



London Borough of Hammersmith & Fulham

Cabinet

Minutes

Monday 18 April 2011

PRESENT

Councillor Nicholas Botterill, Deputy Leader (+Environment and Asset Management)
Councillor Helen Binmore, Cabinet Member for Children's Services
Councillor Joe Carlebach, Cabinet Member for Community Care
Councillor Harry Phibbs, Cabinet Member for Community Engagement
Councillor Lucy Ivimy, Cabinet Member for Housing
Councillor Greg Smith, Cabinet Member for Residents Services

ALSO PRESENT

Councillor Michael Cartwright
Councillor Stephen Cowan
Councillor Steve Hamilton
Councillor Wesley Harcourt
Councillor Andrew Johnson
Councillor Jane Law
Councillor PJ Murphy
Councillor Caroline Needham
Councillor Rory Vaughan

1. MINUTES OF THE CABINET MEETING HELD ON 21 MARCH 2011

RESOLVED:

That the minutes of the meeting of the Cabinet held on 21 March 2011 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 Councillors Stephen Greenhalgh and Mark Loveday.

3. DECLARATION OF INTERESTS

The following declarations of interest were made:

- Councillor Caroline Needham declared a personal and prejudicial interest in agenda item 9 - Reconfiguration Of Sure Start Children's Centres Network, as her son is employed as an Outreach Worker at Fulham Central Children's Centre. She left the room during the discussion.
- Councillor Rory Vaughan declared a personal interest in agenda item 9 - Reconfiguration Of Sure Start Children's Centres Network, as his son uses the Wendell Park Children's Centre.
- Councillors Greg Smith and Stephen Cowan declared a prejudicial interest in agenda item 11 – Lyric Theatre Redevelopment, as Directors of Lyric Square Trust. They both left the room during the discussion.

4. PETITION : H&F CHILDREN'S CENTRES

In order to ensure the smooth running of the meeting, the Deputy Leader announced that Members will hear the Petitions and Deputation before the related item. The Reconfiguration of Sure Start Children's Centres Network report would be considered first and thereafter the Property Disposals Programme item. All other reports will be considered in the order on the agenda.

Children's Centre Petition

Cabinet received a petition from some parents and carers of children who attend children centres across the Borough opposing the "Spoke and Hub" model and the restructuring of Early Intervention Services.

Kate Aubrey-Johnson supported by Christy Turner addressed Cabinet expressing concern about the future of this service. They believed the impact of the changes would be devastating on many families putting families at risk. She was of the view that the proposed new budgets of £19,000 for spoke centres would not cover the heating, lighting or repair costs for the buildings. There would be no funding leftover for play equipment, supplies or staff salaries. Regular staffing contact with families was important to support the most vulnerable families. She noted that some governing bodies had not supported the project because of the financial viability particularly the cost of safeguarding children. She felt that the consultation had not considered the impact of the decision on all groups particularly the Little Cricket group which support deaf children. She requested that the decision be delayed and the Council work with the Centre Managers and staff to develop alternative viable proposals.

Councillor Phibbs inquired why £19,000 was insufficient to cover a centre's operating cost and if fees were introduced what would be an indicative acceptable level of charges. Councillor Binmore informed the meeting that the Council had used the building running cost of the largest Council run building (Cathnor Park) to calculate the costs. In response, Kate Aubrey Johnson felt this did not take into account staffing cost which could amount up to £40,000. A £3.00 per visit charge would be prohibitive for some parents. She accepted that it would be great if Vanessa Nursery agreed to

manage Wendell Park Centre. Councillor Phibbs expressed the view that setting up centres as charities could help generate extra income and attract more volunteers to help with the running of Centres. Councillor Cowan was of the view that a fee based service would remove that universal benefit of the service and asked how would the staff funding be addressed. It was noted that centres cannot be run only by volunteers, experienced professional staff were also required. A £1 levy would not have an impact on the service universality. Councillor Murphy asked the petitioners' view on whether it was more beneficial to invest in children's services than pay off council debt. In response, it was acknowledged that the Council's resources faced competing demands. For every £1 spent now, the Council would save £10 in the future. Finally, it was acknowledged that the Council had supported the deaf community in the past. Councillor Binmore stated that she didn't see any reason why the Little Crickets would not continue to be supported in the future.

