

Cabinet Members' Decisions


made between June and August 2016

Date Issued: 04 August 2016

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London Borough of Hammersmith & Fulham CABINET MEMBER DECISION June 2016	 hammersmith & fulham
AWARD OF ONE-OFF GRANT TO HAMMERSMITH AND FULHAM MENCAP	
Report of the Cabinet Member for Social Inclusion	
Open Report	
Classification - For Decision) Key Decision: NO	
Wards Affected: Fulham Reach	
Accountable Director: Kim Dero, Director, Delivery and Value	
Report Author: Sue Spiller, Head of Community Investment	Contact Details: Tel: 020 8753 2483 E-mail: sue.spiller@lbhf.gov.uk

Authorised by:	The Cabinet Member has signed this report.
Date	30 th June 2016

EXECUTIVE SUMMARY

1. This report seeks authority to award a one-off grant of £50,000 to Hammersmith & Fulham Mencap, the principle 3rd sector organisation supporting vulnerable residents with learning disabilities and their families. This grant is recommended in light of a lack of a local hardship fund, to support the ongoing service delivery and business development of H&F Mencap and ensure its sustainability through a period of financial difficulty.

RECOMMENDATIONS

2. That a one-off grant of £50,000 be awarded to Hammersmith & Fulham Mencap to be used to meet its current financial pressures, predominantly in relation to premises costs, with the detail of how this funding to be used to be agreed between officers and H&F Mencap and incorporated into the existing monitoring requirements of H&F Mencap's funding agreements.

REASONS FOR DECISION

3. The level of funding recommended requires a Cabinet Member Decision to be made.

PROPOSAL AND ISSUES

4. Hammersmith & Fulham Mencap is a person centred local independent charity. They work with parents and carers of disabled children and adults with a learning disability in Hammersmith and Fulham to support them to have a voice, make choices and have control over their lives. H&F is the only 3rd sector organisation in the borough working exclusively with H&F residents with learning disabilities.
5. H&F Mencap activities and services include a wide range of support services for adults and children with learning disabilities, and to parents of disabled children, including transition services to support people with learning difficulties from school/college to adulthood, a range of activities which support people with learning difficulties to get involved and be heard, and specialist coordination support in play and early years services.
6. H&F Mencap currently receives the following grants through the borough's 3rd Sector Investment Fund:
 - My Life Out and About: £20,000 per financial year
 - Safety Net People First: £45,000 per financial year
 - Children's Service: £40,000 per financial year.
7. Mencap support around 300 individuals and provide advocacy and 1-2-1 support to a further 35 residents with a learning disability, and for the majority of their users are considered a critical and key source of support, information and assistance.
8. Mencap's performance for the grant funded services has been consistently good, with excellent feedback from users and evidence of how the service is delivering tangible and sustainable outcomes.
9. In addition, Mencap support adult social care users through a range of day opportunity services, which are funded through individuals' Direct Payments or Individual Budgets. There has been a range of issues which have resulted in a lower than anticipated take up of H&F Mencap Services for ASC users which has further impacted the financial planning for H&F Mencap, and colleagues in ASC are working with Mencap to address this.
10. H&F Mencap were previously based in Stamford Brook Health Centre, with accommodation provided by H&F CCG, and located alongside a range of services including the LBHF Learning Disability Team. However, with the opening of Parkview in W12 and the relocation of both LBHF and CCG services and the subsequent closure of the Stamford Brook Centre, H&F Mencap needed to find alternative premises. In 2013, Mencap were offered space in a property owned by Arthritis UK in Aspenlea Road, which they now share with Riverside Studios.
11. H&F Mencap's new premises are far larger than they require and the costs of the property have proven to be considerably higher than H&F Mencap were initially advised. Sobus are supporting H&F Mencap to find other organisations to share the space with them, which potentially will offer sufficient income towards the end of the 16-17 financial year which will make

the site more affordable and viable for H&F Mencap, but the immediate financial pressure of meeting requirements imposed by Riverside Studios (now ceased) and the refurbishment and running costs of the property are putting the organisation at risk, and by default, the vulnerable residents that they support.

12. H&F Mencap are facing a significant operational financial deficit in 16-17, the majority of which has arisen from the unforeseen cost of their premises, including the depletion of Mencap's reserves to meet the costs of improving the accessibility of the property. With the prospect of income from letting part of their space to other organisations from Autumn 2016, the longer term future of Mencap is likely to be sustainable, but a one-off cash injection will support this key organisation to establish a viable and solid foundation for H&F Mencap to build their sustainability in the future.
13. Officers therefore recommend a one-off grant of £50,000 to H&F Mencap, to be used to meet its current financial pressures, predominantly in relation to premises costs, with the detail of how this funding to be used to be agreed between officers and H&F Mencap and incorporated into the existing monitoring requirements of H&F Mencap's funding agreements.

OPTIONS AND ANALYSIS OF OPTIONS

14. The council's priority is to ensure that our most at risk residents have access to the support and services they need. In the case of Mencap, these are residents with often complex learning disabilities, who without the service would be at critical risk of isolation, poor health and wellbeing including a deterioration of emotional wellbeing, lack of inclusion and increase of exclusion from main stream and specialist opportunities, increased risk of poverty, and increased risk of homelessness.
15. Mencap offer a huge range of activities and support for residents with learning disabilities and their families – and the cessation of this service would have profound and long lasting negative impacts on some of the most vulnerable residents in the borough.
16. Should the recommended financial support not be provided, the options for H&F Mencap would likely be:
 - a. Closure
 - b. Merger with another local disability organisation based in the borough.
 - c. Merger with another learning disability organisation based outside of the borough
 - d. Operate a deficit budget and further deplete their reserves – both of which would contravene Charities Commission guidance and potentially be unlawful, a position which would force H&F Mencap to pursue options a-c.
17. Should HF Mencap wish to pursue options a-c above, whilst LBHF would be able to consider grant funding an alternative organisation to deliver the services currently provided by H&F Mencap, the vulnerability of Mencap clients, coupled with the significant challenges that another organisation

would face in building up sufficiently robust relationships with clients in order to provide immediate support and assistance, would inhibit any incoming organisation offering an immediate service at the same level as H&F Mencap. The vulnerability of these clients means an unplanned transfer of service to a new provider should be avoided at all costs – therefore these options are not realistically achievable if service users' safety and wellbeing is to be prioritised.

