

Cabinet

Minutes



Monday 15 January 2018

PRESENT

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

ALSO PRESENT

Councillor Joe Carlebach
Councillor Andrew Brown
Councillor Steve Hamilton
Councillor Lucy Ivimy

79. MINUTES OF THE CABINET MEETING HELD ON 4 DECEMBER 2017

RESOLVED:

That the minutes of the meeting of the Cabinet held on 4 December 2017 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

80. APOLOGIES FOR ABSENCE

Apologies for lateness were received from Councillor Sue Macmillan.

81. DECLARATION OF INTERESTS

Councillor Lisa Homan declared an interest as a Chelsea season ticket holder. She did not participate in the debate nor vote.

82. THE WORK OF THE YOUTH COUNCIL - PRESENTATION ITEM

This item was withdrawn.

83. ENDING ROUGH SLEEPING IN HAMMERSMITH & FULHAM - REPORT OF THE HAMMERSMITH & FULHAM ROUGH SLEEPING COMMISSION

Councillor Sue Fennimore, the Deputy Leader, expressed her gratitude to the Commissioners for all their hard work in producing such important recommendations which would assist the Council in eliminating rough sleeping in the Borough and set landmarks for the government to also reduce rough sleeping to zero.

Shepherd Glendine, Head of Housing Solutions, welcomed the findings of the Commission and noted that the Council would be promoting its recommendations to Central government. Officers would now draft an action plan and costing to implement the report's recommendations.

The Leader formally thanked all the commissioners and noted that it's the Council's moral duty to end rough sleeping in the Borough.

RESOLVED:

- 1.1. That the Council welcomes the H&F Rough Sleeping Commission report's findings.
- 1.2. That the Council promotes the report's findings and recommendations to (and seeks to influence) central government, the Mayor of London, the H&F Clinical Commissioning Group and other parties to whom the recommendations are directed for action.
- 1.3. That officers are tasked with producing an action plan with costings, for the implementation of the recommendations directed at the Council.

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.

84. REPORT OF THE HAMMERSMITH AND FULHAM BIODIVERSITY COMMISSION

Morag Carmichael, Chair, and some members of the Biodiversity Commission attended the meeting speaking in support of the Commission's recommendations. They highlighted the following key findings: -

- To appoint an Ecology officer and establish an ecology centre in the Borough.
- To support Greenfest which would open HF to green visitors.
- To support a greater green projects award scheme.
- Biodiversity is related to health and wellbeing and has a positive impact on air quality.

Councillor Wesley Harcourt thanked the Commissioners for all their work particularly as residents who gave up their time and expertise to develop key green policies. The Council is currently looking for resources to implement the recommendations and move the issues forward.

RESOLVED:

- 1.1. That the Council welcomes the Biodiversity Commission report's findings.
- 1.2. That the Council promotes the report's findings and recommendations to central government, the Mayor of London and other parties to whom the recommendations are directed for action.
- 1.3. That officers are tasked with producing an action plan and costings for the implementation of the recommendations directed at the Council.

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.

85. RENEWAL OF ENHANCED POLICING CONTRACT

Councillor Fennimore expressed her delighted that the Council continued its commitment to support our police force and provide the greatest number of Council funded police officers on our street.

RESOLVED:

That the renewal of the Enhanced Policing Team (EPT) contract with the Mayor's Office for Policing and Crime (MOPAC), including the two BID funded officers, for a period of one year to March 2019 at a net cost to the Council of up to £1,649,000, 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.

86. COMMUNITY ASSET TRANSFER

Michael Angus, the Barons Court Project Director, was unable to attend the meeting. Councillor Culhane read out a short-prepared speech outlined below on his behalf.

“The Board and myself are delighted that the Cabinet, this evening, are considering the transfer of the Freehold of 69 Talgarth Road, W14 9DD (Barons Court Project) to the charity. This transfer will help to make the charity more sustainable. We have been serving residents of Hammersmith and Fulham, who are homeless or living with mental health issues for 33 years. Whilst the economic environment has become tougher we have been able to raise funds not only to keep our services going and expand but to also invest in the premises. We have raised £27,000 in the last year for improvements to the building with new shower and wash room facilities as well as a new boiler, with the freehold raising further funds for investment becomes easier.

We know that there will always be a need in the borough for our work with some of its most vulnerable residents. Last year we had a 16% rise in attendances at our drop-in. We are very grateful to the Council for their support and recognition of our work and considering the transfer of the freehold so that we can ensure we continue to provide services for decades to come for the local community and those who need us.”

