

## Minutes

### Cabinet

Thursday, 26 May 2011

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



Published on: 27 May 2011

Decisions come into effect on: 6<sup>th</sup> June 2011 \*

#### **Members Present:**

Ray Puddifoot (Chairman)  
David Simmonds (Vice-Chairman)  
Jonathan Bianco  
Keith Burrows  
Philip Corthorne  
Henry Higgins  
Douglas Mills  
Scott Seaman-Digby

#### **Members also Present:**

Michael Markham  
Richard Barnes BSc, AM  
John Riley  
Brian Crowe  
Dominic Gilham  
Paul Harmsworth  
Judy Kelly  
Mo Khursheed  
Edward Lavery  
Andrew Retter  
Brian Stead

#### **318. APOLOGIES FOR ABSENCE**

None.

#### **319. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING**

No interests were declared.

#### **320. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING**

The decisions and minutes of the last meeting were approved.

#### **321. 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**

This was confirmed.

**322. REVIEW OF SUPPORT FOR MUSIC TUITION IN HILLINGDON: INTERIM REPORT OF THE WORKING GROUP**

**RESOLVED:**

**That Cabinet:**

- 1. Thanks all those involved in the review for their efforts;**
- 2. Endorses and approves all 12 recommendations in the Interim Report from the Working Group;**
- 3. Gives all necessary authority to implement the Working Group's recommendations to the Deputy Chief Executive and Director of Planning, Environment, Education and Community Services, in consultation with the Leader of the Council and;**
- 4. Notes that the Working Group will undertake a further review with additional proposals for music tuition and report back to Cabinet in due course.**

**Reasons for decision**

Cabinet received the Interim report of Working Group, led by Councillor Judy Kelly, which had reviewed support for music tuition in Hillingdon. Cabinet noted the conclusions of the review:

1. That the Hillingdon Music Service was of a high quality and well regarded by everyone. The level of commitment by the 'Friends' in supporting the Service was greatly valued.
2. There was a substantial need for improvements to the way Hillingdon Music Service operated and provided value for money, and this was clearly evidenced by the Working Group and leading people involved in the Hillingdon Music Service.
3. A longer-term, more sustainable vision for music tuition in Hillingdon was an essential next step that was shared by both the Council and those involved in the Hillingdon Music Service.

Cabinet heard that the Leader of the Council and Cabinet Member for Education and Children's Services had held a meeting earlier in the week to present and discuss the review with those involved in the Music Service, of which the findings and recommendations to Cabinet were:

### Operation

1. The Working Group endorses the decision made to move the Music Service to Adult and Community Learning, within Education Services, and the synergies that can be made therein;
2. The Working Group endorses actions to implement a more flexible service structure and staff contracts for the benefit of service users, in particular a high rate of pay for advanced practitioners;
3. Whilst the Working Group endorses bringing the Hillingdon Music Service properly back into the council structure making it more accountable and corporate, it recommends that the service maintains its unique identity, in particular through any marketing and promotional activities;

### Value for Money

4. The Working Group endorses an increase in music tuition fees by 20% from September 2011 and recommends that both this, and the clarity of the fee structure, be reviewed as part of Phase 2 of the Working Group's activity;
5. The Working Group recommends that Cabinet consider a higher rate of fees for non-residents in line with the Council's 'Hillingdon First' Policy and recommends that reduced fees for disadvantaged pupils remain unchanged;
6. The Working Group recommends that an interim financial model is implemented consisting of the new Music Grant, with all other activities not funded from this grant being provided on a self-funding basis. Furthermore, that the Working Group is consulted on the priorities and balance of music tuition / services making use of the external grant;
7. Linked to recommendation 6, the Working Group recommends that the Management Committee be consulted on what enrichment activities should be prioritised;
8. The Working Group recognises the importance of continuity of provision for those pupils currently undertaking examinations;
9. The Working Group recommends that Cabinet modernise the payment and income collection processes, making it easier for parents to pay, specifically by introducing a 24/7 self service facility;
10. The Working Group recommends that Officers review the way in which user feedback is sought to improve the quality of provision;

### Marketing

11. The Working Group recommends that in conjunction with Corporate Communications, officers be asked to undertake intensive marketing activities

immediately to maintain and increase interest in music tuition following the recent uncertainty about the future of the Service;

### Governance

12. The Working Group recommends that officers review the Terms of Reference of the Management Committee to ensure its powers and responsibilities are consistent with the Council's Constitution, consulting the Working Group and Management Committee and that delegated approval be given to the Deputy Chief Executive and Director of Planning, Environment, Education and Community Service in consultation with the Leader of the Council, to approve any changes.

In agreeing the Working Group's recommendations, Cabinet appreciated the need for continuity and certainty for pupils and their families in relation to music courses and tuition fees from September 2011. In addition, Cabinet welcomed that the recommendations would place the Hillingdon Music Service on a much firmer financial footing for the future. Cabinet noted that the Working Group was tasked to develop longer-term proposals, which would be undertaken in earnest over the next few months working closely with the Hillingdon Music Service Management Committee and 'Friends' Group.

Cabinet thanked Members of the Working Group and the cross-Council team of officers for their efforts to-date in carrying out the first phase of this comprehensive review.

### **Alternatives considered and rejected**

Cabinet could have rejected or amended the Working Group's recommendations.

### **Officer to action:**

Tricia Collis - Planning, Environment, Education and Community Services.

**323. RESIDENTS' & ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE - MAJOR REVIEW OF PROBLEMS POSED TO HILLINGDON, AND BEYOND, BY KHAT AND HOW TO TACKLE THEM**

*The Chairman of the Residents' & Environmental Services Policy Overview Committee, Councillor Michael Markham, presented the UK's first ever local authority review into khat and the problems caused by it.*

*The Chairman emphasised the local and national significance that the Committee's review could have in controlling the legal high and thanked the Deputy Mayor of London, Councillor Richard Barnes, for his support in helping take the matter forward.*

**RESOLVED:**

**That Cabinet fully welcomes the report from the Residents' and Environmental Services Policy Overview Committee and agrees the local and national recommendations to tackle problems posed by khat to Hillingdon and beyond.**

**Reasons for decision**

Cabinet noted that the Committee had decided to review issues posed by khat to Hillingdon and beyond back in June 2010 and that since then it had undertaken a comprehensive examination of the social, health, national and local aspects of khat and how users and others were affected by khat use. Local residents and a significant number of expert witnesses had taken part in the review, providing evidence.

Cabinet agreed in full that the three recommendations from the Committee be taken forward:

1. That the London Borough of Hillingdon present this report to Home Secretary Theresa May, the Minister for Crime Prevention James Brokenshire, and the Mayor of London Boris Johnson requesting that consideration be given to implementing national recommendations which follow:
  - That khat is not banned but that it continues to be an offence to isolate cathonine and cathine from the plant
  - That the Minister for Crime Prevention requests the Kenyan authorities to check all khat consignments exported via its airports to ensure they do not contain pesticides or other harmful substances
  - That the Home Secretary requests the UK Border Agency to identify the levels of cathonine and cathine in khat products and, if at dangerous levels that such imports be destroyed
  - That the Mayor of London instigates a pro-active public information programme that highlights the dangers of overuse of khat complete with information on help and support services available

- That a national information programme be introduced by Government targeted at GPs, A&E departments, police and ambulance services to highlight the dangers of khat overuse in relation to mental health
  - That the sale of khat in unlicensed properties is prohibited and that police or trading standards officers undertake spot-checks of outlets in which khat is sold to ensure it is as safe as possible; if caught to be breaching rules fines should ensue
2. That Cabinet ask officers to feed Hillingdon's Khat Report into the Advisory Council on the Misuse of Drug's consultation regarding khat. In the event that the Advisory Council on the Misuse of Drug find that there is a need to regulate Khat, Public Health Regulations may be introduced to enable Port Health Authorities carry out a range of health controls at border entry points.
  3. That Cabinet ask officers and Hillingdon Council partners to progress the following local recommendations:
    - That Cabinet agrees that there is a need for a more joined up approach when dealing with issues of khat and asks the Chief Executive to progress the issue with the Local Strategic Partnership.
    - That the Council and Safer Neighbourhood Teams take a zero tolerance approach to khat related anti-social behaviour
    - That the Committee present an update report is presented to Cabinet in six months time to monitor the progress made with tackling the issues posed by khat.

#### **Alternative options considered and rejected**

Cabinet could have rejected or amended the Committee's recommendations.

#### **Officer to action:**

Natasha Dogra, Central Services

### **324. DRAFT STREET TRADING POLICY**

#### **RESOLVED:**

**That Cabinet authorises the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services to begin a 28 day statutory public consultation on the draft street trading policy.**

#### **Reasons for decision**

Cabinet had requested an updated Street Trading Policy, which it therefore agreed for public consultation. Cabinet noted that the policy would provide for a more

streamlined and clearer approach to street trading and market activities for all those involved.

**Alternative options considered and rejected**

Cabinet could have agreed not to undertake a public consultation on the policy.

**Officers to action:**

Stephanie Waterford/David Frost Planning, Environment, Education & Community Services – Beejal Soni, Central Services

**325. PRELIMINARY FLOOD RISK ASSESSMENT FOR HILLINGDON**

**RESOLVED:**

**That Cabinet:**

- 1). Approves the Preliminary Flood Risk Assessment as part of the local review process.**
- 2). Agrees that the Preliminary Flood Risk Assessment be submitted to the Environment Agency as part of the national review process.**

**Reasons for decision**

Cabinet noted the requirement to produce a Preliminary Flood Risk Assessment as part of the 2009 Flood Risk Regulations and therefore agreed the Assessment before it was submitted to the Environment Agency for national review.

**Alternative options considered and rejected**

None, as such an assessment is a statutory requirement.

**Officer to action:**

Ian Thynne - Planning, Environment, Education and Community Services

**326. OFSTED INSPECTION REPORT ON THE COUNCIL'S PROVISION OF ADULT AND COMMUNITY LEARNING**

**RESOLVED:**

**That Cabinet note the findings of Ofsted, as a result of the Inspection of the provision of adult and community learning provided by the Council, through contract with the Skills Funding Agency and Young Peoples Funding Agency**

### **Reasons for decision**

Cabinet welcomed the improvements in service management and delivery of high quality learning opportunities across the borough for residents and in particular and the recognition this had been given by Ofsted.

### **Alternative options considered and rejected**

Cabinet could have not considered the Ofsted report.

### **Officer to action:**

Tricia Collis – Planning, Environment, Education and Community Services

## **327. PRIMARY SCHOOL CAPITAL PROGRAMME - CONSTRUCTION CONTRACT DECISIONS**

### **RESOLVED:**

#### **That Cabinet:**

- 1. Agree a Consultant Contract with Mace to undertake the pre-construction phase, which includes feasibility report and initial design, to provide temporary and permanent expansion at various schools to be identified, at a contract figure of £2,099k.**
- 2. Agree any consultancy services necessary for the submission of such planning applications.**
- 3. Agree to release £2,409k in funds from the capital programme to progress the above recommendations;**
- 4. Agree the urgency of this matter and the need to ensure the expedient delivery of the school expansion programme and therefore requests the call-in procedures be waived on all recommendations so that any decisions take immediate effect.**

### **Reasons for decision**

Cabinet agreed the recommendations in the report to progress the critical primary school capital programme and provide the necessary financial approvals. Cabinet was very much aware of the investment needed in primary schools to adequately address the impact of population increase on existing school places.

### **Alternative options considered and rejected**

Cabinet could have agreed not to proceed with the school expansion works, will could have resulted in a severe shortfall of school places for the start of the 2012 and 2013 school years.

**Officers to action:**

Bill Ogden, Roselyn Unegbu - Planning, Environment, Education and Community Services

**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.*

**328. TENDER FOR THE SUPPLY OF TYRES AND ASSOCIATED REPAIR SERVICES**

**RESOLVED:**

**That Cabinet approval is given to the award of a 3 year contract to RMT for the provision of Vehicle Tyres and Associated Services. There will be an option to extend the contract for a further two year period to which should it be considered appropriate approval will be sought from the Cabinet upon completion of the initial 3 year period.**

**Reasons for decision**

Cabinet noted the ongoing requirement for tyres and associated services in order to ensure the continued, safe and efficient operation of the Council's vehicle fleet. Following a procurement exercise, Cabinet agreed the most economically advantageous tender to progress this.

**Alternative options considered and rejected**

Cabinet could have decided not to accept any tender submission and procured tyres and associated services on an ad hoc basis, thereby not providing value for money.

**Officer to action:**

David Fisher – Planning, Environment, Education & Community Services

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**329. AGGREGATION AND EXTENSION OF PAYMENT CARD CONTRACT**

**RESOLVED:**

**That the Cabinet approves the aggregation and extension of the contract with Allpay.net from 1st July 2011 until 3rd February 2013.**

**Reasons for decision**

Cabinet noted that the Council had card services in place for a range of services to residents, mainly in the benefit arena. Cabinet therefore agreed to aggregate two contracts delivering these same services to provide process efficiencies and cashable savings.

**Alternative options considered and rejected**

Cabinet could have gone out to competitive tender, but it was considered better value for money to extend the contracts and re-consider options later once the market had matured.

**Officer to action:**

Carli Thorpe, Central Services

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**330. CONTRACT EXTENSION - STRUCTURAL INSPECTION AND TESTING OF LIGHTING COLUMNS**

**RESOLVED:**

**That Cabinet agrees that the Term Contract be further extended for a period of 1 year by mutual agreement with the following four original contractors, in order to benefit from specialist non-destructive testing methods offered by each of them.**

**ELECTRICAL TESTING LIMITED  
STANDARD INDUSTRIES LIMITED  
INSPECTORATE LIMITED (TRADING AS ROCH NDT SERVICES)  
VALMONT STANTON LIMITED**

## **Reasons for decision**

Cabinet agreed an extension of the term contract because structural inspection and testing of street lighting columns was vital to ensure that columns were replaced promptly when they were no longer sound.

## **Alternative options considered and rejected**

Cabinet could have decided to proceed with only one term contractor but this was rejected because the selective use of different specialist testing contractors would provide the Council with better economy whilst ensuring that safety standards were maintained.

## **Officer to action:**

Tim Edwards – Planning, Environment, Education and Community Services

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## **331. AUTHORITY TO APPLY TO GOVERNMENT FOR CONSENT FOR CHANGE OF USE OF GREEN BELT LAND**

### **RESOLVED:**

**That Cabinet agrees to:-**

- 1. An application being submitted to the Secretary of State for Communities and Local Government under the provisions of the Green Belt (London and Home Counties) Act 1938:**
  - (a) To change the use of the land on which 7 Breakspear Road North is built on from Green Belt to residential use.**
  - (b) To dispose of 7 Breakspear Road North for residential purposes.**
- 2. Advertise the proposal by way of public notice placed in a local paper for a period of two consecutive weeks prior to making the application to the Secretary of State**

### **Reasons for decision**

Cabinet agreed that in order to sell 7 Breakspear Road North for residential use, it was necessary to make an application under the relevant Act to obtain the Secretary of State's consent to change the use of the land on which the property was built on from Green Belt to residential use. Cabinet made it clear that there was already a property on the site and that the decision taken, therefore (pending Government approval) would not affect the environmental amenity in the vicinity.

### **Alternative options considered and rejected**

Cabinet could have decided not to make an application to the Secretary of State or left the property vacant and un-used.

### **Officer to action:**

Mayur Patel- Planning, Environment, Education & Community Services

### **Exempt Information**

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## **332. RELOCATION OF THE HAYES ONE STOP SHOP AND CITIZEN'S ADVICE BUREAU INTO THE BOTWELL LIBRARY SITE**

### **RESOLVED:**

**The Cabinet agrees to the relocation of the Hayes One Stop Shop and the Citizen's Advice Bureau from its current position in Hayes High Street to a space in Botwell Library.**

### **Reasons for decision**

Cabinet welcomed the opportunity to increase the community usage of the Council's new state-of-the-art Botwell Sport and Leisure Centre / Library site in the heart of Hayes, by relocating the nearby One-Stop-Shop and Citizen's Advice Bureau to it.

Cabinet noted the advantages of this decision, which would limit reliance on existing leased-in accommodation in Station Road, generate revenue savings, provide a far superior environment for these services to operate from and importantly set them in a location more conducive to service users.

### **Alternative options considered and rejected**

Cabinet could have decided to cease the services altogether or continue to provide them from the two shop units in Station Road.

#### **Officer to action:**

Boe Williams Obasi - Planning, Environment, Education and Community Services

#### **Exempt Information**

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## **333. VOLUNTARY SECTOR LEASING POLICY - FOLLOW UP REPORT**

#### **RESOLVED:**

**That Cabinet agrees the rents set out in Table 1 of the report, following a further investigation into the applications for a discretionary rent reduction under the Voluntary Sector Leasing Policy submitted by two tenants, and instructs the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services to then commission the Borough Solicitor to complete the appropriate rent review memoranda.**

#### **Reasons for decision**

Cabinet re-considered two applications for voluntary organisations following the receipt of additional information and made the necessary informed decisions regarding whether or not to let the properties concerned at less than the full market rent in accordance with the Council's Voluntary Sector Leasing Policy.

### **Alternative options considered and rejected**

Cabinet could have chosen not to apply the Voluntary Sector Leasing Policy.

#### **Officer to action:**

Greg Morrison; Planning, Environment, Education and Community Services

#### **Exempt Information**

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*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.*

**334. ANY OTHER ITEMS THE CHAIRMAN AGREES ARE RELEVANT OR URGENT**

None.

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The meeting closed at 7:32 pm

**IMPORTANT INFORMATION**

**DECISION AUTHORITY**

\* The following Cabinet decision was agreed as urgent and after the Cabinet meeting the call-in period was waived in accordance with the Policy Overview and Scrutiny Procedure Rules in the Constitution:

- Item 10 (minute 327) – Primary School Capital Programme

**The above decisions on this item therefore come into immediate effect.**

The remainder of the Cabinet's decisions were not called-in by the Executive Scrutiny Committee and therefore come into effect from Monday 6<sup>th</sup> June after the call-in period expires.

**Changes to proposed decisions:**

Officers should note that the Cabinet amended recommendations and thereby agreed revised decisions on the following items:

- Item 6 (minute 323)
  - Item 10 (minute 327)
-