

Minutes

Cabinet

Thursday, 14 February 2013

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



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Cabinet Members Present:

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

Members also Present:

Henry Higgins
John Riley
Wayne Bridges
Peter Curling
Paul Harmsworth
Mo Khursheed
David Yarrow

707. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Keith Burrows.

708. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING

Councillor Douglas Mills declared a non-pecuniary interest in Item 6 (minute 712) in relation to Council funding for HS2 and remained in the room during the discussion and vote on the item.

709. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING

The decisions and minutes of the last Cabinet meeting held on 24 January 2013 were approved as a correct record.

710. 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.

711. MONTHLY BUDGET MONITORING REPORT

RESOLVED:

That Cabinet:

1. Note the forecast management budget position for revenue and capital as at Month 9.
2. Note the treasury Month 9 update at Appendix B.
3. Approves the allocation of £12k from unallocated priority Growth to fund the part year cost of an additional officer to support the increased demands on Transportation Planning Policy and related customer engagement.
4. Approves the addition of £1,193k of the Department for Communities & Local Government Troubled Families Grant to Social Care & Health Budgets from 2012/13 to 2015/16 to support early intervention work by the Hillingdon Family Service.
5. Approves the virement of £164.2k from the Housing Revenue Account to Street Scene Maintenance to fund and undertake repairs to areas of the un-adopted housing network.
6. Approves the allocation of £78k to Residents Services revenue budgets to reflect a grant received from the CLG through the West London Housing Partnership to address rough sleeping.
7. Approves the retaining of agency staff as detailed in Appendix C.
8. Approve the release of £57k from capital contingency for Health & Safety works at Harlington Road Depot.
9. Delegate authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services, in consultation with the Deputy Chief Executive and Corporate Director of Residents Services, to make all necessary contractual decisions in relation to South Ruislip Plot A and Plot B and to enter into the necessary supporting consultancy contracts.
10. That Cabinet agree to utilise capital contingency of £22k for works at Merrifields and agrees the formal release of these funds. Furthermore, Cabinet requests that the Chairman of the Executive Scrutiny Committee waives the scrutiny call-in on this recommendation to ensure the works can be delivered on time.

Reasons for decision

Cabinet was informed of the latest forecast revenue, capital and treasury position for the current year 2012/13 to ensure the Council achieved its budgetary and service objectives. Additionally, Cabinet made a number of decisions in respect of additional resources for local transportation issues, accepted recent grants received, approved budget virements and the release of funding to enhance service delivery and delegated contractual decisions on land and property matters.

Alternative options considered and rejected

None.

Officer to action:

Paul Whaymand
Finance Directorate

712. THE COUNCIL'S BUDGET - MEDIUM TERM FINANCIAL FORECAST 2013/14 - 2016/17 & HOUSING REVENUE ACCOUNT - BUDGET & POLICY FRAMEWORK

RESOLVED:

That Cabinet approves for recommendation to Council:

- 1. The General Fund revenue budget proposals for 2013/14 summarised at Appendix 1, including the detailed budget changes contained at Appendices 2 to 5;**
- 2. The Housing Revenue Account budget proposals for 2013/14 summarised at Appendix 6a including detailed budget changes contained at Appendices 6b to 6d;**
- 3. The proposed fees & charges and housing rents for both the General Fund and Housing Revenue Account included at Appendix 7;**
- 4. The capital programme set out at Appendix 9;**
- 5. The Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Statement for 2013/14 to 2015/16 as detailed in Appendix 10;**
- 6. The proposed London Borough of Hillingdon Pay Policy Statement for 2013/14 set out at Appendix 11;**
- 7. That it resolves that Cabinet may utilise the general reserves or balances during the MTFF financial years 2013/14 to 2016/17 in respect of those functions which have been reserved to the Cabinet in Article 7 of the Constitution (as set out in Schedule G of the Constitution - Budget and Policy Framework Procedure Rules);**
- 8. That Cabinet notes the Director of Finance's comments regarding his responsibilities under the Local Government Act 2003.**

Reasons for decision

Following consultation, Cabinet considered its budget proposals and Housing Revenue Account for 2013/14 and beyond for approval by full Council. For the fifth successive year they would deliver a zero increase in Council Tax for all residents, a freeze on fees and charges and continued investment in priority service areas, like highways, libraries, community safety and the local environment. Cabinet welcomed

its ongoing transformation programme that had allowed the Council to not only to protect, but improve, front-line services.

On the capital programme, Cabinet recommended to Council a continued investment in London's largest school building programme, aimed at ensuring that every child in the Borough would have a quality place at a local school.

