

## Minutes

### Cabinet

Thursday, 21 January 2010

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



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Decisions come into effect on: 29 January 2010

	<p><b>Cabinet Members Present:</b> Ray Puddifoot (Chairman) David Simmonds (Vice-Chairman) Jonathan Bianco Keith Burrows Philip Corthorne Henry Higgins Sandra Jenkins Douglas Mills Scott Seaman-Digby</p> <p><b>Councillors also Present:</b> George Cooper Judith Cooper Eddie Lavery John Riley Tony Eginton Santokh Dhillon Brian Crowe</p>	
123.	<p><b>Apologies for Absence</b></p> <p>None.</p>	
124.	<p><b>Declarations of Interest in matters coming before this meeting</b></p> <p>Cllr Douglas Mills declared a personal and prejudicial interest in Item 6 (minute 129) as he resided in the area concerned and left the room for the item. He also declared a personal interest in Item 12 (minute 135) as a relation to him worked within one of the departments undergoing business improvement activity.</p> <p>Cllr George Cooper declared a personal interest in Item 7 (minute 130) as Deputy Chairman of the Audit Committee and in Item 8 (minute 131) as a member of the Ramblers Association.</p>	

125.	<p><b>To confirm the minutes of the previous meeting held on 17 December 2009</b></p> <p>The minutes of the last meeting were confirmed as a correct record and agreed.</p>	
126.	<p><b>To confirm that the items of business marked Part 1 will be considered in public and that the items of business marked Part 2 in private</b></p> <p>This was confirmed.</p>	
127.	<p><b>Floriston Avenue - Application to Modify the Definitive Map and Statement to include a Public Footpath</b></p> <p><i>This item was moved to the start of the Cabinet agenda to allow members of the public present to listen to the discussion and the decision made.</i></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet agrees that on the balance of probability, the evidence, when considered with all other relevant evidence available, shows that a right of way which is not shown in the Definitive Map and Statement subsists or is reasonably alleged to subsist over land in the area to which the map relates. As such the right of way should be added to the Definitive Map and Statement.</b></p> <p><b>Reasons for decision</b></p> <p>Cabinet made a decision in relation to an application which it has received to add a route to the definitive map and statement. This would allow local residents to be able to use it as a path to access Ryefield Avenue directly from Floriston Avenue and Lynhurst Road without making a large detour.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have decided that the right of way should not be added to the Definitive Map and Statement.</p>	<p><b>Action By:</b></p> <p><i>John Fern, Environment and Consumer Protection</i></p>
128.	<p><b>Hillingdon Residents' Survey</b></p> <p><i>Cabinet asked the Chief Executive to thank all staff for their efforts in maintaining and improving the high levels of resident satisfaction with council services.</i></p>	<p><b>Action By:</b></p> <p><i>David Holdstock, Deputy Chief Executive's Office</i></p>

	<p><b>RESOLVED:</b></p> <p><b>That Cabinet note the findings of the report setting out the views of residents and their satisfaction and feedback on council services.</b></p> <p><b>Reasons for decision</b></p> <p>For the Cabinet to be informed about the results, share the result findings and their publication.</p> <p><b>Alternative options considered and rejected</b></p> <p>None</p>	
129.	<p><b>Conservation Appraisal - Ruislip Village Conservation Area</b></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet:</b></p> <ol style="list-style-type: none"> <li><b>1. Approves for consultation, the draft Ruislip Village Conservation Area Appraisal.</b></li> <li><b>2. Authorises officers to undertake public consultation for 4-6 weeks, with all local residents, businesses, Ward Councillors and amenity societies in the area, as appropriate.</b></li> </ol> <p><b>Reasons for decision</b></p> <p>Cabinet approved the draft conservation area appraisal for public consultation, as the Ruislip Village Conservation Area was extended in January 2009 and has been subject to significant development pressure. Cabinet agreed that the period of 4-6 weeks for public consultation would be in line with Hillingdon's Statement of Community Involvement.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have decided not to consult on this document, which would have been against national policy guidance and non-compliant with the Statement of Community Involvement.</p>	<p><b>Action By:</b></p> <p><i>Sarah Harper/ Nairita Chakraborty, Planning and Community Services</i></p>
130.	<p><b>The work of the Audit Committee: report to Council</b></p> <p><i>The Leader and Cabinet expressed their thanks to the Head of Internal Audit and her team of officers for their excellent work.</i></p>	<p><b>Action By:</b></p> <p><i>Khalid Ahmed, Deputy Chief</i></p>

	<p><b>RESOLVED:</b></p> <p><b>That Cabinet notes and welcomes the Audit Committee's annual report to be submitted to Council in February.</b></p> <p><b>Reasons for decision</b></p> <p>Cabinet noted and welcomed the report. In accordance with best practice guidance the Audit Committee are required to submit an annual report to Council outlining the Committee's activities over the previous 12 months.</p> <p><b>Alternative options considered and rejected</b></p> <p>The Cabinet could have provided comments on the work of the Committee which would have been considered alongside the report to Council.</p>	<p><i>Executive's Office</i></p>
<p><b>131.</b></p>	<p><b>Accessible Hillingdon - Supplementary Planning Document</b></p> <p><i>Cabinet expressed its thanks to Cllr Peter Kemp, Disabled People's and Equality Champion, along with officers, on their efforts in producing this document.</i></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet:</b></p> <ol style="list-style-type: none"> <li><b>1. Notes the comments received during the consultation period as set out in Appendix 1.</b></li> <li><b>2. Approves the amendments to the 'Accessible Hillingdon' Supplementary Planning Document (SPD) as set out in Appendix 1 (subject to the amendments indicated in the table below)</b></li> <li><b>3. Subject to the above amendments, adopts the 'Accessible Hillingdon' SPD as set out in Appendix 2 and associated Sustainability Appraisal as supplementary planning guidance for the purposes of development management.</b></li> <li><b>4. Grants delegated authority to the Director of Planning and Community Services, where necessary in consultation with the Cabinet Member for Planning and Transportation, to approve any minor amendments or corrections of a factual nature, to the SPD before it is formally published.</b></li> </ol>	<p><b>Action By:</b></p> <p><i>Charmian Baker / Ali Kashmiri, Planning and Community Services</i></p>

## Reasons for decision

Cabinet approved the Accessible Hillingdon SPD to provide up to date planning guidance to guide future development proposals and to broaden the scope of good design by positively encouraging partnership working between the Council, professionals involved in the development process.

Cabinet moved some amendments, which were agreed, to the policy document as set out below:

Proposed amendment	Reason for amendment
<p><b>Page 14:</b> bullet point 3: "Lifetime Homes should be accessible by lift in blocks containing up to 15 flats",</p> <p>should be amended to read: "Lifetime Homes should be accessible by lift in blocks of flats comprising two stories or more."</p>	<p>Lifts should be provided in all blocks of flats comprising two stories or more to ensure satisfactory accessibility.</p>
<p><b>Page 30:</b> point 4: "Where new flats or rooms to new flats, including kitchens and bathrooms/ WC are proposed...",</p> <p>should be amended to read: "Where new dwellings or rooms in new dwellings, including kitchens and bathrooms, are proposed..."</p>	<p>The guidance should be broadened to address all dwelling types and to bring it in line with the Council's floorspace standards.</p>
<p><b>Page 32:</b> Heading: "Sheltered housing/Residential developments for over 65's"</p> <p>should be amended to read: "Sheltered Housing/residential developments for over 55's".</p>	<p>The guidance should reflect the borough's policy to make provision for those over the age of 55.</p>

## Alternative options considered and rejected

Cabinet could have not agreed to the amendments generated by the public consultation and not to adopt the SPD.

