

Cabinet

Minutes



Monday 15 January 2024

NOTE: This meeting was held remotely. A recording of the meeting can be watched at on YouTube at: <https://youtube.com/live/R--0yBFDqeE?feature=share>

PRESENT

Councillor Stephen Cowan, Leader of the Council
Councillor Ben Coleman, Deputy Leader
Councillor Wesley Harcourt, Cabinet Member for Climate Change and Ecology
Councillor Andrew Jones, Cabinet Member for The Economy
Councillor Sharon Holder, Cabinet Member for Public Realm
Councillor Rowan Ree, Cabinet Member for Finance and Reform
Councillor Alex Sanderson, Cabinet Member for Children and Education
Councillor Frances Umeh, Cabinet Member for Housing and Homelessness

ALSO PRESENT

Councillor Adronie Alford

1. MINUTES OF THE CABINET MEETING HELD ON 4 DECEMBER 2023

RESOLVED:

That the minutes of the meeting of the Cabinet held on 4 December 2023 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rebecca Harvey and Councillor Bora Kwon.

3. DECLARATION OF INTERESTS

There were no declarations of interest.

4. TEACHING COMMISSION

The Leader invited Ms Denise Fox, Chair of the London Borough of Hammersmith and Fulham's (LBHF) Teaching Commission, and a lifelong Fulham resident who taught in the borough for 42 years and was a former Headteacher of Fulham Cross Girls School.

She stated that the commission was launched in 2020 and their recommendations followed extensive research and engagement with stakeholders. Ms Fox discussed the findings and recommendations of the LBHF Teaching Commission. Their findings concluded that the key issues could be broken down into national (teacher pay) and local factors. The local recommendations fell into six main key areas: Teacher Training and Personal Development, Health and Wellbeing, Flexible Working, Housing, Childcare and Parking. Their evidence had shown that focusing on recruitment and retention was crucial. She hoped that the Council would be able to take forward these recommendations. Ms Fox concluded by thanking the members of the commission, and the other people who contributed to it.

Councillor Alex Sanderson thanked the important work done by Ms Denise Fox and the commissioners to support the school community. She added that some of the recommendations in the report had already been implemented and the Council would be considering the others.

In reply to a question from Councillor Coleman, Ms Fox stated that it was difficult to say which of the recommendations were more important as schools were all very different, therefore they were all equally important.

The Leader acknowledged that to work 42 years in education in the Borough and still come back to help other teachers was heroic. And to nurture young minds was fundamental in a good society. He thanked Ms Denise Fox and the commissioners for this very solid piece of work. He added that the Council was working hard to provide affordable homes for teachers, which was also critical to help with teacher recruitment and retention.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

For Cabinet to note and comment on the recommendations produced by the Teaching Commission. The Teaching Commission report is attached as Appendix A.

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.

5. ALTERNATIVE PROVISION (AP) STRATEGY

Councillor Alex Sanderson introduced the report which was meant to ensure children and young people of compulsory school age could receive their education if they were unable to remain in their school some, or all of the time for any reason. This strategy was guided by feedback from their key stakeholders including young people and relevant practitioners and highlighted the priority areas around supporting young people at key points of transition.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

That Cabinet approves the Alternative Provision (AP) Strategy attached at Appendix 1.

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.

6. COUNCIL TAX SUPPORT SCHEME 2024/25

Councillor Rowan Ree stated that the Council had the third lowest Council Tax levels in the country. He was proud of the progressive Council Tax Support Scheme as nearly half the residents received discounts through it. Also the Council was one of only 34 Councils across England to not charge anything from the most vulnerable residents. This scheme also re-affirmed the Council's commitment to exempt from Council Tax war widows and war widowers, in addition to care leavers, students and those on the lowest incomes.

Councillor Adroine Alford acknowledged her full support to exempt war widows and war widowers from Council Tax.

The Leader stressed that the Council's budget had dropped considerably over the years, which was a real challenge to the Council, aggravated by the high increase in inflation. Therefore, to maintain a generous scheme like this under such circumstances not only was an achievement but also demonstrated great efficiency. He thanked Councillor Ree, Sharon Lea, the Chief Executive, and all officers who prepared the budget.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

It is recommended that Cabinet agrees the following recommendations to be approved by Full Council:

1. That the Council Tax Support Scheme in operation in 2023/2024 (included at Appendix 1) shall continue in 2024/2025.
2. That the Council shall apply the annual uprating of allowances, applicable amounts and income, set out in the DWP Housing Benefit circular, to the Council Tax Support scheme for 2024/2025.
3. That the Council shall re-affirm the discretionary disregards for War Pensions and War Widow(er)'s Pensions in order to safeguard the finances of war pensioners and war widow(er)s in both the Housing Benefit Scheme and the Council Tax Support Scheme.

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.

