

## Minutes

### Cabinet

Thursday, 18 February 2010

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



Published on: 19<sup>th</sup> February 2010

Come into effect on: 26<sup>th</sup> February 2010

#### **Cabinet Members Present:**

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

#### **Councillors also Present**

Councillor Brian Crowe  
Councillor Mo Khursheed  
Councillor Edward Lavery  
Councillor Mary O'Connor  
Councillor David Yarrow

#### **140. APOLOGIES FOR ABSENCE**

None.

#### **141. DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THE MEETING**

Councillors Douglas Mills and Jonathan Bianco declared a personal interest on Item 6 (minute 146) in respect of family connections to the Willow Tree Centre detailed in the report.

#### **142. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 21 JANUARY 2010**

Approved.

*Before the rest of the meeting continued, the Leader of the Council welcomed the new Deputy Director of Education and Children's Services, Anna Crispin, to the Council.*

**143. 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**

Confirmed.

**144. THE DRIVE, ICKENHAM - APPLICATION TO MODIFY THE DEFINITIVE MAP AND STATEMENT**

*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.*

**RESOLVED:**

**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.**

**Reasons for decision**

Cabinet made a decision in relation to an application which it has received to add a route to the definitive map and statement. The decision enabled local residents to be able to use and enjoy the route across the land as a short cut across this corner of The Drive where there is no footpath adjoining the carriageway.

**Alternative options considered and rejected**

Cabinet could have decided that the right of way should not be added to the Definitive Map and Statement.

**Officer to action:**

John Fern, Environment and Consumer Protection

**145. COUNCIL BUDGET - MONTH 9 2009/10 REVENUE AND CAPITAL MONITORING**

**RESOLVED:**

**That Cabinet:**

- 1. Notes the forecast budget position for revenue and capital as at Month 9.**
- 2. Notes the treasury management update in Appendix B.**
- 3. Agrees unallocated priority growth to fund £400k for urgent Highways revenue maintenance work following the recent severe weather**
- 4. Notes the rephasing of the capital budgets.**

5. Approves the release of recently allocated S.106 amount of £45k to the Leisure development at Botwell Green
6. Approves the release of recently allocated S.106 amount of £113k to the Yiewsley & West Drayton Town Centres initiatives project
7. Approves the virement of capital budget from ECS to P&CS for the Merrifields 3rd Floor fit out, £245k in 2009/10 and £370k in 2010/11
8. Agree £5k funding for NoTRAG from revenue contingency.
9. Agree that all payments relating to road resurfacing and repair be signed off by either the Leader of the Council or Cabinet Member for Finance and Business Services before payment is made.

#### **Reasons for decisions**

The reason for the monitoring recommendation is to ensure the Council achieves its budgetary objectives. The report informs Cabinet of the latest forecast revenue and capital position for the current year 2009/10. The decision regarding road repairs was to ensure the quality of the work carried out before monies are paid, given the significant investment of £2.4m committed by the Cabinet to repair roads across the Borough following the recent severe weather.

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

There were no other options proposed for consideration.

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

Paul Whaymand, Finance and Resources

#### **146. THE COUNCIL'S BUDGET AND MEDIUM TERM FINANCIAL FORECAST 2010/11 - 2013/14**

#### **RESOLVED:**

**That Cabinet approves for recommendation to Council:**

1. The General Fund revenue budget proposals for 2010/11 summarised at Appendix 1, including the detailed budget changes contained at Appendices 2 to 6;
2. The proposed fees and charges included at Appendix 7;
3. The capital programme set out at Appendix 8;
4. The Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Statement for 2010/11 to 2012/13 as detailed in Appendix 9;
5. The adoption of the CIPFA Revised Code of Practice for Treasury Management in Public Services as detailed in Appendix 10.

**6. That Cabinet note the Corporate Director of Finance and Resources' comments regarding his responsibilities under the Local Government Act 2003.**

**Reasons for decision**

Cabinet considered its budget proposals and budget strategy for 2010/11 and beyond for approval by full Council. The revenue budget proposals had been developed to deliver a zero increase in Council Tax for 2010/11. They sought to do this whilst maintaining balances and reserves at £12 million.

The budget strategy had been delivered through a rigorous focus on identifying savings and efficiencies across the Council. This had been done through a flexible thematic approach to setting savings targets and monitored in conjunction with the Leader of the Council throughout the budget process.

