

Cabinet

Agenda

MONDAY
2 SEPTEMBER 2019
7.00 pm

ROOM 27
SECOND FLOOR
3 SHORTLANDS
LONDON, W6 8DA

Membership

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

Date Issued
22 August 2019

If you require further information relating to this agenda please contact:
Katia Neale, Committee Coordinator, tel: 07776 672 956 or email:
katia.neale@lbhf.gov.uk

Reports on the open Cabinet agenda are available on the Council's website: www.lbhf.gov.uk/councillors-and-democracy

PUBLIC NOTICE

The Cabinet hereby gives notice of its intention that it may want to hold part of this meeting in private to consider the exempt elements of item 11 which is exempt under paragraph 3 of Schedule 12A to the Local Government Act 1972, in that they relate to the financial or business affairs of any particular person, including the authority holding the information.

The Cabinet has received no representations as to why the relevant part of the meeting should not be held in private.

Members of the Public are welcome to attend. A loop system for hearing impairment is provided, together with disabled access to the building.



Shortlands

3 Shortlands,
Hammersmith,
London W6 8DA



Closest Underground Station
Hammersmith



Closest Bus Stop
Latymer Court (Stop G)

DEPUTATIONS

Members of the public may submit a request for a deputation to the Cabinet on item numbers **4-12** on this agenda using the Council's Deputation Request Form. The completed Form, to be sent to Kayode Adewumi at the above address, must be signed by at least ten registered electors of the Borough and will be subject to the Council's procedures on the receipt of deputations. **Deadline for receipt of deputation requests: Wednesday 28 August 2019.**

COUNCILLORS' CALL-IN TO SCRUTINY COMMITTEES

A decision list regarding items on this agenda will be published by **Tuesday 3 September 2019**. Items on the agenda may be called in to the relevant Accountability Committee.

The deadline for receipt of call-in requests is: **Friday 6 September at 3.00pm**. Decisions not called in by this date will then be deemed approved and may be implemented.

A confirmed decision list will be published after 3:00pm on **Friday 6 September**.

Cabinet Agenda

2 September 2019

<u>Item</u>		<u>Pages</u>
1.	MINUTES OF THE CABINET MEETING HELD ON 1 JULY 2019	5 - 17
2.	APOLOGIES FOR ABSENCE	
3.	DECLARATION OF INTERESTS	
	<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.</p>	
4.	BUSINESS CASE & PROCUREMENT STRATEGY IN RELATION TO THE AWARD OF CONTRACTS TO DELIVER IMPACT PROJECT INDEPENDENT DOMESTIC VIOLENCE ADVOCACY AND CASE PROGRESSION SERVICES	18 - 29
5.	CORPORATE REVENUE MONITOR 2019/20 MONTH TWO - 31 MAY 2019	30 - 65

6.	THE HIGHWAY MAINTENANCE WORK PROGRAMME 2019-20	66 - 78
7.	PROJECTS FOR ANNUAL PARKS CAPITAL PROGRAMME 2019/20	79 - 92
8.	WAIVER OF COUNCIL'S CONTRACT STANDING ORDERS AND DIRECT AWARD OF A CONTRACT FOR THE PROVISION OF HEALTHY HEARTS SERVICE	93 - 107
9.	HARTOPP AND LANNOY POINTS	108 - 151
10.	WEST KING STREET DEVELOPMENT: AUTHORITY TO SIGN UNILATERAL UNDERTAKING	152 - 159
11.	BUSINESS CASE & PROCUREMENT STRATEGY DYNAMIC PURCHASING SYSTEM (DPS) FOR PLANNED AND REACTIVE CAPITAL WORKS	160 - 188

This report has an appendix which contains information exempt within the meaning of Schedule 12A to the Local Government Act 1972 and is not for publication. The appendix has therefore been circulated to Cabinet Members only.

Any discussions on the contents of an exempt appendix will require Cabinet to pass the proposed resolution identified at the end of the agenda to exclude members of the public and the press from the proceedings for that discussion.

12.	AVONMORE, BROOK GREEN AND ADDISON NEIGHBOURHOOD PLAN AREA	189 - 205
13.	FORWARD PLAN OF KEY DECISIONS	206 - 224
14.	ANY OTHER BUSINESS	

LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

Proposed resolution:

Under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

London Borough of Hammersmith & Fulham

Cabinet Minutes



Monday 1 July 2019

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 Andrew Jones, Cabinet Member for the Economy
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Max Schmid, Cabinet Member for Finance and Commercial Services

13. MINUTES OF THE CABINET MEETING HELD ON 3 JUNE 2019

RESOLVED:

That the minutes of the meeting of the Cabinet held on 3 June 2019 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

14. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillor Sue Macmillan.

15. DECLARATION OF INTERESTS

Councillor Wesley Harcourt declared an interest in item 17 - Linford Christie Outdoor Sports Stadium - Outcome of Public Consultation, as he was the Chair of Wormwoods Scrubs Charitable Trust. He left the room and did not take part in the discussions and did not vote on the item.

16. REGULATION OF INVESTIGATORY POWERS (RIPA)

RESOLVED:

1. That Cabinet approve the termination of the existing agreement between Hammersmith & Fulham Council and RBKC pursuant to Section 113 of the Local Government Act 1972.
2. That authority be delegated to the Strategic Director of the Environment in consultation with the Assistant Director of Legal and Democratic Services to finalise and approve the proposed sovereign borough Hammersmith & Fulham RIPA Policy for the exercise of RIPA powers in Hammersmith & Fulham (attached as Appendix 1).
3. That Cabinet approve the appointment of the Chief Officer, Safer Neighbourhoods & Regulatory Services, Environment Department, as the Senior Responsible Officer for Hammersmith & Fulham Council.

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. 2018/19 CORPORATE REVENUE OUTTURN REPORT

RESOLVED:

1. To note that the 2018/19 budget required the delivery of £15.2m of savings.
2. To note, subject to audit, the General Fund overspend of £1.6m net of unused budgeted contingency. The overspend has been charged against corporate earmarked reserves.

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. CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2018/19 (OUTTURN)

RESOLVED:

1. To note the capital outturn for the year.
2. To approve proposed technical budget variations to the capital programme as summarised in Table 1 and detailed in Appendix 2.

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. HOUSING REVENUE ACCOUNT 2018/19 OUTTURN

RESOLVED:

1. To note the HRA provisional underspend of £3.779m, which is after the transfer of £5.302m of underspends to HRA reserves.
2. To note the Housing capital programme outturn of £20.137m.

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. TREASURY OUTTURN REPORT 2018/19

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.

21. PLANNING OBLIGATIONS DRAW DOWN REPORT 2018/19

RESOLVED:

That officers be authorised to drawdown Section 106 and CIL monies as set out in section 4 of this report, to fund expenditure of **£14,167,432** including **£288,946** of monitoring and administration 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.

22. PROCUREMENT STRATEGY FOR NOURISH HUB REFURBISHMENT WORKS

RESOLVED:

1. To approve the Nourish Hub Procurement Strategy and Business Case, as defined in Appendix 1, leading to the procurement of a works contractor to deliver refurbishment works and fit out for the Nourish Hub, using an open process.

2. To delegate to the Strategic Director for the Economy, in consultation with the Cabinet Member for Economy, the decision to award and enter into contract with the preferred bidder, up to a value of £980,000.

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. CONTRACT EXTENSION TO ALLOW CONTINUATION OF THE STEP UP TO SOCIAL WORK TRAINING PROGRAMME

RESOLVED:

1. Approves the continuation of the contract between the Council and the University of Hertfordshire in respect of the delivery of the Step Up to Social Work programme for a further period of 2 years from 26th June 2019 at a total value of £478,000.
2. Delegates the decision to approve a further two-year extension until August 2023, permitted under the contract, to the Director of Children's Services in consultation with the Cabinet Member for Children and Education, and receive a report updating Cabinet on the progress and performance of the programme over the previous two years.

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. ASSET MANAGEMENT COMPLIANCE STRATEGY AND CAPITAL PROGRAMME

Councillor Lisa Homan stated that the Council's number one priority was the safety and welfare of all residents. This report described the strategy of works to deliver Fire Safety Plus and other health and safety compliance works. Further details would be subject to a future report.

In response to concerns raised by Charecroft Estate residents during the discussion of this item Councillor Lisa Homan confirmed that CCTV would be installed on stairwells in the buildings and she would inform the residents on the timetable once known.

David McNulty, Assistant Director Operations, explained that Charecroft Estate works would be delivered in two phases. Phase one was described in the report, Phase two would be subject to a future Cabinet report and would be fully liaised with residents.

In reply to a concern raised by a resident, David McNulty stated that he would investigate the issue related to the removal of fire safety doors and equipment from garages and would respond directly to residents.

The Leader stressed that fire safety was on the Council's Manifesto and Fire Safety Plus had been created to go beyond the legal requirements.

RESOLVED:

1. Approve the capital spending programme set out in this report at Appendix A, this to include commencement of the programme to be contained within the approved HRA capital programme budget up to £121,929,000.
2. Extend the delegation given to the Cabinet Member for Housing on 20 September 2018 to award all contracts forming part of the Housing capital programme in accordance with the approved procurement strategy to include expenditure incurred in the financial year 2022/23.

Following the meeting the Leader endorsed and formally delegated the recommendation 2 above to the Cabinet Member for Housing.

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. **BUILDING HOMES AND COMMUNITIES STRATEGY**

RESOLVED:

1. That Cabinet approves the outline strategic case for the Building Homes and Communities Strategy set out in Appendix A which aims to:
 - Build new, genuinely affordable housing which will help maintain the borough's vibrant social mix;
 - Supports the Council's Business Plan priority of 'Building Shared Prosperity';
 - Renew key community assets, including schools and leisure centres; and
 - Generates income to reinvest in frontline services
2. That Cabinet notes the approach to consultation and engagement including:
 - (a) the principle that no individual scheme can proceed without substantial resident involvement
 - (b) the interdependency between the strategy and the Defending Council Homes policy currently in development
 - (c) the establishment of a resident panel to provide oversight of consultation on individual schemes as an integral part of the development gateway process.
3. That Cabinet approves the outline programme with further work being undertaken to assess feasibility of individual schemes and procure design work where schemes pass the relevant development gateway.
4. That Cabinet approves budget of up to £230,000 for feasibility studies and project management costs for General Fund schemes identified at appendix C, funded from previously approved developer contributions.
5. That Cabinet approves budget of up to £1,484,119 in relation to HRA schemes set out at appendix B for initial business case, design and survey costs to enable the Council to develop these schemes to outline design (RIBA stage 1) funded from right to buy receipts, grants, developer contributions, borrowing or reserves.
6. That Cabinet approves that a core programme team capital budget of up to £2,134,800 over the current capital programme to 2022/23 to be recovered from capital project costs, where these can be capitalised.
7. That Cabinet notes a future financial requirement of up to £6,990,150 to allow the Council to develop HRA schemes set out at appendix B to allow the Council to develop those schemes identified as feasible to planning (RIBA stage 3). This will require further approvals in line with the Council's Constitution and Financial Regulations.

8. That Cabinet notes a future financial requirement of up to £2,165,958 for initial business case, design and survey costs to enable the Council to develop General Fund schemes set out at appendix B to outline design (RIBA stage 1). This will require further approvals by Cabinet.
9. That Cabinet notes a future financial requirement of up to £12,336,980 to allow the Council to develop General Fund schemes set out at appendix B to planning (RIBA stage 3) if they are considered viable. This will require further approvals in line with the Council's Constitution and Financial Regulations.
10. That Cabinet delegates the decision to commit expenditure to progress schemes within the outline programme from RIBA stage 0 (strategic definition) to RIBA stage 3 (developed design) to the Strategic Director for the Economy, in consultation with the Strategic Director, Finance and Governance in line with the above budget approvals.
11. That Cabinet delegates identification of funding of the above budget approvals to achieve RIBA stage 0 to 3 to the Strategic Director, Finance and Governance in consultation with the Cabinet Member for Finance and Commercial Services.
12. That Cabinet approves the Procurement Strategy and Business Case for the appointment of multi-disciplinary design teams to develop initial business cases, design and survey costs for schemes identified in the outline programme, as set out in exempt appendix C, and delegate the decision as to which of the recommended frameworks to use for each design team procurement to the Assistant Director for Growth.
13. That Cabinet delegates authority to the Strategic Director for Economy to agree revisions to the approved Procurement Strategy and Business Case where there are good operational or procurement reasons for doing so.
14. That Cabinet agrees to delegate the award of the contracts for design services to the Strategic Director for the Economy in consultation with the Cabinet Member for the Economy and the Arts provided that these have been procured in accordance with the approved Procurement Strategy and Business Case referred to in paragraph 2.11.
15. To Cabinet agrees to appoint Bevan Brittan as legal advisors to the Council with regards to the 50 Commonwealth Avenue through a direct award from the London Borough's Legal Alliance (LBLA) panel framework.
16. That the Council enters into the Master Development Agreement, a Deed of Cooperation and any other legal agreements with ARK and any subsidiary Company and any of its funders, which are required to facilitate the delivery of Education City.
17. To delegate authority to the Strategic Director for Growth and Place, in consultation with the Cabinet Member for the Economy and the Arts and the Assistant Director of Legal and Democratic Services, to finalise and

complete negotiations with ARK and any subsidiary company and any of its funders in order to give effect to the decision in 2.16 above.

18. Cabinet are asked to approve a waiver of the usual tendering requirements of Contract Standing Order 10 in relation to the proposed development agreement with ARK (and its subsidiaries) for the Education City development, on the grounds that this is covered by a legislative exemption, as described in the legal implications of the Cabinet report of 29th April 2019 (exempt).

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.

26. COMMUNITY ASSET TRANSFER

RESOLVED:

- 1 That Cabinet approve the surrender of the current lease granted to Grove Neighbourhood Centre, Bradmore Park Road and to agree a community asset transfer of freehold interest.
- 2 To delegate to Strategic Director, The Economy in consultation with Cabinet Member for Finance and Commercial Service as well as Assistant Director of Law to agree to the legal property transfer document to be completed.

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.

27. OLD LAUNDRY YARD, SHEPHERDS BUSH

The Leader stated that the Council was committed to build affordable homes but was also committed to protect the Shepherd's Bush Market traders. This report was only the beginning of a consultation and concerns raised would be taken into account.

James Horada, Chair of the Shepherd's Bush Market Tenants' Association, raised concerns in relation to the linear nature of the market being compromised and the proposal to relocate 20 market units, affecting 15 market trader tenants. This could cause a loss of trade, continuity and affect the value of the premises. There was no certainty that the empty units would be kept.

He was also concerned that the access to the market could be compromised.

Councillor Andrew Jones stated that he had met with the traders on the previous week and had discussed the Council's commitment to protect the heritage of the linear nature of the Shepherd's Bush Market and to keep the traders within the market. There would be further discussions once a feasibility study had been carried out, including the access to the market.

RESOLVED:

1. That Cabinet approves a budget of up to £1.3m funded from HRA borrowing for the Council's share of the Old Laundry Yard professional fees to enter into a Development Management Agreement with U+I and submit a planning application and the associated costs.
2. That Cabinet approves the set-aside of HRA reserves of £1,300,000 to mitigate the risk of potential write off of capital costs should the scheme not proceed.
3. That Cabinet agrees to waive the usual tendering requirements of Contract Standing Order 10 pursuant to the procedure in CS03 on the grounds that the circumstances are covered by legislative exemptions, to permit the direct award of the Development Agreement.
4. That the Council enters into the Heads of Terms and Development Management Agreement with U+I or any subsidiary company guaranteed by U+I, which are required to facilitate the delivery of the Old Laundry Yard.
5. To delegate authority to the Strategic Director for The Economy, in consultation with the Cabinet Member for the Economy and the Arts and the Assistant Director of Legal and Democratic Services, to finalise and complete negotiations with U+I in order to give effect to the decision in 2.3 above.

6. Resolves that the area of land at Old Laundry Yard, Pennard Road referred to in this report and shown edged red, coloured yellow on the plan at Appendix 1 is no longer required for the purpose for which it is currently held in the HRA.
7. To approve in principle the appropriation of the area of land as shown edged red at Appendix 1, for the planning purposes of facilitating redevelopment for residential and other uses pursuant to section 122 of the Local Government Act 1972 which will enable the Council to override easements, covenants and other third party rights in respect of the land pursuant to section 203 of the Housing and Planning Act 2016 and note that final approval will be subject to a further report demonstrating that the requirements set out in the legal implications section having been satisfied.

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.

28. AWARD OF CONTRACT FOR THE INTEGRATED HOUSING MANAGEMENT SYSTEM

RESOLVED:

1. To approve the direct award of the contract between the London Borough of Hammersmith and Fulham and Northgate Public Service (UK) Ltd from 1 July 2019 to 1 July 2020.
2. To approve a waiver of Contract Standing Orders (CSOs) to allow the contract to be awarded to Northgate Public Services (UK) Ltd at a value of £394,000 for a full year.
3. To approve the delegation of authority to the Strategic Director for the Economy in consultation with the Cabinet Member for Housing to authorise a contract extension of up to six months between the London Borough of Hammersmith and Fulham and Northgate Public Services (UK) Ltd, to allow for mobilisation of the new housing ICT contract.

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. LINFORD CHRISTIE OUTDOOR SPORTS STADIUM - OUTCOME OF PUBLIC CONSULTATION

Councillor Wesley Harcourt declared an interest in the item. He left the room and did not take part in the discussions and did not vote on the item.

In response to a question from Councillor Sue Fennimore, Jo Rowlands, Strategic Director for The Economy, provided an update in relation to QPR's position. There was still uncertainty regarding their finance. She added that QPR was considering a site outside the borough, in Ealing.

RESOLVED:

That Cabinet:

1. Carefully consider all the responses to the consultation including officers' comments in paragraph 5 as well as full details in Appendix 1 of this report.
2. Note there is public support for a major intervention at the Linford Christie Outdoor Sports Stadium.

That subject to the Trust approving the recommendations of the report to the Wormwood Scrubs Charitable Trust Committee dated 26th June that Cabinet:

3. Note the report to Wormwood Scrubs Charitable Trust Committee of 26 June, attached as Appendix 2 and agree the Procurement Strategy as set out as an exempt appendix of that report.
4. Delegate authority to the Strategic Director for the Economy, in consultation with the Chair of the Trust, to award contracts to multi-disciplinary advisors and enter into any other legal agreements which become necessary to obtain an Outline Business Case on behalf of the Trust.
5. Allocate a budget of £397,500 to progress the Outline Business Case on behalf of the Trust which will be funded from Community Infrastructure Levy receipts.

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.

30. FORWARD PLAN OF KEY DECISIONS

The Key Decision List was noted.

31. ANY OTHER BUSINESS

None.

Meeting started: 7.00 pm
Meeting ended: 7.30 pm

Chair

Agenda Item 4

London Borough of Hammersmith & Fulham		 hammersmith & fulham
CABINET		
2 SEPTEMBER 2019		
BUSINESS CASE & PROCUREMENT STRATEGY IN RELATION TO THE AWARD OF CONTRACTS TO DELIVER IMPACT PROJECT INDEPENDENT DOMESTIC VIOLENCE ADVOCACY AND CASE PROGRESSION SERVICES		
Report of the Deputy Leader – Councillor Sue Fennimore		
Open Report		
Classification: For decision Key Decision: Yes		
Consultation: H& Fulham Police, The Mayor's Office of Policing and Crime		
Wards Affected: ALL		
Accountable Director: Sharon Lea, Strategic Director of Environment		
Report Author: Pat Cosgrave, Community safety commissioning & performance officer	Contact Details: Tel: 020 8753 2810 Email: pat.cosgrave@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1. The Council's current contracts with Advance Advocacy Services (Advance) and Standing Together Against Domestic Violence (STADV) to deliver Independent Domestic Violence Advocacy Services and Case Progression Services respectively are due to expire on 31st March 2020.
- 1.2. These services form part of the Impact project, which is designed to support victims of domestic violence and domestic abuse (DVA) that reside in Hammersmith & Fulham through the court system. Its key priorities are to:
 - Reduce the risk posed by perpetrators of domestic abuse/violence.
 - Increase victims' confidence in the criminal justice response to DVA; and
 - Hold perpetrators to account and reduce/cease further violence.

- 1.3. The Independent Domestic Violence Advocate (IDVA) service provides service users with:
 - Advice on police procedures and the court process;
 - Legal and civil protection advice on injunctions;
 - Rehousing and emergency accommodation advice; and
 - Safety planning, including referrals to the Sanctuary scheme to improve home safety.
- 1.4. The Case Progression service tracks cases through the criminal justice system from the point of arrest to case disposal. Officers work with the police to ensure that all relevant information is presented to the Crown Prosecution Service for DVA court cases. The service pre-empts any Criminal Justice System blockages at the Specialist Domestic Violence Court to ensure that DVA cases are held promptly, minimising the negative impact of the court process on victims, and reducing the risk of cases failing at court.
- 1.5. The Independent Domestic Violence Advocacy Services and Case Progression Services are informed by the Council's wider Violence Against Women and Girls Strategy (VAWG) Strategy and Action Plan, addressing key priorities as set out in the Strategy.
- 1.6. This report asks Cabinet approval to retender these contracts from April 2020 onwards.
- 1.7. The strategy for the procurement of these services is set out in appendix 1 of this report.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1. Approves the Business Case & Procurement Strategy for the procurement of Impact Independent Domestic Violence Advocacy, and Case Progression services, as set out in Appendix 1.
- 2.2. Approves a delegation of the decision to award the contracts to the Strategic Director of Environment, in consultation with the Deputy Leader.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To comply with the requirements contained in Contract Standing Orders to seek Cabinet approval before a regulated procurement exercise is commenced.

4. PROPOSAL AND ISSUES

- 4.1. The proposal is for the Council to award a contract for services for a period of three years (one year with an option to extend for a further two). The

services are funded from the Council's London Crime Prevention Fund (LCPF) settlement from the Mayor's Office for Policing & Crime (MOPAC). This funding is allocated every two years. Whilst councils have been advised of their funding levels from LCPF for 2021/22, we will not find out how much will be allocated for the following two years until late 2020.

- 4.2. The details of the services are set out in the Executive Summary and in the Business Case and Procurement Strategy in Appendix 1. The budgeted costs for the services are £25,000 per annum for Case Progression, and £75,000 per annum for IDVA services.
- 4.3. Considering the Public Contracts Regulations 2015 requirement for Councils to consider sub-dividing contracts into a number of "lots" to enable and encourage Small and Medium-Sized Enterprises (SMEs) to bid, the services will be tendered as two separate lots. This marketplace for the delivery of the services is likely to be the third sector, where there is a proliferation of SMEs.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. Option 1 – To not continue with the services. This is not the recommended option. The services enable Hammersmith & Fulham to comprehensively outperform the London average in DVA Convictions, Guilty Pleas and Sanctioned Detections, as well as increasing the rate of engagement with survivors of DVA. A performance summary for the current services is detailed in Appendix 1. The services also make a strong contribution to the Council's Business Plan 2018-2022 objective to support the victims of crime.
- 5.2. Option 2 – To continue the current services by directly awarding them to the current service providers. This is not the recommended option. The current providers have had their contracts extended to March 2020 via a waiver of Contract Standing Orders (due to LCPF funding not being confirmed until January 2019, meaning there was limited time to competitively tender the services). Whilst officers and MOPAC consider the incumbent service providers to be high performing, in the interests of transparency, and fairness to other providers in the marketplace, the Council should hold a competitive tendering exercise.
- 5.3. Option 3 – To competitively tender the services. This is the recommended option as it will allow all providers in the marketplace to bid to provide the services and allow officers to ensure they can achieve the highest quality service for survivors of DVA in Hammersmith & Fulham.
- 5.4. Appendix 1 sets out the commercial and procurement options, together with an analysis of these options.

6. CONSULTATION

- 6.1. Details of consultation undertaken by the Service Review Team (SRT) are given in Appendix 1 (see Paragraph 8).

- 6.2. Any extension will subject to agreement by the executive director in discussion with the Deputy Leader

7. EQUALITY IMPLICATIONS

- 7.1. It is not anticipated that there will be any direct negative impact on groups with protected characteristics, as defined by the Equality Act 2010, from these Business Case and Procurement Strategy proposals set out in the Recommendations.

- 7.2. *Implications completed by: Fawad Bhatti, Social Inclusion Policy Manager, tel. 07500 103617.*

8. LEGAL IMPLICATIONS

- 8.1. This report seeks the approval of the Business Case & Procurement Strategy for the procurement of Impact Independent Domestic Violence Advocacy, and Case Progression services, as set out in Appendix 1 in accordance with Contract Standing Order (CSO) 8.12.

- 8.2. The budget for the services is £100,000 per annum, £75,000 for IDVA provision and £25,000 for Case Progression. Over the proposed three-year full term of the contract the budget will be £300,000. Therefore, the lifetime value of the proposed contract exceeds the current EU threshold of £181,302 for Services set out in the Public Contracts Regulations (`PCR`). Therefore, the PCR applies in full.

- 8.3. As per PCR reg 26, when awarding public contracts, the Council has to use one of the following procedures: open, restricted, competitive procedure with negotiation, competitive dialogue, innovation partnerships or frameworks. In this report, the proposal is to use an open procedure.

- 8.4. In using an open procedure for running a tender competition, PCR reg 27 must be met. PCR reg 27 states that an open procedure has to be subject to:

8.4.1. minimum time limits for running a tender competition;

8.4.2. a published selection criteria; and

8.4.3. the publishing of a notice.

Officers conducting the procurement will need to ensure that these requirements are met.

- 8.5. The position under Contract Standing Orders is that for contracts of this value, CSO 10.2 requires the use of an existing framework or placing an OJEU Contract Notice. The proposed Procurement Strategy is compliant with that requirement.

- 8.6. This report also seeks to delegate the approval to award the contracts to the Strategic Director of Environment, in consultation with the Deputy Leader. Under CSO 17.3.1, in normal circumstances for contracts up to £5m in value, the decision to award the contracts rests with the appropriate Cabinet members Provided that the recommended award falls within or is within a 10% tolerance of the estimated value set out in the Procurement Strategy & Business Case. Here the recommendation is for the award decision to be delegated to the appropriate Director instead, which is a decision that it is open to the Cabinet to make it if it chooses as an alternative to the Cabinet Member.
- 8.7. *Implications provided by: Hannah Ismail, Solicitor, Sharpe Pritchard LLP, external legal advisers seconded to the Council tel 0207 405 4600*

9. FINANCIAL IMPLICATIONS

- 9.1. The Council receives an annual grant from the MOPAC London Crime Prevention Fund (LCPF) of which an amount is currently allocated to this contract as outlined in Appendix 1, section 2. It is anticipated that the tender exercise will result in a successful bid that does not exceed the current contract value but there is flexibility and capacity within the Community Safety revenue budget to re-direct some funding towards the Impact Project if necessary.
- 9.2. LCPF funding is confirmed for the first year of the new contract only (2020/21) and the proposal to award the contract for one year plus an option for a two-year extension is a prudent one, safeguarding the Council from being tied into a lengthy contract which exceeds the period of confirmed funding.
- 9.3. In all procurement award reports to Cabinet/Cabinet Members, to undertake the financial assessment of a supplier a Credit Check Request Form should be completed and submitted to Corporate Finance creditcheck@lbhf.gov.uk . This has been loaded on the Supplier Resilience site for your convenience. <https://officesharedservice.sharepoint.com/sites/intranet/hf-financialcorporateservices/Intranet%20Documents/Credit%20Check%20Request%20Form.xls>. A copy of the results must be kept on the Council's e-tendering system, capitalEsourcing and the results detailed in any Cabinet Member or Cabinet award report under this "Finance Implications" section.
- 9.4. *Implications verified/completed by Lucy Varenne, Finance Manager, tel 020 7341 5777 and Emily Hill – Assistant Director (Corporate Finance), tel 020 8753 3145*

10. IMPLICATIONS FOR BUSINESS

- 10.1. The design of the service should encourage small and medium enterprises to bid for the contract.
- 10.2. *Implications verified/completed by: Albena Karameros, Programme Manager, tel. 020 7938 8583.*

11. COMMERCIAL IMPLICATIONS

- 11.1. The procurement strategy makes reference to a contract with a total value of £300,000 for both lots. The services to be provided under the proposed contract falls under the category of Social and other specific services as defined by Chapter 3 Section 7 and listed in Schedule 3 of the Public Contracts Regulations (PCR) 2015 (“the Regulations”). The statutory threshold for Schedule 3 services is £615,278. The proposed contract is under the statutory threshold so full PCR 2015 do not apply.
- 11.2. It is recommended that both services are tendered for a period of one year with an option to extend for a further two. This contract term will allow the council to confirm that they have sufficient funds prior to any proposed extension and if not terminate the contract. Any proposed extension will need to be approved by the Cabinet Member.
- 11.3. The recommendation is in line with the Council’s CSOs that classify a contract of this value as “Medium Value” (£25,000 to below £615,278). It is required that competitive tenders are sought through an open process if “calling off” from an existing framework agreement is not possible. No suitable framework agreements for the provision of this service were identified. As a result, the recommendation is compliant with the CSOs. A full tender opportunity will be published in Contracts Finder and capitalEsourcing.
- 11.4. *Implications verified by Joanna Angelides, Procurement Consultant, Public Services Reform, tel. 020 8753 2586.*
- 11.5. Details of the commercial implications identified by the SRT are given in Appendix 1 (see Paragraph 2).
- 11.6. Details of the procurement implications identified by the SRT are given in Appendix 1 (see Paragraphs 5 - 12).

12. SOCIAL VALUE CONSIDERATIONS

- 12.1. Details of the Social Value considerations identified by the SRT under the requirements of the Public Services (Social Value) Act 2012 are given in Appendix 1 (see Paragraph 6).

13. IT IMPLICATIONS

- 13.1. IT Implications: There are no IT implications resulting from the proposal in this report.
- 13.2. IM Implications: All service providers will be expected to have a GDPR policy in place and all staff will be expected to have received GDPR training.

- 13.3. As the service providers will be processing sensitive data, Privacy Impact Assessments will need to be completed and kept up to date, to ensure all potential data protection risks are properly assessed with mitigating actions agreed and implemented.
- 13.4. All contracts will need to include H&F's data protection and processing schedule. This is compliant with the General Data Protection Regulation (GDPR).
- 13.5. Given that information about the Council's service users will be held separately by the new providers, the tender should reference H&F's data intelligence requirements. For example, capability to interface into our BI platform, or the ability to exchange anonymised data to allow the service to assess delivery and possibly redesign the service in the future informed by the information gathered by the providers. Implications completed by: Karen Barry, Strategic Relationship Manager, tel 020 8753 3481.
- 13.6. *Implications verified by: Veronica Barella, Chief Information Officer, tel 020 8753 2927.*

14. RISK MANAGEMENT IMPLICATIONS

- 14.1. The report proposals are consistent with the delivery of council's priorities specifically creating a compassionate council and by proposing a tender process also meeting our obligations under the Ruthlessly Financially Efficient Priority. Need has clearly been established and a budget source identified, funding has been identified from the Council's London Crime Prevention Fund (LCPF) settlement from the Mayor's Office for Policing & Crime (MOPAC). Ongoing performance management and contract management details have been outlined in the Appendix (Procurement Strategy) that accompanies the report. Details of the risks and issues implications identified by the Service Review Team are given in Appendix 1 (see Paragraph 3).
- 14.2. *Implications verified by: Michael Sloniowski Risk Manager tel. 020 8753 2587.*

15. SOCIAL VALUE CONSIDERATIONS

- 15.1. Details of the Social Value considerations identified by the SRT under the requirements of the Public Services (Social Value) Act 2012 are given in Appendix 1 (see Paragraph 6).

16. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

- 16.1 None

LIST OF APPENDICES

Appendix 1 – Business Case & Procurement Strategy

**APPENDIX 1:
 BUSINESS CASE & PROCUREMENT STRATEGY; and
 PROJECT MANAGEMENT AND GOVERNANCE
 FOR IMPACT PROJECT CASE PROGRESSION AND INDEPENDENT
 DOMESTIC VIOLENCE ADVOCACY SERVICES**

BUSINESS CASE

1. BUSINESS CASE – WHY THE PROCUREMENT IS NEEDED

The services being procured provide support to survivors of domestic violence and domestic abuse in Hammersmith & Fulham through the Criminal Justice System. They are intended to reduce the risk posed by perpetrators of domestic abuse/violence, increase victims’ confidence in the criminal justice response to DVA, and hold perpetrators to account and reduce/cease further violence.

The services were historically jointly funded and provided by Shepherds Bush Housing Group (SBHG). However, when SBHG were no longer in a position to jointly fund the service, the council continued to fund the IDVA and Case Progression services and took the project management of the services in house. Therefore, this is the first time that Community Safety has tendered the contract.

The service is a specialist provision. It provides 0.5 FTE post for case progression, and 1.5 FTE posts for IDVA support.

The current contract provides excellent outcomes for survivors. Table 1 shows the outcomes for the case progression services from April 2018 to March 2019. Table 2 details the increase in service demand and engagement rates from the IDVA service.

100% of services users engaged with the IDVA service have reported a reduction in risk and an increase in feelings of safety.

Table 1

	LBHF	London average
Convictions	73.1%	67.4%
Guilty Pleas	59%	57.1%
Sanctioned detection rate	20%	18%

Table 2

	Specialist impact CJ IDVA 2017/18	Specialist impact CJ IDVA 2018/19
Referrals	151	168
Engagement rate	95%	95%

2. FINANCIAL INFORMATION

The budget for the services is £100,000 per annum, £75,000 for IDVA provision and £25,000 for Case Progression. Over the proposed three-year full term of the contract the budget will be £300,000.

The funding used for the services comes from the council's settlement from the MOPAC London Crime Prevention Fund. This fund is administered in two-year tranches, the current one of which runs to March 2021. Therefore, we propose to tender the contract for one year plus an option for a two-year extension. This will allow us the flexibility to adapt the services funded from this source should there be a significant decrease in the borough's LCPF settlement for April 2021 to March 2023.

This service does not accrue any income. By seeking to commission the service for less money there is a significant risk that we would not be providing as good a service or as many staffing hours as possible, which could significantly impact on the risks to survivors of domestic violence and abuse. However, the value of ensuring that DVA cases achieve the best possible outcomes at court, and that perpetrators are held to account, is incalculable.

3. OPTIONS APPRAISAL AND RISK ASSESSMENT

The provision of a Criminal Justice IDVA and a DVA case progression officer is not a statutory obligation. However, the council have a long-standing commitment to support the victims of DVA and provide the best possible services to them within our budgetary constraints and preventing Violence Against Women & Girls is a council strategic priority.

As stated in the main body of the report, officers do not consider discontinuing the service as a viable option. Whilst it would free up £100,000 of LCPF monies that could be used for other crime and disorder related projects, it would remove a high-quality service for survivors of DVA that improves their outcomes in the criminal justice system and reduces their risk of repeat victimisation.

As the current providers have expertise in the field and a track record of excellent service delivery, there may be a case to be made for inviting them to provide sole tenders for the services. As established providers within the marketplace it is likely that they would provide strong bids for the services in a competitive tender in any case. However, we also accept that there may be other service providers in the marketplace, and in the interests of transparency and fairness, they should be allowed to bid to provide the services in a competitive exercise.

The existing providers have the advantage of having built the functional links with the partners they need to collaborate with to provide the services. These include one another, the police, the Crown Prosecution Service and the Specialist Domestic Violence Court Coordinator.

4. THE MARKET

The incumbent providers for both the Case Progression Services and IDVA services are the two main local specialist providers. There are other organisations who could potentially tender for the services, including Victim Support, although they are a more generic than specialist service provider, and other SME 3rd sector providers based elsewhere in London.

Due to the specialist nature of the service area and the services themselves officers would not expect to receive a large number of tenders for either of the services.

PROCUREMENT STRATEGY

5. CONTRACT PACKAGE, LENGTH AND SPECIFICATION

The contract for the Services will be tendered in two separate lots using the open tender competitions.

The contract term will be up to three years, with the contract award being for one year with an option to extend for a further two years for the reasons set out in Section 2 of the Business Case. A notice period will be built into the contract on the side of both parties, separately from termination rights in the event of a material breach of contract.

The Key Performance Indicators that will be measured within the contract are based on three workstream areas:

1. Reduce risk posed by perpetrators

- Increase the number of DV offences recorded by Police that result in a sanction detection
- Increase the number of DV offences recorded by Police that result in a charge
- Increase the number of defendants prosecuted at court
- Increase the percentage of DV cases dealt with by CPS that result in a conviction

2. Increase victim confidence

- Increase the percentage of convictions where no victim evidence is given on the day
- Reduce the percentage of unsuccessful DV cases between police and charge
- Reduce the percentage of unsuccessful DV cases between charge and Court
- Increase the percentage of victims who engage with the CJS IDVA, where the case has proceeded to court

3. Perpetrators held to account

- Increase the number of offenders charged with a DV related offence
- Increase the percentage of victims who following engagement with the CJS IDVA report feeling safer
- Increase the number of victims engaged with the CJS IDVA at reduced risk of further harm

KPIs will not be linked to payments. Where performance is lower than expected the council, the providers and other parties will be expected to collaborate in order to achieve optimal performance. Reducing payments to providers of such services would have a potentially significant negative impact on their ability to provide the maximum benefit of the services.

6. SOCIAL VALUE, LOCAL ECONOMIC AND COMMUNITY BENEFITS

The successful contractor will be asked to provide a statement identifying the social value they can provide related to the contract as part of the tendering process.

7. OTHER STRATEGIC POLICY OBJECTIVES

The services contribute to the council's commitment to reducing Violence Against Women and Girls.

The successful service provider will be asked to confirm that the staff involved in delivering the services will not be subject to zero-hour contracts, and will have suitable employment terms and conditions, including the payment of the London Living Wage.

8. STAKEHOLDER CONSULTATION

Key stakeholders involved in the collaborative delivery of the services that have been consulted include the Police community safety unit, the Crown Prosecution Service and the Specialist Domestic Violence Court Coordinator. All support the continuation of the services.

9. PROCUREMENT PROCEDURE

The intention is to tender the contract under an Open procedure. Officers believe that there are a limited number of providers in the market place capable of providing the specialist services.

Officers will detail the Council's minimum selection requirements in the tender documentation.

10. CONTRACT AWARD CRITERIA

The contract will be let on the basis of a ratio of 80:20, Quality:Price. Officers consider that although the council is committed to ruthless financial efficiency, the service users of the services being tendered are in such a position of potential vulnerability to serious violence that an additional emphasis on the quality of services being provided is justified.

The prices will be scored using the following formula to give a score out of 100:

Bid's Score = $100 \times (\text{lowest total cost} / \text{bid cost})$.

The total will then be divided by 5 to give a score out of 20 (the price score out of 100 total)

Example:

Bid A price - £100,000

Bid B price - £110,000

Bid C price - £120,000

Score

Bid A – $100 \times (100/100) = 100 - 20/20$ for price

Bid B – $100 \times (100/110) = 90.9 - 18.2/20$ for price

Bid C – $100 \times (100/120) = 83.33 - 16.7/20$ for price

The Quality criteria will be scored on questions based on the KPIs detailed in section 5 of this procurement strategy. The questions and weighting will be developed by the project management team detailed in section 11 (below)

PROJECT MANAGEMENT AND GOVERNANCE

11. PROJECT MANAGEMENT

The procurement will be taken forward by a project team from the council's community safety unit, with advice from the council's corporate procurement team.

A tender assessment panel (TAP) will be made up of the community safety Victims Programme Coordinator, Policy and Service Development Officer, and Commissioning and Performance Officer. They will make the recommendation to award to the Strategic Director

of Environment, in consultation with the Deputy Leader, after shortlisting and scoring tenders based on the criteria set out in the tender documents.


12. INDICATIVE TIMETABLE

Activity/Milestone	Date
Cabinet approve strategy	2 nd September 2019
Launch ITT on Capital e sourcing	By 9 th September
Tender period	36 days
Draft CMD	During tender period
Deadline for receipt of tenders	15 th October
Hold TAP	By 22 nd October
CMD sent for comment	25 th October
Deadline for comment	5 th November
Director sign off	8 th November
CMD approved	By 15 th November
Inform tenderers	18 th November
Mobilisation period	November 2019 - March 2020
Prepare contract documentation	November 2019 - March 2020
New contract commences	1 st April 2020

13. CONTRACT MANAGEMENT

Following the award of the contract, the service provider performance will be managed by the community safety Victims Programme Coordinator.