<p>132.</p>	<p><b>Council Budget - Month 8 2009/10 Revenue and Capital Monitoring</b></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet:</b></p> <ol style="list-style-type: none"> <li>1. <b>Notes the forecast budget position for revenue and capital as at Month 8.</b></li> <li>2. <b>Notes the treasury management update in Appendix B.</b></li> <li>3. <b>Agrees to fund up to £5k for the accessibility event from unallocated non specific growth</b></li> </ol> <p><b>Reasons for Decision</b></p> <p>The reason for the monitoring recommendation was to ensure the Council achieves its budgetary objectives. The report informed Cabinet of the latest forecast revenue and capital position for the current year 2009/10. Cabinet also approved some small funds for an accessibility event with partner organisations.</p> <p><b>Alternative options considered and rejected</b></p> <p>There are no other options proposed for consideration.</p>	<p><b>Action By:</b></p> <p><i>Paul Whaymand, Finance and Resources</i></p>
<p>133.</p>	<p><b>Regulation of Street Trading Activities</b></p> <p><i>An amended recommendation was moved and agreed by the Cabinet to bring the policies, conditions and appendices in the report fully in line with the Council decision on 14<sup>th</sup> January 2010 to provide the Licensing Committee with new powers to determine street trading applications.</i></p> <p><b>RESOLVED:</b></p> <p><b>Cabinet approve the Street Trading policies and appendices set out in this report subject to final amendments, to be agreed by the Head of Democratic Services in consultation with the Leader of the Council, ensuring they fully comply with the decision of full Council on 14 January 2010 granting the Licensing Committee the power to determine all matters relating to street trading applications.</b></p> <p><b>Reasons for recommendation</b></p> <p>By moving the amended recommendation, Cabinet ensured that Street Trading activity is effectively licensed and regulated in a manner that complies with the London Local Authorities Act 1990 (as amended) and also in a manner that is fair and equitable to</p>	<p><b>Action By:</b></p> <p><i>Kathy Sparks, Beejal Soni, David Frost, Bill Hickson, various departments.</i></p>

	<p>traders and the Council. Cabinet's decision also ensured the lawful, properly authorised use of relevant enforcement powers and took full account of the new powers given to the Licensing Committee by full Council on 14 January 2010 ensuring greater public accountability and Member oversight into matters related to Street Trading in Hillingdon.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have decided not to agree the revised policies and conditions, which would have resulted in the Council enforcing a policy which would not have complied with the legislation.</p>	
<p>134.</p>	<p><b>Business Improvement Delivery: Localities, Enforcement and Transport services</b></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet:</b></p> <ol style="list-style-type: none"> <li>1. <b>Agrees that work in relation to Localities, Enforcement and Transport services, as detailed in the report, is developed fully as part of the Business Improvement Delivery (BID) programme within the timescale shown in paragraph 10 of the report.</b></li> <li>2. <b>Agrees that in the event of disagreement between relevant departments, that the way forward be decided by the Deputy Chief Executive, in consultation with the Leader of the Council.</b></li> </ol> <p><b>Reasons for decision</b></p> <p>Cabinet noted that Hillingdon had an excellent record in driving efficiencies through business improvement. Cabinet agreed this second report, which proposed that functions relating to locality working, enforcement functions and transport services be taken forward through the BID process.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have decided to leave things as they were and not consider common functions under BID. This would have foregone any potential for business improvement and efficiencies that exist.</p> <p><b>Urgency Provisions</b></p> <p><i>This report had been circulated less than 5 working days before the Cabinet meeting and was agreed by the Chairman to be</i></p>	<p><b>Action By:</b></p> <p><i>Jeff Maslen / Fran Beasley</i></p>

	<i>considered as urgent.</i>	
135.	<p><b>Appointment of Contractor for the construction of homes as part of the HRA Pipeline Project</b></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet agrees:</b></p> <ol style="list-style-type: none"> <li><b>1. To award the construction contract (using the JCT 2005 form of contract, with contractor’s design) for the projects in the Housing Revenue Account (HRA) Pipeline Programme for which funding has been allocated by the Homes and Communities Agency to Bidder 5 at a contract sum of £6,437,838.</b></li> <li><b>2. To expenditure of up to £994,793 in professional, legal and survey fees and other capital costs associated with the delivery of these projects, including interest incurred during the construction period and the capitalised cost of staff time.</b></li> <li><b>3. To a contingency sum of £615,677 being made available to the project.</b></li> <li><b>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.</b></li> </ol> <p><b>Reasons for decision</b></p> <p>Cabinet’s decision meant that the first phase of homes to be developed via the HRA Pipeline Programme could commence. Cabinet considered that the tender submitted by Bidder 5 in the report was the most economically advantageous tender submitted to construct the homes.</p> <p>Cabinet agreed further identified costs in relation to fees expended to date to achieve planning permission and procure the construction contract for the projects and to appoint professional consultants to ensure that new homes were constructed to a high standard.</p> <p>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>	<p><b>Action By:</b></p> <p><i>Mazhar Ali, Adult Social Care, Health &amp; Housing</i></p>