Cabinet noted the positive comments from the Policy Overview Committees and recommended to Council a well thought out set of budget proposals which had been carefully developed to put residents first.

Alternative options considered and rejected

Cabinet could have amended its growth proposals, added or removed new capital schemes or varied fees and charges, however this could have had a consequential impact on the revenue budget requirement and Council Tax.

Officers to action:

Paul Whaymand
Finance Directorate

713. LOCAL WELFARE SUPPORT SCHEME

RESOLVED

That Cabinet approve the proposed Local Welfare Support Scheme attached in Appendix A.

Reasons for decision

Following consultation, Cabinet approved the Council's Local Welfare Support Scheme, following the Government's decision to transfer the funding for the Crisis Loans and Community Care Grants elements of the current Department for Work & Pensions Social Fund to local authorities from 1 April 2013.

Alternative options considered and rejected

Cabinet could have decided not to adopt a scheme but the Government had stated its intention to review local authorities on how they had used the funding during 2014/15.

Officer to action:

Paul Whaymand
Finance Directorate

714. SCHOOLS BUDGET 2013/14

RESOLVED:

That Cabinet:

- 1. Agrees that the total Schools Budget for 2013/14 will be equal to the total of the Dedicated Schools Grant (as set out in paragraph 50) and Pupil Premium Grant (where the rate is set out in paragraph 42, but the final total figure is still to be released) provided to the Council.**
- 2. Approve the proposed changes to the Primary and Secondary schools funding formula as agreed by schools and the Schools Forum, as set out in paragraphs 13 to 22 of the report.**
- 3. Approve the proposed changes to the Early Years Single Funding Formula as agreed by schools and the Schools Forum, as set out in paragraphs 10 to 12 of the report.**

Reasons for decision

As the local decision-making body for school funding, Cabinet agreed the arrangements to ensure that the 2013-14 budgets for schools were in place. Cabinet noted that the Council had consulted schools and the School Forum on a range of financial matters prior to making its decision.

Alternative options considered and rejected

Cabinet could have not agreed some or all of the proposals for education expenditure, contrary to the School Forum's advice.

Officer to action:

Peter Malewicz
Residents Services

715. CHANGES TO PERMITTED DEVELOPMENT RIGHTS FOR OFFICES AND SINGLE STOREY EXTENSIONS

RESOLVED:

That the Cabinet:

- 1. Endorses the officer response already issued concerning the consultation on permitted development rights for single storey rear extensions.**

2. **Delegate authority to officers to seek 'exemption status' for all those sites listed in Appendix 2 of this report through appropriately worded submissions to the Government.**
3. **Delegate authority to the Deputy Chief Executive and Corporate Director of Residents Services, in consultation with the Leader of the Council and Cabinet Member for Planning, Transportation and Recycling, to recommend a report to Full Council to determine whether Hillingdon Borough as a whole should have an Article 4 Direction to address the harm caused by single storey rear extensions of excessive size.**

Reasons for recommendation

Cabinet noted the Council's response to the recent Government consultation extending permitted development rights for single storey extensions. Cabinet expressed some concerns around this proposal and indicated that it would pursue the use of an Article 4 Direction to counter the effects of extensions being carried out without the need for planning permission.

Furthermore, Cabinet noted a related directive from the Government on permitted development rights for commercial offices enabling them to be used more easily for residential use. Due to Cabinet's concern about the adverse impact this could have across the Borough, it made the necessary decisions to recommend exempting metropolitan areas of the Borough from this ruling.

Alternative options considered and rejected

The Cabinet could have decided not to apply for any exemption areas but agreed that this would not be in the Borough's best interests.

Officer to action:

James Rodgers
Residents Services

716. OUTCOME OF FURTHER CONSULTATION ON LEARNING DISABILITIES DAY SERVICES

RESOLVED:

That Cabinet:

1. **Note the outcome of the assessment and support planning process which leads to all current attendees of day centres using their personal budgets for a range of specialist and community based activities;**
2. **Note the outcome of further consultation on the day centre proposals;**
3. **Note the Equalities Impact Assessment and take this into account when making a decision on these proposals (Appendix 3);**

- 4. Agree to remodel current day centre provision through the transition to a combination of a specialist building based service and access to a range of community activities;**
- 5. Agrees the decommissioning of the existing day centres at Park View, Phoenix and Woodside;**
- 6. Reaffirms its previous decision to develop a new resource centre at Queens Walk and in the event that approval is reaffirmed and agrees that transport should be provided for those service users whose support plans have identified this need.**

Reasons for decision

Cabinet noted that it had previously considered this matter in January 2012, the consultation of which had subsequently been the subject of a legal challenge. Following a second and far-reaching consultation on the Council's proposals for learning disability services, it was noted that a tailored assessment had been made with every service user, which had also been agreed by each of them in their new support plans.

