

Appendix 1

List of Urgent Executive Decision made by the Leader Decisions from 18 May 2016 to 16 May 2017

1. Title of Report: Commissioning Strategy for The Provision of Early Intervention Link Worker Support for Children and Young People.

Status – Exempt

Summary of Report – This paper outlines the commissioning strategy in relation to the provision of early intervention link worker support for children and young people aged 0-25 via a part-council, part social-investment funded model. The contract is anticipated to be for a period of 3 years starting in September 2016 with a maximum lifetime spend of £700k.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency – A decision is required under urgency to allow a procurement exercise to begin and conclude in order that a service start date of September 2016 is achieved. The proposed service will benefit from a September 2016 start in line with school engagement and in-take meaning an award decision will be required in July 2016.

Date - 17/06/16

2. Title of Report: Developing Post 19 Provision for Young People with Autism at Options Day Centre – Partnership with Queensmill School.

Status – Open

Summary of Report - With the support of the Governing Body of Queensmill School and senior officers across Children's and Adult Social Care, this report requests that the Leader agrees funding to support capital improvements to the Options Day Centre (280 Goldhawk Road) which will enable the School to co-locate with Adult Social Care in delivering a post 19 curriculum which prepares young people for adulthood.

Recommendations –

- That the Leader agrees to the development of the Options Day Centre for post 19 provision for young people with autism in partnership with Queensmill School.
- That the Leader agrees to £188,458 to be funded from the Dedicated Schools' Grant High Needs Block, to facilitate the required health and safety related condition works at
- the Options Day Service and to ensure the building meets essential requirements for Queensmill post 19 curriculum for young people with autism.
- That the Leader agrees to the appointment of 3BM Education Partners as design authority and project managers to oversee the works. These works are supplemental to the original contract with 3BM and will be managed accordingly.

Reasons for Urgency - The co-location of the Queensmill post 19 provisions within Options Day Centre necessitates capital works to ensure that the building is a safe, secure and an appropriate learning environment for young people with autism accessing the post 19 educational provision and for the wider cohort of adults accessing support at Options Day Centre. It is necessary to direct award these works to 3BM so that they may be undertaken in time for the new academic year in September 2016.

Date – 17/06/2016

3.Title of Report: Delivering The Schools Capital Programme – Windows Replacement - Phase 1

Status – Exempt

Summary of Report – With the support of the Governing Body of Queensmill School and senior officers across Children’s and Adult Social Care, this report requests that the Leader agrees funding to support capital improvements to the Options Day Centre (280 Goldhawk Road) which will enable the School to co-locate with Adult Social Care in delivering a post 19 curriculum which prepares young people for adulthood.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency - The co-location of the Queensmill post 19 provisions within Options Day Centre necessitates capital works to ensure that the building is a safe, secure and an appropriate learning environment for young people with autism accessing the post 19 educational provision and for the wider cohort of adults accessing support at Options Day Centre. It is necessary to direct award these works to 3BM so that they may be undertaken in time for the new academic year in September 2016.

Date – 08/07/16

4.Title of Report: Earls Court - Award of Contract to Undertake Extended Resident Engagement.

Status – Exempt

Summary of Report – The Council wishes to engage further with local residents on West Kensington and Gibbs Green estates to support future negotiations with the developer; to secure greater benefits for estate residents; to address pressing community cohesion issues; and to respond quickly to a request from residents of the estate for more detailed engagement and communication from the council on the programme.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency - The timetable for work to engage with residents in relation to the Earls Court, and other, regeneration projects are determined by unfolding events, largely outside the council's direct control. This has resulted in an urgent need for the additional support sought through this procurement process, which will enable the council to maximise resident involvement in key decisions, maintain community cohesion and ensure residents are able to take full advantage of opportunities arising from these developments.

Date - 01/08/16

5. Title of Report: Commissioning Strategy for Design Services to Inform Future Case Management Arrangements within Children's Services.

Status – Exempt

Summary of Report – This paper sets out the commissioning strategy to award a contract for the analysis and design activities to consider future case management solutions for Children's Services within the London Borough of Hammersmith and Fulham (LBHF), the Royal Borough of Kensington and Chelsea (RBKC) and Westminster City Council (WCC). This project will support the development of a new approach to engagement with families, case management and data recording activities, and contributes to the wider transformation of Children's Services across the three boroughs.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency - A decision under urgency is required to allow the award of contract and achieve a project delivery start date of October 2016. The project will enable the design and evaluation of a new approach to case management activities within Children's Services, and inform future systems support arrangements. This will complement practice developments and innovations, including Focus on Practice. This project forms part of the scope of the Partners in Practice Programme.

