

Minutes

Cabinet

Thursday, 15 October 2009

Meeting held at Committee Room 6 - Civic Centre,
High Street, Uxbridge UB8 1UW



HILLINGDON
LONDON

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	<p>Cabinet Members Present: Councillors David Simmonds (Vice-Chairman) Jonathan Bianco Keith Burrows Philip Corthorne Henry Higgins Sandra Jenkins Douglas Mills Scott Seaman-Digby</p> <p>Apologies: Ray Puddifoot</p> <p>Members also Present George Cooper Judith Cooper Brian Crowe Tony Eginton Mo Kursheed Eddie Lavery John Riley David Routledge David Yarrow</p>	
87.	<p>Apologies for Absence</p> <p>Councillor Ray Puddifoot</p>	
88.	<p>Declarations of Interest in matters coming before this meeting</p> <p>Councillor Jonathan Bianco declared a personal interest on Item 6 (minute 92) due to the proximity of his main residence to the extension of the Northwood-Frithwood Conservation Area.</p>	
89.	<p>To confirm the minutes of the previous meeting held on 24 September 2009</p> <p>The minutes of the meeting held on 24th September 2009 were confirmed as correct.</p>	

90.	<p>To confirm that the items of business marked Part I will be considered in public and that the items of business marked Part 2 in private</p> <p>This was confirmed.</p>	
91.	<p>Interim Report of the Corporate Services and Partnerships Policy Overview Committee on the Impact of a Pandemic in Hillingdon and the effects on Council Services</p> <p>RESOLVED:</p> <p>1. That Cabinet ask officers to consider, if feasible, the following initial recommendations of the Corporate Services & Partnerships Policy Overview Committee which relate to their review into the effects of a pandemic in Hillingdon and the effects on Council services:</p> <p>a) That a skills and knowledge audit be undertaken of the Council's workforce to build up a computerised database. This information to include details about staff who have been vaccinated against the swine flu virus, those who have had swine flu, those with children and childcare responsibilities, those staff who were front line staff and those that come into contact with the public.</p> <p>b) That enhancements be considered to the Council's Constitution to provide further contingency arrangements for the decision making processes of the Council, in consultation with the Leader of the Council.</p> <p>c) In order to mitigate the impact of a major pandemic, officers ensure that business and continuity plans are in place at all educational and care establishments operating within the borough. This includes but is not limited to playgroups, nurseries, schools, further education and higher education establishments as well as social care homes.</p> <p>2. That progress on implementing the above is reported back to Cabinet as and when the Policy Overview Committee submits its final report.</p> <p>Reasons for decision</p> <p>The Committee's review was undertaken to ensure that the Council had business continuity plans in place to ensure that there</p>	<p>Action By:</p> <p>Khalid Ahmed, Deputy Chief Executive's Office</p>

	<p>would minimum disruption to the Council's services in the event of a major pandemic. The interim report contained recommendations which could be considered by Officers to enable the Council to be prepared for a possible increase in the number of staff affected by the swine flu pandemic</p> <p>Alternative options considered and rejected</p> <p>The alternative option would have been not to consider any recommendations on improving business continuity for the potential increase in the numbers affected by the swine flu pandemic.</p>	
<p>92.</p>	<p>Review of Conservation Areas in Northwood</p> <p>The Cabinet had received a letter from St Helen's School in Northwood and took into account their views before making a decision.</p> <p>RESOLVED:</p> <p>That Cabinet:-</p> <ol style="list-style-type: none"> 1. Approves the extension of the Northwood-Frithwood Conservation Area as shown on the map in Appendix 1. 2. Approves the formal designation of Northwood Town Centre, Green Lane Conservation Area, as shown on the map in Appendix 2. 3. Instructs officers to undertake the appropriate notification of residents and associated publicity within the extended and designated areas, as in recommendations 1 and 2 above. 4. Agrees the leaflets included in Appendix 3 and Appendix 4 for distribution to the residents, shopkeepers and other interested parties within the extended and designated areas, as in recommendations 1 and 2 above. <p>Reasons for decision</p> <p>During the period between July and August 2009, a public consultation exercise had been carried out in the two proposed areas, the results of which determined the above decisions made by the Cabinet.</p>	<p>Action By:</p> <p>Sarah Harper/ Nairita Chakraborty</p> <p>Planning and Community Services</p>

