

# Cabinet

## Minutes

**Monday 2 September 2013**

### **PRESENT**

Councillor Nicholas Botterill, Leader (+ Regeneration, Asset Management and IT)  
Councillor Helen Binmore, Cabinet Member for Children's Services  
Councillor Mark Loveday, Cabinet Member for Communications (+ Chief Whip)  
Councillor Marcus Ginn, Cabinet Member for Community Care  
Councillor Andrew Johnson, Cabinet Member for Housing  
Councillor Victoria Brocklebank-Fowler, Cabinet Member for Transport and Technical Services  
Councillor Georgie Cooney, Cabinet Member for Education

### **ALSO PRESENT**

Councillor Michael Cartwright  
Councillor Stephen Cowan  
Councillor Caroline Needham

### **48. SAVE SULIVAN SCHOOL CAMPAIGN**

The Leader welcomed the supporters of the Save Sullivan School Campaign to the meeting. He explained that legally Cabinet could not consider their proposed deputation request as the issue was not part of the published agenda. However, Standing Orders would be suspended and the meeting adjourned for Cabinet to hear the campaigners' case. He noted that the consultation was open until 8 October 2013.

Ms Donna Fine, spokesperson for the group, addressed the meeting. She highlighted the following issues:-

- concern about the timing of the consultation during the summer holidays, which had prevented parents and teachers from participating in the exercise,
- the Council not considering the damaging impact the closure would have on the children and the stress it placed on families in the area,
- full consideration had not been given to the welfare of the children in light of the proposed new residential developments near New Kings School,
- the number of classroom places stated in the consultation document was incorrect as New Kings and Sullivan schools were currently full. Parents would experience great difficulty in finding places for their children.

Finally, she asked for an extension of the consultation period to allow more responses to be submitted.

The Leader thanked Ms Fine for stating the Save Sullivan School case. He noted that it would be inappropriate to debate the issues highlighted as the consultation was still open but he would ask the Cabinet Member for Education to respond to the issue of the timing of the consultation.

Councillor Cooney noted that the consultation commenced at the end of the summer term for 12 weeks instead of the statutory 6 weeks period. The decision to double the consultation period was to take into account the summer holidays. A further 6 weeks of consultation would become available if the decision to close the school were taken. However, no decision had yet been made..

In response to a question from the audience regarding the timing of the consultation, the Leader noted that over 300 responses had already been received and urged the campaigners to take advantage of the ongoing consultation to submit their objections or concerns about the proposed closure. He noted that there were still 5 more weeks left for people to participate in the exercise.

Councillor Cowan was of the view that the teachers should be concentrating on settling the children into their new classes rather than trying to save the school. He asked Cabinet to extend the consultation period to allow the teachers focus on the children's education as well as present their case against closure. A member of the audience stated that DFEE guidelines discouraged consultation during the summer holidays. Rosie Wait, Chair of Governors, also noted that the end and beginning of an academic year was the busiest for staff. Consultation during this period was a distraction to both the teachers and children. Finally, Peter Grey, a campaign supporter, noted that a 800 place boys' school website was up and running before the consultation had ended. This was an indication that a decision had been made.

The Leader noted that the timing of a consultation of this magnitude would not be seen as ideal at any time during the year but such consultation had to be undertaken. He stated that the extended period of consultation offered was over and above the required period and was reasonable. He assured the meeting that the Council was not associated with the sponsors of the website. The website was independent of the Council. He thanked all present for attending the meeting and hoped that their strong feelings would be expressed in their responses to the consultation.

The meeting was adjourned at 18.23 and moved to the Courtyard Room.

Councillors Mark Loveday and Stephen Cowan left the meeting after this item.

**49. MINUTES OF THE CABINET MEETING HELD ON 22 JULY 2013**

**RESOLVED:**

That the minutes of the meeting of the Cabinet held on 22 July 2013 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

**50. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Greg Smith.

**51. DECLARATION OF INTERESTS**

There were no declarations of interest.

**52. REVENUE BUDGET 2013/14 : MONTH 2 AMENDMENTS**

**RESOLVED:**

1.1 That approval be given to the budget virements of £4.3m as outlined in Appendix 1 of the report.

1.2 That bad debts of £0.627 million be written off and that retrospective approval be given to writing off the £0.100 million Park Royal debt already written off in 2012-3.