It was acknowledge that whilst change was often difficult for individuals, the majority of service users had begun to accept the positive benefits that would ensue from a new approach to specialist service delivery, the ability to use personal budgets to access community activities and the use of a new state-of-the-art resource centre to be built at Queens Walk.

Taking into careful consideration the legal advice in the report and the equality impact assessment that had been undertaken, Cabinet agreed to move forward with its proposals to modernise learning disability services in the Borough, which it felt would fully meet the requirements of service users.

Alternative options considered and rejected.

Cabinet could have decided to reject or amend its proposals, including the decommissioning of the three day centres and the construction of a new resource centre at Queens Walk.

Officers to action

Linda Sanders - Social Care & Health
Paul Feven - Finance Directorate

717. HILLINGDON COMMUNITY INFRASTRUCTURE LEVY

RESOLVED

That Cabinet:

- 1. Notes the consultation responses received on the Draft Charging Schedule as detailed in Appendix 1.**
- 2. Approves the proposed amendments to the Draft Charging Schedule as set out in Appendix 2, and authorises officers to submit the document to the Secretary of State for Examination.**
- 3. Authorises the Cabinet Member for Planning, Transportation and Recycling to sign the declaration at Appendix 3 that the Draft Schedule has been prepared using appropriate evidence.**
- 4. Approves the list of the types of infrastructure that are to be funded in whole or in part by CIL contained in Table B.**
- 5. Grants delegated authority to the Deputy Chief Executive and Corporate Director of Residents Services to agree, in conjunction with the Cabinet Member for Planning, Transportation and Recycling, any minor editing and textual changes to the Draft Charging Schedule and evidence base documents.**

Reasons for decision

Cabinet noted the consultation on Hillingdon's draft Charging Schedule, which had set out the proposed rates of this new levy in the Borough. It was noted that Hillingdon's rates were competitive compared to other local authorities and that they would enable businesses to continue to grow and invest in the Borough with confidence. Cabinet made the necessary decisions to progress Hillingdon's Community Infrastructure Levy and Charging Schedule for adoption.

Alternative options considered and rejected

Cabinet could have not approved the draft Charging Schedule for submission or made changes to it. However, Cabinet considered that this would prejudice future funding for local infrastructure provision and economic growth.

Officer to action:

James Gleave
Residents Services

718. SCHOOLS PLACES PLANNING 2013-2022

RESOLVED:

That the Cabinet:

- 1. Approves the proposed outline approach for a practical, targeted plan which will ensure sufficient early years and school places across all age groups for children and young people in Hillingdon.**
- 2. Approves within the school places plan the development of detailed proposals for specific localities in Hillingdon to meet the need for additional primary school places.**
- 3. Notes that the development of detailed proposals for secondary school places, special educational needs places and arrangements for young people aged 16 years and older will be presented for consideration at future Cabinet meetings.**

Reasons for decision

Cabinet appreciated its statutory responsibility to secure sufficient early years and school places to meet the needs of children resident in the Borough. It was noted that the demand for primary school places in Hillingdon had been rising for the last five years and was forecast to continue growing. Members welcomed the publication of independent statistical information confirming this, clearly showing a need for a significant number of additional forms of entry, particularly in the Hayes area of the Borough.

Alternative options considered and rejected

None. Cabinet reiterated its continued investment in London's largest school building programme, aimed at ensuring that every child in the Borough would have a quality place at a local school.

Officer to action:

Julien Kramer, Residents Services
Dan Kennedy, Administration Directorate

719. SCHOOL CAPITAL PROGRAMME UPDATE

RESOLVED:

That Cabinet:

