- Programme budget and savings tracking and reporting
- Managing design workshops
- Identifying and managing key dependencies of the programme
- Transition planning with both HFBP and the new providers
- Actioning the call-off contracts and order forms with the new ICT providers.
- Monitoring and reporting on all aspects of the programme to enable effective and timely decision making

- 1.3. The shared ICT services CIO has only just gained approval for phase 1 of the shared ICT service target operating model. This is now complete with the appointment of the new Heads of service.
- 1.4. The second phase of the new operating model is underway. This moves beyond the appointment of the Heads and into the service models and associated organisational structures below these roles for optional delivery.
- 1.5. The 2016 timeline for the new structure to be fully implemented with all associated roles filled has yet to be agreed. This is relevant because the Portfolio Management team specifically has few resources, none of whom either funder by LBHF or are LBHF staff, and none at the level or skill-set to manage this critical programme.
- 1.6. As there is no permanent resource available in the shared services or the ICM teams with the appropriate skill level or gravitas to fulfil this critical role, the council proposes to extend the current interim programme management arrangement.
- 1.7. As demonstrated so far, the current programme manager is well qualified to deliver this programme. He was previously the programme manager for the shared services portfolio and took on full responsibilities for the programme definition stage of this transition programme in April 2015.
- 1.8. There are over 40 risks already registered for the transition programme, which are being managed by the team.
- 1.9. Losing this key resource now could derail the entire programme which already carries considerable risk. This is because continuity of supply, understanding of the aims and objectives of the programme and excellent relationships with the suppliers and key stakeholders mitigate some critical risks.

- 1.10. The funding of £109,000 is already secured as part of the current programme under the paper entitled "Phase 1 ICT transition-transfer of ICT to new service providers-programme definition and management". This paper merely seeks the retention of external resources rather than a permanent resource in the short term.
- 1.11. Once the specialised services element of the transition completes, phase 3, LBHF will likely inherit a set of experienced project managers, permanent FTE's.
- 1.12. In the meantime the current programme management role is funded temporarily. To make this role permanent at this time may be disadvantageous as once phase 3 completes, shared ICT Services can design a new target operating model to include programme and project management. This would be followed by a full reorganisation.
- 1.13. It may therefore make more sense at this point not to transform this role from contract to permanent, with the accompanying revenue challenge. The recommendation therefore is to keep the current role as a contract one, and review again as part of the phase 3 work, which will take place autumn this year.

## **2. RECOMMENDATIONS**

- 2.1. The Cabinet Member is asked to approve the continuation of the contract with Dot Y Plus Solutions Ltd to provide programme management on an interim basis, rather than via a permanent member of staff, until the end of the programme, end December 2016.

## **3. CONSULTATION**

- 3.1. This approach has been discussed with the Shared ICT services CIO.

## **4. EQUALITY IMPLICATIONS**

There is no equalities impact on individuals or groups who have any of the protected characteristics resulting from the recommendations of this paper.

- 4.1. Implications completed by: David Bennett, Acting Head of Change Delivery. Innovation and Change Management – 0208 753 1628

## **5. LOCAL BUSINESS IMPLICATIONS**

- 5.1. None.
- 5.2. Implications completed by: David Bennett, Acting Head of Change Delivery. Innovation and Change Management – 0208 753 1628



## **6. LEGAL IMPLICATIONS**

- 6.1. There are no direct legal implications to this report.
- 6.2. Implications verified by: Cath Tempest, Principal Solicitor 020 7361 2774

## **7. FINANCIAL AND RESOURCES IMPLICATIONS**

- 7.1. As funding for the continuation of the programme management role has already been agreed by members there are no further costs to be incurred in the continuation of this engagement.
- 7.2. Implications verified by: Gary Ironmonger, Finance Manager Strategic Planning and Monitoring, ext. 2109.

## **8. RISK MANAGEMENT**

- 8.1. Effective management of programme risk is essential and in this regard the proposal contributes positively to the following Strategic risks on the Shared Services risk register;
- 8.2. Business resilience, maintaining reputation good programme governance and effective decision making.
- 8.3. Loss of expertise would be detrimental to the programme and expose the Council to potentially increased risk.
- 8.4. Implications verified by: Michael Sloniowski, Tri-borough Risk Manager ext. 2587.

## **9. PROCUREMENT IMPLICATIONS**


- 9.1. The recommendation relates to a direct award for the continuing employment, on a temporary basis, of a specialist provided through Dot Y Plus Solutions Ltd until 31 December 2016. Given the circumstances set out in the report, the Director for Commercial and Procurement agrees with the recommendation.
- 9.2. Implications verified by: Alan Parry, Interim Head of Procurement (Job-share) telephone: 020 8753 2581

## **10. IT STRATEGY IMPLICATIONS**

- 10.1. None.
- 10.2. Implications verified by: Geoff Hay, Business Partnering 020 8753 4223

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

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Phase 1 ICT transition-transfer of ICT to new service providers-programme definition and management - published	Jackie Hudson Director for Procurement and IT strategy	FCS HTH 3 <sup>rd</sup> floor

<b>London Borough of Hammersmith &amp; Fulham</b>  <b>CABINET MEMBER DECISION</b>  <b>FEBRUARY 2016</b>		
<b>APPOINTMENT OF A COUNCIL REPRESENTATIVE TO OLD OAK AND PARK ROYAL DEVELOPMENT CORPORATION (Planning Committee)</b>		
<b>Report of the Leader of the Council – Councillor Stephen Cowan</b>		
<b>Open Report</b>		
<b>Classification:</b> For Decision  <b>Key Decision:</b> No		
<b>Wards Affected:</b> All		
<b>Accountable Executive Director:</b> Kim Dero, Director of Delivery and Value Governance		
<b>Report Author:</b> Kayode Adewumi, Head of Governance and Scrutiny		<b>Contact Details:</b> Tel: 020 8753 2499 E-mail: <a href="mailto:kayode.adewumi@lbhf.gov.uk">kayode.adewumi@lbhf.gov.uk</a>

AUTHORISED BY: .....

The Leader has signed this report

DATE: 8 February 2016...

**1. EXECUTIVE SUMMARY**

- 1.1. This report records the Leader’s decision to appoint Councillor Wesley Harcourt as a Council representative to the Old Oak And Park Royal Development Corporation (Planning Committee), which falls within the scope of his executive portfolio.

**2. RECOMMENDATION**

- 2.1. That Councillor Wesley Harcourt be appointed as a Council representative on the Old Oak And Park Royal Development

Corporation (OPDC) Planning Committee from 18 May 2015 until polling day of the next Borough elections in May 2018

2.2. That the receipt of a basic allowance be approved.

### **3. REASONS FOR DECISION**

3.1. This appointment is to ensure that the Council is fully represented at the meetings of the organisation.

### **4. INTRODUCTION AND BACKGROUND**

4.1. The OPDC Board is responsible for governing the OPDC. Their responsibilities include:

- providing leadership, advice and support
- setting strategic direction and overall policy
- monitoring standards, performance and corporate governance
- representing the OPDC with other stakeholders

4.2. The OPDC Board has appointed a Planning Committee to ensure that decisions on planning applications are made in an open, transparent and impartial manner. The Planning Committee either makes the decisions on the applications submitted to the OPDC or delegate decisions to officers of the OPDC's Planning Team. The Committee comprises a Chairman who is also a member of the OPDC Board, three independent members and three local Councillors recommended by the three boroughs directly affected by the proposals within the boundary of the OPDC. The Committee's Terms of Reference is attached as Appendix A. The Leader has recommended the appointment of Councillor Wesley Harcourt as the Council's representative from 18 May 2015.

4.3. A Member of the OPDC's Board, Committees or its subordinate bodies who is:

- the Mayor or a member of the London Assembly;
- a member of staff of the GLA; or
- an employee of another statutory or public body;

may claim expenses but shall not be eligible to claim the Basic Board Allowance or any Committee Allowance. However, a Member of the OPDC's Board, Committees or its subordinate bodies not mentioned above but who is a member of a local authority, statutory or public body of any description:

- may claim expenses; and
- with the consent of that person's authority/ body concerned, may claim the Basic Board Allowance and/or any Committee Allowance.

4.4. The Council is fully committed to economic development and physical regeneration of the Old Oak area. The Leader is of the view that Councillor Harcourt should be appointed to the OPDC Planning Committee to provide a positive contribution to its work and endorses the receipt of the basic allowance of £2000 per annum. The Allowance Scheme is attached as Appendix B.

**5. EQUALITY IMPLICATIONS**

5.1 The equalities implications of this decision have been considered to be neutral.

**6. LEGAL IMPLICATIONS**

6.1 The Council Constitution gives the Leader the power to appoint representatives to outside bodies. Item 1.9 ('Scope of portfolio') states that "Appointing or nominating and where appropriate removing the Authority's representatives on appropriate outside bodies."

6.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499)

**7 FINANCIAL AND RESOURCES IMPLICATIONS**

7.1 The basic allowance and expenses will be paid by the OPDC so there are no direct financial implications.

7.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499)

**8 RISK MANAGEMENT**

8.1 There are no significant risk management implications for this report.

8.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499)

**9 PROCUREMENT AND IT STRATEGY IMPLICATIONS**

9.1 There are no procurement or IT strategy implications.

9.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499)

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

1.	None		
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## Appendix A

### Planning Committee Terms of Reference

**Status:** Taking decisions within its terms of reference. Part VA of the Local Government Act 1972, which deals with access to meetings and documents, applies to this committee.

**Membership:** The Committee shall be appointed by the Board and shall comprise 1 Board member, and 3 members co-opted from the boroughs on their nomination and 3 other non-elected external members.

Substitutions will be allowed: the Board will appoint named substitute/s for the Board members and each borough will be asked to nominate a named substitute for each of their nominated member/s.

**Chairman:** The Committee Chairman shall be appointed from time to time by the Board.

**In attendance:** Other Board members (with the approval of the chair)

Chief Executive Officer (at his/her discretion)

Chief Finance Officer (at his/her discretion)

Director of Planning

Subject to the rights of the public to attend meetings, attendance of other officers, advisers or other persons shall be at the invitation of the Chair for all or part of the meeting. The Chair may authorise the Director of Planning Policy and Decisions or the Chief Executive to issue invitations generally or in specific cases.

**Secretary:** To be nominated by the Chief Executive Officer

**Quorum:** 3 members of the Committee

### Frequency of meetings

1. The Committee will meet as determined by the Committee Chairman, in light of the need for advice and decisions. Meetings of the Committee shall be convened by the Chief Executive or the Director of Planning Policy and Decisions at the request of its Chairman.

### Purpose of the Committee

2. To enable transparent, efficient and effective discharge of the Old Oak and park Royal Development Corporation's functions to determine planning applications and to respond to consultation on applications on which the Corporation is a consultee.

### Terms of Reference and Delegated Authority

3. The Planning Committee will take decisions in accordance with the Planning Scheme of Delegations, which will also set out matters that are delegated to the Director of Planning.
4. The Chief Executive Officer, Chief Finance Officer, and Director of Planning shall be entitled to attend all meetings of the Committee, subject to any limitations in the Planning Code of Practice. Subject to the rights of the public to attend meetings, attendance of other officers, advisers or other persons shall

be at the invitation of the Chair for all or part of the meeting. The Chair may authorise the Chief Executive Officer to issue invitations generally or in specific cases.

### **Amendments**

5. Any of these procedures and terms of reference may be altered or amended from time to time by resolution of the Board. Notice shall be given of the proposed alteration(s) in a paper for the meeting of the Board at which they are to be discussed.

## Scheme for Board and Committee Members' Allowances 2015-16

### 1. Basic Board Allowance

With effect from 1 April 2015, and subject to the further provisions of this Scheme, a basic allowance ("the Basic Board Allowance") of £14,000 per financial year is payable to each Board Member.

### 2. Additional Committee Allowances

- 2.1 Subject to the further provisions of this Scheme, a Committee Chairman's Responsibility Allowance or a Committee Membership Allowance ("together called "Committee Allowance/s") is payable to the chairmen and members of Committees (including to those committee members who are not Board Members), in addition to any Basic Board Allowance (where applicable),

<i>Position</i>	<i>Actual P.A. (financial year)</i>
Committee Chairman's Responsibility Allowance	£4000
Committee Membership Allowance (members of a Committee other its Chairman)	£2000

### 3. Limit and payment of allowances

- 3.1 No person may claim more than £24,000 in any one financial year in respect of the aggregate of their total permitted allowances payable under this Scheme: i.e. Basic Board Allowance, Committee Chairman's Responsibility Allowance and/ or Committee Membership Allowance.
- 3.2 Subject to paragraph 4.1 below, the Basic Board Allowance and all Committee Allowances will be paid monthly at a rate per month of one twelfth of the annual amount. Payment will be made on the last day of each calendar month.
- 3.2 If a Member so requests, in writing to the Chief Executive Officer, payment of the Committee Chairman's Responsibility Allowance can be made in one lump sum at the end of the financial year, on the first payment day after the end of the financial year concerned.

### 4. Adjustment of Allowances

- 4.1 Where the period for which a person is a Member is less than a whole financial year, the Basic Board or pay Committee Allowance (as the case may be) will be reduced to be proportionate to the number of days in the year in which she/he held the office or position concerned

### 5. Waiving Allowances

- 5.1 Any person entitled to any allowance under this Scheme may elect to forgo all or any of her/his entitlement by giving notice in writing to the Secretary to the Board.



## **6. Travel and Subsistence Allowances**


- 6.1 A Member of the Board, Committees or the OPDC's subordinate bodies may claim travel and subsistence allowances in accordance with the OPDC Expenses and Benefit Framework (as amended from time to time).

## **7. Amendment to the Scheme**

- 7.1 An amendment to this Scheme which affects an allowance payable for the year in which the amendment is made may be effective from the beginning of that year.