18. In addition, should H&F Mencap opt to pursue option c, vulnerable LBHF residents with learning disabilities would likely then be required to travel outside of the borough to access the much valued support that they currently receive within Hammersmith & Fulham boundaries.

CONSULTATION

19. The provision of an additional one-off grant to H&F Mencap will ensure the continued provision of its current services without change. Therefore, consultation was not required as part of this project.

EQUALITY IMPLICATIONS

20. As outlined in 16 and 17 above, the alternatives open to H&F Mencap should further financial support not be provided would result in Any key/relevant equalities issues must be included here, in the body of the report. A completed Equality Impact Assessment must accompany where required.
21. A comprehensive Equalities Impact Assessment was undertaken as part of H&F Mencap's application for grant funding (3SIF, Cabinet Report September 2014), which indicated the services offered by Mencap would support residents with learning disabilities and their families, across all wards, genders, faiths and appropriate ages, as well as successfully targeting services to those with highest needs – e.g. clients from low income households and areas of deprivation.
22. Subsequent monitoring of H&F Mencap's grant funded services confirms that H&F Mencap has an good track record in reaching priority cohorts of residents, and achieving positive outcomes for this particularly vulnerable cohort of local residents. Mencap's 3rd Sector Investment Fund grant was approved for renewal in May 2016.
23. An additional grant to H&F Mencap will serve to support the continued provision of the services currently funded by the council and ensure the long term sustainability of a specialist local user-led organisation. Therefore a further equalities impact assessment was not considered necessary for the purposes of this report.
24. H&F Mencap will continue to be required to provide regular monitoring information on the take up of their services as part of their grant funded and commissioned services contracts.
25. Implications verified by Sue Spiller, Head of Community Investment. Tel: 020 8753 2483

LEGAL IMPLICATIONS

26. The Council has power to award funding under section 1 of the Localism Act 2011 which allows the Council to do anything that individuals generally may do, in particular if it is carried out for the benefit of the Council, its areas or persons, resident or present in its area. The Council should ensure that the aid falls under the De Minimus Regulations or one of the General Block Exemption Regulations.
27. Implications completed by Kar-Yee Chan, Solicitor (Contracts), Shared Legal Services, 020 8753 2772.

FINANCIAL IMPLICATIONS


28. £50,000 will be found from the current balance of the 3rd Sector Investment Fund, including carried forward underspend from 2015-16.
29. Implications completed by Andrew Lord, Head of Strategic Planning and Monitoring, 020 8753 2531.

IMPLICATIONS FOR BUSINESS

30. No implications have been identified since this is a one-off funding proposal to provide assistance with the stated financial challenges. The contractual outputs and outcomes related to Economic Development are covered under a different agreement.
31. Implications verified/completed by Rachid Aslam, Interim Work Matters Programme Manager, 020 8753 3375.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET MEMBER DECISION</p> <p style="text-align: center;">20 July 2016</p>	
<p>POVERTY AND WORKLESSNESS COMMISSION – INTERVIEW PROGRAMME WITH RESIDENTS LIVING IN POVERTY AND/OR WORKLESSNESS</p>	
<p>Report of the Cabinet Member for Finance</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p> <p>Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Kim Dero, Director of Delivery and Value</p>	
<p>Report Author: Tom Conniffe, Principal Policy and Strategy Officer</p>	<p>Contact Details: Tel: 020 8753 2195 E-mail: tom.conniffe@lbhf.gov.uk</p>

AUTHORISED BY:

The Cabinet Member has signed his report.....

DATE: 20 July 2016.....

1. EXECUTIVE SUMMARY

- 1.1. As part of the Council’s policy-making process, the resident-led Poverty and Worklessness Commission seeks to investigate from a local perspective the twin topics of poverty and worklessness and assist in formulating policy and proposals for action to help the Council promote social inclusion.
- 1.2. The qualitative research, of which the interview programme forms a part, is intended to provide insight from the perspective of residents living in poverty and/or worklessness, to complement various packages of background information, analysis and evaluation already provided to the Commission.
- 1.3. As the available officer resource is committed to running a parallel focus group programme, an external contractor is sought to deliver the interview programme.

2. RECOMMENDATION

- 2.1. That a sum of up to £28,000, secured from Section 106 funds, is made available to Delivery and Value Services for the purpose of conducting an interview programme with borough residents living in poverty and/or worklessness, and to cover associated costs, to inform the work of the Poverty and Worklessness Commission.

3. REASONS FOR DECISION

- 3.1. To inform its deliberations and reporting, the resident-led Poverty and Worklessness Commission seeks a robust and complete examination of the nature of poverty and worklessness in the borough from the perspectives of residents who live in one or both states. A programme of semi-structured interviews and associated analysis and typology will complement a series of focus groups in providing this information. All available officer resources are being deployed to deliver the focus groups so an external contractor with the requisite expertise is required to deliver the interview programme.

4. INTRODUCTION AND BACKGROUND

- 4.1. The current administration took control of the Council in May 2014 and has been delivering a whole new social policy agenda over the past two years. The Council's policy priorities are now firmly established, supported by local residents working with councillors through new policy development structures such as the Policy and Accountability Committees and resident-led Commissions, of which the Poverty and Worklessness Commission (PWC) is one.
- 4.2. The PWC has met every two months since November 2015 in order to establish its scope and deliberate on various packages of background information and analysis. The available information, while comprehensive and of sufficient quality to ensure that some conclusions can be drawn, is however not enough in itself to allow a robust and complete examination of the nature of poverty and worklessness in the borough, in particular the reasons/motivations/emotional state behind high rates of worklessness in some cohorts, in the context of a very high overall rate of overall employment and no shortage of part-time and entry level jobs.
- 4.3. For this, an extensive programme of qualitative research with people living in and on the edge of poverty and/or worklessness is required. One element, a programme of focus groups with third party agencies and referred clients, will be delivered by the Commission and supporting officers. The other, the commissioning of research consisting of a series of semi-structured interviews with up to 100 borough residents living in poverty and/or worklessness, and analysis and typology, forms the subject of this Cabinet Member decision paper.