The proposals also provided for priority growth of £1.4 million and a capital programme for 2010/11 of total expenditure of £99.7 million.

Each of the service Policy Overview Committees referred their comments on the draft budget to the Corporate Services and Partnerships Policy Overview Committee on 10 February 2010. Cabinet considered the Committee's comments.

Cabinet then recommended their budget proposals to full Council on 25 February 2010 in order to formally set the General Fund revenue budget, capital programme and Council Tax for the 2010/11 financial year.

**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:**

Christopher Neale and Paul Whaymand, Finance and Resources

**Urgency Provisions**

*This report had been circulated less than 5 working days before the Cabinet meeting and was agreed by the Chairman to be considered as urgent.*

**147. HOUSING REVENUE ACCOUNT (HRA) RENT SETTING 2010-2011**

**RESOLVED:**

**That Cabinet approve for recommendation to Council on 25 February 2010:**

- 1. To use formula rents under the DCLG rent restructure policy to calculate HRA dwelling rents for 2010/2011.**
- 2. To agree the average HRA rents, charges and allowances for 2010/11 as set out in Tables A to D of this report.**
- 3. To agree the HRA Budget for 2010/11 as set out in Appendix 1 of this report.**

**Reasons for decision**

Cabinet gave approval to the proposed HRA rents, service charges and allowances for 2010/2011 for recommendation to full Council on 25<sup>th</sup> February 2010. Under current legislation, income from council tenants for rents and service charges must be separately shown in the Housing Revenue Account.

**Alternative options considered and rejected**

Cabinet could have amended the proposals in respect of charges, but such amendments or additions must have ensured that service charges levied cover the cost of providing services. Setting rents at different levels would have resulted in changes to income or the subsidy payable to the Government.

**Officer to action:**

Maqsood Sheikh, Adult Social Care, Health and Housing

**148. SCHOOLS BUDGET AND FUNDING ARRANGEMENTS 2010/11**

**RESOLVED:**

**That Cabinet:**

- a) note that the final Schools Budget for 2010-11 cannot be determined until the data from the January pupil count becomes available in late-February, but agree that the total Schools Budget for 2010-11 will equate to the total Dedicated Schools Grant provided to the Authority**
- b) agree that, apart from matters referred to below, the method of distribution of the Schools Budget for 2010-11 be as agreed in March 2006**
- c) agree a budget of £273k within the centrally retained part of the Schools Budget to be held temporarily as unallocated Individual Schools Budget (ISB) and distributed to fund six additional forms of entry within the Primary sector**

- d) agree a budget of £87k within the centrally retained part of the Schools Budget to provide additional support for the Local Leaders in Education programme
- e) agree a budget of £40k within the centrally retained part of the Schools Budget to provide for a TYST Senior Practitioner Post
- f) agree a budget of £55k within the centrally retained part of the Schools Budget to provide for a Schools Procurement Officer
- g) note that the School Forum have agreed in principle to allow a breach of the Central Expenditure Limit that results from their support for items c to f above, amounting to £139k. The breach will be less due to the subsequent distribution of the unallocated ISB and the natural growth in the centrally held element of the Schools Budget (the exact amount of the breach cannot be confirmed until the final Dedicated Schools Grant for 2010-11 is received in May 2010);
- h) agree to adjust the KS1 Infant Class Size Factor to reflect the authorities change to a single intake of Reception aged pupils
- i) agree to increase the Special schools sector budget by £700k, which is to be targeted towards the development of a cost effective outreach service
- j) note the School Forum's views as contained in the attached minutes.
- k) note that the implementation of an Early Years Single Funding Formula expected in 2010/11 has be postponed until 2011/12.

#### **Reasons for decision**

As the decision making body for school funding issues, Cabinet agreed the arrangements to allow draft budgets to be provided to schools by early March 2010 and to ensure that indicative and final 2010-11 budgets and indicative budgets for 2011-12 for schools were in place and published as soon as practical and certainly no later than 31st March 2010. 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 increased centrally retained expenditure, contrary to the School Forum's advice. However, this would have limited the Council's ability to further strengthen key areas of the Hillingdon Children's and Families Plan.