## **8. Membership/ employment of Public Bodies and eligibility**

- 8.1 A Member of the OPDC's Board, Committees or its subordinate bodies who is:
- the Mayor or a member of the London Assembly;
  - a member of staff of the GLA; or
  - an employee of another statutory or public body;
- may claim expenses but shall not be eligible to claim the Basic Board Allowance or any Committee Allowance.
- 8.2 A Member of the OPDC's Board, Committees or its subordinate bodies not mentioned in paragraph 8.1 above but who is a member of a local authority, statutory or public body of any description:
- may claim expenses; and
  - with the consent of that person's authority/ body concerned, may claim the Basic Board Allowance and/or any Committee Allowance.

<p><b>London Borough of Hammersmith &amp; Fulham</b></p> <p><b>CABINET MEMBER DECISION</b></p> <p>15 January 2016</p>		
<p><b>DETERMINATION OF THE ADMISSION ARRANGEMENTS FOR HAMMERSMITH &amp; FULHAM COMMUNITY PRIMARY SCHOOLS FOR 2017/18</b></p>		
<p><b>Report of the Cabinet Member for Children Education – Councillor Sue Macmillan</b></p>		
<p><b>Open Report</b></p>		
<p><b>Classification:</b> For Decision  <b>Key Decision:</b> No</p>		
<p><b>Wards Affected:</b> All</p>		
<p><b>Accountable Executive Director:</b> Andrew Christie, Executive Director of Children’s Services</p>		
<p><b>Report Author:</b> Wendy Anthony, Head of Admissions</p>	<p><b>Contact Details:</b> Tel: 020 7745 6432 <a href="mailto:wendy.anthony@rbkc.gov.uk">wendy.anthony@rbkc.gov.uk</a></p>	

AUTHORISED BY: .....  
The Cabinet Member has signed this report.....  
DATE: 15 January 2016.....

**1. EXECUTIVE SUMMARY**

- 1.1. Further to a seven-week public consultation the council proposed to include an additional criterion for children of staff (teaching staff with caveats) to follow after siblings. This will form part of the oversubscription criteria and admission arrangements for all Hammersmith & Fulham (H&F) community schools for the 2017/18 year of entry.
- 1.2. Twelve responses were received to the consultation. The outcome to the consultation is provided as **Appendix B**.
- 1.3. If priority for the children of staff is given it will alleviate difficulties experienced by some schools in recruiting and retaining excellent staff, especially in certain subjects like Maths & Science where there is a national shortage. Prioritising staff children will improve the ability to retain staff or recruit those from an area where

there is a demonstrable skill shortage. The number of children that would qualify under this criterion will be minimal, if any at all in some years.

- 1.4. The School Admissions Code 2014 allows all schools to include priority for children of staff in their oversubscription criteria, following the appropriate consultation process. Within the London Borough of Hammersmith & Fulham, several Academies, Voluntary Aided and Free schools have already opted to include a criterion to prioritise children of staff within their published admission arrangements.

## **2. RECOMMENDATIONS**

- 2.1. To approve and determine the admission arrangements for all H&F community schools (attached as **Appendix C**) for publication by 15<sup>th</sup> March 2016 in accordance with Regulations 17 of the School Admissions Regulations 2012.

## **3. REASONS FOR DECISION**

- 3.1. In accordance with Regulation 17 of the School Admissions Regulations 2012 admission arrangements must be formally determined by the Council as the responsible admission authority for all H&F community schools.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1. The Admissions Code allows schools to include a priority criterion in their oversubscription criteria for children of staff (teaching staff). Many own admission authority schools (academies and voluntary aided schools) have this as a criterion. The number of children this criterion represents is very small and is likely to be in single figures across the borough's community schools.
- 4.2. A pre-consultation was carried out with schools before a public consultation to seek views on introducing a criterion for children of staff for all community schools. All schools that responded welcomed the opportunity to be awarded the same flexibility as own admission authority schools.

## **5. PROPOSAL AND ISSUES**

- 5.1. The objective is to give schools the flexibility to recruit and/or retain excellent teaching staff in central London schools but for which the affordability or renting or buying in the area is not an option.
- 5.2. The full consultation paper is attached as **Appendix A**.

## **6. OPTIONS AND ANALYSIS OF OPTIONS**

- 6.1. The consultation received twelve responses. Eleven agreed and one neither agreed nor disagreed. Six written comments were submitted all supporting the proposal.
- 6.2. The full consultation outcome paper and recommendations put forward to the Council's Cabinet Members for Education is attached as **Appendix B**.

## **7. CONSULTATION**

- 7.1. The formal public consultation opened on Monday 5<sup>th</sup> October with a closure date of Friday 20<sup>th</sup> November 2015.
- 7.2. The consultation was promoted as follows:
- Placed on the Hammersmith & Fulham website.
  - Circulated to all schools located in Hammersmith & Fulham and partnership boroughs, Royal Borough of Kensington & Chelsea and Westminster City Council.
  - Presented at the Tri-borough Admissions Forum.
  - Circulated to local neighbouring boroughs.

## **8. EQUALITY & LEGAL IMPLICATIONS**

- 8.1 Under the Equality Act 2013, the Council in making this decision, is to have due regard, in relation to the nine protected characteristics, to the:-
- (a) elimination of unlawful discrimination
  - (b) advancement of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - (c) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it
- 8.2 The nine protected characteristics are Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion and belief, Sex, Sexual orientation. If there is any possibility that members of these groups will be affected by the decision being made then consideration should be given to whether or not an Equality Impact Assessment is to be undertaken, kept under continuing review and provided to the decision maker prior to the decision being taken.
- 8.3 Any decision relating to School Admissions must comply with the School Admissions Code ('the Code') which was issued under Section 84 of the School Standards and Framework Act 1998 ('SSFA 1998') and which came into force on 19 December 2014.
- 8.4 Any School Admissions change should be subject to consultation of not less than 6 weeks and should be compliant with the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012/8 ("the Regulations").
- 8.5 Any objection to the determined arrangements can be made to the Schools Adjudicator in accordance with Regulation 21 of the Regulations and Section 88 of the SSFA 1998.

## **9. FINANCIAL AND RESOURCES IMPLICATIONS**

- 9.1 There are no current and future financial implications.

## **10. IMPLICATIONS FOR BUSINESS**

10.1 There are no business implications.

## **11. RISK MANAGEMENT**

11.1 There are no risks associated with this decision.

## **12. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

12.1 There are no procurement or IT implications associated with this decision.

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

There are no papers to list that are not already in the public domain.

#### **LIST OF APPENDICES:**

**Appendix A** - Consultation on the Admission Arrangements for all Hammersmith & Fulham primary community schools for 2017/18

**Appendix B** - Consultation outcomes and recommendations to the Council Cabinet Members for Education.

**Appendix C** - Determined Admission Arrangements for all Hammersmith & Fulham primary community Schools 2017/18

**CONSULTATION ON ADMISSION ARRANGEMENTS FOR HAMMERSMITH & FULHAM  
COMMUNITY PRIMARY SCHOOLS FOR 2017/18 ENTRY**

October 2015

In accordance with the School Admission (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 the admission authorities for schools located in the London borough of Hammersmith & Fulham (LBHF) are required to consult where changes are proposed to admission arrangements.

A consultation period must run for a minimum of 6 weeks and take place between 1<sup>st</sup> October and 31<sup>st</sup> January of the year before those arrangements are to apply. This consultation starts on **Monday 5<sup>th</sup> October 2015** and will end on **Friday 20<sup>th</sup> November 2015** and applies to the academic year of entry 2017/18.

1. Hammersmith & Fulham Council (LBHF) is the admission authority for 15 community primary schools in the borough. These are indicated below with their Published Admissions Number (PAN).

Addison	60	Melcombe	60
Avonmore	30	Miles Coverdale	30
Brackenbury	60	Old Oak	60
Flora Gardens	30	Queens Manor	30
Fulham	60	Sir John Lillie	60
Kenmont	30	Sullivan	45
Normand Croft	30	Wendell Park	60
		Wormholt Park	60

2. **Proposed change**

In accordance with the statutory requirements set out in the School Admissions Code, the Council propose a change to the admission criteria for the above schools.

It is proposed that LBHF introduce '**Children of Staff**' as category (4) to follow after Category (3) siblings. The full oversubscription criteria is set out in Appendix B.

3. **Background**

Prior to 2012 Admissions Code it was prohibited to give priority to children of staff or Governors. From 2012 this was changed to allow a staff criterion in the oversubscription criteria but with caveats.

**Extracts from Admission Code (issued December 2014)****Children of staff at the school**

1.39 Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:

- a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
- b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

**4. The benefits for children, parents and schools**

If priority is given for staff children in schools it will alleviate difficulties experienced by some schools in recruiting and retaining excellent staff, especially in certain subjects like Maths & Science where there is a national shortage. Prioritizing staff children will improve the ability to retain staff or recruit those from an area where there is a demonstrable skill shortage. The number of children that would qualify under this criterion will be minimal, if any at all in some years.

**This category would follow after priority to siblings. The proposed wording as follows:**

*Children whose parent is a qualified teacher for a minimum of 0.6fte (16.5 hours teaching staff) who has been employed at the school concerned for two or more years at the time of application and/or children of a member of staff who has been recruited to fill a vacancy for which there is a demonstrable skill shortage. Priority will be limited to one place for each form of entry in any year with an additional maximum limit of no more than:*

- 3 children throughout the whole school (for single form entry schools)
- 4 children throughout the whole school (for 1 ½ form entry schools)
- 5 children throughout the whole school (for 2 form entry schools, and upwards)

*All such applications must be submitted to the LA and must be accompanied with the relevant paperwork supporting an application on these grounds. The applicant must take sole responsibility to provide such paperwork. Without the provision of the relevant papers that identify all the above, priority will not be given on these grounds.*

## 5. Proposed Admission Criteria for the 2017/18 year of entry for all Hammersmith & Fulham Community Schools

Applicants with a signed Statement of Special Educational Needs (SEN) or an Education, Health and Care plan which names a school will be admitted in accordance with Section 43 of the Children and Families Act 2014.

### Oversubscription criteria

If there are more applications to the school than there are places available, then places will be allocated in the following order of priority.

- 1) Children in Public Care <sup>1</sup>, also known as Looked After Children in care of the local authority and children who have been adopted or made subject to a child arrangement or special guardianship order immediately following having been looked after. The child's social worker must submit a letter to LBHF confirming the legal status of the child and the local authority to which the child is/was in care, and quoting the child's full name and current address [*see note (i)*].
- 2) The Director of School's Services, as advised by senior officers, may on an individual basis give priority to applicants who can demonstrate that admission to a particular community school is necessary on the grounds of professionally supported medical or social need. Parent/carers must supply details of any such special factors at the time of the original application together with recent supporting documentation. Such applications will not be considered without professional support, such as a letter or report from a doctor, consultant or social worker which must be no more than six months old. All information submitted will be regarded as confidential [*see note (ii)*].
- 3) To brothers and sisters of children already on the roll of the school who will still be in the school at the time the applicant is admitted. This includes half brothers or half sisters, adopted brothers or sisters, stepbrothers or stepsisters or the children of the partner of the parent or carer provided that they live at the same address as the applicant. Please note sibling priority only applies to children with sibling(s) at the school in Years R-6 at the time of admission **not** nursery.

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<sup>1</sup> Children in Public care has the same meaning as in section 22 of the Children Act 1989, and means any child in the care of the local authority or provided with accommodation by them (e.g. children with foster carers).



- 4) Children whose parent is a qualified teacher for a minimum of 0.6fte (16.5 hours teaching staff) who has been employed at the school concerned for two or more years at the time of application and/or children of a member of staff who has been recruited to fill a vacancy for which there is a demonstrable skill shortage [*refer to note (iii)*].
- 5) Children living nearest to the school calculated as a straight line.

Nearness to the school will be calculated using a straight line (as the crow flies) measurement from the child's home 'address point' determined by Ordnance Survey Data to the nearest entrance for pupils, as determined by LBHF using its computerised measuring system. The child living closest to the school will receive the highest priority. Accessibility by car or public transport will be disregarded.

If applicants share the same address point (for example, those who live in the same block of flats or shared house) priority will be given to those who live closest to the ground floor and then by ascending flat number order. Routes will be measured to four decimal places (if necessary). If two or more applicants live at exactly the same distance from the school, the offer of a place will be decided by random allocation.

**Tie-break:** If in any of the categories 1, 2, 3\* or 4 there are more applicants than there are places available, priority will be given to applicants who live nearest the school on the basis described in (5) above. If applicants share the same address point (for example, those who live in the same block of flats or shared house) priority will be given to those who live closest to the ground floor and then by ascending flat number order. Routes will be measured to four decimal places (if necessary). If two or more applicants live at exactly the same distance from the school, the offer of a place will be decided by random allocation.

\*Where it has not been possible to offer a place in reception, or any other year group, to a child of a multiple birth, priority will apply within the sibling category.

**Notes:**

- (i) **Children Looked After, also referred to as Children in Public** - A child looked after is a child in the care of a local authority or provided with accommodation by that authority in accordance with Section 22 of the Children Act 1989. An adopted child is defined by section 46 of the Adoption and Children Act 2002 or section 12 of the Adoption Act 1976. A residence order is defined by section 8 of the Children Act 1989. A child arrangement order is defined by section 8 of the Children Act 1989 as amended by section 14 of the Children and Families Act 2014. A special guardianship order is defined by section 14A of the Children Act 1989.
- (ii) **Exceptional Need** - All schools have experience in dealing with children with diverse educational, social and medical needs. However, in a very few exceptional cases there may be

reasons why a child may need to attend a specific school. Requests for priority under this category will need to be made at the time of application.

All requests for priority consideration must be supported by a professional, such as a doctor or social worker, who must be able to demonstrate a link with the exceptional need and the school and why it is necessary for the child to attend the school(s) requested and the difficulties it will cause your child to attend another school.

It is for the applicant to decide how to support their case and what documents to provide, but these must be submitted by the closing date: **15 January 2016**. The Admissions Team is not responsible for contacting professionals for information about the case and any decision will be based on documents submitted by the closing date.