	<p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have accepted an alternative tender which was not the most economically advantageous of all those submitted, or have accepted no tender at all.</p> <p><b>Exempt Information</b></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>136.</p>	<p><b>Acceptance of a tender in connection with Pinkwell Primary School - new build hall extension and refurbishment works to form a Children's Centre</b></p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1 That Cabinet accept the tender submitted by P. Brady (Contractors) Ltd. in the sum of £722,344.20, which officers consider offers the Council best value.</li> <li>2 That Cabinet approves the virement of £512k from the allocated section 106 capital funding, previously released to the ECS budget for the Pinkwell School expansion.</li> </ol> <p><b>Reasons for decision</b></p> <p>Cabinet agreed to accept a tender for the construction of a new single storey extension to provide a new multi-purpose hall facility; together with redevelopment of the existing hall to provide a Children's Centre for Pinkwell Primary School, Pinkwell Lane.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have not accepted any tender, in which case the project would not have been able to proceed.</p> <p><b>Exempt Information</b></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</i></p>	<p><b>Action By:</b></p> <p><i>Eileen Nicholson, Major Construction Projects, Planning &amp; Community Services</i></p>

	<p><i>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>	
137.	<p><b>Off site processing of back office Council Tax Recovery and Business Rate work</b></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet formally approves the awarding of a 3 year contract with an option to extend for a further 2 years with effect from 29th March 2010, to Liberata plc for the back office processing of Council Tax and NNDR work at a cost of £293k per annum.</b></p> <p><b>Reasons for decision</b></p> <p>As part of the Council's wider drive to explore cost saving initiatives, Cabinet agreed to extend the newly awarded contract to Liberata plc to include NNDR (Business Rate) and Council Tax Recovery services.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have decided to keep this service in-house. However, a review did not consider this to be a viable proposition of improving the performance of the service and to maximise savings</p> <p><b>Exempt Information</b></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><b>Action By:</b></p> <p><i>Rob Smith, Finance and Resources</i></p>
138.	<p><b>Voluntary Sector Leases</b></p> <p><b>RESOLVED:</b></p> <p><b>That Cabinet agrees the rents and lease terms provisionally agreed by officers with the voluntary sector organisations detailed in the report and instructs Estates and Valuation Services officers to then commission the Borough Solicitor to complete the appropriate lease documentation and rent review memoranda.</b></p>	<p><b>Action By:</b></p> <p><i>Greg Morrison, Finance and Resources</i></p>

	<p><b>Reasons for decision</b></p> <p>Cabinet agreed the proposed rents because the letting of property at less than the full market rent constitutes a disposal at less than best consideration and the decision to do so requires final Cabinet approval. In doing so, the approval of the terms provisionally agreed by officers and granting the organisations concerned discounts in rent complied with the Voluntary Sector Leasing Policy agreed in July 2004.</p> <p><b>Alternative options considered and rejected</b></p> <p>Cabinet could have chosen not to apply the Voluntary Sector Leasing Policy or chosen to approve one or more cases but not others.</p> <p><b>Exempt Information</b></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>	
139.	<p><b>Other items which the Chairman decides are relevant or urgent</b></p> <p>None.</p> <p><b><u>The meeting closed at 7.40pm</u></b></p> <p><b>THE ABOVE DECISIONS MADE BY THE CABINET DO NOT COME INTO EFFECT UNTIL FRIDAY 29<sup>th</sup> JANUARY 2010, UNLESS CALLED-IN BY THE EXECUTIVE SCRUTINY COMMITTEE.</b></p> <p><b>MEMBERS AND OFFICERS WILL AUTOMATICALLY BE NOTIFIED OF ANY CALL-IN BY DEMOCRATIC SERVICES.</b></p>	