Quarterly returns and an annual report will be produced which will be shared with MOPAC as a condition of funding and be made available to senior officers and interested councillors.

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">2 SEPTEMBER 2019</p>	
<p>CORPORATE REVENUE MONITOR 2019/20 MONTH TWO – 31 MAY 2019</p>	
<p>Report of the Cabinet Member for Finance and Commercial Services – Councillor Max Schmid</p>	
<p>Open Report</p>	
<p>Classification - For decision and for information</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Hitesh Jolapara – Strategic Director of Finance & Governance</p>	
<p>Report Author: Emily Hill, Assistant Director, Corporate Finance</p>	<p>Contact Details: Tel: 020 8753 3145 Emily.Hill@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The H&F vision includes being ruthlessly financially efficient. We need to always confirm that spend fits our council's priorities; challenge how much needs to be spent; and achieve results within agreed budgets. Finance is everyone's business and every penny counts.
- 1.2. Section 151 of the 1972 Local Government Act requires the Chief Financial Officer (as the responsible officer) to ensure proper administration of the Council's financial affairs. This is the first in-year monitoring report produced as part of the Council's 2019/20 budgetary control cycle.
- 1.3. The General Fund forecast outturn net variance is a forecast overspend to **£7.412m**.
- 1.4. Action plans of **£2.116m** have been developed and are proposed as partial mitigation against the forecast overspend. If delivered they will reduce the forecast net overspend to **£5.296m**. Directors and Cabinet Members need to consider what further actions they must take to improve the forecast outturn with urgent review of all budgets.

- 1.5. The High Needs Block and Early Years Block, funded through Dedicated Schools Grant (DSG), was overspent by a cumulative £13.6m at the close of 2018/19. A further overspend of £5.1m in 2019/20 is forecast that will increase the total deficit to £18.7m. Work is underway to address this overspend. In addition, councils are lobbying nationally to address acute government underfunding of this area.
- 1.6. The 2019/20 budget addressed some of the significant budget pressures faced in 2018/19 with growth of £3.3m for Children’s Service and £2.6m to realign Public Service Reform (PSR) income targets. Robust action needs to be taken now to understand and manage the additional current pressures.
- 1.7. The HRA forecast is an unfavourable variance of **£0.313m**.

2. RECOMMENDATIONS

- 2.1. To require the Directors and Cabinet members to identify and deliver actions that offset the forecast General Fund overspend.
- 2.2. 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 required to align budgets to the new 2019/20 departmental structures.
- 2.3. To note the HRA forecast overspend.

3. REASONS FOR DECISION

- 3.1. To report the revenue expenditure position and comply with Financial Regulations.

4. MONTH 2 GENERAL FUND

- 4.1. The forecast month 2 overspend is **£7.412m** with risks of £10.079m identified.

Table 1: 2019/20 General Fund gross forecast outturn variance

Department¹	Revised budget £m	Forecast outturn variance month 2 £m
Children’s Services	44.083	1.328
The Economy Department	9.736	0.428
The Environment Department	66.076	2.479
Controlled Parking Account	(27.938)	(0.692)
Finance & Governance	1.122	1.151
Public Service Reform	9.921	3.197

¹ Figures in brackets represent underspends/ favourable movements

Department¹	Revised budget £m	Forecast outturn variance month 2 £m
Public Service Reform (Corporate Services)	1.127	0.180
Social Care	53.202	1.893
Centrally Managed Budgets	14.552	(0.300)
Total	171.881	9.664
Balance of unapplied unallocated contingency	0.000	(2.252)
TOTAL	171.881	7.412

- 4.2. The table above, in the main, reflects the new Council structure. Work is ongoing to finalise the budget virements required to reflect the required transfer of functions and related budgets to the receiving departments to fund their new structures. Once this work is complete the recommendations request that authority is delegated to the Strategic Director of Finance and Governance, in consultation with the Cabinet Member for Finance and Commercial Services, to agree the necessary budget virements required to align budgets to the new 2019/20 departmental structures. From that point the reporting will be undertaken on a new departmental basis.

5. MONTH TWO - HOUSING REVENUE ACCOUNT

- 5.1. The Housing Revenue Account is currently forecasting an unfavourable outturn variance of £0.313m at month two (Appendix 8).

Table 2: Housing Revenue Account forecast outturn

Housing Revenue Account	£m
Balance as at 31 March 2019	11.890
Less: Budgeted contribution / (appropriation) from balances	(4.369)
Less: Forecast unfavourable outturn variance	(0.313)
Projected balance as at 31st March 2020	7.208

6. DEDICATED SCHOOLS GRANT (DSG)

- 6.1. Dedicated schools grant (DSG) is paid in support of local authority schools' budgets, being the main source of income for the schools. In common with other London Boroughs, the High Needs Block element has come under increased pressure in supporting children with special educational needs and spend is significantly higher than the funding provided by central government. The cumulative total DSG deficit balance carried forward to 2019/20 was £13.6m with an additional £5.1m deficit now forecast in 2019/20.
- 6.2. The £18.7 million forecast cumulative deficit represents spending more money than grant available and will impact on future school and council resources.
- 6.3. The Education and Schools Funding Agency now expect local authorities to prepare deficit recovery plans however given the scale of the challenge, the Council has set aside an earmarked reserve equivalent in value to the DSG deficit in 2018/19. The DSG deficit reserve is used to cover the potential overspend and based on the current in-year forecast may need to be increased during the year by £5.1m, this will be reviewed during the year.
- 6.4. A programme of work is required and is underway to reduce the underlying overspend in this area.

Table 4: Dedicated Schools Grant

	£m
DSG deficit brought forward from prior years	13.616
In-year forecast deficit	5.129
Forecast deficit at end of 2019/20 financial year	18.745

7. GENERAL FUND RESERVES

- 7.1 The council is preparing an updated reserves position that will be the subject of a future report.

8. VIREMENTS & WRITE OFF REQUESTS

- 8.1. No virements or write offs are requested at this stage.

9. CONSULTATION

9.1. All departments.

10. EQUALITY IMPLICATIONS

10.1. As required by Section 149 of the Equality Act 2010, the Council has considered its obligations regarding the Public-Sector Equality Duty and it is not anticipated that there will be any direct negative impact on groups with protected characteristics, as defined by the Act, from the adjustments to the budgets required because of this Corporate Revenue Monitor.

10.2. In the event that any such adjustments might lead to a service change that could have a negative impact on groups with protected characteristics then an Equality Impact Assessment will need to be carried out.

10.3. Implications completed by Fawad Bhatti, Social Inclusion Policy Manager, tel. 07500 103617.

11. LEGAL IMPLICATIONS

11.1. There are no legal implications for this report.

11.2. Implications verified by: Rhian Davies, Borough Monitoring Officer, tel. 07827 663794

12. FINANCIAL IMPLICATIONS

12.1. This report is financial in nature and those implications are contained within.

12.2. Implications completed by: Gary Ironmonger, Finance Manager, 0208 753 2109, implications verified by Emily Hill, Assistant Director, Corporate Finance 020 8753 3145.

13. IMPLICATIONS FOR BUSINESS

13.1. There are no implications for local businesses.

13.2. Implications verified/completed by: Albena Karameros, Economic Development Team, tel. 020 7938 8583.

14. COMMERCIAL IMPLICATIONS

14.1. The report seeks the approval of strategies developed to bring any staffing overspends in line with allocated budgets.

14.2. There are no procurement implications. Commercially, these strategies will have a positive impact on the Council's budgets and spending.

14.3. Implications completed by: Andra Ulianov, Procurement Consultant, 0208 753 2284.

15. IT STRATEGY IMPLICATIONS

- 15.1. There are no IT implications for this report.
- 15.2. Implications verified/completed by Veronica Barella, Chief Information officer, 0208 753 2927.

16. RISK MANAGEMENT

- 16.1. The Council has a statutory duty to arrange for the proper administration of its financial affairs and a fiduciary duty to taxpayers with regards to its use of and accounting for public monies. This report assists in the discharge of those duties.
- 16.2. Revenue expenditure against budget is monitored by regular reports to the Strategic Leadership Team and Cabinet. These reports provide a snapshot of the revenue position for each Department and for the Council and provide details of any projected additional budget pressures and risks, or any significant under or overspends. As the Section 151 Officer, the Strategic Director of Finance and Governance is required to keep under review the financial position of the Authority. The monthly revenue monitoring is a key part of this review process. If required, measures will be put in place to address any risks identified through the monitoring process and to contain expenditure within approved budgets.
- 16.3. Effective monitoring assists in the provision of accurate and timely information to Members and officers and allows services to better manage their resources. Corporate Revenue Monitoring contributes to the delivery of all Council Priorities but chiefly Being Ruthlessly Financially Efficient and sound risk management.
- 16.4. The effective use of financial resources underpins the Council's activities in support of its strategic priorities. Plans to take remedial action to manage a number of the significant issues highlighted in this report where they approach and exceed our financial risk appetite and risk tolerance have been referenced in appendix 10.
- 16.5. There are a number of general risks to the Council being able to match expenditure with resources this financial year and over the medium term:
 - Austerity imposed by national government and its impact on Local Government.
 - Achievement of resulting challenging savings targets.
 - Brexit and the state of the UK economy.
 - Commissioning and Procurement outcomes.
 - Impact of the fall in the pound on inflation and pay.
 - Demand-led Service Pressures E.g. Adult Social Care, Child Protection etc.
 - Potential adjustments which may arise from the various Grant Claims.

- Movement in interest rates.

Risks associated with specific services are mentioned elsewhere in this report.

16.6. Implications verified/completed by: Michael Sloniowski, Risk Manager, tel 020 8753 2587, mobile 07768 252703.

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

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

LIST OF APPENDICES

Appendix	Title
Appendix 1	Children's' Services
Appendix 1a	Dedicated Schools Grant
Appendix 2	The Economy Department
Appendix 3	The Environment Department
Appendix 3a	Controlled Parking Account
Appendix 4	Finance & Governance
Appendix 5	Public Service Reform (PSR)
Appendix 5a	PSR – Corporate Services
Appendix 6	Social Care
Appendix 7	Centrally Managed Budgets
Appendix 8	Housing Revenue Account

APPENDIX 1: CHILDREN'S SERVICES
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
Family Services	31,022	387
Special Educational Needs and Disabilities	8,302	941
Education	1,092	0
Assets, Operations & Planning	3,667	0
School Funding	0	0
TOTAL	44,083	1,328

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Family Services	
<p>Family Services Social Care Placements The Family Services placement budgets received growth of £2.05m for 2019/20 and the service identified savings of £1m.</p> <p>£0.6m of the savings have been flagged as a risk and other placements savings will be closely monitored. At this early stage no variance is reported but a detailed child level model will be used to report, scrutinise and challenge all placement spend. Regular panel meetings with service managers and the Assistant Director are in place and any variance to budget will be reported in the CRM.</p>	0
<p>The special project to take additional children has been Home Office grant and centrally funded (where costs exceed the grant) as it sits outside the usual remit of children's services. Growth was provided in 2019/20 to fund the full net expenditure on DUBs. Since the growth bid, a further 5 DUBs children have been placed in the borough and a further 5 are expected to be placed in the next two months. However, due to large reductions in the placement costs for two of the highest cost placements, the 2019/20 budget is expected to cover all costs including the 10 additional placements. A variance may be reported once the 5 new placements are made and the expected costs can be updated with the actual costs.</p>	0
<p>Family Support and Child Protection Cabinet have approved a contract variation of £0.082m per annum on the Multidisciplinary Family Assessment Service contract with the Tavistock and Portman NHS Foundation Trust, this overspend is included in the forecast. A total potential overspend of £0.222m is possible due to spot purchasing outside of the contract, to meet demand, which could incur additional unbudgeted spend of c£0.140m per annum. This will be closely monitored and options to mitigate will be explored.</p> <p>A projected staffing overspend of £0.098m is primarily due to use of agency staff. There are 3 postholders on maternity leave with agency</p>	180

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
<p>staff covering with an assumption that 60% of the maternity costs will be funded corporately in line with last year's maternity budget allocation.</p> <p>The service is currently recruiting to fill vacant posts. The forecast assumes agency to the end of August 2019. There is a risk of not filling all vacant posts due to difficulties in recruiting with recent activity being unsuccessful. The successful candidates will be Social Care Workers progressing towards a Social Worker role. As Social Care Workers, they may not hold full caseloads requiring continuing use of agency workers.</p>	
<p>LAC and Leaving Care Non-placement costs Client transport overspend is £0.252m relates to 28 regular clients for the full financial year 2019/20. Regular review meeting between the transport team and the services across the directorate will be held in 2019/20 to monitor spend and usage.</p>	252
<p>Other minor variances Minor variances are spread across services including an underspend on fostering and adoption staffing and a £0.082m pressure cause by unbudgeted contracts relating to the council's commitments as part of the West London Alliance (WLA). These are WLA Commercial and Procurement (NWOW) £0.015m, Children's Commissioning Service £0.044m and Careplace £0.023m</p>	(45)
Total of Family Services	387
Special Educational Needs and Disabilities	
<p>Travel Care and Support In 2019/20 there has been a 12% increase in student numbers using SEN transport, compared to the same period last year. In addition, there has been a 20% increase in the destinations students are transported to. Journey times have increased, with an increase in average cost per trip in taxi transport. The current forecast includes part delivery of £0.17m of the 2019/20 savings initiatives totalling £0.26m but does not include additional demand growth over and above the current cohort of pupils using the service. Further opportunities to deliver savings are being explored to help mitigate the risk of under-delivery.</p>	507
<p>Children with Disability Placements (Short breaks) There has been 14 new direct payment packages since the end of 2018/19 including one for a young person with a full year effect of £0.063m.</p> <p>There have been 17 new care packages since the end of 2018/19 to top of the full year effect of four high cost packages totalling £0.1m which started after the beginning of last financial year.</p> <p>These added full year increases from 2018/19 of around £0.2m. Overall placement budget totals £1.375m against a projected expenditure of</p>	182

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
£1.558m.	
Education and Healthcare Planning (EHCP) The pressure is due to the additional cost of 8 supernumerary agency staff required until the end of August 2019. The funding used to pay for the costs of transferring children with existing statements to EHC plans was exhausted in 2018/19 causing the overspend against the established staffing budget. The service expects to return to establishment in September.	193
Other minor variances from across the service total £0.059m. This includes an overspend of £0.055m in the Inclusion and specialist intervention service caused by a loss of income because of RBKC ceasing to buyback from September 2019.	59
Total of Special Educational Needs and Disabilities	941
Education Service	
No variance is currently expected on the general fund for the Education directorate.	0
Total of Education	0
Assets, Operations & Planning	
No variance is currently expected on the general fund for Assets, Operations & Planning.	0
Total of Assets, Operations & Planning	0
TOTAL VARIANCE	1,328

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 2 £000
Tower Hamlets Judgement - the likely liability should all connected carers be paid carers fees for prior years, possibly back to 2011, is estimated to be in the region of £2.1m. Three families (6 children) have brought claims prior to 2018/19, via the same solicitors, totalling £141,000. In addition, in 2018/19, two families (3 children) brought claims with costs of approximately £60,000.	2,100
Within Fostering and Adoption Placement budgets there is a 2019/20 savings target of £0.599m for 'Enhanced fostering/secure base'. The service has flagged this as a risk of not being delivered partly because the resource required to support the Head of Service in delivery is not in place and that the trained carers may not necessarily have LBHF children placed with them.	600
The Leader has agreed that Hammersmith & Fulham will place an additional 10 DUBs children. 5 have been placed and included in the forecast based on their actual costs and Home Office income. A further 5 have estimated costs in the forecast which will need to be revised with actuals once placed. The additional costs to the service in staffing costs needs to be understood.	TBC
Placements - Placement saving through LAC and Family Assist needs to continue to be monitored to ensure that delivery of savings is on track. The continuing high cost placements forecast puts pressure on this activity being delivered. The number of young people in residential care remains small, however, they are often complex highly expensive cases meaning that LAC assist have to work with the young person for some time before they can even be considered for step-down or non-residential placement. In addition to the contingency for net placement increase in year, there is a risk of further exceptional demand growth, particularly from high cost residential placements This risk will decrease each month as new placements are built into the forecast.	1,500
The Children with Disability Placements forecast does not contain contingency for demand led growth. Any net increase in demand will increase the overspend on the service.	TBC
It is expected that there will be further significant movement in SEN transport during the Summer 2019 mobilisation as students leave education, transfer to new destinations and new students join transport. It is expected that this impact will be clear at months six or seven, but it is currently estimated to be around £175,000. There is a clear upward trend of growth across the service which continues to pose a significant risk to the budget during 2019/20.	175
The Children with Disability Placements forecast includes £0.670m of income from the Clinical Commissioning Group (CCG) based on agreements to part fund a number of care packages. £0.150m is not yet guaranteed so there is a risk around receiving the full amount projected.	150
A recent review of the finance regulations that informs DSG budget allocations, has meant central spend previously funded by DSG, now has to be funded by either traded income, additional fees or general fund. Charging an admin fee to other LAs who place pupils in LBHF maintained	396

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
schools, was previously put forward as mitigation towards the forecast overspend on the High Needs Block. However, this has since been applied against the general fund SEND budget to ensure central services are fully funded as part of the regularisation of the use of DSG. There is a risk to the general fund if this income is not achieved.	
TOTAL RISKS	4,921

**APPENDIX 1a: DEDICATED SCHOOLS GRANT
BUDGET REVENUE MONITORING REPORT MONTH 2**

Table 1 - Variance by Departmental Division		
Dedicated Schools Grant - Paid in support of the Local Authority's School Budget	Revised Budget	Variance Month 2
	£000	£000
High Needs Block Expenditure	18,406	5,129
Early Years Block Expenditure	15,774	0
Schools Block Expenditure	38,083	0
Central School Services Block Expenditure	4,430	0
DSG Income	(76,693)	0
TOTAL	0	5,129

DSG deficit brought forward from prior years	13,616
Forecasted deficit at end of 2018-19 financial year	18,745

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
<p>High Needs Block (HNB) (<i>High Needs funding supports provision for children and young people with special educational needs from their early years to age 25 and in addition the Alternative Provision</i>)</p> <p>The forecast overspend is £5.13m in 2019/20, before growth related to increased pupil numbers and inflation. This represents an improvement of £1.73m on the 2018/19 outturn position of £6.86m. The outturn position was £7.13m on expenditure in 2018/19, but £0.268m of costs were funded from an under spend against the Central Services block of the DSG.</p> <p>The improvement on the 2018/19 outturn is due to various factors. The allocation has increased by £1.65m due to growth in pupil numbers (£0.313m), additional allocation (£0.359m) and a reduction in the place funding recouped by the ESFA (£0.985m). We were able to transfer £0.497m more from the School's block and £0.350m from the Central Services block, to support the pressures on the HNB.</p> <p>It is estimated that £1.25m of spend from 2017/18 in 2018/19, will not re-occur due to the robust year end accruals process. In addition, one off income of £0.4m for non LBHF pupils placed in LBHF schools, will not repeat in 2019/20. There will be additional costs in 2019/20, including £0.254m related to a proposed top-up rate increase at Jack Tizard Special School and £0.728m increase in the Speech and Language Therapy contract costs before recovering costs related to non LBHF pupils.</p> <p>We are expecting additional pressure on the High Needs block due to reduced regional commissioner charges being generated once two special schools move to academy status (£0.239m). Alternatives to ensure fair regional commissioner charges across LBHF schools, are being</p>	5,129

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
considered. Alternative Provision costs will increase by £0.452m in year as the SLA was offset in 2018/19 by a pre-payment made in 2017/18. Contingency funding is forecast to be £0.2m higher than in 2018/19 because it is not clear how much of this expenditure will be offset against the EY SEN Inclusion fund.	
Total of High Needs Block	4,580
Early Years Block (<i>Funding for Early Years including Two-Year-Old funding and Early Years Pupil Premium</i>)	
No variance is reported at this stage.	0
Total of Early Years Block	0
Schools Block (<i>This budget of the DSG forms the core funding for mainstream maintained schools</i>)	
Nil variance forecast. The budget has been set for 2019/20 on available activity data.	0
Total of Schools Block	0
Central School Services Block (<i>Funding for the Local Authorities ongoing responsibilities</i>)	
No variance is reported at this stage.	0
Total of Central School Services Block	0
TOTAL VARIANCE	4,580

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
EHCP case work and management are statutory services, and the ESFA guidelines are clear that these services should not be funded from HNB DSG but general fund. The service has reduced DSG contributions to in 2018/19 through substituting DSG funding with income generated from regional commissioner charges levied on to other LAs who have pupils placed in the borough, however this income may be at risk, as other LA's are pushing back. The risk is estimated to be £500,000 but could also be realise if two special schools become academies and we are unable to find a mechanism to levy these charges from September 19.	500
A comparison of census data at January 2018 and 2019, suggest that the cohort of LBHF pupils placed in LBHF schools has increased by 7.5%. The total spend in 2018/19 was £8.5m, which would suggest that the growth risk in year is in the region of £640,000, before any mitigating action. Spend in 2018/19 on LBHF pupils placed out of borough, was £6.5m however it is not clear whether this cohort will be increasing in 2019/20, because the relevant datasets are not available. If, however, a similar assumption is made, the growth risk is approximately £485,000, taking the overall risk of increased placement costs in 2019/20 to £1.12m. Work is underway to review the SEN cohort, including the impact of phased transfers in year.	1,125
TOTAL RISKS	1,625

APPENDIX 2: THE ECONOMY DEPARTMENT
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
Housing Solutions	6,826	363
Growth	324	0
Economic Development, Skills Service	1,905	0
Planning	794	0
Operations	94	0
Property Services & Compliance	90	0
Direct Delivery	5	0
Building and Property Management	(302)	65
TOTAL	9,736	428

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Housing Solutions	
There is a forecast increase in average client numbers (from a budget of 928 units to a forecast of 985) in Private Sector Leased (PSL) temporary accommodation schemes.	42
There is a forecast reduction in average client numbers (from a budget of 133 clients to a forecast of 75) in Bed and Breakfast (B&B) temporary accommodation.	(256)
Cost avoidance payments of £600,000 to Private Sector Leasing and Direct Letting landlords are expected to be made this year in to enable the Council to secure temporary accommodation properties. A further £450,000 is expected to be incurred under a Cabinet approved plan to invest up to £900,000 from the Temporary Accommodation reserve to secure 300 additional private rented sector properties to prevent homelessness or enabling households to exit temporary accommodation.	600
Flexible Homelessness Support Grant provided by central Government to cushion the impact of the removal of the management fee for Temporary Accommodation (after allocating £2,589,400 to PSL and deducting an assumed £100,000 which we expect Registered Providers to claim). Government have stated the aim is to 'empower LAs with the freedom to support the full range of homelessness services they deliver' and plan their provisions with more certainty. It should be noted that this is not guaranteed after 2019/20 so there is a risk of significant budget pressure from next year.	(116)
It is expected that there will be a number of other minor variances mainly on repairs and legal costs.	93
TOTAL of Housing Solutions	363
Growth	
	0
TOTAL of Growth	0

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Economic Development & Skills Service	
	0
TOTAL of Economic Development & Skills Service	0
Planning	
	0
TOTAL of Planning	0
Operations	
	0
TOTAL of Operations	0
Property Services & Compliance	
	0
TOTAL of Property Services & Compliance	0
Development & Regeneration	
	0
TOTAL of Development & Regeneration	0
Building and Property Management (BPM)	
Rent and Other Properties: unachievable rental income of £14,000 and previous years' rental income generation targets not achieved of £103,000.	117
Valuation Services: underspends in the Asset Management section on contractors and legal charges (£32,000) and recharges income of (£20,000).	(52)
Total of BPM	65
TOTAL VARIANCE	428

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Month 2 £000
Overall Benefit Cap	100
Direct Payments (Universal Credit)	35
There is a risk of a further increase in the number of households in Temporary Accommodation - based on an additional 100 households this year above the current forecast	601
Inflationary pressures on Temporary Accommodation landlord costs, based on an extra 1.5% rental inflation above the current forecast	260
There is a risk of large families being accommodated in B&B	181
Homelessness Reduction Bill - increase in households in temporary accommodation - extra 70 households this year above the current forecast	471
The Economic Development service is currently undergoing a full review and there is a risk of overspend during this period of transition as the service is restructured to better align function and outcomes with the Council's industrial strategy.	60
Planning - In recent years, the cost of judicial reviews and major planning appeals has been met from earmarked reserves, but these funds are now exhausted and therefore, there is an ongoing risk of an overspend against the budget.	300
Building & Property Management: Rent at 277 Goldhawk Road (Ladybird Nursery) lease renewal is with Legal Services and the new rent is to be backdated to May 2017. There is an issue with the occupied area under the new lease, which is yet to be resolved.	80
TOTAL RISKS MANAGED	2,088

Supplementary Monitoring Information
<p>Long Term Trends:</p> <p>The Temporary Accommodation service faces a long-term trend of:</p> <ul style="list-style-type: none"> • rising rents, • constraints on income collection because of Welfare Reform • increases in demand from homeless families. <p>The number of households in Temporary Accommodation (TA) has been increasing annually (1,214 at April 2016; 1,324 at April 2017; 1,444 at April 2018; with a slight reduction to 1,292 at April 2019). The current number of households TA is 1,250 (at 12 May 2019) and this represents a rise of over 3.2% since April 2016 at a time when the London average has increased by 5%. TA numbers are projected to increase to 1,275 at April 2020 and 1,325 at April 2021 and 1,375 at April 2022.</p> <p>2018/19 saw the introduction of the Homelessness Reduction Act. This was the biggest change in homelessness legislation for over 40 years, and it had a significant impact on the service.</p> <p>In 2017/18 we had 1,235 people approach for housing advice and assistance with dealing with the threat of homelessness. In 2018/19, this more than doubled (127%), to 2,801 approaches. There was also a big increase in the number of homeless applications. In 2017/18, we took a total of 350 homeless applications, but in 2018/19 this was up by 189% to 1,011. However, the number of cases where a main homeless</p>

Supplementary Monitoring Information

duty was agreed in 2018/19 was 473, of which only 141 was after the Homelessness Reduction Act had been introduced. The high number of non-HRA cases reflects decisions made on 'legacy cases' under the previous legislation. At the start of the year, this stood at 499 cases, and all have been resolved.

This indicates that we have been very successful in preventing homelessness, either by directly assisting households to find alternative accommodation, or where households have been able to achieve this without the additional assistance of the Council.

The number of enquiries during April 2019 was 261, which is comparable to the same period for the previous year (251). The number of new homeless applications increased, from 42 in April 2018, to 66 in April 2019. In April 2019, 13 cases were accepted with a main housing duty, compared to only 1 HRA case in April 2018. However, this discrepancy is to be expected as last year, the 56 days (or 112 days) to make a decision would not have applied.

63% of cases presenting when homelessness could be prevented were closed at the prevent stage (20 out of 32). Although this is lower than the previous year (75%), the volume is much higher, as this was only 3 out of 4 cases in April 2018.

Planning income in recent years has fluctuated between £3.1m (2017/18), £3.6m (2018/19) and is currently forecast to reach £3.7m in 2019/20. The forecast is being closely monitored.

The inherent volatility of planning income means it is difficult to predict future income expectations due to several factors including:

- Changes to the statutory charging schedule
- Economic factors such as the impact on planning activity of Brexit
- Changes in legislation e.g. permitted development rights, Planning Performance Agreement regulation
- Changes to pre-application charging fees and Planning Performance Agreement templates
- Local and wider market conditions
- Availability of development sites in the borough
- Developers by-passing the pre-application process as it is not compulsory

- Government schemes to encourage house building, including grant schemes
- Developers' responding to current and pipeline housing supply in borough (they don't want to flood the local market)
- Adverse weather conditions

**APPENDIX 3: THE ENVIRONMENT DEPARTMENT
BUDGET REVENUE MONITORING REPORT MONTH 2**

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
Highways, Parks & Waste	35,916	799
Safer Neighbourhoods & Regulatory Services	3,924	704
Community & Culture	1,937	510
Resident Services	23,095	591
Executive and Support	1,205	(125)
TOTAL	66,076	2,479

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Highways, Parks & Waste	
Electric Vehicle Charging income 2018/19 and 2019/20. Not budgeted and not accrued in 2018/19.	(330)
Network Management income shortfall in line with previous years	72
Metro Wireless WIFI income shortfall in line with previous years	126
Temporary Traffic Orders net income	(59)
Unachievable savings targets	10
CCTV ducting concession contract income shortfall	260
Savings target for sponsorship of information boards on public highways	50
Savings target for cycle street furniture	125
Savings target for better procurement in parks	50
Street Lighting energy underspend	(125)
Salaries / Profess overspend/underachievement. Inability to recover all salary costs mainly due to inability to recharge Planning for officer time but also some transitional disaggregation effect	395
General Maintenance planned underspend	(100)
Existing saving on waste contract not expected to be achieved	159
New saving for removal of clear all service not expected to be achieved	83
Unfunded Waste Management posts	80
Unfunded waste contract inflation	540
Waste disposal underspend assuming tonnages broadly in line with last year	(560)
Other smaller net overspends	23
Total Highways, Parks & Waste	799
Safer Neighbourhoods and Regulatory Services	
Building Control income shortfall assuming income in line with 2018/19. Service to be reviewed by new manager to assess potential for growing income. Ideas from Commercial Review to be revisited	301
Technical Support staffing and supplies and services underspends	(52)
Additional annual contribution to London Resilience Fund for Emergency Planning	15

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Commercial income target for deployable CCTV cameras	100
Commercial income target for Professional Witness service	20
Savings target for Additional and Selective Private Housing licensing	300
Emergency response silver rota costs more than budget	20
Total Safer Neighbourhoods and Regulatory Services	704
Community and Culture	
Filming & Lettings income shortfall, assuming £30,000 more income than last year. Historic income trends being analysed. Plans to increase income to be developed.	354
Commercial income target for Parks and Markets events	100
Libraries staff savings, assuming disaggregation occurs from July and no additional recruitment	(135)
Libraries savings shortfall - delayed implementation of Smart Open (£100,000) and shortfall against new income generating opportunities (£105,000)	205
Unachievable savings target for Libraries Trust model	150
Registrars income overachievement, assuming outturn in line with last year. Any losses resulting from relocation out of Hammersmith Town Hall expected to be covered corporately.	(164)
Total Community and Culture	510
Resident Services	
Existing restructure saving not expected to be achieved. Restructure proposals being considered with a view to delivering this saving in the medium term. £110,000 unfunded Moving On One costs - insufficient budget transfer from CHS & ASC for complaints officers. Options to reduced costs being considered, but likely to result in increased recharges to other departments.	481
Local support payment less than budget	(150)
Savings target for delayed Channel Shift project (new proposals now being developed)	150
Unfunded Moving-On One costs relating to complaints function.	110
Total Resident Services	591
Executive Directorate and Support	
Head of Transport and Highways	(25)
Departmental IT budgets underspend	(100)
Total Executive Directorate and Support	-125
TOTAL VARIANCE	2,479

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
Potential staff cost increases	400

Risk that s.106 funding not confirmed for CCTV	120
TOTAL RISKS MANAGED	520

Supplementary Monitoring Information	
<p>A number of historic, difficult to achieve savings are included in the base budget for the Environment Department. Ongoing underspends across the department have been reviewed, resulting in a number of proposed budget realignments within the department to permanently address these. A number of realignments are within the department and so do not affect the overall forecast for the department, but they allow budgets to more accurately reflect income and expenditure expectations. The department will continue to progress and implement plans to tackle the remaining budget pressures. Alternative savings will need to be agreed and implemented where there are no opportunities for mitigating action.</p>	

APPENDIX 3A: CONTROLLED PARKING ACCOUNT
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
Controlled parking income	(38,994)	(90)
Controlled Parking Account expenditure	11,056	(602)
TOTAL	(27,938)	(692)

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Parking Control	
Controlled Parking Income	
Parking PCN Income	(340)
Suspensions Income	668
Pay & display	(310)
Residents Parking	(96)
Removals & Storage	(12)
Controlled Parking Expenditure	
Underspend on supplies services due primarily to the completion of rollout of the cashless parking resulting in reduction of cashless and maintenance contract costs.	(487)
Salary underspend	(115)
TOTAL VARIANCE	(692)

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
None to report	0
TOTAL RISKS MANAGED	0

**APPENDIX 5: FINANCE & GOVERNANCE
BUDGET REVENUE MONITORING REPORT MONTH 2**

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
Property and Facilities Corporate Buildings	33	106
Legal and Democratic Services	1,869	142
IT Services	733	0
Finance	2,386	0
Audit, Fraud and Insurance	(6)	0
Sub-Total	5,016	248
Commercial & Procurement Services (transferred to FG as at 01/04/19)	(3,894)	903
TOTAL	1,122	1,151

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Property and Facilities Corporate Buildings	
Civic Accommodation: Overall unfavourable variance in income from renting space..	106
TOTAL PROPERTY AND FACILITIES CORPORATE BUILDINGS	106
IT SERVICES	
	0
TOTAL IT SERVICES	0
LEGAL AND DEMOCRATIC SERVICES	
Elections: The service has received a 58% reduction in Central Government grant for Individual Electoral Registrations since 2015/16, whilst the costs of statutory services relating to contacting residents have been increased due to the growth in the borough profile. This remains an ongoing budget pressure.	50
Coroners: At this early stage and despite increased recharges to partner boroughs in recent years, LBHF is forecast to overspend by £92,000 against a net budget of £126,000 due to increased activity which has resulted in additional costs for staffing, coroners' expenses and supplies and services. This budget pressure will remain for the foreseeable future.	92
TOTAL LEGAL AND DEMOCRATIC SERVICES	142
TOTAL FINANCE	0
TOTAL AUDIT, FRAUD AND INSURANCE	0
Contract Management Savings: this service has transferred to Finance & Governance from April 2019. This is a prudent estimate to reflect potential of not realising budgeted target for savings from this area.	500
Advertising Hoardings: variance to budget from existing and new sites. Work underway to address and close this shortfall.	403

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
TOTAL COMMERCIAL & PROCUREMENT	903
TOTAL VARIANCE	1,151

TABLE 3 - Key Risks Detail Items above £250,000	
Risk Description	Risk At Month 2 £000
Potential challenges of additional TUPE and Facilities Management Service set up costs of £500,000.	500
Contract management savings – risk that activity plan to be drafted after resource is employed does not meet the savings target.	1,500
TOTAL RISKS MANAGED	2,000

APPENDIX 5: PUBLIC SERVICES REFORM
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
Adults and Children's Commissioning	6,509	1,627
Policy and Strategy	288	0
Family Support	2,559	1,400
<i>New divisions as of 1st April:</i>		
Zero Based Budgeting	514	0
Research and Innovation	52	170
TOTAL	9,921	3,197

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Public Services Reform	
Commissioning Staffing. There is a baseline budget pressure of £550,000 across adults' and children's commissioning teams which includes a forecast pressure on the Travel Care and Support service of £350,000. In addition, £450,000 budget was transferred in 2018/19 to support the set-up of the Programme Management Office and additional BI capacity required above budget.	1,000
Family Support. £1m of this overspend relates to budgeted savings. The forecast is calculated assuming no contracts novate to the Family Support until September 2019 (at the earliest) and working capital payments of £310,000 each month continue to June. While there is the potential for the delivery of these savings to be passed over to Family Support it is highly unlikely that they will be able to deliver these savings this financial year.	1,400
Research and Innovation. Overspend mainly due to staffing pressures in the new structure.	170
Supporting People contracts. Mitigating actions have been identified by strategic leads to bring the overspend down from £250,000 to its current position. Work is ongoing to reduce this overspend through 2019/20.	100
Third Sector Commissioning. Overspend in commitments to fund third sector organisations	439
Minor variances. Mainly due to late payment of invoices relating to 2018/19 not accrued.	88
TOTAL VARIANCE	3,197

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
None to report	0

Table 3 - Key Risks - Detail Items Over £250,000

TOTAL RISKS MANAGED

0

Supplementary Monitoring Information

Much of the expenditure in PSR relates to contract payments or regular payments to third sector providers. Information used to forecast includes a schedule of commitments, contract documentation and any changes in demands for services.

APPENDIX 5a: PSR CORPORATE SERVICES
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
<i>Services transferring to PSR:</i>		
People and Talent	(329)	200
Communications	439	160
Project Management Office	21	(100)
Chief Executive's Office	510	0
<i>Services transferring to new dept</i>		
Executive Services	310	(80)
Leaders Office	176	0
TOTAL	1,127	180

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
COMMUNICATIONS	
Forecast overspend because of underachievement of traded income within the print service. At this stage, it is expected that activity will be in line with that incurred in 2018/19.	160
TOTAL COMMUNICATIONS	160
EXECUTIVE SERVICES	
Underspends are forecast on salaries across the division.	(80)
TOTAL EXECUTIVE SERVICES	(80)
CHIEF EXECUTIVES OFFICE	
	0
TOTAL CHIEF EXECUTIVES OFFICE	0
PEOPLE AND TALENT	
£200,000 saving relating to council wide agency savings held within the service from 2018/19 for which there is no current activity plan to mitigate this.	200
TOTAL PEOPLE AND TALENT	200
PROJECT MANAGEMENT OFFICE	
Underspends on staffing costs	(100)
TOTAL PROJECT MANAGEMENT OFFICE	(100)
TOTAL VARIANCE	180

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 2 £000
None to report	0
TOTAL RISKS MANAGED	0

Supplementary Monitoring Information
None to report

APPENDIX 6: SOCIAL CARE
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Variance Month 2
	£000	£000
Operation	25,066	673
Learning Disability, Mental Health and In-House Services	21,414	1,220
Commissioning	(175)	0
Resources	6,283	0
Social Care Directorate	615	0
TOTAL	53,202	1,893

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Operations	
<p>The department has balanced its budget for the last two years. However, as the savings for 2019/20 have been taken out of the budget at the beginning of the financial year we start the year with a projected overspend of £673,000.</p> <p>The financial pressures result from NHS policy of discharging people as early as possible from hospital and preventing people from unnecessary admission into hospital. This leads to an increase in home care costs for the council. This is a demand pressure which continues until a decision/policy is reached nationally about how to fund adult social care, which has long been promised by government but to date has not been released.</p> <p>The main reasons for the overspend are due to the full year effect of 44 re-started care packages, which started at the end of last year, and the further increase in London Living wage rates. The full year effect of home care packages and further increases in charges is projected to cause an overspend of £1,173,000, this is partly offset by a projected underspend of (£500,000) in placements.</p> <p>Managers are working on mitigating action plans and as these are developed they will be reported in future monitoring reports.</p>	673
Total of Operations	673
Learning Disability, Mental Health and In-House Services	
<p>Within Learning Disability (LD), Mental Health and In-House Services, there are projected overspend of £1,220,000.</p> <p>This is due to full year cost effect in LD of 16 new or returning people commencing from 2018/19 with a projected overspend comprises of Home care £340,000, Placement £224,000 and Direct Payment £239,000. In</p>	1,220

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Mental Health Service a similar position of 33 new, or returning people since April 2018, with a resultant projected overspend of £170,000 in home care and £248,000 in placements. Nursing Placements costs are on average increasing by 6% and the budgetary provision agreed is 2.58% which accounts for part for the overspend. Managers are working on mitigating action plans and as these are developed they will be reported in future monitoring reports.	
TOTAL OF Learning Disability, Mental Health and In-House Services	1,220
TOTAL VARIANCE	1,893

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
Estimated costs relating to Learning Disability service users transitioning from Children's Services to Adult Social Care.	250
Home Care contract providers have been awarded an inflationary increase of 1 to 2.1% depending upon their CQC (Care Quality Commission) rating. There is a risk of providers requesting a further increase due to additional London Living Wages which increased by 3.4% from April 2019.	300
TOTAL RISKS MANAGED	550

Supplementary Monitoring Information
<p>The department continues to experience significant budget pressures. The department is starting the year with a projected overspend of £1,893,000 mainly because of the full year implications of new and resultant price increases due to market pressures. In setting the 2019/20 budget £1.5 million was identified as a risk to the budget forecasts for these main factors. The projection assumes the full delivery of the 2019/20 Adults savings of £3,086,000 of which currently 71% are rated as amber in terms of delivery.</p> <p>Historically, the department's budget has had underlying budget pressures, which have been mitigated in the last two years by using a combination of management actions to control the budget, one off reserves and from last year with the Improved Better Care Funding.</p> <p>At this early stage of the year, the department is highlighting a risk of £550,000 due potential additional transitional service users and potential unbudgeted price increases.</p>

APPENDIX 7: CENTRALLY MANAGED BUDGETS
BUDGET REVENUE MONITORING REPORT MONTH 2

Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Forecast Variance Month 2
	£000	£000
Corporate & Democratic Core	374	0
Housing Benefits	(328)	0
Levies	1,545	0
Net Cost of Borrowing	485	0
Other Corporate Items	3,607	(300)
Pensions & redundancy	8,869	0
TOTAL	14,552	(300)
Balance of unapplied unallocated contingency		(2,252)
Revised Variance	14,552	(2,552)

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Corporate & Democratic Core	
	0
Corporate & Democratic Core Total	0
Housing Benefits	
	0
Housing Benefits Total	0
Levies	
	0
Levies Total	0
Net Cost of Borrowing	
	0
Net Cost of Borrowing Total	0
Other Corporate Items	
Based on 2018/19 outturn there is a forecast underspend of £300,000 on the Business Rates inflation contingency held for civic accommodation properties.	(300)
Other Corporate Items Total	(300)
Pensions & redundancy	
	0
Pensions & redundancy Total	0

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
TOTAL VARIANCE	(300)

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
None to report	

Supplementary Monitoring Information
There is £2.25 million of unallocated contingency currently uncommitted.