	<p>Alternative options considered and rejected</p> <p>Cabinet could have decided not to designate the Northwood Town Centre Conservation Area, which would have left areas worthy of designation unprotected and Ward Councillor and residents questions and concerns unaddressed. Cabinet could have not agreed the proposed extension of the Northwood-Frithwood area, or a partial designation, which would have left areas identified as being of heritage significance unrecognised and unprotected.</p>	
<p>93.</p>	<p>Regulation of Investigatory Powers Policy Update</p> <p>RESOLVED:</p> <p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Approve the revised Regulation of Investigatory Powers Act 2000(RIPA) Policy and Procedures; 2. Approve the new Acquisition of Communication Data Policy; 3. Request that the Leader of the Council be notified within 24 hours of any application for surveillance being granted; 4. Agree that relevant details (excluding any sensitive information) of all surveillance applications approved annually under The Regulation of Investigatory Powers Act 2000 be published on the Council Website from May 2010 and; 5. Agree that the Council's RIPA policy be reviewed on or before December 2010. <p>Reasons for decision</p> <p>In June 2008, the London Borough of Hillingdon was inspected by the Office of Surveillance Commissioner (OSC) to review the Council's management of covert activities. This coincided with significant public debate in the last year on the way local authorities had applied RIPA.</p> <p>The inspection resulted in recommendations to improve the Council's use of and procedures with regard to RIPA. Cabinet therefore approved an amended RIPA policy and procedures to take account of the recommendations given and also to introduce greater public transparency in the use of RIPA powers.</p>	<p>Action By:</p> <p>Beejal Soni, Deputy Chief Executive's Office</p>

	<p>Related to the above, Cabinet also approved a revised Acquisition of Communication Data Policy.</p> <p>Alternative options considered and rejected</p> <p>Cabinet could have decided not to adopt the recommended policies. This could have resulted in non-compliance with the legislation and accompanying Codes of Practice, which in turn could have rendered evidence obtained inadmissible in court. If Cabinet had not approved a policy to acquire communications data this may have exposed the Council to a fine or even a legal challenge when seeking to use evidence obtained using these powers.</p>	
<p>94.</p>	<p>Planning Policy Statement 15 Consultation Response: Planning for the Historic Environment</p> <p>RESOLVED:</p> <p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Notes the contents of the draft Planning Policy Statement, PPS 15: Planning for the Historic Environment, and the implications which officers consider will arise from it and; 2. Endorses the consultation response as set out in the report. <p>Reasons for decision</p> <p>The Department for Communities and Local Government had issued a consultation document, namely the draft Planning Policy Statement, PPS 15 – Planning for the Historic Environment. Cabinet therefore noted the draft policy and approved the local authority’s response to be sent back to the Government by 30th October 2009.</p> <p>Alternative options considered and rejected.</p> <p>Cabinet could have not responded or made amendments to the proposed response.</p>	<p>Action By:</p> <p>Charmian Baker, Sarah Harper, Planning and Community Services</p>

<p>95.</p>	<p>Community Infrastructure Levy: Consultation Response</p> <p>RESOLVED:</p> <p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Notes the contents of this report regarding the Government's detailed proposals and draft Regulations for the introduction of the Community Infrastructure Levy and; 2. Endorses the consultation response as set out in Appendix 1, with authorisation to the Director of Planning and Community Services, in consultation with the Cabinet Member for Planning and Transportation, to make any further detailed comments in relation to the specific consultation questions. <p>Reasons for decision</p> <p>Cabinet noted that the Community Infrastructure Levy (CIL) would be a new charge which local authorities in England and Wales would be empowered, but not required, to charge on most types of new development in their area. The introduction of the proposed CIL would comprehensively change the way that planning obligations, relating to off site infrastructure, were quantified and collected. The Cabinet had a number of issues about both the implementation and ongoing operation of the CIL and therefore agreed to provide a response to the consultation document.</p> <p>Alternative options considered and rejected</p> <p>Cabinet could have not responded or made amendments to the proposed response.</p>	<p>Action By:</p> <p>Vanessa Scott, Planning & Community Services</p>
<p>96.</p>	<p>Council Budget - Month 5 2009/10 Revenue and Capital Monitoring</p> <p>RESOLVED:</p> <p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Note the forecast budget position for revenue and capital as at Month 5. 2. Note the treasury management update in Appendix B. <p>Reasons for decisions</p> <p>Cabinet received a report setting out the council's overall 2009/10</p>	<p>Action By:</p> <p>Paul Whaymand Finance and Resources</p>