The notification date is **18 April 2016**. The applicant will not therefore be advised before this date whether the request for priority is agreed. If priority is not granted, the application will be considered against the remaining criteria.

It is important to be aware that very few cases are agreed under this category. The Admission Authority must be able to justify awarding priority for a child above other applicants. It will need to be agreed by those making the decision that the professional support provided clearly makes a case that the needs for the child can only be met at the school requested, as opposed to another local school.

**(iii) Children of staff** - Priority will be limited to one place for each form of entry in any year with an additional maximum limit of no more than:

- 3 children throughout the whole school (for single form entry schools)
- 4 children throughout the whole school (for 1 ½ form entry schools)
- 5 children throughout the whole school (for 2 form entry schools, and upwards)

All such applications must be submitted to the LA and must be accompanied with the relevant paperwork supporting an application on these grounds. The applicant must take sole responsibility to provide such paperwork. Without the provision of the relevant papers, priority will not be given on these grounds.

## 6. Admissions arrangements that apply to all LBHF community schools

No changes are proposed to the admission arrangements other than those indicated.

- 6.1 **Twins, triplets and multiple births** – twins, triplets and multiple birth children will be considered as individuals alongside all other applicants. Every effort will be made to accommodate twins or multiple birth children within the same school even if this means that the PAN will be exceeded.
- 6.2 **Children attending nursery class at a school** – Parents of children attending the nursery class at a school must reapply for a reception class place. There is no automatic transfer from the nursery class to the reception class at a school. The infant or primary school where a child attends a nursery class will not necessarily be able to offer a place in reception.
- 6.3 **Split residence** – Where a child lives with parents with shared responsibility, the address where the child spends the majority of the school week should be used for the school application. If there is a genuine 50/50 shared arrangement in place, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. In cases where an agreement cannot be agreed and Child Benefit is claimed, the address that is registered for this claim will be used.
- 6.4 **Date of admission/deferred entry** – Children will normally be admitted to the reception year for community primary schools in the September following their fourth birthday.

In line with the Admissions Code, parents can defer their child's entry to the reception year until later in the school year, where they have been offered a place at a school to start before they are of compulsory school age. Where entry is deferred, the school will hold the place for that child and not offer it to another child. However, entry cannot be deferred beyond the beginning of the term after the child's fifth birthday, nor beyond the end of the Reception Year. In practice this means that parents could defer entry until January for children born between 1<sup>st</sup> September and 31<sup>st</sup> December, or until April for children born between 1<sup>st</sup> January and 31<sup>st</sup> August. Parents can also request that their child attends part-time until he/she reaches compulsory school age.

- 6.5 **Requests to apply for Reception in the following year\***– Requests for admission outside of the child's chronological year of entry will be considered in accordance with para. 2,17 (Admissions Code). Such requests would normally apply to children that are Summer born (between April and August) and there are significant reasons that would benefit the child's academic, social and emotional development by starting reception in the following year as opposed to Year 1. The Council, as the admission authority for community schools (or the governing body for the academies), must make decisions on the basis of the circumstances of each case, informing parents of their statutory right to appeal. The headteacher of each of the school(s) applied for will be informed of the request and their views taken into account. This right to request a later admissions,

does not apply if the child is offered a place in another year group at the school. Each case will need to be supported by a professional (e.g. GP, social worker) that provides the reason for admissions outside of the chronological year group.

*\*The current legislation that applies to options for Summer born children is currently subject to a review by central government. Any changes will be reflected in the admission arrangements accordingly.*

- 6.6 Method of Application** – Parents/carers must apply on the Common Application Form of the local authority where they live. This can be completed online [www.lbhf.gov.uk/schooladmissions](http://www.lbhf.gov.uk/schooladmissions) or on a paper can be requested from the Home LA's Admissions Team.
- 6.7 Closing Date and Initial Notification Date** – Under the LBHF coordinated admission arrangements the closing date for reception class applications will be 15<sup>th</sup> January 2017. Notification letters will be sent out on 16<sup>th</sup> April 2018.
- 6.8 Late applications** - Applications received after the set closing date will be accepted but will not normally be considered for a place at the school until after the initial offer date.
- 6.9 Waiting List** - Unsuccessful applicants (including any applications received after the closing date) will be included on the school's waiting list ranked in order of priority under the published oversubscription criteria, without regard to the date that the application was received. Please note a child's position on the waiting list can go down as well as up. For example, if a new application is received or if a child on the list moves nearer to the school, the waiting list may need to be revised. The offer of a place does not depend on the length of time your child's name has been on the waiting list and there can be no guarantee that a place will be offered.
- 7.0 Appeals** - Unsuccessful applicants have a right of appeal to an Independent Appeal Panel. Further details will be included in the notification letter.
- 7.1 Coordinated admission arrangements and timetable for applications to reception**

As required by law, LBHF will be coordinating admissions for 2017/18 entry.

This document outlines the scheme which will run along similar lines to the arrangements to previous years.

Details of the full coordinated scheme will be available from 28<sup>th</sup> February 2016 via [www.lbhf.gov.uk/schooladmissions](http://www.lbhf.gov.uk/schooladmissions) or by contacting the School Admissions Team on 020 7745 6432/36433/6434 or email: [school.admissions@lbhf.gov.uk](mailto:school.admissions@lbhf.gov.uk).

## **7.2 In-Year admissions**

Applications for a school for a year group already established (Year 1 to 6 and reception from the start of September) are made on the Council's in-year common application form. If no waiting list is operation and a vacancy exists in the child's chronological year group, a place will be offered. Where a vacancy does not exist, the application will be considered in accordance with the oversubscription criteria and associated admission arrangements.

## **7.3 In-Year Fair Access**

The council has in place a Primary Fair Access Protocol that provides the mechanisms for the placement of children that require a school place in-year but present a high level of need but do not have a statement or EHC plan in place. All community schools participate in the protocol and further details can be obtained from the Admissions team at: [school.admissions@lbhf.gov.uk](mailto:school.admissions@lbhf.gov.uk)

## Response sheet

**CONSULTATION ON ADMISSION ARRANGEMENTS FOR HAMMERSMITH & FULHAM  
COMMUNITY PRIMARY SCHOOLS FOR 2017/18 ENTRY**

**ABOUT YOURSELF**

<p><b>Name:</b></p>  <p>Please tick if you are responding on behalf of an organisation <input type="checkbox"/></p> <p><b>Name of Organisation (if applicable):</b></p>  <p><b>Address:</b></p>   
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Please mark one box that best describes you as a respondent, and/or the type of organisation in which you have an interest.

Parent/Carer <input type="checkbox"/>	Maintained school <input type="checkbox"/>	Local Authority <input type="checkbox"/>	
Teacher <input type="checkbox"/>	Academy/Free School <input type="checkbox"/>	Early Years Professional <input type="checkbox"/>	
Nursery or other pre-School Provider <input type="checkbox"/>			

If Other, please specify:

*Please continue on next page*

**CONSULTATION QUESTIONS**

**Proposal: Priority for Children of Staff**

Do you agree or disagree with this proposed change? (Please tick as appropriate)

Agree .....

Neither Agree nor Disagree ...

Disagree .....

Don't know .....

Please use the space below for any other comments you would like to make about proposed change to admission criteria.

Please return your comments to [school.admissions@lbhf.gov.uk](mailto:school.admissions@lbhf.gov.uk) and title your email '**LBHF Children of Staff Consultation**'. Alternatively you can post your comments to:

**LBHF Children of Staff Consultation**, Admissions Team, Green Zone, 2nd Floor Kensington Town Hall, Hornton Street, W8 7NX.

**Your comments must be returned by Friday 20<sup>th</sup> November 2015**

## **HAMMERSMITH AND FULHAM COMMUNITY PRIMARY SCHOOLS - CONSULTATION OUTCOME ON THE PROPOSALS TO AMEND THE ADMISSION ARRANGEMENTS FOR 2017/18**

### **1. Introduction**

- 1.1 Section 89 of the School Standards and Framework Act 1998 requires the admission authority of a maintained school (such as the Council) to consult annually with admission authorities within the 'relevant area' and neighbouring local authorities (LAs) on its proposed admission arrangements. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 additionally require such consultation to be undertaken with parents and other interest groups. Consultation must run for a minimum of six weeks and be completed by 31<sup>st</sup> January. The arrangements must be formally determined by 28<sup>th</sup> February in the year prior to the intake year of entry.
- 1.2 In addition, the Regulations require the Council to publish on its website by 31<sup>st</sup> March 2016, the determined arrangements of all maintained primary and secondary schools and academies in the Borough, advising of the right to object to the Schools Adjudicator, where these are considered not to comply with the mandatory provisions of the School Admissions Code 2014.

### **2. Proposed change**

- 2.1 The proposed change is to introduce '**Children of Staff**' as category (4) to follow after Category (3) siblings for the fifteen Hammersmith & Fulham Borough community primary schools. The details of the schools, the proposed oversubscription criteria and the associated admission arrangements are included in the attached consultation paper **Appendix A**.

### **3. The Consultation Process**

- 3.1 The formal public consultation opened on Monday 5<sup>th</sup> October with a closure date of Friday 20<sup>th</sup> November 2015. The consultation was promoted as follows:
- Placed on the Hammersmith & Fulham website.
  - Circulated to all Hammersmith & Fulham schools and partnership borough schools located in the Royal Borough and Westminster City Council.
  - Presented to Tri-borough Admissions Forum members
  - Circulated to all local neighbouring boroughs.



## Appendix B

- 3.2 The consultation asked for views on whether interested parties agree or disagree with the proposed change and asked for comments on this proposal.
- 3.3 Twelve responses were received to the consultation, eleven agreed with the proposed change, with one respondent neither agreeing or disagreeing. The breakdown of respondents are as follows:

<b>Respondent</b>	<b>Agree</b>	<b>Neither Agree or disagree</b>	<b>Disagree</b>	<b>Total</b>
Parent	1			1
Teacher	1			1
Maintained School	5	1		6
Academy/Free School	2			2
Admissions Forum member	1			1
Ex Governor	1			1
<b>Total</b>	<b>11</b>	<b>1</b>		<b>12</b>

There were six written comments returned all in support of the proposal.

### **4. Recommendations**

- 4.1 The proposal to introduce priority for children of staff, with caveats and restriction on numbers, for all community primary schools for the admission year of entry 2017/18.
- 4.2 A caveat will be added to include the exception for children born in the same academic year and multiple births.
- 4.3 To include a tie-break of distance from home to school if there are more applications than places permitted.

**Report prepared by Wendy Anthony, Head of Admissions, Children's Services**

**DETERMINED ADMISSION ARRANGEMENTS FOR HAMMERSMITH & FULHAM  
COMMUNITY PRIMARY SCHOOLS FOR 2017/18 ENTRY**

**February 2016**

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In accordance with the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 16 of the School Admissions Regulations 2012, the council consulted on a change to the admission arrangements for community primary schools in Hammersmith & Fulham (H&F). The proposal was to add a criterion for Children of Staff (teaching staff with caveats).

A consultation period must run for a minimum of 6 weeks (as amended in the Admissions Code 2014) and take place between 1<sup>st</sup> October and 31<sup>st</sup> January of the year before those arrangements are to apply. This consultation opened on Monday 5<sup>th</sup> October 2015 and closed on Friday 20<sup>th</sup> November 2015 and applies to the academic year of entry 2017/18.

This consultation was for the attention of:

- a) parents of children between the ages of two and eighteen
- b) other persons in the area who have an interest in the proposed arrangements
- c) all other admission authorities within the local area
- d) the local authority
- e) any adjoining neighbouring local authorities
- f) any local faith organisation

In order to reach the above audience, the consultation was placed on the Hammersmith & Fulham website, circulated to early years establishments, all primary schools in Hammersmith & Fulham, Westminster and Kensington and Chelsea and other neighbouring boroughs.

Twelve responses were received and considered. The summary of the outcomes are attached as **Appendix B**.

In accordance with Regulation 17 of the of the School Admissions Regulations 2012, the Council formally determined the Admission Arrangements for H&F Community schools on **XX**.

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1. Hammersmith & Fulham Council (LBHF) is the admission authority for 15 community primary schools in the borough. These are indicated below with their Published Admissions Number (PAN).

Addison	60	Melcombe	60
Avonmore	30	Miles Coverdale	30
Brackenbury	60	Old Oak	60
Flora Gardens	30	Queens Manor	30
Fulham	60	Sir John Lillie	60
Kenmont	30	Sullivan	45
Normand Croft	30	Wendell Park	60
		Wormholt Park	60

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### **Determined Admission Criteria for the 2017/18 year of entry for all Hammersmith & Fulham Community Schools**

Applicants with a signed Statement of Special Educational Needs (SEN) or an Education, Health and Care plan which names a school will be admitted in accordance with Section 43 of the Children and Families Act 2014.

**Oversubscription criteria** - If there are more applications to the school than there are places available, then places will be allocated in the following order of priority:

- 1) Children in Public Care<sup>1</sup>, also known as Looked After Children in care of the local authority and children who have been adopted or made subject to a child arrangement or special guardianship order immediately following having been looked after. The child's social worker must submit a letter to LBHF confirming the legal status of the child and the local authority to which the child is/was in care, and quoting the child's full name and current address [*see note (i)*].
- 2) The Director of School's Services, as advised by senior officers, may on an individual basis give priority to applicants who can demonstrate that admission to a particular community school is necessary on the grounds of professionally supported medical or social need. Parent/carers must supply details of any such special factors at the time of the original application together with recent supporting documentation. Such applications will not be considered without professional support, such as a letter or report from a doctor, consultant or social worker which must be no more than six months old. All information submitted will be regarded as confidential [*see note (ii)*].

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<sup>1</sup> Children in Public care has the same meaning as in section 22 of the Children Act 1989, and means any child in the care of the local authority or provided with accommodation by them (e.g. children with foster carers).