5. PROPOSAL AND ISSUES

- 5.1. The brief requires the services of an external research company with the relevant capacity and expertise as there is insufficient officer resource to deliver the programme within the timescale required, which is three months from appointment. This is to ensure that the research is delivered and analysed in time to inform the Commission's report, which is expected by the end of the calendar year.
- 5.2. In addition to the quote of £23,652 for the interview programme, a sum of up to £4,348 is sought to allow a £25 voucher incentive to be issued to up to 100 participants in the focus groups. The balance of funds will be used to pay where necessary for room hire and basic catering for the complementary focus group programme being delivered by the Commission and supporting officers, which is running in parallel with the interview programme.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. This interview programme, with associated costs, is additional to the annual budget for the Policy and Strategy Team and there is insufficient officer resource within the Delivery and Value Services Department to deliver the interview programme within the timescale required.

7. CONSULTATION

- 7.1. The Poverty and Worklessness Commission has been consulted on two occasions about the proposal to commission qualitative research. In addition the Leader of the Council, the Cabinet Member for Social Inclusion and the Director of Delivery and Value Services have also been consulted.

8. EQUALITY IMPLICATIONS

- 8.1. Equality implications of carrying out the research will be addressed by the contractor as part of its methodology and by the Poverty and Worklessness Commission as part of its final report.

9. LEGAL IMPLICATIONS

- 9.1. When considering using Section 106 monies the Council should be clear what the Section 106 Agreement, from which the monies originated, stated. Each Section 106 Agreement will outline the purpose for which any monies obtained by the Council can be used and the Council should be clear the purpose is adhered to.
- 9.2. Implications verified/completed by Joyce Golder, Principal Solicitor, tel 020 7361 2181.

10. PLANNING IMPLICATIONS

- 10.1. The required funding could be drawn from the Social and Physical Infrastructure contribution from the Section 106 legal agreement relating to the development at Parsons Green Club, Broomhouse Lane, SW6. One of the purposes considered lawful is Business Training and Employment, which this use would appear to fall within.
- 10.2. Funds totalling £371,176 are currently in hand and the use for this project would be lawful.
- 10.3. Implications completed by Peter Kemp, Planning Change Manager, tel 0208 753 6970.

11. FINANCIAL AND RESOURCES IMPLICATIONS

- 11.1. The costs of the review can be met from existing s106 funding.
- 11.2. Implications verified/completed by: Andrew Lord, Head of Strategic Planning and Monitoring, Corporate Finance, tel 020 8753 2531.

12. IMPLICATIONS FOR BUSINESS

- 12.1 There are no immediate implications for businesses in the borough.


13. RISK MANAGEMENT

- 13.1 No strategic risk management issues required as having being identified associated with the report content.
- 13.2 Implications verified/completed by: Michael Sloniowski, Shared Services Risk Manager, tel 020 8753 2587.

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		

London Borough of Hammersmith & Fulham CABINET MEMBER DECISION August 2016		 hammersmith & fulham
PROPOSED REGISTRATION SERVICE FEES AND CHARGES FOR 2016/17		
Report of the Cabinet Member for Environment, Transport and Residents Services - Cllr Harcourt		
Open Report		
Classification - For Decision		
Key Decision: No		
Wards Affected: All		
Accountable Director: David Page, Director for Safer Neighbourhoods and Registration		
Report Author: Layla Vaughan, Registration Service Manager		Contact Details: Tel: 020 8753 2438 Email: Layla.Vaughan@lbhf.gov.uk

AUTHORISED BY:

The Cabinet Member has signed this report.

DATE: 3 August 2016.....

1. EXECUTIVE SUMMARY

- 1.1. This report explains why the current income target for the Registration Service is not currently being achieved. Uncontrollable central government changes to the application process for Citizenship and Nationality Check and Send (NCS) services, have resulted in a sustained reduction in demand.
- 1.2. To remove this budget pressure, changes to fees and charges are proposed. It is recommended that the Cabinet Member agrees to the introduction of a new income stream and agrees the proposed uplifted fees and charges from 1 April 2016.

2. RECOMMENDATIONS

- 2.1. To approve the proposed Registration Service fees and charges from 1 April 2016 as set out in Appendix 1 in order to remove the existing budget pressure.

3. REASONS FOR DECISION

- 3.1. The Registration service is currently forecasting a £65k income pressure for 2015/16 (compared to a target of £533k), due to uncontrollable central government changes to the application process for Citizenship and Nationality Check and Send (NCS) services, that have resulted in a sustained reduction in demand.
- 3.2. The recommendations set out in this report are expected to close this budget gap in future years.

4. INTRODUCTION AND BACKGROUND

- 4.1. The Registrars Service includes the following income generating areas: Registration, Citizenship and Nationality Check and Send (NCS). Whilst these are significant income generators for the Council, actual income achieved has been less than budgeted in recent years, as set out in the table below.

Activity	2014/15			2015/16		
	Income Budget £000	Actual £000	Variance £000	Income Budget £000	Forecast £000	Variance £000
Registration	302	301	(1)	313	313	0
Citizenship	135	86	(49)	135	85	(50)
NCS	85	64	(21)	85	70	(15)
Total	522	451	(71)	533	468	(65)

- 4.2. Registration income is comprised of both statutory and non-statutory income. NCS and Citizenship income are both non-statutory services.