Date - 17/11/16

6. Title of Report: Approval for the Housing Growth & Strategy Department to call off from the CCS Legal Services Framework.

Status – Exempt

Summary of Report – On 3rd September 2012 the previous Conservative Administration's Cabinet agreed to enter into the Conditional Land Sale Agreement (CLSA) to sell the 20.87 acres of land on which the 760 homes that form the West Kensington and Gibbs Green Estates are situated to EC Properties LP, part of the Capital and Counties plc group of companies (Capco).

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in

maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency - One of the key manifesto pledges of the Labour Council in 2014 was to negotiate a better deal for the residents of West Kensington and Gibbs Green who were affected by the Earls Court Regeneration Project Conditional Land Sale Agreement (CLSA) signed in 2013. However, after two and half years of negotiation with EC Properties LP (Capco), they have not improved their offer and the original CLSA remains unchanged. SNR Dentons, represented the council's interest in the development of the CLSA and subsequent negotiations on an improved offer. The Council needs new lawyers to bring a fresh approach and new ideas to the negotiations in an attempt to break the current deadlock and better represent the Council's and resident's interests going forward. The appointment of new lawyers is urgent because EC Properties LP (Capco) have continued to work to the existing CLSA signed in 2013. This has meant that they have triggered key elements of the agreement such as the Pre-Phase Development Notice (PPDN) and other legal and planning notices which the Council now should address along with other ongoing legal issues.

Date - 25/11/16

7. Title of Report: Approval to Make a Direct Award to Provide Parking Enforcement (Bailiff) Services.

Status – Open

Summary of Report - Approval was given on to undertake a joint tendering exercise for the Royal Borough of Kensington and Chelsea (RBKC) and the London Borough of Hammersmith and Fulham (LBHF) to procure a shared enforcement agent service to recover outstanding Penalty Charge Notice (PCN) debts for a term of five years, with the option for a break clause in years two, and three to review performance.

Recommendations –

- That approval is given to make a direct award to Marston Group Limited for a concessions contract to provide Enforcement Agent (Bailiff) Services for Penalty Charge Notice (PCN) Debt Recovery (on the same terms and conditions as the previous contract) from the date this decision takes effect but for no more than six months in the notional sum of £500,000, this being the fee income that Marston Group Limited receive. Marston Group Limited receive this income directly from debtors by adding statutory fees to the debts they recover on behalf of London Borough of Hammersmith and Fulham.
- To note that a new contractual arrangement is expected to have been agreed and be ready for implementation by the end of December 2016.

Reasons for Urgency - A Leader's Urgent Decision is required to have a contractual arrangement in place for the provision of Parking Enforcement (Bailiff) Services. As a consequence of a technical challenge, tender's specification was amended taking into account advice given by Legal and Procurement Services and original deadline for tender submission was extended. Continuation of the service provision out of contract might lead to legal challenge from a potential tenderer and there is also potential of £600k of PCN revenue at risk.

Date - 30/11/16

8. Title of Report: Lyric Theatre Capital Project

Status – All Exempt

Summary of Report – On 18 April 2011, Cabinet agreed to approve a contract for the extension and refurbishment of the Lyric Theatre, at a cost of £13.5m. The Council also agreed to act as the procuring body for the contract. In October 2012, Cabinet was advised that costs had risen by £3m. This cost was borne jointly by the Council and Arts Council, which each raised their capital contribution by £1.5m.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency - To secure the release of £1m (one million pounds) of Arts Council Funding to the project.

Date – Jan 2017

9. Title of Report: Revocation of streets under selective licensing

Status – Open

Summary of Report – On 5th December 2016, following extensive public consultation, Cabinet agreed to designate, under the Housing Act 2004, 172 streets in Hammersmith & Fulham for Selective Licensing. We published a designation notice in accordance with legal timeframes on 13 December 2016.

Recommendations –

- The Leader approve that the streets listed in Appendix 2, designated under the Housing Act 2004 for Selective Licensing, be revoked.

Reasons for Urgency - We have published a legal notice designating certain streets for selective licensing. A correction to this list is necessary to ensure compliance under the Housing Act 2004.

Date – Jan 2017

10. Title of Report: Review of Emissions Linked Parking Permits

Status – Open

Summary of Report – This report seeks to revise the decision taken by the Cabinet on 5 December 2016 with regards to emissions based parking permits considering the changes to the ultra-low emission zone proposals put forward by the new Mayor of London.

Recommendations –

- To retain the current parking permit pricing structure for residential and green permits at £119 and £60 per year respectively.
- To provide a third permit for fully electric vehicles [those without any form of combustion engine for free.

Reasons for Urgency - To allow for the air quality implications of the recent Mayoral consultation on the amended Ultra Low Emission Zone [ULEZ] to be fully understood and applied to any changes to the council's on-street parking permit policies.

Date - 07/02/17

11. Title of Report: Procurement Strategy for Sands End Community Centre

Status – Open

Summary of Report – The Council wishes to ensure the long term availability and sustainability of community-based assets and it recognises that:

- Dynamic and well run community buildings can be the bedrock for local communities; housing a wealth of services, support and facilities upon which neighbourhoods can develop and thrive and local citizenship and engagement can be strengthened.
- Third sector organisations and charities can access funding, donations and expertise which are not available to local authorities and which can open opportunities and build community resilience.

Recommendations –

- To approve the procurement strategy (attached at appendix A) to appoint and fund a design team for the replacement Sands End Community Centre and associated budget of £500k required for the initial design and survey costs.
- That the design and survey costs of £500k will be funded from the Stamford Bridge S106 agreement but that funds be made available from the Council funds pending receipt of these funds anticipated by June 2017. To note that the Stamford Bridge S106 agreement is not yet signed, until this happens there is a risk that this will need to be funded by the Council.
- That the Lead Director of Housing and Regeneration consult and agree with the Cabinet Member for Regeneration and Economic Development the award of the contract for design services. To delegate to the Lead Director of Housing and Regeneration the contract award.
- To note the recommended approach to stakeholder and resident engagement in the design process as well as the proposed approach to appointment of a construction partner.

Reasons for Urgency – To achieve the programme for the development of the new community centre, approval of the procurement strategy is required urgently

Date - 14/02/17

12. Title of Report – Acquisition of freehold and leasehold properties in the West Kensington and Gibbs Green estates

Status – All Exempt

Summary of Report – The Conditional Land Sale Agreement (CLSA) requires the Council to deliver properties within the West Kensington and Gibbs Green Estates with vacant possession, on a phased basis, subject to the CLSA provisions being met, to enable the regeneration of the two Estates.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency - The Earls Court Cabinet Report dated 3 September 2012 provided a budget of £15m for the voluntary acquisition of leasehold and freehold properties at the West Kensington and Gibbs Green Estates. The report also required Officers to submit a report to Cabinet once 80% of the initial £15m funding tranche has been spent or committed. This threshold was reached and Officers are working on producing a report which will set the strategy for buybacks in the context of the wider scheme. However, an urgent need had arisen for funds to be allocated to continue the council's commitment to purchase leasehold or freehold properties where there is an urgent demonstrable need to do so.

Date - 14/02/17

13. Title of Report: Transport and Highways Professional Services Procurement Strategy

Status – Open

Summary of Report – The London Borough of Ealing (LBE) has awarded a Framework Agreement for the Provision of Highways and Transport Services in four lots. This framework agreement is available to the Council to call off from and the intention is to use Lot 3 (General Engineering) and Lot 4 (Flood Management), subject to signing an access agreement with the LBE.

Recommendations –

- To waive the requirement contained in Section 8 of the Council's Contracts Standing Orders to produce a Procurement Strategy prior to the retendering of these services.
- To enter an access agreement with LBE under its recently tendered and awarded framework agreement for the provision of Highways and Transport Services.
- To enter a four-year call-off contracts with (1) Project Centre Ltd, (2) WSP UK Ltd, and (3) Opus International Consultants (UK) Ltd for the provision of seconded and ad-hoc specialist transport and highways services.
- To enter a four-year call-off contracts with Metis Consultants Ltd for flood management services.
- To develop, with the Cabinet Member for Environment, Residents', and Technical Services a suite of performance targets to ensure effective contract management and to ensure best value is achieved.

Reasons for Urgency – To provide for a continuous statutory service across the transport and highways division and ensure no loss of third party revenue because of the report being delayed by a later awarding of contract by London Borough of Ealing.

Date - 23/03/17

14. Title of Report – Duct asset contract dispute

Status – Exempt Report

Summary of Report – The company holding the concession to install fibre optic cables in the Council's ducting network has not paid the Council and is in breach of the terms of the contract entered between the Council and ITS Managed Services Limited on 21 April 2014. The debt as at February 2017 is £174k

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency – The company owes the Council £174,000 and is showing no signs of paying. The company has few assets but has recently secured some capital funding. It is in the Council's interests that the mediation stage of dispute resolution starts now rather than waiting for a decision at the next Cabinet meeting in May.

Date - 31/03/17

15. Title of Report: Approval of Amended Terms of the Joint Venture Arrangements

Status – Exempt Report

Summary of Report – Cabinet approval to make amendments to the structure of the JV and approach to delivery on the opportunity sites was granted on 8th February 2016.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency – This report is urgent as the decisions required are key to the delivery of 133 brand new much needed affordable homes, 80% of which are to be social rent. The report will allow for the necessary contract amendments to be made that will mean the Joint Venture (JV) can proceed with the revised tenure approach and continue to prepare planning applications during the procurement challenge period created as the result of the changes required. It is expected that this will bring forward the delivery of the new homes by a minimum of 6 months.

Date - 12/08/16

16. Title of Report: Travel Care and Support Contract

Status – Exempt Report

Summary of Report – This report gives effect to the procurement strategy agreed by Cabinet in November 2016, and seeks approval to appoint a number of contractors on to two frameworks (one for mini-bus provision and one for taxis) and to award a five (possibly seven) year contract to CT Plus for the minibus travel care and support contract.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency – This urgent decision is required due to the mobilisation time required by the recommended supplier for the initial Lot 1 minibus provision contract. This mobilisation time will ensure the winning bidder has time to purchase new vehicles, employ additional staff and make the appropriate TUPE arrangements in preparation for the commencement of the service from July 2017 for Day Services (Adult Social Care) and September 2017 for Schools (Children's Services).

Date - 31/03/17

17. Title of Report: King Street Regeneration Project: Termination of Development Agreement and Agreement for Lease Dated 19 March 2008 with King Street Developments (Hammersmith) Ltd

Status – Exempt Report

Summary of Report – The Council entered into a Development Agreement and Agreement for Lease (the "DA") on the 19 March 2008 with King Street Developments (Hammersmith) Ltd ("KSD") in respect of the delivery of the King Street Regeneration Project.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency – Approval of the recommendation will enable the Council to respond promptly to the failure by King Street Developments (Hammersmith) Ltd to achieve the Condition Longstop Date of 19 March 2017.

Date – 24/04/2017

18. Title of Report: Approval to Undertake a Procurement Exercise for Jepson House and Springvale; and Allocation of Funds to Jepson House

Status – Exempt Report

Summary of Report - The Council has found it difficult to procure construction works for its direct development housing schemes. Having had delivery and performance issues with the Council's previously appointed development contractor Aecom Environmental Services Ltd, the Council invited tenders under the Haringey's London Construction Programme (LCP) framework, as recommended by the Council's procurement team. No bids were received from the contractors on

this framework.

Recommendations – The recommendations of this report are exempt from disclosure on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reasons for Urgency – Jepson House and Springvale need to be built in order to utilise the right to buy 1-4-1 receipts allocated before they are returned to DCLG. Accordingly, a procurement exercise needs to be run and contractor appointed as a matter of urgency. Previous efforts to procure a contractor using both the Council's own single contractor framework and Haringey's LPC failed and providing new genuinely affordable homes is a major priority for the Council.

Date – 24/04/2017

19. Agreement for Direct Contract Award of Contracts for The Provision of Day Services for Older People

Status – Open Report

Summary of Report - This report seeks:

- A waiver from the Council's Contract Standing Orders (under CSO 3.1) of the requirement to seek competitive bids and approval for the direct contract award of three (3) contracts to Notting Hill Housing (for Elgin Resource Centre), Nubian Life and Shanti to continue provision of day services to older people in the London Borough of Hammersmith and Fulham (H&F).

Recommendations –

- To approve a waiver under Contract Standing Order 3.1 for the requirement for seeking competitive tenders for the reasons set out in section three (3).
- To approve the direct contract award to Notting Hill Housing (for Elgin Resource Centre) and Nubian Life and Shanti to continue the current provision of day services to older people for one year from 1 April 2017 until 31 March 2018 at a total cost of £522, 883 (which includes £74,738 health funding).

Reasons for Urgency – Current contracts cease on 31 March 2017, new contract arrangements are required as a matter of urgency to ensure service continuity.

Date – 04/05/2017