	<p>revenue & capital position, as forecasted at the end of Month 5 (August) and noted the latest treasury management position.</p> <p>Alternative options considered and rejected</p> <p>None.</p>	
<p>97.</p>	<p>Approvals sought for progression of New Build Development Programme</p> <p>Comments from the Social Services, Health and Housing Policy Overview Committee on this item were considered by the Cabinet.</p> <p>RESOLVED:</p> <p>Cabinet:</p> <p>1. Noted that:</p> <p>(a) the Council has been successful in attracting £15.1m Social Housing Grant and borrowing approval which will enable a number of HRA Pipeline sites to proceed on a self financing basis to produce 50 units for rent for local people and;</p> <p>(b) this funding will also enable the re-development of Triscott House sheltered housing unit to produce a 45 unit extra care scheme for local elderly people on a similar self financing basis without the need for the Council to contribute its own capital resources, which will also help to mitigate the need for future adult social care residential revenue expenditure.</p> <p>2. Agreed that the New Build Programme proceeds on sites that have been identified for rented housing, subject to the usual consultation processes, and approve that officers enter into a Grant Agreement with the Homes and Communities Agency which sets out the terms and conditions of the grant as well as the rights and obligations of both parties and allows us to draw down funding.</p> <p>3. Approved that officers enter into contracts using the Royal Institute of British Architects Standard Form of Appointment up to a maximum value of £60,000 for the Architect, and using the Royal Institute of Chartered Surveyors Standard Form of Appointment £85,000 for the Employer’s Agent and £5,700 for the CDM Co-ordinator for the Triscott House redevelopment and that these amounts are funded from HRA balances.</p>	<p>Action By:</p> <p>Mazhar Ali, Adult Social Care, Health & Housing</p>

4 Approved that officers enter into contracts using the Royal Institute of Chartered Surveyors Standard Form of Appointment with up to a maximum value of £96,750 for the Employer's Agent and £7,500 for the CDM Co-ordinator for the HRA Pipeline projects.

5. Approve that, where it is not feasible to proceed with an individual site due to matters that may arise during the planning, design or construction process, that suitable alternative schemes are substituted into the programme as a replacement, in consultation with the Cabinet Member for Social Services, Health and Housing.

6. Agreed that officers will, in conjunction with the Major Projects Team, conduct a tender under the European Procurement regime to obtain construction services for the HRA Pipeline Projects and Extra Care Scheme redevelopment.

7. Approved, on a self financing basis from HRA rents, the borrowing of any residual funds to pay for scheme costs not covered by HCA Grant Funding or available HRA capital receipts over a 40 year period in line with the Council's prudential code.

8. Agreed to withdraw the exempt nature of relevant parts of the report solely for Officers of the Council to use to provide public information about this initiative and for other related purposes.

Reasons for decision

Cabinet made the above decisions to take advantage of the award of £15.1m of capital resources made available to Hillingdon by way of Social Housing Grant and borrowing approvals which would enable the Council's New Build programme to proceed on a self financing basis.

Cabinet's decision would deploy further inward investment in the Borough, improve the environment by redeveloping sites that are vandalised, derelict underused or misused, target anti-social behaviour, improve access to good quality housing for local people, meet the needs of older people by redeveloping some sites to provide homes specifically for them and to deliver more sites for Low Cost Home Ownership.

At the meeting, the Cabinet also resolved to withdraw the exemption status of relevant sections of the report purely for Council Officers to undertake publicity and related activities.