5. PROPOSALS AND ISSUES

5.1. Citizenship income

Prior to 2014/15, Citizenship income was reasonably static at circa £120k per annum. In October 2013 the Government introduced new stringent English language requirements as part of the Citizenship application process, causing a peak in applications during 2013/14 where applicants rushed to apply before this was introduced. Those applicants would naturally have applied in later years, but they all applied before October 2013 to avoid having to go through these stringent requirements. Clear guidance has been issued by the Home Office setting out that this level of output will not be attained again. In addition more stringent requirements were put in place in December 2014, which further reduced the number of successful applicants eligible to apply for

Citizenship extending the previous five year 'clear immigration history' to 10 years.

- 5.2. The result of this has been a significant and sustained drop in income for the Council, as set out in the following table:

Citizen Income Trends

Year	Income Budget £000	Actual £000	Variance £000
2011/12	122	104	18
2012/13	122	126	6
2013/14	122	138	16
2014/15	135	86	(49)
2015/16	135	85*	(50)

**Estimated*

- 5.3. Given the advice from the Home Office and the actual activity levels being observed, the ongoing budget pressure in this area is likely to be £50k per annum. As such, it is proposed that the income budget is permanently adjusted down and offset by an increase in the Registrar income target (see below).

Nationality Check and Send (NCS) Income

- 5.4. NCS income is dependent on the amount of customers applying for Citizenship as this is the platform by which potential Citizens submit their applications to the Home Office for approval. Naturally as the citizenship applications continue to decrease, the demand for NCS appointments decreases.
- 5.5. As for Citizenship, the result of this has been a sustained drop in income for the Council, as set out in the following table:

NCS Income Trends

Year	Income Budget £000	Actual £000	Variance £000
2011/12	51	55	4
2012/13	51	65	14
2013/14	61	71	10
2014/15	85	64	(21)
2015/16	85	70*	(15)

**Estimated*

- 5.6. The ongoing budget pressure in this area is likely to be £15k per annum. As such, it is proposed that the income budget is permanently adjusted down and offset by an increase in the Registrar income target (see below).

Registration Income

- 5.7. Registration income is comprised of both statutory and non-statutory income. The current forecast for 2015/16 meets the budget and is £12k more than that achieved in 2014/15.

Registration Income Trends

Year	Income Budget £000	Actual £000	Variance £000
2011/12	262	254	(8)
2012/13	258	246	(12)
2013/14	306	271	(35)
2014/15	302	301	(1)
2015/16	313	313	0

**Estimated*

5.8. However, it is expected that Registration income can be increased by £42k through maximising income growth in the non-statutory areas as follows:

- **Ceremonies at Approved Venues in Hammersmith Town Hall and throughout the borough – £28k expected income growth**

It is proposed that the pricing tiers are adjusted to more clearly differentiate between peak and non-peak times. Additionally, new charges are proposed for ceremonies at approved venues after 6pm. The proposed charges are competitive and are expected to generate an additional £28k per year. This is a commercial service where customers have the choice of using Hammersmith and Fulham Register Office or they can chose to go elsewhere.

- **Certificates – £14k expected income growth**

The charge for the issue of certificates is a statutory fee set out by Central Government – there are no proposed changes for 2016/17. For certificates from historical records, the current £10 fee covers the statutory cost of the certificate only. A priority certificate fee was introduced in 2014/15, giving customers the opportunity to apply for a certificate to be issued on the same day. This has been well received by customers who have a need for a certificate to be issued urgently. Following a review of the initial take up, it is proposed that the fee for this premium service be increased from £10 to £20. This is in line with other boroughs. It is expected that this will generate an additional £14k per year. The priority application is a commercial service where customers have the choice of using it or choosing to wait for the standard turnaround time. With all certificate applications customers have the choice of applying for them directly from the General Register Office or applying for them at the Register Office where the event is registered.

Benchmarking

5.9. Benchmarking has been undertaken against other local authorities. The proposed fees and charges are in line with neighbouring boroughs as set out in Appendix 1 for ceremony charges.

Planned Service Improvements

5.10. Other service improvements that will assist in bringing in additional income are listed below:

- Increased opening hours (from 9am to 5pm) Monday to Friday

- Web improvement project and improved marketing of the service
- Telephony improvement project, improved contact channels
- Choice of additional licenced venues
- Once Phase 2 of the service review is completed the service will be going out to advertise for Registration Officer roles in order to fill the vacant posts (there will be eight vacant posts)

5.11. It is anticipated that business will continue to grow and we will secure an increase in ceremony bookings in comparison to 2015/16.

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1. The proposals set out in this report will enable the income targets for each Registration service to be realistic and achievable whilst removing an ongoing budget pressure in this area.

6.2. If the proposals set out in this report are not approved the budgeted income targets will not be achievable in full and the budget pressure will be ongoing.

7. CONSULTATION

7.1. Benchmarking of fees and charges and an additional income stream has taken place to ensure that the proposed fees are in line with neighbouring boroughs and allow the service to remain competitive whilst creating additional commercial opportunities.

8. EQUALITY IMPLICATION

8.1. There are no equalities implications as a result of the proposals set out in this report.

9. LEGAL IMPLICATIONS

9.1. If the Council is required by statute to provide a certain service then we must do so. If that service has a set statutory fee or charge then we must charge only that fee or charge for the service.

9.2. Section 93 of the Local Government Act 2003 sets out the power to charge for discretionary services. Under section 93(1), the Council may charge a person for providing a service to him/her if the authority is authorised (not required) by an enactment to provide the service (i.e. it is discretionary in nature), and the person has agreed to its provision. Under section 93(2), this does not apply if the authority has power from elsewhere to charge for the provision of the service, or is expressly prohibited from charging for it.

9.3. Section 93(3) requires that the power to charge is subject to a duty to secure that the income from charges does not exceed the costs of provision. Under s.93(5), an authority may set charges as it thinks fit and may, in particular, charge only some persons for providing a service, or charge different persons different amounts for the provision of a service.

9.4. Where a local authority is planning on charging for a discretionary service under s.93 LGA 2003, the legislation restricts the amount that can be charged, to the effect that (taking one financial year with another) income should not exceed the cost of provision. The approach of s.93 allows local authorities greater flexibility to balance their accounts over a period of time, and recognises the practical difficulties for a local authority in estimating the charges for a discretionary service at the outset.