**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.

**53. CAPITAL PROGRAMME OUTFURN 2012-13 - QUARTER 4 REPORT**

Cabinet noted that in accordance with the Council's debt reduction strategy, all year-end surplus General Fund receipts have been directed towards debt reduction. As a result of this strategy, the closing debt position for the General Fund as measured by the Capital Financing Requirement (CFR) for 2012/13 at quarter 4 was is £78.4m. The Leader welcomed this huge transformation in the balance sheet.

**RESOLVED:**

That the content of the report, which complies with financial standards, 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.

**54. TREASURY REPORT 2012/13 OUTTURN**

**RESOLVED:**

1.1 To note that the Council has not undertaken any borrowing for the period 1<sup>st</sup> April 2012 to 31<sup>st</sup> March 2013.

1.2 To note the investment activity for the period 1<sup>st</sup> April 2012 to 31<sup>st</sup> March 2013.

**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.

**55. PROPOSED PROPERTY CONTRACT - AWARD OF CONTRACTS TO SUCCESSFUL BIDDERS**

On the advice of Legal Services, an addendum was circulated to Cabinet with amended recommendations for consideration.

**RESOLVED:**

1.1 That the Framework Agreement for delivery of property services to the Council and the Participating Boroughs be awarded to the contractors listed below, commencing on 1 October 2013 for a period of 4 years:

For Lot 1: GVA Grimley

For Lot 2<sup>1</sup>: Lambert Smith Hampton Group Ltd (all of Lot 2), BNP Paribas Real Estate Advisory & Property Management UK Limited (Lot 2 excluding Lot 2.5 and 2.6 – Housing Work) and Savills (UK) Ltd (Lot 2 excluding Lot 2.5 and 2.6 – Housing Work)

For Lot 3: Wilks Head & Eve LLP

For Lot 4: Lambert Smith Hampton Group Ltd, Bruton Knowles, Carter Jonas LLP, GL Hearn Limited, GVA Grimley

For Lot 5: Savills (UK) Ltd, Andrew Scott Robertson, Allsop LLP

For Lot 6: Pellings LLP

For Lot 7: Wildstone Property Ltd

For Lot 8A: Savills (UK) Ltd, Horton & Garton Ltd and Chris Kerr Property Services

For Lot 8B: Savills (UK) Ltd, Horton & Garton Ltd and Chris Kerr Property Services

For Lot 8C: Savills (UK) Ltd and Knight Frank LLP

For Lot 8D: Savills (UK) Ltd and Knight Frank LLP

For Lot 8E: Savills (UK) Ltd, Horton & Garton Ltd and Chris Kerr Property Services

- 1.2 That approval be given to the Council entering call-off contracts for each of Lots 2 to 8, noting that the identity of the contractors who are awarded particular call-off contracts for particular work will be determined in accordance with the call-off procedures set out in the Framework Agreement.
- 1.3 That for Lot 1 – Property Management – the decision for the Council to call off a contract be deferred pending further clarification on the cost benefit of outsourcing this service to the external provider on the Framework Agreement.
- 1.4 To note that the deferment of a decision by the Council in respect of Lot 1 will not prevent one of the Participating Boroughs calling off a contract for itself from the Framework for Lot 1 services should it choose to do so.

---

<sup>1</sup> Lot 2 is sub divided into various types of work. Lot 2, excluding Housing work numbered 2.5 and 2.6 in the Service Specification, is to be awarded to three contractors. Housing work is to be awarded to one contractor.

**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.

**56. HAMMERSMITH LIBRARY REFURBISHMENT AND THE RELOCATION OF ARCHIVES PROCUREMENT**

Councillor Cartwright expressed his dissatisfaction about the procurement process. He was of the view that the process was flawed as it did not go through a proper tender route. The Executive Director of Finance and Corporate Governance stated that the most appropriate procurement route via a framework agreement had been selected for this project. The framework procurement process was open to scrutiny, and was the most cost effective method of procurement for the proposal. The Executive Director of Housing and Regeneration agreed to brief Councillor Cartwright on the ongoing work regarding Mitie which was separate from this project.

The Leader noted that the Administration was proud to refurbish the Library and maintain the Archive services when other local authorities were closing similar services across London.

**RESOLVED:**

- 1.1 That the "Scape" framework as the procurement route for this project, be approved.
- 1.2 That the authorisation of the award of the future contracts resulting from the framework, to a value that falls within the overall approved budget for the scheme, be delegated to Cabinet Member for Residents Services in conjunction with the Executive Director for Environment, Leisure and Residents Services and the Executive Director of Finance and Corporate Governance.

**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.

**57. PHOENIX LEISURE CENTRE**

**RESOLVED:**

- 1.1. That the requirement of the Council's Contract Standing Orders to seek competitive tenders be waived in accordance with CSO 3.1, and that approval be given to negotiate with Greenwich Leisure Limited a new interim contract for the management of public leisure facilities at Phoenix High School, in accordance with Contracts Standing Order 9.11.
- 1.2. That the duration of this interim contract with GLL be aligned with the ending of the school academic year in July 2015.
- 1.3. That the interim contract with GLL continues, and for no more than the existing contract price of £388,000 per annum.
- 1.4. That the award of the final form of contract, following negotiations with GLL, be delegated to the Cabinet Member for Residents Services in consultation with the Executive Director of Environment, Leisure and Residents Services.
- 1.5. That a Prior Information Notice be posted to gauge future market interest and aid pre-procurement dialogue between interested organisations, Phoenix High School and H&F on what shape a future (2015-2019) contract should take to optimise value for money.

**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.

**58. TRI-BOROUGH MULTI AGENCY SAFEGUARDING HUB (MASH)**

**RESOLVED:**

That an invest to save funding of £330,000 from the Efficiency Projects Reserve as set out in paragraphs 10.6 and 10.10 of the report be approved.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**59. AWARD OF A CONTRACT FOR THE PROVISION OF THE FRAMEWORKI, SOCIAL CARE CASE MANAGEMENT SYSTEM AND FINANCE IT SYSTEM FOR COMMUNITY CARE**

**RESOLVED:**

That a contribution of up to £71,696 from the Efficiency Projects reserve (Invest to Save), towards the year one, one-off project costs for the provision of Frameworki, Electronic Social Care Case Management and Finance System, be approved, with all other one off and on-going costs being met from within existing budgets.

**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.

**60. PAYMENT OPTIONS FOR LEASEHOLDER RECEIVING ESTIMATED MAJOR WORKS INVOICES**

**RESOLVED:**

- 1.1. That approval be given to offer the following menu of interest free payment options for resident leaseholders and non-resident leaseholders who own a single property:

<b>Invoiced amount</b>	<b>Interest free period available</b>
< £3,500	12 months
£3,500 - £5,500	18 months
£5,500 - £7,500	24 months
£7,500 - £10,000	30 months
> £10,000	36 months



- 1.2. That interest bearing instalment plans be offered to non-resident leaseholders who may own more than one leasehold property based on the same number of instalments as set out above.
- 1.3. That authority be delegated to the Executive Director of Housing and Regeneration, acting through the Head of Leasehold Services, to consider any applications on the grounds of hardship from leaseholders to allow additional instalments.

**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.

**61. FORWARD PLAN OF KEY DECISIONS**

**RESOLVED:**

The Forward Plan was noted.

**62. 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.]

**63. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 22 JULY 2013 (E)**

**RESOLVED:**

That the minutes of the meeting of the Cabinet held on 22 July 2013 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

**64. CAPITAL PROGRAMME OUTTURN 2012/13 - QUARTER 4 REPORT: EXEMPT ASPECTS (E)**

**RESOLVED:**

That Appendix 4 of the report be noted.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

**65. PROPOSED PROPERTY CONTRACT - AWARD OF CONTRACTS TO SUCCESSFUL BIDDERS : EXEMPT ASPECTS (E)**

On the advice of Legal Services, an amended report was circulated to the Committee for consideration.

**RESOLVED:**

That the report be noted.

**Reason for decision:**

As set out in the report.

**Alternative options considered and rejected:**

As outlined in the report.

**Record of any conflict of interest:**

None.

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

None.

66. **AWARD OF A CONTRACT FOR THE PROVISION OF THE FRAMEWORKI,  
SOCIAL CARE CASE MANAGEMENT SYSTEM AND FINANCE IT SYSTEM  
FOR COMMUNITY CARE : EXEMPT ASPECTS (E)**

**RESOLVED:**

That the recommendations contained in the exempt report 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.

Meeting started: 6.00 pm  
Meeting ended: 6.43 pm

Chairman .....