The Leader reiterated the Council’s support for a strong third sector delivering much needed services to local residents.

RESOLVED:

- 1.1. To approve the freehold transfer of the Council’s freehold interest in the subject property to Barons Court Project Limited (“BCP”) at nil consideration. To ensure the property legal documents have the appropriate pre-emption rights reserved in the transfer to preserve the Council’s position and the permitted use of the property so services can be retained.
- 1.2. To note the principal terms and conditions already negotiated by the Council with Barons Court Project Limited, contained in Appendix 2 attached to the exempt part of this report.

1.3. That authority be delegated to the Director for Building & Property Management in consultation with the Director of Law and the Cabinet Member for Finance to complete the necessary legal work in transferring the freehold of the property to Barons Court Project Limited.

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.

87. CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2017/18 (SECOND QUARTER)

RESOLVED:

To approve the proposed budget variations to the capital programme totalling £18.7 million (summarised in Table 1 of the report and detailed in Appendix 2 attached to the report).

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.

88. CORPORATE REVENUE MONITOR 2017/18 MONTH 6 - 30ST SEPTEMBER 2017

RESOLVED:

- 1.1. To confirm the General Fund and Housing Revenue Account Month 6 forecast revenue outturn variances.
- 1.2. To agree the departmental action plans amounting to £2.348 million, seeking to address the General Fund gross overspend forecast variance of £4.669 million and require that they identify and deliver further actions to

reduce the net forecast overspend, after mitigating, actions of £2.321 million.

- 1.3. To approve the proposed virements requests in appendix 11.

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.

89. LONDON BOROUGH OF HAMMERSMITH AND FULHAM'S COUNCIL TAX SUPPORT SCHEME 2018/19

Councillor Schmid welcomed the recommendations and noted that no resident would be worst off due to universal credit. The Leader commended the policy which assists the most vulnerable in our society particularly at a time when the Council is under immense budgetary pressure.

RESOLVED:

That the Council continues with its council tax support scheme with no changes from the current scheme.

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.

90. COUNCIL TAX BASE AND COLLECTION RATE 2018-19 AND DELEGATION OF THE BUSINESS RATE ESTIMATE

RESOLVED:

1.1 That the following recommendations for the financial year 2018/19 be approved:

(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 77,856 Band "D" equivalent properties be approved

(iv) To delegate authority to the Strategic Finance Director in consultation with the Cabinet Member for Finance, to determine the business rates tax base for 2018/19.

(v) To agree that the Council charge a 100% council tax premium on empty properties equating to 200% of the council tax payable. When regulations allow

1.2 In relation to the London Business Rates Pooling Pilot the London Borough of Hammersmith and Fulham resolves to:

(i) Approve and accept the designation by the Secretary of State as an authority within the London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988.

(ii) Participate in the London Business Rates Pilot Pool with effect from 1 April 2018.

(iii) Delegate the authority's administrative functions as a billing authority in relation to the Non-Domestic Rating (Rates Retention) Regulations 2013, to the City of London Corporation acting as the Lead Authority.

(iv) Authorise the Lead Authority to sub-contract certain ancillary administrative functions regarding the financial transactions within the Pool to the GLA as it considers expedient.

(v) Delegate authority to the Chief Finance Officer, to agree the operational details of the pooling arrangements with the participating authorities.

(vi) Authorise the Chief Finance Officer to make any amendments to the Memorandum of Understanding, attached at Appendix 1, as may be required by the Secretary of State, and to enter into the final Memorandum of Understanding on behalf of the authority.

(vii) Authorise the Cabinet member for Finance to represent the authority in relation to consultations regarding the London Business Rates Pilot Pool consultative as may be undertaken by the Lead Authority pursuant to the Memorandum of Understanding.

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.

91. PROCUREMENT STRATEGY AND BUSINESS CASE INTEGRATED MANAGEMENT SYSTEMS

RESOLVED:

- 1.1. To approve the Integrated Management Systems Procurement Strategy and Business Case as defined in Appendix 1, leading to the procurement of IT systems to support (1) Resident and Business Self-Service Portal, (2) Housing Management (3) Revenues & Benefits, and (4) corporate Electronic Document Management, using the Competitive Dialogue process. That the procurement process commences in March 2018 with the aim to complete in October 2018.
- 1.2. To award a Contract for Payment Processing and Income Management to Capita Business Services Ltd using Crown Commercial Services Framework RM1059. That the contract commences in March 2018 for a period of 4 years with break points at end of years 2 and 3 and has a total cost as set out on the exempt part of this report.
- 1.3. To delegate to the Strategic Finance Director, in consultation with the Cabinet member for Finance, the Cabinet member for Housing and the Deputy Leader, operational decisions relating to the procurement process for each of the formal stages taken through the competitive dialogue procedure. Subsequent contract award will be taken to cabinet for approval in Autumn 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.