- 3) To brothers and sisters of children already on the roll of the school who will still be in the school at the time the applicant is admitted. This includes half brothers or half sisters, adopted brothers or sisters, stepbrothers or stepsisters or the children of the partner of the parent or carer provided that they live at the same address as the applicant. Please note sibling priority only applies to children with sibling(s) at the school in Years R-6 at the time of admission **not** nursery.
- 4) Children whose parent is a qualified teacher for a minimum of 0.6fte (16.5 hours teaching staff) who has been employed at the school concerned for two or more years at the time of application and/or children of a member of staff who has been recruited to fill a vacancy for which there is a demonstrable skill shortage [*refer to note (iii)*].
- 5) Children living nearest to the school calculated as a straight line.

Nearness to the school will be calculated using a straight line (as the crow flies) measurement from the child's home 'address point' determined by Ordnance Survey Data to the nearest entrance for pupils, as determined by LBHF using its computerised measuring system. The child living closest to the school will receive the highest priority. Accessibility by car or public transport will be disregarded.

If applicants share the same address point (for example, those who live in the same block of flats or shared house) priority will be given to those who live closest to the ground floor and then by ascending flat number order. Routes will be measured to four decimal places (if necessary). If two or more applicants live at exactly the same distance from the school, the offer of a place will be decided by random allocation.

***Tie-break:*** *If in any of the categories 1, 2, 3\* or 4 there are more applicants than there are places available, priority will be given to applicants who live nearest the school on the basis described in (5) above. If applicants share the same address point (for example, those who live in the same block of flats or shared house) priority will be given to those who live closest to the ground floor and then by ascending flat number order. Routes will be measured to four decimal places (if necessary). If two or more applicants live at exactly the same distance from the school, the offer of a place will be decided by random allocation.*

*\*Where it has not been possible to offer a place in reception, or any other year group, to a child of a multiple birth, priority will apply within the sibling category.*

**Notes:**

- (i) **Children Looked After, also referred to as Children in Public** - A child looked after is a child in the care of a local authority or provided with accommodation by that authority in accordance with Section 22 of the Children Act 1989. An adopted child is defined by section 46 of the Adoption and Children Act 2002 or section 12 of the Adoption Act 1976. A residence order is

defined by section 8 of the Children Act 1989. A child arrangement order is defined by section 8 of the Children Act 1989 as amended by section 14 of the Children and Families Act 2014. A special guardianship order is defined by section 14A of the Children Act 1989.

- (ii) **Exceptional Need** - All schools have experience in dealing with children with diverse educational, social and medical needs. However, in a very few exceptional cases there may be reasons why a child may need to attend a specific school. Requests for priority under this category will need to be made at the time of application.

All requests for priority consideration must be supported by a professional, such as a doctor or social worker, who must be able to demonstrate a link with the exceptional need and the school and why it is necessary for the child to attend the school(s) requested and the difficulties it will cause your child to attend another school.

It is for the applicant to decide how to support their case and what documents to provide, but these must be submitted by the closing date: **15 January 2016**. The Admissions Team is not responsible for contacting professionals for information about the case and any decision will be based on documents submitted by the closing date.

The notification date is **18 April 2016**. The applicant will not therefore be advised before this date whether the request for priority is agreed. If priority is not granted, the application will be considered against the remaining criteria.

It is important to be aware that very few cases are agreed under this category. The Admission Authority must be able to justify awarding priority for a child above other applicants. It will need to be agreed by those making the decision that the professional support provided clearly makes a case that the needs for the child can only be met at the school requested, as opposed to another local school.

- (iii) **Children of staff** - Priority will be limited to one place for each form of entry in any year with an additional maximum limit of no more than:

- 3 children throughout the whole school (for single form entry schools)
- 4 children throughout the whole school (for 1 ½ form entry schools)
- 5 children throughout the whole school (for 2 form entry schools, and upwards)

All such applications must be submitted to the LA and must be accompanied with the relevant paperwork supporting an application on these grounds. The applicant must take sole responsibility to provide such paperwork. Without the provision of the relevant papers, priority will not be given on these grounds.

## **6. Admissions arrangements that apply to all LBHF community schools**

No changes are proposed to the admission arrangements other than those indicated.

- 6.1 Twins, triplets and multiple births** – twins, triplets and multiple birth children will be considered as individuals alongside all other applicants. Every effort will be made to accommodate twins or multiple birth children within the same school even if this means that the PAN will be exceeded.
- 6.2 Children attending nursery class at a school** – Parents of children attending the nursery class at a school must reapply for a reception class place. There is no automatic transfer from the nursery class to the reception class at a school. The infant or primary school where a child attends a nursery class will not necessarily be able to offer a place in reception.
- 6.3 Split residence** – Where a child lives with parents with shared responsibility, the address where the child spends the majority of the school week should be used for the school application. If there is a genuine 50/50 shared arrangement in place, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. In cases where an agreement cannot be agreed and Child Benefit is claimed, the address that is registered for this claim will be used.
- 6.4 Date of admission/deferred entry** – Children will normally be admitted to the reception year for community primary schools in the September following their fourth birthday.

In line with the Admissions Code, parents can defer their child's entry to the reception year until later in the school year, where they have been offered a place at a school to start before they are of compulsory school age. Where entry is deferred, the school will hold the place for that child and not offer it to another child. However, entry cannot be deferred beyond the beginning of the term after the child's fifth birthday, nor beyond the end of the Reception Year. In practice this means that parents could defer entry until January for children born between 1<sup>st</sup> September and 31<sup>st</sup> December, or until April for children born between 1<sup>st</sup> January and 31<sup>st</sup> August. Parents can also request that their child attends part-time until he/she reaches compulsory school age.

- 6.5 Requests to apply for Reception in the following year\***– Requests for admission outside of the child's chronological year of entry will be considered in accordance with para. 2,17 (Admissions Code). Such requests would normally apply to children that are Summer born (between April and August) and there are significant reasons that would benefit the child's academic, social and emotional development by starting reception in the following year as opposed to Year 1. The Council, as the admission authority for community schools (or the governing body for the academies), must make decisions on the basis of the circumstances of each case, informing parents of their statutory right to

appeal. The headteacher of each of the school(s) applied for will be informed of the request and their views taken into account. This right to request a later admissions, does not apply if the child is offered a place in another year group at the school. Each case will need to be supported by a professional (e.g. GP, social worker) that provides the reason for admissions outside of the chronological year group.

*\*The current legislation that applies to options for Summer born children is currently subject to a review by central government. Any changes will be reflected in the admission arrangements accordingly.*

- 6.6 Method of Application** – Parents/carers must apply on the Common Application Form of the local authority where they live. This can be completed online [www.lbhf.gov.uk/schooladmissions](http://www.lbhf.gov.uk/schooladmissions) or on a paper can be requested from the Home LA's Admissions Team.
- 6.7 Closing Date and Initial Notification Date** – Under the LBHF coordinated admission arrangements the closing date for reception class applications will be 15<sup>th</sup> January 2017. Notification letters will be sent out on 16<sup>th</sup> April 2018.
- 6.8 Late applications** - Applications received after the set closing date will be accepted but will not normally be considered for a place at the school until after the initial offer date.
- 6.9 Waiting List** - Unsuccessful applicants (including any applications received after the closing date) will be included on the school's waiting list ranked in order of priority under the published oversubscription criteria, without regard to the date that the application was received. Please note a child's position on the waiting list can go down as well as up. For example, if a new application is received or if a child on the list moves nearer to the school, the waiting list may need to be revised. The offer of a place does not depend on the length of time your child's name has been on the waiting list and there can be no guarantee that a place will be offered.
- 7.0 Appeals** - Unsuccessful applicants have a right of appeal to an Independent Appeal Panel. Further details will be included in the notification letter.
- 7.1 Coordinated admission arrangements and timetable for applications to reception**

As required by law, LBHF will be coordinating admissions for 2017/18 entry.

This document outlines the scheme which will run along similar lines to the arrangements to previous years.

Details of the full coordinated scheme will be available from 28<sup>th</sup> February 2016 via [www.lbhf.gov.uk/schooladmissions](http://www.lbhf.gov.uk/schooladmissions) or by contacting the School Admissions Team on 020 7745 6432/36433/6434 or email: [school.admissions@lbhf.gov.uk](mailto:school.admissions@lbhf.gov.uk).

## **7.2 In-Year admissions**

Applications for a school for a year group already established (Year 1 to 6 and reception from the start of September) are made on the Council's in-year common application form. If no waiting list is operation and a vacancy exists in the child's chronological year group, a place will be offered. Where a vacancy does not exist, the application will be considered in accordance with the oversubscription criteria and associated admission arrangements.

## **7.3 In-Year Fair Access**

The council has in place a Primary Fair Access Protocol that provides the mechanisms for the placement of children that require a school place in-year but present a high level of need but do not have a statement or EHC plan in place. All community schools participate in the protocol and further details can be obtained from the Admissions team at: [school.admissions@lbhf.gov.uk](mailto:school.admissions@lbhf.gov.uk)





## London Borough of Hammersmith & Fulham

### CABINET MEMBER DECISION

**APPOINTMENT OF LA GOVERNOR – ST JOHN XXIII CATHOLIC PRIMARY SCHOOL**

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

**Open Report**

**Classification - For Decision**

**Key Decision: No**

**Wards Affected: ALL**

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

**Report Author**

Jackie Saddington Head of Tri-Borough School Governor Services

**Contact Details:**

Tel: 0207 5984782

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

**AUTHORISED BY:**

The Cabinet Member has signed this report.

DATE: 15 January 2016

## 1. EXECUTIVE SUMMARY

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

## 2. RECOMMENDATIONS

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

That Mr Charlie Grant is nominated for re-appointment as LA Governor for St John XXIII Catholic Primary School for a four year term.

### **3. REASONS FOR DECISION**

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

Mr Charlie Grant has served as a Local Authority Governor at St John XXIII Catholic Primary School, previously known as Pope John Roman Catholic Primary School, since 2008.

The school advised Mr Grant has been a valued member of the Governing Body of St John XXIII Catholic Primary School for two terms.

The school is currently undergoing work to move to a two form of entry school. Mr Grant is the Chair of the Governing Body Finance Committee and the school advised his skill set in this role is outstanding. His financial management skills are crucial to the school at this current time as they expand and his experience in challenge of the budget and expenditure is vital to ensuring the school's budget meets the needs of the new development. The Headteacher confirmed he is of vital importance to the Governing Body. His skill set and knowledge of the context of the school would not be met by another member of the GB at this time as the governing body need a person with financial expertise.

### **4. INTRODUCTION AND BACKGROUND**

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

### **5. PROPOSAL AND ISSUES**

- 5.1 As above

### **6. OPTIONS AND ANALYSIS OF OPTIONS**

- 6.1. Not applicable

### **7. LEGAL IMPLICATIONS**

- 7.1 The Council Constitution gives the Cabinet Member for Children and Education the power to appoint LA governors. Item 3.9 ('Educations functions') states the following: "Appointments to school governing bodies".
- 7.2 Implications completed by: Tasnim Shawkat, Bi-Borough Director of Law  
Tel 020 8753 2088.

### **8. FINANCIAL AND RESOURCES IMPLICATIONS**

- 8.1. Not applicable.

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

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



# London Borough of Hammersmith & Fulham

## CABINET MEMBER DECISION

### APPOINTMENT OF LA GOVERNOR – OLD OAK PRIMARY SCHOOL

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

Open Report

**Classification** - For Decision

**Key Decision:** No

**Wards Affected:** ALL

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

**Report Author**

Jackie Saddington Head of Tri-Borough School Governor Services

**Contact Details:**

Tel: 0207 5984782

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

AUTHORISED BY:  
The Cabinet Member has signed this report.

DATE: 15 January 2016

## 1. EXECUTIVE SUMMARY

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

## 2. RECOMMENDATIONS

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

That Cllr Elaine Chumnerly is nominated for re-appointment to the governing body of Old Oak Primary School as LA Governor. This will be for a four year term.

### **3. REASONS FOR DECISION**

- 3.1 The Cabinet Member gives the following reasons for the following nomination

The governing body, and Cllr Chumnerly, have expressed their wishes that she is nominated for re-appointment to the governing body as she meets the skill-set they currently require. The governing body states Cllr Chumnerly has a good knowledge of the school, as well as knowledge of and links in the local community.

One of the main positive benefits of Cllr Chimney's involvement to-date has been her knowledge of the local area, particularly the area immediately around the school. This has been invaluable in allowing the Governors to ensure that they have at least one direct link on the Governing Body to the wider community.

In addition, she has been able to keep the governing body informed of general shifts and issues in LA policy. This is invaluable in ensuring that the governing body have multiple perspectives represented amongst their governors.

### **4. INTRODUCTION AND BACKGROUND**

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

### **5. PROPOSAL AND ISSUES**

- 5.1 As above

### **6. OPTIONS AND ANALYSIS OF OPTIONS**

- 6.1. Not applicable

### **7. LEGAL IMPLICATIONS**

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


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

### **8. FINANCIAL AND RESOURCES IMPLICATIONS**

- 8.1. Not applicable.

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

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

<p><b>London Borough of Hammersmith &amp; Fulham</b></p> <p><b>CABINET MEMBER DECISION</b></p> <p>February 2016</p>		
<p><b>APPOINTMENT OF LA GOVERNOR – ST MARY’S CATHOLIC PRIMARY SCHOOL</b></p>		
<p><b>Report of the Cabinet Member for Children and Education – Councillor Sue Macmillan</b></p>		
<p><b>Open Report</b></p>		
<p><b>Classification:</b> For Cabinet Member Decision  <b>Key Decision:</b> No</p>		
<p><b>Wards Affected: ALL</b></p>		
<p><b>Accountable Executive Director:</b> Andrew Christie, Executive Director for Children’s Services</p>		
<p><b>Report Author</b>  Jackie Saddington, Head of School  Governor Services</p>	<p><b>Contact Details:</b>  Tel: 0207 5984782  E-mail: <a href="mailto:jackie.saddington@rbkc.gov.uk">jackie.saddington@rbkc.gov.uk</a></p>	

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 24 February 2016

**1. EXECUTIVE SUMMARY**

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

**2. RECOMMENDATIONS**

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

That Ms Seok-Hwa Combe is nominated for re-appointment as the LA Governor for St Mary’s Catholic Primary School for a four year term.

