

Cabinet

Minutes

Monday 11 November 2013

PRESENT

Councillor Nicholas Botterill, Leader (+ Regeneration, Asset Management and IT)
Councillor Greg Smith, Deputy Leader (+ Residents Services)
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

93. MINUTES OF THE CABINET MEETING HELD ON 14 OCTOBER 2013

RESOLVED:

That the minutes of the meeting of the Cabinet held on 14th October 2013 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

94. APOLOGIES FOR ABSENCE

There were no apologies for absence.

95. DECLARATION OF INTERESTS

There were no declarations of interest.

96. REVENUE BUDGET 2013/14 - MONTH 5 AMENDMENTS

RESOLVED:

That approval be given to the budget virements of £0.289m General Fund and £0.160m HRA as outlined in 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.

97. A WATER MANAGEMENT POLICY FOR HAMMERSMITH & FULHAM

RESOLVED:

That, subject to available resources, the Council:

- a) implements, where it has yet to do so, the recommendations of the Flooding Scrutiny Task Force report of July 2012 as they relate to water management;
- b) includes the recommendations of this Policy in the ongoing update to the surface water management plan;
- c) develops a highways sustainable drainage policy to set out the context and options available with a cost and delivery time frame;
- d) develops green infrastructure (GI) and sustainable drainage policies (SuDS) in each client department, in order to promote the uptake of GI and SuDS, and considers implementing GI and SuDS in all capital schemes;
- e) requires all capital scheme approvals to consider the implications for flood risk and to assess the costs and benefits of installing sustainable drainage;
- f) undertakes an assessment to determine whether there are any current opportunities for parks and green spaces to include flood risk mitigation measures;
- g) identifies a list of potential integrated water management and sustainable drainage projects for further evaluation and/or implementation across the whole range of Council assets and seeks third-party funding wherever possible to help bring these to fruition.

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.

98. EXTENSION AND RE-ALIGNMENT OF THE QUADRON GROUND MAINTENANCE CONTRACT

RESOLVED:

That:

- i) The recommendation in the Parks Service Review to align the ground maintenance contract with the RBKC ground maintenance contract end date of 31 March 2021 be agreed.
- ii) Noted that the Cabinet Member for Housing is in agreement with this approach on the basis that extending the existing contract will enable the Council's tenants and leaseholders to benefit from continuing improvement in the service delivered, at a reduced cost; and that continuation of the existing combined parks and housing service will assist the Council in achieving its aspirations for achieving a seamless service across all land, ensuring that a high 'tenure neutral' standard is achieved which delivers value for money.
- iii) Officers investigate and report back to the Cabinet Member for Residents Services and the Cabinet Member for Housing any further identifiable opportunities for efficiencies through a combined bi-borough ground maintenance contract and/ or possible future efficiencies with the recently market tested housing services contracts.

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.

99. POTENTIAL EXTENSION OF SERCO WASTE CONTRACT

Cllr Cartwright questioned whether the contract with Serco should be extended now, highlighting the recent departure of the Serco Chief Executive following fraud allegations. The Leader argued that Serco should be judged on their

performance fulfilling the existing contract and not on alleged actions by one division. It was also highlighted that the contract was at a break point, and as such the Council's options were to either continue with the contract with some amendments as proposed, or to break the contract and commence a full market tender exercise. It was argued that the latter option would be expensive and time consuming, and so not in the best interests of the Borough's residents.

RESOLVED :

1. That officers be instructed to negotiate terms of a possible extension, including variations, with Serco as in the report on the exempt part of this agenda.
2. That the extension end date be 2021, which would then be co-terminous with the Royal Borough of Kensington and Chelsea contract end date.
3. That the Leader and the Cabinet Member for Residents Services, in consultation with the Executive Director for Environment, Leisure and Residents Services, approve any revised contractual terms.
4. That a further report to be submitted for approval if required.

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.

100. APPROVAL TO VARY CONTRACTS FOR OLDER PEOPLE'S DAY SERVICES TO ENABLE A PHASED APPROACH TO MOVE THE SERVICES TO PERSONAL BUDGETS AND DIRECT PAYMENTS

RESOLVED:

1. To vary the contracts with Nubian Life and the Asian Health Agency (Shanti Day Service) which both terminate on 31 March 2014 by extending the contract term to 31 March 2015 with a three month termination clause and to move the service from a block arrangement to a personalised budget approach.
2. To vary the contract with Notting Hill Housing Trust for Elgin Day Centre which terminates 30 September 2013 by extending the contract term to 31 March 2015 with a three month termination clause and to move the service from a block arrangement to a personalised budget approach. That a £50,000 saving is sought from the contract extension.

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.

101. EDWARD WOODS ESTATE - NORLAND, POYNTER & STEBBING ROOFTOP APARTMENTS

Cllr Cartwright questioned how the Council would be addressing the issues raised in the report, arguing that it showed that the Council had been incompetent. The Leader responded by explaining that the current administration had inherited a flawed arrangement with the ALMO (Arm's Length Management Organisation) and that there had been manifest incompetence in the management of the scheme, including financial. The Council had not abdicated its responsibilities and had taken back control of the scheme at the first opportunity and took measures to address a building project that was severely over-budget and running behind schedule. It was also noted that the Council would now be keeping the asset and receiving a rental income from it.

RESOLVED –

1. That the rooftop apartments are retained by the Council within the HRA and let at discount market rent (80% of market rent), estimated to be in the region of £243,288 per annum (based on £1,646 per month for each of six 735 sq ft 2 bed flats and £1,733 per month for each of six 1,044 sq ft 2 bed flats). This equates to a Net Present Value (net of management costs) over 30 years of £ 2,936,871.
2. That the letting of the rooftop apartments be carried out by the Home Buy Team initially to applicants on the Home Buy register on a 2-year fixed-term tenancy, and that the management be carried out by the in-house Housing Management service.

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.

102. REVIEW OF DEVELOPMENT MANAGEMENT SERVICES FOR PRE-APPLICATION CHARGES, HOUSEHOLDER PLANNING SERVICES AND FIXED PRICE PLANNING PERFORMANCE AGREEMENTS

RESOLVED:

That the Planning Division be authorised to:

- i) Implement the amended Pre-Application charging structure as set out in Appendix 1 to this report;
- ii) Implement the new Householder Planning Package as set out in Appendix 2 to this report;
- iii) Implement the new Fixed Price Planning Performance Agreements as set out in Appendix 3 to this report; and
- iv) Charge a reasonable administration fee (initially proposed to be £25) for refunds of fees paid where the refund is required for reasons not in the Council's control, and a fee for confirmation of compliance with an enforcement notice (initially proposed to be £100).

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.

103. KEY DECISIONS LIST

The Key Decisions List was noted.

104. 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 particular person or company

(including the authority holding that information) 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.]

105. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 14 OCTOBER 2013 (E)

RESOLVED:

That the exempt minutes of the meeting of the Cabinet held on 14th October 2013 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

106. POTENTIAL EXTENSION OF SERCO WASTE CONTRACT ; EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

107. EDWARD WOODS ESTATE - NORLAND, POYNTER & STEBBING : REGENERATION SCHEME UPDATE (E)

RESOLVED:

That the report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

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

None.

108. CORPORATE CONTRACT FOR CARD ACQUIRING SERVICES (E)

RESOLVED:

That the recommendations 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.

109. DISPOSAL OF 1-3 CARNWATH ROAD AND RELOCATION OF CO-OP HOMES TENANTS ON 5 CARNWATH ROAD TO THE ADJACENT SITE (E)

RESOLVED:

That the recommendations 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: 6.35 pm

Chairman