92. ICT TRANSITION - ASSURING SERVICE CONTINUITY PHASE 4 - TELEPHONY NETWORK SERVICES UPGRADE

RESOLVED:

- 1.1. To approve the purchase of new telephony hardware and services with associated managed services from BT, for a one-off cost as set out in the exempt part of the agenda.
- 1.2. To approve the programme management services from Agilisys, for a one-off cost as set out in the exempt part of the agenda.

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.

93. CORPORATE PROPERTY SERVICES FRAMEWORK

This report was withdrawn.

94. RISK FINANCING PROPOSALS 2018-19

RESOLVED:

- 1.1 That the Council continues its relationship with each of the current insurers and works with them to renew all policies for a further year on best possible terms.
- 1.2 To delegate authority to the Strategic Finance Director, in consultation with the Cabinet Member for Finance, to approve total additional insurance premium costs of up a total cost as set out on the exempt part of this report.

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.

95. ACQUISITION OF AN INTEREST IN LAND FOR PLANNING PURPOSES (STAMFORD BRIDGE GROUNDS, SW6), IN ORDER TO ENGAGE SECTION 203 OF THE HOUSING & PLANNING ACT 2016

RESOLVED:

1.1 To note that Cabinet have considered the report, supplementary report, and all representations before reaching its decisions.

1.2 To approve the acquisition of a leasehold interest in the relevant Land at Stamford Bridge Grounds referred to in this report (shown on the plan attached at appendix 1) for planning purposes, pursuant to Section 227 of the Town & Country Planning Act 1990.

1.3 To approve the subsequent leaseback and associated property documents in respect of the Land pursuant to section 233(1)(a) of the 1990 Act.

1.4 That it is the intention of the Council in acquiring a leasehold interest in the relevant Land for planning purposes to engage the provisions of Section 203 of the of the Housing and Planning Act 2016, in order to override easements and other rights in respect of the Land, and to subsequently leaseback the relevant Land to enable the Club to carry out the Development.

1.5 That the terms of the acquisition as outlined in recommendations 2.2 and 2.3 above will be primarily based on the heads of terms (“the **Heads of Terms**”) attached at appendix 3 (in the exempt part of the Cabinet agenda), subject to any further revisions that might be agreed ahead of the Cabinet meeting by the Director of Property and Building Management and the Director of Law.

1.6 To give delegated authority to the Lead Director for Regeneration, Planning and Housing Services, in consultation with the Cabinet Member for Economic Development & Regeneration, and the Director of Law, to agree the approach to be adopted and to delegate to the Director of Property and Building Management and the Director of Law to finalise the Heads of Terms and ensure that the appropriate legal documents are completed.

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.

96. DISPOSAL OF FULHAM NORTH HOUSING OFFICE (SW6 7RX) TO SHEPHERDS BUSH HOUSING ASSOCIATION (SBHA) TO DEVELOP NEW AFFORDABLE HOUSING

RESOLVED:

1.1. To agree to transfer the land at Fulham North Housing Office to Shepherd's Bush Housing Association under a land sale agreement on a 250-year lease.

1.2. To agree to delegate authority to the Lead Director for Regeneration, Planning and Housing, the Director of Finance & Resources (Regeneration, Planning & Housing) 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 Shepherd's Bush Housing Association and complete a land sale agreement for the transfer of the land, and associated leases, based on the agreed heads of terms (Appendix A, contained in the exempt part of the Cabinet agenda).

1.3. To agree to delegate authority to the Lead Director for Regeneration, Planning and Housing, 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 confirm that disposal of the land will be covered by General Consents under s123 of Local Government Act 1972 and seek advice under Housing Act to dispose of the Housing land at Fulham North Housing Office or to seek the necessary consent from the Secretary of State should it be required.