In moving the recommendation, Councillor Binmore stated that the Council was committed to Sure Start and was not proposing to lose any centres. The alternative funding proposals to cut the funding across the board was not feasible as it would hit the most vulnerable the hardest. The proposal will ensure that the most vulnerable families will still have access to the full range of services across the borough. In response to comments from the consultation, parents will be able to use any of the centres in the Borough. The Council will fund a Development Coordinator post for 12 months to help the spoke and satellite centres develop their offer and business model. Centres can choose their relationship with hubs, whether to be a satellite or spoke, resulting in potential economies of scale. She noted that Vanessa Nursery had drawn up a full timetable to run a wide range of activities. The new leases granted would also allow centres to generate new income streams to support their activities.

Cabinet thanked Kate Aubrey-Johnson and Christy Turner Johnson for taking their time to attend the meeting. The Deputy Leader noted that their comments will be taken into account during the discussion of the report.

RESOLVED:

That officers write to the petition organiser setting out its views about the request in the petition.

5. RECONFIGURATION OF SURE START CHILDREN'S CENTRES NETWORK

Cabinet noted that the item had earlier been extensively discussed during the consideration of the Petition. The following minor amendments to the report were noted:-

Page 57 - Wendell Park Family Centre will be a satellite.

Page 57 - Masbro Children's Centre will receive £300,000 not £300.

Page 58 - Bishops Palace will be a spoke affiliated with Fulham Central.

Councillors Cowan, Vaughan, Murphy and Cartwright questioned the Cabinet and made some observation during the debate. They noted that some external organisations might not take on responsibility of managing some Centres because of the funding level and sought clarification on how much was in the bidding pot and how the Development Coordinator would sufficiently support each Centre.

The Cabinet Member responded that other providers have approached the Council to run some Centres with the current level of funding. The Centres are expected to provide a minimum offer of two services a week and work with other providers such as midwives and health visitors in order to deliver a fuller timetable of suitable activities as well as fundraise from other sources. Centres will not be solely dependent on £19,000 of public money. A commissioning pot of £133,000 was available from which spokes and satellites can bid for additional funding to develop their programme and become more self sustaining. The Development Coordinator will assist spoke and satellite centres in coordinating a range of services from different agencies such as midwifery, health visitors, adult education, Job Centre Plus, as well as voluntary sector and parent led activities, such as Little Crickets at Cathnor park. The role will also help to develop new business models in order to generate additional income and fundraising.

Andrew Christie, Director of Children's Services, in response to questions stated that the Council has 7,100 registered users and 6,000 other social care service. The level of participation by service users ranges widely from centre to centre. There is a need to make sure the budget is most effectively used. The objective is to ensure that all children's needs are met at an early stage.

In conclusion, Councillor Binmore stated that the Family Support Programme will help vulnerable families before they reach crisis point and will prevent children coming into care. The proposals will result in the most coherent early intervention and prevention strategy the Council has ever had.

RESOLVED:

1. That the commissioning of 16 Children's Centres, as outlined in sections 53 to 58 of the report and attached as an appendix to these minutes for the period of the funding (i.e. until March 2013), be agreed.
2. That authority be delegated to the Cabinet Member for Children's Services, in consultation with the Director of Children's Services and the Director of Finance and Corporate Services of £133,000 for spot purchasing of additional services to support the new configuration of Children's Centres across the borough to ensure the delivery of appropriate services.
3. That the Cabinet Member for Children's Services in consultation with the Director of Children's Services and the Director of Finance and Corporate Services approve details of the service specification for the future commissioning of Children's Centres.