- 1. Note the progress made with Phases 1, 2 and 3 of the Primary School Expansion Programme.**
- 2. Delegate authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services, in consultation with Deputy Chief Executive and Director of Residents Services, to place a building contract for the 2 classroom block at Bourne Primary School.**
- 3. Delegate authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services in consultation with Deputy Chief Executive and Director of Residents Services, to appoint a NEC3 Project Manager for the new schools at Lake Farm and RAF Uxbridge.**
- 4. Delegate authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services in consultation with Deputy Chief Executive and Director of Residents Services, to appoint Scape and Wilmot Dixon to carry out the consultancy and design work for the additional Specialist Resource Provision (SRP) unit at RAF Uxbridge.**
- 5. Delegate approval to the Deputy Chief Executive and Corporate Director of Residents Services in consultation with the Leader of the Council and the Cabinet Member for Finance, Property and Business Services the decision to proceed with works on the Phase 3A.**
- 6. Delegate authority to the Leader of the Council and Cabinet Member for Finance, Property and Business Services, in consultation with Deputy Chief Executive and Director of Residents Services, to appoint a Multi Disciplinary Consultancy to work on Phase 3A**
- 7. Approve £436,542 for Mace consultancy fees for Stages E-H on Phase 2 of the Primary School Expansion Programme.**
- 8. Approve the use of the Greater London Authority (GLA) for pre-application advice at Heathrow Primary School at a cost of £4,800.**
- 9. Confirm that the Council will fund the building of permanent accommodation for Rosedale Primary School and that officers can advise the Education Funding Agency (EFA) of this confirmation.**
- 10. Approve the expenditure of £50,000 to progress Phase 3A as described in the report to meet the additional demand for places in September 2013.**

11. Approve the updated costs of £2,019,472 for Phase 1 which has increased as a result of revised construction cost, consultant costs and internal Corporate Construction fees.
12. Approve an additional £1,219,263 for the Corporate Construction fees for Phases 2 and 3
13. Note the updated figures for Phase 2 which has increased as a result of revised construction cost, consultant costs and internal Corporate Construction Fees.
14. Note the increase of £543,637 in Phase 3 as a result of revised construction cost, consultant costs and internal Corporate Construction Fees.
15. Approves the expenditure of £40,000 to submit the Building Control applications for the Phase 2 schools which are not currently in the construction phase.

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 those relating to the necessary building contracts and project funding.

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.

Officer to action:

David Murnaghan
Residents 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.

720. HOUSING BENEFIT CONTRACTS

RESOLVED

That Cabinet approves the variation and expansion of the current contract with Liberata plc to include the delivery of the Benefits telephony service at a cost of £235k per annum and Benefits scanning and indexing at a cost of £100k per annum with effect from 1 April 2013.

Reasons for decision

Cabinet agreed the expansion of the Liberata contract as the best way to manage the expected 30% increase in resident contact likely as a result of various forthcoming benefits and welfare reforms.

Alternative options considered and rejected

Cabinet could have decided to increase the internal resources available but considered that this would not be value-for-money or represent the best possible customer service for such enquiries.

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).

721. VOID PROPERTIES AND DAY-TO-DAY REPAIRS

RESOLVED:

That Cabinet:

- 1. Agree to delegate the decision to appoint contractors for voids work based upon the outcome of a tender or mini competition exercise to the Deputy Chief Executive and Corporate Director Residents Services, in conjunction with the Leader of the Council and Cabinet Member for Finance Property and Business Services.**
- 2. Agree to delegate the decision to appoint contractors for day-to-day repairs based upon the outcome of a tender exercise to the Deputy Chief Executive, Corporate Director Residents Services, in conjunction with the Leader of the Council and Cabinet Member for Finance Property and Business Services.**

Reasons for decision

Cabinet noted that over time, there are a small number of void or empty properties that required repair in order to ensure a well maintained housing stock. Cabinet made the necessary decisions to ensure that repairs, renewals and redecoration could bring properties back to the required lettable standard.

Alternative options considered and rejected

Cabinet could have decided not to repair the properties but agreed that this would not be the best use of the overall housing stock.

Officer to action:

Matthew Kelly
Resident 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).

722. VOLUNTARY SECTOR LEASES UPDATE

RESOLVED:

That Cabinet agreed the rent in the report, which was subject to negotiation with the voluntary sector organisation concerned, and instructed the Deputy Chief Executive and Corporate Director of Residents Services to commission the Borough Solicitor to complete the appropriate rent review memorandum and lease documentation.

Reasons for decision

Cabinet considered applications from two voluntary organisations and agreed to rent the properties concerned at less than the full market value 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:

Michele Henington – Residents 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).

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

No additional items were considered by the Cabinet.

The meeting closed at 7.38pm

IMPORTANT INFORMATION

*** DECISION AUTHORITY**

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

The decision in relation to works at Merrifields, item 5 (minute 711), comes into immediate effect in order to quickly progress the works, following the agreement to waive the scrutiny call-in period by the Chairman of the Executive Scrutiny Committee.

All decisions in relation to Items 6 and 8 (minute nos. 712 and 714) are integral to the Council's budget proposals to be considered on 28 February 2013. These decisions therefore take immediate effect and cannot be called-in.

The remaining Cabinet decisions come into effect from 5pm, Friday 22 February 2013.
