

# Cabinet

## Minutes

Monday 5 January 2015

### **PRESENT**

Councillor Stephen Cowan, Leader of the Council  
Councillor Michael Cartwright, Deputy Leader  
Councillor Sue Macmillan, Cabinet Member for Children and Education  
Councillor Andrew Jones, Cabinet Member for Economic Development and Regeneration  
Councillor Max Schmid, Cabinet Member for Finance  
Councillor Vivienne Lukey, Cabinet Member for Health and Adult Social Care  
Councillor Lisa Homan, Cabinet Member for Housing  
Councillor Sue Fennimore, Cabinet Member for Social Inclusion  
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents Services

### **114. MINUTES OF THE CABINET MEETING HELD ON 1 DECEMBER 2014**

#### **RESOLVED:**

That the minutes of the meeting of the Cabinet held on 1 December 2014 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

### **115. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **116. DECLARATION OF INTERESTS**

- **Subscriptions/affiliations for External Organisations 2015/16**

Councillor Wesley Harcourt declared a pecuniary interest as his full time job was funded by a London Councils grant. He left the room during the discussions and did not take part in the vote.

- **Delivering the Schools Capital Programme**

Councillors Wesley Harcourt and Sue Fennimore declared a significant other interest as Governors of Phoenix School. They took part in the discussions and voted on the matter.

- **Award of the framework agreements and call off agreements for Advocacy Services**

Councillor Vivienne Lukey declared a significant other interest as a Trustee of H&F Mind. She took part in the discussions and voted on the matter.

- **Exiting three Community Admission Bodies from the Local Government Pension Scheme**

Councillor Wesley Harcourt declared a significant other interest as the Chair of Old Oak Housing Association which is a subsidiary of Family Mosaic Housing Association. Councillor Vivienne Lukey also declared a significant other interest as a Trustee of H&F Mind.

They took part in the discussions and voted on the matter.

#### **117. LOCALISED COUNCIL TAX SUPPORT SCHEME 2015/16**

**RESOLVED:**

That the Council continues to award a council tax discount as though the Council Tax Benefit regulations were still in place, meaning that no one currently in receipt of council tax support will be worse off.

**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.

#### **118. COUNCIL TAX EMPTY HOMES PREMIUM**

**RESOLVED:**

That the following recommendation be made to Council for the financial year 2015/16 and subsequent years until revoked:

Determine that the council tax on dwellings that have been empty (unoccupied and unfurnished) for more than two years be 150% of the normal council tax charge.

**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.

**119. COUNCIL TAX BASE AND COLLECTION RATE 2015/16**

**RESOLVED:**

That approval be given to the following recommendations for the financial year 2015/16:

- (i) That the estimated numbers of properties for each Valuation Band as set out in this report, be approved.
- (ii) That an estimated Collection rate of 97.5%, be approved.
- (iii) That the Council Tax Base of 71,983 Band "D" equivalent properties, 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.

**120. CORPORATE REVENUE MONITOR 2014/15 MONTH 7**

**RESOLVED:**

- 1.1. That the General Fund and HRA month 7 revenue outturn forecast be noted.

- 1.2. That the proposed use of the HFBP 2014/15 IT systems refund to cover in year H&F Direct spending pressures and transfer the balance to the Housing Benefit Reserve 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.

**121. SUBSCRIPTIONS/AFFILIATIONS FOR EXTERNAL ORGANISATIONS 2015/16**

**RESOLVED:**

- 1.1. That the subscription to the Local Government Association for 2015/16 of £26,577, be approved.
- 1.2. That the 2015/16 contribution of £191,078 to the London Boroughs Grant Scheme, be approved.
- 1.3. That the subscription of £167,473 (£142,473 net of one off rebate) for 2015/16 to London Councils, be approved.

Councillor Wesley Harcourt declared a pecuniary interest as his full time job was funded by a London Councils grant. He left the room during the discussions and did not take part in the vote.

