

Cabinet

Minutes



Monday 10 September 2018

PRESENT

Councillor Stephen Cowan, Leader of the Council
Councillor Sue Fennimore, Deputy Leader
Councillor Ben Coleman, Cabinet Member for Health and Adult Social Care
Councillor Adam Connell, Cabinet Member for Public Services Reform
Councillor Larry Culhane, Cabinet Member for Children and Education
Councillor Wesley Harcourt, Cabinet Member for the Environment
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Sue Macmillan, Cabinet Member for Strategy
Councillor Max Schmid, Cabinet Member for Finance and Commercial Services

30. MINUTES OF THE CABINET MEETING HELD ON 9 JULY 2018

RESOLVED:

That the minutes of the meeting of the Cabinet held on 9 July 2018 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

31. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Andrew Jones, Andrew Brown and Victoria Brocklebank-Fowler.

32. DECLARATION OF INTERESTS

There were no declarations of interest.

33. INSURANCE TENDER STRATEGY FOR 2019-24

RESOLVED:

1. To approve a waiver to Contract Standing Orders 7 – 10 and 11 – 16 concerning the conduct of the tendering process, on the basis that the process will be conducted in accordance with the EU public procurement rules and otherwise the requirements of the Contract Standing Orders of the RB of Kensington & Chelsea as lead borough for the procurement will apply, on the basis that that this is in the overall interests of the

Council (as provided for within Contract Standing Order 3) in relation to the following four contracts:

- Leaseholder buildings insurance.
 - Property insurance.
 - Combined Liability insurance.
 - Directors' & Officer's Liability insurance.
2. To approve the proposed procurement strategy for tendering the Council's insurance requirements and allied engineering inspection services set out in the report.
 3. To approve the inviting of tenders on a collaborative basis for the following LBHF insurance requirements:
 - Leaseholder buildings insurance.
 - Property insurance.
 - Combined Liability insurance.
 - Directors' & Officer's Liability insurance.
 4. To approve a delegation to the Strategic Director of Finance and Governance in consultation with the Cabinet Member for Finance and Commercial Services to approve the award of the contracts listed in paragraph 3 above.
 5. To approve a waiver of the requirements of Contract Standing Order 19 concerning the format of the contract documents and the requirement for the contract to be executed as a deed, on the basis that there are circumstances which are genuinely exceptional (as provided for within Contract Standing Order 3) as further explained in paragraph 4.11 of the report.
 6. To approve a delegation to the Strategic Director of Finance and Governance to waive the Contract Standing Orders in order that a direct award of contract can be awarded for the Engineering Inspection contract for a further year with the existing supplier.
 7. To approve a delegation to the Strategic Director of Finance and Governance, in consultation with the Cabinet Member for Finance and Commercial Services, to award a contract for the Engineering Inspection contract for a period of one year from 1 April 2019.

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.

34. CORPORATE REVENUE MONITOR 2018/19 MONTH 2 - 31ST MAY 2018

RESOLVED:

1. To note the forecast General Fund outturn and note that officers are developing further plans to reduce the overspend for discussion with Directors and ratification by the Strategic Leadership Team.
2. To note, the in-year (£6m) and cumulative (£13m) forecast overspend on Dedicated Schools Grant and the actions being considered to reduce this. To note the high level potential options that are being explored and that a detailed briefing and options paper is being prepared for Cabinet to consider.
3. To note the HRA forecast overspend and note that officers are developing further plans to reduce the overspend for discussion with Directors and ratification by the Strategic Leadership Team.
4. To agree that the 2018/19 2% pay award contingency (£1.775m) is not allocated to departments but held corporately to mitigate overspends. Directors to ensure that staffing budgets are robustly managed to avoid staffing overspends.
5. To agree that 50% of the unallocated contingency budget (£0.85m) is used to mitigate the overall adverse budget variance.
6. To agree the budget virements detailed in Appendix 10.
7. To delegate to the Strategic Director of Finance and Governance in consultation with the Cabinet Member for Finance and Commercial Services the decision to agree the necessary budget virements processed to align budgets to the new 2018/19 departmental structures.

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.

35. CORPORATE PLANNED MAINTENANCE PROGRAMME (CPMP) 2018/2019

RESOLVED:

1. To approve the 2018/2019 Corporate Planned Maintenance Programme (CPMP) as outlined in detail in Appendix 1 (attached to the exempt part of the report) subject to any amendments as agreed for operational reasons by the Strategic Director of Finance and Governance, with the final commitment of any individual project over £25,000 subject to a Cabinet Member Decision or Key Decision depending on the value of works over £100,000.
2. That the 2018/2019 CPMP be monitored and reported on for any operational changes. The Strategic Director of Finance and Governance in consultation with the Cabinet Member for Finance and Commercial Services to approve any minor variation to the 2018/2019 CPMP.
3. That the 2018/2019 CPMP monitoring report be prepared for the Cabinet Member every quarter to show any deviations over or under £5,000 compared to the original key decision report for the year. Projects with variations under £5,000 are to be reported in the summary as a financial adjustment within the report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

36. VARIATION TO THE DUCT ASSET CONCESSION CONTRACT

RESOLVED:

1. That the Council should vary the duct asset concession contract with ITS Hammersmith & Fulham Ltd from 1/4/18 under the terms set out in the exempt part of the report.
2. That the Council varies the duct asset concession contract with ITS Hammersmith & Fulham Ltd so that:
 - There is a fixed fee paid to the Council as set out in the exempt part of this report, and
 - There is a variable fee paid to the Council as set out in the exempt part of this report.

3. That the council manages the procurement risk by issuing a VEAT notice.
4. That the power to vary all other details of the contract relating to administrative aspects are delegated to the Strategic Director for Finance and Governance, in consultation with the Cabinet Member for Finance and Commercial 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.

37. OLIVE HOUSE EXTRA CARE HOUSING PROCUREMENT STRATEGY

RESOLVED:

1. That the procurement strategy for future care and support provision at Olive House, set out in the exempt part of the agenda, be approved.
2. That Cabinet delegates the authority to award a five-year contract, with an option to extend for a further two years, in the event the Council intends to exercise this option to the Strategic Director of Social Care and PSR in consultation with the Cabinet Member for Health & Adult Social Care and the Cabinet Member for Finance and Commercial Services.
3. That a waiver in accordance with Contract Standing Order 3.1 to allow for the direct award of a seven-month contract to the incumbent provider, to ensure service continuity through the mobilisation of the new provider, be approved. The proposed contract would commence on 1st December 2018.

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.

38. LOCAL ENFORCEMENT PLAN (PLANNING)

RESOLVED:

That the Local Planning Enforcement Plan, be adopted.

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.

39. FORWARD PLAN OF KEY DECISIONS

RESOLVED:

The Key Decision List was noted.

40. 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.]

41. CORPORATE PLANNED MAINTENANCE PROGRAMME (CPMP) 2018/2019: 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.

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42. **VARIATION TO THE DUCT ASSET CONCESSION CONTRACT: EXEMPT ASPECTS (E)**

RESOLVED:

That the recommendations contained in the exempt report be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

43. **OLIVE HOUSE EXTRA CARE HOUSING PROCUREMENT STRATEGY: EXEMPT ASPECTS (E)**

RESOLVED:

That the recommendations contained in the exempt report be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

Meeting started: 7.00 pm

Meeting ended: 7.03 pm

Chair