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. PETITION AND DEPUTATION : FULHAM CROSS YOUTH PROJECT

Cabinet received a petition and deputation request organised by Lewis Williams, Louis Scott, Aaron Jobe and Sorie Jalloh. Both submissions challenged the Council's decision to close down and dispose of the Borough owned youth centres particularly Fulham Cross Centre. They were of the view that the proposal was not made public in August 2010. Lewis Williams, Aaron Jobe and Sorie Jalloh supported by some other young people addressed Cabinet. They stated that the United Nations Charter granted young people the right to express their views which should be heard and acted upon. Their views should be taken into account when Cabinet decides the future of the youth service and understand how the delivery of such service affects them. The Fulham Cross Youth project was voted as the best project in 2009 meeting the needs of many young people who do not want to attend school based provision. The Centre provides homework clubs, cooking classes and activities for disabled children up to the age of 25 which is not provided elsewhere in the Borough.

The Group responded to questions from Councillors Phibbs, Cowan and Needham.

In response to the Petition and Deputation, Councillor Binmore noted that the decision to commission youth provision through schools and community projects was agreed in 2009 following a consultation with over 1000 responses from young people. In September 2010, the manager and youth workers were briefed of the changes. In response to their concern, she agreed to meet with the group to look at the offer at Brunswick Centre and facilitate a meeting between the Brunswick Centre management and the Fulham Cross Youth project. She expressed her desire for young people to be involved in the shaping and commissioning of youth services in order to provide a better offer for all young people. She agreed to investigate the accessibility of Brunswick centre for disabled children.

The Deputy Leader thanked the Petition and Deputation organisers and noted that their comments will be taken into account during the consideration of the report later in the meeting.

RESOLVED:

That officers write to the petition organiser setting out its views about the request in the petition.

7. PROPERTY DISPOSALS PROGRAMME

Cabinet noted that the Youth Centre aspects of the report had been extensively discussed during the consideration of the Petition and Deputation. Cabinet was informed of an amendment to the report to delete the first sentence of the final paragraph of page 22 "It is envisaged...in the property disposal" and Insert in its place "In order to facilitate pedestrian and vehicular access to the disposal site it may be necessary to grant rights of access across the south western end of Marcus Garvey Park. There will be no outright disposal of open space between Gorleston Street and the disposal site, although it may be necessary to grant an easement." The amendment was agreed.

Councillors Cowan, Murphy and Needham asked the young people and Cabinet questions. In response, Councillor Binmore noted that there were no cuts to the youth service funding. The Council had been able to fund more hours, venues and projects with the same level of funding. The current service provision was a response to the outcome of a consultation with youth people who expressed a preference for youth provision through school.

RESOLVED:

1. That officers be authorised to dispose of the properties listed below in the open market for the best price reasonably obtainable and otherwise on such terms and conditions as the Assistant Director (Legal and Democratic Services) and the Assistant Director of Building and Property Management consider appropriate in consultation with the Director of Environment and the Cabinet Member for Environment and Asset Management.

The Lodge, St John's Walham Green

111 Devonport Road

Avonmore Centre (subject to public notice under Section 123(2A) Local Government Act 1972 and consideration of any objections received).

Fulham Cross Centre, Caroline Walk

34 Fulham Palace Road

Hurlingham Yard (subject to public notice under Section 123(2A) Local Government Act 1972 and consideration of any objections received).

Nuffield Health Club, 77-81 Stevenage Road

Fulham Cemetery Lodge, Fulham Palace Road

2. That the Director of Environment, in consultation with the Cabinet Member for Environment and Asset Management, be authorised to consider any objections duly received in response to public notice given under Section 123(2A) Local Government Act 1972 (reporting back to Cabinet only if the objection is both material and one not substantially taken into account already).

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. **THE GENERAL FUND CAPITAL PROGRAMME, HOUSING REVENUE CAPITAL PROGRAMME AND REVENUE BUDGET 2010/11 – MONTH 10 AMENDMENTS**

RESOLVED:

1. That the changes to the capital programme as set out in Appendix 1 be approved.
2. That the 2011/12 revenue virements of £1.207m as set out in Appendix 2 be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

9. **REFORMING PUBLIC SERVICES THROUGH LEAN SYSTEMS THINKING**

RESOLVED:

1. That £208,000 be released from the Invest to Save Fund in order to fund two projects to implement Lean Systems Thinking in the areas of H&F Direct and Business Support be approved and the two projects will deliver net general fund cumulative savings of £555,000 in 2011/12, £1,697,000 by 2012/13 and £2,197,000 in 2013/14 be noted.

2. That the award of contract, via the Leader's urgent decision-making process, of up to £150,000 for external consultancy support be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

10. AWARD OF TERM CONTRACT FOR TREE MAINTENANCE 2011-2014

RESOLVED:

1. That the Term Contract for Tree Maintenance 2011 - 2014 as set out in the report on the exempt part of the Cabinet agenda, commencing on 1 April 2011 and running for a period of three years through to 31 March 2014 (with the possibility of two 12 month extensions), on the basis of the most economically advantageous tender received as detailed in this report be approved.
2. That the annual current notional value of the contract is in the region of £200,000, and that the value may go up or down depending on the work ordered through the contract, but that all works ordered under the contract will be subject to the appropriate budget being available 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.

11. SHORT BREAKS FUNDING FOR DISABLED CHILDREN

RESOLVED:

1. That additional funding of £270,000 for Short Breaks, as set out in para. 4.3 of the report, be approved.

2. That authority be delegated to the Cabinet Member for Children's Services in conjunction with the Director of Children's Services, to decide on the specific allocation of this additional funding between the various services outlined in Appendix 3.

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. LYRIC THEATRE REDEVELOPMENT

RESOLVED:

With a view to the promotion of the economic, social and environmental well-being of the borough :-

1. To delegate authority to the Cabinet Member for Children's Services, in consultation with the Head of Asset Strategy and Portfolio Management, the Director of Finance and Corporate Services and the Assistant Director (Legal and Democratic Services) to negotiate and conclude the new lease with St Martins or their successors in title and a new sublease or subleases (as appropriate) with the Lyric, together with any incidental documentation she and they shall consider appropriate. Terms may provide for surrender of existing leases or subleases (including of the former Lyric box office) with a view to consolidation in a new lease or sublease (as the case may be) of the same or extended duration.

Subject to successful negotiation of the lease, the following recommendations to be adopted:

2. To allocate £2.8m to the Lyric capital project from prudential borrowing supported by the DSG centrally retained funds.
3. To delegate authority to the Cabinet Member for Children's Services, in consultation with the Director of Children's Services, to procure the necessary works for the Lyric partnership through the IESE framework within the sums identified within this report.
4. To delegate authority to the Cabinet Member for Children's Services to agree the education offer for schools and create a borough-based community hub for voluntary groups within the enlarged Lyric facility and (if the hub is included in the new sublease to the Lyric) to negotiate (in consultation with the Assistant Director Property and Management) a sub-underlease back to the Council of the hub.

Councillors Cowan and Smith left the room during the discussions.

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. HOUSING DEVELOPMENT COMPANY

RESOLVED:

1. That the setting up of:
 - a. A wholly owned subsidiary company (Development Company) and
 - b. A Charitable company be approved
2. That approval be given to the draft company documentations set out in Appendices 2 – 6, and that authority be delegated to the Director of Housing and Regeneration in conjunction with the Assistant Director (Legal and Democratic Services) and the Cabinet Member for Housing and the Leader to finalise.
3. That a detailed business case be developed for suitable Council-owned land for development through the Development company for further consideration by the Cabinet be agreed.
4. That consultancy spend of up to £50,000 towards the cost of legal, property and tax/financial advice in relation to setting up the company structures and developing detailed business cases for the first phase delivery sites be approved.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

14. HOUSING CAPITAL PROGRAMME 2011/12

Councillor Cowan, Needham and Murphy asked Cabinet questions. They inquired whether the sale of 300 properties was in breach of the Housing Act. It was commented that the Council had a legal duty to ensure that the sale of properties was not at the expense of people in need. A view was expressed that anti social behaviour should not be a reason to sell Council housing stock while there were still people on the housing waiting list.

In response, Councillor Ivimy noted that the Council had engaged the community in arriving at this decision. The current balance of tenure was very narrow restricting the level of investment. The proposal will create a more stable and balanced community generating more funds to invest back into the estate. Contrary the views expressed, there will be no need to re-house anyone from the estate.

RESOLVED:

1. That the programme outlined in paragraph 3 of the report at a total estimated cost of £11.493m, subject to appropriate contract approval for individual projects be approved.
- 2.: That authority be delegated to the Cabinet Member for Housing, in conjunction with the Director of Housing and Regeneration, to approve future amendments to the programme for operational reasons and where such amendments can be contained within the overall approved budget.

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. HOUSING ESTATES INVESTMENT PLAN

RESOLVED:

- (i) That the independent research into methods of area-based improvement (both physical and social), investment and the evaluation of what works be noted.
- (ii) That the proposed policy framework for area-based improvement in Hammersmith and Fulham be noted.

- (iii) That officers undertake statutory consultation with all Council tenants along the lines set out in para 3.6 on:
- the policy approach of area-based improvement
 - the various methods to effect improvement
 - the assessment process and selection criteria for deciding where to channel area-based support, be agreed.
- (iv) That the investment needs of the Council's housing stock be noted.
- (v) That the asset management based approach to investment, including the new thresholds and criteria for limited HRA void disposals as set out in section 9 be approved.
- (vi) That authority for the disposal of properties meeting the asset-based criteria be delegated to the Cabinet Member for Housing in consultation with the Director of Housing and Regeneration, the Director of Finance and Corporate Services and the Assistant Director (Legal and Democratic Services).
- vii) That the Director of Housing and Regeneration undertake works to properties being disposed of where there is a net cost benefit, e.g. an increase in the sale receipt and also to incur valuation and professional costs, these costs to be recovered from the sale receipt be approved.
- viii) That the usable receipts generated from asset-based disposals will be put to the uses set out in section 10 be agreed.
- ix) That a review of the policy of asset-based disposals, including the disposal threshold figures, after the first year of operation, and annually thereafter be agreed.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

16. FORWARD PLAN OF KEY DECISIONS

RESOLVED:

The Forward Plan was noted.

17. SUMMARY OF OPEN DECISIONS TAKEN BY THE LEADER AND CABINET MEMBERS, AND REPORTED TO CABINET FOR INFORMATION

RESOLVED:

The summary was noted.

18. SUMMARY OF URGENT DECISIONS TAKEN BY THE LEADER, REPORTED TO THE CABINET FOR INFORMATION

RESOLVED:

The summary was noted.

19. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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

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

20. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 21 MARCH 2011 (E)

RESOLVED:

That the minutes of the meeting of the Cabinet held on 21 March 2011 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

21. AWARD OF TERM CONTRACT FOR TREE MAINTENANCE 2011-2014 : EXEMPT ASPECTS (E)

RESOLVED:

That the Term Contract for Tree Maintenance 2011 - 2014 be awarded to Advanced Tree Services Ltd, commencing on 1 April 2011 and running for a period of three years through to 31 March 2014 (with the possibility of two 12 month extensions).

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. SUMMARY OF EXEMPT DECISIONS TAKEN BY THE LEADER AND CABINET MEMBERS, AND REPORTED TO CABINET FOR INFORMATION (E)

RESOLVED:

The summary was noted.

Meeting started: 7.00 pm
Meeting ended: 9.00 pm

Chairman