

# Cabinet

## Minutes



Monday 9 July 2018

### **PRESENT**

Councillor Stephen Cowan, Leader of the Council  
Councillor Sue Fennimore  
Councillor Ben Coleman  
Councillor Larry Culhane  
Councillor Wesley Harcourt  
Councillor Andrew Jones  
Councillor Lisa Homan  
Councillor Sue Macmillan  
Councillor Max Schmid

### **ALSO PRESENT**

Councillor Victoria Brocklebank-Fowler  
Councillor Andrew Brown

### **11. MINUTES OF THE CABINET MEETING HELD ON 4 JUNE 2018**

#### **RESOLVED:**

That the minutes of the meeting of the Cabinet held on 4 June 2018 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

### **12. APOLOGIES FOR ABSENCE**

Apologies for Absence were received from Councillor Adam Connell.

### **13. DECLARATION OF INTERESTS**

#### **RESOLVED:**

Councillor Max Schmid declared a significant interest in respect of Ark Conway Primary Academy School - Section 278 Highway Works, as he was a Governor of Ark Conway until March 2008. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

#### **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.

**14. HAMMERSMITH & FULHAM COUNCIL BUSINESS PLAN 2018-2022**

**RESOLVED:**

That Cabinet approves the Hammersmith & Fulham Council Business Plan 2018 - 2022.

**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.

**15. TREASURY OUTTURN REPORT 2017/18**

**RESOLVED:**

That this report be noted.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**16. CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2017/18 (OUTTURN)**

**RESOLVED:**

To note the capital out-turn for the year.

**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.

**17. 2017/18 CORPORATE REVENUE OUTTURN REPORT**

**RESOLVED:**

1. To note, subject to audit, the General Fund overspend of £1.660m net of unused budgeted contingency. This has reduced to a consolidated net break even position through draw down of additional section 106 resources of £1.6m.
2. To note the provisional HRA variance is £0.052m (table 2). Overall HRA general balances have reduced by £10.183m to £9.946m. This is attributable to the budget variance of £0.052m, the budgeted use of balances of £1.382m and the transfer of £8.749m to specific reserves.
3. To note that general fund earmarked reserves are £94.99m and general balances are £19.0m as at 31st March 2018, subject to audit.
4. To note the capital outturn of £73.6m.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

## 18. **SELF-SERVICE & ASSOCIATED SOFTWARE PROCUREMENT**

### **RESOLVED:**

1. To approve the divergence from the Integrated Management Systems Procurement Strategy and Business Case approved by it in January 2018 to permit separate tendering of Lot 1, use of the restricted procedure and adoption of the award criteria referred to in paragraph 5.2 below.
2. To delegate authority to award the contract to the Director of Residents' Services, in consultation with the Cabinet Member for Finance and Commercial Services.
3. To approve the implementation of the Self Service solution in respect of the planned phases to replace the current solution and provide an enhanced digital platform.
4. Following completion of the implementation phases to enable rollout of the Self Service digital platform to other service areas at the discretion of the Council. These "optional services" will be defined under the Contact Channel Improvements programme and will be subject to full business cases and further decision papers.
5. Additional areas of Authority Services that may use the self service solution during the Contract term include without limitation:
  - Revenues and Benefits (where not covered by Phase one or Phase 2)
  - Environmental Services
  - Parking
  - Housing
  - Adult Social Care
  - Children's
  - Human Resources

### **Reason for decision:**

As set out in the report.

### **Alternative options considered and rejected:**

As outlined in the report.

### **Record of any conflict of interest:**

None.

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

None.

**19. APPROPRIATION OF WATERMEADOW COURT AND EDITH SUMMERSKILL HOUSE**

**RESOLVED:**

This report has been withdrawn.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**20. HOUSING REVENUE ACCOUNT 2017/18 OUTTURN**

**RESOLVED:**

1. To note the HRA provisional overspend of £0.052m, which is after the transfer of £6.229m of underspends to HRA reserves.
2. To note the overall increase in the HRA cashable reserves of £6.229m resulting in an overall balance of £51.875m as at 31st March 2018, subject to audit.
3. To note the Housing capital programme outturn in the HRA of £37.914m.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**21. WEST KING STREET RENEWAL**

**RESOLVED:**

That Cabinet agrees:

- 1.1. To delegate authority to the Strategic Director, Growth and Place, in consultation with the Cabinet Member for the Economy and the Arts, the

Cabinet Member for Finance and Commercial Services, the Chief Executive and the Strategic Director, Finance and Governance, to complete negotiations with A2 Dominion Housing Association and their subsidiary companies A2 Dominion Homes Ltd and A2 Dominion Developments Ltd with regard to the West King Street Renewal in order to enter into a Conditional land sale agreement, the conditions for which are set out in the exempt part of the report, paragraphs 4.8 and 4.9 of the report. This is subject to:

- The approval of a satisfactory business case for the Project that demonstrates the value for money, affordability, and financial benefits of the project
- A review of the business case by external Financial Advisors on the project (Deloitte)
- Receipt of tax advice from Deloitte
- Satisfaction of Best Consideration, approved by the Borough Valuer

- 1.2. To note that the land to be included in the CLSA is set out in Appendix 1.
- 1.3. To note that satisfying the conditions in the conditional land sale agreement and set out in the body of the report will require a future approval of budgets and business case for those budgets in accordance with the Council's constitution and financial regulations.
- 1.4. To delegate authority to the Chief Executive and Strategic Director, Growth and Place, in consultation with the Cabinet Member for the Economy and the Arts, the Cabinet Member for Finance and Commercial Services, and the Strategic Director, Finance and Governance, to identify suitable decant accommodation and pursue negotiations for the lease or purchase of this accommodation following which recommendations will be made to Cabinet for approval.
- 1.5. To note completion of a lease or purchase is subject to a future Cabinet or Full Council approval as appropriate including approval of the necessary budgets, and satisfaction of the business case process set out in 1.1 above.
- 1.6. To approve a budget of £276,000 for the Decant Accommodation Team, to prepare for the decant of staff.
- 1.7. To approve a budget of £100,000 for financial advice on the development of the final business case and to delegate authority to the Strategic Director, Growth and Place, to extend the contract with Deloitte for Financial Advice as required.
- 1.8. To approve a budget of £100,000 for the completion of survey and technical work on the existing Town Hall.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**22. ARK CONWAY PRIMARY ACADEMY SCHOOL - SECTION 278 HIGHWAY WORKS**

Councillor Max Schmid declared a significant interest in respect of this item as he was a Governor of Ark Conway until March 2008. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

**RESOLVED:**

To approve the implementation and estimated cost of the Section 278 highway works for the new Ark Conway Primary Academy School on Hemlock Road.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**23. UPGRADE OF CARELINE SERVICE'S COMMUNITY ALARM MONITORING SYSTEM TO A DIGITAL PLATFORM**

**RESOLVED:**

1. That in accordance with Hammersmith & Fulham Contract Standing Order 3.1 a waiver of the requirements of the Contract Standing Orders to competitively tender the proposed contract be approved by the Leader and appropriate Cabinet Member on the grounds that it is in the council's overall interest as detailed in the body of the report.
2. That in accordance with Hammersmith & Fulham Contract Standing Order 17.3.2 Cabinet awards the contract for the upgraded provision and ongoing maintenance to Legrand Electric Ltd. to regularise the current service provision through a sustainable contract while significantly enhancing the service and eliminating the risks inherent.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**24. WEST KENSINGTON AND GIBBS GREEN NEIGHBOURHOOD PLAN AREA AND FORUM DESIGNATION**

**RESOLVED:**

It was noted that Cabinet had taken account of the TfL late representation, the officer's response and the request for an additional sentence to be added to the report. This information was sent to Cabinet Members by email on Wednesday 4 July and is outlined below:

The Council received comments from Transport for London (TfL) on 3<sup>rd</sup> July 2018 requesting that a strip of land to the north-eastern boundary of the proposed neighbourhood area be removed. TfL advise that the strip of land is TfL operational land and in their view does not meet the requirements for defining the boundaries of a neighbourhood area as set out in national guidance. They go on to advise that should the boundary remain unchanged then any neighbourhood plan should treat this area consistent with its status as operational land and in accordance with London Plan and local plan policies.

**LBHF Planning Officer's response:** The strip of land referred to by TfL is relatively small in the context of the wider proposed neighbourhood area and its current operational use is not considered to justify a revision to the boundary for the proposal to sit comfortably with national guidance and other material considerations. Officers are also mindful that prior to adoption a proposed neighbourhood plan would be subject to public consultation, an independent examination and finally a referendum.

Officers requested to insert the words in bold below into the second sentence of paragraph 4.28 of the report, which the Cabinet agreed:

"The aims of the proposed forum are not considered to be in conflict with the policy context for the site and we cannot assume the current planning permission, **in relation to significant works to the housing estates**, will be implemented."

**RESOLVED:**

1. That Cabinet agrees to:
  - designate the proposed area as applied for; and



- designate the proposed neighbourhood forum.
2. “To note that Cabinet has considered the report, the TfL late representation, the officer’s response and has agreed to their request to insert the words in bold below into the second sentence of paragraph 4.28 of the report:

“The aims of the proposed forum are not considered to be in conflict with the policy context for the site and we cannot assume the current planning permission, **in relation to significant works to the housing estates**, will be implemented.”

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**25. FORWARD PLAN OF KEY DECISIONS**

The Key Decision List was noted.

**26. 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.]**

**27. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 4 JUNE 2018 (E)**

**RESOLVED:**

That the minutes of the meeting of the Cabinet held on 4 June 2018 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

**28. WEST KING STREET RENEWAL: 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.

**29. UPGRADE OF CARELINE SERVICE'S COMMUNITY ALARM MONITORING SYSTEM TO A DIGITAL PLATFORM: 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.

Meeting started: 7.00 pm

Meeting ended: 7.05 pm

Chair .....