	<p>Alternative options considered and rejected</p> <p>Cabinet could have decided not to enter into an agreement and declined the £15.1m funding that was on offer. Alternatively, Cabinet could have appointed a Registered Social Landlord to act as an agent to draw down funding and build out the scheme.</p> <p>Exempt Information</p> <p><i>This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.</i></p>	
<p>98.</p>	<p>Acceptance of Tenders for the implementation of 11 play areas for the Playbuilder Project</p> <p>RESOLVED:</p> <p>That Cabinet notes the tenders from Sutcliffe Play Ltd to construct the 11 play areas for phase 1 of the Playbuilder Scheme and delegates the decision to the Cabinet Members for Education & Children Services and Finance and Business Services for each of the individual sites, subject to:</p> <ol style="list-style-type: none"> 1. Full capital release approval and; 2. Site by site consultation with Ward Councillors. <p>Reasons for decision</p> <p>Cabinet noted the tender evaluation to build the 11 play areas in 2009/10 which it agreed would be subject to further approvals by relevant Cabinet Members and local consultation before any decisions were made.</p> <p>Alternative options considered</p> <p>Cabinet could have decided not to proceed with any tendering process, which would have had a direct impact in the funding of the sites by the Department for Children, Families and Schools.</p> <p>Exempt Information:</p> <p><i>This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public</i></p>	<p>Action By:</p> <p>Alison Booth, Education & Children's Services</p> <p>Stephanie Jenkins, Environment and Consumer Protection</p>

	<p><i>interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.</i></p>	
99.	<p>Authorisation to run Housing Association Leasing Schemes</p> <p>Comments from the Social Services, Health and Housing Policy Overview Committee on this item were considered by the Cabinet.</p> <p>RESOLVED:</p> <p>That Cabinet approves the Council entering into partnership with RSLs to set up leasing schemes as detailed within this report.</p> <p>Reasons for decision</p> <p>Cabinet noted the changes to the Private sector Leasing funding regime and agreed to identify more cost efficient forms of temporary accommodation by transferring the financial risk of procuring and managing such accommodation from the council to Registered Social Landlords as well to also provide a portfolio sufficient to meet the demand for this type of accommodation.</p> <p>Alternative options considered and rejected</p> <p>Cabinet noted that investigations had been unable to identify any other temporary accommodation schemes which had no financial risk to the council.</p> <p>Exempt Information</p> <p><i>This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.</i></p>	<p>Action By:</p> <p>Lynn Lovelock, Adult Social Care, Health & Housing</p>
100.	<p>Extension of existing contract for tyre replacement and provision</p> <p>RESOLVED:</p> <p>That Cabinet approves a 1 year extension to the Tyre Contract to be awarded to the current supplier RMT Tyres Ltd, West Drayton.</p>	<p>Action By:</p> <p>David Fisher, Environment and Consumer Protection</p>

	<p>Reasons for decision</p> <p>Cabinet agreed the contract extension because the current supplier had offered a cost reduction on all goods and services for this period and had also previously provided an excellent service whilst helping to reduce vehicle downtime.</p> <p>Alternative options considered and rejected</p> <p>Cabinet noted that the alternative option would be to re-tender the contract under notice via European Journal OJEU, a process that would take approximately 6 months to complete and may not result in any savings or efficiencies.</p> <p>Exempt Information</p> <p><i>This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.</i></p>	
101.	<p>West London Procurement of Residential and Domiciliary Care Services</p> <p>Comments from the Social Services, Health and Housing Policy Overview Committee on this item were considered by the Cabinet.</p> <p>RESOLVED:</p> <p>That Cabinet agrees:</p> <ol style="list-style-type: none"> 1. For the Council to enter into partnership with other west London authorities to jointly procure domiciliary and residential care services, negotiating in tandem with other authorities in order to procure the best services in terms of quality and cost; 2. For Hillingdon Council to lead on the procurement of residential care services, developing a framework agreement from which other partner authorities can access services and; 3. For Hammersmith and Fulham Council to lead on the procurement of domiciliary care services, developing a framework agreement from which Hillingdon (and other 	<p>Action By: Paul Feven, Adult Social Care, Health & Housing</p>

partners) can access services.

