

Cabinet

Minutes



Monday 4 December 2017

PRESENT

Councillor Ben Coleman, Cabinet Member for Health and Adult Social Care
Councillor Stephen Cowan, Leader of the Council
Councillor Sue Fennimore, Deputy Leader
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents Services
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Andrew Jones, Cabinet Member for Economic Development and Regeneration
Councillor Max Schmid, Cabinet Member for Finance

ALSO PRESENT

Councillor Andrew Brown

62. MINUTES OF THE CABINET MEETING HELD ON 6 NOVEMBER 2017

RESOLVED:

That the minutes of the meeting of the Cabinet held on 6 November 2017 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

63. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sue Macmillan.

64. DECLARATION OF INTERESTS

There were no declarations of interest.

**65. "NOTHING ABOUT DISABLED PEOPLE WITHOUT DISABLED PEOPLE":
REPORT OF THE DISABLED PEOPLE'S COMMISSION**

RESOLVED:

The Leader, Councillor Stephen Cowan, warmly welcomed members of the Disabled People's Commission (DPC) to the meeting and commended the report as an excellent piece of work.

Tara Flood, Chair of the DPC, led the presentation and explained their aims now that the report had been completed. She stressed that a key message of the report was that decision-makers and service commissioners must work with Disabled people to implement change in policy and services that affect them. The Council would need to endorse a co-production approach with Disabled people. This was about changing the culture.

It was hoped that the report would extend beyond the borough boundaries, and extend further to receive national recognition. The abolition of home care charges demonstrated that this Council was serious about progressing on this matter.

Tara Flood stressed on the need to have a Disabled representative working as a champion at a senior level within the Council to develop an action plan. The priorities areas to focus would be: independent living strategy, transition to adulthood, Disabled people housing, and accessibility incorporated in the Town Hall refurbishment.

The Cabinet Member for Health and Adult Social Care, Councillor Ben Coleman, thanked the DPC for producing a remarkable and well written report and identifying many challenges. It would be crucial to get the action plan right from the beginning.

The Deputy Leader, Councillor Sue Fennimore, stated that this report was ground breaking and she felt quite humble about what the DPC had achieved. She agreed that co-production and working alongside Disabled people was the way forward. She added that she was looking forward to seeing the action plan.

Councillor Andrew Brown congratulated the DPC for producing a report which he felt was one of the best ones to be presented at Cabinet and he fully endorsed it.

The Leader stated that he was very grateful to the Disabled People's Commission for providing the difficulties disabled people faced and for producing an independent report.

The Leader thanked the commissioners Tara Flood (Chair), Kate Betteridge, Victoria Brignell, Ali Buhdeima, Martin Doyle, Mike Gannon, David Isaac, Patricia Quigley, Ramona Williams and Jane Wilmot for putting a marker and lighting the path for what this Council wishes to achieve.

RESOLVED:

- 1.1. The DPC has engaged with council officers from across service areas to help inform and shape its recommendations and its meetings have been attended by the Deputy Leader and Cabinet Member for Health and Adult Social Care.
- 1.2. Cabinet is asked to consider and discuss the DPC's recommendations as below and agree these in advance of the development of an implementation plan.
- 1.3. The DPC's recommendations are as below.
 - (a) The Council implements a human rights approach to its policy and service development, using the UN Convention on the Rights of Persons with Disabilities as the framework for change.
 - (b) The Council adopts and implements a policy which commits it to working in co-production with Disabled residents.
 - (c) The Council develops and implements an accessible communication strategy that promotes the development of co-production across the borough.
 - (d) The Council, with a Co-production Hub, develops a co-production support strategy and resources the implementation of this to skill up and build the capacity of Disabled residents, local Disabled people's organisations, staff and councillors to participate in the co-production of policy and service development.
 - (e) The Council co-produces a quality assurance and social and economic value framework which defines the values, behaviours and characteristics of all service providers and organisations funded or commissioned by the Council.
 - (f) The Council analyses existing financial expenditure and resources for all co-production, engagement and consultation activities with Disabled residents with a view to reconfiguring this to develop a co-production budget.
 - (g) Recognising their unique role, values, and authentic voice, the Council works with Hammersmith & Fulham's Disabled people's organisations and their networks to identify and agree a long-term funding strategy which will ensure that local Disabled residents' rights are upheld, inclusion and equality advanced, and Disabled residents can lead on co-production.
 - (h) The Council monitors and evaluates the implementation of the recommendations and associated co-production work to evidence the impact and share learning within and beyond Hammersmith and Fulham.

- (i) The Council gives early consideration to co-production of specific policy areas, notably independent living, Disabled people's housing, transition to adulthood and the town hall redevelopment.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

66. TREASURY MID-YEAR REVIEW REPORT 2017/18

RESOLVED:

1. To note the Annual Treasury Strategy 2017-18 Mid-Year Review.
2. To approve the Council's intention to opt up to Professional Client status under MiFID II.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

67. CORPORATE REVENUE MONITOR 2017/18 MONTH 5 - 31ST AUGUST 2017

RESOLVED:

1. To note the General Fund and Housing Revenue Account Month 5 forecast revenue outturn variances.
2. To agree the departmental action plans amounting to **£1.855m**, seeking to address the General Fund gross overspend forecast variance of **£4.887m** and require that they identify and deliver further actions to reduce the net forecast overspend, after mitigating, actions of **£3.032m**.

3. To note that Children's Services will prepare an action plan to recover the £2.1m Dedicated Schools Grant (DSG) overspend within two years as required by the grant conditions and for progress to be reported monthly. Children's Services are considering recent announcements on DSG funding.
4. To approve the proposed virements requests in appendix 11.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

68. SUBSCRIPTIONS/AFFILIATIONS FOR EXTERNAL ORGANISATIONS 2018/19

RESOLVED:

1. To delegate the authority to renew the subscription to London Councils for 2018/19 to the Strategic Director of Finance in consultation with the Cabinet Member for Finance.
2. To delegate authority to approve the 2018/19 contribution to the London Boroughs Grant Scheme to the Strategic Director of Finance in consultation with the Cabinet Member for Finance.
3. To delegate authority to renew the subscription to the Local Government Association in 2018/19 to the Strategic Director of Finance in consultation with the Cabinet Member for Finance.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

69. IT TRANSITION PHASE 4 ASSURING SERVICE CONTINUITY – DESKTOP SUPPORT PROCUREMENT OPTIONS

RESOLVED:

The Cabinet Member for Finance proposed an amendment to recommendation 1 below on the report:

“1. To approve the procurement strategy for the desktop and hosting support service.”

Cabinet agreed to amend recommendation 1 to the following:

“1. To approve the procurement approach for the desktop and hosting support service as set out in this report and to delegate the approval of the Procurement Strategy to the Commercial Director, in consultation with the Cabinet Member for Finance”.

RESOLVED:

1. To approve the procurement approach for the desktop and hosting support service as set out in this report and to delegate the approval of the Procurement Strategy to the Commercial Director, in consultation with the Cabinet Member for Finance.
2. To delegate to the Strategic Finance Director, in consultation with the Cabinet Member for Finance, the contract award based on the options evaluation relating to the desktop hosting and support running costs.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

70. SANDS END COMMUNITY TRUST

RESOLVED:

1. To approve the establishment of a Community Trust to govern the Sands End Arts and Community Centre.
2. That authority be delegated to the Lead Director for Regeneration, Planning, and Housing Services, in consultation with the Cabinet

Member for Economic Development and Regeneration and the Cabinet Member for Health and Adult Social Care, to take decisions associated with the establishment of the Community Trust and agreement of the Trust Business Plan.

3. That authority be delegated to the Lead Director for Regeneration, Planning, and Housing Services in consultation with the Director of Law, the Cabinet Member for Economic Development and Regeneration and the Cabinet Member for Health and Adult Social Care, to draw up and approve the Community Trust legal documents.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

71. ACQUISITION OF FREEHOLD AND LEASEHOLD PROPERTIES IN THE WEST KENSINGTON AND GIBBS GREEN ESTATES

RESOLVED:

1. To authorise the Lead Director of Regeneration, Planning & Housing Services in consultation with the Director of Finance and Resources (Regeneration, Planning & Housing Services) and the Cabinet Member for Economic Development and Regeneration to complete voluntary acquisitions of properties within the two Estates (West Kensington and Gibbs Green Estates) up to a combined value of £6m including settlement of Service Charge and Major Works costs as required.
2. To approve the use of external professional consultants with specialist knowledge of this locality, such as, but not limited to: valuation, legal and or conveyancing professionals to support those acquisitions. Appointment of external advisors will be in accordance with the Council's procurement standing orders and/or contractual agreements relating to the CLSA land, and such arrangements will be continuously reviewed to reflect the needs of the project throughout the project lifetime to ensure they are fit for purpose.
3. To note that that each individual purchase will required a delegated authority report approved by the Lead Director of Regeneration, Planning & Housing Services in consultation with the Director of Finance and Resource (Regeneration, Planning & Housing Services).

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

72. PROTECTING THE BOROUGH'S PARKS AND OPEN SPACES

RESOLVED:

1. To endorse the recommendation of the Parks Commission and the Community Safety, Environment and Residents Service Policy and Accountability Committee that the Council protect the borough's parks and open spaces via entering into individual site Deeds of Dedication with Fields in Trust as appropriate.
2. To delegate authority to the Director for Transport and Highways, in consultation with the Cabinet Member for Environment, Transport and Residents Services, the Cabinet Member for Finance and the Strategic Director of Finance to work with the Parks Commission and individual park groups to progress their specific deed of dedication with Fields in Trust.
3. To acknowledge the positive input from all those involved in the Parks Commission in reaching a common consensus.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

**73. PROPOSAL FOR THE FINANCIAL LEVEL OF NEW RUBBISH DUMPING
FIXED PENALTY NOTICES**

RESOLVED:

1. That officers continue to issue fixed penalty notices under section 88 of the Environmental Protection Act 1990 for the offence of leaving litter, including up to 1 bag of waste (or equivalent). The amount of the fixed penalty which has been specified by the Council for its area is £80 but it is reduced to £60 if it is paid within 10 days of the notice being issued.
2. That officers issue fixed penalty notices under section 33ZA of the Environmental Protection Act 1990, for a waste deposit offence involving larger deposits of waste and litter, for example 2 bags and above, or equivalent.
3. That the fixed penalty payable in pursuance of a notice under section 33ZA of the Environmental Protection Act 1990 should be £200 to be reduced to £150 if paid within 10 days following the date of the notice.
4. That officers use the approach outlined in this report when taking enforcement action in relation to leaving litter and waste deposit offences under section 88 and 33ZA of the Environmental Protection Act 1990.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

74. IMPROVING TRANSITIONS - TASK GROUP REPORT

RESOLVED:

That Cabinet endorses the recommendations of the task group listed below - and tasks officers with implementing the task group's proposals.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

75. FORWARD PLAN OF KEY DECISIONS

The Key Decision List was noted.

76. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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

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

77. IT TRANSITION PHASE 4 ASSURING SERVICE CONTINUITY – DESKTOP SUPPORT PROCUREMENT OPTIONS: EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

78. SANDS END COMMUNITY TRUST: EXEMPT ASPECTS (E)

RESOLVED:

That Appendices 1 and 2 be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

Meeting started: 7.00 pm
Meeting ended: 7.25 pm

Chair