

Cabinet

Minutes



Monday 6 March 2017

PRESENT

Councillor Michael Cartwright, Deputy Leader
Councillor Ben Coleman, Cabinet Member for Commercial Revenue and Resident Satisfaction
Councillor Stephen Cowan, Leader of the Council
Councillor Sue Fennimore, Cabinet Member for Social Inclusion
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents Services
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Vivienne Lukey, Cabinet Member for Health and Adult Social Care

160. MINUTES OF THE CABINET MEETING HELD ON 6 FEBRUARY 2017

RESOLVED:

That the minutes of the meeting of the Cabinet held on 6 February 2017 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

161. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Max Schmid, Andrew Jones and Sue Macmillan.

162. DECLARATION OF INTERESTS

There were no declarations of interest.

163. CORPORATE REVENUE MONITOR 2016/17 MONTH 8 - 30TH NOVEMBER 2016

RESOLVED:

1. To note the General Fund and Housing Revenue Account month 8 forecast revenue variances.

2. To note that there are mitigating action plans amounting to **£0.972m**, seeking to address the General Fund gross overspend forecast of **£1.557m**. All overspending departments to respond with further actions to reduce the net forecast overspend of **£0.585m**.

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.

164. APPOINTMENT OF CONTRACTOR TO DELIVER IMPACT PROJECT INDEPENDENT DOMESTIC VIOLENCE ADVOCACY

RESOLVED:

1. That Cabinet approves a waiver under the H&F Contract Standing Orders (CSO 3.1) from the requirements to obtain three tenders under CSO 11.2.
2. That Cabinet approves the direct award of a contract to Advance Advocacy Project to deliver the independent domestic violence advocacy (IDVA) services for one year from 1st April 2017 to 31st March 2018, with an option to extend for a further 12 months up to 31st March 2019.
3. That Cabinet agrees to delegate the decision to extend the contract for a further 12 months to 31st March 2019 to the Director for Safer Neighbourhoods, in consultation with the Deputy Leader.

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.

165. DISPOSAL OF LAND AT LAVENDER COURT, 168 - 178 WESTWAY LONDON W12 0SA FOR DEVELOPMENT OF AFFORDABLE HOUSING

RESOLVED:

1. To agree to dispose of the land at Lavender Court 168-178 Westway London W12 0SA to A2 Dominion Housing Group Ltd under a land sale agreement and using the land exemption from the EU procurement regime on a 250 year lease.
2. To agree to delegate authority to the Director for Housing, Growth, and Strategy, the Director of Finance & Resources and the Director of Building and Property Management in consultation with the Cabinet Member for Housing and the Cabinet Member for Economic Development and Regeneration to complete negotiations with A2 Dominion Housing Group Ltd and complete a land sale agreement for the transfer of the land.
3. To note that the disposal will be subject to several conditions, including that:
 - 3.1 Development is expected to commence by June 2018 and there will be a final later long stop date
 - 3.2 60 new genuinely affordable homes will be delivered
 - 3.3 The Council will have 100% nomination rights to affordable homes delivered on this site.
4. To agree to delegate authority to the Director for Housing, Growth, and Strategy in consultation with the Cabinet Member for Housing and the Cabinet Member for Economic Development and Regeneration to apply for Secretary of State consent to dispose of the Housing land at Lavender Court.
5. To agree to delegate to the Strategic Finance Director in Consultation with the Cabinet Member for Finance decision on opting to tax the land sale.

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.

166. PROPOSED ESTABLISHMENT OF AN INTEGRATED FAMILY SUPPORT SERVICE

RESOLVED:

1. To move towards the establishment of a Family Support Service from 1 October 2017 which will deliver comprehensive and fully integrated child, young person, and family support across the Borough.
2. To progress the establishment of a JVC, as set out in the Business Plan at Appendix 2, to deliver the Family Support Service and into which relevant staff will transfer from 1 October 2017. The appointment of the Joint Venture partner(s) will be subject to a Cabinet Contract Award Decision.
3. To agree to the transfer of the following services (and relevant staff as covered by TUPE regulations) to the Family Support Service through the services contract as set out in paragraph 2.7: Children's Centres, youth provision, the Family Services Early Help Service, universal and targeted substance misuse services for young people, and universal and targeted sexual health services for young people from 1 October 2017; and Health Visiting, School Health, and Healthy Schools from no later than 1 October 2018.
4. To undertake a procurement process for the award of service contracts to deliver a locality 0-18 universal and low level targeted Children's Centre and youth provision service for a duration of 3 years (with provision for the JVC, once established, to review at an early opportunity) and for these contracts to include terms for their novation to the JVC.
5. To approve the commissioning and procurement strategy as follows and delegate to the Director of Commissioning for Children's Services, after consultation and agreement from the Cabinet Member for Health and Adult Social Care, to:
 - Directly award a School Health Service contract to deliver the service from 1 April 2017 up until no later than 30 September 2018;
 - Directly award a Health Visiting Service contract to deliver the service from 1 October 2017 up until no later than 30 September 2018;
 - Directly award a Healthy Schools Service contract to deliver the service from 1 April 2018 up until no later than 30 September 2018.
6. To undertake a competitive procurement process to establish an institutionalised public-private partnership (IPPP) to enable the appointment of partners to the JVC.
7. To award a services contract to the Family Support Service to deliver the services in scope for a period of 5 years, with the option of a further 3-year extension, subject to a contract award paper being approved by Cabinet following the completion of the IPPP process.

8. To agree to the possible transfer into the Family Support Service (subject to future business cases and Cabinet decisions) and include in all planned market engagement activity the following service areas: Youth Offending Service (diversion and out of court work), Childhood Obesity services, existing Adult Social Care assessment and provider services (potential scope to be developed further), relevant employment and education services, and Community Safety including Domestic Violence and Violence Against Women and Girls. Services included in paragraphs 2.3 and 2.8 will inform the scope of the initial Family Support Service contract.
9. To commission the JVC, once established, to deliver a children and young person emotional resilience and wellbeing service component following completion of a service review on the current Primary Mental Health Service delivery arrangements.
10. To appoint Trowers & Hamblins LLP as Legal Advisors to the Family Support Service Programme, under the Crown Commercial Services Legal Framework.
11. To release the previously agreed Smarter Budgeting investment to enable the implementation of the Family Support Service.
12. To note that Officers will undertake further work as the Business Plan is developed to identify the funding required to meet the additional transformation costs.
13. To delegate to the Director of Commissioning for Children's Services, after consultation and agreement from both the Cabinet Member for Children and Education and the Cabinet Member for Health and Adult Social Care, approval of:
 - The Joint Venture Incorporation Documents, subject to the principles set out in the Business Plan at Appendix 2;
 - The establishment of a Shadow Board for the Family Support Service, pending the appointment of Joint Venture partners and full incorporation of the company;
 - Final terms of the Service Contract with the JVC;
 - Transfer of relevant staff and operational assets to the JVC;
 - The Invitation to Tender documents, including the award criteria for the selection of the JVC partner(s);
 - Conclusion of relevant agreements with an NHS provider, should market engagement indicate a clear benefit to the Council of working with an NHS provider to jointly procure a partner for the JVC;
 - Conclusion of a S75 Agreement with the LBHF Clinical Commissioning Group (CCG), should the CCG wish to include any services within the Service Contract procurement;
 - Local Government Pension Scheme Agreements;
 - Working Capital Agreement;
 - Appointment of Council nominees to the Family Support Service Board of Directors;

- Family Support Service staffing structures and key appointments (as required prior to the establishment of the Joint Venture Board).
14. To delegate to the Director of Commissioning for Children's Services, after consultation and agreement from the Cabinet Member for Children and Education, the Cabinet Member for Health and Adult Social Care, and the Cabinet Member for Finance, the establishment of a wholly owned limited company and the award of a service contract and transfer of services, if required as part of a phased approach (as set out in paragraph 4.23). Relevant shareholding will transfer to the Joint Venture partners following the Contract Award Decision.
15. To delegate to the Director for Building and Property Management, after consultation with the applicable Cabinet Member, the granting of leases to the Family Support Service or its delivery partners for relevant Council premises.

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.

167. CHILDREN'S SOCIAL CARE CASE MANAGEMENT SYSTEM UPGRADE

RESOLVED:

That approval be given to carry out an upgrade of Frameworki to Mosaic in partnership with Westminster City Council at a cost of £306,693.