4. To withdraw the exempt nature of relevant parts of the report solely for Officers of the Council to use to provide public information about this initiative and for other related purposes.

Reasons for decision

Cabinet approved the recommendations for joint procurement in order to implement interim and longer term arrangements for Residential and Domiciliary contracts. This would allow managing the expiry of existing block contracts, developing new contract structures, meeting the full range of care needs and models of care required by service users and would achieve budget and service efficiencies where possible.

At the meeting, the Cabinet also resolved to withdraw the exemption status of relevant sections of the report purely for Council Officers to undertake publicity and related activities.

Alternative options considered and rejected

Cabinet could have decided to procure these services for Hillingdon only, however it was considered by Cabinet that procurement in tandem with other local authorities would be more advantageous in terms of market strength and efficiency.

Exempt Information

This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

102.	Contract award for Respite at Home Services Comments from the Social Services, Health and Housing Policy Overview Committee on this item were considered by the Cabinet. RESOLVED: That Cabinet approves the appointment of the following providers for a period of three years commencing from the 1st April 2010:	Action By: Gary Collier, Adult Social Care, Health & Housing
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1. **Enara Community Care as contractors to provide Respite at Home Services for carers of Adults aged 18+ (Lot 1) and People (aged 18+) with a dementia diagnosis (Lot 3)**
2. **Crossroads Care Hillingdon as contractors to provide Respite at Home Services for carers of Older People, aged 65 or over (Lot 2)**

Reasons for decision

Cabinet expressed their gratitude to the important role Carers play in providing unpaid, regular and substantial care to a vulnerable person, saving the Council significant sums in additional community care costs every year.

Cabinet's continued support for respite at home care services had allowed unpaid carers to have short breaks from their caring responsibilities by providing a replacement care worker to support a cared-for person in their own home.

Funding for respite at home services had grown over time and in carefully considering the report and its recommendations, Cabinet decided to appoint two contractors for these services, thereby increasing the range of providers available within the market place and to provide carers with more choice once individual budgets were rolled out as part of the wider transformation of adult social care services.

Alternative options considered and rejected

Cabinet could have extended the existing contract or allowed an invited tender to take place. This would not have demonstrated a Best Value approach and a true and transparent market test for this service.

Exempt Information

This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

103.	Appointment of Banking Services supplier to the London Borough of Hillingdon	Action By: Annette
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	<p>RESOLVED:</p> <p>That Cabinet agrees that the contract is awarded to HSBC Bank Plc for a period of 3 years with an option to extend for a further 2 years.</p> <p>Reasons for decision</p> <p>Cabinet noted that back in April 2005, the Council contracted with HSBC for the provision of banking services for a period of three years with the option to extend for a further two years. The option to extend the contract for two years was taken, effective from 1st April 2008 and the current contract was due to expire on 31st March 2010.</p> <p>Cabinet considered the tendering process and results and decided whom the new contract should be awarded to for the provision of money transmission and BACS services.</p> <p>Alternative options considered and rejected</p> <p>Not to appoint a banking services supplier was considered as not an option by the Cabinet. Cabinet could have awarded the contract to one of the lower scoring suppliers as identified in the tendering process.</p> <p>Exempt Information</p> <p><i>This report was included in Part II as it contained information relating to the financial or business affairs of any particular person (including the Authority holding that information) and the public interest in withholding the information outweighed the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.</i></p>	<p>Reeves, Finance and Resources</p>
<p>104.</p>	<p>Other items which the Chairman decides are relevant or urgent</p> <p>No further items were considered and the meeting closed at 7.30pm.</p> <p>THE ABOVE DECISIONS MADE BY THE CABINET DO NOT COME INTO EFFECT UNTIL FRIDAY 23rd OCTOBER 2009, UNLESS CALLED-IN BY THE EXECUTIVE SCRUTINY COMMITTEE. MEMBERS AND OFFICERS WILL AUTOMATICALLY BE NOTIFIED OF ANY CALL-IN.</p>	<p>Action By: Democratic Services</p>