9.5. The Local Government Association Guide suggests Councils should be prepared to explain the context of the charges, how they have been assessed and the basis upon which they are calculated. They should also explain the context in which the new (or additional) charges are being considered.

9.6. Legal comments completed by Joyce Golder, Solicitor.

10. FINANCIAL AND RESOURCES IMPLICATIONS

10.1. The proposals to uplift fees and charges and permanently align the budgets with projected demand are supported from a financial perspective.

10.2. Implications completed by Kellie Gooch – Head of Finance Environmental Services. Telephone 020 8753 2203.

11. IMPLICATIONS FOR BUSINESS

11.1. There are no implications for business as a result of the proposals set out in this report.

12. RISK MANAGEMENT

12.1. The risk has been identified previously by the service department and in accordance with the risk management framework in operation. Compliance with national policies can have an impact on the risk management of the Council in this case the risk of Central Government changes to the application process has impacted on the reduction of income. There are no wider risk management implications associated with the report recommendations.

12.2. Implications completed by Michael Sloniowski, Shared Services Risk Manager telephone 020 8753 2587.

13. COMMERCIAL AND PROCUREMENT IMPLICATIONS

13.1. Section 9 in this report sets out the extent to which charges can be levied lawfully. The service needs to be confident that it will not make a surplus from year to year. The service needs to be in a position to demonstrate that this is the case.

13.2. The commercial opportunities lie in services ancillary to those areas covered in this report and will be explored with the Commercial Director.

13.3. There are no procurement implications.

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	N/A	

LIST OF APPENDICES:

Appendix 1 - Registrars Fees & Charges Proposals 2016/17

Appendix 2- Ceremony Fees Benchmarking 2016/17

APPENDIX 1

Registrars Fees & Charges Proposals 2016/17

Description	2015/16	Annual % Change	2016/17
Marriage/Civil Partnership/Naming Ceremonies/Vow Renewals/Certificates			
Register Office, Hammersmith Town Hall			
Monday - Thursday	£46.00	0.0%	£46.00
Rose Room, Hammersmith Town Hall			
Monday - Thursday	N/A	New Service	£120.00
Friday	N/A	New Service	£190.00
*Riverside Room, Hammersmith Town Hall			
Monday - Thursday	£135.00	3.7%	£140.00
Friday	£208.00	1%	£210.00
Saturday	£208.00	1%	£210.00
Mayor's Parlour, Hammersmith Town Hall			
Monday - Thursday	N/A	New Service	£250.00
Friday	N/A	New Service	£300.00
Saturday	N/A	New Service	£350.00
** Approved Venues			
Monday - Thursday	£348.00	0.6%	£350.00
Friday	£434.00	3.7%	£450.00
Saturday	£434.00	3.7%	£450.00
Sunday/Bank Holidays	£563.00	-2.3%	£550.00
Monday - Thursday (after 6pm)	N/A	New Service	£600.00
Friday (after 6pm)	N/A	New Service	£650.00
Saturday (after 6pm)	N/A	New Service	£700.00
Sunday/Bank Holidays (after 6pm)	N/A	New Service	£800.00
Naming Ceremonies / Vow Renewals			
Monday - Thursday (Riverside Room)	N/A	New Service	£140.00
Friday (Riverside Room)	N/A	New Service	£210.00
Saturday (Riverside Room)	N/A	New Service	£210.00
Monday - Thursday (Approved Venues)	N/A	New Service	£350.00
Friday (Approved Venues)	N/A	New Service	£450.00
Saturday (Approved Venues)	N/A	New Service	£450.00
Sunday/Bank Holidays (Approved Venues)	N/A	New Service	£550.00
Attendance at place of Worship			
Attendance at place of worship	£86.00	0.0%	£86.00
Certificates			
Certificate at time of registration	£4.00	0.0%	£4.00
Certificate in current register	£7.00	0.0%	£7.00

Description	2015/16	Annual % Change	2016/17
Certificate from historical records	£10.00	0.0%	£10.00
Same day service certificates	N/A	New Service	£20.00
Cancellation & Booking Changes			
Cancellation fee for notices	£35.00	Remove	Remove
Non-refundable deposit per notice	N/A	New Service	£35.00
Couples cancellation fee for notice	£70.00	Remove	Remove
Non-refundable deposit ceremony booking	N/A	New Service	£100.00
Amendment fee ceremony booking	N/A	New Service	£35.00
Cancellation of ceremony fee	£35.00	Remove	Remove
Rebook Monday-Thursday RO/Riverside Room	£35.00	Remove	Remove
Rebook Friday/Saturday Riverside Room	£45.00	Remove	Remove
Approved Venue cancellation/rebooking	£70.00	Remove	Remove
Attending rehearsal at Approved Venue	£140.00	Remove	Remove
Postal Charges - at cost	At Cost	0.0%	At Cost
Nationality Checking Service (NCS) Fees			
Adult - Weekday	£50.00	0.0%	£50.00
Minor - Weekday	£30.00	0.0%	£30.00
Adult - Saturday	£60.00	0.0%	£60.00
Minor - Saturday	£40.00	0.0%	£40.00
Citizenship Ceremony fees			
Private ceremony - weekday	£100.00	0.0%	£100.00
Private ceremony - Saturday	£125.00	0.0%	£125.00
Group Ceremony - Saturday	£50.00	0.0%	£50.00
Settlement Checking			
Adult - weekday	£80.00	0.0%	£80.00
Dependent -weekday	£25.00	0.0%	£25.00

*Riverside Room – There service requests an average increase to 1.9% above the current rate as the capacity of the room has increased from 30 to 40 people and the room has been tidied up, organised and made more attractive with additions in décor.

**Approved venues – Although some increases are above 1.1% the average of the increases are 1.4% due to the small increase for Monday to Thursday and the decrease of 2.3% for Sunday.

APPENDIX 2

Ceremony Fees Benchmarking 2016/17

Attendance at outside venues

	Monday - Thursday	Friday	Saturday	Sunday/ Bank Holiday	Monday - Thursday after 6 pm	Friday after 6 pm	Saturday after 6 pm	Sunday/ Bank Holiday after 6pm
<i>LBHF</i>	£350	£450	£450	£550	£600	£650	£700	£800
<i>RBKC</i>	£505	£505	£610	£735	£605	£605	£710	£835
<i>WCC</i>	£525	£525	£595	£710	£710	£710	£710	N/A
<i>Brent</i>	£320	£320	£350	£400	£400	£400	£500	£600
<i>Ealing</i>	£350	£400	£450	£650	£400	£450	£500	£750
<i>Wandsworth</i>	£295	£295	£350	£380	N/A	N/A	N/A	N/A

Town Hall - Small Room

	Monday - Thursday	Friday	Saturday	Sunday/ Bank Holiday	Monday - Thursday after 6 pm	Friday after 6 pm	Saturday after 6 pm	Sunday/ Bank Holiday after 6pm
<i>LBHF</i>	£120	£190	N/A	N/A	N/A	N/A	N/A	N/A
<i>RBKC</i>	£270	£270	£310	N/A	N/A	N/A	N/A	N/A
<i>WCC</i>	£355	£405	£405	£465	£405	N/A	N/A	N/A
<i>Brent</i>	£135	£160	£230	£300	£280	£280	£350	£400
<i>Ealing</i>	£145	£170	£250	£325	N/A	N/A	N/A	N/A
<i>Wandsworth</i>	£150	£100	N/A	N/A	N/A	N/A	N/A	N/A

Town Hall- Large Room

	Monday - Thursday	Friday	Saturday	Sunday/ Bank Holiday	Monday - Thursday after 6 pm	Friday after 6 pm	Saturday after 6 pm	Sunday/ Bank Holiday after 6pm
<i>LBHF</i>	£140	£210	£210	N/A	N/A	N/A	N/A	N/A
<i>RBKC</i>	£505	£505	£610	£735	£605	£605	£710	£835
<i>WCC</i>	£460	£495	£495	£595	£495	N/A	N/A	N/A
<i>Brent</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<i>Ealing</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<i>Wandsworth</i>	£150	£150	£195	£220	N/A	N/A	N/A	N/A

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET MEMBER DECISION</p> <p style="text-align: center;">June 2016</p>	
<p>BISHOPS PARK PUBLIC TOILET IMPROVEMENTS</p>	
<p>Report of the Cabinet Member for Environment, Transport & Residents Services</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: No</p>	
<p>Wards Affected: Palace Riverside</p>	
<p>Accountable Director: Dave Page - Bi-Borough Director for Safer Neighbourhoods</p>	
<p>Report Author: Jeremy Plester – Senior Project Manager (Leisure Services)</p>	<p>Contact Details: Tel: 020 7938 8175 E-mail: Jeremy.plester@rbkc.gov.uk</p>

AUTHORISED BY:
The Cabinet Member has signed this report.

DATE: 24 June 2016..

1. EXECUTIVE SUMMARY

- 1.1. We are seeking your permission to award the contract for planned improvement works to the public toilets in Bishops Park. Amey Community Services Limited (Amey) are delivering this project on behalf of the borough in line with the provisions made in the Total Facilities Management (TFM) contract.

2. RECOMMENDATIONS

- 2.1. That Amey be instructed to carry out these works. It is also recommended that a 10% contingency sum be added, as investigations of the existing concealed services could not be comprehensive.

The total cost of this project is as follows:

Project Cost	£57,530.55
Contingency of 10%	£5,753.06
Project Total	£63,283.61

3. REASONS FOR DECISION

- 3.1. The purpose of this report is to outline the process taken to deliver this project and to seek permission to award the works contract in line with the boroughs governance processes.

4. INTRODUCTION AND BACKGROUND

- 4.1. Bishops Park is an extremely popular, high profile, and busy open space. The public toilets in Bishops Park are currently in a poor state of repair and in need of significant improvement works. There are currently serious problems with the drains to the facility and as a result the toilets are regularly closed to the public. Internally the facilities are old, worn, and tired, and in much need of general refurbishment improvements and a deep clean.
- 4.2. The TFM contract the borough holds with Amey includes provision for management and delivery of capital construction and refurbishment projects to the borough's building stock. This route takes advantage of Amey's building expertise and provides the borough with guarantees of ongoing support and maintenance, and "ownership" of the new works.

5. PROPOSAL AND ISSUES

- 5.1. The proposed works include:

- Repairs to the partially collapsed drains including below ground repairs, cleaning, de-scaling and inspection chamber cover replacement
- Replacement of missing roof tiles, improvements and repairs to gutters, windows, soffits and doors.
- Improvements to ceiling, lights, heating, pipe work, cubicles, wall tiles, and flooring
- Improvements to toilets, cisterns, sinks and all fittings and fixtures.

Temporary toilets will be provided nearby for the duration of the works so park users continue to have facilities available.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Do nothing. The toilets are in a poor state of repair and if left will soon be unfit for purpose. We do not recommend this option.
- 6.2. Removal of facilities. The public toilets could simply be closed and no replacement provided. This would prove extremely unpopular with park users however, particularly given the size and significance of the site. We do not recommend this option.
- 6.3. Refurbishment of existing facilities. This is our recommended option. It addresses the current issue and allows us to continue to offer adequate facilities to park users at this high profile site.

7. CONSULTATION

- 7.1. The works proposed are general refurbishments to an existing facility and therefore no public consultation has been carried out, however the Friends of Bishops Park are very supportive of the proposal. The Friends group and other key stakeholders will be kept informed of this work in a timely fashion.

8. EQUALITY IMPLICATIONS

- 8.1. The public toilets already include a disabled facility and this will be refurbished along with the other facilities as part of this project. There are no further equality implications.

9. LEGAL IMPLICATIONS

- 9.1. It is understood that the proposed works are covered under the existing contract between the Council and Amey Community Services Limited for the provision of Total Facilities Management Services. Accordingly the Director of Law endorses the recommendation.
- 9.2. Implication completed by: Kar-Yee Chan, Solicitor (Contracts), 020 8753 2772

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. The Parks Capital Programme 2016/17 has a budget of £64,000 set aside for this project.
- 10.2. As the maintenance of the refurbished toilets is to be covered within the existing facilities management contract there are no associated revenue implications.

10.3. Implications verified/completed by: Danielle Wragg, Finance Manager, 020 8753 4287.

11. IMPLICATIONS FOR BUSINESS

11.1 There are no direct implications to businesses in the borough

12. COMMERCIAL AND PROCUREMENT IMPLICATIONS

12.1 There are no procurement related issues as the recommendations contained in this report relate to an order to be placed under the contract with the Amey Community Services Limited for the provision of Total Facilities Management Services


12.2 Implications completed by: Joanna Angelides, Procurement Consultant, Tel. No. 0208 753 2586

13. IT STRATEGY IMPLICATIONS

13.1 There are no relevant IT strategy implications

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		

London Borough of Hammersmith & Fulham CABINET MEMBER DECISION June 2016		
PARKING ON HOUSING ESTATES: Results of Second Phase Consultations		
Report of the Cabinet Member for Environment, Transport & Residents Services and the Cabinet Member for Housing		
Open Report		
Classification - For Decision Key Decision: No		
Wards Affected: Avonmore and Brook Green, College Park and Old Oak, Fulham Reach, Hammersmith Broadway, Munster, North End.		
Accountable Executive Director: Mahmood Siddiqi, Director for Transport and Highways; Nilavra Mukerji, Director of Housing Services		
Report Authors: Chris Bainbridge, Special Transport Projects Advisor and Sharon Schaaf, Head of Estate Services		Contact Details: Tel: 020 8753 2570 Sharon.Schaaf@lbhf.gov.uk

AUTHORISED BY:

The Cabinet Member for Housing, Councillor Lisa Homan, has signed this report

DATE: 24/06/2016

AUTHORISED BY:

The Cabinet Member for Environment, Transport & Residents Services, Councillor Wesley Harcourt, has signed this report

DATE: 30/06/2016

1. EXECUTIVE SUMMARY

- 1.1 On 2 November 2015, Cabinet agreed to start consultation on Phase 2 of the Housing Estate Parking Project. This included Bayonne, Wood Lane, Flora Gardens, Lytton, Maystar, Margravine (Field Road), Aintree (Pellant

Road) and Riverside Gardens estates, with Aspen Gardens included later at the request of the Residents' Association.

- 1.2 In March 2016, Cabinet agreed to proceed with Phase 3 consultation (the remaining estates in the borough) and to approve the introduction of Traffic Management Orders (TMOs) where resident consultation supports this as the favoured approach for Phase 2 and 3 consultations.
- 1.3 The March Cabinet also delegated authority to the Cabinet Member for Housing, and the Cabinet Member for Environment, Transport & Residents Services to review the outcome of any further engagement work required where initially resident opinion is divided, and decide upon the options to be pursued and the timeline for implementation.
- 1.4 Following further engagement with residents of two of the nine estates consulted in Phase 2 where initially the majority choice was unclear, we propose to implement Off-Street Car Parks (OSCPs) as the favoured approach on all the estates consulted as Phase 2.

2. RECOMMENDATIONS

- 2.1 To proceed with the introduction of Traffic Management Orders providing OSCP's on the Bayonne, Wood Lane, Flora Gardens, Lytton, Maystar, Margravine (Field Road), Aintree (Pellant Road), Riverside Gardens and Aspen Gardens estates, subject to the outcome of the statutory consultation procedure.
- 2.2 To note that expenditure of £460,000 will be required for the adoption of Traffic Management Orders on all nine estates, of which £290k will be funded from the Decent Neighbourhoods Programme and £170k from the Housing Revenue Account.

3. REASONS FOR DECISION

- 3.1 The Protection of Freedoms Act 2012, removed the Council's ability to enforce parking restrictions on housing estates in October 2012 as it banned removal and clamping of vehicles on private land, unless the parking restrictions are governed by traffic orders.
- 3.2 Since then, parking problems have multiplied on our housing estates. Pedestrian and vehicle movements have become increasingly difficult. There are numerous complaints from residents, visitors, Councillors and the emergency services about inconsiderate and obstructive parking and the inability of residents to find parking space because it's being used by unauthorised vehicles.
- 3.3 Obstructive parking often means some disabled residents can't use the pavements, or sometimes get in or out of their own property. We have a

duty under the Equality Act to ensure disabled residents are not disadvantaged by Council policies.

- 3.4 Subject to the outcome of the informal and statutory consultation, introducing parking controls using traffic orders through the Road Traffic Regulation Act 1984 would mean that housing estates operate in the same way as the 28 on-street controlled parking zones in the borough and the White City Estate OSCP. The traffic orders define all aspects of the parking scheme including; where, and who, can park and what times the controls operate. There is also an independent adjudication process to deal with appeals against parking penalties.

4. INTRODUCTION AND BACKGROUND

- 4.1 Due to the proximity of Aspen Gardens to Riverside and Flora Gardens, officers escalated Aspen Gardens from phase 3 consultation to include them in phase 2 at the request of the Resident Association representatives.
- 4.2 Eight of the nine Phase 2 estates majority preference was in favour of introducing Traffic Management Orders. Seven of these expressed a clear preference for an estate OSCP, while Riverside Gardens had a more even split between those wanting an estate OSCP and those wanting to merge with their surrounding street zone. On Wood Lane estate, only a small majority were in favour of a Traffic Management Order. We undertook further resident engagement on these two estates in the form of drop-in surgeries, and they now also have clear majorities for OSCPs.

5. PROPOSALS AND ISSUES

- 5.1 Aspen Gardens, Bayonne, Margravine Gardens Maystar, Flora Gardens, Pellant and Lytton estates produced sufficiently clear majorities for us to proceed to the implementation of Traffic Management Orders for OSCPs there. This involves statutory consultation and installing lines and signs so the orders can be enforced.
- 5.2 As the outcome at Wood Lane and Riverside Gardens was initially less clear, we undertook further resident engagement through drop-in surgeries, aiming to achieve a greater degree of consensus on the way forward.
- 5.3 The Wood Lane surgery took place on 17th May, and as a result of additional residents filling in their forms, and others changing their preferences, we now have 30 responses. 60% of these (18) would now like an OSCP. The Riverside Gardens surgery took place on 31st May and resulted in 41 responses (19%), of whom 56% prefer an OSCP. There is still a substantial minority (26%) who would like to merge with the surrounding CPZ, but three of these individuals also voted for an OSCP.

Residents who find it more convenient to park on the adjacent public highway are able to buy a Zone A permit instead of, or as well as, one for the estate.

- 5.4 For the Lytton estate, the majority choice on one isolated block – The Grange - was for no control. As there are rented garages here, and ongoing issues with refuse collection, further consultation with the residents of this block will need to take place whilst the scheme is introduced to the rest of the estate to ensure that residents fully understand the implication of their preferred choice.
- 5.5 The consultation outcome is detailed as Appendix 1.

6. EQUALITY IMPLICATIONS

- 6.1 Proposals for parking controls will undergo consultation. Should adverse impacts be identified, officers will consider mitigating actions and if these are not possible, the overall benefits of any proposal must be considered before members make a final decision including the need to give due regard to the needs identified in the public sector equality duty in s149 of the Equality Act 2010.
- 6.2 Blue Badge holders will particularly benefit from enforcement of parking controls, as they may have greater difficulty in getting between their homes and alternative parking spaces.
- 6.3 An Equality Impact Assessment was completed for the Cabinet report of 7 November 2015.

7. LEGAL IMPLICATIONS

- 7.1 The Council will need to comply with and follow the statutory procedure set out in the Road Traffic Regulation Act 1984 and secondary legislation when establishing a traffic order for both on-street and off-street car parking on housing estate land.
- 7.2 By virtue of section 122 of the 1984 Act, the Council must exercise its powers under the 1984 Act so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians and the provision of suitable and adequate parking facilities on and off the highway
- 7.3 Where consultation is to be carried out, this must follow public law principles in that it must be carried out at a formative stage of the decision making process, last for a reasonable period, provide sufficient information for consultees to make an informed representation and all representations must be taken into account before any decision is made.

- 7.4 Traffic regulation orders for on-street and off-street parking will continue to have effect on the housing estates irrespective of any change of ownership of the housing estates.
- 7.5 An on-street traffic regulation order can be created on housing land irrespective of who owns the land. The Council will continue to be responsible for enforcement of parking contraventions for on-street parking following a change of ownership of the estate land.
- 7.6 Under Section 32 of the Road Traffic and Regulation Act the Council can provide off-street parking spaces on its own land. The Council could make an arrangement with any subsequent owners of the housing land to continue to provide the existing off-street parking places following the sale of the estate land. It is considered that the proposed consultation will also satisfy the Council's obligation under section 105 of the Housing Act to consult with secure tenants who are likely to be substantially affected by a matter of housing management.
- 7.7 Implications completed by Lindsey Le Masurier, Solicitor (Planning Highways and Licensing) Tel: 020 7361 2118 and Janette Mullins Principal Solicitor (Housing and Litigation) Tel: 020 8753 2744.

8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1 The costs of introducing TMOs or other methods of parking control and the related funding of these costs were approved by Cabinet on March 7th 2016. The cost of the work is estimated at £460k, of which £290k would be capital in nature and £170k would be revenue costs.
- 8.2 The revenue costs of £170k will be funded from an earmarked reserve set aside from the Housing Revenue Account underspend in 2015/16. The anticipated capital costs of £290k will be funded from the Decent Neighbourhoods programme.
- 8.3 Implications completed by Danny Rochford, Head of Finance (Housing and Regeneration, Tel: 0208 753 4023.

9. IMPLICATIONS FOR BUSINESS

- 9.1 There are no implications for business arising from this report.

10. RISK MANAGEMENT

- 10.1 The project is to be managed within the Environmental Services programme and risks identified and communicated to the Economic

Regeneration, Housing and the Arts Policy and Accountability Committee, and the Community Safety, Environment and Residents Services Policy and Accountability Committee, and Cabinet Members for Transport and Housing. The parking problems associated with the housing estates is an operational risk. Traffic flow risk is apparent and it is noted in the proposal that pedestrian and vehicle movements have become increasingly difficult, emergency services concerns have also been expressed about inconsiderate and obstructive parking and the inability of residents to park in a space which they have paid.

- 10.2 Risk Management Implications verified by Michael Sloniowski, Shared Services Risk Manager Tel: 020 8753 2587

11. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 11.1 It is noted that the works will be phased to ensure the highways contractors, (and Traffic Orders and permit sections) can cope with the workload without the need for additional resources.
- 11.2 If additional resources are required to be procured, they will need to comply with the Council’s Contract Standing Orders.
- 11.3 Implications verified by Robert Hillman Procurement Consultant. Tel: 020 8753 1538.

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

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

APPENDIX 1

Consultation outcome following survey across all nine estates, and follow up drop in surgeries on Riverside and Wood Lane.

Estate	Dwellings	Returns No/(%)	Option 1 OSCP	Option 2 CPZ	Option 3 No control	Option 4 Others
Aspen	116	25/22%	60%	8%	12%	16%
Bayonne	461	98/21%	60%	13%	19%	7%
Wood Lane	141	30/21%	60%	3%	3%	24%
Margravine	361	66/18%	62%	17%	9%	16%
Riverside	220	41/19%	56%	26%	13%	10%
Maystar	364	56/15%	71%	21%	2%	9%
Flora	197	30/15%	77%	17%	0	6%
Aintree	150	22/15%	64%	9%	15%	14%
Lytton	295	36/12%	61%	22%	8%	11%

Note: where total values exceed 100%, some respondents recorded more than one preference, where total values less than 100%, some respondents did not register a preference.