**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.

## **122. TRI-BOROUGH PROCUREMENT OF INFORMATION TECHNOLOGY AND COMMUNICATIONS SERVICES**

### **RESOLVED:**

- 1.1 That the approach for the procurement of information technology and communication services as set out in section 5 of the report, be endorsed.
- 1.2 That funding of £330,000 to support the procurement process, apportioned equally across each Council (H&F funding of £110,000 will be met from the Efficiency Projects Reserve, the RBKC funding will be met from the Transformation Reserve, and the WCC funding will be met from WCC Reserves), be approved.
- 1.3 That the Royal Borough of Kensington and Chelsea be nominated as the contracting authority for the framework agreement as the authority who will award the framework contract.
- 1.4 That approval be given for delegate authority to award any call-off contract to the appropriate Cabinet Member within each authority.
- 1.5 To note that similar recommendations have been submitted to the Royal Borough of Kensington and Chelsea and Westminster City Council for approval.

### **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.

## **123. DELIVERING THE SCHOOLS CAPITAL PROGRAMME**

### **RESOLVED:**

That approval be given to the procurement decisions, capital allocations, and appropriate delegations where required to develop the priority schemes at the following schools:

#### **a) Burlington Danes Primary**

To appoint Lakehouse Contracts Ltd as the Main contractor for the contract sum of £5,073,342.00 (+ £142,951 Construction Contingency) following a competitive tender exercise as set out in the body of the report. .

**b) Phoenix High School**

To allocate the sum of £185,000 to Phoenix High School (PHS) to allow for the completion of an evaluation study on the feasibility of the redevelopment of the existing PHS site for education purposes by 3BM and to include partial disposal, development of new accommodation and potential inclusion of additional community facilities.

Councillors Wesley Harcourt and Sue Fennimore declared a significant other interest as Governors of Phoenix School. They took part in the discussions and voted on the matter.

**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.

**124. FINANCIAL PLAN FOR COUNCIL HOMES: THE HOUSING REVENUE ACCOUNT FINANCIAL STRATEGY, 2015/16 HOUSING REVENUE ACCOUNT BUDGET AND 2015/16 RENT INCREASE**

**RESOLVED:**

- 1.1. That the Long Term 40 Year Financial Plan for Council Homes as set out in section 8 of this report, be endorsed.
- 1.2. That the Housing Revenue Account 2015/16 budget for Council Homes as set out in Appendix 1, be approved.
- 1.3. That the proposed new Council Homes Rent Policy for increases from 2015/16 onwards of Consumer Price Index (CPI)1+1% plus an additional £1 per week for tenants not yet paying target / formula rent, be endorsed.
- 1.4. That the proposed new policy to increase tenant service charges by CPI<sup>2</sup> only for 2015/16 onwards in line with the increases in the majority of associated contracts, be endorsed.

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<sup>1</sup> The rate used is that for September in the previous year, for example for the April 2015 rent increase, September 2014 CPI of 1.2% would be used

<sup>2</sup> The rate used is that for September in the previous year, for example for the April 2015 rent increase, September 2014 CPI of 1.2% would be used

- 1.5. That an average rent and service charge increase for 2015/16 for Council Tenants based on application of the new Council Homes Rent Policy and new service charge increase policy of 2.89% as set out in section 10 of this report, be approved.
- 1.6. That an average rent and service charge increase of 2.74% based on application of the Government's rent restructuring formulae for properties under licence and hostels as referred to in paragraph 10.9, be approved.
- 1.7. That the HRA Medium Term Financial Strategy which plans to deliver further on-going annual revenue savings of £2.2million per annum by 2015/16, rising to £4.8million per annum by 2021/22, with savings coming principally from back office costs, be endorsed.
- 1.8. That £13.0m of Housing debt is due to mature in 2015/16 and to approve the refinancing of £11.5m of this debt during 2015/16, in order to both meet the investment in repairs and improvements to Council Homes, and to balance the gap in the financial plan that is a result of stopping selling empty Council Homes, be noted.
- 1.9. To note that the water regulator OFWAT is not due to confirm the increase in tenants' water charges until January 2015, and therefore to delegate authority to the Executive Director of Housing and Regeneration to agree the average increase in water charges as set out in section 14.
- 1.10. That approval be given to freeze the communal heating charge at 2014/15 rates as set out in section 14 of the report.
- 1.11. That a freeze in parking charges as set out in section 14 of the report, be approved.
- 1.12. That approval be given to freeze in garage charges as set out in section 14 of the report.
- 1.13. That the risks outlined in section 11 of 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.