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

Amar Barot, Education & Children's Services

## 149. FUTURE OF HILLINGDON HOMES

*The Social Services, Health and Housing Policy Overview Committee had provided constructive and supportive comments to the Cabinet on this report.*

### **RESOLVED:**

**That the Cabinet:**

- 1. Notes the outcome of the tenant and leaseholder ' test of opinion ' .**
- 2. Resolves that, having taken account of the outcome of the tenant and leaseholder ' test of opinion ' together with those other considerations set out in the earlier Cabinet report dated 24th September 2009, it instructs officers to negotiate with Hillingdon Homes' Board the earliest possible return date to the Council of those functions currently delegated by it to Hillingdon Homes by way of a Management Agreement dated 1st May 2003 and in the event that no date can be agreed with the Board, to terminate the said Agreement on 30 April 2011 by invoking the break clause within it so that the delegated functions are returned back to the Council.**
- 3. Authorises officers to work with Hillingdon Homes board members and staff to wind up or dissolve Hillingdon Homes and to take all other necessary steps to return those functions delegated to it back to the Council in consultation with the Cabinet Member for Social Services, Health and Housing.**
- 4. Subject to recommendation 3 above, authorise officers to consult with Hillingdon Homes' staff and to take all other steps to comply with the Transfer of Undertakings [Protection of Employment] Regulations 2006."**

### **Reasons for decision**

Cabinet considered in detail this major policy decision and endorsed the comments of the Policy Overview Committee. Cabinet was keen to stress that their decision was not a judgment on Hillingdon Homes, but rather a practical and organisational decision to further improve housing services and put residents first. The decision confirmed Cabinet's wishes to bring housing services back under Council control at the earliest possible opportunity.

Cabinet noted that at its meeting on the 24th September 2009, it had considered a comprehensive report entitled "Future of Hillingdon Homes" setting out the background and rationale for returning Housing Management Services to the Council.

It was noted that the Council's Arms Length Management Company (ALMO), Hillingdon Homes, had been set up in April 2003 following a positive outcome to a

tenant and leaseholder test of opinion. This had enabled the council and residents to receive around £60m towards the cost of achieving the decent homes standard. Hillingdon Homes had been successful in the delivery of that goal, two years ahead of the Government target. In addition, services had continuously improved and tenant and leaseholder satisfaction had increased. However, now these targets had been achieved, the future of the ALMO needed to be reviewed along with how best to continue to improve the services provided to tenants and leaseholders.

Cabinet recognised the following factors in making its decision:-

- Nationally improving performance of all social housing providers,
- Changes in flexibilities and freedoms promised by the government for ALMOs have not materialised,
- At the same time freedoms around borrowing and new build that were given to ALMOs have been extended to local authorities,
- The scale of the impact of the economic recession on the national public finances and the requirement for reduced future public spending has become apparent in the national Budget published in April 2009. There is an economic recession and the council needs to plan carefully for severely restricted budgets in the foreseeable future.

In order to bring council housing services back in-house Cabinet decided at its September meeting to carry out a test of tenant and leaseholder opinion. Having regard to the results of that test and the above factors, Cabinet therefore considered a set of revised recommendations for the return of Housing Management Services to the Council at the earliest opportunity.

The Borough Solicitor informed Cabinet that the process that had been undertaken in order for Cabinet to make its decision was legally robust and would withstand scrutiny.

### **Alternative options considered**

Cabinet could have decided to continue with the existing contract with Hillingdon Homes.

### **Officer to action:**

Neil Stubbings, Adult Social Care, Health and Housing

## **150. CONNEXIONS INTENSIVE SERVICE REVIEW**

### **RESOLVED:**

#### **That Cabinet:**

- 1. Note the outcomes of the review and the associated conclusions contained within the main body of the report; and**

2. **Agree the proposal to re-organise the existing service and create a new service delivery model described as options two in appendix one. The associated resource deployment proposals are presented in appendix two; and**
3. **Agree to further consideration of the Connexions Intensive Service as part of a wider review of services for young people within the Business Improvement Delivery (BID) Project.**

**Reasons for decision**

Cabinet considered a detailed review of the Connexions Intensive Service to address its findings and secure improved service effectiveness and efficiency.

**Alternative options considered and rejected**

Cabinet considered two other service re-configuration options which it felt presented a higher level of risk and gave the least amount of business benefits.