### **3. REASONS FOR DECISION**

#### **3.1 The Cabinet Member gives the following reasons for the following nomination:**

Ms Seok-Hwa Combe had previously served as a Local Authority Governor at St Mary's Catholic Primary School, until 17 October 2015, when her term of office expired. She is currently serving as an Associate Member of the governing body of St Mary's Catholic Primary School.

The Governing Body requested a person with extensive finance and recruitment experience and stated Ms Combe has both these skills. She is also very experienced in these areas, has been an active member of the governing body, sits on 2 Committees and is willing to act as Chair of Governors until the Diocese can nominate a replacement for the role of Chair. She also works part time and has the time to commit to the governing body and school. The governing body requested she was nominated for re-appointment.

### **4. INTRODUCTION AND BACKGROUND**

#### **4.1 The Council is entitled to nominate or appoint governors to school governing bodies. This power is delegated to the Cabinet Member.**

### **5. PROPOSAL AND ISSUES**

#### **5.1 As above.**

### **6. OPTIONS AND ANALYSIS OF OPTIONS**

#### **6.1. Not applicable.**

### **7. LEGAL IMPLICATIONS**

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

#### **7.2 Implications completed by: Tasnim Shawkat, Director of Law - Tel: 020 8753 2088.**


### **8. FINANCIAL AND RESOURCES IMPLICATIONS**

#### **8.1. Not applicable.**

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

None.



<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET MEMBER DECISION</b></p> <p align="center"><b>18 January 2016</b></p>	
<p align="center"><b>Planning and Growth – Approval of Discretionary Fees and Services 2016</b></p>	
<p><b>Report of the Cabinet Member for Environment, Transport and Resident Services</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b>  <b>Key Decision: No</b></p>	
<p><b>Wards Affected: All</b></p>	
<p><b>Accountable Executive Director:</b> Juliemma McLoughlin, Director for Planning and Growth</p>	
<p><b>Report Author:</b> Peter Kemp, Planning Change Manager</p>	<p><b>Contact Details:</b>  Tel: 020 8753 6970  E-mail:  peter.kemp@lbhf.gov.uk</p>

AUTHORISED BY:

The Cabinet Member has signed this report

.DATE: ...18/01/2016.....

**1. EXECUTIVE SUMMARY**

- 1.1 The Council’s planning services provide a mixture of statutory and discretionary services. Fees for statutory services are currently set nationally whereas fees for discretionary services are within the remit of the authority to set taking into account the services that they wish to provide.
- 1.2 The Planning Service is committed to delivering the best possible services for residents, businesses and all other users of the service. However in order to resource this and maintain high levels of customer satisfaction, it is necessary to charge appropriately.

- 1.3 This report seeks authority to implement changes to the paid for Pre-application advice system, duty officer system as well as to implement additional charges for discretionary services currently not charged for, but which cost the Council to provide, including accessing historic application files, consideration of withdrawal of enforcement notices and processing applications to a timescale that enables residents to complete property transactions without delay.

## **2. RECOMMENDATIONS**

- 2.1. The changes to charges and services outlined in this report be approved and come into effect on 1<sup>st</sup> April 2016 unless an earlier date is agreed with the relevant Cabinet Member.

## **3. REASONS FOR DECISION**

- 3.1 The report is being presented for decision because the changes represent a significant change to how the service is provided, some new charges are involved, and some charges are increased by more than 1.1%.

## **4. PROPOSALS**

### **4.1. Pre-Application Advice**

- 4.2. The Council provides informal pre-application advice to potential applicants on their proposals. This service has operated for many years and has proved popular both with applicants, because they are able to get some clarity at an early stage in the process, and with officers, who are able to discourage any obviously unacceptable schemes at a very early stage.

- 4.3. The scheme was last updated in 2013, and currently operates providing 3 tiers of service;

- Level 1 – high level generic advice
- Level 2 – Exchange of Letters
- Level 3 – Meeting

Having operated this scheme for two years, it is clear that the Level 1 advice has not proven popular nor had the effect of reducing demand on other areas the service. Instead, applicants prefer to seek detailed advice.

- 4.4 In light of this it is proposed to move to a simpler two tier advice system:

- Level A – Exchange of Letters
- Level B – Meeting with a follow-up Outcomes Note

The principal changes are that the previous level of generic advice is removed, and all pre-application advice is to be given on the basis of specific proposals put forward to the Council. The lowest level of fee (level 1) shown for the 2015-16 pre-application scheme is removed, and fees would commence from what was previously Level 2. A copy of the proposed changes to the schedule of

Fees, compared to those currently in use, is set out in appendix 1 to this report. The fees which have changed or are new are identified in bold.

#### **4.4. Planning Duty Officer Service**

4.5. The Council at present provides a Planning Duty Officer service 4 afternoons a week, where general support can be provided to residents and applicants about the planning process. This service is provided face to face as well as over the telephone. However, it is not designed provide pre-application advice.

4.6. The service currently provided has been popular. To enable us to understand the needs of users of this service, we implemented an appointment system which collects data on the reasons for the visit. This has demonstrated that over 50% of the users are contacting us in a professional capacity (e.g. Architects and Agents), and 69% of users are trying to use the duty officer service to get pre-application advice.

4.7. In addition, feedback on the duty officer service shows that the majority of users would prefer not to have to visit the Town Hall, and where possible would prefer a telephone consultation.

4.8. Therefore it is proposed to trial a duty officer system that would provide only a telephone service. Customers would request a call back via the contact centre, those calls being returned during the 4 duty officer shifts operated as at present. The benefits of this system will be that:

4.8.1. The Contact Centre triage calls as they arrive. A significant number of calls will be dealt with at this first point of contact;

4.8.2. The queries that should be dealt with as Pre-application advice can be correctly managed from the outset before applicants have committed to visiting the office, and their needs and expectations will then be managed more appropriately;

4.8.3. Customers will be guaranteed a call back in the next duty officer slot, which will ensure that customers understand the level of service they can expect; and

4.8.4. We will be able to record what type of queries customers have and record that they have been responded to effectively.

4.9. The service delivered will be monitored closely to ensure that a high levels of customer satisfaction are achieved.

4.10. The changes to the service would be widely publicised on our website and newsletter, as well as through any resident and agent forums available.

4.11. It is proposed that the trial period would operate from the 1<sup>st</sup> February 2016 – 1<sup>st</sup> May 2016. During this trial period we will keep monitoring and reviewing the service to identify how they can further improved.

#### **4.12. Enforcement Notice Withdrawal**

- 4.13. Local Planning Authorities do not normally withdraw enforcement notices once they have taken effect. The reason for this is to ensure that the notice has continuing effect in the event that the breach of planning control continues, enabling the LPA to consider taking further enforcement action such as prosecution should the breach happen again.
- 4.14. The practice of not withdrawing enforcement notices is unpopular with sellers, purchasers and mortgagees of properties because it can delay transactions as each party assesses the impact of the risk on their interest. Accordingly, it is recommended that on written request, the enforcement notice, once complied with, could (in appropriate cases) be withdrawn subject to a fee. Prior to withdrawing an enforcement notice the LPA will consider seeking a standard form of unilateral undertaking to mitigate the risk of subsequent breaches of planning control.
- 4.15. The proposed fee represents the administration cost of considering the request for withdrawal of the notice and the taking of steps to give effect to the LPA's decision. The fee would be £450 + VAT. The new fee is included in the table at Appendix 1
- 4.16. No Notice would be withdrawn unless it has been complied with, or complied with to such an extent that officers are satisfied that the harm caused by the development has been alleviated, and that the risk of the breach of planning control recommencing is minimal.
- 4.17. It should be noted that the LPA does not propose to charge for withdrawal of enforcement notices where the LPA has taken the decision to withdraw the notice for a legal or planning reason (e.g. because the notice is invalid or in some respect it is not satisfactory for the purpose of enforcing against breaches of planning control).
- 4.18. Simple Householder Applications (Householder Planning Package)**
- 4.19. The objective of this is to assist residents who wish to build policy compliant extensions to their homes without delay. At present, the majority, some 90%, of simple small-scale applications are determined within the statutory target of eight weeks, some within six weeks.
- 4.20. To facilitate those residents with critical time constraints, for which they would want a quicker decision, it is proposed to introduce the Householder Planning Package, as well as a similar, Certificate of Lawfulness system. This would give those applicants opting for this service a greater degree of comfort of achieving a decision within 6 weeks of their first approach to the Council. The process would involve additional actions by the service to respond to these proposals and, in practice, the benefit will be to give residents confidence that they are able to book their builder, submit their building regulations application, knowing that their application will be more likely to be successful within a defined timescale.

4.21. This service will only be available for defined types of simple development, but (subject to further approval) that range could be varied and expanded as the service is developed.

4.22. The system for both types of application would be similar, with an initial 1 week “triage” period, to enable quick resolution of any shortcomings of the submissions, followed by the formal application being made, and a target period of 5 weeks for determination. For certificates of lawfulness, this is likely to be shorter. Applicants will have the benefit of a quick service, as well as it speeding up the development process in the borough. We are also keen that this would generate additional work for the Council’s building control service.

4.23. Initially it is proposed that that the additional fee for this would be £328 inclusive of VAT to make it accessible to any user that may choose to use the service. Together with the statutory application fee, this would be a total of £500. The new charges are included in the table at Appendix 1

#### **4.24. Planning Performance Agreements (PPAs)**

4.25. At present Development Management operates a fixed price PPA service allied to the processing of major planning applications. This is open to developers to enter into, the effect of which is to provide a project management tool for taking their proposal from pre-application stage through to reaching committee. The PPA fee includes two pre-application meetings with officers, submission of the scheme for comment through the Design Review Panel and Planning Forum (if needed) and a written note.

4.26. There has been a take up of this service, however, certain elements have been less attractive to applicants. To address this it is proposed to exclude Design Review Panels and Planning Forums from the bundle of elements included in the PPA, and to incorporate PPAs in a Majors Protocol, setting out our management of major applications through the planning process. It is envisaged that that this would make them more popular and accessible to applicants. (Where it is desirable for the scheme to be scrutinised through the DRP or Planning Forum, these would attract a separate fee.)

4.27. The revised fee for the PPA would be £20,000 + VAT. The amended charges are included in the table at Appendix 1

#### **4.28. Design Review Panels and Planning Forums**

4.29. The Council operates Design Review Panels to enable a separate review of the quality of design of any significant proposals. This is seen as positive by applicants, as their schemes are independently scrutinised for quality of design, often judged by their peers. To date the Council has charged £850 + VAT, a fee which has not increased in 4 years. It is proposed that this should now be £1000 + VAT for each scheme.

4.30. The Council also operates Planning Forums for complex or controversial schemes. This facilitates a constructive conversation between applicants and

local groups or residents, to promote schemes that are more acceptable to residents. To date the Council has charged £850 + VAT, a fee which has not increased in 4 years. It is proposed that this should now be £1000 + VAT for each scheme.

4.31. The payment covers the Councils administration costs for operating these services including staffing time, accommodation, refreshments, and where necessary paying for a chair person. The amended charges are included in the table at Appendix 1.

#### 4.32. **Planning History**

4.33. On a daily basis we are asked to provide support to professionals in the form of undertaking searches of the Council records for planning histories of properties, and accessing documents we may hold in the archive. This is despite this Council having invested significant amounts in providing this information on its website to fulfil our statutory duties of maintain a planning register to enable “self-service” access to information.

4.34. In practice many of those seeking this service are willing to pay the cost of officers time taken in providing the information rather than accessing it themselves. As such it is proposed that where the information requested is either available on the Council’s website, or does not form part of the statutory register, the following fees apply: -

- Planning History Search - £100 (Inc VAT)
- Recalling Files from Archive - £25 (Inc VAT)
- Copying Documentation / Reports - £20 per document (Inc VAT)

4.35. This reflects the cost of providing these services to residents and businesses. The new charges are included in the table at Appendix 1.

## 5. **EQUALITY IMPLICATIONS**

5.1. The changes proposed do not alter the ways customers from any protected group would access services and will make it clearer to all users how to access the services they require. The changes and charges proposed are unlikely to impact on any user as a result of their protected characteristics. Accordingly, it is considered that in approving this report, the Council will be acting in compliance with its public sector equality duty under section 149 of the Equality Act 2010.

## 6. **LEGAL IMPLICATIONS**

6.1. The report relies upon section 93 of the Local Government Act 2003, and/or any other applicable statutory powers – Section 93 of the 2003 Act provides a general power under which the Council is permitted to charge persons for the provision of

discretionary services where that person has agreed to its provision. The section 93 power does not apply in cases where there is an applicable alternative statutory power to levy a charge for the provision of services.

- 6.2. The power under section 93 contains limitations. In accordance with those limitations, it should be noted that the Council cannot and does not propose to levy a charge with respect to those functions which it has a duty (as opposed to a discretionary power) to provide. In addition, taking one year with another, the Council has a duty to ensure that the income from charges does not exceed the cost of provision.
- 6.3. This report recommends levying charges that are not expected to exceed about £100,000 in any financial year. Accordingly, this decision can be taken by the Lead Member for Environment, Transport and Resident Services.
- 6.4. Implications verified/completed by: Benita Edwards, Senior Project Lawyer (020 8753 6378).

## **7. FINANCIAL AND RESOURCES IMPLICATIONS**

- 7.1. The significant changes to fees and charges set out in this report have come about through the need to simplify and make more transparent our charging structures. Although overall the net increase to fees and charges is modest, it is expected that this simplified structure will lead to a greater uptake of our discretionary services, contributing to the MTFs income generation target of £100,000.
- 7.2. Implications verified/completed by: Gary Hannaway, Head of Finance, 020 8753 6071.

## **11. IMPLICATIONS FOR BUSINESS**

- 11.1 It is considered that the implementation of these service changes will increase the income for the service to enable the services not to be cut, reflecting recent and proposed budget cuts.