APPENDIX 8: HOUSING REVENUE ACCOUNT

BUDGET REVENUE MONITORING REPORT MONTH 2


Table 1 - Variance by Departmental Division		
Departmental Division	Revised Budget	Forecast Variance Month 2
	£000	£000
Housing Income	(75,572)	0
Finance & Resources	8,088	0
Housing Management	6,033	313
Property & Compliance	8,783	0
Void and Repairs	11,450	0
Adult Social Care	48	0
Safer Neighbourhoods	664	0
Place	8,220	0
Growth	325	0
Operations	3,470	0
Direct Delivery	1,491	0
Capital Charges	24,902	0
SLA recharges	6,466	0
(Contribution to) / Appropriation From HRA General Reserve	4,369	313

Table 2 - Variance Analysis	
Departmental Division	Month 2 £000
Housing Income	
	0
Total: Housing Income	0
Finance & Resources	
	0
Total: Finance & Resources	0
Housing Management	
The forecast overspend is mainly due to the ongoing decant at the blocks at Hartopp and Lannoy Point where just under half of the units remain to be decanted.	313
Total: Housing Management	313
Property & Compliance	
	0
Total: Property & Compliance	0
Void & Repairs	
	0
Total: Void & Repairs	0

Table 2 - Variance Analysis			
Departmental Division			Month 2 £000
Adult Social Care			
			0
Total: Adult Social Care			0
Safer Neighbourhoods			
			0
Total: Safer Neighbourhoods			0
Place			
			0
Total: Place			0
Growth			
			0
Total: Growth			0
Operations			
			0
Total: Operations			0
Direct Delivery			
			0
Total: Direct Delivery			0
Capital Charges			
			0
Total: Capital Charges			0
SLA Recharges			
			0
Total: SLA Recharge			0
TOTAL VARIANCE			313

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
Additional Fire Safety Costs - following the fire at the Grenfell housing tower block in Kensington and Chelsea, the Council has put in place the Fire Safety Plus programme to make fire safety improvements to the housing stock above and beyond the current legal minimum standards. Although the vast majority of improvement works will be capital in nature, there is a significant risk of an unbudgeted impact on the HRA due to unanticipated revenue related expenditure relating to fire wardens.	unknown
MITIE repairs & maintenance - There is a financial risk arising from an ongoing dispute with MITIE relating to following the relevant procedures in relation to repairs work carried out and not following the due process of	TBC

Table 3 - Key Risks - Detail Items Over £250,000	
Risk Description	Risk At Month 2 £000
certifications of work being claimed as completed but disputed by Property & Compliance.	
Capitalisation of staffing costs - staff working on major capital projects complete weekly timesheets and these are used to identify the proportion of their time that can be charged to capital. If there is a delay in the completion of an up to date record of timesheets or slippage in the capital programme this year, there is a risk that staff capitalisation will be lower than budgeted, resulting in unbudgeted charges to revenue.	TBC
Interim Repairs Delivery Model: On 4 March 2019, Cabinet approved a one-off annual revenue budget of £22.2m for the interim repairs model, which required an increase in the existing budgets within the Housing Revenue Account for 2019/20 of £4.1m. This is being funded as a one-off appropriation from the Housing Revenue Account General Reserve. Given the added complexities arising from this project, associated client-side costs and the need to deliver a high functioning call centre, there remains a risk that further costs could potentially need to be incurred which may result in a further call on the Housing Revenue Account General Reserve.	Unknown
TOTAL RISKS MANAGED	Not Quantified

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>2 SEPTEMBER 2019</p>		
<p>THE HIGHWAY MAINTENANCE WORK PROGRAMME 2019-20</p>		
<p>Report of the Cabinet Member for the Environment - Councillor Wesley Harcourt</p>		
<p>Open Report</p>		
<p>Classification: For Decision</p>		
<p>Key Decision: Yes</p>		
<p>Wards Affected: All</p>		
<p>Accountable Director: Sharon Lea – Strategic Director of Environment</p>		
<p>Report Author: Ian Hawthorn Assistant Director Environmental Projects and Highways</p>	<p>Contact Details: Tel: 020 8753 3058 E-mail: ian.hawthorn@lbhf.gov.uk</p>	

1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval of the annual highway maintenance work programme for 2019-2020. A key driver for this work is improving the quality of our street scene to give residents and businesses pride in the borough.
- 1.2. Transport for London (TfL) provides funds for the structural maintenance of the Council's principal roads. TfL had advised the Council last year that this funding has been withdrawn for next two years. Therefore, this will be the second year where only the essential maintenance for these roads will be carried out and that will now be financed from Council's existing carriageway budget. We have lobbied against such a cut.
- 1.3. TfL also provides funds for local highway and transport improvements through our Local Implementation Plan (LIP3). Cabinet agreed to submit the Council's consultation draft LIP to TfL on November 2018 and delegated authority to the Cabinet Member for the Environment, to submit a revised version of the LIP to TfL in February 2019. The Mayor of London is expected to approve the LIP in

April 2019. We now aim to improve efficiency and provide maximum value for money co-ordinating as far as possible maintenance works with the implementation of LIP projects.

2. RECOMMENDATIONS

- 2.1. To approve the programme in Appendix B. which lists several locations for works to take place over the coming year.
- 2.2. That authority be delegated to the Strategic Director of Environment in consultation with the Cabinet Member for the Environment to make amendments to the Highway Maintenance and LIP programmes as agreed for operational and cost-effective reasons, in order to make the optimum use of resources and to better meet residents' needs.
- 2.3. To note that reports and updates on programme amendments (additions and removals) to the approved scheme list be made, as and when required, during the year to the Cabinet Member for the Environment.
- 2.4. That authority be delegated to the Strategic Director of Environment in consultation with the Cabinet Member for the Environment to award the contracts listed in the annual highway maintenance work programme for 2019-2020 as set out in appendix B.

2. REASON FOR DECISION

- 3.1 The Council in its capacity as Highway Authority has a statutory duty to maintain the highways that are maintainable at the public expense under Section 41 of the Highways Act 1980.
- 3.2 The highway network is the largest, most visible and valuable asset of the Borough, helping to shape the character and quality of the local area. The Council recognises the contribution of highways towards several of the key components of sustainable communities, including:
 - To protect and enhance the Borough's residential and historic character.
 - To seek to continuously improve the Borough's streetscape by undertaking major improvement projects, promoting good design, using high quality materials and workmanship, and removing street clutter.
 - Creating and maintaining well-designed, well-managed, clean and safe streets and open spaces.
 - Maintaining streets to a high standard, so that walking is easy and safe and cyclists, buses and other vehicles can move safely.
- 3.3 The performance of the highway network affects the lives of everyone who live in or visit our Borough. Being at the heart of London, the highway network and associated infrastructure is of local and national importance. The Council has a

duty to ensure that its highway network is in a safe and reliable condition and is committed to complying with the applicable legal and regulatory requirements and adopting national standards and best practice.

3. BACKGROUND

- 4.1 The availability of a safe and serviceable highway network is essential to allow ready access around and through the borough, as well as, providing access to residents and businesses. Hammersmith and Fulham's economic vitality depends upon highway links that are safe and fit for purpose management of this valuable asset is, therefore, one of utmost importance.
- 4.2 In order to manage this asset in an efficient and effective way, we carry out detailed monthly inspections on all principal roads and other busy routes, including main shopping areas. We inspect the remaining roads in the borough on a six monthly or three-monthly basis. Those frequencies are in accordance with the recommendations of the Code of Practice for Highways Maintenance published by the U.K. Roads Board in 2016.
- 4.3 A new Code of Practice was published in 2016 replacing the current code. This is designed to promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment. A complete review of the road network hierarchy has been carried out and the frequencies of safety inspections revised according to the level of risk posed by a defect, based on the probability and impact risk matrix.
- 4.4 Our record of inspections and any remedial action we take are valuable tools in defending claims the Council receives for accidents and injury on the highway. We use information from regular inspections as a basis for the preparation of our annual programme of works.

5. HIGHWAY MAINTENANCE WORK PROGRAMME

- 5.1 The Council's highway maintenance programme, consisting of carriageway resurfacing and footway repaving, is based on the results of an independent annual condition survey, a visual survey that conforms to national standards known as the United Kingdom Pavement Management System (UKPMS), with the results ranked according to the worst structural condition index. In addition, we carry out visual inspections conducted by our experienced highway maintenance engineers and these factors have been used to produce a priority list with the works programme developed based on the highest score being the highest priority. The visual inspection produces a condition score for each road based on severity of defects in footways, such as broken paving slabs, undulations, trips, ponding and in carriageways reflective cracking, loss of chipping and rutting. The roads are further validated taking account of other factors, such as programmed major utility road works. The number of sites falling

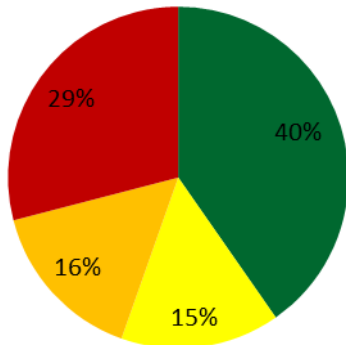
below our acceptable standard is always exceeds our maintenance budget but the expectation is that there will be a degree of carry-over into subsequent years.

- 5.2 Through these systematic inspections, qualitative condition surveys and prioritisation criteria together with the appropriate choice of materials the Council is able to maximise the road life at an optimum cost in a structured and systematic way.
- 5.3 Continued improvements are sought through working with the Council's specialist term contractors to search for new technology and new materials to ensure value for money is achieved whilst obtaining long term durability.
- 5.4 The LIP programme consists of projects in various part of the borough to improve road safety and traffic management and promote the use of sustainable transport, for example by converting speed cushions to humps to improve compliance with speed limits, or measures to reduce rat running in residential streets. Wherever possible we will combine these works with planned maintenance works to provide enhancements, minimise disruption to residents and secure best value for money.

6. HIGHWAY LIFECYCLE ANALYSIS

- 6.1 We carried out a maintenance cost analysis of the carriageway network over a period of ten years using a lifecycle planning toolkit produced by Highway Maintenance Efficiency Programme (HMEP), a Department for Transport funded and sector led programme. The toolkit is designed to show the impact of different levels funding on asset performance, investigate the current and future levels of funding required to achieve a given condition target for the asset, it identifies the levels of funding required to minimise the whole life costs. It provides useful tool to help managers to improve delivery of road maintenance through greater efficiencies.
- 6.2 Long-term estimates of expenditure and associated asset condition are produced by the toolkit. These estimates can be used to determine the likely condition of the network under budget constraints or, alternatively, to determine the budget required to support a target asset performance.
- 6.3 The current condition data of the network is entered in the toolkit, as Detailed Visual Inspections values were used as nationally recognised performance criteria to evaluate current condition, and assigned into their respective condition bands ranging from Good (green) to Very Poor (red). Budgets are then assigned to different maintenance options (strategies) and the model calculates the future condition based on the size of the budget.

Current Condition – 2019



7. FINANCIAL AND RESOURCES IMPLICATIONS

- 7.1 Footway and carriageway works are funded either from the Capital Programme or the annual revenue budget. Typically, planned maintenance (changes to road design, resurfacing etc.) would qualify as capital expenditure and would be funded by the capital programme. Reactive repairs and general maintenance (e.g. pot holes) would not meet the definition of capital expenditure and would be funded by the revenue budget. The capital budget is £1,880,000 and the revenue budget is £1,642,400. The revenue budget includes £68,700 for winter maintenance (road gritting), this allocation is insufficient to cover the cost of this work and needs to be increased to £180,000. The remaining £1,462,400 is allocated to reactive maintenance. From the capital budget £60,000 have been set aside for minor planned maintenance work for one off minor works to meet any requirements that come from the Ward Action Groups.
- 7.2 In addition to the Council's own maintenance budget, Transport for London (TfL) in the past have also provided funds for the structural maintenance of the Council's principal roads. However, as it was reported last year the Council has been advised by TfL that as of 2018/19 this funding has been withdrawn for two years. Therefore, there will be no funding for principal roads from TfL this year (2019/20).
- 7.3 The Council's TfL funding allocation for principal road maintenance for 2017/18 was £356,000. This represented 27.8% of the planned carriageway work budget. As this will not be available this year, only the essential maintenance for these roads will be carried out and that will now be financed from Council's existing carriageway budget. This would mean a reduction in funding available for non-principal roads. Therefore, carriageway maintenance of both principal and non-principal roads will be negatively affected.

- 7.4 The draft estimates for 2019/20 for planned and reactive highway maintenance works are shown below:

Budget	Budget Source	2018/19	2019/20
Carriageways - Reactive	Revenue Budget	£342,000	£422,000*
Carriageways - Planned	Capital Budget	£829,000	£829,000
Carriageway - Total		£1,171,000	£1,286,000
Footways – Reactive	Revenue Budget	£974,000	£1,074,000*
Footways - Planned	Capital Budget	£1,051,000	£1,051,000
Footway - Total		£2,025,000	£2,125,000

*Winter maintenance allocation included

- 7.5 Appendix B lists the roads and pavements proposed to include in the programme for the coming year. The maintenance programme considers any ongoing and proposed utility and TfL works that we are aware of.
- 7.6 This report identifies the carriageways and footways in most need of planned repair. Work on all the schemes on the programme in Appendix B is not achievable within the available budgets. However, the list of schemes reflects the extent of work required. The estimated cost and the cumulative figures are also shown to provide some indication of the work that will be attainable within the current budgets. There will inevitably be instances when the maintenance work in some roads will have to be deferred. In these circumstances alternate roads will be substituted from the reserve list of roads in Appendix B. The estimated costs include approximately 10% contingency. The final costs are monitored through the year as the work progresses, if the contingency is not required then additional schemes from the reserve list will be included in the programme.
- 7.7 The expenditure estimates for Planned and Reactive works across Carriageways and Footways set out in section 7 will be met from the existing capital and revenue budgets.
- 7.8 *Implications verified by Gary Hannaway, Head of Finance, 020 8753 6071 and Emily Hill, Assistant Director, Corporate Finance, 020 8753 3145.*

8. EQUALITY IMPLICATIONS

- 8.1 The Council has had due regard to its Public Sector Equality Duty contained in Section 149 of the Equality Act 2010.
- 8.2 There is a requirement on contractors to ensure that access to thoroughfares and services is maintained during any highway maintenance works. It is not anticipated, therefore, that there will be any negative impact on protected groups as a result of this highways maintenance programme.

8.3 *Implications completed by Peter Smith, Head of Policy and Strategy, 020 8753 2206.*

9. LEGAL IMPLICATIONS

9.1 The Legal Implications are contained within the body of the report.

9.2 *Implications verified/completed by Poonam Rajput, Solicitor, 020 8753 6378.*

10. IMPLICATIONS FOR BUSINESS

10.1 The contractors are required to notify by letter drop all the frontages including businesses affected by the work and wherever possible accommodate their needs during the works. The commissioning and contract managers will work with Economic Development Team colleagues to explore any opportunities for local SMEs to be engaged into this activity.

10.2 It should be explored how local businesses could be engaged in some aspects of the programme. Highways and Transport relevant officers will work with Economic Development colleagues to identify any business, employment and skills opportunities for local residents and SMEs.

10.3 *Implications verified/completed by Albena Karameros, Economic Development Team, 020 7938 8583.*

11. COMMERCIAL IMPLICATIONS

11.1 Existing highway maintenance contracts will be used to carry out the proposed works explained in the report.

11.2 However, the contracts must be periodically reviewed and properly managed to ensure they still provide best value for the Council.

11.3 There should be a clear and consistent view of what the contract is producing, the type of commercial relationship desired, the basic contract structure and how it will be continuously managed.

11.4 A commercial strategy should be in place; the commercial strategy must be based upon the assessment of strategic drivers and the internal and external environment.

11.5 Services must be provided in accordance to the KPIs set up in the contracts and these should be continuously monitored.

11.6 *Implications verified by Andra Ulianov, Procurement Consultant, 020 8753 2284.*

12. IT IMPLICATIONS

- 12.1 No IT implications are considered to arise from this report as it seeks approval for the annual highway maintenance work programme for 2019/20. Should this not be the case, for example, by requiring new systems to be procured or existing systems to be modified; or, should this change, for example, by considering how information technology (e.g. predictive analytics, IoT sensors) could be deployed to support our work in this area; IT Services should be consulted.
- 12.2 IM implications: (the) Privacy Impact Assessment(s) (PIA) for any data processing activities affected as a result of carrying out the annual highway maintenance work programme (e.g. processing contact information for affected local businesses) will need to be updated to reflect any changes to the way that data is processed and stored as a result of implementing this programme. This will ensure all potential data protection risks are properly assessed with mitigating actions agreed and implemented. If (a) PIA(s) is/are not yet in place to cover the relevant data processing activities, one/these will need to be completed.
- 12.3 Any contracts affected by these changes will need to include H&F's data protection and processing schedule if this is not yet the case. This is compliant with the General Data Protection Regulation (GDPR) enacted from 25 May 2018.
- 12.4 *Implications verified/completed by: Tina Akpogheneta, Interim Head of Strategy and Strategic Relationship Manager, IT Services, tel 0208 753 5748.*

13 RISK MANAGEMENT

- 13.1 Local authorities have a duty to keep Highways well-maintained as recognised in the Council's risk register, risk number 8, Managing Statutory Duties. Well-managed highways play a central role in the lives of the communities they serve and are essential for economic growth. The Well-Managed Highways Infrastructure Code of Practice 2016 advocates a risk-based approach to all aspects of highway maintenance. The Annual Local Authority Road Maintenance Survey (ALARM) aims to take a snapshot of the general condition of the local road network, providing a means of tracking any improvement or deterioration. At the same time, questions are asked related to funding, the type of maintenance carried out and the issue affecting maintenance service levels, to help provide context to the results. Contract payments are made on completion of the work, no advance payment is made, mitigating financial risk exposure to the Council.

Highways have confirmed that there is a robust governance process in place as underlined the previous EY report on contract management.

Part of the governance process means FM Conways are required to meet us every month at performance meeting. No Conways invoice is paid until we have checked and agreed the measurements and what is used on site. If we don't agree the materials used, we don't pay for them. We also hold an innovation board where Conways are challenged on their costs and required to discuss efficiencies.

The framework we used was done as a competitive procurement with Conways winning the contract on costs.

13.2 *Implications verified/completed by Michael Sloniowski, Risk Manager, 020 8753 2587.*

14. SOCIAL VALUES

14.1 The Contractor is required to place emphasis on social values. The Council's current term contractor (FM Conway) runs apprenticeship schemes and has annual company targets to fulfil for recruiting apprentices. Apprenticeships are advertised widely, potentially to reach applicants who are not in education, employment or training, or who are ex-offenders looking for an opportunity to gain training. The staff development is promoted through Conway Academy, where staff are able to access a range of training.

14.2 Contractor also supports Women into construction initiative through engagement with schools and Job Centre, running female only work experience weeks. Working with schools to help break gender stereotyping when it comes to career choices.

Local Government Act 1972 (as amended) – Background papers used in the preparation of this report

None.

LIST OF APPENDICES;

APPENDIX A – Other implications

APPENDIX B - Carrigeway Planned Maintenance 2019-20

OTHER IMPLICATIONS

1. **Business Plan:** None.
2. **Risk Management:** Risks identified in this report have been considered and mitigation actions addressed.
3. **Health and Wellbeing, including Health and Safety Implications:** The Council requires the contractors to comply with all the relevant Health and Safety legislation, including signing and guarding of works.
4. **Crime and Disorder:** None
5. **Staffing:** None
6. **Human Rights:** None
7. **Impact on the Environment:** The contractors are required by the Council to observe good environmental practice and comply with the relevant statutes, codes of practice and industry guidance. Following a successful trial of an electric 3.5 tonne pickup trucks in the Borough, our highway works contractor, F M Conway started using this vehicle in the Borough and are gradually replacing the existing diesel trucks with the electric versions.
8. **Energy measure issues:** None.
9. **Sustainability:** The contractors are required to recycle all recyclable waste material arising from the works or reuse materials where possible.
10. **Communications:** The Council sends out notification letters to local residents prior to commencement of work and uses the Council's website to publicise the annual work programme.

APPENDIX B

CARRIGEWAY PLANNED MAINTENANCE 2019-20

Street Name	Treatment Area	Scheme Area	Scheme Cost	Scheme Cost inc. Profess fee	Cumulative Cost
HAZLEBURY ROAD	Whole Road	3000	£ 54,000	£ 59,400	£ 59,400
BLOEMFONTEIN ROAD	Westway Rd TO South Africa Rd	4000	£ 120,000	£ 132,000	£ 191,400
SOUTH AFRICA ROAD	Whole Road	6000	£ 180,000	£ 198,000	£ 389,400
DU CANE ROAD	Artillery Lane to Wood lane	6000	£ 144,000	£ 158,400	£ 547,800
AUSTRALIA ROAD	Whole Road	6800	£ 204,000	£ 224,400	£ 772,200
FELGATE MEWS	Studland Street- Studland Street	1000	£ 30,000	£ 33,000	£ 805,200
A ROADS					
DAWES ROAD	Munster Road to Rylston road	4000	£ 72,000	£ 79,200	£ 884,400
RESERVE SITES					
HYPHE ROAD	From End to 44 Hythe road	2400	£ 72,000	£ 79,200	£ 963,600
DAVISVILLE ROAD	Whole Road	1920	£ 34,560	£ 38,016	£ 1,001,616
BURLINGTON ROAD	Whole Road	2400	£ 43,200	£ 47,520	£ 1,049,136
BOVINGDON ROAD	Whole Road	1600	£ 28,800	£ 31,680	£ 1,080,816
ST JAMES STREET	Whole Road	560	£ 10,080	£ 11,088	£ 1,091,904
WELLS ROAD	Whole Road	1400	£ 42,000	£ 46,200	£ 1,138,104
BROOK GREEN	South Arm	3600	£ 86,400	£ 95,040	£ 1,233,144
WENDELL ROAD	Rylett Crescent to Bassein Rd	2000	£ 48,000	£ 52,800	£ 1,285,944
TOWNMEAD ROAD	Elbe Street to Harbour Avenue	2400	£ 57,600	£ 63,360	£ 1,349,304
MICKLETHWAITE ROAD	Farm lane to Halford Road	800	£ 14,400	£ 15,840	£ 1,365,144
KIMBELL GARDENS	Whole Road	1200	£ 21,600	£ 23,760	£ 1,388,904
FINDON ROAD	Whole Road	2080	£ 37,440	£ 41,184	£ 1,430,088
EPIRUS ROAD	Tourney Road to North End Road	2000	£ 48,000	£ 52,800	£ 1,482,888
SULGRAVE ROAD	Whole Road	4400	£ 79,200	£ 87,120	£ 1,570,008
GLENTHORNE ROAD	Whole Road	4000	£ 120,000	£ 132,000	£ 1,702,008
WOOD LANE	South Africa Road to Macfarlane Road	4000	£ 120,000	£ 132,000	£ 1,834,008
SCRUBS LANE	Harrow Road to Waldo Road From Bridge End (Waldo Road) to Roundabout From R/a to beginning of 2nd Bridge From End of 2nd Bridge to Overhead Bridge	6800	£163,200	£179,520	£2,013,528
PARSONS GREEN LANE	Fulham Road - Harbledown Road	1000	£ 24,000	£ 26,400	£ 2,039,928


CLANCARTY ROAD	Whole road	4000	£ 96,000	£ 105,600	£ 2,145,528
CANADA WAY	Whole road	3200	£ 76,800	£ 84,480	£ 2,230,008
BISHOP'S AVENUE**	Whole road	3200	£ 76,800	£ 84,480	£ 2,314,488

Street Name	Treatment Area	Scheme Area	Scheme Cost	Scheme Cost inc. Profess fee	Cumulative Cost
BUTTERWICK	Shepherd's Bush Road to Bute Gardens	1000	£ 30,000	£ 33,000	£ 2,347,488
QUEEN CAROLINE	Crisp Road to Worlidge Road	1000	£ 24,000	£ 26,400	£ 2,373,888
CRISP ROAD	St James to Queen Caroline	1000	£ 24,000	£ 26,400	£ 2,400,288
GOWAN AVENUE	Fulham Palace Road to Munster Road	3150	£ 94,500	£ 103,950	£ 2,504,238
FRISTON STREET	whole Road	710	£ 12,780	£ 14,058	£ 2,518,296
LILLIE ROAD	Munster Road to Rylston Road	1950	£ 35,100	£ 38,610	£ 2,556,906
BARONS COURT ROAD	Palliser Road to Vereker Road	2365	£ 42,570	£ 46,827	£ 2,603,733
YEW TREE	Whole Road	3000	£ 54,000	£ 59,400	£ 2,663,133
A ROADS					
SHEPHERD'S BUSH ROAD	Goldhawk Road - Brook Green	6000	£ 144,000	£ 158,400	£ 2,821,533
FULHAM ROAD	Boundary (o/s 370) to Harwood road	3200	£ 76,800	£ 84,480	£ 2,906,013

FOOTWAY PLANNED MAINTENACE 2019-20

Street Name	Treatment Area	Scheme Cost	Scheme Cost inc. Profess fee	Cumulative Cost
FARM LANE	Walham Grove to Halford Road - eastern side	£ 32,800	£ 36,080	£ 36,080
BROOK GREEN	Rowan Road - Shepher's Bush Rd	£ 49,200	£ 54,120	£ 90,200
NEW KING'S ROAD	Wandsworth Bridge Rd - Molesford Rd (Park side)	£ 24,600	£ 27,060	£ 17,260
UXBRIDGE ROAD	Outside Shepherd Bush station	£ 7,200	£ 7,920	£ 125,180
TOURNAY ROAD	N End to Hartsmere Rd	£ 36,080	£ 39,688	£ 164,868
STEVENTON ROAD	Wormholt Rd - Old Oak Rd	£ 57,400	£ 63,140	£ 228,008
WESTVILLE ROAD	Whole RD	£ 84,000	£ 92,400	£ 320,408
HARTISMERE ROAD	St Thomas's Way - Dawes Rd	£ 44,280	£ 48,708	£ 369,116
BOSCOMBE ROAD	Whole RD	£ 91,000	£ 100,100	£ 469,216
DAFFODIL STREET	Sandew Avenue - Hemlock Rd	£ 60,800	£ 66,880	£ 536,096
ORMISTON GROVE	Whole RD	£ 98,000	£ 107,800	£ 643,896
STUDLAND STREET	Redmore Rd to Glenthorne Rd	£ 22,140	£ 24,354	£ 668,250
BLOEMFONTEIN RD	Sawley Rd - Uxbridge Rd	£ 66,584	£ 73,242	£ 741,492
CAXTON ROAD	Uxbridge - End	£ 35,260	£ 38,786	£ 780,278
STANLAKE ROAD	Whole RD	£ 91,000	£ 100,100	£ 880,378
GAYFORD ROAD	Cobbold Rd - Askew Rd	£ 52,480	£ 57,728	£ 938,106
OLD OAK ROAD	Broadpassage to Steventon Rd	£ 131,200	£ 144,320	£ 1,082,426
RESERVE SITES				
WALDO ROAD	Whole RD	£ 44,280	£ 48,708	£ 1,131,134
DAVISVILLE ROAD	Whole RD	£ 70,000	£ 7,000	£ 1,208,134
HILARY ROAD	Ducan - A40	£ 24,600	£ 27,060	£ 1,235,194
LETCHFORD GARDENS	Whole RD	£ 31,160	£ 34,276	£ 1,269,470
FRITHVILLE GARDENS	Whole RD	£ 61,500	£ 67,650	£ 1,337,120
FULHAM PALACE RD	Silverton Rd - Inglethorpe Rd	£ 98,400	£ 108,240	£ 1,445,360
THORNFIELD ROAD	Whole road	£ 57,400	£ 63,140	£ 1,508,500
HADYN PARK ROAD	Whole road	£ 91,000	£ 100,100	£ 1,608,600
BINDEN ROAD	Whole road	£ 112,340	£ 123,574	£ 1,732,174
RYLETT ROAD	Whole road	£ 131,200	£ 144,320	£ 1,876,494
BECKLOW ROAD	Cobbold Rd - Askew Rd	£ 49,200	£ 54,120	£ 1,930,614
LARDEN ROAD	Cobbold Rd - Valetta Rd - Whole Rd	£ 126,000	£ 138,600	£ 2,069,214
ELLINGHAM ROAD	Whole road	£ 24,600	£ 27,060	£ 2,096,274
GREENSIDE ROAD	Whole road	£ 49,200	£ 54,120	£ 2,150,394
FINDON ROAD	Whole street	£ 71,400	£ 78,540	£ 2,228,934
BOWERDEAN STREET	Whole street	£ 51,660	£ 56,826	£ 2,285,760
PERCY ROAD	Vespan Road - Baston Street	£ 32,800	£ 36,080	£ 2,321,840
BARCLAY ROAD	Fulham Road To Effie Road	£ 14,350	£15,785	£2,337,625
QUARNDON STREET	Whole street	£ 21,730	£23,903	£2,361,528

Agenda Item 7

London Borough of Hammersmith & Fulham CABINET 2 SEPTEMBER 2019	 hammersmith & fulham
PROJECTS FOR ANNUAL PARKS CAPITAL PROGRAMME 2019/20	
Report of the Cabinet Member for the Environment – Councillor Wesley Harcourt	
Open Report	
Classification - For Decision Key Decision: Yes	
Wards Affected: Avondale & Brook Green, Fulham Broadway, Fulham Reach, Hammersmith Broadway, North End, Palace Riverside, Parsons Green and Walham, Ravenscourt Park and Shepherds Bush Green.	
Accountable Director: Sharon Lea, Strategic Director of Environment	
Report Author: Silvera Williams Parks Project Officer	Contact Details: Tel: 020 8753 4240 Email: silvera.williams@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This report seeks Cabinet approval to continue to enhance and improve the borough's parks and open spaces in 2019/20 by using £500,000 of Section 106 (s106) funding to carry out the projects identified in section 5 of this report.
- 1.2. The full list of proposed improvement works is a combination of operational priorities and requests from parks friend's groups, resident's groups and ward councillors.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1. Approve that the £500,000 s106 contributions are used to fund the full list of new parks projects identified in section 5 of this report.
- 2.2. Approve the Business Case and Procurement Strategy set out at Appendix 1 in accordance with the Council's Contract Standing Orders (`CSOs`) 8.12.

- 2.3. Approve the procurement of individual projects in accordance with CSO 10.2 (table 10.2d) and 11.2, where the total value of the works does not exceed the £500,000.
- 2.4. To delegate the decision to award the contracts in respect of each project to the Strategic Director of Environment in consultation with the Cabinet Member for the Environment.

3. REASONS FOR DECISION

- 3.1. The purpose of this report is to provide a spending plan for the annual parks capital improvement programme to improve the borough's parks and green spaces. This will update worn equipment and infrastructure that has reached the end of its lifespan, provide new facilities for our residents and communities, support the green flag criteria, and improve the quality of parks assets and services for our residents.
- 3.2. The Parks annual improvement programme supports the following council priorities:
 - Taking Pride in Hammersmith & Fulham: which seeks to ensure a safe, clean and green borough for our residents.
 - Creating a Compassionate Council: which seeks to help children participate in sport and have free access to active play.
 - Doing things with residents not to them: we will consult with residents and stakeholders on individual projects as required.
 - Ruthlessly Financially efficient: Through our procurement strategy contracts will be awarded to the most economically advantageous tender or call off contracts.
- 3.3. The investment will support the Council's ambition to be the greenest borough. The investment in the parks also provides health and well-being benefits to our residents by providing space for physical activity and a place to socialise - helping tackle mental health, loneliness and isolation.

4. INTRODUCTION AND BACKGROUND

- 4.1. Hammersmith & Fulham Council are committed to improving the borough's parks and open spaces. This is reflected in the 15 Green Flag awards the borough has achieved for high standards of maintenance and facilities within our parks and open spaces. These improvements also support the council objective of being the greenest borough.
- 4.2. The planned £500,000 investment in Parks for 2019-20 is part of a rolling programme of investment in the borough's parks which has seen £500,000 invested annually over the past four years.

- 4.3. The Parks Capital Improvement Programme addresses issues in our parks and open spaces that need investment to improve the quality of parks assets and services for residents.
- 4.4. Each project will have a formal decision paper written for it when the project team has undertaken the procurement exercise and are ready to award the contracts for the work.

5. PROPOSAL AND ISSUES

- 5.1. Listed below are the projects proposed to be delivered this year (previously committed contracts and ongoing projects nearing completion are not included for the sake of clarity). All projects will be procured in line with the council's procurement and governance rules and regulations.

Project	Description	Ward(s)
£112,000 – Playground Improvement Programme	Replacement of various items of play equipment of the end of lifespan at Normand Park, Marcus Garvey, Margravine Gardens and Rowberry Mead. It is likely these will be procured together.	Fulham Broadway Fulham Reach North End Palace Riverside
£100,000 – Eel Brook Common footpath improvements (north side)	Replacement footpath in Sustainable Urban Drainage system (Suds) compliant material, to replace tarmac path in poor state of repair.	Parsons Green & Walham
£25,000 – Hammersmith Park	Refurbishment of basketball court surface to prevent ponding and colour coating.	Shepherds Bush Green
£53,000 – Bishops Park outdoor gym and moat garden improvements	New outdoor gym £25,000. Moat Garden footpath resurfacing, interpretation, outdoor classroom £25,000. Metal edging to rose beds by Spanish Memorial £3,000.	Palace Riverside
£35,000 – Westcroft Square	Footpath resurfacing with self binding gravel, fencing improvements and new signage.	Ravenscourt Park

Project	Description	Ward(s)
£15,000 – Upper Mall	Investigation works into tank underneath play area, planting and some play area replacement.	Ravenscourt Park
£30,000 – St Paul’s Church	Hard and soft landscaping works, including replacement paving slabs, fencing, planting and eco garden.	Hammersmith Broadway
£30,000 – Gwendwr Gardens	Planting improvements, replacement fencing to dog area and cedec surfacing to dog area.	Avonmore & Brook Green
£100,000 – Cross Cutting	General asset improvements including, fence replacement, various Green Flag improvements, benches, bins, SUDS, surfacing, signage, building enhancements. No individual contract or element will exceed £100,000.	All wards

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1. The above list represents a good balance of priority developments across the portfolio as identified by the parks service, members, residents, and stakeholder’s requests for improvements.

- **Option 1.** Do nothing. Many of these developments and improvements are urgently required - this option is not recommended.
- **Option 2.** Approve some of these projects. This list takes into consideration operational priorities identified by the service as well as specific development requests from members, residents, and stakeholder groups. This option is not recommended.
- **Option 3.** Approve the full list. Procurement for individual projects to follow CSO 10.2 (table10.2d) and 11.2, this option is recommended.

6.2. Officers recommend progressing Option 3; the Procurement Strategy is set out in Appendix 1.

7. CONSULTATION

7.1. For each project, consultation will be undertaken, and local communities and other stakeholders will be involved in the development of the proposals as appropriate to scale.

8. EQUALITY IMPLICATIONS

- 8.1. It is not anticipated that there will be any negative impacts on any groups with protected characteristics, under the terms of the Equality Act 2010, from the approval of these parks' improvement programmes.
- 8.2. *Implications completed by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.*

9. LEGAL IMPLICATIONS

- 9.1. Approval of a Procurement Strategy and Business Case as set out at Appendix 1, is a requirement for all contracts in excess of £100,000 (CSO 8.12). It is possible for a Strategy to cover more than one procurement. This strategy is proposed to cover the period until the end of financial year 2019/2020.
- 9.2. The value of the proposed contracts under the Strategy fall below the current EU threshold for works of £4,551,413 under the Public Contracts Regulations 2015 ('PCR') therefore the provisions under the PCR do not apply in full. CSO 10.2 (table 10.2d) provides that all low value works contracts (below £250,000) may be subjected to a procurement exercise in the absence of a suitable framework agreement. This strategy proposes using an open procedure for procuring these work contracts which is permitted under CSO 10.2 (table 10.2d) and 11.2.
- 9.3. The report seeks delegation of the decision to approve the contract awards in respect of each project to the Director for Transport, Highways, Parks and Leisure in consultation with the Cabinet Member for Environment. This delegation is permitted under CSO 17.3.1 and 8.12.2.
- 9.4. Officers may wish to seek legal advice on the appropriate terms for the individual projects in section 5 of the report prior to the commencement of each procurement. Officers have used the JCT minor works 2011 contracts for projects of a similar value and scope of works in the past and this form of contract is deemed appropriate for the projects set out in section 5 of this report however officers should seek advice on using the form of minor works under the JCT 2016 suite.
- 9.5. Section 106 agreements containing planning obligations are entered into between developers and the Council as the Local Planning Authority
- 9.6. The use of such obligations is controlled by legislation, including regulation 122 of the Community Infrastructure Regulations 2010 which requires planning obligations to be:
 - (i) Necessary to make the development acceptable in planning terms
 - (ii) Directly related to the development; and
 - (iii) Fairly and reasonably related in scale and kind to the development.

9.7. Officers are asking the Cabinet to approve the use of £500,000 of S106 contributions to fund the full list of new parks projects identified in section 5 of this report.

9.8. Section 106 Details

9.8.1 Fulham Reach

The Council entered into Section 106 agreement for Fulham Reach London W6 on 23 December 2011. The terms of agreement required the developer to pay a contribution of £800,000 to be used to improve public space within a two miles radius (3.2 km) of the development. The Council is proposing to use £100,000 from this contribution in accordance with the terms of this agreement, for the following:

- (a) Rowberry Mead play area improvements -£37,000
- (b) Upper Mall works to the play area - £15,000
- (c) Margravine play area improvements -£28,000
- (d) St. Paul's church landscaping -£20,000

Having reviewed the terms of the agreement and the proposed purposes, the section 106 contribution can be used for what is proposed above under the terms of Section 106 agreement.

9.8.2 The council entered into Section 106 Agreement for Chelsea Creek, Imperial Wharf on 27 March 2012. The terms of agreement required the developer to pay a contribution of £500,000 to be used to enhance and improve local public open space within a two miles radius (3.2 km) of the development. The Council is proposing to use £100,000 from this contribution in accordance with the terms of this agreement, for the following:

- (e) Bishop's Park new outdoor gym & moat garden improvements - £53,000
- (f) Normand Park play area improvements -£26,000
- (g) Marcus Garvey play area improvements -£3,000
- (h) Margravine play area improvements £18,000

Having reviewed the terms of the agreement and the proposed purposes, the section 106 contribution can be used for what is proposed above under the terms of Section 106 agreement.

9.8.3 The council entered into Section 106 Agreement for Kings Mall Car Park and West 45 Glenthorne Road on 1 July 2013. The terms of agreement required the developer to pay a contribution of £150,000 to be used to enhance and improve local parks, playgrounds, public realm and amenity spaces within a radius of two miles (3.2 km) from the site. The Council is proposing to use £100,000 from this contribution in accordance with the terms of this agreement, for the following:

- (a) Gwendwr Gardens improvements - £30,000
- (b) St Paul's Church landscaping works - £10,000
- (c) Westcroft Square footpath resurfacing and improvement - £35,000
- (d) Hammersmith Park improvement to ball court -£25,000

Having reviewed the terms of the agreement and the proposed purposes, the section 106 contribution can be used for what is proposed above under the terms of Section 106 agreement.

9.8.4 The Council entered into Section 106 Agreement for the land southwest side of the Chelsea Harbour Drive on 2 July 2013. The terms of agreement required the developer to pay a local parks contribution of £350,000 to be used towards the costs of the provision and maintenance of the parks within the locality. The Council is proposing to use £100,000 from this contribution in accordance with the terms of this agreement, for the following

- (a) Eel Brook Common northside footpath improvements -£100,000

Having reviewed the terms of the agreement and the proposed purposes, the section 106 contribution can be used for what is proposed above under the terms of Section 106 agreement.

9.8.5 The Council entered into Section 106 Agreement for Riverside Studios and Queens Wharf on 22 January 2014. The terms of agreement required the developer to pay a sports facility contribution of £425,000 to be used towards sports facility, play equipment and leisure or recreational facilities within the borough. The Council is proposing to use £100,000 from this contribution in accordance with the terms of this agreement, for the following

- (a) – Cross Cutting -£100,000

Having reviewed the terms of the agreement and the proposed purposes, the section 106 contribution can be used for what is proposed above under the terms of Section 106 agreement.

Implications provided by: Hannah Ismail, Solicitor, Sharpe Pritchard LLP, external legal advisers seconded to the Council tel 020 7405 4600.

S106 Legal implications Gerta Kodhelaj, Senior Solicitor, Planning, Licensing and Highways Team tel. 020 8753 6081

10. FINANCIAL AND RESOURCES IMPLICATIONS

10.1. The projects proposed in section 5 to deliver the parks capital programme total £500,000. This amount is to be fully funded by S106 developer contributions already received and held by the council. The planned expenditure will be eligible under the relevant of S106 agreement as set out in the table below.

AKA	S106	S106 Purpose	Amount
716	Fulham Reach	Open Space Contribution	£100,000
722	Chelsea Creek, Imperial Road	Open Space Contribution	£100,000
776	King's Mall Car Park, Glenthorne Road and 45 Beadon Road, W6	Sports and Leisure Contribution	£100,000
777	Land Bounded By Harbour Avenue And Lots Road London AKA Chelsea Island	Local Parks Contribution	£100,000
801	Riverside Studios and Queens Wharf, Crisp Road, W6	Parks Contribution/Sports Facility Contribution	£100,000

Implications completed by: Sally Swaray, Principal Accountant Tel: 020 8753 2524.

Implications verified by: Emily Hill, Assistant Director, Corporate Finance, tel.020 8753 3145.

11. IMPLICATIONS FOR BUSINESS

- 11.1. The projects will be consulted on with local businesses in the area to minimise disruption, also the parks and open spaces will be improved which will benefit local employees by providing pleasant and improved park environments for them to take lunch breaks from work.
- 11.2. The majority the projects will be put out to open tender using the council's capital esourcing system, which is open to everyone as well as local businesses to submit and bid, we will specify in the tender documents that where practicable tenderers use local suppliers and businesses to source materials and create employment opportunities by using local sub-contractors.
- 11.3. *Implications verified/completed by: Alben Karameros, Economic Development Team, 07739 316 957.*

12. RISK MANAGEMENT

- 12.1. The report sets out a range of proposed schemes, using s106 funding, to improving the boroughs parks and open spaces. The borough has achieved high standards of maintenance and facilities within its Parks and open spaces. These improvements also support the council objective of being the greenest borough. Contracts for the proposed works will be competitively procured in line with the Councils contract standing orders, which supports the Council's priority to be Ruthlessly Financially Efficient.

12.2. *Implications verified by: David Hughes, Director of Audit, Fraud, Risk and Insurance, tel: 020 7361 2389*

13. COMMERCIAL AND PROCUREMENT IMPLICATIONS

13.1. This report seeks approval of the procurement strategy presented in Appendix 1. The strategy proposes the procurement of the projects identified in section 5.1. of this report.

13.2. The value of the contracts is well under the statutory threshold for works (£4,551,413). As a result, the full provisions of the Public Contracts Regulations (PCR) 2015 do not apply. The proposed approach of using an open procedure for procuring the contracts are in line with the Council's Contracts Standing Orders (CSOs) which would require the contracts to be awarded following an advertised open procedure or a call off from an established framework agreement.

13.3. All procurement exercises must use the Council's e-tendering system, capitalEsourcing, and be advertised accordingly, in Contracts Finder, as proposed in the Business Case attached to this report.

13.4. A tender appraisal panel (TAP) shall be formed to evaluate the tender responses against the awarding criteria.

Implications completed by: Ilaria Agueci, Procurement, Procurement Consultant (e-projects), tel. 0777 667 2878;

Implications verified by Andra Ulianov, Head of Contracts and Procurement, tel. 0777 667 2876.

14. IT STRATEGY IMPLICATIONS

14.1. There are no IT Implications resulting from the proposal in this report.

14.2. *Implications verified/completed by: Karen Barry, Strategic Relationship Manager, tel. 020 8753 3481*

15. SOCIAL VALUE CONSIDERATIONS

15.1. Details of the Social Value considerations identified under the requirements of the Public Services (Social Value) Act 2012 are given in Appendix 1 (see Section 6).

15.2. *Implications completed/verified by: Ilaria Agueci, Procurement, Procurement Consultant (e-projects), el. 0777 667 2878.*

16. SECTION 106 IMPLICATIONS

16.1. Following a successful bid to S106/CIL board in March 2019, it has been agreed that £500,000 of S106 funds can be drawn down to fund the 2019/20 Capital Parks Programme. These funds are to be drawdown from parks, open space & leisure related s106 contributions to help improve facilities and increase capacity.

*Implications verified/completed by: David Gawthorpe, Team Leader
Development Planning, tel. 020 8753 3384.*

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

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

LIST OF APPENDICES:

APPENDIX 1 - BUSINESS CASE AND PROCUREMENT STRATEGY PARKS ANNUAL IMPROVEMENT PROGRAMME 2019/20

APPENDIX 1:

BUSINESS CASE AND PROCUREMENT STRATEGY PARKS ANNUAL IMPROVEMENT PROGRAMME 2019/20

BUSINESS CASE

1. BUSINESS CASE - WHY THE PROCUREMENT IS NEEDED

- 1.1 Hammersmith & Fulham Council is committed to Taking Pride in Hammersmith and Fulham and specifically making sure our residents deserve a place that is safe, clean and green.
- 1.2 Our parks and open spaces need investment and improvements to replace worn infrastructure and equipment that has reached the end of its lifespan and to provide new facilities and enhance the quality of the parks and open spaces through the proposed improvements and support the green flag award criteria.
- 1.3 The programme of improvement projects is a combination of operational priorities, requests from friend's groups, resident's groups, and ward councillors.

2. FINANCIAL INFORMATION

- 2.1 Capital investment in Parks from 2019/20 will be added to the capital programme once funding of new schemes has been approved, either from Section 106 (S106) or other external funding resources where available and confirmed and in accordance with the Parks Capital Improvement programme.
- 2.2 The proposed £500,000 for the projects listed in section 5 of the main report for parks annual improvement works are expected to be funded from s106 contributions.

3. OPTIONS APPRAISAL AND RISK ASSESSMENT

- 3.1 The following options have been reviewed:
 - **Option 1.** Do nothing. Many of these developments and improvements are urgently required this option is not recommended.
 - **Option 2.** Approve some of these projects. Along with the urgent items, this list takes into consideration operational priorities identified by the service as well as specific development requests from members, residents, and stakeholder groups. This option is not recommended.
 - **Option 3.** Approve the full list. Procurement for individual projects to follow contract standing order 10.2 (table 10.2d) and 11.2, this option is recommended.

- 3.2 Overall, the route that meets the Council's objectives of Taking Pride in Hammersmith and Fulham and provide value for money is to procure the individual projects through open public procurement process, three quotations, term contractors or call off contracts depending on the value and nature of the project is Option 3.

4. THE MARKET

- 4.1 Given the number of companies on CapitalEsourcing it is expected that the council will receive a strong tender response to the advertised opportunities. For all projects over £25,000 an opportunity listing on CapitalEsourcing will be placed, as well as being advertised on Contracts Finder. Unless we are using the alternative options of a term contract or Dynamic Purchasing system.

5. PROCUREMENT STRATEGY

- 5.1 Each project will be assigned a project officer, who will run the project and procurement.
- 5.2 The brief and specification will be agreed with the parks team, friend's groups, ward councillor's and other key stakeholders as required.
- 5.3 Most of the projects are works contracts and will be awarded on a JCT Minor Works contract.
- 5.4 The individual contracts will last until the completion of the defects/maintenance period, usually 12 months from the date of practical completion, but this can vary depending on the nature of the works.

6. SOCIAL VALUE, LOCAL ECONOMIC AND COMMUNITY BENEFITS

- 6.1 The Council's employer's requirements that form part of the construction contracts for the individual projects will include provisions for social return on investment.
- 6.2 The social value, local economic and community benefits will form part of the technical criteria, it is recommended that 5% of the award criteria for the individual projects be allocated to this section. The Social Value Act (2012) requires you to consider the social, economic and environmental added benefit delivered through the life cycle of the contract. The 5% considered in the award criteria, satisfies the Act.
- 6.3 The approach will be developed for the individual projects throughout the pre-procurement period, but considerations could include:
- Setting out appropriate standards for environmental performance and considerate construction.

- Requiring engagement with local communities in the vicinity of new projects and taking account of their views, including questions with number of hours dedicated to engaging residents and other specific questions that include tangible outcomes.
- Social value requirements will be included in the contractual obligations and monitored during the life of the contract to ensure social benefits are delivered.

7 OTHER STRATEGIC POLICY OBJECTIVES

- 7.1 The award of the individual project's construction tenders aligns with Hammersmith and Fulham's commitment to providing high quality outdoor green space for its residents.

8 STAKEHOLDER CONSULTATION

- 8.1 The project officers assigned these projects will carry out consultation with residents, stakeholders, friend's groups and ward councillors as required considering the scope of the project.

9 PROCUREMENT PROCEDURE

- 9.1 An open procurement procedure will be used for the projects to ensure the most economically advantageous tender is awarded the contract. The tenders for the individual projects will be run as an open procedure on the CapitalEsourcing system.
- 9.2 Where possible, term contractors will be used to procure items such as footpath resurfacing. For footpath resurfacing services it is proposed to use current contractual arrangements with current suppliers such as FM Conway.
- 9.3 Where appropriate, it is proposed to use the Council's Dynamic Purchasing System for capital worksto call off works and encourage bids from local suppliers. An awarding report will specify the results of the mini-competition following the call-off from the DPS.
- 9.4 All procurements for the projects are below the statutory amount for works related tenders (OJEU value £4,551,413).
- 9.5 For below threshold procurements, the Public Contracts Regulations 2015 (as amended) require the opportunity to be advertised in the UK's Contracts Finder website.

10 CONTRACT AWARD CRITERIA

- 10.1 The award criteria for the individual projects will be determined by the individual project officers, but it is expected that the quality criteria will be at least 60% and 40% on price.

11 PROJECT MANAGEMENT

- 11.1 Members: Regular updates will be provided by the Strategic Director of Environment to the Cabinet Member for Environment – Councillor Wesley Harcourt. Ward Councillors will also be kept updated with developments by the Project Officer.
- 11.2 Internal: The Parks and Leisure Service will manage this process and ensure that internal colleagues in Finance, Procurement and Legal are well informed of the progress and any decisions made.
- 11.3 External: The Project Officers will ensure stakeholders and Friend's Groups are kept up to date of project progress and developments.


12 TIMETABLE

- 12.1 The project will have individual time tables set by the Project Officer's that are leading on them, but all works are expected to be completed within the financial year 2019/20.

13 CONTRACT MANAGEMENT

- 13.1 The Park's Project Officers will manage the contracts, in the Parks Service. The project progress is reported on at monthly Capex meetings.

Agenda Item 8

London Borough of Hammersmith & Fulham		 hammersmith & fulham
CABINET 2 SEPTEMBER 2019		
WAIVER OF COUNCIL'S CONTRACT STANDING ORDERS AND DIRECT AWARD OF A CONTRACT FOR THE PROVISION OF HEALTHY HEARTS SERVICE		
Report of the Cabinet Member for Health and Adult Social Care, Councillor Ben Coleman		
Public Report		
Classification: For Decision Key Decision: Yes		
Wards Affected: All		
Accountable Director: Anita Parkin, Director of Public Health		
Report Author: Meroe Bleasdille Interim Public Health Commissioning Lead	Contact Details: Tel: 07931937879 E-mail: meroe.bleasdille@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1. Hammersmith & Fulham Council's (H&F) contracts for Healthy Hearts and Kick It with the current service provider, Thrive Tribe, will end on 30 September 2019.
- 1.2. This paper seeks Cabinet approval to waive the requirement to conduct a competitive procurement exercise and directly award Thrive Tribe the contract for the provision of cardiovascular disease (CVD) prevention and related health and lifestyle risk factors for six months from 1 October 2019 with provision for a further two extensions of three months each.
- 1.3. This would allow for ongoing consultation to take place with key stakeholders, including people who currently use the service, H&F Clinical Commissioning Group (CCG), GPs, Imperial College Healthcare NHS Trust, Healthwatch, the third sector and other residents to develop a new, integrated and more targeted lifestyles service.

- 1.4. The current annual cost of the service is £521,600. Following negotiations with the current provider, the cost for the six-month contract will be £236,015, equating to a cost for a 12-month period of £472,029, which is an annual saving of £49,571 or 10% of the current cost.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1. Approves a waiver under Contract Standing Orders (CSO) 3.1 in relation to the competition requirements of CSO 10.2 and CSO 11.2 (either to call off a framework or to advertise the contract and seek public quotations). The justification of the waiver is that the nature of the market for the services to be provided has been investigated and it is demonstrated to be such that a departure from these CSOs is justifiable and in the Council's overall interest.
- 2.2. Approves the direct award of the contract for the delivery of a Healthy Hearts service to Thrive Tribe for six months from 1 October 2019 with an option to extend by two periods of up to three months each. The maximum contract cost over twelve months would be £472,029.
- 2.3. Delegates the decision to extend the contract to the Director of Public Health in consultation with the Cabinet Member for Health and Adult Social Care.

3. REASONS FOR DECISION

Local population need

- 3.1. H&F has areas of the highest life expectancy in London, but also some of the worst health inequalities. Life expectancy varies by ward in H&F as indicated in the table below.

Hammersmith & Fulham life expectancy by ward 2013

Ward	Male (years)	Male Rank	Female (years)	Female Rank
Addison	79.5	8	85.1	5
Askew	80.1	4	84.0	9
Avonmore & Brook Green	79.4	9	84.7	7
College Park & Old Oak	74.6	16	83.5	10
Fulham Broadway	77.9	12	80.7	15
Fulham Reach	79.6	7	82.3	12
Hammersmith Broadway	77.2	14	80.6	16
Munster	79.8	6	85.5	2
North End	79.2	10	81.7	14
Palace Riverside	84.4	1	84.8	6
Parsons Green & Walham	80.6	3	85.5	3
Ravenscourt Park	77.4	13	81.9	13
Sands End	80.1	5	84.5	8
Shepherd's Bush Green	76.7	15	83.0	11
Town	82.5	2	85.9	1
Wormholt & White City	79.1	11	85.5	4

Source: ONS 2013, GLA

- 3.2. In 2016/17 over one in two adult residents were classified as overweight or obese, one in six smoked (a higher proportion than the London and England averages), one in four people binge drink (25.5%, the second highest proportion in London) and just under one in five was physically inactive¹. Without effective and ongoing intervention, these unhealthy behaviours in the adult population could increase.

Current Healthy Hearts service

- 3.3. Since 2014, Thrive Tribe has delivered a Healthy Hearts service to residents across the borough. The service comprises:
- Weight loss management
 - Healthy eating/cardio protective diets
 - Physical activity
 - Alcohol risk reduction
 - Smoking cessation services, including youth prevention, specialist and brief advice stop smoking support, carbon monoxide validation testing, onward referral for free Nicotine Replacement Therapies (NRTs) and prescribed medicines
 - Delivery of local marketing campaigns and stakeholder relationship management
 - External stakeholder and resident engagement, including facilitating training and workshops.
- 3.4. Thrive Tribe currently employ a mixed service delivery model comprised of an online, remote text and telephone support service; group and one-to-one interventions across community venues and primary care; and outreach.
- 3.5. In 2018/19, 407 residents started an intervention with the Healthy Hearts service, a 7% uplift on the agreed performance indicator for the year, and 1,120 people

¹ https://www.lbhf.gov.uk/sites/default/files/section_attachments/borough-profile-2018.pdf

set a quit smoking date with the service. Three quarters (75%) of all quit smoking service users resided in the two most deprived quintiles in the borough and nearly 55% of all service users went on to successfully quit.

- 3.6. The service has well-established and strong relationships with primary care, community services and other local organisations, making efficient referrals into and across the wider healthcare system. Their delivery model has been shown to be appropriate to the needs and lifestyles of H&F residents and consistently receives positive feedback from those who use it.
- 3.7. Thrive Tribe makes a significant contribution towards achieving key health outcomes across the borough. In H&F, overall life expectancy at 75 years old is in the best performing quartile in England, as are mortalities from cardiovascular disease (CVD) and number of cancer diagnoses considered preventable.
- 3.8. The provision by Thrive Tribe of stop smoking support services and pharmacotherapies has achieved some of the best outcomes in England in terms of successful quits, reductions in smoking prevalence and smoking-attributable deaths. However, there is ongoing need to address the high smoking prevalence amongst manual workers and unemployed residents.

Service redesign consultation

- 3.9. While the service is doing well, we believe it could achieve more in terms of reaching those who most need it and making a more nuanced and targeted difference in the borough. To this end, we wish to undertake a full consultation with current service users, H&F CCG, GPs, Imperial College Healthcare NHS Trust, Healthwatch, the third sector and other residents to develop a new, integrated CVD prevention service.
- 3.10. A provider would be appointed through open tender to deliver new services, combining cardiovascular disease prevention, smoking cessation and NHS Health Checks. The integrated model would strengthen the link between screening and access to more tailored interventions for co-occurring CVD risk factors and unhealthy behaviours.
- 3.11. To ensure continuity of service while doing so, we are recommending continuation of the current service for a fixed period.

4. PROPOSAL AND ISSUES

- 4.1. The market for a service of this nature is relatively small and niche and we believe there would be little to no appetite by other providers to bid for such a short-term contract. On this basis, we believe the most efficient approach would be to appoint Thrive Tribe to continue to deliver the Healthy Hearts service for a minimum of six months and a maximum of a year.

4.2. The duration of the contract would be for six months from 1 October 2019, with provision for a further two extensions of three months.

4.3. **OPTIONS AND ANALYSIS OF OPTIONS**

4.4. We have undertaken a service review and analysed the three options below in accordance with Contract Standing Orders.

4.4.1. **Option 1: Award Thrive Tribe a six-month Healthy Hearts contract**

This is the preferred option. While it would mean that financial savings through economies of scale would not be realised this financial year, a direct award would ensure continuity of service while Public Health consulted extensively with the local healthcare system, residents and service users around the development of a new, more targeted and integrated service. This will lead to a new procurement through an open competitive procedure.

4.4.2. **Option 2: Embed and procure the Healthy Hearts service as part of a new integrated Healthy Lifestyles service**

Going out to the open market for an integrated service would bring innovation to the delivery of local healthcare services and has the potential to address common unhealthy behaviours in a single intervention. However, procuring these services over the summer would not allow enough time to disband the current service and mobilise a new service model. Furthermore, it would not give us time to undertake local consultations in design of the new service.

4.4.3. **Option 3: Allow Healthy Hearts contract to end in September and decide to decommission.**

This option was rejected because it would mean the Council would not be fulfilling its statutory obligations to provide CVD prevention services to H&F residents.

4.5. Further consideration was also given to how the Healthy Hearts services could be procured for the minimum contract duration, be it either through an open competitive exercise or direct award to the incumbent provider. Direct award was selected as the preferred approach because Thrive Tribe has demonstrated they can deliver an effective high-quality service that could be mobilised within the permitted timeframe.

5. **CONSULTATION**

5.1. Thrive Tribe has agreed in principle to deliver the Healthy Hearts contract for a further six months from 1 October 2019.

5.2. The Director of Public Health has discussed the approach and proposed consultation set out here with the CCG, which is supportive.

6. EQUALITY IMPLICATIONS

- 6.1. The full Equality Impact Assessment has been detailed in Appendix 1.
- 6.2. The approval of a direct award to Thrive Tribe to deliver the Healthy Hearts contract, as set out in the recommendations, would not negatively impact on groups with protected characteristics under the Equality Act 2010.
- 6.3. Implications completed by: Peter Smith, Head of Policy and Strategy, tel. 020 8753 2206.

7. LEGAL IMPLICATIONS

- 7.1. The services fall under the category of social and other specific services, Schedule 3 of the Public Contracts Regulations 2015 (PCR). The threshold for such services is currently £615,278. This is a proposed direct award is below the Current EU Procurement threshold and therefore the Public Contract Regulations 2015 do not apply in full.
- 7.2. However, the Council is still required to comply with the general principles of transparency, equal treatment, non-discrimination and proportionality. Accordingly, undertaking a competition exercise would be encouraged in order to adhere to these principles. Furthermore, if the council deliberately designed the procurement of core smoking cessation and cardiovascular disease prevention services with the intention to ensure its value was below the Threshold, or the intention of artificially narrowing competition, then the council would be in breach of regulation 18(2) of the PCR 2015. The decision maker must be satisfied that the direct award to Thrive Tribe has not been designed with either of these intentions.
- 7.3. As stated below in the Commercial and Procurement Implications, this is a contract with a value of greater than £25,000 but less than the EU Threshold. Therefore, the Council's CSOs require Framework arrangements to be considered (CSO10.2) or otherwise to seek public quotations using the e-tendering system and the Government's "Contract Finder" portal (CSO 11.2). The report is seeking a waiver pursuant to CSO 3.1 of the requirements under CSOs 10.2 and 11.2. An exemption to these requirements can be granted under CSO 3.1 where one of five specified grounds for doing so is made out. Here the grounds being relied on for the waiver is that "it is in the Council's overall interest and the nature of the market for the services to be provided has been investigated and it is demonstrated to be such that a departure from these CSOs is justifiable". The decision-maker needs to be satisfied on the basis of the information set out in the report that a direct award would be justified when compared with opening the service up to competition.
- 7.4. For contracts valued over £100,000, the waiver can be granted under CSO 3.1 by the appropriate Cabinet Member(s) and the Leader of the Council. However,

as the recommendation here includes a direct award in addition to the waiver, the decision should be taken by Cabinet in accordance with CSO 3.2.

- 7.5. In accordance with CSO 3.1, a record of the waiver needs to be kept within the relevant department.
- 7.6. Officers should seek advice from the legal department on the appropriate terms and conditions for this proposed contract.
- 7.7. Implications provided by: Hannah Ismail, Solicitor, Sharpe Pritchard LLP, external legal advisers seconded to the Council tel. 020 7405 4600.

8. FINANCIAL IMPLICATIONS

- 8.1. The report seeks approval for the direct award of the contract for Smoking Cessation service and Cardiovascular Disease (CVD) Prevention Programme (Healthy Hearts and Kick It services) for up to twelve months at a maximum cost of £472,029. The annual cost of the service currently is £521,600. The new contract will generate an annual saving of £49,571 which represents a 10% reduction on the current cost.
- 8.2. This contract will be funded through the Public Health ring-fenced grant. The allocation for 2019/20 has been confirmed at £21,189,000 (a reduction of £575,000 on 2018/19). The ring-fence is expected to cease from April 2020 and arrangements for provision going forward remain unclear. The first six-month contract ceases in April 2020 and any decision to extend the contracts in line with the agreed extensions will need to ensure that funding is in place to do so.
- 8.3. Financial implications completed by Daniel Doherty, Finance Manager, 0208 753 4287.
- 8.4. Financial implications verified by Emily Hill, Assistant Director, Corporate Finance, tel. 020 8753 3145.

9. IMPLICATIONS FOR LOCAL BUSINESS

- 9.1. The proposal would maintain engagement with local Small and Medium-sized Enterprises and local primary care providers subcontracted to deliver part of the Healthy Hearts services. The service is also based in H&F and therefore presents employment opportunities for residents. A direct contract award would maintain an income stream into local businesses and continue to contribute to the local economy.
- 9.2. The commissioning manager for the service would work closely with the Community Team and Procurement to develop the social and economic value aspect of the specification and ensure that it reflects the recommendations of the Social Value Taskforce, the findings of the Business Commission and the objectives of the H&F Industrial Strategy – Economic Growth for Everyone.

- 9.3. Implications completed by: Alben Karameros, Economic Development Team, tel. 020 7938 8583.

10. COMMERCIAL IMPLICATIONS

- 10.1. The service to be provided falls under the category of Social and other specific services as defined by Chapter 3 Section 7 and listed in Schedule 3 of the Public Contracts Regulations 2015 (PCR 2015). The value of the proposed direct award is under the statutory threshold of £615,278.
- 10.2. The combined six-month contract for core smoking cessation and cardiovascular disease prevention services under 'Healthy Hearts' and 'Kick It' is valued at £236,015.
- 10.3. However, the total value of the contract must be considered when assessing the risk of a legal challenge. The total value of the contract (previous contracts and the proposed direct award) exceeds £615,278.
- 10.4. Direct awards do not allow markets to be tested through competitive processes. As a result, it cannot be assured that the contract provides best value for money.
- 10.5. CSOs require calling off from a framework agreement or conducting an open tender for contracts over £25,000.
- 10.6. A waiver from the competition requirements of the CSOs may be granted under CSO Section 3 if the Appropriate Persons are satisfied a departure from competition is justified.
- 10.7. It is recommended that social and economic value aspects are negotiated and targets are set for the supplier to meet their Social Value commitment. Social Value shall represent one of the KPIs and be monitored and reviewed accordingly.
- 10.8. Commercial implications completed by Andra Ulianov, Head of Contracts and Procurement, tel. 020 8753 2284.

11. IT IMPLICATIONS

- 11.1. IT Implications: There are no IT implications arising from the proposal in this report.
- 11.2. IM Implications: Thrive Tribe are expected to have a GDPR policy in place and all staff are expected to have received GDPR training.
- 11.3. If not already covered by the existing Privacy Impact Assessment (PIA), a PIA will need to be completed and kept up to date, to ensure all potential data protection risks around the contract with Thrive Tribe are properly assessed with mitigating actions agreed and implemented.

- 11.4. The contract must include H&F's data protection and processing schedule. This is compliant with the General Data Protection Regulation (GDPR).
- 11.5. Implications completed by: Karen Barry, Strategic Relationship Manager, tel 020 8753 3481.

12. RISK MANAGEMENT

- 12.1. Public Health has given due consideration to the risk and issues pertaining to extending the Healthy Hearts contract. The process proposed is largely considered to be low risk. However, further consideration would need to be given in the event of the following: legal challenge by an external provider, the Public Health grant ring-fence being lifted and capacity constraints within the Public Health Team.
- 12.2. Further details of all risks identified by Public Health are given in Appendix 2.
- 12.3. Implications completed by: David Hughes, Director of Audit, Fraud, Risk and Insurance, tel. 020 8753 2587.

13. OTHER IMPLICATIONS: SOCIAL AND ECONOMIC VALUE

- 13.1. Details of the social value considerations under the requirements of the Public Services (Social Value) Act 2012 and the administration's manifesto priorities for achieving social and economic value in relation to local businesses and employees, and around Social Isolation & Loneliness (SIL) have been considered.
- 13.2. Public Health would be in direct contact with Procurement and our Economic Development Team to develop this aspect of the Healthy Hearts service requirements.
- 13.3. Implications completed by: Albena Karameros, Economic Development Team, tel. 0207 938 8583.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT - None

LIST OF APPENDICES:

- Appendix 1- H&F Equality Impact Assessment Analysis Tool
- Appendix 2 – Healthy Hearts service risk register

APPENDIX 1: EQUALITY IMPACT ASSESSMENT OF THE HEALTHY HEARTS DIRECT AWARD

OVERALL INFORMATION	DETAILS OF FULL EQUALITY IMPACT ANALYSIS
FINANCIAL YEAR AND QUARTER	2019/20 Q1
NAME AND DETAILS OF POLICY, STRATEGY, FUNCTION, PROJECT, ACTIVITY, OR PROGRAMME	TITLE OF EIA: HEALTHY HEARTS SERVICE SHORT SUMMARY: THE PROCUREMENT OF HEALTHCARE SERVICES PERTAINING TO CARDIOVASCULAR DISEASE PREVENTION AND RELATED HEALTH AND LIFESTYLE RISK FACTORS
LEAD OFFICER	NAME: MEROE BLEASDILLE POSITION: INTERIM PUBLIC HEALTH COMMISSIONING LEAD EMAIL: MEROE.BLEASDILLE@LBHF.GOV.UK TELEPHONE NO: 07931937879
DATE OF COMPLETION OF FINAL EIA	26/05/2019

SECTION 02	SCOPING OF FULL EIA						
PLAN FOR COMPLETION	TIMING: AS ABOVE RESOURCES:						
ANALYSE THE IMPACT OF THE POLICY, STRATEGY, FUNCTION, PROJECT, ACTIVITY, OR PROGRAMME	<p>Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy would have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Protected characteristic</th> <th style="width: 55%;">Analysis</th> <th style="width: 20%;">Impact: Positive, Negative, Neutral</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> <td></td> </tr> </tbody> </table>	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral			
Protected characteristic	Analysis	Impact: Positive, Negative, Neutral					

	Age	For adults, service provider would be required to provide services in evenings and weekends across a multitude of platforms online and across venues close to home. It would be a requirement for services to be accessible to working age people. Older age groups are at higher risk of health issues and may have limited access to the internet. Older people can attend face to face service in venues close to home or receive due care in their homes.	Positive
	Disability	It would be a minimum requirement for all venues and platforms to be accessible to people with disabilities; personalised individual treatment plans would take account of any disability needs. The prevention programme would reduce potential disability through reducing CVD risk.	Positive
	Gender reassignment	This group are at higher risk of CVD. Staff would work within an equal opportunity framework. Barriers would be identified at assessment to ensure engagement with the characteristic; home or 1:1 programmes are possible. The new services would offer increased accessibility to residents.	Positive
	Marriage and Civil Partnership	Partners whether they be married, unmarried or in civil partnerships would be encouraged to access support online, attend both initial assessments and join the programme so changes are embedded within the family unit and households	Positive
	Pregnancy and maternity	The service offer would be adapted to individual need, including pregnancy. The service would offer increased accessibility to residents due to provision across multiple platforms and venues	Neutral
	Race	The new service would offer increased accessibility to residents. BAME communities are of higher risk of CVD. The service specification would require that there is targeted work to encourage people from black, Asian and minority ethnic groups to access appropriate support.	Positive
	Religion/belief (including non-belief)	Expert advice and support would be given with due consideration for religious beliefs and practices.	Neutral
	Gender	The service would be open equally to all irrespective of self-identified gender and sex assigned at birth	Neutral

	Sexual Orientation	Services would run on an anti-discriminatory basis, same sex partners would be welcome to attend, barriers would be identified at assessment to ensure engagement with the category.	Positive
	Human Rights or Children's Rights		
	If your decision has the potential to affect Human Rights or Children's Rights, please contact your Equality Lead for advice		
	Would it affect Human Rights, as defined by the Human Rights Act 1998? No		
Would it affect Children's Rights, as defined by the UNCRC (1992)? No			

SECTION 03	ANALYSIS OF RELEVANT DATA
DOCUMENTS AND DATA REVIEWED	<p>EXAMPLES OF DATA CAN RANGE FROM CENSUS DATA TO CUSTOMER SATISFACTION SURVEYS. DATA SHOULD INVOLVE SPECIALIST DATA AND INFORMATION AND WHERE POSSIBLE, BE DISAGGREGATED BY DIFFERENT EQUALITY STRANDS.</p> <p>2015 JSNA, (looks at race, age, gender and CVD). Current performance/Activity reports of current CVD prevention programme/ Stop smoking Service/ Health Checks H&F Public Health Profile 2017 European Guidelines on cardiovascular disease prevention in clinical practice (version 2012). Joint British societies' guidelines on prevention of cardiovascular Disease in clinical practice. Nurse-coordinated multidisciplinary, family-based cardiovascular disease prevention programme (EUROACTION) for patients with coronary heart disease.</p>
NEW RESEARCH	If new research is required, please complete this section


SECTION 04	CONSULTATION
CONSULTATION	Details of consultation findings (if consultation is required. If not, please move to section 06)
ANALYSIS OF CONSULTATION OUTCOMES	

SECTION 05	ANALYSIS OF IMPACT AND OUTCOMES
ANALYSIS	What has your consultation (if undertaken) and analysis of data shown? You would need to make an informed assessment about the actual or likely impact that the policy, proposal or service would have on each of the protected characteristic groups by using the information you have gathered. The weight given to each protected characteristic should be proportionate to the relevant policy (see guidance).
SECTION 06	REDUCING ANY ADVERSE IMPACTS AND RECOMMENDATIONS
OUTCOME OF ANALYSIS	New service specification would require robust monitoring of all protected characteristics to ensure all groups are referred, start courses and completed in proportions expected due to prevalence.
SECTION 07	ACTION PLAN
ACTION PLAN	None needed.
SECTION 08	AGREEMENT, PUBLICATION AND MONITORING
CHIEF OFFICERS' SIGN-OFF	NAME: POSITION: EMAIL: TELEPHONE NO:
KEY DECISION REPORT (IF RELEVANT)	DATE OF REPORT TO CABINET/CABINET MEMBER: 02/09/2019 KEY EQUALITIES ISSUES HAVE BEEN INCLUDED: YES

Appendix 2: HEALTHY HEARTS DIRECT AWARD RISK REGISTER

RISK REGISTER									
Project Name: Healthy Hearts Service					Date last modified: 25.05.2019				
Project Lead: Meroe Bleasdille, Interim Public Health Commissioning Lead									
Risk Description and approach					Risk Mitigation				
		Current Risk Rating						Risk after mitigation	
ID	Risk - the impact, effect, consequences	Category	Impact (severity)	Probability	Impact x Probability	Mitigating Actions	Impact (severity)	Probability	Impact x Probability
1	There is a risk that there is not adequate resource within the Public Health team to run this procurement exercise and manage the contract.	Process	3	2	6	In the short-term Public Health would use interim resource with a view to recruiting fixed-term and permanent staff in the future.	3	2	6

2	There is a risk of legal challenge by external suppliers for not going to market to procure Healthy Hearts services for 6 months period	Legal	2	1	VL	Possibility of legal challenge is very low.	2	1	VL
3	There is a risk that there is not sufficient resource allocated to deliver this project in other departments - Adult Social Care, CCG, Service User, Sports and Leisure.	Human Resources	2	1	VL	There has been a wide consultation. A team would be picked to evaluate the procurement. Named contacts have been selected and once the procurement progresses the lead evaluators would sign declarations of interest forms.	2	1	VL
4	The ring fence on Public Health grant end date may change due to changes in Government.	Political	2	2	L	Clause built into contract if grant is pulled.	2	2	L
5	There is potentially reputational risk linked to extending a contract for such short lengths of time, and may cause issues when planning service resource, workforce, premises etc. This may taint future working relationships and deter the provider entering into contracts with the H&F in the future.	Reputational	2	2	L	Improve service planning and relations by providing as much notice as possible prior to varying the contract	2	2	L

London Borough of Hammersmith & Fulham CABINET 2 SEPTEMBER 2019		 hammersmith & fulham
HARTOPP AND LANNOY POINTS		
Report of the Cabinet Member for Housing - Councillor Lisa Homan		
Open		
Classification - For Decision		
Key Decision: Yes		
Wards Affected: Munster Ward		
Accountable Director: Jo Rowlands, Strategic Director for the Economy		
Report Author: Matt Rumble Head of Area Regeneration	Contact Details: Tel.: 07786 747488 Email: matt.rumble@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1 The Council has undertaken extensive structural surveys to look at the condition of Hartopp and Lannoy Points, which are two Housing blocks. These surveys identified serious structural defects giving rise to significant Health and Safety issues.
- 1.2 On the 29th April 2019 the Council resolved to demolish the blocks. Demolition will require decanting of properties and acquisition of the third party interests.
- 1.3 This report seeks authority to make the compulsory purchase order (CPO) in respect of the two blocks and to acquire all outstanding property interests necessary and to ensure vacant possession of surrounding land and

structures can be obtained should the Council fail to reach a negotiated settlement for the purchase of the outstanding land and property interests.

- 1.4 This report also sets out a number of decisions required by the Council in order to progress with the preparation for making a CPO, including additional budget to acquire third party interests and to manage a CPO enquiry should it be necessary.

2. RECOMMENDATIONS

That Cabinet:

- 2.1 Authorises the making of a CPO for the land edged red on Plan 1 (appendix 1) pursuant to section 17 of the Housing Act 1985, to enable the demolition of Hartopp Point, Lannoy Point and achievement of a future qualitative gain in housing stock within 10 years of the confirmation of the 'Order'.
- 2.2 Delegates authority to the Strategic Director for the Economy, in consultation with the Assistant Director of Legal and Democratic services take all necessary steps to make the CPO, pursue its confirmation by the Inspector, Secretary of State (or the Council) to implement the CPO (these steps are set out in section 4.14 of this report).
- 2.3 Delegates authority to the Strategic Director for the Economy, in consultation with the Assistant Director of Legal and Democratic Services, to make General Vesting Declarations (GVDs) under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or to serve notices to treat and notices of entry (if required) following confirmation of the order.
- 2.4 Delegates authority to the Strategic Director for the Economy, in consultation with the Assistant Director of Legal and Democratic Services, to issue and serve any warrants to obtain possession of property acquired by the Council following the execution of a GVD or service of a notice of entry relating to the order if it is considered appropriate to do so.
- 2.5 Delegates authority to the Strategic Director for the Economy, in consultation with the Assistant Director of Legal and Democratic Services, to acquire third party interests in the land within the CPO either by agreement or compulsorily and up to the value of the revised budget approved as part of this report.
- 2.6 Approves an increase in the property acquisition budget by £859,000 to ensure consistency in the offers made to acquire third party interests. This will be funded by HRA borrowing and takes the total Property Acquisition budget to £10,676,391.

- 2.7 Approves an additional budget of up to £250,000 to meet costs arising in preparing and presenting the Council's case, in the event of a CPO public inquiry being required and should such inquiry take place. This will be funded by HRA borrowing and takes the total CPO budget to £350,000.
- 2.8 Approves an extension to Avison Young's existing instruction in the event of an inquiry being required and that these costs will be met from the budget increase set out in 2.8. The value of the such extension is estimated at £60,000.
- 2.9 Approves a budget of up to £250,000 to procure design services (including surveys, cost consultancy and project management) to develop feasibility stage redevelopment options for the Order land to deliver a qualitative improvement in the council's housing stock and to enable community engagement on these options. This will be funded from HRA borrowing.

3. REASONS FOR DECISION

- 3.1. On 29th April 2019 the council's Cabinet resolved to demolish Hartopp and Lannoy Points.
- 3.2. Negotiations have been on-going to acquire Third Party interests in the blocks. Although Heads of Terms have been agreed for 9 leasehold interests (of 19) as of 1st August 2019, it is necessary to make a CPO to secure vacant possession of the blocks and to provide project and programme certainty, which targets demolition of both blocks by the end of December 2020.
- 3.3. The adjoining electricity sub-station forming part of the garage structure to be demolished will also be included within the CPO and is included in the order land plan (appendix 1)
- 3.4 It follows that the demolition project is at considerable risk if control of the land is not obtained within reasonable time or at a reasonable cost. In the absence of a CPO, or the authority to make and use a CPO if required, negotiations by the Council with parties with individual land interests could be very much more difficult and potentially more expensive, putting the deliverability of the project at risk.
- 3.5 The confirmation of a CPO can take up to 18 months if a Public Inquiry is required. The Council must therefore proceed with making the CPO now.
- 3.6 In order to use the powers under section 17 of the 1985 Housing Act to make a CPO it is necessary for the Council to commit *to delivering a qualitative gain*

in housing stock on Order site within 10 years of the confirmation of the Order. Therefore, a budget is sought to enable officers commence the process of design feasibility on proposals to re-provide genuinely affordable homes on the site, in order to deliver that qualitative gain. Once initial proposals are developed, and delivery strategies considered, Members will be updated and authority sought to proceed.

4 PROPOSAL AND ISSUES

4.1 Hartopp and Lannoy Points are nearly identical 14 storey Tower Blocks located in Munster Ward. They were built using a construction method called a large panel system (LPS). This was the same construction method used at Ronan Point, Newham when in 1968 a gas explosion caused the collapse of the building and resulted in four deaths.