**Officer to action:**

Tom Murphy, Education and Children's Services

**151. POST 16 EDUCATION TRANSITION PLAN - TRANSFER OF RESPONSIBILITIES FROM THE LEARNING AND SKILLS COUNCIL**

**RESOLVED:**

**That Cabinet note the report and approve the attached 16 – 19 transition plan in Annex 1, subject to anticipated funding being received.**

**Reasons for decision.**

Cabinet considered the transition plan to ensure a smooth transfer in the borough of Learning and Skills Council services dependent on the transmission of funding thereafter.

**Alternative options considered and rejected.**

None.

**Officer to action:**

Alison Moore, Education and Children's Services

**152. TRANSPORT FOR LONDON FUNDED PROGRAMMES 2010/11**

**RESOLVED:**

**That Cabinet:**

- 1. notes the outcome of the Local Implementation Plan funding announcement for 2010/11 received from Transport for London;**
- 2. notes that the Transport for London funded projects will be determined by a formal capital release decision by the Leader and the Cabinet Member for Finance and Business Services in the usual way; and**
- 3. delegates authority to the Corporate Directors of Environment and Consumer Protection and Planning and Community Services in consultation with the Cabinet Member for Planning and Transportation to allocate the £100k for transport priorities of the borough's choice, in accordance with the settlement details from Transport for London**

**Reasons for decision**

Cabinet welcomed the notification of Hillingdon's 2010/11 Local Implementation Plan Settlement (LIP) in December 2009 and made decisions to progress with the schemes subject to the necessary capital approvals being sought.

**Alternative options considered and rejected**

Cabinet could have decided to delay work on the programme for which funding has been given.

**Officer to action:**

Jales Tippell, Planning and Community Services

**153. REVISIONS TO THE PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT FOR EDUCATIONAL FACILITIES**

**RESOLVED:**

**That Cabinet:**

- 1. approves draft revisions to the council's Supplementary Planning Document for Education Facilities as a basis for public consultation and interim guidance in respect of development management, in order to support the process of seeking planning obligations from new residential developments;**
- 2. instructs officers to undertake a 6 week consultation exercise with interested groups, residents and statutory bodies, and requests the Corporate Directors of Planning and Community Services and**

**Education and Children's Services to report back on the responses to the consultation to a future meeting of the Cabinet.**

- 3. grants delegated authority to the Corporate Directors of Planning and Community Services and Education and Children's Services, in consultation with the Cabinet Members for Planning and Transportation and Education and Children's Services, to make any further draft revisions to the council's Supplementary Planning Document for Education Facilities, if required as a result of any relevant revisions to GLA or Hillingdon population projections affecting child yields; or any other corrections of a factual or minor nature before it is placed on public consultation;**

#### **Reasons for decision**

Cabinet gave approval to the draft revisions to the SPD to take into account the increase in child yields and to ensure that the scale of contributions sought from planning obligations for educational facilities from new development was appropriate.

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

Cabinet could have rejected the recommended changes and retain the current Education Facilities SPD but this would have risked underestimating the number of children likely to be generated by new housing developments, thus underestimating the future impact on educational facilities.

#### **Officers to action:**

Jales Tippell / Terry Brennan, Planning and Community Services & Education and Children's Services

### **154. CONTRACT EXTENSION - TRANSLATION AND INTERPRETING SERVICES**

#### **RESOLVED:**

**That the Cabinet approve that the Council extends the contract with Language is Everything to provide translation, interpreting and alternative forms of communication services until April 2012.**

#### **Reasons for decision**

Cabinet extended the contract having considered that Language is Everything provided work to a high standard and gave value added services.

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

Cabinet could have re-tendered or brought the service back in-house, which was not recommended.

## **Officer to action**

David Holdstock, Deputy Chief Executive's Office

## **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.*

## **155. CONTRACT EXTENSION - GRAFFITI REMOVAL**

### **RESOLVED:**

**That Cabinet agree to the extension of the existing graffiti removal contract with MPM Graffiti Solutions for a further two year period subject to satisfactory performance.**

### **Reasons for decision**

Cabinet agreed that the current supplier, MPM Graffiti Solutions continued to offer a good level of service, allowing the Council to meet its performance obligations to the community and welcomed the financial savings to deliver increased value for money to Hillingdon residents whilst still maintaining service levels.

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

Cabinet could have awarded a one year extension or re-tendered the contract through the formal tender procedure, which would have offered no guarantee of additional savings or efficiencies.

### **Officer to action:**

Matthew Kelly, