

Minutes

Cabinet

Thursday, 29 March 2012

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



Published on: 30th March 2012

Decisions come into effect on: 10 April 2012 *

Cabinet 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:

John Riley
George Cooper
Judith Cooper
Brian Crowe
Paul Harmsworth
Mo Khursheed
Edward Lavery
Brian Stead

505. APOLOGIES FOR ABSENCE

All Members were present.

506. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING

Councillors Judith Cooper, George Cooper and Philip Corthorne all declared personal interests in item 13 (minute 517) as School Governors.

507. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING HELD ON 16 FEBRUARY 2012

The minutes and decisions of the Cabinet meeting held on 16 February 2012 were approved as a correct record.

508. 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

The business of the meeting was confirmed and it was agreed that Item 15 (minute 519) was withdrawn from consideration at the meeting.

509. TOWARDS A COMMUNITY INFRASTRUCTURE LEVY FOR HILLINGDON

RESOLVED:

That the Cabinet:

- 1. Notes the content of the Draft Planning Obligations SPD and the Preliminary Draft Charging Schedule.**
- 2. Authorises officers to undertake public consultation on the Draft Planning Obligations Supplementary Planning Document and Preliminary Draft Charging schedule.**
- 3. Instructs officers to report back to a future meeting of Cabinet on the outcome of the public consultation.**
- 4. Grants delegated authority to the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services to agree, in conjunction with the Cabinet Member for Planning, Transportation and Recycling, to make any minor editing and textual changes to both documents, before they are formally published for public consultation.**

Reasons for decision

In April 2011, Cabinet instructed officers to prepare draft proposals for a Community Infrastructure Levy for Hillingdon. At the meeting, Cabinet welcomed the draft proposals, including a Preliminary Draft Charging Schedule and accompanying economic viability assessment. Cabinet agreed that it be issued for public consultation.

Cabinet noted that the introduction of the levy would result in significant changes to the operation of the existing planning obligations procedures.

Alternative options considered and rejected

Cabinet could have decided not to approve the Preliminary Draft Charging Schedule for public consultation, but it was considered that this option would not have been in the best interests of the Borough.

Officer to action:

James Gleave: Planning, Environment, Education and Community Services.

510. OLDER PEOPLE'S PLAN - UPDATE

RESOLVED

That Cabinet notes the significant achievements to deliver the Older People's Action Plan during 2011/12 to date to improve the quality of life of older people.

Reasons for decision

Cabinet welcomed the progress on the Older People's Plan and the commitment by the Council and its partners to the continued development and improvement of services designed to create a better quality of life for older people in Hillingdon.

Alternative options considered and rejected

None.

Officer to action:

Dan Kennedy, Central Services

511. DISABLED PEOPLE'S PLAN - UPDATE

RESOLVED:

That Cabinet notes the progress made on the delivery of the 2011/12 Disabled People's Plan to date.

Reasons for decision

Cabinet welcomed the progress on the delivery of the Disabled People's Plan and the commitment by the Council and its partners to the continued development and improvement of services designed to create a better quality of life for disabled people in Hillingdon. Cabinet also requested that officers review how best to assist Disabled People who had never worked due to their disability and how the Council could help steer Disabled People to the most suitable courses and training opportunities.

Alternative options considered and rejected

None.

Officer to action:

Daniel Kennedy, Deputy Chief Executive's Office

512. HILLINGDON'S EQUALITY AND DIVERSITY POLICY

RESOLVED:

That the Cabinet approve the Equality and Diversity Policy including the objectives presented within the policy.

Reasons for decision

Cabinet endorsed the Council's equality and diversity policy, which had been updated to reflect changes in equality legislation and requirements under the Equality Act 2010 Public Sector Equality Duty.

Cabinet noted that the policy fully supported the Council's vision of "putting our residents first".

Alternative options considered and rejected

Cabinet could have decided to stay with the existing policy, but given the recent changes in legislation this option was dismissed.

Officer to action:

Vicky Trott, Central Services

513. PLANNING DELIVERY AGREEMENT - REDEVELOPMENT OF THE FORMER NATIONAL AIR TRAFFIC SERVICES SITE, WEST DRAYTON

RESOLVED:

That Cabinet accepts the offer of a gift from Weston Homes in accordance with the provisions of Section 93 of the Local Government Act 2003

Reasons for decision

Cabinet agreed to receive a small amount of monies to assist with the further development of the former National Air Traffic Services site in West Drayton. Cabinet felt it justifiable for the developer to contribute to the public cost of carrying out its planning functions.

Alternative options considered and rejected

Cabinet could have refused the gift, which would have not been in the best interests of the local communities, tax-payers or the Council.

Officer to action:

James Rodger –
Planning, Environment, Education and Community Services

**514. TOWARDS A FRAMEWORK CONTRACT FOR THE PROVISION OF
INDEPENDENT AGENCY PLACEMENTS ACROSS WEST LONDON BOROUGHS**

RESOLVED:

That Cabinet:

- 1. Agree that Hillingdon Council will lead the project to develop and tender a West London framework contract for the provision of Independent Fostering Agency placements on behalf of 9 West London boroughs, including committing procurement, legal, finance and commissioning resources to the project.**
- 2. Note the Cabinet Member for Co-ordination and Central Services' approval that the evaluation split for the tender process will be 60/40 in favour of price vs. quality in view of this being the preferred approach within the other local authorities participating in this project**

Reasons for decision

Cabinet gave its approval to lead a project designed to shape the Independent Fostering Agency provider market in West London. Cabinet noted that Hillingdon's expertise would ensure that the needs of local authorities for fostering placements would be met with a future supply of providers offering good quality and value for money services. Cabinet also noted the variation of the Council's usual procurement rules, which had been agreed by the Cabinet Member.

Alternative options considered and rejected

Cabinet could have decided that Hillingdon Council would not to lead the development of this project or not to vary the standard procurement rules to progress this with the other West London Boroughs.

Officer to action:

Merlin Joseph – Social Care, Health and Housing

515. PLANNING OBLIGATIONS - QUARTERLY MONITORING REPORT

RESOLVED:

That the Cabinet notes the updated financial information attached to the report.

Reasons for decision

Circular 05/05 and the accompanying best practice guidance requires local planning authorities to consider how they can inform Members and the public of progress in the allocation, provision and implementation of obligations whether they are provided by the developer in kind or through a financial contribution. Cabinet noted the report which detailed the financial planning obligations held by the Council and what progress had, and was, being made.

Alternative options considered and rejected

To not report to Cabinet. However, Cabinet believed it was an example of good practice to monitor income and expenditure against specific planning agreements.

Officer to action:

Nicola Wyatt, Planning, Environment, Education and Community Services

516. MONTH 10 2011/12 REVENUE AND CAPITAL MONITORING REPORT

RESOLVED:

That Cabinet:

- 1. Note the forecast budget position for revenue and capital as at Month 10;**
- 2. Note the treasury Month 10 update at Appendix B;**
- 3. Approve the retaining of agency staff as detailed in Appendix C**
- 4. Approve capital release of £100k from Property Works Programme to complete reinstatement works at Colne Valley Caravan Site**
- 5. Approve allocation of £40k from Capital General Contingency to fund remedial fire safety works at Merrifields Children's Respite Home**
- 6. Approve allocation of £288k from Capital General Contingency to fund rectification works at Hayes Civic Hall Car Park**
- 7. Notes the variation of £155,984.21 on the main contract with Breyer Group Plc for the construction of Triscott House**
- 8. Agree to the appointment of a consultant to undertake a review of Property and Major Construction Projects.**

Reasons for decision

Cabinet received an update on the Council's strong financial position and made a number of necessary decisions in relation to reinstatement works, safety works, car park works, contracts and agency staff appointments.

Alternative options considered and rejected

None.

Officer to action:

517. PRIMARY SCHOOL CAPITAL PROGRAMME UPDATE

RESOLVED:

That Cabinet:

- 1. Notes the progress made on phases 1a, 1, 2, 2a and 3 of the primary schools capital programme of works.**
- 2. Notes the use of the SmartEast framework as the procurement vehicle for Pinkwell Primary School, Charville Primary School and Harefield Infants School.**
- 3. Delegates authority to the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services, in consultation with the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to place a building contract for the 1FE temporary accommodation at Rosedale Primary School, up to the cost of £689k.**
- 4. Delegates authority to the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services, in consultation with the Leader of the Council and Cabinet Member for Finance, Property and Business Services, to place a building contract for enabling works at Hermitage Primary School during the summer term of 2012 in preparation for the main works in January 2013, up to the sum of £170k,**
- 5. Delegates authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services, in consultation with the Deputy Chief Executive and Director of Planning, Environment, Education and Community Services, to place building contracts for Pinkwell Primary School (all phases), Charville Primary School and Harefield Infants School.**
- 6. Agree the appointment of Mace as the multi-disciplinary consultants to deliver the Phase 2a Temporary programme, including Hermitage Nursery, as outlined in this report, at a cost of £217k.**
- 7. Agree the appointment of Mace as the multi-disciplinary consultants RIBA stages E-H (tender stage only) for the delivery of both Pinkwell Primary and Harefield Infant school, as outlined in this report, at a cost of £38k.**
- 8. Agree the appointment of Mace as the multi-disciplinary consultants to deliver the Hermitage school enabling works, during the summer of 2012, at a cost of £15k.**

9. **Approve the Phase 1 building contract variations as identified within the report, as previously reported to Cabinet.**
10. **Approve a grant, as outlined in the report, to the London Diocesan Board for the expansion of Cowley St Lawrence, which currently has a construction project onsite.**
11. **Authorise Council officers to commence a consultation exercise to identify potential Academy sponsors for the proposed Phase 3 new schools.**
12. **Agrees to release £208k of capital funds in order to progress recommendations for demolishing existing caretaker's bungalow, provision of staff car parking, drainage remedial works and relocation of an existing classroom by September 2012.**

Reasons for decision

Cabinet received an update on the primary school capital programme and made a number of decisions to progress the provision of sufficient school places, including placing the necessary building contracts, approving a grant to the London Diocesan Board and authorising the start of consultation to identify potential Academy sponsors for new schools.

Alternative options considered and rejected

Cabinet could have decided to delay or not progress aspects of the building programme, which would have impacted upon the Council's ability to provide sufficient school places.

Officers to action:

Boe Williams-Obasi and Norman Benn - 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).

518. GRANGEWOOD AND MOORCROFT SPECIAL SCHOOLS - GRANT OF LEASES OF SCHOOL SITES FOR ACADEMY CONVERSION

RESOLVED:

That Cabinet:

- 1. Approves the grant of a 125 year lease of Grangewood Special School on the terms outlined in this report in order to facilitate the conversion of the school to an Academy.**
- 2. Approves the grant of a 125 year lease of Moorcroft Special School on the terms outlined in this report in order to facilitate the conversion of the school to an Academy.**

Reasons for decision

Cabinet agreed the grant of a 125 year lease to the two special schools to facilitate their conversion to Academy status. Cabinet noted that decisions regarding academies are made by the Secretary of State for Education and therefore the Council had no choice other than to progress with the transfer of the premises.

Alternative options to consider and action

None.

Officer to action:

Mike Paterson
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.

519. AWARD OF CONTRACT FOR THE MAINTENANCE AND REPAIR OF FENCING AND GATES FOR HILLINGDON HOUSING REPAIRS SERVICE

This report was withdrawn from consideration at the meeting and therefore no decisions were made.

520. PROCUREMENT OF ENERGY SUPPLIES 2012-2016

RESOLVED:

That Cabinet:

- 1. Agree to purchase 7 Corporate Half Hourly electricity supplies, 1 Corporate gas supply and 4 (UMS) electricity supplies via the**

- Government Procurement Service. (GPS) for a contract term from October 2012-2015
2. Agree for Non-GPS supplies to remain with LASER under a new framework contract from October 2012-2016.
 3. Agrees to the use of the buying consortia as proposed for recommendations 1 and 2 rather than conduct its own tendering for these aspects of energy procurement
 4. Agree to tender all the Scottish & Southern (SSE) supplies under a new Fixed Term Fixed Price (FTFP) contract with a commencement date of 1 October 2012 for a contract term of up to 3 years.
 5. Notes that Academies will remain with LASER until contract end date, 30th September 2012 at such time, Academies are removed from Corporate liability and procure their own energy contracts going forward.
 6. Agrees the Council will not renew its bureau services contract with TEAM.
 7. Agrees that Officers will investigate on behalf of the Council energy management software and maintain an energy database to validate energy expenditure and maintain compliance with statutory requirements.
 8. Deems recommendations 1&2 as urgent and requests that the Chairman of the Executive Scrutiny Committee waives the scrutiny call-in period on these in order to instruct the organisations concerned of Hillingdon's requirements so that they are included in their necessary procurement arrangements by 31st March 2012.

Reasons for decision

Cabinet considered a report outlining the Council's energy procurement requirements prior to termination of the current contracts. Cabinet also noted the feedback from schools, the research and critical analysis of the options open to the Council and agreed the strategic direction for the Council to ensure continued best value energy purchasing for October 2012 -2016.

Alternative options considered and rejected

Cabinet could have decided to opt for alternative procurement options.

Officer to action:

David Haygarth -
Planning, Environment, Education and Community Services

Exempt Information

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Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

521. IRRECOVERABLE BUSINESS RATES

RESOLVED:

That the Cabinet formally approves the writing off of irrecoverable debt of £1,226,078.38 in respect of National Non-Domestic Rates.

Reasons for decision

Cabinet gave approval for the write-off of irrecoverable debt in respect of certain non-domestic (business) rates valued over £50,000. Such write-offs were required as either the debtor had gone into insolvency or the debt had been statute barred. It was noted that there was no financial cost to the Council as the Government had already allowed for the cost of these write offs in its provision for irrecoverable debts.

Alternative options considered and rejected

None.

Officer to action:

Rob Smith, Central 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.

522. ANY OTHER ITEMS THE CHAIRMAN AGREES ARE RELEVANT OR URGENT

No additional items were considered by the Cabinet.

The meeting closed at 7:27pm

IMPORTANT INFORMATION

DECISION AUTHORITY

Meeting after Cabinet, the Executive Scrutiny fully endorsed all of Cabinet's decisions.

*** Decisions on recommendations 1&2 of Item 16 (minute 520) were deemed urgent by the Cabinet and permission to waive the scrutiny-call in period was**

agreed by the Chairman of the Executive Scrutiny Committee after the meeting. These two decisions therefore come into immediate effect

The remaining decisions made by the Cabinet will come into effect from 5pm, Tuesday 10th April 2012.