## **12. RISK MANAGEMENT**

- 12.1 The framework for charging for the non-statutory planning services has been in place for many years. The pre-application advice service has evolved over time as charges have been updated to reflect the cost of providing the range and complexity of officer advice required. Charges have been in place for recovering the cost of the miscellaneous services offered. This report seeks to set out clearly a range of the charges for services in one place, and these will be publicised clearly on the Council's website.
- 12.2 The collection of fees and charges contributes to cost recovery and budget balancing for the planning service. The effectiveness of the fees and charges set

out in this report for meeting budget objectives will be monitored and reviewed as part of the quarterly risk management process at departmental DMT . Management of budget risks are noted on the Councils Shared Services Risk Register, risk number 1. The Planning service monitors key risks on a quarterly basis and records significant risks on its Environmental Services register.

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

**LOCAL GOVERNMENT ACT 1972**  
**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		

*[Note: Please list only those that are not already in the public domain, i.e. you do not need to include Government publications, previous public reports etc.] Do not list exempt documents. Background Papers must be retained for public inspection for four years after the date of the meeting.*

**LIST OF APPENDICES:**

**Appendix 1: Table of fees and charges**



## Planning Service Fees and Charges

Scheme	2015-16 Fee	2016-17 Fee	Note
Householder Planning Package	£500	£500	Including application fee and VAT. Roll out before Christmas
Cert Lawfulness Planning Package		£500	Including application fee and VAT.
Majors Fixed Price PPAs	£25,000	£20,000	Excluding PF and DRP and VAT
DRP		£1,000	Excluding VAT
Planning Forum		£1,000	Excluding VAT
Planning History Search		£100	
Documents		£20	Per Document
Withdrawal of any Enforcement Notice		£450	
File Recall from Archive		£25	

## Pre-Application Charges

TABLE 1 - Extensions and Alterations to Homes, and small Scale Proposals

	2015-16 Fees					2016-17 Fees				
	Letter	Follow up Letter	Meeting	Follow up Meeting	Officer Check	Letter	Follow up Letter	Meeting	Follow up Meeting	Officer Check
<b>Extensions and alterations to houses and flats not including Basements</b>	£150 - £300	£250	£400	£350		£300	£250	£400	£350	£100
<b>Extensions and alterations to houses and flats including Basements</b>	£400 - £600	£450	£700	£550		£600	£450	£700	£550	£100
<b>Local Community Groups</b>	£200	£0	£300	£0		£250	£200	£350	£300	£100

## Appendix 1

Advertisements	£350	£300	£400	£350		£350	£300	£400	£350	NA
Telecommunications	£350	£300	£400	£350		£350	£300	£400	£350	NA
Details Required by Condition	£250	£0	£400	£350		<b>£300</b>	<b>£250</b>	£400	£350	NA
Internal Alterations to listed buildings where planning permission is not required	£300	£250	£400	£350		£300	£250	£400	£350	<b>£100</b>

TABLE 2 - Residential Schemes (Including Change of Use, Houses in Multiple Occupation (HMOs), Care Homes etc.)


	2015-16 Fees					2016-17 Fees				
	Letter	Follow up Letter	Meeting	Follow up Meeting	Officer Check	Letter	Follow up Letter	Meeting	Follow up Meeting	Officer Check
1 – 4 Units	£300	£450	£900	£800		<b>£700</b>	<b>£600</b>	£900	£800	<b>£200</b>
5 – 9 Units	£1,800	£1,300	£2,000	£1,800		£1,800	<b>£1,500</b>	£2,000	£1,800	<b>£200</b>
10 – 49 Units	£2500 - £3000	£2,400	£3,000	£2,400		£3,000	£2,400	<b>£3,500</b>	£3,000	<b>£400</b>
50 – 199 Units	£4000 - £5000	£4,000	£5,000	£4,000		£5,000	£4,000	<b>£5,500</b>	£4,500	<b>£400</b>
200 Units and over	£7000 - £7500	£5,000	£8,000	£6,000		£7,500	<b>£5,500</b>	£8,000	£6,000	<b>£500</b>

TABLE 3 - Non – Residential Schemes (Including Changes of use, officers, hotels, industry, retail etc.)

	2015-16 Fees					2016-17 Fees				
	Letter	Follow up Letter	Meeting	Follow up Meeting	Officer Check	Letter	Follow up Letter	Meeting	Follow up Meeting	Officer Check
No New Floorspace – 100m <sup>2</sup>	£450	£400	£700	£500		<b>£500</b>	£400	£700	£500	<b>£100</b>
100 - 499m <sup>2</sup> Floorspace	£700	£450	£800	£550		<b>£750</b>	£450	£800	£550	<b>£200</b>
500 - 999m <sup>2</sup> Floorspace	£2,000	£1,500	£2,200	£1,600		<b>£2,100</b>	£1,500	£2,200	£1,600	<b>£200</b>

Appendix 1

<b>1,000 – 4,999m<sup>2</sup> Floorspace</b>	£2500 - £2750	£2,250	£3,000	£2,500		<b>£2,750</b>	£2,250	£3,000	£2,500	<b>£300</b>
<b>5,000 – 9,999m<sup>2</sup> Floorspace</b>	£4000 - £4750	£4,250	£5,000	£4,500		<b>£4,750</b>	£4,250	£5,000	£4,500	<b>£400</b>
<b>10,000m<sup>2</sup> and over</b>	£7000 - £8000	£5,500	£8,500	£7,500		<b>£8,000</b>	£5,500	£8,500	£7,500	<b>£500</b>

<p style="text-align: center;"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p style="text-align: center;"><b>CABINET MEMBER DECISION</b></p> <p style="text-align: center;"><b>FEBRUARY 2016</b></p>	
<p style="text-align: center;"><b>MASTERPLANNING SERVICES FOR HAMMERSMITH TOWN CENTRE</b></p>	
<p><b>Report of the Cabinet Member for Environment, Transport and Residetsn Services – Councillor Weslewy Harcourt</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b></p> <p><b>Key Decision: No</b></p>	
<p><b>Wards Affected:</b> Hammersmith Broadway</p>	
<p><b>Accountable Executive Director:</b> Juliemma McLoughlin, Director for Planning and Growth</p>	
<p><b>Report Author:</b> Jackie Simkins Principal Planning Projects Officer</p>	<p><b>Contact Details:</b> Tel: 020 8753 3460 E-mail: jackie.simkins@lbhf.gov.uk</p>

AUTHORISED BY: .....

The Cabinet Member has signed this report.

DATE: 8 February 2016.....

**1. EXECUTIVE SUMMARY**

1.1. Planning officers are currently producing a Supplementary Planning Document for Hammersmith Town Centre to guide future development in the area. Production of a Design Strategy and Illustrative Masterplan are key elements of the SPD and outside expertise is sought through the appointment of a masterplanner to undertake this role. The appointed masterplanners will work closely with planning and highways as well as the Hammersmith Residents' Working Party when developing their proposals for the town centre. Funding is available through the New Homes Bonus Funding LEP Programme to fund this appointment .

## **2. RECOMMENDATIONS**

- 2.1. That approval be given to tender for masterplanning services to prepare an Urban Design Strategy and Illustrative Masterplan for Hammersmith Town Centre to be incorporated into the Hammersmith Town Centre Supplementary Planning Document.**
- 2.2. That approval be given to finance this commission up to £99,990 through the New Homes Bonus Funding LEP Programme that has allocated £235,842 to develop, consult and adopt an SPD for Hammersmith Town Centre.**
- 2.3. That authority be delegated to the Director for Planning and Growth to appoint the successful company following the tender process to undertake this role.**

## **3. REASONS FOR DECISION**

- 3.1. An experienced Masterplanning/Architectural Practice is required to prepare an Urban Design Strategy and Illustrative Masterplan for Hammersmith Town Centre.
- 3.2. The Planning and Growth Department do not have the necessary skills to produce the Urban Design Strategy and Illustrative Masterplan in house as the 3D modelling requires specific skills. Also the appointed architectural/masterplanning consultants will be able to bring knowledge and experience of developing successful town centres elsewhere.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1 Hammersmith Town Centre is one of five regeneration areas identified in the Core Strategy and draft Local Plan as being suitable for new homes and jobs. The Draft Local Plan identifies growth of 2,800 indicative additional homes and 10,000 new jobs. It is also the only regeneration area currently in the borough without a standalone planning framework to guide future development.
- 4.2 A Supplementary Planning Document (SPD) is currently being prepared for Hammersmith Town Centre. It is being developed alongside the Local Plan and once adopted it will give further clarity and guidance regarding delivery of the Local Plan objectives. The Urban Design Strategy and Illustrative Masterplan will be incorporated into the SPD and will be instrumental in guiding proposed development submitted through planning applications.
- 4.3 The SPD will specifically address the following corporate outcomes;
  - Increased number and resilience of businesses and enterprise in the borough, with improved jobs, skills and educational opportunities for residents by promoting economic, social and cultural growth.
  - H&F a safer and healthier place to live, work and visit..

- H&F a clean, green more sustainable borough. Residents find it easier to buy and rent decent homes.
- The Council puts the views and ideas of residents at the heart of its work and works with them to act as a custodian of the area, protecting vital community assets such as acute health facilities.

## 5. PROPOSAL AND ISSUES

- 5.1. The commission will entail a masterplanning exercise to establish a spatial vision for the Hammersmith Town Centre Regeneration Area, options for delivery of identified growth requirements, and the design principles and strategic objectives and policies that will need to be put in place to shape and support future development.

### 5.2. Role of the Masterplanner

Specific tasks that the masterplanner will undertake are listed below;

#### Analysis

Comment on the Borough's identification, assessment and description of the different character areas of the regeneration area;

- Consider historical context and potential for integrating heritage buildings into the proposals;
- Identify constraints

#### Opportunities

- Identifying trends
- Stakeholder interests
- Experience from other successful projects

#### Vision and Illustrative Masterplan

- Develop options for the different character areas, to meet the housing and growth requirements for the regeneration area having regard to:
  - the broad type and quantum of development most suited to each character area;
  - landowner expectations;
  - the quantum of development mix required within a particular character area to deliver the spatial vision and strategic outcomes sought for the regeneration area
  - the relationship of each character area to the adjacent areas within and outside of the regeneration area;
  - further opportunities for regeneration and renewal;
  - the impact on the wider urban landscape;
  - the physical and social infrastructure provision required to support business growth, promote inward investment and create vibrant and liveable communities, including opportunities to create multi-functional open spaces, a green grid, and improved connectivity and accessibility to, within and across the regeneration area specifically linking to the river and

- the delivery of the sustainability and climate change agenda at the local level.
- Identify a preferred development option (quantum and mix of development) for each area and the regeneration area as a whole, supported by the findings of the above analysis and in consultation with the Client Team and the Hammersmith Residents' Working Party;
- Develop a clear narrative and spatial vision for Hammersmith Town Centre

#### Urban Design Strategy

- Develop high level design and development principles in relation to mix, density, development height, and built form.
- Produce a land use strategy
- Produce a strategy regarding building heights;
- Produce plans dealing with permeability and connectivity focussing on providing opportunities for more walking and cycling.
- Produce an implementation and phasing plan, including interventions, such as land assembly or safeguarding;
- Illustrate development options using 3D mapping data and software and test these against a series of sensitive views selected by the Council ;

### **5.3 Project Deliverables**

The Council requires an urban design strategy document and illustrative masterplan (including 3D plan) which is highly visual in its design, featuring a number of high quality and attractive artists impressions, plans/maps and photographs for inclusion in the Hammersmith Town Centre Supplementary Planning Document (SPD). It will be developed on a collaborative basis with the Client Team and in conjunction with "Hammersmith Residents' Working Party

### **5.4 Client Team**

The Client Team will consist of officers from Planning (including Policy, Regeneration and Urban Design and Conservation) and Highways. The Client Team will regularly meet with the consultants to guide their work regarding the production of the Urban Design Strategy and Illustrative Masterplan.

### **5.5 Supplementary Planning Document (SPD)**

The Hammersmith Town Centre SPD will be developed over the next six/nine months leading up to the statutory public consultation process in Summer/Autumn 2016. This will be developed alongside the next iteration of the Local Plan that will go out to its next stage of public consultation at a similar time. The Urban Design Strategy and Illustrative Masterplan prepared by the consultants will be incorporated into this document. The draft SPD will be subject to statutory public consultation and then further changes made to the document in response to comments made before submission to Full Council for adoption

## 5.6 Project Programme

Detailed below is the project programme for delivering the Hammersmith Town Centre SPD incorporating the involvement of the appointed masterplanner. It is anticipated that the appointed masterplanner will complete the role in 6 months.

	Milestones							
	2016				2017			
	JAN-MAR	APR-JUN	JUL-SEPT	OCT-DEC	JAN-MAR	APR-JUN	JUL-SEPT	OCT-DEC
Set up/Meeting with Residents' Working Party								
Production of evidence base								
Appointment/working with of Masterplanner								
Drafting SPD								
SPD Statutory Consultation								
SPD Adoption								

## 6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. The Planning and Growth Department do not have the skills to produce the Urban Design Strategy and Illustrative Masterplan in house as the 3D modelling requires specific skills. In addition we are seeking the experience that an external consultant would bring from development and masterplanning experience in other localities across London and beyond.
- 6.2. An open tender process will be administered through the Council's tenders portal, Capital E Sourcing, and Contracts Finder. There will also be an advertisement in the Architects Journal. It will be ran as a two stage process, with an evaluation criteria of 60:40 quality and price ratio in the first round and the second round will entail written interview questions for the top 5 suppliers. This should ensure value for money as well as consultants who have the relevant experience.

## 7. CONSULTATION

- 7.1. In December 2015 a local residents' advisory panel "Hammersmith Residents' Working Party" was established whose role is to act as a consultative body providing comment and advice to support the delivery of a Supplementary Planning Document (SPD). There are 24 residents on the group who will meet monthly over the next 6/9 months with officers discussing a different theme each time relevant to the production of the SPD for Hammersmith Town Centre. Councillor Jones chairs this group.
- 7.2. The Urban Design Strategy and Illustrative Masterplan will be an area of major interest for discussion with the Hammersmith Residents' Steering Group. The



appointed consultants will be expected to attend a number of Hammersmith Residents' Steering Group meetings.

- 7.3. The draft Hammersmith Town Centre SPD incorporating the Urban Design Strategy and Illustrative Masterplan will be subject to statutory public consultation and further review before adoption.

## **8. EQUALITY IMPLICATIONS**

- 8.1. Equality implications are currently unknown however the SPD will fully consider any Equality issues relating to the Urban Design Strategy and Illustrative Masterplan produced under this commission

## **9. LEGAL IMPLICATIONS**

- 9.1 LBHF's Contract Standing Orders requires public quotations to be sought for contracts between £25,000 and £164,176.00 using the Council's e-tendering system and Contracts Finder. The proposed recommendation would therefore be in accordance with the Council's Contract Standing Orders and Part 4 of the Public Contracts Regulations 2015, which applies for below threshold service contracts.

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

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1 It is anticipated that the commission will cost circa £100k. There is funding secured in a legal agreement with the GLA through the New Homes Bonus Funding LEP Programme as approved by Cabinet on 30<sup>th</sup> of March 2015. Within that agreement £235,842 funding is secured for unlocking development with a specific output to develop, consult and adopt an SPD for Hammersmith Town Centre.

- 10.2 Implications verified/completed by: (Gary Ironmonger, Finance Manager (Strategic Planning)x2109).

## **11. IMPLICATIONS FOR BUSINESS**

- 11.1 The appointed consultants will be working with the client team to consider quantum's of development that can be achieved within Hammersmith Town Centre in order to successfully deliver business objectives and outputs within the draft Local Plan .

## 12. RISK MANAGEMENT

- 12.1 The Client Team incorporating officers from Planning (including Policy, Regeneration and Urban Design and Conservation) and Highways will work closely with the appointed masterplanners to ensure the proposals put forward adhere to draft Corporate Plan and Local Plan objectives.

## 13. PROCUREMENT IMPLICATIONS


- 13.1 The estimated value is below the thresholds set out in the Public Contracts Regulations 2015. Under the circumstances the opportunity will not be published in the *Official Journal of the European Union* (OJEU).
- 13.2 The procurement will be undertaken through an open tender process using *capitalEsourcing* and will also be advertised on Contract Finder. Depending on cost consideration is being given to include an advert in a journal such as Architects Journal to ensure maximum exposure to attract consultants with the relevant experience.
- 13.2 Implications verified/completed by: Alan Parry, Interim Head of Procurement (Job-share) – telephone 020 8753 2581

### **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*

<p style="text-align: center;"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p style="text-align: center;"><b>CABINET MEMBER DECISION</b></p> <p style="text-align: center;"><b>18 January 2016</b></p>	
<p><b>METHOD FOR CHARGING WESTERN RIVERSIDE WASTE AUTHORITY COSTS OF WASTE DISPOSAL TO BOROUGHES</b></p>	
<p><b>Report of the Cabinet Member for Environment, Transport and Resident Services</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b> <b>Key Decision: No</b></p>	
<p><b>Wards Affected:</b> None</p>	
<p><b>Accountable Director:</b> Mark Jones, Director for Finance, Environmental Services</p>	
<p><b>Report Author:</b> Mark Jones, Director for Finance, Environmental Services</p>	<p><b>Contact Details:</b> Tel: 020 8753 6700 E-mail: mark.jones@lbhf.gov.uk</p>

AUTHORISED BY:

The Cabinet Member has signed this report

.DATE: 18 January 2016.....

**1. EXECUTIVE SUMMARY**

- 1.1. Under the current arrangements with Western Riverside Waste Authority (WRWA) each borough delivers its waste to WRWA and is charged per tonne for the disposal of that waste, at a rate agreed for that year.
- 1.2. This method of charging is one that the four boroughs entered into voluntarily and that agreement comes to an end in March 2017.

- 1.3. If that agreement is not renewed then there is a statutory method that will apply by default (see Annexe B). This is that the cost of waste disposal in a particular year will be charged to boroughs in proportion to the tonnages delivered to the Waste Authority in the previous complete year.
- 1.4. The statutory method is likely to lead to an increase in the rate per tonne charged by WRWA, so it is recommended that the Council agrees to continue with the existing method of recharging.

## **2. RECOMMENDATIONS**

- 2.1. That the Council continues with the current methodology for charging waste disposal costs to Councils, using actual tonnages in the current year.

## **3. REASONS FOR DECISION**

- 3.1. This is to enable the Council to benefit immediately from reductions in waste, to avoid cross subsidy, and to avoid WRWA having to increase charges because it would bear the risk of tonnages increasing.

## **4. INTRODUCTION AND BACKGROUND**

- 4.1. Under the current arrangements with Western Riverside Waste Authority (WRWA) each borough delivers its waste to WRWA and is charged per tonne for the disposal of that waste.
- 4.2. This method of charging is one that the four boroughs entered into voluntarily and that agreement comes to an end in March 2017.
- 4.3. If that agreement is not renewed then there is a statutory method that will apply by default (see Annexe B). This is that the cost of waste disposal in a particular year will be charged to boroughs in proportion to the tonnages delivered to the Waste Authority in the previous complete year.

## **5. PROPOSAL AND ISSUES**

- 5.1. The proposal is that the Council agrees to the continuation of the existing method used by WRWA to recharge the constituent boroughs for the costs of waste disposal.

## **6. OPTIONS AND ANALYSIS OF OPTIONS**

- 6.1. There are some advantages to the current charging methodology:
  - Each Council 'pays as it goes'.
  - If a council succeeds in reducing its waste then it sees the financial benefits immediately
  - If a council succeeds in increasing its proportion of recyclables then it sees the financial benefits immediately.

- 6.2. There would be some consequences if we reverted to the statutory default methodology:
- The risk of tonnages being higher than in the previous complete year, and the consequential costs of disposing of that extra waste (through the contract with Cory) would rest with WRWA. As a result, and to ensure that risk was covered, WRWA would charge an estimated extra 2.2% to constituent boroughs.
  - The benefits from a council reducing its waste would not be felt immediately as a financial benefit.
  - A council increasing its waste in year would be subsidised by the other councils until the next year, or potentially the year after that .
- 6.3. The views of the WRWA Treasurer are set out in Annexe A.
- 6.4. An estimate of the financial implications of the statutory basis is set out in Annexe C. This examines the financial impact if the statutory basis had been used in 2015/16. For LBHF an additional cost of £182,000 is identified, due to the additional 2.2% charge made by WRWA for the risk it would be taking that tonnages might increase.
- 6.5. If tonnages did not increase across all four constituent boroughs then potentially WRWA would be in a position to make a refund of the 2.2% to the boroughs.

## **7. CONSULTATION**

- 7.1. No consultation is necessary for this decision.

## **8. EQUALITY IMPLICATIONS**

- 8.1. There are no equalities implications arising from the recommendation made in this report.

## **9. LEGAL IMPLICATIONS**

- 9.1. The legal implications are set out in the body of this report.

Implications completed by: Rhian Davies, Chief Solicitor, 020 7641 2729

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

- 10.1. The financial implications are set out in the body of the report.
- 10.2. Implications verified/completed by: Mark Jones, Director of Finance, Environmental Services.

## **11. IMPLICATIONS FOR BUSINESS**

- 11.1 The costs of waste disposal form part of the charges to commercial waste customers in the Borough. If the recommendation in this report were not followed

then charges to the Council for waste disposal would increase and consequently the charges to commercial waste customers would have to rise.

**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:**

Annexe A – Letter from WRWA Treasurer

Annexe B - Extract from The Joint Waste Disposal Authorities (Levies) (England) Regulations 2006

Annexe C – WRWA Charging Methodology

**Annexe A**  
**Email from WRWA Treasurer**  
2 December 2015

Charging arrangements for Western Riverside Waste Authority

The existing charging arrangements for the Authority are subject to an agreement between the Authority and the constituent Councils which commenced in April 2009 and is due to expire at the end of March 2017. At the Authority meeting on 1<sup>st</sup> December 2015, when considering next years budget, Members resolved that it would be it's preference for the current arrangements to be continued. However, this is not a decision that the Authority can make on it's own as it requires the agreement of all four constituent councils.

In the event that no agreement is reached, the Authority will have no option but to charge on the statutory default basis, set out in section 4 of The Joint Waste Disposal Authorities (Levies) (England) Regulations 2006, from April 2017. I append a link to the detailed regulations. <http://www.legislation.gov.uk/uksi/2006/248/contents/made>. You will note that the default arrangements charge on historic tonnage with a differentiation between business and household waste but no differentiation between recyclate and general waste.

When the current arrangements were first proposed I wrote to Constituent Councils in December 2007. The basic case for the system is in my mind the same now as then and I quote from my original correspondence to outline the basic advantages and fairness of the current arrangements:

*"...shortcomings of the apportionment include its historic reference point for tonnages, on average two years prior to the expenditure for the levy year concerned, and that effectively costs are apportioned on the basis of an average cost per tonne across all constituent councils of a waste disposal authority. Thus there is a delay in individual Councils receiving the benefit of waste minimisation or opting for a cheaper waste management stream and any benefit earned by one is in part shared with other constituent councils."*

The current waste charging arrangements are in my view simple to understand and reflect actual costs incurred with no cross subsidy between waste streams or Councils. They leave the risk of tonnage changes with the Constituent Councils who are the best suited to deal with them and who of course will gain directly from any reduction in tonnage or diversion to recyclate or by setting up any other local initiative. Under the default arrangements these benefits flow through two years later and are shared by all, not just the Council who has initiated the change. In the view of the Authority this does not reward good practice or incentivise innovation.

In addition, under the default basis, the level of household tonnage per year must be estimated and consequently tonnage level risk is transferred to the Authority. Therefore the Authority will need to make financial provision for this risk in the charge made which is

likely to result in an increase in the cost per tonne for all four Councils. This would be avoided if the current mechanism is maintained.

As I mentioned earlier, the decision now rests with the Constituent Councils to decide whether they wish to continue with the current arrangement or to propose collectively a revised arrangement. If no agreement is reached then we will use the default arrangements. In the briefing on the draft budget in November I have already mentioned this to Sue Harris. However I am happy to meet to discuss further either with yourself or with all the fellow Section 151 officers to whom I have written similar letters if you would find this helpful.

Ideally, the Authority would wish to have a revised agreement in place by September next year which will require the four Councils to have agreed any decision through their own governance mechanisms before then - hence the early warning.

I have copied this letter to the responsible Executive Director and the Authority members.

Yours Sincerely

Chris Buss  
Treasurer



### Extract from The Joint Waste Disposal Authorities (Levies) (England) Regulations 2006

#### Apportionment of levies

4.—(1) Subject to regulation 5, the amount to be levied by a joint waste disposal authority in respect of any financial year from each of its constituent councils shall be determined by apportioning the total amount to be levied by that authority in that year between those councils as follows—

(a) in such proportions as all the constituent councils may agree; or  
(b) in the absence of such agreement, by a combination of the following proportions—

(i) the costs incurred by the joint waste disposal authority in the disposal or treatment of household waste delivered to it by its constituent councils shall be apportioned between the constituent councils in proportion to the tonnage of household waste delivered by each of these councils to the joint waste disposal authority within the last complete financial year for which data are available;

(ii) the costs incurred by the joint waste disposal authority in the disposal or treatment of business refuse that is deposited at places provided by the constituent councils under section 1 of the Refuse Disposal (Amenity) Act 1978(a) shall be apportioned between the constituent councils in proportion to the tonnage of business refuse deposited at such places within the area of each of these councils within the last complete financial year for which data are available; and

(iii) all other costs not falling within paragraphs (i) or (ii), shall be apportioned between the constituent councils by reference to the relevant proportion.

(2) For the purposes of paragraph 1(b)(iii), “the relevant proportion” is the relevant proportion determined in accordance with paragraphs (5) to (7) of regulation 6 of the 1992 Regulations but as if, in those paragraphs, the references to —

- (a) “levying body” were references to a joint waste disposal authority; and
- (b) “relevant authority” and “billing authority” were references to a constituent council.

*[i.e. it requires the use of the council tax base method of apportionment].*

(3) Where paragraph (1)(b) applies to the determination of a levy to be issued in respect of any financial year beginning on or after 1st April 2007, a constituent council shall, within the period beginning on 1st December and ending on 31st January in the financial year preceding the financial year in respect of which the levy is to be issued, inform the joint waste disposal authority of—

- (a) the tonnage of household waste delivered to the joint waste disposal authority for disposal or treatment within the last complete financial year for which data are available;
- (b) the tonnage of business refuse that was deposited at places provided by the constituent council under section 1 of the Refuse Disposal (Amenity) Act 1978 within the last complete financial year for which data are available; and
- (c) the council tax base, determined in accordance with paragraphs (6) and (7) of regulation 6 of the 1992 Regulations, for its area, in respect of which a levy will be issued or it anticipates that a levy will be issued in the immediately following financial year.

(4) In this regulation— “household waste”, has the same meaning as in section 75 of the Environmental Protection Act 1990(a); “business refuse” means refuse falling to be disposed of in the course of a business, and “refuse” has the same meaning as in section 1(7) of the Refuse Disposal (Amenity) Act 1978.