## **125. CEASING THE LIMITED ASSET BASED VOIDS DISPOSAL POLICY**

### **RESOLVED:**

- 1.1. That the Council no longer adopts the Asset Based Voids Disposal Policy and that all future disposals of Council Homes that are uneconomic to repair are considered by full Cabinet.
- 1.2. That any future disposal of Council Homes will only be considered if at least a one for one replacement home is provided as part of the disposal proposal.

### **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.

## **126. AWARD OF THE FRAMEWORK AGREEMENTS AND CALL OFF AGREEMENTS FOR ADVOCACY SERVICES**

### **RESOLVED:**

- 1.1 That the Leader of the Council, in conjunction with the Executive Director for Adult Social Care and Health, award:
  - The three Framework Agreements that will be accessed by Adult Social Care, which H&F and the successful Providers will be party to, and from which the three boroughs can call off; and
  - The three H&F Call Off Agreements that will be accessed by Adult Social Care and which will allow H&F to access the services and for which the contract period for is from 1st July 2015 to 30th June 2019.

Councillor Vivienne Lukey declared a significant other interest as a Trustee of H&F Mind. She took part in the discussions and voted on the matter.

### **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.

**127. ADULT SOCIAL CARE INFORMATION AND SIGNPOSTING WEBSITE - PEOPLE FIRST**

**RESOLVED:**

- 1.1. That approval be given to the inclusion of the London Borough of Hammersmith and Fulham on the People First Adult Social Care information and signposting website, the procurement of which will be managed under the contract with the Council's strategic IT partner.
- 1.2. That approval be given to amend the Adult Social Care pages of the LBHF corporate website to direct website users to People First where appropriate.

**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.

**128. FUTURE HIGHWAYS WORKS CONTRACTS 2015**

**RESOLVED:**

- 1.1 That Hammersmith & Fulham call off from the Westminster City Council framework contract which was awarded to F M Conway Ltd, commencing on 1 April 2015 for a period of 4 years and with a notional annual value of £9.4 million.
- 1.2 That approval be given to extend the arrangements for a 12 month period of both the Street Lighting and Tree Maintenance contracts to allow further tendering opportunities to be explored. (Both contractors have offered savings to extend the contracts).
- 1.3 To note that Westminster City Council will act as the Contracting Authority for the purposes of the Regulations and subsequently the employing borough for these Bi-borough contracts (subject to legal agreements between the boroughs for the management of the 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.

**129. KEY DECISIONS LIST**

The Key Decision List was noted.

**130. 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.

**131. EXEMPT MINUTES OF THE MEETING HELD ON 1 DECEMBER 2014 (E)**

**RESOLVED:**

That the exempt minutes of the meeting of the Cabinet held on 1<sup>st</sup> December 2014 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

**132. RENEWAL OF THE CONTRACT FOR THE SUPPLY OF TEMPORARY AGENCY WORKERS (E)**

**RESOLVED:**

That the recommendations in the exempt 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.

**133. EXITING THREE COMMUNITY ADMISSION BODIES FROM THE LOCAL GOVERNMENT PENSION SCHEME (E)**

**RESOLVED:**

That the recommendations in the exempt report be approved.

Councillor Wesley Harcourt declared a significant other interest as the Chair of Old Oak Housing Association which is a subsidiary of Family Mosaic Housing Association. Councillor Vivienne Lukey also declared a significant other interest as a Trustee of H&F Mind.

They both took part in the discussions and voted on the matter.

**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.

**134. INTERIM PROVISION OF HOME CARE SERVICES (E)**

**RESOLVED:**

That the recommendations in the exempt 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.

**135. TRI-BOROUGH PROCUREMENT OF INFORMATION TECHNOLOGY AND COMMUNICATIONS SERVICES - 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.

**136. DELIVERING THE SCHOOLS CAPITAL PROGRAMME : EXEMPT ASPECTS (E)**

**RESOLVED:**

That the Appendix attached to 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.

**137. FUTURE HIGHWAYS WORKS CONTRACTS 2015 : 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.

Meeting started: 7.00 pm

Meeting ended: 7.05 pm

Chair .....