1.4. To agree to delegate authority to the Lead Director for Regeneration, Planning and Housing and the Director of Finance & Resources (Regeneration, Planning & Housing), in consultation with the Cabinet Member for Housing and the Cabinet Member for Economic Development and Regeneration to enter into a Funding Agreement with SBHA for the use of right to buy receipts in support of this scheme, should this be required.

1.5. To approve costs of £140,000, funded from the Housing Revenue Account, for the move from the Fulham North Housing Office to 363 North End Road and Falkland House. To note the risk that an additional £75,000 of expenditure may be required.

1.6. To approve additional annual running costs of £23,000 per year in addition to budgets already held for the Fulham North Office, for 363 North End Road. To note these costs will be funded from the Housing Revenue Account.

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. CHARGEABLE SERVICES POLICY

RESOLVED:

To approve the Chargeable Services Policy for implementation by LBHF attached as Appendix 1 to the report.

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. OLDER PEOPLE'S SUPPORT & SOCIAL INCLUSION SERVICES PROCUREMENT STRATEGY & BUSINESS CASE

RESOLVED:

1.1 That the Procurement Strategy and Business Case for support and inclusion services for older people as set out on the exempt part of the agenda, be approved.

1.2 That a three-year contract with the option to extend for a further two-year period will be awarded to the successful tenderer.

1.3 That a contract modification in accordance with section 20.3.2 of the Council's Contract Standing Orders to continue provision by the incumbent provider until contract award and implementation is completed, no later than 31st October 2018, 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.

99. NOS.84 - 90B FULHAM HIGH STREET - SECTION 106/SECTION 278 HIGHWAYS WORKS

RESOLVED:

1.1. To approve the implementation of the proposed Section 106 and Section 278 highway works at a cost of £133,000 for the works for Nos.84 – 90b Fulham High Street.

1.2. To note that cost of the works will be funded by the developer Tesco Stores Limited.

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. LOCAL PLAN: ADOPTION OF DOCUMENT

RESOLVED:

1.1 That approval be given for the Local Plan to be recommended for adoption by Full Council incorporating the main modifications recommended by the Inspector (set out at Appendix 2) and the minor modifications (detailed at Appendix 3).

1.2 That approval be given to recommend to Full Council the revocation of the supplementary planning guidance identified in paragraph 4.6 of this report.

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. H&F AIR QUALITY ACTION PLAN

RESOLVED:

To approve the Air Quality Action Plan 2018-2023 to then be adopted and put in place once approval is granted by the GLA.

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. FORWARD PLAN OF KEY DECISIONS

RESOLVED:

The Key Decision List was noted.

103. 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.]

104. PROCUREMENT OF A WATER UTILITIES PROVIDER FOR LBHF NON-RESIDENTIAL PROPERTIES AS REQUIRED BY WATER DEREGULATION 2017: EXEMPT REPORT

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.

105. COMMUNITY ASSET TRANSFER: EXEMPT ASPECTS (E)

RESOLVED:

That the appendices 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.

106. ICT TRANSITION - ASSURING SERVICE CONTINUITY PHASE 4 - TELEPHONY NETWORK SERVICES UPGRADE: EXEMPT ASPECTS (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.

107. CORPORATE PROPERTY SERVICES FRAMEWORK: EXEMPT ASPECTS (E)

RESOLVED:

That the appendix 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. PROCUREMENT STRATEGY & BUSINESS CASE FOR INTEGRATED MANAGEMENT SYSTEMS: EXEMPT ASPECTS (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.

109. RISK FINANCING PROPOSALS 2018-19: EXEMPT ASPECTS (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.

110. ACQUISITION OF AN INTEREST IN LAND FOR PLANNING PURPOSES (STAMFORD BRIDGE GROUNDS, SW6), IN ORDER TO ENGAGE SECTION 203 OF THE HOUSING & PLANNING ACT 2016: EXEMPT ASPECTS (E)

RESOLVED:

That the appendices 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.

111. DISPOSAL OF FULHAM NORTH HOUSING OFFICE (SW6 7RX) TO SHEPHERDS BUSH HOUSING ASSOCIATION (SBHA) TO DEVELOP NEW AFFORDABLE HOUSING: EXEMPT ASPECTS (E)

RESOLVED:

That the report and exempt appendices 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.

**112. OLDER PEOPLE'S SUPPORT & SOCIAL INCLUSION SERVICES
PROCUREMENT STRATEGY & BUSINESS CASE: EXEMPT ASPECTS (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.

Meeting started: 7.00 pm

Meeting ended: 7.30 pm

Chair