*[Note: The ‘1992 Regulations’ are the Levying Bodies (General) Regulations 1992, see <http://www.legislation.gov.uk/uksi/1992/2903/contents/made>]*

## Annexe C

### WRWA Default Charging Methodology

#### Analysis of Waste by Commercial/Household

Source of data is WRWA

	Proportions of household tonnage delivered for the last complete financial year 2014/15	Cost of Household Waste 2015/16 WRWA Budget £000s	Proportions of commercial waste tonnage last complete year 2014/15	Cost of Commercial Waste WRWA Budget £000s	Total WRWA Budget 2015/16 £000	Weighted proportion
H&F	0.19	5860	0.25	3150	9010	0.21
K&C	0.19	6111	0.26	3197	9308	0.21
L	0.28	8818	0.42	5140	13958	0.32
W	0.34	10735	0.07	887	11622	0.26
	<b>1.00</b>	<b>31524</b>	<b>1.00</b>	<b>12374</b>	<b>43898</b>	<b>1.00</b>

#### Impact of Reversion to Default Charging Method

Data from WRWA Budget Paper 793 November 2015

	Tonnes		2015/16 Forecast Charges to Boroughs £000s				2015/16 forecast if Weighted Proportion 2014/15 tonnages used £000s	Add 2.2% extra charge from WRWA for risk	Increase/ Decrease (-) to 2015/16 Forecast £000s	Notes
	2014/15 Actuals	2015/16 Forecast	General Waste	Co-mingled recycle	Other	Total				
								0.022		
Civic Amenity	22001	22548								1
H&F	73882	73645	8690	284	99	9073	9056	9255	182	
K&C	79036	79167	8732	412	92	9236	9355	9560	324	
L	113752	112396	13226	454	72	13752	14029	14337	585	
W	100526	101952	11313	480	266	12059	11681	11938	-121	
<b>Total</b>	<b>389197</b>	<b>389708</b>				<b>44120</b>	<b>44120</b>	<b>45091</b>	<b>971</b>	

Total

389207

389677

0

10

-31

#### Notes:

1. Civic amenity disposal costs are charged to boroughs separately as part of the levy, using the Council Tax base as the apportionment basis, so are not relevant to this calculation.

	<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET MEMBER DECISION</b></p> <p align="center"><b>18 JANUARY 2016</b></p>
<p align="center"><b>LICENSING PRE-APPLICATION ADVICE FOR EXTRA LARGE PUBLIC EVENTS</b></p>	
<p><b>Report of the Cabinet Member for Environment, Transport and Residetsn Services – Councillor Weslewy Harcourt</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b></p>	
<p><b>Key Decision: No</b></p>	
<p><b>Wards Affected: All</b></p>	
<p><b>Accountable Director:</b> Nicholas Austin, Director for Environmental Health</p>	
<p><b>Report Author:</b> Valerie Simpson Bi-borough Head of Environmental Health (Licensing and Trading Standards)</p>	<p><b>Contact Details:</b> Tel: 020 8753 3905 E-mail: <a href="mailto:valerie.simpson@lbhf.gov.uk">valerie.simpson@lbhf.gov.uk</a></p>

AUTHORISED BY:

The Cabinet Member has signed this report

.DATE: ...18/01/2016.....

**1. EXECUTIVE SUMMARY**

- 1.1. This report deals with a proposal for Hammersmith and Fulham Council’s Licensing, Environmental Health and Trading Standards Officers to charge a fee to prospective licence applicants for providing them with advice concerning their licence application for extra-large public events i.e. over 5000 people.
- 1.2. The proposed fees are shown in the table overleaf and include the cost of specialist officers carrying out inspections/giving advice, and the cost of a supervising officer\*, monitoring any reports provided as part of this service.
- 1.3. Categories A – C in the table overleaf, are for extra-large pubic events of 5000 people or more and all include a site visit(s)/ meeting(s) and written report(s). The proposed fees include the cost of specialist officers carrying

out inspections/giving advice, and the cost of a supervising officer\*, monitoring any reports provided as part of this service.

Application Type	Officer time	Officer hourly rate	Supervisor Half Hourly Rate*	Fee (without VAT)	Fee (with VAT)
<b>CATEGORY A:</b>	<b>Up to 7 hours</b>	<b>£53 (x7)</b>	<b>£44 (x1)</b>	<b>£415</b>	<b>£498</b>
<b>CATEGORY B:</b>	<b>Up to 14 hours</b>	<b>£53 (x14)</b>	<b>£44 (x2)</b>	<b>£830</b>	<b>£996</b>
<b>CATEGORY C:</b>	<b>Up to 21 hours</b>	<b>£53 (x21)</b>	<b>£44 (x3)</b>	<b>£1,245</b>	<b>£1,494</b>

## 2. RECOMMENDATIONS

- 2.1. That the Cabinet Member agrees the proposal to charge for the provision of pre-application licensing advice for extra-large events and agrees that the fee structure set out in paragraph 1.3 above can be implemented from the 1 February 2016.

## 3. REASONS FOR DECISION

- 3.1. The Local Government Act 2003 (LGA2003) gives authority for Councils to charge a fee for providing this type of advice. The fee structure proposed would comply with this legislation in that it would not provide a new source of income, and would only cover the cost of providing this advice.
- 3.2. Currently, the Council incurs a cost in providing this advice and should this proposal be adopted it will enable the Council to provide comprehensive advice on a cost neutral basis.
- 3.3. A pre-application advice service has already been introduced for small, medium and large, normal applications and the fee structure for that is shown below.
- 3.4. Past experience has shown that requests to hold extra-large public events in the borough, take up a substantial amount of officer time to ensure that the event that is being proposed and the licence that is applied for has adequate conditions in place to ensure public safety, as well as the promotion of the other licensing objectives, relating to crime, noise and nuisance/anti-social behaviour and the protection of children.

Application Type	Officer(s) time	Fee (without VAT)	Fee (with VAT)
<b>Small</b> applications which would have a minimal environmental impact on neighbouring properties.	Up to 1 hour	<b>£97</b>	<b>£116</b>
<b>Medium</b> applications including site visits/meetings and written report(s).	Up to 2 hours	<b>£150</b>	<b>£180</b>

Large applications including site visits/meetings and written report(s).	Up to 4 hours	£256	£307
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#### 4. INTRODUCTION AND BACKGROUND

- 4.1. In 2015 fees were introduced to cover the cost of officers providing pre-application licensing advice. *See paragraph 3.4.*
- 4.2. Provision of pre-application licensing advice is important but is a time consuming discretionary service. This report proposes a possible fee which could be introduced in 2016 to enable Licensing and Environmental Health Officers to provide advice for extra-large public events (i.e. over 5000 people) and to recover the costs of providing this service.
- 4.3. Having a fee structure in place for providing pre-application licensing advice for large scale events would provide licence applicants and event promoters with an alternative option for receiving sound, professional advice, rather than just being limited to advice from licensing consultants, event promoters and lawyers. In addition, this would allow officers to be paid for their time and allow them to adequately focus on and prioritise this advice work.
- 4.4. In 2003 the Government introduced the Local Government Act 2003 (LGA2003). Section 93 of the Act enables Best Value local authorities to charge for discretionary services subject to having regard to the statutory guidance issued by the Secretary of State in November 2003, ([General Power for Best Value Authorities to Charge for Discretionary Services - Guidance on the Power in the Local Government Act 2003](#)).
- 4.5. The Guidance on the ability to charge in Section 93 of the LGA2003 sets out the underlying principles for the introduction of charges for discretionary services. It stipulates that *'such charges must not provide a new source of income and should only cover the cost of provision, i.e. not make a profit.'* Charges must be based on principles set out in the Chartered Institute of Public Finance and Accountancy's (CIPFA) Best Value Accounting Code of Practice: *'A charge can only be made if the recipient agrees to the service.'*
- 4.6. Currently under the Licensing Act 2003, the Licensing Team offer some advice about what an application for a large event should include, to demonstrate that appropriate controls are in place. Section 111 of the Local Government Act 1972 allows this discretionary service as it is classed as conducive or incidental in relation to carrying out the licensing functions.
- 4.7. The Localism Act 2011 (LA2011) introduced a 'general power of competence'. It gives local authorities the legal capacity to do anything that an individual can do that is not limited by the existence of any other power of the authority which (to any extent) overlaps the general power. This general power of competence can be exercised for the benefit of the authority, its area or persons resident or present – or otherwise. The

power also allows authorities to make a charge subject to the conditions in Section 3 of the LA2011.

- 4.8. The Council can rely on the general power of competence conferred by Section 1 of the LA2011 because individuals could give licensing, food safety and health and safety advice and the giving of such advice is not limited by the existence of any other power of the authority which (to any extent) overlaps the general power.
- 4.9. At present the Licensing Team, as the Licensing Authority, offers a pre-application advice service for small, medium and large licence applications. Officers still carry out their statutory functions of processing the licence application, and fulfil their role as the Licensing Authority. This is not included in any proposed charges. Details of current charges are set out in paragraph 3.4.

## **5. PROPOSAL AND ISSUES**

- 5.1. It is proposed that the pre-application advice and assistance will be offered under the authority of The Local Government Act 2003 and will consist of:
  - advice and assistance with completing application forms,
  - advice on appropriate conditions taking into account the type of operation intended at the premises, its location and in consultation with Environmental Health officers;
  - advice on drawing up plans to accompany the application in accordance with the relevant regulations;
  - advice on nominating an appropriate designated premises supervisor;
  - assistance with completing the statutory notices and advertisements;
  - on-site visit(s) to ensure plans are compliant with prescribed regulations and the appropriate statutory notices are correctly on display;
  - assessment of the site plan and of the safe capacity in relation to the information submitted;
  - on-site assessment of possible noise transmission to neighbouring properties dependent on the type of operation proposed for the premises;
  - pre-application review of event safety certification documentation and detailed written response to Organiser. (E.g. such documentation may include Event Safety Management Plan (approximately 50 pages), Event Risk Assessments - (approximately 40 pages) Security Plan (approximately 30 pages), Traffic Management Plan 10 pages);
  - food safety advice;
  - meetings with the Police and Organiser to address any issues with pre-application information; and
  - Trading standards advice in relation to child protection and other legal measures in relation to the sale of alcohol.
- 5.2. The proposal is for Officers to recover their costs in providing pre-application advice, which ensures that the officer time is accounted for.

- 5.3. For events for 5000 people or more the applicant would make contact with the Events or Licensing Team who will request as much information as possible. The Licensing Team will obtain sufficient information to determine which category the advice falls into. The categories A, B and C set out in paragraph 1.3 above are determined by the amount of time likely to be spent on them.
- 5.4. The applicant will be advised of the charge. No advice will be given until payment is received. The pre-application advice will include telephone calls, written correspondence, site visits, face-to-face meetings and discussions with the applicant, etc. The advice will be confirmed in writing to the applicant and will include advice relating to the process and validity of the application and any issues relating to noise transmission, public safety, crime and disorder measures and the protection of children.
- 5.5. With regard to any pre-application advice, the written confirmation will state that pre-application advice will not give them any exemptions from the licensing process. Responsible Authorities, including the Police, Trading Standards or Environmental Health Officers, may still make a representation against the application and the case may still need to be heard at Licensing Sub-Committee for a decision to be made.
- 5.6. A record will be kept detailing the amount of time spent on each application. No extra charge will be made if additional time is spent, as an agreement would have been made prior to the advice being given.
- 5.7. Exemptions may be applied to certain applications at the discretion of the Licensing Manager. This may apply to any organisation or individual that may qualify for an exemption from paying the statutory fees for a licence application, for example, educational institutes, buildings used for religious purposes, village and community halls and non-profit making charities.
- 5.8. Currently providing pre-application advice is time consuming and costly. Charging for pre-application advice will enable these Teams to recover these costs which should, in turn, help to improve the efficiency of the service provided. The Licensing Team will continue to provide basic advice on simple matters free of charge, for up to five minutes. Additionally, guidance for applicants regarding a number of different licensing issues is readily available on the council website.

## **6. CONSULTATION**

- 6.1. Colleagues within the Council's Events team, Noise and Nuisance team, Trading Standards team and Commercial Services team have been consulted.

## **7. EQUALITY IMPLICATIONS**



7.1. There are no equalities implications in this report.

## **8. LEGAL IMPLICATIONS**

- 8.1. The provision of pre-application advice for licensing applications is a discretionary service. Discretionary services are those services that an authority has the power but not a duty to provide. Local Authorities have the power under Section 93 of the Local Government Act 2003 to set charges for discretionary services, provided the recipient of the service has agreed to its provision.
- 8.2. Section 93(3) and 93(4) of this Act places a duty on local authorities to ensure that, taking one year with another, the income for providing these discretionary services must not exceed the cost of providing them. This means a local authority should not be making a profit but should be able to recover the costs it incurs in providing the service.
- 8.3. Section 93 requires Local Authorities to have regard to any guidance that may be issued by the Secretary of State in relation to the exercise of this power.

*Implications verified by: Tasnim Shawkat, Bi-borough Director for Law – TTS/ELRS, 020 8753 2700*

## **9. FINANCIAL AND RESOURCES IMPLICATIONS**

- 9.1. The proposed fees have been set to recover the Council's costs of providing the pre-application licensing advice that is outlined in paragraph 1.3 of this report. The cost to be recovered is the cost of the staff time spent on providing the pre application advice.
- 9.2. The service will be provided using existing resources, so there will not be any additional costs. Any additional income will depend on the demand for the service.

*Implications verified by: Mark Jones, Director for Finance and Resources – TTS/ELRS, 020 8753 6700*

## **10. IMPLICATIONS FOR BUSINESS**

- 10.1. Currently officers offer free advice for all types of licence applications. This proposal is to provide a sustainable structure to support businesses and event promoters of extra-large events, with their business ventures, in a consistent manner.
- 10.2. The team could continue giving free limited advice at a cost to the Council, refuse to give advice to potential applicants or to charge a fee for advice on a cost neutral basis. To refuse to give advice may be contrary to the spirit of 'Better Regulation' and the Regulators' Code, whereby a 'partnership' approach to achieving compliance and supporting

businesses, is encouraged. It, therefore, seems appropriate to charge a fee.

- 10.3. The introduction of a fee also provides an additional option for event promoters to receive competitively priced, professional advice from an alternative provider.

## **11. RISK MANAGEMENT**

- 11.1. The failure to meet statutory requirements is specifically addressed in the Environmental Health Service Group's risk register. Controls in place to mitigate this risk include training to ensure officer competency.

## **12. PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 12.1. None

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

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	NONE		

#### **LIST OF APPENDICES:**

**None**