7. COUNCIL TAX BASE AND COLLECTION RATE 2024/25 AND DELEGATION OF THE BUSINESS RATE ESTIMATE

Councillor Rowan Ree introduced the report that looked at the properties in the Borough that were liable to Council Tax and noted that their number had increased to 2,177. It continued their police of charging Council Tax premium rates on dwellings unoccupied for a continuous period of time. An important change on the scheme this year was to exempt Care Leavers, Foster Carers and Special Guardianship Orders residing in the Borough from Council Tax.

The Leader stressed that Foster Carers were the “quiet heroes” in the Borough strengthening the community. The Council expressed its gratitude by exempting them from Council Tax payment. He also stated that putting a premium on empty properties was the right thing to do as they were a blight in the community. He urged owners to release their empty homes to ease the housing crisis.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

That Cabinet agrees to refer this report to Full Council and recommend approval by Full Council for the financial year 2024/25 of:

- a. The estimated numbers of properties for each Valuation Band as set out in this report.
- b. An estimated collection rate of 97.0%.
- c. The Council Tax Base of 86,113 Band "D" equivalent properties.
- d. The delegation of authority to the Strategic Director of Finance to determine the business rates tax base for 2024/25.
- e. That the Council charge the full relevant Council Tax premium allowed on dwellings unoccupied and substantially unfurnished for a continuous period of at least one year and properties designated as second homes, as soon as the legislation allows.

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.

8. CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2023/24 (SECOND QUARTER)

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

1. To note the net increase in forecast capital expenditure of £16.1m for 2023/24.
2. To approve the updated four-year capital programme for 2023-2027 of £662.2m as detailed in Appendix 1.
3. To approve additional £3.2m budget for capital works on various schools' sites, funded from schools' capital grants, as detailed in paragraphs 12-14.
4. To note the potential risks regarding the General Fund Programme, as summarised in paragraphs 23-28.
5. To note the potential risks regarding the Housing Capital Programme, as summarised in paragraphs 29-33.
6. To note prudential indicators presented in Appendix 5, as per Prudential Code requirements.

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.

9. REVENUE BUDGET REVIEW 2023/24 - MONTH 6 (SEPTEMBER 2023)

Councillor Rowan Ree introduced the report stating that the pressure of £5.1m had been identified in the budget and noted the contingency measures in place.

Councillor Adroine Alford asked reassurance that the Housing Revenue Account (HRA) would not use all of the Reserves fund. Councillor Ree replied that this was an important issue they were keeping a close eye on and would only use it when strictly necessary. But they had set a limit on the Reserves spent and were sticking to it rigidly.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

1. To delegate authority to the Strategic Director of Finance, in consultation with the Cabinet Member for Finance and Reform, to take all decisions necessary to facilitate the closing of the final accounts.
2. To note the General Fund financial forecast at month 6.
3. To note that the position on the Housing Revenue Account (HRA) as set out in paragraph 12.
4. To note the in-year Dedicated Schools Grant High Needs Block forecasted surplus of £0.401m (thereby reducing the cumulative deficit).
5. To approve General Fund budget changes totalling £0.061m as detailed in Appendix 10. This is being funded using one-off use of earmarked reserves.
6. To approve the proposal to refund to council tenants, the commission on the collection of water charges as set out in paragraph 14 of this report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

10. ANNUAL EMERGENCY PLANNING & BUSINESS CONTINUITY REPORT

The Leader introduced the annual report providing an overview of activity over the previous year and the priorities for the forthcoming year to respond to emergencies; and to have business continuity arrangements in place to reduce the risk of service disruption. The Council had responsibilities under the Civil Contingencies Act 2004 to plan and respond to emergencies that needed continuous updating. The last pandemic was a sobering alert to the need to be prepared.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

1. That Cabinet notes the report which looks back on work undertaken over the last 12 months (running 01/10/22 to 30/09/23) and the dynamic work plan for the remainder of 2023/2024.
2. To note that there are no actions requested of Cabinet in this report.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

11. SERIOUS VIOLENCE DUTY - STRATEGY AND STRATEGIC NEEDS ASSESSMENT

Matthew Hooper introduced the report to agree the Council's Serious Violence Duty Strategy. Under the new Duty, this Strategy would need to be published on the Council's website by the end of January 2024. They worked together with partners, including young people, the voluntary and community sector, businesses, the Metropolitan Police, Health colleagues and the Youth Justice Service to identify their concerns about serious violence across the Borough. The recommendations were produced from the data trends in the needs assessment and the consultation responses.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

1. That approval be given to the contents and publication of Hammersmith & Fulham's Serious Violence Duty Strategy.
2. To note that once the Strategy has been approved an accessible version of the strategy will be developed to be published at the same time.

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.

12. DECISION TO ACQUIRE LILLIE ROAD ROUGH SLEEPERS HOSTEL

Councillor Francis Umeh stated that with the rise of people sleeping rough it was important to ensure that vulnerable homeless residents had access to supported accommodation, therefore it was vital to acquire the property in Lillie Road. The property was currently a hostel building that had formed part of the Council's commissioned single homeless and rough sleeping pathway for several years, providing thirteen bed spaces. Following the conclusion of a robust options appraisal the decision to buy this property was the best option available to the Council in the current circumstances.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

1. To note that Appendix 1 is not for publication on the basis that it contains information relating to the financial or business 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 (as amended).
2. To approve the purchase of the property on Lillie Road named in the exempt Appendix 1 for the total purchase price as set out in the exempt Appendix 1.
3. To note that the acquisition is to be funded by a combination of General Fund borrowing and grant from the Greater London Authority, and therefore approve the creation of a capital budget as detailed in exempt Appendix 1.
4. To authorise the Strategic Director of Economy in conjunction with the Assistant Director of Legal Services to enter a contract for the sale and transfer deed for the purchase of the property, subject to a positive conclusion to the due diligence process.

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.

13. ACQUISITION OF AFFORDABLE HOMES - QUAYSIDE LODGE

Councillor Andrew Jones introduced the report setting out an opportunity for the Council to acquire 37 new affordable homes within a development, that was currently finishing construction and at a commercially advantageous price. It was important to note the acquisition of family sized homes supporting the Council's objectives under the emerging family housing strategy. This acquisition would give a positive impact on the HRA position on the long term.

In reply to a question from Councillor Alford , Councillor Jones said that the timescale for acquiring these properties would be short. Possible by May or June on the current year.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

1. Notes that Appendices 1 and 2 are not for publication on the basis that they contain information relating to the financial or business 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 (as amended)
2. Approves the council's acquisition of 37 homes and 4 disabled parking spaces in Quayside Lodge development funded by the HRA at the price set out in Appendix 2 (exempt) in line with the Heads of Terms set out in Appendix 1 (exempt).
3. Approves a capital budget envelope for this proposed acquisition, as set out in Appendix 2.
4. Authorise the Strategic Director for the Economy, advised by and in consultation with the Director of Finance and Assistant Director of Legal Services, to:
 - a. finalise an Agreement for Lease and other contractual terms (including minor amendments to the Head of Terms) and enter into binding contracts for the purchase of the 37 affordable homes;
 - b. enter into all necessary legal agreements including Agreement for Lease and arrangements around share of freehold;

- c. Note the outcome of the due diligence process and proceed with the acquisition if it is materially beneficial to the council; and
- d. Negotiate any modifications, alterations, or additions to the existing Planning permission and planning agreement which might be necessary or desirable, including conversion of affordable homes to more genuinely affordable tenures.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

14. AWARD OF THE HOME CARE AND INDEPENDENT LIVING SERVICE CONTRACTS

Councillor Ben Coleman stated that Hammersmith & Fulham was the only borough taking the decision to abolish charges for care at home for elderly and Disabled residents since 2015. The Council intended to also be the best borough in terms of quality of the care provided to residents, both in their own home and in the Borough's care homes. The Council's vision was of achieving "100 per cent perfection".

He highlighted that a new approach was taken to divide the Borough into six neighbourhoods or patches, with two providers operating in each patch, making 12 contracts in all. This would enable the Council to control risks and their performance more effectively.

Councillor Coleman added that they would continue to pay all independent living workers at the London Living Wage (LLW) as a minimum, including for their travel time between visits.

AGREED UNANIMOUSLY BY THE CABINET MEMBERS:

That Cabinet:

1. Notes that Appendix 1 is not for publication on the basis that it contains information relating to the financial or business 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 (as amended).
2. Approves the award of 12 (twelve) contracts to 7 (seven) providers for the delivery of a Home Care and Independent Living service in Hammersmith and Fulham for an initial five-year term from 1 June 2024

until 31 May 2029, with the option to extend for up to a further period of two years for a total of seven years. The total value of this contract over the five-year term is estimated at £55.5m and over the seven-year term is estimated at £77.7m

3. Approves an increase to the rates paid under existing bridging provision with Healthvision and Graceful Care to match their contracted rate as set out in the report giving a total value of £20.3m and £28.4m over 5 and 7 years respectively. These two providers are the only current bridging providers to be awarded contracts as a result of this tender exercise.
4. Notes the additional funding of £4.2m in 2024/25 (subject to the approval of the Budget for 2024/25 by Full Council in February 2024).

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

15. FORWARD PLAN OF KEY DECISIONS

The Key Decision List was noted.

16. DISCUSSION OF EXEMPT ELEMENTS (ONLY IF REQUIRED)

There was no discussion of exempt elements.

Meeting started: 7.04 pm

Meeting ended: 7.50 pm

Chair