4.2 The construction method was subject to extensive review by the Building Research Establishment. Before Hartopp and Lannoy Points were first occupied strengthening work was undertaken and the gas supply was not and has never been connected to the blocks.

Structural surveys

4.3 The Council undertook a structural survey in August 2017, H&F Building Control identified the buildings were safe at that time, however further intrusive surveys were required. The Council's Building Control undertook intrusive surveys to three void properties and this survey was published on the Council's website in March 2018. It identified that it was thought to be safe for residents to remain at Hartopp and Lannoy Points (providing safety measures were put in place set out in paragraph 4.15) but extensive strengthening work was required. The buildings failed when tested for resistance to disproportionate collapse in the event of an accidental explosion.

4.4 To validate these findings in March 2018 the Council appointed Arup to undertake further intrusive surveys at Hartopp and Lannoy Points. Arup undertook intrusive surveys to nine flats across the two buildings. Their survey dated 13 February 2019 validated the Council's findings and confirmed the test results regarding disproportionate collapse. Arup's report is available on the Council's website. It recommends Hartopp and Lannoy Points are 'demolished or strengthened as soon as reasonably practical'. Arup have indicated that 'reasonably practicable' be interpreted as by the end of December 2020 at the latest.

4.5 A meeting was held on 25 February 2019 with residents to explain the implications for Hartopp and Lannoy and the Council's intention to undertake consultation on the Council's preferred option to demolish. The Council subsequently set out in the consultation papers to residents how they would

be supported to leave Hartopp and Lannoy and that this would be required under demolition or refurbishment.

Refurbishment cost consideration

- 4.6 The structural assessment of Hartopp and Lannoy Points were used for the basis for calculating the costs of refurbishing the blocks, this would address:
- The structural defects of the buildings
 - Breaches of fire compartmentation
 - On-going problems of water ingress and damp
 - And bring the flats to a decent homes' standard.
- 4.7 Any refurbishment option would be extensive and highly intrusive. It would be impossible to undertake this work with residents remaining in the block. Residents would have to be rehoused for the duration of the works. As well as the disruption there would be a significant cost of refurbishing the blocks.
- 4.8 The costs of undertaking a refurbishment would be prohibitively high and impact on the rest of the HRA and the Council's ability to fund other required capital schemes and investment. The Council commissioned Ridge Partners to provide cost estimates for addressing the structural defects identified. The cost of addressing the structural elements is estimated at £7.3m. Further costs would be incurred to address pre-existing issues of damp and water ingress, this was previously estimated at £8m. The total refurbishment costs for the 112 flats would be over £16.5 million or over £150k per flat. These figures exclude rehousing costs, asbestos removal and professional fees which would add further costs.
- 4.9 Based on the cost estimates of: refurbishment, maintenance, rehousing costs and the ongoing health and safety risks the Council resolved to demolish the buildings on 29th April 2019.

Fire Safety measures

- 4.10 To keep residents safe the Council has undertaken, an extensive programme of works over the last 12 months. These works have improved fire safety and addressed issues identified in the communal areas and residents' homes.
- 4.11 The Fire Safety measures in place at Hartopp and Lannoy, include:
- Simultaneous evacuation in the event of a fire instead of 'stay put'. All residents are aware of this and have been tested by way of a fire drill.
 - Since November 2017, Fire Wardens are on site 24/7 working to the National Fire Chief Councils national standard for 'Waking Watch'.
 - The London Fire Brigade visit weekly.
 - Installation of a communal fire alarm system with Inter-linked hard-wired detectors installed into flats in every room

- A detailed Emergency Plan.
- A secure Premises Information Box
- Evacuation chairs.

All of these measures will remain in place until the buildings are vacated.

Other large Panel System Blocks

4.12 There were many Large Panel System blocks built across the country. Since their construction a significant number of blocks have been demolished. Of the remaining blocks councils are reviewing the viability of their continued use. Several authorities are in the process of arranging for the rehousing of residents and or demolition, including:

- **Haringey, Broadwater Farm:** has undertaken section 105 consultation on the proposed demolition of two blocks.
- **Lewisham, Heathside and Lethbridge Estate:** has demolished six blocks.
- **Leicester, Goscote House:** is in the process of demolishing a 23 storey Large Panel System block.
- **Portsmouth, Horatia House and Leamington House:** is rehousing residents from two 18 storey blocks, to demolish the blocks.
- **Rugby, Biart Place:** is rehousing families from the 152 flats while determining the future of the blocks.

Future use of the site

4.13 In order to utilise section 17 of the 1985 Housing Act to make a compulsory purchase order it is necessary for the Council to commit to delivering a qualitative gain in housing stock on site within 10 years of the confirmation of the order. Members will be updated, and authority sought to proceed with redevelopment.

The CPO process

4.14 A CPO allows a public authority to acquire third party interests in land compulsorily. It should be progressed concurrently with a strategy to acquire the land voluntarily.

4.15 CPOs are used to assemble land for large regeneration projects, to enable programmes such as this and to enable disused land to be brought into productive use. This approach is encouraged within the Ministry for Housing Communities and Local Government Guidance (July 2019).

4.16 There are likely to be other land interests and rights which will need to be extinguished or overridden but they will not be known until the full referencing process is complete.

- 4.17 Failure to initiate the CPO in a timely fashion will risk delay to the programme and it may also lead to cost escalations and will prejudice the safety of the blocks' occupiers and neighbours.
- 4.18 A CPO is viewed as a serious interference with private property rights, is a complex process and should only be used following careful consideration of other options. Preparation of a CPO requires attention to detail and strict adherence to statutory requirements all of which is covered under other provisions in this report
- 4.19 Making the Order does not give the Council the power to acquire the land – this power arises only when the Order is exercised after it is confirmed either by the Council, the Planning Inspectorate or by the Secretary of State.
- 4.20 Following making of the CPO, the Council must notify the affected persons that the CPO has been made and is to be submitted to the Secretary of State for confirmation and then submit the CPO for consideration.
- 4.21 Affected persons then have an opportunity to object to the Secretary of State. If no one objects, the Secretary of State is likely to invite the Council to confirm CPO following which, the Council has the power to exercise the CPO and acquire third party interests in land.
- 4.22 Often there are objections, and when there are objections, the Secretary of State will appoint an inspector to hold a public inquiry into the CPO
- 4.23 For a programme such as this, the inquiry could probably run for several days/weeks and will depend of the nature and number of objections.
- 4.24 The Inspector's report will summarise the evidence and come to a view as to whether there is compelling public interest for the confirmation of the CPO. Considering the nature of the case the Inspector is likely to constitute the decision maker, however in some cases the Secretary of State makes the decision in light of an Inspectors recommendations.
- 4.25 If the CPO is not confirmed, the Council may have the option of bringing a judicial review to challenge the legality of the decision-making process should suitable grounds of claim exist.
- 4.26 If and when the CPO is confirmed there is a 6-week window during which affected parties may bring a High Court challenge to the legality of the decision-making.
- 4.27 Cabinet are advised that the current programme of dialogue and negotiations to agree relocation and acquisition of interests of all affected interest will continue and fits with the planned delivery programme and accords with MHCLG Guidance.

- 4.28 Adoption of the recommendations in this report does not necessarily mean that CPO will be used to enable acquisition of all third-party interests to enable the demolition. As per Government Guidance on the use of compulsory purchase powers, the Council has been and will continue to seek to reach negotiated settlement with all those land interest that are required and implementation of a confirmed CPO will only arise where agreement cannot be reached on reasonable terms and in a reasonable timeframe. The authority given in this report assists the Council by making it clear to all outstanding land interests that the Council intends to deliver the demolition and is willing to secure and exercise a confirmed CPO, if required.
- 4.29 This report, including the appended site plan, contains the relevant information required to justify the making of a CPO, in due course as proposed. The information on which these decisions are being requested is in draft format, detailed information will be confirmed closer to the point at which the Council formally commences the CPO process, if required.
- 4.30 As part of the CPO process the Council will need to demonstrate that funding is in the place to deliver the proposed demolition and acquisition of land and property interests.

5. OPTIONS

- 5.1 The Health and Safety of all residents is the Council's prime concern. Arup's report makes clear the structural issues identified in surveys must be addressed by way of either refurbishment or demolition. In accordance with Arup's advice, the Council needs to address these issues as soon as reasonably practicable. The main options for the council are set out below:
- 5.2 **Option 1 (recommended option):** Make a Housing Act section 17 CPO and utilise statutory site assembly powers to acquire third party interests required to enable demolition. This is the recommended option as it provides project programme and budget certainty for the demolition programme.
- 5.3 The Council's approach and associated statutory protections will ensure all third party interests are treated fairly and consistently. Negotiations will continue in parallel with the CPO process with a preference to acquire interest by agreement. Where agreement is reached in advance of the exercise of CPO powers the Council has offered compensation in excess of leaseholders' statutory entitlement to encourage agreement in accordance with government guidance. All affected parties have been encouraged to appoint their own specialist adviser with the reasonable cost met by the Council in accordance with the statutory provisions protecting claimants.
- 5.4 Option 2: Do not make a CPO and continue to negotiate with leaseholders in the hope of securing vacant possession entirely by agreement. This option is not recommended as it does not give the project any certainty for the on

timeframe or budget. A number of leaseholders are not engaging in negotiations and there are owners currently seeking and may continue to seek an unreasonable level of compensation. If this option was adopted, it would likely be necessary to offer the last remaining parties an unreasonably large pay-out, greater than those who have reached agreement at an early stage which would have a negative impact on the HRA. It would also mean that cooperative parties will have received lower payments than the uncooperative parties. Even if this approach is adopted there would be no certainty over the programme.

- 5.5 Option 3: Do not make a CPO and stop negotiating. This is not realistic option as the blocks need to be demolished or be refurbished as soon as reasonably practicable. The Council has obligations to ensure the safety of the buildings, residents and neighbours. The Council has already resolved to pursue demolition.
- 5.6 Option 4: Make a CPO using alternative statutory powers. In addition to section 17 of the 1985 Housing Act there are a number of alternative enabling powers for securing compulsory purchase powers such as section 226 Town and Country Planning Act 1990. Section 17 is considered the appropriate enabling power in light of the circumstances of the case, preferred approach of the Council to resident relocation, project programme and requirements of the enabling powers.
- 5.7 In conclusion option 1 is recommended. The Council has already resolved to demolish the blocks and a Compulsory Purchase Order is required to provide programme certainty to ensure demolition and the safety of the blocks, residents and neighbours. There are no realistic alternative options open to the Council other than securing compulsory purchase powers.

6. CONSULTATION

- 6.1 Five meetings have taken place with the Tenant and Residents' Association (TRA). These have updated and provided information about the work being undertaken and the outcome of the surveys. The Council has written to residents on 14 occasions over the last 12 months to inform them of the work required to make the blocks safe and that structural assessments were happening. The Council has also door knocked residents throughout this period to provide residents with information about what is happening at Hartopp and Lannoy Points.
- 6.2 The Council has undertaken consultation with all residents about the future of the blocks. There is a statutory obligation in Section 105 of the Housing Act 1985 on the Council to consult with all secure tenants on a proposal to demolish the blocks.
- 6.3 The statutory consultation was extended to ensure that all residents in the blocks were consulted on the future of the blocks. Residents of the adjoining

blocks were also invited to resident meetings. The consultation explained to residents that they would have to be rehoused whether the blocks were refurbished or demolished and that the Council's preferred option to demolish the blocks was due to:

- the significant health and safety concerns which must be addressed,
- the costs of refurbishing the blocks to address the health and safety concerns would have a major impact on the Housing Revenue Account, and limit investment in other homes.
- the Council wants to be able to rehouse residents appropriately.

6.4 The consultation started on 4 March 2019 and closed on 8 April 2019. The length of consultation is considered appropriate having obtained Arup's advice that the health and safety issues must be dealt with as quickly as possible and also the low number of flats occupied meant that the Council could more easily consult those directly affected.

6.5 The consultation questionnaire was distributed to all remaining Hartopp and Lannoy residents. Each consultation included a free-post return envelope, as well as information on replying via email. Each address was door knocked and all absentee landlords contacted in writing.

6.6 As well as consulting on the preferred option of demolition views were sought on the suggested offers for rehousing tenants and leaseholder purchases.

6.7 Nineteen consultation responses were provided during the consultation period. Of the consultation responses 18 were supportive of the proposal to demolish Hartopp and Lannoy Points.

Undertaking negotiations with leaseholders

6.8 Avison Young has been appointed to undertake negotiations to acquire leasehold interests for 21 properties. Since appointment Avison Young have written to all leaseholders and pursued negotiations where leaseholders or their advisers have engaged

6.9 Leaseholders have been encouraged to instruct specialist professional advisers to act on their behalf, the reasonable costs of these will be reimbursed by the Council.

6.10 Negotiations are on-going to acquire properties by agreement and rehouse owner occupiers. During negotiations affected parties have been informed of the likelihood of the Council making of a compulsory purchase order, although the Council's preferred strategy is to acquire by agreement on reasonable terms.

- 6.11 As of 1 August 2019, agreement has been reached to acquire nine leasehold interests.

7. OFFER TO HARTOPP AND LANNOY RESIDENTS

- 7.1 Since the fire evacuation advice for the blocks changed from 'stay put' to full and immediate evacuation in November 2017, the Council has offered voluntary moves to Hartopp and Lannoy residents and to purchase leasehold properties.

- 7.2 There are 112 flats in the blocks and as at 16 April 2019 there are 56 void properties. There were three void properties in November 2017, two leasehold properties have been bought back and 51 tenants have since moved.

Tenants

- 7.3 Council secure tenants will not be included within the compulsory purchase order, except for three Council properties where the tenancy has been terminated following an investigation by Corporate Anti-Fraud.

- 7.4 The decant strategy for secure tenants is outlined in the Cabinet report dated 29th April 2019. The Council has a duty to provide secure tenants with suitable alternative accommodation and Officers are working with tenants to identify and offer suitable homes. However, to provide programme certainty and ensure residents safety Notices of Seeking Possession were served on the 19th July 2019 on remaining secure tenants. If secure tenants do not agree to move it will be necessary to issue possession proceedings in the county court

Leaseholders

- 7.5 There were 21 leasehold properties at Hartopp and Lannoy Points. Prior to the decision to demolish the Council offered a voluntary purchase option to all leaseholders. Offers were based on the market value of the properties calculated by the Council's external valuers on the basis of ignoring the inherent structural failings and excluding the additional heads of claim which arise on compulsory purchase. This resulted in the purchase of two leasehold properties, leaving 19 leasehold properties.

- 7.6 Following the decision to demolish, utilise compulsory purchase powers and appointment of Avison Young, leaseholders have been encouraged to instruct specialist professional advisers to act on their behalf, the reasonable costs of which will be reimbursed by the Council. Offers to acquire now include the additional elements of claim which arise on compulsory purchase. The level of the offer reflects the valuations previously undertaken on the basis of ignoring the inherent structural failings. Therefore, the offers to acquire interests by agreement significantly exceed leaseholders' statutory entitlement to claim. Offers will continue to be made on this basis to encourage leaseholders to reach agreement prior to the exercise of CPO powers in accordance with Government guidance and best practice. As of 1 August 2019, nine agreements to acquire have been reached. Once compulsory

purchase powers are available the level of the offers will be reviewed in light of the Compensation Code and the Council's statutory obligations.

- 7.7 The Council's preference is to continue with a voluntary purchase approach, however given the short timescale it is necessary to utilise a compulsory purchase order to provide programme certainty. The use of compulsory purchase will be undertaken in line with statutory requirements governing the use of CPOs and government best practice requirements.

Shared equity scheme

- 7.8 The Council will make available equity share loan options for eligible owner occupiers, the final arrangements of which were delegated to the Strategic Director for the Economy on the 29th April 2019. The scheme allows resident leaseholders to remain in home ownership within the area.
- 7.9 Since the 29th April 2019 the scheme detail has been refined and the scheme is open for leaseholders to access. Shared equity schemes do not fall within the leaseholders' statutory entitlement to claim, therefore they tend to vary in detail between different schemes. Avison Young has advised the Council that the scheme offered to residents of Hartopp Point and Lannoy Point is somewhat more favourable to leaseholders than many similar schemes in London. The scheme therefore provides owner occupiers with a significant incentive to relocate by agreement.

8. SITE FEASIBILITY

- 8.1 The main concern of the Council is to ensure the safety of residents of the affected blocks and its neighbours. In addition to preparing to demolish Hartopp and Lannoy Points the Council will now consider options for the future through site feasibility leading to initial design and consultation activities.
- 8.2 The consideration for the future of the site will be based on the Council's established policy objectives of:
- Delivering a qualitative gain in housing stock
 - Maximising the amount of genuinely affordable housing
 - Defending the availability of council housing in Hammersmith and Fulham
 - Housing Compliance asset management strategy (December 2018).

9. EQUALITY IMPLICATIONS

- 9.1 It is anticipated that the decant of the remaining households (whether Council tenants, leaseholders or private tenants) may have a proportionally greater negative impact on older people, disabled people and families with school age children, as acknowledged in the Equality Impact Assessment (EIA).

9.2 The Council has adopted a number of measures to mitigate the impact of the Scheme including:

- The ongoing needs assessment, with Housing Management undertaking appointments with council tenants. This assesses the housing preferences and support needs of each remaining council tenant and seeks to implement mitigating actions to alleviate any negative impacts identified.
- Provision of a shared equity scheme for qualifying resident owner occupiers which is in excess of the statutory compensation entitlement.
- The use of the Council's mortgage lending powers to assist those who cannot readily access the mortgage market.
- Assistance and support in locating and securing alternative suitable alternative accommodation for leaseholders.
- Provision of compensation for special adaptations required for elderly or disabled leaseholders.
- Level access will be maintained at all times to all retained dwellings.
- When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The appointed surveyor then ensures that negotiations are undertaken with regard to the Council's PSED obligations.
- The rehousing policy for affected residents has been prepared having regard to the Council's PSED obligations.
- Private tenants requiring and requesting assistance will be assessed in accordance with the Council's Housing policy. Housing assistance will be offered to some private tenants with particular difficulties relocating who are not technically eligible for assistance as defined by the Compensation Code or Housing Allocations Policy.
- The Council's Equality, Diversity, and Inclusion Policy provides a clear statement on the Council's commitment and approach to equality, diversity, and inclusion, in the areas of employment, service delivery and procurement. This policy underlies the Council's approach to delivering the scheme.
- When granting planning permission for the future redevelopment of the Order Land the Council will take account of its PSED duty.

9.3 The EqIA sets out the mitigating actions being proposed for the 13 older tenants, the 12 tenants with mobility issues and the tenants with school age children. These actions will be tailored to best meet the needs of those residents as the needs assessment is progressed.

9.4 Overall the Council has taken account of its duties under section 149 of the Equality Act 2010 and is satisfied that due regard has been had to any potential disproportionate impact on any parties with protected characteristics. The Council has instigated a number of measures to mitigate any potential negative impacts.

Implications verified by Fawad Bhatti, Policy & Strategy, tel. 07500 103617.

10. LEGAL IMPLICATIONS

- 10.1 See paragraph 4.14 to 4.30 above
- 10.2 CPO powers should be used where it is expedient to do so, but a compulsory purchase order should only be made and confirmed where there is a compelling case in the public interest. The Council's statement of reasons, accompanying the CPO will reflect what action the Council has taken to acquire the land by private treaty, will demonstrate the compelling case for the confirmation of the order and need for the order to achieve delivery of the demolition programme.
- 10.3 Section 17 of the Housing Act 1985 empowers the Council, on being authorised by the Secretary of State, to acquire land compulsorily to achieve a quantitative or qualitative housing gain or improvement to adjoining housing.
- 10.4 The Acquisition of Land Act 1981 contains the procedures which apply to such an acquisition, Compensation is payable under the Land Compensation Act 1961 and the Land Compensation Act 1973 (as amended).
- 10.5 The Council will need to commit to delivering housing on the order land within 10 years of the confirmation of the Order.

Human Rights

- 10.6 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way that is incompatible with the European Convention on Human Rights. The Convention rights likely to be relevant to the Order are:

First Protocol Article 1: Peaceful enjoyment of possessions. This right includes the right to peaceful enjoyment of property and is subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.

Article 6: Entitlement to a fair and public hearing in the determination of a person's civil and political rights. This includes property rights and can include opportunities to be heard in the consultation process.

Article 8: protects the right of the individual to respect for private and family life

- 10.7 The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers and duties. Any interference with a Convention right must be necessary and proportionate.

- 10.8 The Council must consider whether its actions would infringe the human rights of anyone affected by the making of the CPO. So, it must carefully consider the balance to be struck between individual rights and the wider public interest.
- 10.9 In this case it is considered that there is a compelling case in the public interest for the CPO. The public interest is served by demolition of unsafe buildings and the future qualitative housing gain outweighs the necessary interference with the private rights and interests. The benefits derived by owner occupiers from being relocated from unsafe to safe homes mitigates and justifies the interference with their private rights.
- 10.10 In addition, the individuals affected by the order have the right to object and have their objection heard at a public inquiry and, additionally, appropriate compensation will be available to those entitled to claim it under the relevant provisions of the CPO Compensation Code.
- 10.11 Therefore, it is considered that in making the CPO the Council has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the wider public interest.
- 10.12 Section 149 of the Equalities Act 2010 requires the decision maker meaning the Council acting through its Cabinet, to have due regard to the goals in the Act as set out in section 149. An EqIA has been undertaken on the potential impact of the decision on resident with protected characteristics. This will be reviewed and updated as more information becomes available. The Council and its advisers will take account of the PSED and any impact on any parties with protected characteristics whilst undertaking negotiations to acquire interests.

Implications completed by Janette Mullins Acting Chief Solicitor (Litigation and Social Care), tel. 020 8753 2744 and Rachel Silverstone Senior Solicitor (Property and Planning), tel. 020 8753 2210

11 FINANCIAL IMPLICATIONS

Capital budget

- 11.1 The recommendations in this report require an additional capital budget allocation of £1,359,000 which brings the total project budget to £15,427,000 and the remaining project budget from 2019/20 to £14,540,000. This is set out below:

Type of Capital Cost	Budget Required £,000	Previously approved Budget £,000	Additional Budget Required £,000	Less spend in 2018/19 £,000	Remaining Budget £,000
Leaseholder Acquisitions	10,927	10,068	859	(887)	10,040
Demolition	3,500	3,500	0	0	3,500
Tenant Decant	400	400	0	0	400
CPO Advice	350	100	250	0	350
Design, surveys, cost consultancy and project management	250	0	250	0	250
Total	15,427	14,068	1,359	(887)	14,540

- 11.2 The 29 April 2019 report included additional budget provision of £8.717m to provide a total programme budget of £14.068m. This was approved under a £50m budget envelope included in the Capital Programme to provide operational flexibility, for taking forward the major projects set out in Capital Strategy, the proposed demolition works being required urgently on the grounds of Health and Safety. This further budget provision of £1.359m can be approved by Cabinet under the Council's Constitution and Financial Regulations.
- 11.3 The additional capital budget requirement will be funded from an increase in borrowing/the HRA Capital Funding Requirement (CFR)¹. If external borrowing is used the annual revenue impact on current rates would be up to £28,000 if additional borrowing is taken out (the 50-year Public Works Loan Board rate was 2.04% on 7th August 2019) but less if cash balances were used. This would be an additional charge to the HRA until the associated CFR increased is funded via a capital receipt or revenue contribution.
- 11.4 The total estimated cost of £15,427,000 is still less than the estimated cost of refurbishing the two blocks. However, should all properties be acquired by negotiation it is expected that the full CPO budget will not be utilised.
- 11.5 Use of the budget will be subject to the following approvals:
- Leaseholder property acquisitions: Each purchase will require signed delegated approval from the Strategic Directors of the Economy Department and Finance and Governance.
 - Demolition contract award: An Officer decision would be required from the Strategic Director for the Economy in consultation with the Strategic Director for Finance and Governance.

Financial context

- 11.6 This decision is expected to increase the level of debt in the HRA as measured by the HRA Capital Financing Requirement (CFR), as the Capital Programme Monitor & Budget Variations, 2018/19 (Outturn) report that went to Cabinet on 1 July 2019 sets out that the CFR is forecast to be within

¹ The Capital Financing Requirement is the non-funded element of capital spend which is in respect of borrowing or credit arrangements used to **finance capital** expenditure on assets. This is not restricted to external borrowing as the council may elect to internally borrow against cash balances.

prudential borrowing limits. The proposal in this report will increase the CFR by up to £1,359,000 and incur a cost of borrowing but this can be accommodated by the HRA Business Plan approved on 4 February 2019.

Financial Risks

- 11.7 The Council will need to develop its plans for the future of this site which will be the subject of a future decision, the financial implications of which will be reported in full. If a new development on this site does not proceed then any expenditure incurred against the £250,000 budget for design, surveys, cost consultancy and project management will be written off as an unbudgeted charge to revenue.

Implications completed by: Firas Al-Sheikh, Head of Housing Financial Investment and Strategy, Tel: 020 8753 4790.

Implications verified by: Emily Hill, Assistant Director, Corporate Finance, tel. 020 8753 3145.

12. IMPLICATIONS FOR BUSINESS

- 12.1 There are no implications for business.

Implications completed by: David Burns, AD Growth.

13. COMMERCIAL IMPLICATIONS

- 13.1 The report recommends the extension of the Council's contract with Avison Youngs. Cabinet approved the waiver and the direct award of the contract for a value of £100,000. The value of the initial award is under the EU threshold, £181,000. The estimated value of the extension is £60,000 out of the proposed budget of £250,000 for the CPO related costs. As a result, the total value of the contract, including extensions, is £160,000 which is still under the statutory threshold mentioned above.

- 13.2 As a result, PCR 2015 do not fully apply. If the value of the extension exceeds £81,000, a fully compliant procurement process must be conducted in line with the Regulations.

Procurement implications provided by Andra Ulianov, Head of Contracts and Procurement, tel. 07776672876

14. IT IMPLICATIONS

- 14.1 No IT implications are considered to arise from this report.

- 14.2 Any contracts arising from this report will need to include H&F's data protection and processing schedule. This is compliant with the General Data Protection Regulation (GDPR) enacted from 25 May 2018. Any suppliers will be expected to have a GDPR policy in place and all staff will be expected to have received GDPR training.

Implications verified/completed by: Tina Akpogheneta, Interim Head of Strategy and Strategic Relationship Manager, IT Services, tel. 0208 753 5748.

15. RISK MANAGEMENT

- 15.1 The Council has consulted with and been informed by experts whose opinion has led to the conclusion that demolition is necessary. The Council must address the structural issues identified either via demolition or refurbishment. The costs of refurbishing the blocks are significant hence the recommendation is to propose solutions for residents first following the consultation exercise and then to proceed to procure a contractor to undertake a controlled and safe demolition once the buildings are vacated of residents. The proposals are consistent with our Council Priorities, specifically decisions being made with our residents foremost in our consideration.
- 15.2 Proposed actions set out in the report to enable the demolition of the two blocks are being recommended in accordance with our Being Ruthlessly Financially Efficient Objective to seek the best financial solution for our local taxpayers.
- 15.3 A compulsory purchase order will provide project and programme certainty to enable demolition of the buildings and ensure the safety of the residents and neighbours.
- 15.4 Officers will ensure that all proposed actions are taken in consultation with the Assistant Director of Legal and Democratic Services and in line with the legal comments provided to mitigate the risk of challenge by means of a public inquiry.

Implications verified by: David Hughes, Director Audit, Fraud, Risk and Insurance tel: 020 7361 2389.

16. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

Cabinet decision and report 29th April 2019.

LIST OF APPENDICES:

- Appendix 1 - Plan 1
- Appendix 2 - EqIA



NOTES:

1	FIRST DRAFT	SM04/06/19
R	DESCRIPTION	BY/DD/MM/YY

1	FIRST DRAFT	SM04/06/19
R	DESCRIPTION	BY/DD/MM/YY

KEY:

- CPO BOUNDARY
- DEMOLITION BOUNDARY

COMMISSION:

AINTREE ESTATE - HARTOPP POINT & LANNOP POINT
(2681)

DRAWING: Appendix 1

RED LINE BOUNDARY PLAN
SHEET 1 OF 1

DRAWING NO.

PA-2681-RLB

DATE:	SCALE:
04/06/2019	1:500 @ A3

REVISION:	DRAWN BY:
R1	SM

Drawing units are in metres © 2019 PERSONA ASSOCIATES



APPENDIX 2- Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative or unlikely to have a significant impact on each of the protected characteristic groups.

Page 128

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (link), as well as from your service or borough leads:

LBHF
Opportunities Manager:
PEIA@lbhf.gov.uk or ext 3430

Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2020 /Quarter 2
Name and details of project.	<p>Lannoy & Hartopp Point</p> <p>Project summary:</p> <p>The Council has undertaken and commissioned extensive structural surveys to look at the condition of Hartopp and Lannoy Points. These surveys are now complete and have found significant Health and Safety issues at Hartopp and Lannoy Points. The Council’s appointed structural engineer advised the building must be repaired or demolished as soon as reasonably practicable.</p> <p>We have also completed comprehensive Fire Risk Assessments (FRA) which have identified issues of compartmentation between flats and within the communal areas. These issues and existing issues of damp and water ingress of the buildings would need addressing as part of any refurbishment of the blocks.</p> <p>The two options available to adequately address the issues, are to refurbish Hartopp and Lannoy Points or demolish the blocks. Both options require all the remaining households to move to new homes; the extent of refurbishment and repair required, and the disruption to daily living does not make it feasible with residents in-situ. Having identified the issues of compartmentation H&F acted immediately, to offer residents with mobility and medical issues a voluntary transfer. This was later extended to all residents.</p> <p>The Economy Department has successfully moved 63 households under this offer and is working with the 49 remaining households to achieve vacation of the two blocks, with minimum negative impact for residents.</p> <p>Following consultation and consideration of the options the Council resolved to demolish the two blocks on the 29th April 2019. In order to demolish the blocks, it will be necessary to relocate all Council tenants and acquire privately held leasehold properties owned by a mixture of owner occupiers and investor owners.</p>

Our offer to residents:**Council Tenants –for council tenants the offer is:**

- A lifetime tenancy of a new home in their area of choice, where available, within borough.
- An offer based on current housing need- over crowded households will move to larger properties.
- Home loss payment
- Financial assistance for the costs of moving home
- Management and payment of removals, disconnections and reconnections costs.
- Band 1 prioritised move.
- 1 to 1 housing needs assessment.
- A retained right to return
- If downsizing, a downsizing incentivisation payment
- Advice and support from a dedicated decant officer, assigned to the project.

Resident leaseholders: for resident leaseholders the offer is:

- Where properties are acquired by agreement the value offered will significantly exceed the market value of the leasehold interest.
- A further Home Loss payment, equal to 10 per cent of market value agreed.
- A disturbance payment to cover reasonable costs of moving and purchasing a new home.
- Reimbursement of reasonable professional fees.
- The Council will make available equity share loans to support residents stay in the local area. .

Non-resident leaseholders: for Non-resident leaseholders the offer is:

- Where properties are acquired by agreement the value offered will significantly exceed the market value of the properties. Plus, a Basic Loss payment of 7.5 per cent.
- Reimbursement of reasonable professional fees and reinvestment costs.
- If it is necessary to acquire properties by compulsion leaseholders will be entitled to compensation as set out in the Statutory Compensation Code. Compensation calculated on the basis of the Code is significantly less than offers made to acquire leasehold interests by agreement. However, the Code provides for leaseholders to be put back in the position they were prior to the acquisition, so far as money can.
- Advice and support from a dedicated decant officer, assigned to the project.

Privately renting tenants: for privately renting tenants the offer is:

We are supporting private residents affected by the demolition by:

- Providing a single point of contact in our H&F Advice Service co-ordinating advice to L&H private tenants.
- Carrying out a rent affordability assessment to inform properties suitable for the applicant.
- Working with private tenants to support them to secure a new tenancy, having explained and reviewed their options, including eligibility for a housing duty under our scheme of allocations.
- Working with private tenants, where needed, to match them to a tenancy with one of our private landlords. We procure private sector lease properties, working with and vetting these landlords, to ensure the property is H&S compliant, is of a good standard and the rent is affordable.
- Once placed the services of a tenancy sustainment officer to provide support to ensure the tenancy sustains.
- Where appropriate and wanted, the option of a nomination to the “Homefinder” register of social housing across the uk, to increase their range of housing options.
- Advice and support from a dedicated decant officer, assigned to the project.

The acquisition process for leaseholders.

The Council has instructed Avison Young's specialist site assembly and compulsory purchase team to undertake negotiations to acquire leasehold interests. All leaseholders are encouraged to instruct their own specialist adviser, with the reasonable costs reimbursed by the Council. When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The Council's appointed surveyor then ensures that negotiations are undertaken with regard to the Council's PSED obligations.

In undertaking consultation and negotiations with residents the Council's team has become aware that a number of affected parties hold protected characteristics. Affected parties may have other protected characteristics which have not been identified or disclosed or which residents may not wish to disclose.

In undertaking negotiations to acquire interests the Council's team works with all affected residents on an individual basis through their adviser (where appointed), paying particular care to those who are vulnerable or have specific needs.

The Council has identified that the scheme may potentially have a detrimental effect or disproportionate impact on persons who share a relevant protected characteristic particularly in terms of families with young children, individuals with disabilities/medical conditions, and the elderly. For these parties will likely face greater challenges in relocating and relocation may have a greater impact on their family life. However the Council has balanced these potential equality impacts against the benefits of the scheme and benefits realised by these parties in being relocated from unsafe to safe housing. The Council has concluded that the decision to demolish the blocks and make a CPO is proportionate and justified in the circumstances. The Council has also adopted a number of measures to mitigate the impact of the Scheme including:

- Provision of a shared equity scheme for qualifying residents which is in excess of the statutory compensation entitlement.
- The use of the Council's mortgage lending powers to assist those owner occupier leaseholders who cannot readily access the mortgage market.
- Assistance and support in locating and securing alternative suitable alternative accommodation
- Provision of compensation for special adaptations required for eligible elderly or disabled leaseholders.
- When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The appointed surveyor then ensures that negotiations are undertaken with regard to the Council's PSED obligations.
- The rehousing policy for affected residents has been prepared having regard to the Council's PSED obligations.
- Secure tenants' housing assessment is in accordance with this PSED and they are offered a new home suitable for their needs on the estate. This includes taking account of any protected characteristics, for example elderly or disabled secure tenants requiring special adaptations will be eligible to claim for these costs or the adaptations will be made to the new dwelling.
- Private tenants requiring and requesting assistance will be assessed in accordance with the Council's Housing policy. Housing assistance will be offered to some private tenants with particular difficulties relocating who are not technically eligible for assistance as defined by the Compensation Code or Housing Allocations Policy.
- The Council's Equality, Diversity, and Inclusion Policy provides a clear statement on the Council's commitment and approach to equality, diversity, and inclusion, in the areas of employment, service delivery and procurement. This policy underlies the Council's approach to delivering the scheme.
- When granting planning permission for the future redevelopment of the Order Land the Council will take account of its PSED duty.

Lead Officer	LBHF Name: Matt Rumble Position: Head of Area Regeneration Email: matt.rumble@lbhf.gov.uk Telephone No:0208 753 4552
Lead Borough	Matt Rumble
Date of completion of final EIA	Completed 16 April 2019 Reviewed 15 August 2019

Section 02	Scoping of Full EIA						
Plan for completion	Timing: Immediate Resources: Maureen James – Decant Manager						
Analyse the impact of the project.	Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.						
	Protected characteristic	Borough Analysis					Impact: Positive, Negative, Neutral
	Age	Tenancies	Tenancy households:	% Hartopp Point & Lannoy Point	Leasehold properties	Compared with % all H&F Tenants	Negative

		Tenants		
Tenant aged 18-54	18 tenancies	60.0%	Some information provided for the purposes of undertaking negotiations	50.1%
Tenant aged 55+	12 tenancies	40%	Some information provided for the purposes of undertaking negotiations	49.9%
Grand Total	30 tenancies	100.0%	19 properties	100.0%

Household breakdown- 56 properties.	30 Tenancies: Number of residents	18 Leaseholds:
Under 18	15 residents	Some information provided for the purposes of undertaking negotiations
18 +	45residents	Some information provided for the purposes of undertaking negotiations

		Total	60 residents	Some information provided for the purposes of undertaking negotiations	
		<ul style="list-style-type: none"> • Comparison to borough wide profile shows a lower percentage of older tenants are now resident in the blocks compared to borough average and demonstrates our success to date in successfully moving older residents without negative impact. • 15 children remain living in the blocks, which is in line with borough profile. <p><u>Negative impacts identified:</u></p> <ul style="list-style-type: none"> • Older residents will be more settled and need additional support when moving. • Older people may have specific medical needs which may make relocation more challenging. • Disturbance of people who live on their own with health conditions and care packages in place can negatively affect their health and well-being. • Disruption to school travel or child care arrangements can have negative educational and emotional impacts. • It is believed a number of the privately held investment properties are occupied by young people. A number of these properties have been modified to include additional bedrooms and overall providing poor quality/sub-standard accommodation, albeit likely providing relatively low-cost living space in the locality. • Young adult private tenants may have limited resources and may find it difficult to remain within the local area unless they are able to locate other low cost sub-standard or poor-quality living space. • Demolition will impact level access to some retained properties • Our older leaseholders are more likely to have difficulty transferring 			

		<p>mortgages.</p> <p>Positive impacts</p> <ul style="list-style-type: none"> • Relocating residents from substandard and structurally unsafe housing represents a positive benefit for affected parties, particularly when the whole cost of the move is funded and or facilitated by the Council. • Older residents with reduced health or mobility now have the option to move to a property meeting their current health profile. <p>Mitigation for Council tenants:</p> <ul style="list-style-type: none"> • We have carried out needs assessment to identify housing and social needs. • We arrange relevant OT/ Social Services assessment for residents where identified, to ensure care packages adjusted where appropriate. • We ensure reasonable adaptations are carried out within the new home in line with OT assessments. • We have a “handyman” service to support residents settling into new homes. • Provide financial and resettlement support. • Have provided an undertaking to move residents within the immediate locality, where properties are available, to minimise increase in travel distances or care arrangements. • Give over-crowded families the opportunity to move to larger properties to solve this and increase the well-being and educational performance environment. • Give families the opportunity to move to properties with outside space for play. • Provided older residents with the option of a fast-track move to sheltered housing, with the reassurance and support this provides for older residents, especially those living alone. • Offer of specialist floating support services where needed. 	
--	--	---	--

Mitigation for leaseholders

- The Council has instructed Avison Young's specialist site assembly and compulsory purchase team to undertake negotiations to acquire leasehold interests. All leaseholders are encouraged to instruct their own specialist adviser, with the reasonable costs reimbursed by the Council. When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The Council's appointed surveyor then ensures that negotiations are undertaken with regard to the Council's PSED obligations. Specific mitigations:
- Provision of a shared equity scheme for qualifying residents which is in excess of the statutory compensation entitlement.
- The use of the Council's mortgage lending powers to assist those owner occupier leaseholders who cannot readily access the mortgage market.
- Assistance and support in locating and securing alternative suitable alternative accommodation
- Provision of compensation for special adaptations required for eligible elderly or disabled leaseholders.
- Offer of specialist floating support services where needed.

Mitigation for Private tenants

- Private tenants requiring and requesting assistance will be assessed in accordance with the Council's Housing policy. Housing assistance will be offered to some private tenants with particular difficulties relocating who are not technically eligible for assistance as defined by the Compensation Code or Housing Allocations Policy.
- Working with private tenants, where needed, to match them to a tenancy with one of our private landlords. We ensure the rent charged is affordable, addressing the income profile of young residents starting their employment careers.

		<ul style="list-style-type: none"> • Offer of specialist floating support services where needed. <p>Mitigation for adjoining residents Level access will be provided at all times to retained properties.</p>																				
	Disability	<table border="1"> <thead> <tr> <th>Disability /long term illness</th> <th>Hartopp Point & Lannoy Point Tenants</th> <th>% Hartopp Point & Lannoy Point Tenants</th> <th>% Borough Wide</th> <th>Hartopp Point & Lannoy Point Leaseholders</th> </tr> </thead> <tbody> <tr> <td>N</td> <td>9</td> <td>30</td> <td>90.4%</td> <td>Some information provided for the purposes of undertaking negotiations</td> </tr> <tr> <td>Y</td> <td>21</td> <td>70</td> <td>9.6%</td> <td>Some information provided for the purposes of undertaking negotiations</td> </tr> <tr> <td>Grand Total</td> <td>30 tenancies</td> <td>100.0%</td> <td>100%</td> <td>19 leaseholds</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • Disproportionately high number of residents presenting with a disability or medical condition. • Disproportionately high percentage of residents presenting with a mobility condition. The Household Needs survey highlighted that a significant number (70%) of Lannoy and Hartopp residents consider themselves to have a disability or medical conditions that is directly affected by the size, location or design of the home they live in. This statistic is subjective rather than objective and not subject to medical assessment or review. • Limited information has been provided by leaseholders and private tenants but the team responsible for undertaking negotiations are fully 	Disability /long term illness	Hartopp Point & Lannoy Point Tenants	% Hartopp Point & Lannoy Point Tenants	% Borough Wide	Hartopp Point & Lannoy Point Leaseholders	N	9	30	90.4%	Some information provided for the purposes of undertaking negotiations	Y	21	70	9.6%	Some information provided for the purposes of undertaking negotiations	Grand Total	30 tenancies	100.0%	100%	19 leaseholds
Disability /long term illness	Hartopp Point & Lannoy Point Tenants	% Hartopp Point & Lannoy Point Tenants	% Borough Wide	Hartopp Point & Lannoy Point Leaseholders																		
N	9	30	90.4%	Some information provided for the purposes of undertaking negotiations																		
Y	21	70	9.6%	Some information provided for the purposes of undertaking negotiations																		
Grand Total	30 tenancies	100.0%	100%	19 leaseholds																		

signed up to minimising any negative impact as part of their acquisition process.

Negative Impacts identified:

- Residents with a learning difficulty may need a separate form of communication and engagement to help their understanding of the reality of their situation.
- Residents who have had their property adapted would be affected by having to move to another property.
- Residents with mobility issues need to be near existing network, and level access accommodation, assistance with move.
- Demolition will impact level access to some retained properties
- More difficulty getting mortgage?

Positive impacts

- Relocating residents from substandard and structurally unsafe housing represents a positive benefit for affected parties, particularly when the whole cost of the move is funded and or facilitated by the Council.
- Residents who need to move due to a medical condition or disability, will now have their transfer needs met and move to appropriate accommodation due to this project, rather than joining a waiting list with other H&F applicants.

Mitigation for Council tenants

- We arrange relevant OT/ Social Services assessment for residents where

		<p>identified – we have an O/T attached to the project to expedite assessments for their new homes.</p> <ul style="list-style-type: none"> • We make sure reasonable adaptations are carried out within the new home in line with OT assessments. • Commission handyman service to support additional fixtures and fittings. • Moving residents within the local area, where properties are available, and to level access properties. • Full support and removals package in place to carry out removals, including packing assistance where needed, and disconnection and re-connection of household appliances. • Offer of specialist floating support services where needed. <p>Mitigation for leaseholders</p> <ul style="list-style-type: none"> • The Council has instructed Avison Young’s specialist site assembly and compulsory purchase team to undertake negotiations to acquire leasehold interests. All leaseholders are encouraged instruct their own specialist adviser, with the reasonable costs reimbursed by the Council. When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The Council’s appointed surveyor then ensures that negotiations are undertaken with regard to the Council’s PSED obligations. <p>Specific mitigation:</p> <ul style="list-style-type: none"> • Assistance and support in locating and securing alternative suitable alternative accommodation • Provision of compensation for special adaptations required for eligible elderly or disabled leaseholders • Offer of specialist floating support services where needed. <p>Mitigation for Private tenants</p> <ul style="list-style-type: none"> • Private tenants requiring and requesting assistance will be assessed in 	
--	--	---	--

		<p>accordance with the Council's Housing policy. Housing assistance will be offered to some private tenants with particular difficulties relocating who are not technically eligible for assistance as defined by the Compensation Code or Housing Allocations Policy.</p> <ul style="list-style-type: none"> • Working with private tenants, where needed, to match them to a tenancy with one of our private landlords. We ensure the rent charged is affordable, addressing the income profile of young residents starting their employment careers. • Offer of specialist floating support services where needed. 	
	Gender reassignment	<p>Although we hold very limited data there is no disproportionate impact identified.</p> <p>Mitigation for all residents</p> <ul style="list-style-type: none"> • All transferring tenants have been offered appropriate support to move to the area of the borough of their choice, where properties are available, so local networks and support systems can be maintained. • Proximity to Charing Cross Hospital's leading gender re-assignment department can be maintained where needed, as our offer to residents enables moves within the borough. • Equality and Human Rights Commission guidance on this protected characteristic is to collect data where relevant. Gender re-assignment is not relevant to the majority of housing services, with the exception of tackling harassment. 	Neutral

	Marriage and Civil Partnership	<p>No disproportionate impact identified.</p> <p>Mitigation for all residents</p> <ul style="list-style-type: none"> The Council recognises gay relationships and civil partnerships with respect to household composition and management of all our policies and processes. 	Neutral
	Pregnancy and maternity	<p>No disproportionate impact identified, however we recognise the disruption during the actual decanting process on pregnant mothers or families with new born children.</p> <p>Mitigation for Council tenants:</p> <ul style="list-style-type: none"> Full support package provided for packing, removals, disconnections and reconnections. Offer of specialist floating support services where needed to assist during the move process. <p>Mitigation for leaseholders:</p> <ul style="list-style-type: none"> Offer of specialist floating support services where needed to assist during the move process. <p>Mitigation for private tenants:</p> <ul style="list-style-type: none"> Offer of specialist floating support services where needed to assist during the move process. 	Neutral

	Race	<p>No disproportionate impact identified.</p> <ul style="list-style-type: none"> • The diversity of the estate is significant and shows a broad spread across the different race and ethnicity classifications. Review of the race profile of block residents shows little variance when compared with the borough wide profile. • The largest variance between Hartopp & Lannoy Point residents and the borough profile is a 6% increase in White English residents living in the blocks, but this is still low. • The Council's Scheme of Allocations does not discriminate as it's based on housing needs which delivers a consistent, fair assessment, and is not influenced by someone's race. • The borough is small with excellent transport provision, enabling connections with established groups/networks to remain in place. <p>Mitigation for all:</p> <ul style="list-style-type: none"> • Translation or offer of translation in place for all residents who do not speak English as their main language in their home. • Translation and interpretation provision is available when specific tenant engagement and leaseholder negotiation is undertaken. 	Neutral
	Religion/belief (including non-belief)	<p>No disproportionate impact identified but very little data held</p> <ul style="list-style-type: none"> • Very few residents have chosen to share their religious belief details, less than 10% across the blocks. This is mirrored in the data held by H&F across its stock, which is also less than 10% • No aspects of the project that prevents residents from practicing their religion or faith. 	Neutral

	<p>Mitigation for all</p> <ul style="list-style-type: none"> Residents are provided with the opportunity to share information regarding their faith/beliefs to minimise disruption and maintain connection to places of worship while we manage this decant project. 	
Sex	<p>No disproportionate impact identified</p> <p>There is a high proportion of tenancies held by women, which is consistent with the borough profile.</p> <p>Mitigation for all:</p> <ul style="list-style-type: none"> Officer involved in the project management are all trained in Equalities issues and apply these principles across all aspects of the project. 	Neutral
Sexual Orientation	<p>No disproportionate impact identified.</p> <p>Although very limited data is available there is no disproportionate impact identified.</p> <p>Equality and Human Rights Commission guidance on this protected characteristic is to collect data where relevant. Sexuality is not relevant to most of housing services, with the exception of tackling harassment.</p>	Neutral

Human Rights or Children's Rights

If your decision has the potential to affect Human Rights or Children's Rights, please contact your Borough Lead for advice.

N/A

Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	LBHF: <ul style="list-style-type: none"> • Northgate Housing Management Database. • Individual Needs Assessments completed with residents. • Leaseholder negotiation schedule
New research	Not required

Section 04	Consultation
	Complete this section if you have decided to supplement existing data by carrying out additional consultation.
Consultation in LBHF	Individual needs assessments. No additional consultation.
Analysis of consultation outcomes	N/A

Section 05	Analysis of impact and outcomes
Analysis	Analysis has shown the following impacts: <p>Negative impacts identified:</p> <ul style="list-style-type: none"> • Older people may be more settled and require more support when moving. • Disruption to school life and home study may occur during the move and possible loss of informal child care arrangements.

- Disturbance of people, if on their own, frail and vulnerable, may affect their health and well-being.
- Residents who do not speak or read English may be negatively impacted as they may not understand the process fully.
- Cost impact on retired residents.
- Cost impact for those with low disposable incomes.
- The cost and challenge of relocating for private tenants, these negative impacts may be worse for young people.
- It is believed a number of the privately held investment properties are occupied by young people. A number of these properties have been modified to include additional bedrooms and overall providing poor quality/sub-standard accommodation, albeit likely providing relatively low-cost living space in the locality.
- Young adult private tenants may have limited resources and may find it difficult to remain within the local area unless they are able to locate other low cost sub-standard or poor-quality living space.
- Demolition will impact level access to some retained properties
- Our older leaseholders are more likely to have difficulty transferring mortgages.
- Residents with a learning difficulty may need a separate form of communication and engagement to help their understanding of the reality of their situation.
- Residents who have had their property adapted would be affected by having to move to another property.
- Residents with mobility issues need to be near existing network, and level access accommodation, assistance with move.
- Demolition will impact level access to some retained properties

Positive impacts identified

- Relocating residents from substandard and structurally unsafe housing to better quality housing represents a positive benefit for affected parties, particularly when the whole cost of the move is funded and or facilitated by the Council.
- Older residents with reduced health or mobility now have the option to move to a property meeting their current health profile, without joining a waiting list.
- Over-crowded families have the opportunity to move to larger properties to which improves well-being and educational performance environment without joining waiting list.
- Families have the opportunity to move to properties with outside space for play.
- Older residents have the option of a fast-track move to sheltered housing, with the reassurance and support this provides for older residents, especially those living alone. This option wouldn't be available outside of this

project.

- Residents who need to move due to a medical condition or disability, will now have their transfer needs met and move to appropriate accommodation due to this project, rather than joining a waiting list with other H&F applicants.

Mitigation- Council tenants

- Needs Assessments have been carried out and dedicated rehousing support is being provided by the Council
- Translation and interpretation services are in place for residents and leaseholders when specific tenant engagement and leaseholder negotiation is being undertaken.
- OT care assessment is in place.
- Designated OT linked to the project.
- The offer of a specialist floating support service is in place.
- Financial help is available for moving costs and setting up new home.
- H&F organise and pay for removals, disconnections and reconnections between properties.
- Band 1 Housing awarded to residents to ensure housing priority.
- Focus on home modifications for people with disabilities.
- Compensation is being provided to tenants and homeowners through Home Loss and disturbance payments.
- Options for all Council tenants to return when site is redeveloped.
- Rehousing Project team are equalities trained to ensure full understanding of equalities issues for individual households (access to place of worship, schools, nurseries, day centres, support groups, health etc.), so that as far as possible these can be supported through the move process.
- Bespoke support to move available to particularly vulnerable and less engaged individuals and households.
- On site surgeries held 3 times a week to ensure open channel of communication with residents to reduce stress and provide an accessible in-person response to any issues.
- EQUI undertaken to ensure impacts identified and mitigation actions put in place where needed.
-

Mitigation for leaseholders

- The CPO process forces leaseholders to have to sell but they have the options to purchase an alternative property or enter shared ownership arrangements.
- Provision of a shared equity scheme for qualifying residents which is in excess of the statutory compensation entitlement.
- The use of the Council's mortgage lending powers to assist those owner occupier leaseholders who cannot

readily access the mortgage market.

- Assistance and support in locating and securing alternative suitable alternative accommodation
- Provision of compensation for special adaptations required for eligible elderly or disabled leaseholders
- The Council has instructed Avison Young's specialist site assembly and compulsory purchase team to undertake negotiations to acquire leasehold interests. All leaseholders are encouraged instruct their own specialist adviser, with the reasonable costs reimbursed by the Council.
- When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The Council's appointed surveyor then ensures that negotiations are undertaken with regard to the Council's PSED obligations.
- The offer made to acquire leasehold interests by agreement exceed the lease-holders statutory entitlement to claim.
- Access for to a shared equity scheme is available for eligible homeowners to enable them to remain within the local area.
- The offer to leaseholders has been prepared according to government guidance and the Council's PSED.

Mitigation for Private tenants

- Private tenants requiring and requesting assistance will be assessed in accordance with the Council's Housing policy.
- Housing assistance will be offered to some private tenants with particular difficulties relocating who are not technically eligible for assistance as defined by the Compensation Code or Housing Allocations Policy.
- We are working with private tenants, where needed, to match them to a tenancy with one of our private landlords. We ensure the rent charged is affordable and the property is of a good standard and complies with H&S standards.

Mitigation for all:

- Translation or offer of translation in place for all residents who do not speak/read English as their main

	<p>language in their home.</p> <ul style="list-style-type: none"> • Officer involved in the project management are all trained in Equalities issues and apply these principles across all aspects of the project. • Offer of specialist floating support services where needed to assist during the move process.
--	---

Section 06	Reducing any adverse impacts and recommendations	
Outcome of Analysis	<p>To date, we have successfully decanted 63/112 households, including elderly residents that have a medical condition/disability, where the project has the potential to have a negative impact. So far, the mitigation actions we have put in place have minimised the negative impact. The decant process has gone well and feedback from the residents has been positive.</p> <p>The Council's team will continue to apply the current approach and positive actions to mitigate negative impacts identified above, as this is working and achieving the outcomes we want under our equalities policy.</p>	

Section 07	Action Plan																	
Action Plan	<p>Note: You will only need to use this section if you have identified actions as a result of your analysis</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Issue identified</th> <th style="width: 25%;">Action (s) to be taken</th> <th style="width: 15%;">When</th> <th style="width: 15%;">Lead officer and borough</th> <th style="width: 15%;">Expected outcome</th> <th style="width: 20%;">Date added to business/service plan</th> </tr> </thead> <tbody> <tr> <td>No actions identified</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan	No actions identified					
Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan													
No actions identified																		

Section 08	Agreement, publication and monitoring	
Chief Officers' sign-off	<p>LBHF Name: Jo Rowlands Position: Strategic Director for the Economy Email: jo.rowlands@lbhf.gov.uk</p>	

	Telephone No:	
Key Decision Report (if relevant)	LBHF Date of report to Cabinet 29/04/2019 EQIA Reviewed 15/08/2019 Key equalities issues have been included: Yes	
Lead Equality Manager (where involved)	LBHF Name: Peter Smith Position: Head of Policy and Strategy Date advice / guidance given: 16/04/19 Email: peter.smith@lbhf.gov.uk Telephone No: 0208 753 2206	

London Borough of Hammersmith & Fulham CABINET 2 SEPTEMBER 2019		 h&f hammersmith & fulham
WEST KING STREET DEVELOPMENT: AUTHORITY TO SIGN UNILATERAL UNDERTAKING		
Report of the Cabinet Member for the Economy: Councillor Andrew Jones		
Open report		
Classification: For decision Key Decision: Yes		
Consultation:		
Wards Affected: Hammersmith Broadway		
Accountable Director: Jo Rowlands, Strategic Director of Economy		
Report Author: David Burns, Assistant Director Growth	Contact Details: Tel: 020 753 6090 David.Burns@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1. This report sets out the rationale for the Council signing the unilateral undertaking planning obligation relating to the West King Street planning application programme. This will enable planning permission for the development to be issued.
- 1.2. The report seeks approval for the Council in its position as freeholder of the majority of the land which will form part of the West King Street development site to sign the Section 106 obligation. The Council in its role as landowner will undertake a number of obligations to the Council in its role as Local Planning Authority
- 1.3. A report to Cabinet on 3rd December 2018 approved the strategic outline business case for the Civic Campus programme. Full Council subsequently agreed that the Council should form a Joint Venture (JV) with A2 Dominion for the delivery of the new build programme, and that the Council should enter into a conditional land sale agreement with the proposed JV.

- 1.4. This decision will allow planning permission to be issued ahead of the JV having a formal interest in the land (a requirement to sign S106 agreements). This will allow the demolition and site preparation process to continue, and enable the overall programme to remain on target. It was the intention of the parties that the JV would be formed prior to the issue of the planning permission and would have an interest in the Site. If this were to happen, the JV would then enter into an agreement to secure the obligations.

2. RECOMMENDATIONS

That Cabinet agrees:

- 2.1. That the Council in its capacity as landowner of the majority of the development site is authorised to sign the Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 for the purposes of achieving planning permission.

3. REASONS FOR DECISIONS

- 3.1. The decision is required to give the Council the authority to enter into a unilateral undertaking for the planning obligations for West King Street development
- 3.2. This will allow the planning permission to be issued and thus maintain the delivery programme of the Civic Campus programme.
- 3.3. A decision is required as the value of the obligations is greater than the £100,000 threshold for budget authority within the Council's scheme of delegation.

4. PROPOSALS AND ISSUES

- 4.1. The Council's Planning Committee resolved to grant planning permission for the West King Street development at the 12th February 2019 Planning Committee. The resolution was subject to completion of a S106 planning obligation and no contrary direction from the Mayor of London. The Heads of Terms to be included within the planning obligation are included at Appendix 1.
- 4.2. It was originally envisaged that the joint venture between the Council and A2 Dominion would be a signatory to the agreement under Section 106 of the Act. Following completion of the S106 agreement, planning permission could then be issued.
- 4.3. The Joint Venture (JV) will now not be formed until later in the year. The Conditional Land Sale Agreement (CLSA) that has been negotiated between the Council and the proposed joint venture does not allow for the release of land until key conditions have been signed. In order for the JV to sign the S106 and undertake to comply with the planning obligations it would need to

be established and have an interest in the development site for the purposes of Section 106 of the Act Neither of these provisions are yet in place.

- 4.4. A delay to issuing planning permission at this stage would prevent the Council and A2 Dominion progressing with demolition and other planned enabling works, which can not start until the planning judicial review period expires and until key pre commencement planning conditions have been discharged. This would risk placing the overall delivery programme at risk.
- 4.5. In order to mitigate this risk, this report recommends that the Council issues what is called a Unilateral Undertaking. The Council cannot sign an agreement with itself (in the form of the Local Planning Authority) as it will not be enforceable. A Unilateral Undertaking is an alternative legal form that allows the Council to commit to the planning obligations within the S106. It will contain the same obligations as in the S106 agreement.
- 4.6. The unilateral obligations contains financial contributions and other obligations that are triggered at different points of the development programme such as commencement or occupation of the development. It is intended that by the time the first obligation under the agreement is triggered that the JV will then have an interest in the Site for the purposes of S106 and so will therefore enter into a supplemental agreement under Section 106 and will then be responsible for complying with the planning obligations. It is also intended that planning conditions will ensure that development can not progress to certain stages until the JV has entered into the supplementary Section 106 agreement.
- 4.7. Even if the JV does not have sufficient land interest to sign the s.106, the CLSA with the JV will include a requirement on the JV to fund all elements of the financial obligations.
- 4.8. The Unilateral Undertaking (UU) will also allow the Council to commit the JV to all of the obligations in the S106, once it transfers the leases to the land.
- 4.9. This will allow the grant of full planning permission shortly after signing which will maintain the programme.
- 4.10. The primary risk is that if the Council does not issue a unilateral undertaking, then the programme will be delayed. This could have the knock on consequences of:
 - Increasing construction costs
 - Increased time in decant buildings, increasing rental costs
 - Lost income generating opportunities in the refurbished town hall

The paragraphs above describe how the risk of financial obligations falling on the Council have been mitigated through the terms of the CLSA.

5. OPTIONS CONSIDERED

- 5.1. Do not sign Unilateral Undertaking until the JV is formed and has a leasehold interest in the land. Delay demolition of Town Hall Extension by a minimum of 6 months. This is not recommended.
- 5.2. Sign Unilateral Undertaking with all obligations to be transferred to the JV and no financial risk to the Council. Commence demolition in September as programmed. This is the preferred option.

6. CONSULTATION

- 6.1. Consultation for the planning application has been undertaken.

7. LEGAL IMPLICATIONS

- 7.1. The Planning Committee recommendation for approval of the planning application for the West King Street Development was subject to completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 and no contrary direction from the Mayor of London.
- 7.2. Planning obligations are normally secured by agreements between the developer and the Council in its role as local planning authority. If there are breaches of any of the planning obligations then the Council can enforce the terms of the agreements.
- 7.3. With the West King Street development, the Council is the majority landowner of the site and is also the local planning authority. The Council will therefore be unable to enter into an agreement with itself and enforce any potential breaches of obligations against itself.
- 7.4. The proposal in this report is for the Council to enter into the unilateral undertaking under S106 of the Town and Country Planning Act 1990. The Council in its capacity as landowner will enter into a unilateral undertaking planning obligation in connection with the planning permission for the West King Street development which will be secured on land (the majority of which is owned by the Council). The obligations in the unilateral undertaking will not come into effect until after the Joint Venture between the Council and A2 Dominion has been established and after the Joint Venture obtains an interest in the development site for the purposes of Section 106 of the Act.
- 7.5. In this proposal, the risk of the Council being in a position where it would need to enforce breaches of the planning obligations would be limited as the planning obligations will take effect after the Joint Venture obtains an interest in the land. The Unilateral Undertaking will need to be clear that any obligations will take effect after this date and will then be undertaken by successors in title and not the Council.

Implications completed by Adesuwa Omoregie, Chief Planning Solicitor tel. 0208 753-2297.

8. FINANCIAL IMPLICATIONS

- 8.1. The recommendation in this report is to sign a Unilateral Undertaking for the purposes of achieving planning permission for the West King Street Renewal Scheme. The unilateral undertaking will commit the Council the planning obligations within the s.106. These obligations materialise at agreed trigger points including commencement (post demolition). An estimate of these obligations are set out in the table below.

Obligation	£
Carbon offset	309,240
TfL bike relocation	42,000
Employment & skills contributions	329,250
Travel plan monitoring fees	40,500
Total	679,032

These s.106 obligations exclude any obligations in relation to the Community Infrastructure Levy which will not be covered by this unilateral undertaking.

- 8.2. The financial implications of the Civic Campus scheme were set out in the Full Council report of 23 January 2019, West King Street Renewal Programme. This assumed that the joint venture would sign the s.106 and therefore that planning obligations would be the responsibility of the joint venture.
- 8.3. It is expected that by commencement, the joint venture will have responsibility for the obligations and so there will be no financial implications for the Council. In the event that is not the case, the Council will include a requirement in the Conditional Land Sale Agreement for the joint venture to fund all planning obligations. Therefore this decision does not change the financial implications of the scheme as set out in the January Full Council report.
- 8.4. Even in the event that the scheme doesn't proceed as planned and the scheme is delivered through an alternative route the Council will be able to control the events which would trigger the financial obligations.
- 8.5. Not proceeding with the unilateral undertaking with the consequent delay to the delivery or the programme timetable would increase programme costs, including construction costs and lease costs for decant accommodation should Council officers not be able to return to the newly refurbished town hall and new extension as planned.

Implications completed by Emily Hill, Assistant Director Corporate Finance, telephone 0208 7853 3145

9. PROPERTY IMPLICATIONS

- 9.1. The Council will ensure that the CLSA contains appropriate provisions to enable any financial obligations in the unilateral undertaking be placed on the Joint Venture, and appropriate property advice will be taken to this effect.

Implications completed by David Burns, Assistant Director Growth.

10. EQUALITY IMPLICATIONS

- 10.1 There are no direct negative equality implications for groups with protected characteristics, under the Equality Act 2010, associated with these proposals.

Implications completed by Fawad Bhatti, Policy & Strategy, tel. 07500 103617.

11. IMPLICATIONS FOR BUSINESS

- 11.1 There are no implications for business contained within this report.

Implications verified by David Burns, Assistant Director of Growth & Place.

12. COMMERCIAL AND PROCUREMENT IMPLICATIONS

- 12.1 There are no direct procurement implications resulting from this report. Contracts Standing Orders and Public Contracts Regulations (PCR) 2015 will however apply when using S106 funds.

Implications verified by Andra Ulianov, Head of Contracts and Procurement, 07776672876.

13. IT IMPLICATIONS

- 13.1 There are no direct IT implications contained within this report.

Implications verified by Veronica Barella, Chief Information Officer, telephone 0208 7853 2927

14. RISK MANAGEMENT IMPLICATIONS

- 14.1. The primary risk is that if the Council does not issue a unilateral undertaking, then the programme will be delayed. This could have the knock on consequences of:

- Increasing construction costs
- Increased time in decant buildings, increasing rental costs
- Lost income generating opportunities in the refurbished town hall

- 14.2. The paragraphs above describe how the risk of financial obligations falling on the Council have been mitigated through the terms of the CLSA.

Implications verified by David Hughes, Director of Audit, Fraud, Risk and Insurance

BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None


LIST OF APPENDICES

Appendix 1.0: Heads of Terms of Section 106 Unilateral Undertaking

Appendix 1

Heads of terms of Section 106 Unilateral undertaking

1. Section 106 monitoring expense - £5000
2. Carbon Offset Contribution - £309,240
3. Cycle hire docking station contribution - £42,000
4. Provision of affordable housing units in the development
5. Highway works in the vicinity of the development
6. Parking permit restrictions for residential occupiers
7. Public realm access and maintenance restrictions
8. Commercial travel plan and £9000 for maintenance
9. Residential travel plan and £9000 for maintenance
10. Town Hall travel plan and £9000 for maintenance
- 11.21 wheelchair accessible units
12. Employment provisions including contributions towards economic development (£316,500) and local procurement (£12,750) and the provision of apprentices
13. Provision of affordable workspace in the development
14. Retention of architects

<p>London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">2 SEPTEMBER 2019</p>	
<p>BUSINESS CASE & PROCUREMENT STRATEGY DYNAMIC PURCHASING SYSTEM (DPS) FOR PLANNED AND REACTIVE CAPITAL WORKS</p>	
<p>Report of the Cabinet Member for Children and Education - Councillor Larry Culhane</p>	
<p>Open Report with Exempt Appendix <i>Appendix 2 of this report is not for publication on the basis that it contains information, the disclosure of which would prejudice the business or commercial affairs of any particular person (including the authority holding that information), as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972.</i></p>	
<p>Classification: For decision Key Decision: Yes</p>	
<p>Consultation: Finance, legal services, commercial & procurement, social value, risk, equalities</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Steve Miley - Director of Children's Services</p>	
<p>Report Author:</p> <p>Kevin Gordon – Assistant Director of Assets, Programmes and Operations Children's services</p> <p>Jennifer Rhoden – School Capital Procurement Consultant</p> <p>Lee Alaba – Project Manager (Assets)</p>	<p>Contact Details:</p> <p>Email: Kevin.Gordon@lbhf.gov.uk</p> <p>Email: Jennifer.Rhoden@lbhf.gov.uk</p> <p>Email: lee.alaba@lbhf.gov.uk</p>

1 EXECUTIVE SUMMARY

- 1.1 This report, proposed by Children’s Services, is seeking permission to carry out a procurement exercise to establish a Dynamic Purchasing System (DPS) in order to engage local Small and Medium Enterprise (SME) contractors to undertake repairs and maintenance and other construction related works at Council-owned properties.

The DPS will enable the Council to work with local contractors to carry out much needed repair and maintenance works to our schools, housing stock, parks and open spaces and our corporate buildings and therefore meet the Council’s priority of being ruthlessly financially efficient by building a shared prosperity.

The DPS framework proposed will be used for:

- **Planned Repair and Replacement Programmes**
- **Emergency / Urgent (Responsive) Repairs**

- 1.2 The purpose of the DPS is to engage local organisations and SMEs to carry out works and services and support the Council’s commitment to work with local businesses and invest in the local economy with a view to building shared prosperity by creating jobs in the borough and for the benefit of their community.
- 1.3 A Dynamic Purchasing System (DPS) is an “open” framework for the delivery of works, services and goods commonly available in the supplier market, which enables new and local suppliers to join at any time over the duration of the framework.
- 1.4 A traditional framework is “closed” with only the selected, and usually large, contractors appointed following a procurement exercise for the duration of the framework agreement and this therefore limits competition as new or local suppliers cannot join up.
- 1.5 The proposed DPS, which will be open for a duration of 4 years, is to encourage local traders to work with the Council and carry out much-needed construction related works to our buildings, which require continuous repairs to ensure they are safe and enjoyable places for our children and residents.

The objective of the DPS is to build shared prosperity within the community by doing things with residents, not to them.

- 1.6 It is essential that the Council has in place contractual arrangements to ensure it meets its obligations to maintain its schools, residential estate and

other buildings in a manner that is compliant with legal requirements, the Council's internal regulations and is financially efficient.

- 1.7 In view of the above, this report seeks approval, in accordance with Contract Standing Order 8.12, for the Business Case and Procurement Strategy for establishing a DPS framework.

2 RECOMMENDATIONS

That the Cabinet:

- 2.1 Approves the Procurement Strategy & Business Case set out in Appendix 1 for the procurement of a Dynamic Purchasing System (DPS) for repair and maintenance requirements to schools and other buildings for use with work packages of up to £350,000.
- 2.2 In relation to any works packages proposed, estimated to be in excess of £100,000, to be procured using the DPS, to waive pursuant to CSO 3 the requirements of Contract Standing Orders (CSO) 8 for prior approval of a procurement strategy, on the grounds that this is in the Council's overall interests.
- 2.3 In relation to any works package proposed to be procured using the DPS, to waive pursuant to CSO 3 the requirements of Contract Standing Order 10 in relation to the procurement process to be used, on the grounds that the circumstances of the proposed contract are covered by legislative exemptions.
- 2.4 Delegate the decision to appoint new contractors to the DPS, over its duration, to the Director of Children's Services in consultation with the Cabinet Member for Children and Education.
- 2.5 Note that it is not proposed that the DPS be available for use to procure works contracts in excess of £350,000 in value.
- 2.6 Approves that the award of any contracts recommended following a competitive tender exercise under the DPS framework, is delegated to the appropriate Chief Officer for awards up to £25,000, in accordance with CSO 17.1.
- 2.7 Note the decision to approve contracts in excess of £25,000, recommended following a competitive tender exercise under the DPS framework, is for appropriate Cabinet Member to make in accordance with:
- CSO17.2 - where the value of the contract is in excess of £25,000 but below £100,000

- CSO 17.3.1 - where the actual contract value exceeds £100,000 but is less than £5m.

3 REASONS FOR RECOMMENDATIONS

3.1 To support the Council in meeting its obligation in maintaining its buildings to:

- Provide a safe school environment for children to learn
- Provide a habitable home environment for our residents
- Provide a welcoming environment for people to work
- Take pride in Hammersmith and Fulham by ensuring the sustainability of our buildings for future generations.
- And to also support the Council's objective of being the greenest borough.

3.2 To have in place a framework of qualified contractors, providing various construction, mechanical and electrical and other works related services, who can carry out much-needed improvement, repair or replacement works to the Council's buildings and green spaces.

3.3 To have contractors in place in who can quickly respond to cases of emergencies at our schools and other council buildings and ensure the health and well-being of children and residents.

3.4 To meet the Council's priority of being ruthlessly financially efficient by engaging with local businesses to provide works at competitive prices.

3.5 To promote social values within the community by building on shared prosperity and supporting the local economy by using local contractors.

3.6 To comply with the requirements contained in Contract Standing Orders to seek approval for this Procurement Strategy before commencing a procurement exercise to implement a DPS framework.

4 PROPOSAL AND ISSUES

4.1 It is proposed to procure a DPS framework to deliver the Council's obligation to repair and maintain its schools, educational establishments and be accessible to other departments for the delivery of construction related works to other Council-owned buildings and improve our parks and open spaces. The need for this requirement for schools is set out in detail in the Business Case (Appendix 1).

Background

4.2 Children's Services

The Council entered into contract with 3BM, a consultancy company, in April 2013 to provide “Education Support Services” and over time this transpired into the company being our first point of contact for repair works to schools, up to the value of £250,000. This was written into the CSOs (10.2c) effective from 2016. The company would act as a management contractor, managing the works which it then sub-contracts to others.

Our contractual arrangement with 3BM is to expire on 31 July 2019, following an extension which was approved in December 2017, and is not being considered for further extension.

Children’s Services have previously had no dedicated procurement resource within the service and a replacement contract has not been procured to commence on the 1 August 2019.

Until the proposed DPS is in place, and due to the low volume of urgent /responsive repair works anticipated in the next 6 months, it is proposed that the general principles of the CSOs (10.2a), in relation to request for quotes (RFQs) for works under £25,000 in value is followed to procure repair works contractors for our schools. In the event that a contractor cannot be procured using an RFQ, whether due to the works exceeding £25,000 in value or otherwise, the approval of waivers will be sought in accordance with CSO 3.

4.3 Housing Services

Following the termination of their contract with Mitie, Housing Services have entered into several interim contractual arrangements, to July 2020, to ensure the continuous repair and maintenance service provision to the Council’s residential stock. During this interim period, Housing will develop their procurement strategy for a new service provision.

4.4 Facilities Management

The Council’s Facilities Management contract with Amey, which was operated under the Tri-Borough agreement, has ended, and some service provisions are being brought back in-house and low value contracts have been awarded for certain requirements.

4.5 Parks and Open Spaces

The Council is committed to improving the boroughs parks and open spaces. This is reflected in the 15 Green Flag awards the borough has achieved for high standards of maintenance and facilities within our Parks and open spaces. With S106 funding, improvements to a number of our parks and open spaces will support the Council’s objective of being the greenest borough.

Long Term Contracts

- 4.6 Long-term, complex and high value contracts, such as those set up by Housing to replace Mitie, can take up to 12 months to procure and it is therefore proposed to implement a DPS framework, which can take 3 to 6 months to establish.

The Business Need

- 4.7 Detail of the types of works needed to be carried out on school buildings are detailed in the Business Case at Appendix 1 and the Schools Stock Condition Survey results at Appendix 2 (exempt). The purpose of the DPS framework is to enable the Council to undertake further competitions amongst local contractors to deliver our requirements, in relation to:

- **Planned Repair and Replacement Programmes**
- **Emergency / Urgent (Responsive) Repairs**

- 4.8 Planned Repair and Replacement Programme Works will be identified from stock condition surveys and other planned programmes, to improve, fully repair or replace:

- Multi-Works
 - Roofs
 - Drains and drainage systems
 - Building fabrication and structures (internal and external)
 - Heating and boiler systems
 - Electrical and lighting equipment
 - Windows
 - CCTV and intercom/security equipment
 - Horticultural / Landscaping
 - Other construction related works, which the Council is responsible for.
- The Multi-Works Lot will be a combination of all the other Lots combined, to ensure value for money from have a single contractor delivering all the works during one time period, logistical efficiency and mitigate against disruption to the educational programme of schools.

**Contracts for Asbestos (survey and removal) and Fire Doors (survey and replacement) may be included as part of DPS or we may use alternative procurement method, such as further competition of an existing framework.

These works are not deemed to be critically urgent and will therefore be scoped or grouped in to packages, schools or residential buildings within a particular ward or within close proximity to each other so as to maximise delivery and logistical efficiency and achieve value for money for the Council and the schools.

- 4.9 The framework will also be used for **Urgent Repairs** works to be carried out in a short period of time (hours or days) as there could be an imminent risk to the health and safety and wellbeing of our children and residents.

Emergency / Urgent repairs usually include:

- Structural failure
- Fire damage
- No power
- No water
- Gas leak
- No heating
- Blocked toilets and drains
- Water leaks
- Damaged window or door
- Fire alarm, smoke detector or Co2 detector failure
- Lifts not working.

- 4.10 In such cases of emergencies, the Council has a duty of care to provide responsive service to support our schools, children and residents and ensure our buildings are safe and secure for continuous use by ensuring that contractors are on site within a reasonable time to carry out critical repairs.

What is a Dynamic Purchasing System?

- 4.11 A Dynamic Purchasing System (DPS) is an electronic tendering system used to purchase commonly used goods and services. Unlike traditional frameworks, which are closed to new entrants for their duration, a DPS allows suppliers to apply to join or decide to leave at any time during its term. The other general principles of a DPS are:

- Managed through e-tendering portal
- Can follow an annual re-let to supplier market
- Continuous supplier management
- Multiple Categories/Lots/Workstreams
- Competitive call-off process.

Another benefit of a DPS is that it is an ideal platform for local SMEs to work with the Council, which supports the Council’s Business Support Programme to help local companies and support the local economy.

4.12 In the first instance, and in accordance with Regulations 57-64 of the PCR 2015, a DPS framework is implemented by carrying out a selection exercise that engages contractors who self-certify their capabilities, in terms of:

- Experience (Case Study examples)
- Health & Safety
- Accreditations / Certification
- Adherence to regulations and laws (Race and Equality, etc...)

4.13 As the DPS framework is considered an “approved” or “pre-qualified” list of contractors, they will not be required to submit indicative prices for works as part of setting up the DPS. Bidder/ contractor prices are only proposed when a competition or quote is called for.

An **example** of the structure of the DPS Framework:

DPS Repairs and Maintenance					
Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6
Multi-Works	Roofs	Windows	Fencing	Electrics	Heating
Multiple contractors	Multiple contractors	Multiple contractors	Multiple contractors	Multiple contractors	Multiple contractors

Other Lots to be included, but not limited to:

- General Build
- Drains and drainage systems
- CCTV (cameras, DVD and monitoring system)
- Downpipes/Guttering
- Groundworks
- Lighting
- Intercom/Security
- Lifts
- Horticultural and Landscaping

The Multi-Works Lot will be a combination of all the other Lots combined, to ensure value for money from have a single contractor delivering all the works during one time period, logistical efficiency and mitigate against disruption to the educational programme of schools.

**As mentioned above, contracts for Asbestos (survey and removal) and Fire Doors (survey and replacement) may be included as part of DPS or we may use alternative procurement method, such as further competition of an existing framework.

- 4.14 Following the set-up of the DPS framework, the Council will be able to undertake competitive tenders or quotation exercises amongst the contractors on each Lot/Workstream.
- 4.15 Direct award of contracts under the DPS framework are not permitted. Where a contract exceeds the EU thresholds for works or services (as applicable) then a restrictive procedure with shortened timescales has to be used to expose the requirement to competition. Below the EU threshold an adapted form of the provisions of CSO 10 can be used, either to get a price quotation from all the companies on the relevant lot of the DPS for up to £25,000, and for £25,000 up to the EU threshold, a tender among all the companies on the relevant lot of the DPS.
- 4.16 Where a single contract exceeds £100,000 in value, the usual requirement of Contract Standing Orders is to have Cabinet approve a Procurement Strategy and Business Case. Here it is proposed to waive this requirement, on the basis that the DPS can be used instead for Planned/package works, valued between £25,000 to £350,000, as this enables contracts to be tendered in a short period and therefore have contractors on site at the earliest convenience, such as school half term.
- 4.17 Depending on value, detailed specifications and pricing schedules will be developed for each package of works and all contractors applicable per Lot/Workstream will be invited to tender and submit their method statements for delivering our requirements and propose prices for the works. Contractors will be allowed a period of 30 days (minimum) to submit their proposals and tenders will be evaluated and awarded on the Most Economically Advantageous Tender (MEAT) based on Quality/Price award criteria of:
- Quality (Technical) – 40% (inclusive of Social Value)
 - Price (Commercial) – 60%
- 4.18 Under the EU public procurement rules, the award criteria for the Quality (Technical) element of the tenders can be specified in the procurement

documents for the individual requirements. However these are likely to require bidders to submit method statements on, for example:

- Programme Delivery
- Staffing Resources
- Customer or Stakeholder Engagement
- Defects and Liability
- Key Performance Indicators
- Quality Assurance
- Social Value
- Environment

4.19 The DPS will also be used to obtain quotes for the delivery of **Urgent (Responsive) Repairs** should there be a risk to the health and wellbeing of the children, residents or buildings.

4.20 Under this operational model contractors will be required to submit **prices only** within a short timeframe and have resources available to be on site as soon as required. The lowest quote received will be the preferred contractor.

A list of items typically covered under Urgent (Responsive) Repairs is at paragraph 4.8.

4.21 All tenders and requests for quotes (RFQs) will be conducted via the Council's e-tendering portal (capitalesourcing.com)

5 OPTIONS AND ANALYSIS OF OPTIONS

5.1 A number of options have been taken into consideration for the continued delivery of repairs and construction related works to our schools and other Council buildings. These include:

Do nothing – this is not an option as the Council has an obligation to maintain the schools' fabric and ensure they are safe for children.