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.

168. APPROVAL TO EXTEND AND MODIFY ROUGH SLEEPER / SINGLE HOMELESS SUPPORTED

RESOLVED:

- 1 That the extension provisions available in the London Cyrenians and Look Ahead Housing & Care contracts are utilised to extend the contracts for a 12-month period on existing terms and conditions as set out in Table 1 below for the reasons contained within this report.

Table 1 – Utilise Available Extension Provisions

Contract & Provider name	Contract start & end date & extension provisions	Current contract end date following extensions	Proposed Extension Period
Look Ahead – 160 Coningham Rd	8.4.13 – 7.4.16 plus 2 X 12 months	7.4.17	8.4.17-7.4.18
London Cyrenians – 118 Shepherds Bush Rd	1.4.13 – 31.3.16 plus 2 X 12 months	31.3.17	1.4.17 -31.3.18

- 2 That Cabinet approves the modification of seven supported housing contracts to extend the contract terms as set out in Table 2 below for the reasons contained within this report.

Table 2 – Contract Modifications to Extend the Contract Term

Contract & Provider name	Contract start & end date & extension provisions	Current contract end date following extensions	Proposed Extension Period
Hestia Housing & Support Lillie Rd & 65-67 Talgarth Rd	12/7/10 – 11/7/13 plus 2 x 12 months	31.3.17	1.4.17 to 31.3.18
Look Ahead – 160 Coningham Rd	8.4.13 -7.4.16 plus 2 x 12 months	7.4.18 ¹	8.4.18-31.3.19
London Cyrenians – 118 Shepherds Bush Rd	1.4.13 – 31.3.16 plus 2 x 12 months	31.3.18 ²	1.4.18 -31.3.19
St Mungo’s The Old Theatre	5/1/09 – 4/1/12 plus 2 x 12 months	30.9.17	1.10.17 to 31.3.19
St Mungo’s Hope Gardens	1/12/07 – 30/9/14	30.9.17	1.10.17 to 31.3.19

¹ Dependent upon Cabinet approval to utilise the final available 12-month extension option set out in 2.1

² Dependent upon Cabinet approval to utilise the final available 12-month extension option set out in 2.1

St Mungo's Edith Rd & Safe House	1/7/10-30/6/13 plus 2 x12 months	31.3.17	1.4.17 to 31.3.19
St Mungo's Wood Lane	1/7/10-30/6/13 plus 2 x 12 months	31.3.17	1.4.17 to 31.3.19

- 3 That Cabinet approves a waiver of the Council's Contract Standing Orders (CSO) under CSO 3.1 in order to directly award / modify the contracts described above to the incumbent service providers. Approval of a waiver will allow continuity of services to vulnerable adults and their carers whilst services are reviewed and a new Procurement Strategy is developed.
- 4 That the Council publishes a Prior Information Notice in the Official Journal of the EU informing the market that a re-tendering exercise will commence around March 2018.

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.

169. FORWARD PLAN OF KEY DECISIONS

The Key Decision List was noted.

170. 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.]

171. EXEMPT MINUTES OF THE CABINET MEETING HELD ON 6 FEBRUARY 2017 (E)

RESOLVED:

That the minutes of the meeting of the Cabinet held on 6 February 2017 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

172. DISPOSAL OF LAND AT LAVENDER COURT, 168 - 178 WESTWAY LONDON W12 0SA FOR DEVELOPMENT OF AFFORDABLE HOUSING: EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations contained 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.

173. PROPOSED ESTABLISHMENT OF AN INTEGRATED FAMILY SUPPORT SERVICE: EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations contained 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.

174. CHILDREN'S SOCIAL CARE CASE MANAGEMENT SYSTEM UPGRADE: EXEMPT ASPECTS (E)

RESOLVED:

That the recommendation contained 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.

175. APPROVAL TO EXTEND AND MODIFY ROUGH SLEEPER / SINGLE HOMELESS SUPPORTED: EXEMPT ASPECTS (E)

RESOLVED:

That the recommendations contained 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.

Meeting started: 7.00 pm
Meeting ended: 7.04 pm

Chair