In-house – Children's Services does not have an in-house team of qualified or specialist contractors to undertake repair and maintenance services at our schools, however, Housing and Facilities Management are in the process of bringing some of their service provisions in-house.

In the long-term, Children's Services would like a collaborative approach for an in-house/Council branded service delivery and will work with Housing, FM and other services to achieve this goal.

Traditional Frameworks - There are various OJEU compliant frameworks that are easily accessible that can provide qualified repairs and maintenance contractors; such as Fusion 21. Traditional frameworks are awarded to a list of contractors who remain in place for the 4-year duration. Other contractors **cannot** join such frameworks during their duration. This type of framework limits us to awarding a contract(s) to a large national contractor, usually, with no local knowledge of our schools or investment in our community.

Full Tender – Sole Contractor – A full OJEU procurement exercise can take up to 12 months, commencing with a full review of the current repairs provision, setting up a stakeholder panel, drafting a full specification of requirements, key performance indicators (KPIs), compiling quality/technical questions, defining the evaluation methodology and obtaining approval of a Business Case and Procurement Strategy before publishing the tender pack.

An advantage of having a sole contractor is contract management will be streamlined and manageable and will enable Council Officers to concentrate on other tasks.

Dynamic Purchasing System (DPS) – As with tendering for a sole contractor, the pre-procurement tasks can take some time to define however the procurement exercise usually takes 3 to 6 months. In setting up a DPS a full specification, KPIs and technical questions will not be required. The establishment of the DPS itself is a pre-qualification exercise using selection criteria.

Following the establishment of the DPS, the Council can then undertake mini-competitions amongst the local suppliers/contractors, per the defined Lots/workstreams, which is fair and open. How this is done depends on whether the individual requirement is above or below the EU threshold.

Other benefits of a DPS is that, unlike a traditional framework, new contractors can join throughout the duration, which encourages greater competition amongst local contractors and meets the Council's commitment of economically supporting the local businesses and the community. All DPS applicants are assessed to ensure they meet the Council's compliancy thresholds.

Based on the above, the proposed option is to implement a DPS framework to deliver repairs and maintenance and other construction-related works to our schools and be accessible to other Council Departments.

6 CONSULTATION

- 6.1 It is also proposed to hold a supplier event with a view to promoting the benefits of DPS to local enterprises.

- 6.2 We will work with colleagues from across the Council to garner support for a collaborative working relationship to implement a contract that will financially benefit the Council and support the local economy.
- 6.3 Furthermore, we will work with stakeholders to ensure the delivery of repair works without detrimental impact to residents, workers, schools' programmes and children's education.

7 EQUALITY IMPLICATIONS

- 7.1 It is not anticipated that there will be any direct negative impact on groups with protected characteristics, as defined by the Equality Act 2010, from these Business Case and Procurement Strategy proposals (set out in the Recommendations).

Implications completed by: Fawad Bhatti, Social Inclusion Policy Manager, tel. 07500 103617.

8 LEGAL IMPLICATIONS – CONTRACTS AND PROCUREMENT

- 8.1 This report seeks approval for a procurement exercise in relation to the establishment of a Dynamic Purchasing System (DPS). This is a mechanism for establishing an approved list of contractors in a way that is compliant with the Public Contracts Regulations 2015 (the PCR) which implement the EU public procurement regime. The Procurement Strategy at Appendix 1 describes the process to be used to establish the DPS, and the presentation of this Business Case and Procurement Strategy is in accordance with CSO 8.
- 8.2 Similar to a framework, individual contract requirements are called off from the DPS.
- 8.3 The process to appoint a contractor to carry out an individual package of work is proposed to vary according to the value of the proposed works. Some of the Council's requirements will be categorised as works (for which the minimum value threshold is £4,551,413), while some will be services, (for which the requirement is £181,302). For a contract to be awarded compliantly in excess of these values using a DPS, then a restrictive process has to be followed, and this is further explained in Appendix 1.
- 8.4 Where the proposed call-of contract is below the EU threshold, then a process similar to what would apply under Contract Standing Orders, if a DPS were not being used and open competition were being used instead, is being proposed. However use of the DPS instead of the open competition has the added advantage of using pre-approved contractors.

- 8.5 The different processes to apply for different values of work/ services will be set out in the draft DPS Agreement made available to those expressing an interest in being appointed to the DPS.
- 8.6 As neither above EU or below EU threshold call-off contracts will be procured in a way that accords with CSO 8 on procurement strategies and CSO 10 on competition requirements, it is proposed that these are waived for the individual call-offs. The process for waivers is set out in CSO 3, and one of five permitted grounds has to be made out in applying for the waiver. Here the waiver of CSO 8 is sought under the permitted ground of “Council’s overall interests”, while the waiver of CSO 10 is sought under permitted ground that a legislative exemption applies.
- 8.7 Other delegations are sought in relation to the appointment of contractors to the DPS and the award of individual call-off contracts.
- 8.8 Officers are recommended to work with Legal Services to ensure that there are contract terms that accurately capture the way that the Council wishes to use the DPS, to avoid any challenges to its use.

Implications verified/completed by: Deborah Down, senior associate with Sharpe Pritchard LLP, on secondment to the Council.
dtdown@sharpepritchard.co.uk

9 FINANCIAL IMPLICATIONS

- 9.1 The setting up of this DPS will provide access to a wider supply chain and increase competition ensuring ruthless financial efficiency in line with the Council’s priorities. In addition, it should streamline the procurement process.
- 9.2 This report is not recommending the award of any contracts at this stage however after a further competition is undertaken, to ensure value for money is achieved, a separate decision report on contract awards will be produced for approval in accordance with the recommended delegated approval processes proposed at Section 2 of the report and will need to ensure that any works are fully funded.
- 9.3 Monies for schools reactive maintenance is available from Schools Central Services (DSG) of £1.4m. We have also accumulated capital balances set aside and approved by Cabinet for spend on the planned School Capital Maintenance Programme. This is £7.6m of School Condition Allocation and Capital Maintenance grants.

- 9.4 The cost of developing and administering this DPS will be met by charging a 3.5% administration fee on top of the contract price awarded.
- 9.5 The HMRC Construction Industry Scheme covers most construction work. It requires the Council to deduct money from a contractor's payments and pass these to HMRC as advance payments towards the contractor's tax and National Insurance. In setting up the DPS, the service will need to work closely with Finance to ensure that payments to contractors appointed to the framework comply with HMRC requirements.

Implications completed by Tony Burton (Head of Finance - Children's Services & Education), Tel. 07909 004710

Implications verified by: Emily Hill, Assistant Director, Corporate Finance, tel. 020 8753 3145.

10 IMPLICATIONS FOR BUSINESS

- 10.1 The proposal has the potential to create local economic and social value, including many business opportunities for local small and medium size enterprises across various trades and services.
- 10.2 The service will include economic and social value considerations in tender specifications and will utilise the Council's Local Supply Chain Programme to identify, engage and prepare local suitable businesses.

Implications verified/completed by: Alben Karameros, Programme Manager, Economic Development, tel. 020 7938 8583.

11 COMMERCIAL IMPLICATIONS

- 11.1 The procurement strategy proposal is in line with the Council's CSOs and the Public Contracts Register (PCR) 2015. The dynamic purchasing system (DPS) is a compliant procedure where, unlike a traditional framework, suppliers can apply to join at any time. This also makes the DPS more accessible to SMEs, while ensuring the Authority has access to a pool of pre-qualified suppliers.
- 11.2 The DPS requires continuous supervision and administration to ensure all suppliers are evaluated in line with the PCR 2015 requirements. As a result, resource allocation shall be decided prior to advertising the DPS.
- 11.3 The DPS will be advertised in accordance with the Regulations in Tenders Electronics Daily (TED) and Contracts Finder.

Implications verified/completed by: Andra Ulianov, Head of Contracts and Procurement, 07776672876.

12 SOCIAL VALUE CONSIDERATIONS

- 12.1 The Procurement Strategy cannot give assurance that Social Value will be delivered by each contract however the purpose of the DPS framework is to engage with local contractors/SMEs to deliver construction related works to our schools and other buildings.
- 12.2 Under the Public Services (Social Value) Act 2012 the Council must consider how its spending could also generate wider benefits to the community in terms of economic, social and environmental well-being. The delivery of Social Value is one of the Council's priorities and it shall be delivered as part of every contract procured by the Council.
- 12.3 The DPS aims to support the local economy by creating jobs and apprenticeships for local residents and will therefore support the Council's priority of "Building shared prosperity" in the borough during the period of the framework.
- 12.4 In undertaking further competition exercises for larger Planned works packages, bidders will be also be asked to evidence how that will support the Council's priorities by offering volunteering time to help rough-sleepers, supporting green projects and by being a responsible buyer.
- 12.5 The award criteria for contracts over £25,000 will include a weighting of 5% for Social Value commitment, as part of the Technical/Quality responses. This weighting will increase by 5% each year, to 15%, over the next 2 years.
- 12.6 Considering the nature of the services to be procured, it is a good opportunity for the Council to engage with local suppliers.

Implications verified/completed by: Agueci Ilaria, Procurement Consultant, tel. 020 8753 4762.

13 IT IMPLICATIONS

- 13.1 As the DPS will be established using Capital E-Sourcing (noted in Appendix 1 – Point 9.2) there are no IT implications resulting from this proposal. However, if this not the case and a different system will be used to administer the DPS, H&F IT Services should be consulted.
- 13.2 IM Implications: A Privacy Impact Assessment should be completed to ensure all potential data protection risks resulting from the establishment of

the DPS are properly assessed with mitigating actions agreed and implemented.

13.3 *Implications verified/completed by: Karen Barry, Strategic Relationship Manager, tel. 020 8753 3481.*

14 RISK MANAGEMENT IMPLICATIONS

14.1 The Council requires a repairs service which meets its objectives, which provides flexibility in how it manages assets to deliver a higher level of satisfaction in its repairs service, which ensures compliance with all statutory health and safety requirements and which delivers on a range of other policies including social value and use of local suppliers.

14.2 In line with its ruthlessly financially efficient priority, the Council also needs to demonstrate that the repairs service and associated contracts within the proposed Dynamic Purchasing System demonstrate and deliver value for money in managing and maintaining its properties to an appropriate standard.

14.3 These should be procured in line with the Public Contracts Regulations (PCR) 2015 and with the Council's Contracts Standing Orders. These actions will mitigate the risk of contract/procurement challenge.

14.4 *Implications verified/completed by: David Hughes, Director Audit, Fraud, Risk and Insurance, tel. 020 7361 2389.*

15 BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None

16 LIST OF APPENDICES

Appendix 1 – Business Case – School Repair and Maintenance

Appendix 2 –Children's Services Stock Condition Survey - EXEMPT

APPENDIX 1:

BUSINESS CASE RELATING TO SCHOOLS REPAIRS AND MAINTENANCE SERVICES

BUSINESS CASE

1 WHY THE PROCUREMENT IS NEEDED

- 1.1 The Council manages a stock of over 60 schools and children centres which require ongoing repairs and maintenance to ensure they are safe, secure, warm and weathertight for children to receive their education. The school stock is made up of a mixture Victorian and post-war built buildings, which due to their age require constant repairs to their fabrication and equipment to ensure they are fit for purpose for our children.
- 1.2 The Council is wholly responsible for 45 of the 60 schools and has partial responsibility for the repairs and maintenance of the remaining 15.
- 1.3 Until the 31 July 2019, and in accordance with CSOs (10.2c), school repair and maintenance have been managed through an arrangement with 3BM, a consultancy company acting as management contractor, however this contract will be not be extended beyond this date.
- 1.4 This procurement is needed as the Council has a legal obligation to maintain its schools and other educational establishments, such as nurseries, so they can be used as a safe environment to educate our children and future generations.
- 1.5 Due to the ages of our schools, Children's Services has received requests from Headteachers for multiple repairs, such as:

Sir John Lillie Primary School

This a Victorian era build school which has had multiple breakdown of the boiler plant room, which was installed in the 1980s and unable to integrate with today's digital technology.

Recently, the control panel for the boiler plant required further repairs to ensure the school was heated.

On a previous occasion, the school has had to be closed as the boiler failed completely due to the pressure placed on it.

Avonmore School

This a post-war built school building with a flat roof that does not allow for sufficient draining of rainwater and is therefore subject to “ponding” whereby water remains in place on the rook for a long period of time and eventually causes problems, such as bowing and leaks. Due to its age and recent heavy rainfall, the roof is in dire need of repair.

The leaking roof caused the school a number of inconveniences to its educational programme and resulted in 2 classrooms being taken out of use in the nursery area. Such issues represent a health and safety risk to the children.

1.6 Other incidents that have occurred at other Council-owned schools include:

- No running water for sanitation, cooking or drinking – our Quantity Surveyor had to purchase palettes of water from local high-street supermarket and arrange for them to be delivered to the school. But for this intervention, the school would have had to close.
- Leaking roofs in main/assembly halls – Headteacher having to resort to putting multiple buckets in the hall to catch rainwater.
- We have also had blocked drains and flooded toilets, which are not only a health and safety risks but does not make for a pleasant environment in which children should learn.

1.7 With the increase in population, there is a high demand for school places, which means more pressure on their fabric and environmental systems.

1.8 In view of this, the Council needs to have contractors in place to provide repairs and maintenance service to its schools and other buildings we are responsible for so that they can meet demands and be sustainable for future generations.

Long Term Solution

1.9 In order to maintain our schools a number of procurement options were considered, as detailed in sections 3 and 4 below, and the preferred option is to establish a DPS framework to deliver the Council’s obligation to repair and maintain it school stock and be accessible to other Council departments.

1.10 The DPS framework will be for a term of 4 years (maximum) and consist of multiple Lots or workstreams to support the works require such as:

- Planned Repair and Replacement Programme

- Emergency / Urgent (Responsive) Repairs

- 1.11 The purpose of a DPS is to engage local organisations and SMEs to carry out works and services and support the Council’s commitment to work with local businesses and invest in the local economy with a view to building shared prosperity by creating jobs in the borough and for the benefit of their community.
- 1.12 A Dynamic Purchasing System (DPS) is an “open” framework for the delivery works, services and goods commonly available in the supplier market, which enables new and local suppliers to join at any time over the duration of the framework.
- 1.13 A traditional framework is “closed” with only the selected, and usually large, contractors remaining in place for the duration of the framework agreement and this therefore limits competition as new or local suppliers cannot join up.
- 1.14 The establishment of a framework of qualified contractors, providing various construction, mechanical and electrical and other works related services, to carry out much-needed repair or replacement works to the Council’s buildings, would show that the Council believes in providing safe and secure places in which to educate our children.
- 1.15 A DPS framework would mean having experienced contractors in place in who can quickly respond to cases of urgent works at our schools and other council buildings and ensure the health and well-being of children and residents.
- 1.16 A DPS framework will encourage local businesses to work with the Council in ensuring the longevity of our schools, residential properties and municipal buildings for the benefit of the community.

2 FINANCIAL INFORMATION

- 2.1 To encourage SMEs to bid for some the planned works contracts, it is proposed to tender some low value packages.
- 2.2 As the DPS is aimed at SMEs, the Council’s financial turnover threshold can be a deterrent to small organisations participating in contract opportunities.
- 2.3 Adopting a lower threshold, will encourage SMEs to provide high standards of delivery and offer value for money and innovation in comparison to larger competitors.

2.4 See “Financial Implication” above for budget information.

3 OPTIONS APPRAISAL AND RISK ASSESSMENT

Current position

- 3.1 The council entered into an “Education Support Services” contract with 3BM Limited in April 2013.
- 3.2 3BM is a registered “mutual society” company set up by former employees of public sector organisations, such as Councils, to deliver public services and have a positive social impact.
- 3.3 3BM is considered a “consultancy” and has no contractual experience of delivering repairs and maintenance or construction related works however the Council’s Contract Standing Orders directed that works to schools and educational establishments, up to the value of £250,000, must be managed through this contract.
- 3.4 In December 2017 the Leader of the Council approved an Urgent Decision Report for a further extension to the contract to 31 July 2019 however it is not being considered to extend beyond this date.
- 3.5 Due to limited time available to undertake any competitive tender process for a replacement to the 3BM contract, and lack of procurement support, it is proposed as an interim measure to undertake request for quotes (RFQ), and for works over £25,000 obtain waivers for the provision of urgent/emergency (responsive) repairs to our schools.

4 OPTIONS AND ANALYSIS OF OPTIONS

- 4.1 A number of options have been taken into consideration for the continued delivery of repairs and construction related works to our schools and other Council buildings. These include:

Do nothing – this is not an option as the Council as an obligation to maintain the schools’ fabrication and ensure they are safe for children.

In-house – Children’s Services does not have an in-house team of qualified or specialist contractors to undertake repair and maintenances services at our schools, however, Housing and Facilities Management are in the process of bringing some of their service provisions in-house.

In the long-term, Children's Services would like a collaborative approach for an in-house/Council branded service delivery and will work with Housing and FM to achieve this goal.

Traditional Frameworks - There are various OJEU compliant frameworks that are easily accessible that can provide qualified repairs and maintenance contractors; such as Fusion 21. Traditional frameworks are awarded to a list of contractors who remain in place for the 4-year duration. Other contractors **cannot** join such frameworks during their duration. This type of framework limits us to awarding a contract(s) to a large national contractor, usually, with no local knowledge of our schools or investment in our community.

Full Tender – Sole Contractor – A full OJEU procurement exercise can take up to 12 months, commencing with a full review of the current repairs provision, setting up a stakeholder panel, drafting a full specification of requirements, key performance indicators (KPIs), compiling quality/technical questions, defining the evaluation methodology and obtaining approval of a Business Case and Procurement Strategy before publishing the tender pack.

An advantage of having a sole contractor is contract management will be streamlined and manageable and will enable Council officers to concentrate on other tasks.

Dynamic Purchasing System (DPS) – As with tendering for a sole contractor, the pre-procurement tasks can take some time to define however the procurement exercise usually takes 3 to 6 months. In setting up a DPS framework, a full specification, KPIs and technical questions will not be required for setting up the DPS. The establishment of the framework itself is a pre-qualification exercise.

Following the establishment of the DPS framework, the Council can then undertake mini-competitions amongst the local suppliers/contractors, per the defined Lots/workstreams, which is fair and open.

Other benefits of a DPS is that, unlike a traditional framework, new contractors can join throughout the duration, which encourages greater competition amongst local contractors and meets the Council's commitment of economically supporting the local businesses and the community. All DPS applicants are assessed to ensure they meet the Council's compliancy thresholds.

Contract awarded under the DPS, will be approved in accordance with CSO 17.

Recommended option

Based on the above, the proposed option is to implement a DPS framework to deliver repairs and maintenance services to our schools and be accessible to other Council Departments.

5 PROCUREMENT STRATEGY

- 5.1 Going forward, a long-term solution in the form of establishing the DPS, for a repairs and maintenance service provision to our schools is to undertake a procurement exercise to contractors to deliver both planned and reactive repairs service to our schools. This will be procured in accordance with the EU public procurement rules for the establishment of a DPS.

6 SOCIAL VALUE, LOCAL ECONOMIC AND COMMUNITY BENEFITS

- 6.1 The implementation of a DPS is to engage local organisations and SMEs to carry out works and services and support the Council's commitment to invest in the local economy and build on shared prosperity by creating jobs in the borough and for the benefit of their community
- 6.2 Social Value commitment from contractors will be included in the procurement of the long-term contracts to benefit the local community. Contractor commitments could be based on tackling worklessness, apprenticeship placements, volunteering contractor time to schools and using materials that will not have a detrimental impact on the environment.
- 6.3 Prior to going out to tender for the DPS, it is proposed to hold a supplier event by working with the Council's local business enterprise (HFBrill4Biz).
- 6.4 In undertaking further competition exercises for larger Planned works packages, bidders will be also be asked to evidence how that will support the Council's other priorities by offering volunteering time to help rough-sleepers, supporting green projects and by being a responsible buyer.
- 6.5 It is proposed that the award criteria for contracts over £25,000 will include a weighting of 5% for bidders' Social Value commitment as part of their Technical/Quality responses. This weighting will increase by 5% each year, to 15%, over the following 2 years.

6.6 As part of their tender submission, bidder's will be asked to state their commitment to the Council's Social Value Priorities in areas such as:

Building Shared Prosperity	Number of meaningful work placements (minimum of 2 weeks) provided to residents: <ul style="list-style-type: none"> - <i>With supported / additional needs or barriers</i> - <i>Out of work for 2+ years</i> - <i>Young people/graduates/school leavers /care leavers</i> (no. weeks per year)
Building Shared Prosperity	Professional/Skilled support to help support the community and voluntary organisations (e.g. Business Planning, Marketing, Finance, Legal) (no. hrs)
Taking Pride in Hammersmith	No hours volunteering time provided to local Borough Community (e.g. clean up initiatives, painting projects) (no. hrs)
Taking Pride in Hammersmith	Sponsorship of local green community projects in the Borough (no. projects supported)
Creating a Compassionate Council	Staff to volunteer with approved rough sleeping service (no. hours)
Doing Things with Residents, not to them	Number of volunteers hosted in your organisation or project (total per annum)
Being Ruthlessly Financially Efficient	Adopting a responsible buying policy for goods and services
Being Ruthlessly Financially Efficient	Support the local economy by spending £ value of total contract expenditure in the Borough (£)

6.7 Social value commitments will not be requested as part of **price only** RFQs for Urgent/Responsive repairs.

7 STAKEHOLDER CONSULTATION

7.1 Internal stakeholders of the Council (Legal, Finance, Risk Management, Corporate Procurement and Delivery Managers (Housing, FM, Parks, etc....)) will have an input with regards to the proposal for the new tendered contract(s).

7.2 Children's Services will consult with stakeholders in Housing Services and Facilities Management with regards having a cohesive repairs and maintenance services provision for all Council owned properties.

- 7.3 It is also proposed to hold a supplier event with a view to promoting the benefits of DPS to local enterprises and the contract opportunities that will become available.
- 7.4 Furthermore, Children's Services Quantity Surveyor will work with Headteachers and their staff to ensure the delivery of repair works without detrimental impact to the school's programme and the children

8 LEASEHOLDER CONSULTATION

- 8.1 Leaseholder consultation is not applicable to schools.
- 8.2 Should Housing Services wish to utilise the DPS framework, they will adhere to protocol related to S20 consultation.

9 PROCUREMENT PROCEDURE

- 9.1 The process for setting up the DPS and undertaking competition are set out below:
- 9.2 In the first instance, the DPS framework is established by following OJEU procedure, using the Council's electronic procurement tool - www.CapitalEsourcing.com - in terms of:

Supplier Event	<p>To gauge the level of local interest in the DPS framework, a supplier event is to be held.</p> <p>This will be co-ordinated with HFBrill4Biz Supply Chain, which is a Business Support Programme dedicated to helping local companies and SME's in Hammersmith and Fulham.</p> <p>http://www.hfbrill4bizsupplychain.co.uk/home.html</p> <p>The supplier event will be advertised via a PIN notice (OJEU) and Contracts Finder and appropriate local marketing.</p>
Invitation to Express Interest	<p>Following the supplier event the DPS will be advertised via OJEU and Contracts Finder. This will invite expressions of interest by the submission of a questionnaire which will set out the Council's selection</p>

in Appointment	<p>criteria (minimum requirements) for appointment to the DPS. The UK standard selection questionnaire will be used to assess this, which asks bidders to “self-certify” their compliance with Health & Safety, Employment regulations, Race and Equality, Grounds for Exclusions (financial convictions, etc), industry accreditations and their financial standing. The SSQ will also include some technical/project specific or case studies examples to support their capabilities.</p> <p>This document will also set out how the bidders will be assessed and the process for undertaking tender and quotation exercises once the DPS’ are implemented.</p>
DPS Agreement	<p>Information or draft copy of the agreement will be published with the documents above.</p> <p>Contractors will be required to sign a DPS agreement, which governs the overall principle of the DPS and allows for “call-off” contracts following future tender exercises, including describing the procedure for this.</p> <p>This will be drafted in conjunction with Legal Services (Sharpe Pritchard).</p>
SSQ deadline	<p>Contractors will have a period of time (30 days min) in which to submit their completed SSQ.</p>
Evaluation of SSQs	<p>SSQs received at the deadline will be evaluated by Procurement, the School Assets Quantity Surveyor and other Council Officers.</p> <p>Under the EU procurement rules for a DPS - no bidder who meets the minimum requirements can be rejected. If any bidder does not fully complete the SSQ, they will be asked to resubmit.</p> <p>Organisations can apply at any time subsequently to its establishment to join the DPS, and the Council can also do a further call through advertisement for this purpose.</p>
Lots / Workstreams	<p>In applying to be part of the DPS framework, bidders will indicate to which Lot/Workstream they want to be allocated to, such as:</p> <ul style="list-style-type: none"> • Multi-Works • Roofs • Windows

	<ul style="list-style-type: none"> • Fencing • Electrical • Heating Systems/Boilers • Drains and drainage systems • CCTV (cameras, DVD and monitoring system) • Downpipes/Guttering • Groundworks • Lighting • Intercom/Security • Horticultural / Landscaping <p>Each Lot will cover both the Planned Maintenance and the Urgent Works elements.</p>
--	---

At the above stage of the procurement process, bidders are not asked to submit any prices.

9.3 Further Competitions

Following the implementation of the DPS, as detailed above, Council officers can undertake further competitive exercises against the DPS as follows:

<p>Planned Repair and Replacement Programme</p>	<p>For all works below the EU threshold, a specification defining the works required will be issued to all contractors on the relevant Lot of the framework (e.g. Roofs, Windows, etc.). Bidders will have a minimum 30 days in which to submit their proposals (Technical Questions and Price).</p> <p>An ITT will also be issued, which will set out the evaluation methodology (Price / Quality ratio). Contracts will be awarded to the bidder that proposed the Most Economically Advantageous Tender (MEAT).</p> <p>However where the individual requirement exceeds the application EU threshold for works/ services, then a restrictive procedure has to be carried out. A PIN</p>
--	--

	<p>notice is placed for the individual requirement, and a period of 30 days has to elapse to allow new entrants to the DPS to express interest both in joining the DPS and in the actual opportunity. Those already on the DPS do not need to respond again. Once the ITT is issued (both to new entrants and to those already on the DPS for the relevant lot) then no further applications can be made from new entrants to the DPS to join. A return period of 10 days from the issue of the ITT is the minimum required.</p> <p>In both cases, detailed specifications and pricing schedules will be developed for each package of works and all contractors applicable per Lot/Workstream will be invited to tender and submit their method statements for delivering our requirements and propose prices for the works. Tenders will be evaluated and awarded on the Most Economically Advantageous Tender (MEAT) based on Quality/Price award criteria; defined as:</p> <ul style="list-style-type: none">• Quality (Technical) – 40%• Price (Commercial) – 60% <p>**Bidder's Quality/Technical will include 5% to 15% commitment to Social Value**</p> <p>Under the EU public procurement rules, the award criteria for the Quality (Technical) element of the tenders can be specified in the procurement documents for the individual requirements. As this will vary according to the works required, it is not proposed to obtain prior consent for these through the approval of this Strategy. However these are likely to require bidders to submit method statements on, for example:</p> <ul style="list-style-type: none">• Programme Delivery
--	--

	<ul style="list-style-type: none"> • Staffing Resources • Customer or Stakeholder Engagement • Defects and Liability • Key Performance Indicators • Quality Assurance • Social Value • Environment
Emergency / Urgent (Responsive) Repairs	<p>If works are required immediately and assuming that the works are less than the applicable EU threshold, as there is a high risk to the well-being of the children or school, Requests for Quotes (RFQs) will be issued to the contractors on applicable Lot of the DPS. They will have a minimum time to respond – hours or days – with prices only. The lowest price will be awarded the contract.</p> <p>A template for RFQs will be created to provide bidders with information required to enable them to respond quickly and in the same format.</p>

9.4 Throughout the term of the DPS framework, new contractors will be able to apply to join the frameworks by completing an SSQ, which will be assessed.

9.5 All contracts awarded will be approved in accordance with the scheme of delegation (CSO 17).

10 PROJECT MANAGEMENT

10.1 Children Services' Assistant Director of Assets, Operations and Programme is the strategic lead for the schools' repairs and maintenance programme. The Project Manager/ Quantity Surveyor (Assets), with procurement support, will lead on the packages of works to be tendered and overseeing the appointed suppliers.


10.2 The Council's CapitalSourcing portal will be used to conduct all tenders and RFQs and record any contracts awarded.

- 10.3 Regular project monitoring meetings will be diarised to report on progress to senior management.
- 10.4 Prior to the contractor commencing the works, they will be asked to produce a Risk Assessment Method Statement (RAMS) to ensure compliance with Health & Safety standards.

11 CONTRACT MANAGEMENT

- 11.1 Children's Services, with procurement support, will manage the tenders and applications received from contractors to join the DPS.
- 11.2 The Project Manager / Quantity Surveyor (QS) will undertake quality assurance review of works whilst contractors are on site and at the point of completion of the works or at milestone stages before any invoice is paid.

Agenda Item 12

London Borough of Hammersmith & Fulham CABINET 2 SEPTEMBER 2019	 hammersmith & fulham
AVONMORE, BROOK GREEN AND ADDISON NEIGHBOURHOOD PLAN AREA	
Report of the Cabinet Member for the Economy - Councillor Andrew Jones	
Open Report	
Classification - For Decision Key Decision: Yes	
Consultation Policy & Strategy, Procurement, Risk Management, Legal, Finance, IT, Economic Development, Audit, Fraud Risk and Insurances	
Wards Affected: Avonmore, Brook Green and Addison	
Accountable Director: Jo Rowlands, Strategic Director for the Economy	
Report Author: David Gawthorpe, Team Leader Development Planning	Contact Details: Tel: 020 8753 3384 E-mail: david.gawthorpe@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. The Council has received an application from the Avonmore, Brook Green and Addison Neighbourhood Steering group for the designation of a Neighbourhood Area. The Application can be viewed at Appendix A.
- 1.2. The Council is responsible for deciding whether to designate the entire Neighbourhood Area as proposed, or a smaller area. The proposed area covers the majority of the wards of 'Avonmore and Brooke Green' and 'Addison', with the exception of the area extending west of Shepherds Bush Road. The proposed area boundary can also be viewed at Appendix A.
- 1.3. Neighbourhood planning is guided by a range of legislation and national guidance. The Council has followed the relevant regulations in terms of the process and in reaching the recommendations made in this report.
- 1.4. Having assessed the application, officers are content that the proposed area is appropriate to be designated a Neighbourhood Area.

- 1.5. However, in assessing the application the Council must also be satisfied that the group is capable of being designated as the Neighbourhood Forum for the area.
- 1.6. Officers understand that the Steering Group intends to make a Neighbourhood Forum application, however the Steering Group is not in a position to provide the necessary information to support a Forum application.
- 1.7. The Regulations governing neighbourhood planning require the Council to make a decision on an application within 13-weeks. The Regulations do not allow the Council to defer its decision to allow the Steering Group time to compile the evidence to demonstrate it could be capable of being designated as the Neighbourhood Forum.
- 1.8. The Council is unable to approve the current Neighbourhood Area application, despite the proposed Neighbourhood Area being assessed as being appropriate for designation.
- 1.9. Officers will continue to work with the Steering Group to make a Neighbourhood Forum application, which could then be considered alongside a resubmitted Neighbourhood Area application.

2. RECOMMENDATIONS

- 2.1. This report is recommending Cabinet to:
 - Refuse the Neighbourhood Area application.

3. REASONS FOR DECISION

- 3.1. Officers have assessed the proposed area to be appropriate for designation as a Neighbourhood Area, National Planning Practice Guidance states that the Council must also be satisfied that the group making the Area application is capable of being designated as the Neighbourhood Forum for that area.
- 3.2. The Steering Group has confirmed it is not in a position to satisfy the Council of their ability to be designated as the Neighbourhood Forum. Officers understand the Steering Group are working towards a Forum application, the Regulations do not allow the Council discretion to defer a decision on this application to await the Forum application. Rather, the Regulations state that the Council must make a decision on the current application and within the specified 13-week period.
- 3.3. Considering the above, the Council has no option available to it but to refuse the current Neighbourhood Area application.

4. PROPOSAL AND ISSUES

- 4.1. This section provides an overview of neighbourhood planning and the relevant legislative background, the Council's responsibilities and the issues considered in making the recommendation in the report.

NEIGHBOURHOOD PLANNING BACKGROUND

- 4.2. Neighbourhood planning is a community-led process intended to shape and promote development at a neighbourhood scale and inform Community Infrastructure Level (CIL) spending. Neighbourhood planning was introduced by the Localism Act 2011 which introduced the planning powers that have been embedded into subsequent legislation and set out the role and responsibilities of local planning authorities. Further guidance is also set out in the National Planning Practice Guidance (PPG), as to how to designate an area and forum.
- 4.3. Neighbourhood planning enables organisations and bodies within local communities to apply to be designated as a Neighbourhood Forum for a specified area. If a forum is designated in relation to an area it can then prepare a neighbourhood development plan and/or neighbourhood development order. Local planning authorities are required to support the process and there are a number of duties the local planning authorities are required to undertake. These include:
- consulting on a draft version of the neighbourhood plan,
 - organising with the forum independent examination of the draft plan, and
 - running a referendum on draft neighbourhood plan (if the recommendation of the examiner is that the plan should proceed to referendum).
- 4.4. The Council must also abide by a number of statutory timescales in relation to the neighbourhood planning process, and these are set out in the Regulations. In respect of a neighbourhood area application, the Regulations specify that the Council must determine the application within 13 weeks of public notification. There is no provision in the Regulations to defer a decision.
- 4.5. Only one neighbourhood area can cover one location and the application will usually (but not in this case) be made by an organisation or body that is simultaneously seeking designation as the Neighbourhood Forum for the relevant area.
- 4.6. Neighbourhood plans can develop planning policies on land use, housing, identify local green spaces, design, and others. The policies must be developed in general conformity with national, regional and local planning policies. In LBHF, any neighbourhood plan would need to be developed in general conformity with the strategic policies in the Local Plan. The Local Plan identifies which policies are considered strategic and non-strategic for the purposes of neighbourhood plan-making.

4.7. There are several key stages in producing a neighbourhood plan:

- **Stage 1:** An organisation or body applies to the local planning authority to be designated as the Neighbourhood Forum and to designate a proposed neighbourhood area.
- **Stage 2:** Once an application is submitted, public consultation takes place. LBHF planning officers review responses received and consider the information submitted in support of the area and forum applications against the conditions specified in the Regulations and put forward a recommendation to the Cabinet.
- **Stage 3:** LBHF's Cabinet consider the recommendation and determine the applications.
- **Stage 4:** If designated, the Neighbourhood Forum can start production of a neighbourhood plan for its area. The forum must consult on the plan before sending it to the Council for a further consultation and independent public examination.
- **Stage 5:** If found sound at examination - that is that the draft plan meets the relevant legal requirements - the examiner will recommend that the draft plan should proceed to a referendum. The plan will be voted on in a referendum of those residing in the neighbourhood area, organised by the Council. The plan needs a 50% majority of those who vote for it to then be 'made' by the local planning authority. Once made, a neighbourhood plan becomes part of the statutory development plan and its policies must be considered, where relevant, in the determination of planning applications.

AVONMORE, BROOK GREEN AND ADDISON NEIGHBOURHOOD AREA APPLICATION

4.8. The application is at stages 1 - 2 in the process, set out above. The starting point in deciding a neighbourhood area is to refer to the Town and Country Planning Act 1990 (Annex 1), which identifies that in determining a neighbourhood area the Council must: -

1. take account of designating the entire parish council area and
2. any conflicting neighbourhood areas that have already been designated.

4.9. Point 1 is not relevant to the Council, as this is specific to areas within parish councils. In terms of point 2, there are no conflicting neighbourhood area boundaries and the Council has not received any subsequent neighbourhood area proposals.

4.10. Furthermore, the legislation identifies that if the Council receives a valid application, the area or part of the proposed area is not already designated as a neighbourhood area and the Council is refusing the application as part of

the area is not considered appropriate the Council must still ensure that part of the area is still designated.

4.11. In response to these criteria:

- officers are satisfied that a valid neighbourhood area application has been made to the authority; and,
- there are no other existing neighbourhood plan areas designated that conflict with the proposed area boundary.

4.12. The next step is to consider whether to designate the entire area as proposed in the Application, or an area within the proposed boundary. Officers have assessed, amongst other things, the National Planning Practice Guidance (PPG), the policy context, and the consultation responses.

4.13. The PPG provides guidance to local authorities on how to designate a neighbourhood area. The PPG identifies the following considerations to take account of:

- village or settlement boundaries, which could reflect areas of planned expansion
- the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities
- the area where formal or informal networks of community-based groups operate
- the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style
- whether the area forms all or part of a coherent estate either for businesses or residents
- whether the area is wholly or predominantly a business area
- whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway
- the natural setting or features in an area
- size of the population (living and working) in the area.

4.14. The PPG also sets out that a group can apply for a neighbourhood area to be designated even if it doesn't have a Neighbourhood Forum. However, in order to be sure that the group is the appropriate body to lead neighbourhood planning in that area, the group must also demonstrate that it is capable of becoming the designated Neighbourhood Forum for the neighbourhood area they are applying to have designated.

4.15. The spatial characteristics of the proposed Neighbourhood Area are predominantly residential and incorporates the major parts of two council wards: 'Addison', and, 'Avonmore and Brook Green'. The parts of the wards which are not included ensure a clearer definition of the Neighbourhood Area by the A-roads and the railway. The proposed Neighbourhood Area contains key hubs and amenities such as Brook Green, Blythe Road and Hammersmith Road. Punctuating its perimeter boundary are transport hubs at Shepherds Bush, Hammersmith Town Centre, Talgarth Road, Shepherds Bush Road and the London Overground railway at Kensington Olympia.

- 4.16. The proposed area is considered similar in layout, scale and physical appearance throughout; and, relatively enclosed and self-contained with the surrounding road and rail infrastructure providing natural boundaries. The location of the community facilities and other services are located in proximity to the residences, and the street layout allows ease of movement.
- 4.17. The proposed area is partially within the White City Opportunity Area identified in the LBHF Local Plan. Strategic Policy WCRA (White City Regeneration Area) includes the proposed area, however, the regeneration area covers a wider area. The PPG states (in summary) Neighbourhood Areas can include land allocated in a Local Plan as a strategic site, the planning context and circumstances should be discussed between the local planning authority and group that may inform the Council's decision on the area it will designate.
- 4.18. The PPG also outlines that in determining any Neighbourhood Area, the planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan.

PUBLIC CONSULTATION AND RESPONSES

- 4.19. The Application was subject to a six-week consultation between 3rd June and 16th July 2019. The following engagement activities were undertaken as part of the public consultation:
- All application and consultation details were made available on the Council's website
 - 8 site notices were placed in key locations within the proposed area
 - The Application was made available for inspection at the Hammersmith Town Hall, King Street, Hammersmith, W6 9JU
 - Emails were sent out to over 250 stakeholder's on LBHF's consultation databases.
- 4.20. The Council received 25 responses as part of the public consultation on the proposed Neighbourhood Area application. The Council received comments from residents and a number of statutory bodies.
- Summary of consultation responses
- 4.21. Twenty responses were positive, expressing support to the Application. These comments expressed support for the proposed area. Two responses suggested boundary amendments.
- 4.22. Two responses did not support the Neighbourhood Forum designation. They consider it would be a small group representing the views of a larger area.
- 4.23. Three responses did not express any particular views towards the Application. These were from the statutory bodies: Natural England; Canals and River Trust; and Port of London Authority.

- 4.24. Overall, the consultation responses demonstrate a large majority in support of area designation as proposed. Officers considered the suggested boundary changes but concluded that the area proposed by the application generally complied with the relevant regulations and guidance as detailed in paragraph 4.13.

WHETHER THE AVONMORE, BRROK GREEN AND ADDISON STEERING GROUP IS CAPABLE OF BECOMING THE DESIGNATED NEIGHBOURHOOD FORUM FOR THE AREA

- 4.25. The assessment shows that the proposed Neighbourhood Area is appropriate for designation, however without a Neighbourhood Forum to lead the neighbourhood planning of the area, the area designation alone would serve no purpose.
- 4.26. Officers have been working with the Steering Group on their ability to demonstrate they are capable of meeting the conditions for Neighbourhood Forum designation (as set out in Section 61F of the Town and Country Planning Act 1990 and 38A of the Planning and Compulsory Purchase Act 2004),
- 4.27. Section 61F effectively requires the Council to be satisfied that the Steering Group membership is open and has secured (or taken reasonable steps to attempt to secure) membership from individuals living in the area; working in the area, including business operators or owners; and individuals who are elected members whose area falls within the proposed Neighbourhood Area; and therein:
- a) from different places across the Neighbourhood Area;
 - b) from different sections of the community in that area; and
 - c) whose purpose reflects (in general terms) the character of that area.
- 4.28. The Steering Group understands the above requirements and are working towards meeting these conditions. However, the Steering Group has, at this time, confirmed they are not in a position to adequately demonstrated they can or are able to meets the conditions.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The Steering Group isn't capable of being designated the Neighbourhood Forum for the area, therefore the Council is not able the approve the area application.
- 5.2. Options to defer the decision on the current Area application, or to approve the Neighbourhood Area 'in principle', subject to the Steering Group making a successful Neighbourhood Forum application have both been explored. However, the Regulations governing neighbourhood planning are inflexible and do not allow for either of these options.
- 5.3. This therefore means the Council must refuse the current Neighbourhood Area application.

- 5.4. The Council remains fully supportive of neighbourhood planning, as such initiative aligns with the Council's Priority of Doing things with, not to residents. Officers will therefore continue to work proactively with the Avonmore, Brook Green and Addison Steering Group to support their making of a Neighbourhood Forum application, at which time the Neighbourhood Area application can be resubmitted and the recommendation of this report reconsidered.

6. CONSULTATION

- 6.1. As identified above, the Neighbourhood Area application was subject to public consultation between 3rd June and 16th July. Six weeks is the required time for any Neighbourhood Area applications.

7. EQUALITY IMPLICATIONS

- 7.1. The Council has given due regard to its responsibilities under Section 149 of the Equality Act 2010 and it is not anticipated that there will be any negative impact on any groups with protected characteristics from the designation of the proposed area.
- 7.2. If the proposed Neighbourhood Forum application is made, this will need to demonstrate how the forum will be representative of and inclusive of all those residing or working in the Neighbourhood Area. The equalities implications of the Neighbourhood Forum application will be considered and assessed at that time.
- 7.3. Implications completed by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

8. LEGAL IMPLICATIONS

- 8.1. The Town and Country Act 1990, as amended by Localism Act 2011 sets out the criteria and consideration that every Local Planning Authority must consider in respect of applications to designate Neighbourhood Areas and Neighbourhood Forums for the purpose of neighbourhood planning.
- 8.2. Further the Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012, (as amended) outline the Council's responsibilities and procedures for the designation of Neighbourhood Areas and Neighbourhood Forums.
- 8.3. The National Planning Policy Framework and the relevant planning practice guidance (as revised) outline the policies in preparation of neighbourhood plans and to decisions on planning applications.
- 8.4. Furthermore, the Housing and Planning Act 2016 have introduced additional requirements for neighbourhood planning which have which have been incorporated into the Neighbourhood Planning (General) and Development

Management Procedure (Amendment) Regulations 2016, and the Neighbourhood Planning (Referendums) (Amendment) Regulations 2016.

8.5. The body of this report has summarised the criterion and procedures to be followed in consideration of the current proposed Neighbourhood Area application in accordance with the above-mentioned legislation.

8.6. Implications completed by Gerta Kodhelaj, Solicitor, tel. 02087536081

9. FINANCIAL IMPLICATIONS

9.1. If a neighbourhood plan becomes adopted, the local authority is required to consult with the community on the use of 25% of the Community Infrastructure Levy (CIL) revenues arising from the development that takes place in their area or can pass the money onto the Neighbourhood Forum.

9.2. The Council can apply for funding from the Ministry of Housing, Communities and Local Government at different points in the process. For 2019/20 these are as follows:

- For the first five designated neighbourhood plan areas, the Council can apply for £5,000 per designation. This will be the Council's forth such area and should be applied for if the recommendations in this report are agreed.
- For the first five Neighbourhood Forums designated, the Council can apply for £5,000 per designation. This will be the Council's second such forum and this should be applied for the subsequent application for the Neighbourhood Forum by approved.

9.3. In order for a neighbourhood plan to be adopted, an Independent Examination and Referendum is required. The Council is required to support these processes and there will be costs to the Council, however the exact costs are not currently clear as this process will be led by the Neighbourhood Forum. Appropriate approval in line with the Council's financial regulations and Constitution will be required before these costs are incurred.

9.4. Once a Referendum date has been set, the Council can claim £20,000, which would be used to offset the costs occurred by the Council organising the Examination and Referendum.

9.5. It is expected that the costs relating to consultation and supporting the examination and referendum process would be fully covered by the Government funding set out above. There's a small risk that the Examiner may wish to widen the referendum area. This would be more costly for the Council but Planning Officers have advised that this is unlikely.

9.6. As with any decision of this type there is a risk of it being challenged via an application to the Ombudsman or by judicial review with the Council incurring costs as a result.

9.7. Implications verified by Emily Hill, Assistant Director, Corporate Finance, telephone 020 8753 3145.

10. IMPLICATIONS FOR BUSINESS

10.1. Neighbourhood plans are community-led planning policy documents and can cover all land use related matters. Once adopted, neighbourhood plans ultimately will be used to assess planning applications in the area and can cover all land use related matters, such as housing, retail, open space designation and other matters.

10.2. Neighbourhood plans must be developed in general conformity with the strategic policies as set out in the Council's Core Strategy and the London Plan (the Development Framework). The recommended area for designation is predominantly residential and is unlikely to have large employment sites. The scale of any neighbourhood plan policy is unlikely to have a negative impact upon delivering economic development, jobs and growth in the borough.

10.3. Social and economic value, including employment and skills opportunities for local residents and supply opportunities for local small and medium size enterprises should be sought via the proposed Neighbourhood Forum and its activities.

10.4. Implications completed by Billy Seago, Economic Development Team, tel. 020 8753 5242

11. COMMERCIAL IMPLICATIONS

13.1 Under the 1990 Act local planning authorities have a statutory duty to advise and assist in the preparation of neighbourhood development plans. They also have a duty to make arrangements for independent examination of the plan.

13.2 Therefore, the Council is required to support these processes and the costs associated with them.

13.3 The future procurement of an independent examiner shall follow the Contracts Standing Orders and the Public Contracts Regulations.

13.4 Implications verified by Joanna Angelides, Procurement Consultant, tel. 020 8753 2586.

12. IT IMPLICATIONS

12.1. No IT implications are considered to arise from this report in respect of an application for the Avonmore, Brook Green and Addison areas to be designated a Neighbourhood Area. Should this not be the case, for example,

by requiring new systems to be procured or existing systems to be modified, IT Services should be consulted.

- 12.2. IM implications: If not already in place, a Privacy Impact Assessment(s) should be carried out to ensure that all the potential data protection risks (e.g. in consulting with Residents) around the proposed area are properly assessed with mitigating actions agreed and implemented.
- 12.3. *Implications verified/completed by: Tina Akpogheneta, Interim Head of Strategy and Strategic Relationship Manager, IT Services, tel 0208 753 5748.*

13. RISK MANAGEMENT

- 13.1. Neighbourhood planning is considered to contribute positively to the LBHF Vision and Council Priority of Doing things with, not to residents also to the management of our local Community needs and expectations risk. It is expected that neighbourhood plans also bring additional improvement to the local natural environment through the neighbourhood plan positively contributing to the management of environmental risk and meeting our Priority by Taking pride in Hammersmith & Fulham, our residents deserve a place that is safe, clean and green.
- 13.2. If a subsequent forum application is made and approved, alongside resubmission of the area application, work could then commence on preparing a neighbourhood plan. If a neighbourhood plan is developed, officers would work closely with the community group to ensure that the neighbourhood plan policies align with those of the council. As a plan progresses, further consultation is required on draft versions of the plan which the council would submit comments and will be subject to an Independent Inspector to ensure the plan meets the legal requirements.
- 13.3. Implications verified by Michael Sloniowski, Risk Manager tel. 020 8753 2587

14. OTHER IMPLICATIONS PARAGRAPHS

- 14.1. Officers consider all relevant implications have been covered in this report.

15. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	Town and Country Planning Act 1990 (published) https://www.legislation.gov.uk/ukpga/1990/8/contents		

LIST OF APPENDICES:

Appendix A: Avonmore, Brook Green and Addison Neighbourhood Area application and proposed Neighbourhood Area boundary

APPENDIX A

ABA Neighbourhood Planning Forum Steering Group

Email: abanpf@gmail.com

Development Plans Team
Planning Division
London Borough of Hammersmith & Fulham
5th Floor Town Hall Extension
King Street
Hammersmith
W6 9JU

25th April 2019

Dear Mr Gawthorpe,

**Application for the Designation of the Neighbourhood Area of
'Avonmore, Brook Green and Addison' (ABA).**

As the steering group of the Avonmore, Brook Green and Addison Neighbourhood Planning Forum (pending designation) we are writing to apply for formal designation of a 'Neighbourhood Area' within the provision of the 2011 Localism Act.

Further to Regulation 5 of Part 2 of the Neighbourhood Planning (General) Regulations 2012 our application includes:

- i. a map which identifies the area to which the area application relates. Please find this attached at Schedule A.
- ii. a statement explaining why this area is considered appropriate to be designated as a neighbourhood area. Please find this attached at Schedule B.
- iii. a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act. Please find this attached at Schedule C.

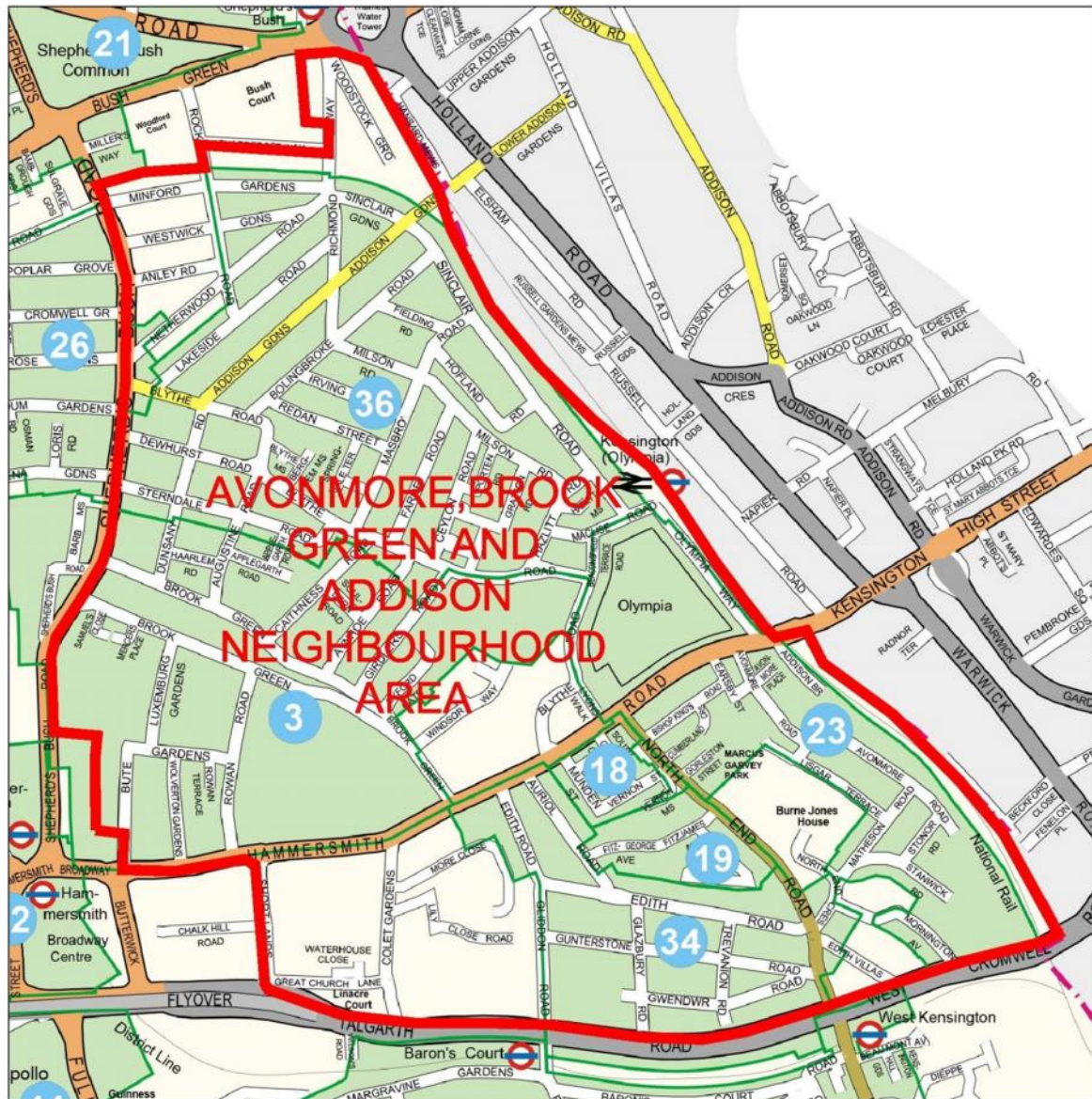
Yours sincerely,

Xavier Bouthors, Denis Carroll, Laurence Carroll, Georgie Elvins, Joao Felix, Kim Karmozyn
Jacques Le Maitre, Celina Mathieson, Khalid Seydo, Samina Shahzady,
Penny Stewart Moore, Arnaud Thielly, Clara Thielly

(Steering group, **Avonmore, Brook Green and Addison** Neighbourhood Forum; as dated above).

SCHEDULE A

A map which identifies the area to which the area application relates:



Key: The red line shows the extent of the proposed Neighbourhood Area.

DESCRIPTION OF THE PROPOSED AREA BOUNDARY

Southern boundary east to west

Starting on West Cromwell Road at the boundary of the London Borough of Hammersmith and Fulham with the Royal Borough of Kensington and Chelsea the boundary line runs westwards along the northern edge of the vehicle carriageway on West Cromwell Road and Talgarth Road.

Western boundary south to north

The boundary turns north at Shortlands along the centre of this road until reaching the centre of Hammersmith Road. The boundary then turns to the west along the centre of Hammersmith Road before turning north into Bute Gardens. In Bute Gardens the boundary incorporates properties both sides of Bute Gardens before turning westwards along the southern boundary of St Paul's Girls School playing fields and onto Shepherds Bush Road. The boundary turns northwards to run along the eastern edge of Shepherds Bush Road incorporating properties on its east side until it reaches its junction with Minford Gardens.

Northern boundary west to east

The boundary turns westwards at Minford Gardens to follow the southern boundary of the White City Regeneration Area along Minford Gardens until Rockley Road where it turns north into this road before turning west to incorporate the properties on the south side of Charecroft Way. From the eastern end of Charecroft Way the boundary incorporates all the properties on Richmond Way and Woodstock Grove. The boundary turns south and onto the railway bridge at the junction with Sinclair Road and Addison Road.

Eastern boundary north to south

The boundary then turns southward along the western edge of the railway to incorporate the properties on Sinclair Road, Olympia Way, Addison Bridge Place and others immediately to the east of the railway line until it reaches the starting point at West Cromwell Road.

SCHEDULE B

Statement explaining why the proposed area as in Schedule A is considered appropriate for designation:

The area set out in this document for designation as a Neighbourhood Area is an area very defined clearly by a railway line, (also the borough boundary) and two major roads, the A4 Talgarth Road and the A219 Shepherds Bush Road.

This geographical clarity follows to a great degree the boundaries of the neighbourhood's Conservation Areas: Lakeside/Sinclair/ Blythe Road, Brook Green and Gunter Estate (Conservation Areas 2, 23, 18, 19 34 & 36). These areas share a common urban grain and period of historical development as identified by the council.

Further to Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "Every local authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas" The Borough has designated 44 such areas since 1971.

The area to be designated also incorporates the major parts of two council wards: 'Addison', and, 'Avonmore and Brook Green'. The parts of the wards which are not included allow for a clearer definition of the neighbourhood area by the A-roads and the railway.

Any deviations from the clear lines of the A-roads are only to exclude, where relevant, specific areas with designations under the Local Plan for Regeneration; ie 'Hammersmith Town Centre' and 'White City' Regeneration Areas).

The proposed Neighbourhood Area does not overlap with any existing Neighbourhood Areas nor does it duplicate an area with an application for designation.

The proposed Neighbourhood Area contains key hubs and amenities for our community such as Brook Green, Blythe Road and Hammersmith Road. Punctuating its perimeter boundary are transport hubs at Shepherds Bush, Hammersmith Town Centre, Talgarth Road, Shepherds Bush Road and the London Overground railway at Kensington Olympia.

This proposed Neighbourhood Area boundary defines a walkable and mixed use urban quarter with a specific development history, architectural character and urban grain. The notion of an urban quarter as a self-identifying urban neighbourhood is long established but also follows the principles of sustainable development outlined in the NPPF. This neighbourhood area embraces existing local networks and provides an opportunity for the enhancement of the social, economic and environmental aspects of sustainable development with the participation of our community.

SCHEDULE C

Statement explaining that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

The application is being made by the steering group for the **Avonmore, Brook Green and Addison Neighbourhood Planning Forum**. The steering group comprises thirteen individuals who either live or work within the proposed neighbourhood area. The steering group represents a larger inception membership of residents and business owners who have agreed to support and participate in the forum and this number far exceeds the minimum number of participating individuals required under the terms of the relevant Act. This requisite number of participating individuals is drawn from a range of occupations, ages, ethnicities and socio-economic groups and as such will satisfy the requirements for formal designation as a Neighbourhood Forum. The draft constitution for the forum provides for its continued growth and representation in an open and inclusive manner.

a) We are convening for the express purpose of promoting or improving the social, economic and environmental well-being (as per H&F Joint Health & Wellbeing Strategy 2016 - 2021) of an area that consists of or includes the neighbourhood area concerned.

b) Our membership is and will remain open to:

- individuals who live in the neighbourhood area concerned,
- individuals who work there (whether for businesses carried on there or otherwise), and
- resident individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

c) Our membership includes a minimum of 21 individuals with the following requisite qualifying status:

- live in the neighbourhood area concerned,
- work there (whether for a business carried on there or otherwise), or
- at least one elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

d) Our Interim forum is preparing a written constitution and supporting governance documents.



NOTICE OF CONSIDERATION OF A KEY DECISION

In accordance with paragraph 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of Key Decisions which it intends to consider at its next meeting and at future meetings. The list may change between the date of publication of this list and the date of future Cabinet meetings.

NOTICE OF THE INTENTION TO CONDUCT BUSINESS IN PRIVATE

The Cabinet also hereby gives notice in accordance with paragraph 5 of the above Regulations that it intends to meet in private after its public meeting to consider Key Decisions which may contain confidential or exempt information. The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports relating to key decisions which the Cabinet will take at its private meeting are indicated in the list of Key Decisions below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please e-mail Katia Neale on katia.neale@lbhf.gov.uk. You will then be sent a response in reply to your representations. Both your representations and the Executive's response will be published on the Council's website at least 5 working days before the Cabinet meeting.

KEY DECISIONS PROPOSED TO BE MADE BY CABINET ON 2 SEPTEMBER 2019 AND AT FUTURE CABINET MEETINGS UNTIL APRIL 2020

The following is a list of Key Decisions which the Authority proposes to take at the above Cabinet meeting and future meetings. The list may change over the next few weeks. A further notice will be published no less than 5 working days before the date of the Cabinet meeting showing the final list of Key Decisions to be considered at that meeting.

KEY DECISIONS are those which are likely to result in one or more of the following:

- Any expenditure or savings which are significant (ie. in excess of £100,000) in relation to the Council's budget for the service function to which the decision relates;
- Anything affecting communities living or working in an area comprising two or more wards in the borough;
- Anything significantly affecting communities within one ward (where practicable);
- Anything affecting the budget and policy framework set by the Council.

The Key Decisions List will be updated and published on the Council's website on a monthly basis.

NB: Key Decisions will generally be taken by the Executive at the Cabinet.

*If you have any queries on this Key Decisions List, please contact
Katia Neale on 020 8753 2368 or by e-mail to katia.neale@lbhf.gov.uk*

Access to Cabinet reports and other relevant documents

Reports and documents relevant to matters to be considered at the Cabinet's public meeting will be available on the Council's website (www.lbhf.org.uk) a minimum of 5 working days before the meeting. Further information, and other relevant documents as they become available, can be obtained from the contact officer shown in column 4 of the list below.

Decisions

All decisions taken by Cabinet may be implemented 5 working days after the relevant Cabinet meeting, unless called in by Councillors.

Making your Views Heard

You can comment on any of the items in this list by contacting the officer shown in column 4. You can also submit a deputation to the Cabinet. Full details of how to do this (and the date by which a deputation must be submitted) will be shown in the Cabinet agenda.

LONDON BOROUGH OF HAMMERSMITH & FULHAM: CABINET 2019/20

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

Key Decisions List No. 81 (published 2 August 2019)

KEY DECISIONS LIST - CABINET ON 2 SEPTEMBER 2019

The list also includes decisions proposed to be made by future Cabinet meetings

Where column 3 shows a report as EXEMPT, the report for this proposed decision will be considered at the private Cabinet meeting. Anybody may make representations to the Cabinet to the effect that the report should be considered at the open Cabinet meeting (see above).

* All these decisions may be called in by Councillors; If a decision is called in, it will not be capable of implementation until a final decision is made.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
2 September 2019				
Cabinet	2 Sep 2019	CORPORATE REVENUE MONITORING 2019/20 MONTH 2 - 31ST MAY Revenue monitor showing spend v budget and virement requests.	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards Is value above £500,000? Yes		Ward(s): All Wards	
Contact officer: Emily Hill emily.hill@lbhf.gov.uk				
Cabinet	2 Sep 2019	Highway Maintenance Work Programme 2019/20 Reports seeks approval for the planned highway maintenance work programme for 2019/20.	Cabinet Member for the Environment	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? Yes		Ward(s): All Wards	
Contact officer: Ian Hawthorn, Donna Kelly Tel: 020 8753 3058, Tel: 020 8753 3040 ian.hawthorn@lbhf.gov.uk, Donna.Kelly@lbhf.gov.uk				
Cabinet	2 Sep 2019	Direct Award - Health Hearts Contract Report recommends a direct award for six months for the Healthy Hearts Contract. PART OPEN PART PRIVATE Part of this report is exempt from	Cabinet Member for Health and Adult Social Care	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background
	Reason: Expenditure more than £100,000 Is value above		Ward(s): All Wards	
Contact officer: Nicola Ashton Tel: 020 8753 5359 Nicola.Ashton@lbhf.gov.uk				

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
	£500,000? No	disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		papers to be considered.
Cabinet	2 Sep 2019 Reason: Expenditure more than £100,000 Is value above £500,000? No	Annual Parks Capital Programme 2019-20 Seeking Cabinet approval to continue to improve and enhance the borough's parks and open spaces in 2019-20	Cabinet Member for the Environment Ward(s): All Wards Contact officer: Silvera Williams, Sarah Brion Silvera.Williams@lbhf.gov.uk, sarah.brion@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	2 Sep 2019 Reason: Affects 2 or more wards Is value above £500,000? Yes	BUSINESS CASE & PROCUREMENT STRATEGY IN RELATION TO THE CREATION OF A DYNAMIC PURCHASING SYSTEM (DPS) FOR THE PROVISION OF PLANNED AND REACTIVE CAPITAL WORKS TO COUNCIL PROPERTIES This report, proposed by Children's Services, is seeking permission to carry out a procurement exercise to establish a Dynamic Purchasing System (DPS) in order to engage local Small and Medium Enterprise (SME) contractors to undertake repairs and maintenance and other construction related works at our schools. The DPS will also be made available for use by other departments to carry out repair and construction related works at other Council-owned buildings.	Cabinet Member for Children and Education Ward(s): All Wards Contact officer: Jennifer Rhoden jennifer.Rhoden@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		<p>The DPS framework proposed will be used for: Planned Repair and Replacement Programme Emergency / Urgent (Responsive) Repairs</p> <p>The purpose of the DPS is to engage local organisations and SMEs to carry out works and services and support the Council's commitment to work with local businesses and invest in the local economy with a view to building shared prosperity by creating jobs in the borough and for the benefit of their community.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		
Cabinet	<p>2 Sep 2019</p> <hr/> <p>Reason: Affects 2 or more wards</p> <p>Is value above £500,000? No</p>	<p>BUSINESS CASE & PROCUREMENT STRATEGY IN RELATION TO THE AWARD OF CONTRACTS TO DELIVER IMPACT PROJECT INDEPENDENT DOMESTIC VIOLENCE ADVOCACY AND CASE PROGRESSION SERVICES</p> <p>The Council's current contracts with Advance Advocacy Services (Advance) and Standing Together Against Domestic Violence (STADV) to deliver Independent Domestic Violence Advocacy Services and Case Progression Services respectively for the Impact Project are due to expire</p>	<p>Deputy Leader</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Pat Cosgrave Tel: 020 8753 2810 Pat.Cosgrave@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		<p>on 31st March 2020.</p> <p>This report asks Cabinet approval to retender these contracts for April 2020 onwards.</p>		
Cabinet	<p>2 Sep 2019</p> <hr/> <p>Reason: Affects 2 or more wards</p> <p>Is value above £500,000? No</p>	<p>Avonmore, Brook Green and Addison Neighbourhood Area Application</p> <p>A report detailing responses to a consultation on a neighbourhood area application covering Avonmore, Brook Green and Addison wards. A key decision is required on the designation of the proposed neighbourhood area.</p>	<p>Cabinet Member for the Economy</p> <hr/> <p>Ward(s): Avonmore and Brook Green</p> <hr/> <p>Contact officer: David Gawthorpe</p> <p>David.Gawthorpe@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
Cabinet	<p>2 Sep 2019</p> <hr/> <p>Reason: Expenditure more than £100,000</p> <p>Is value above £500,000? Yes</p>	<p>Hartop and Lannoy Point - Compulsory Purchase Order</p> <p>To approve the commencement of Compulsory Purchase Order process necessary to acquire private interests in Hartopp Point and Lannoy Point blocks to enable demolition of the two blocks.</p>	<p>Cabinet Member for Housing</p> <hr/> <p>Ward(s): Munster</p> <hr/> <p>Contact officer: Matthew Rumble</p> <p>matt.rumble@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
Cabinet	<p>7 Oct 2019</p> <hr/> <p>Reason: Income more than £100,000</p> <p>Is value above £500,000? No</p>	<p>Strategic Investment Pot funding: receipt of grant</p> <p>Report requiring decision on receipt of funding</p>	<p>Cabinet Member for the Economy</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Billy Seago Tel: 020 8753 5242 Mob: 07818 07651 billy.seago@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
7 October 2019				
Cabinet	7 Oct 2019 Reason: Expenditure more than £100,000 Is value above £500,000? Yes	Business Case & Procurement Strategy for the Procurement of Violence against Women & Girls Services The current contract to provide the services expires in March 2020. The report asks Cabinet to approve the procurement strategy and delegate the decision to award the contracts for the services to The Director of Environment in consultation with the Deputy Leader	Deputy Leader Ward(s): All Wards Contact officer: Pat Cosgrave Tel: 020 8753 2810 Pat.Cosgrave@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Oct 2019 Reason: Affects 2 or more wards Is value above £500,000? No	DEVELOPING OUR RELATIONSHIP WITH THE VOLUNTARY AND COMMUNITY SECTOR This report sets out an emerging new relationship between Hammersmith & Fulham Council and our voluntary and community sector. The report details the social and economic context of the relationship, the shift in demand from residents and the ambition we have for a participatory culture.	Deputy Leader Ward(s): All Wards Contact officer: Ruth Redfern Ruth.Redfern@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Oct 2019 Reason: Expenditure more than £100,000 Is value above £500,000? Yes	Contract to provide Violence Against Women & Girls Integrated Support Services and Coordination Services The service will be tendered in two lots. One is to provide coordination for the Specialist Domestic Violence Court and Multi Agency Risk Assessment Court. The other is to provide Integrated Support Services to survivors of domestic violence/abuse. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it	Deputy Leader Ward(s): All Wards Contact officer: Pat Cosgrave Tel: 020 8753 2810 Pat.Cosgrave@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	7 Oct 2019 Reason: Expenditure more than £100,000 Is value above £500,000? Yes	CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2019/20 (FIRST QUARTER) This report provides a financial update on the Council's Capital Programme and seeks approval for budget variations, as at the end of the first quarter	Cabinet Member for Finance and Commercial Services Ward(s): All Wards Contact officer: Andrew Lord Tel: 020 8753 2531 andrew.lord@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Oct 2019 Reason: Affects 2 or more wards Is value above £500,000? Yes	CORPORATE REVENUE MONITOR 2019-20 MONTH 3 30TH JUNE Report of variance of actual to budget at end of June. Virement requests.	Cabinet Member for Finance and Commercial Services Ward(s): All Wards Contact officer: Emily Hill emily.hill@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	7 Oct 2019 Reason: Expenditure more than £100,000 Is value above £500,000? Yes	Corporate Property Services Framework The report outlines revised LOTS to ensure external advice can be secured on a wide range of property advice to ensure the administrations outcomes on assets are delivered	Cabinet Member for Finance and Commercial Services Ward(s): All Wards Contact officer: Nigel Brown, David Burns Tel: 020 8753 2835, Nigel.Brown@lbhf.gov.uk, David.Burns@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
Cabinet	7 Oct 2019	<p>Offsite Records Storage Service</p> <p>Offsite Records Storage Service, for the secure storage of documents and records in a physical format including paper, microfilms, microfiche and some objects. This will also include retrieval services with the capability of doing scan on demand as well as a bulk scanning service and secure destruction of records as requested.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Finance and Commercial Services</p> <p>Ward(s): All Wards</p> <p>Contact officer: Anthea Ferguson, Edward Crow Tel: 02087536641, Anthea.Ferguson@lbhf.gov.uk, Edward.Crow@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	<p>7 Oct 2019</p> <p>Reason: Expenditure more than £100,000</p> <p>Is value above £500,000? No</p>	<p>Engineering and Motor Insurance Tender Strategy for 2020-25</p> <p>This report sets out the proposed strategy upon which sovereign insurance contracts for Engineering Inspection and Motor will be procured for contract commencement dates of 1st April 2020.</p>	<p>Cabinet Member for Finance and Commercial Services</p> <p>Ward(s): All Wards</p> <p>Contact officer: Neil Walker Tel: 07739 316319 neil.walker@rbkc.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	7 Oct 2019	APPROVAL OF EARLS COURT COMPULSORY PURCHASE ORDER STRATEGY	Cabinet Member for the Economy	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? No	A report seeking approval of the council's acquisition and Compulsory Purchase Order strategy in relation to the Earls Court Opportunity Area.	Ward(s): North End Contact officer: Matthew Rumble matt.rumble@lbhf.gov.uk	
Cabinet	7 Oct 2019	School Organisation Strategy 2019	Cabinet Member for Children and Education	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards Is value above £500,000? No	School Organisation Strategy 2019 submitted for approval	Ward(s): All Wards Contact officer: Christine Edwards Tel: 020 8753 5179 christine.edwards@lbhf.gov.uk	
Cabinet	7 Oct 2019	Procurement Strategy to Commission an external training venue for partners in practice programme	Cabinet Member for Children and Education	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? No	This Procurement Strategy Report is requesting approval to proceed with the procurement of an external training venue to accommodate a number of courses scheduled for delivery by the Centre for Systemic Social Work (CfSSW) which sits in the Family Services Directorate of Kensington and Chelsea Council. The procurement activity will be led by colleagues in the Bi-borough procurement teams and on completion of the procurement H&F will be an equal party to the resulting contract.	Ward(s): All Wards Contact officer: Susan Hughes, Bev Sharpe susan.hughes@lbhf.gov.uk, bev.sharpe@lbhf.gov.uk	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	<p>7 Oct 2019</p> <hr/> <p>Reason: Expenditure more than £100,000</p> <p>Is value above £500,000? Yes</p>	<p>APPROVAL OF PROCUREMENT STRATEGY AND PAYMENTS TO THE WEST LONDON ALLIANCE FOR USE OF AND CONTINUED ACCESS TO DYNAMIC PURCHASING VEHICLES FOR CHILDREN'S SOCIAL CARE AND SUPPORT SERVICES</p> <p>This report recommends approval of a procurement strategy for children's social care placements and to approve payments to the West London Alliance. It is also recommended that approval of payments to the WLA for future years is delegated to the Director of Children's Services.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Children and Education</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Will Parsons Tel: 0776 848 6764 Will.Parsons@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
Cabinet	<p>7 Oct 2019</p> <hr/> <p>Reason: Expenditure more than £100,000</p> <p>Is value above £500,000? Yes</p>	<p>Reprocurement of Mosaic for Adults and Children's Social Care</p> <p>The Mosaic system has been in use for the management of cases in Adults and Children's Social Care. The existing contract comes to an end in January 2020 and needs to be renewed.</p>	<p>Cabinet Member for Children and Education, Cabinet Member for Health and Adult Social Care</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Veronica Barella, Josh Hadley Tel: 020 8753 2927, Tel: 020 8753 1980 Veronica.Barella@lbhf.gov.uk, Josh.Hadley@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	7 Oct 2019	Healthy Lifestyles Service Procurement Strategy Report containing the procurement strategy and business case for a new Healthy Lifestyles Service.	Cabinet Member for Health and Adult Social Care	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? Yes		Ward(s): All Wards	
Cabinet	7 Oct 2019	Statutory Adult Advocacy Services The purpose of this report is to agree the commissioning and procurement plan for statutory adult advocacy services in the borough. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Health and Adult Social Care	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? Yes		Ward(s): All Wards	
Cabinet	7 Oct 2019	Housing Strategy 2019 Report on the Council's new Housing Strategy	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards Is value above £500,000? No		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	7 Oct 2019	<p>PROCURING AND DELIVERING A LONG-TERM REPAIRS AND MAINTENANCE MODEL FOR HAMMERSMITH AND FULHAM</p> <p>This report sets out the framework and timetable for the procurement, implementation and mobilisation of the long-term model for repairs and maintenance service. This report follows on from the March Cabinet report Costs of the interim housing repairs delivery model which set out plans for the implementation and costs of the interim repairs and maintenance service and model.</p> <p>This report also sets out the future budget required to deliver the long-term repairs and maintenance model, and the funding arrangements required to sustainably resource the model.</p> <p>PART OPEN</p> <p>PART PRIVATE</p> <p>Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	<p>Reason: Expenditure more than £100,000</p> <p>Is value above £500,000? Yes</p>		Ward(s): All Wards	
Cabinet	7 Oct 2019	<p>PROCUREMENT STRATEGY TO COMMISSION AN EXTERNAL TRAINING VENUE FOR PARTNERS IN PRACTICE PROGRAMME</p> <p>This procurement strategy report seeks approval for the procurement of an external training venue for delivery of training courses facilitated by the Centre for Systemic Social Work</p>	Cabinet Member for Children and Education	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be
	<p>Reason: Affects 2 or more wards</p> <p>Is value above £500,000? No</p>		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		<p>(CFSSW). This service is hosted by the Royal Borough of Kensington and Chelsea (RBKC) and the procurement will be led by the RBKC and WCC procurement teams. Hammersmith & Fulham will enter an inter-authority agreement with RBKC as the lead contracting authority and host of the service.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		considered.
Cabinet	<p>7 Oct 2019</p> <hr/> <p>Reason: Expenditure more than £100,000</p> <p>Is value above £500,000? No</p>	<p>Ultra-Low Emission Vehicle Last-Mile Freight Hub</p> <p>Provision of a 'Freight Hub' facility to serve Council departments and businesses and help to reduce traffic and congestion in Hammersmith.</p>	<p>Cabinet Member for the Environment</p> <hr/> <p>Ward(s): Hammersmith Broadway</p> <hr/> <p>Contact officer: Hinesh Mehta Hinesh.Mehta@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	<p>7 Oct 2019</p> <hr/> <p>Reason: Affects 2 or more wards</p> <p>Is value above £500,000? No</p>	<p>ANNUAL EMERGENCY PLANNING & BUSINESS CONTINUITY REPORT</p> <p>The report provides an overview of activity over the previous year and the priorities and work plan for the forthcoming year and details the incidents we have responded to in 2018/19, training, exercising and changes following incidents. The report highlights areas of work for</p>	<p>Cabinet Member for the Environment</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Denise Prieto Tel: 0208 753 2286 Denise.Prieto@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		the new financial year to ensure continuous improvement in the service.		considered.
4 November 2019				
Cabinet	2 Dec 2019 Reason: Expenditure more than £100,000 Is value above £500,000? Yes	Rough Sleeper Supported Accommodation Procurement Strategy Various supported housing contracts are expiring in 2020; a procurement strategy is required to ensure new services deliver better outcomes for residents and better value for money. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Housing Ward(s): All Wards Contact officer: Julia Copeland Tel: 0208 753 1203 julia.copeland@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	4 Nov 2019 Reason: Affects 2 or more wards Is value above £500,000? Yes	CORPORATE REVENUE MONITOR 2019-20 MONTH 4 31ST JULY Report of variance to budget at end of July. Virement requests.	Cabinet Member for Finance and Commercial Services Ward(s): All Wards Contact officer: Emily Hill emily.hill@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
2 December 2019				
Cabinet	2 Dec 2019	Corporate Revenue Monitor 2019/20 Month 5 31 August 2019 Forecast outrun position as at and of August. Requests for any budget virements or write offs.	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards Is value above £500,000? No		Ward(s): All Wards	
6 January 2020				
Cabinet	6 Jan 2020	CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2019/20 (SECOND QUARTER) This report provides a financial update on the Council's Capital Programme and seeks approval for budget variations, as at the end of the second quarter	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? Yes		Ward(s): All Wards	
Cabinet	6 Jan 2020	Corporate Revenue Monitor 2019/20 Month 6 30 September 2019 Forecast outturn position as at end of September. Request for virements	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards Is value above £500,000? Yes		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
3 February 2020				
Cabinet	3 Feb 2020	CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2019/20 (THIRD QUARTER) This report provides a financial update on the Council's Capital Programme and seeks approval for budget variations, as at the end of the third quarter	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? Yes		Ward(s): All Wards	
Cabinet	3 Feb 2020	FOUR YEAR CAPITAL PROGRAMME 2020/21 AND CAPITAL STRATEGY 2020/21 This report presents the Council's four-year Capital Programme for the period 2020-24.	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000 Is value above £500,000? Yes		Ward(s): All Wards	
Cabinet	3 Feb 2020	Corporate Revenue Monitor 2019/20 Month 7 31 October 2019 Forecast outturn position at end of October 2019. Virement requests.	Cabinet Member for Finance and Commercial Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards Is value above £500,000? Yes		Ward(s): All Wards	
2 March 2020				
Cabinet	2 Mar 2020	Defend Council Homes Policy Policy to provide extra protection for residents of council homes, involving them from the start of any redevelopment proposals and	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and
	Reason: Affects 2 or more wards		Ward(s): All Wards	

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
	Is value above £500,000? No	ensuring the council is working to best practice.	Contact officer: Fiona Darby Fiona.Darby@lbhf.gov.uk	will include details of any supporting documentation and / or background papers to be considered.
20 April 2020				
Cabinet	20 Apr 2020 Reason: Affects 2 or more wards Is value above £500,000? Yes	Corporate Revenue Monitor 2019/20 Month 9 21 December 2019 Forecast outturn as at end of December. Virement requests	Cabinet Member for Finance and Commercial Services Ward(s): All Wards Contact officer: Emily Hill emily.hill@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

NOTICE OF CONSIDERATION OF AN ADDITIONAL KEY DECISION PROPOSED TO BE MADE BY CABINET ON 2 SEPTEMBER 2019 (published 15 August 2019)

In accordance with paragraphs 9 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of an additional Key Decision which it intends to consider on its Cabinet meeting on 2 September 2019.

*If you have any queries on this Key Decisions List, please contact **Katia Neale** on 020 8753 2368 or by e-mail to katia.neale@lbhf.gov.uk*

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
Cabinet	2 Sep 2019	West King Street Renewal Programme: Unilateral Undertaking	Cabinet Member for the Economy	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Income more than £100,000	Approval from Cabinet required to sign Unilateral Undertaking for planning purposes.	Ward(s): Hammersmith Broadway	
	Reasons of urgency: The report must get to the next Cabinet meeting in order to allow the granting of full planning permission for the West King Street Renewal.	Contact officer: Sazeda Ibrahim Tel: 07710 021579 Sazeda.Ibrahim@lbhf.gov.uk		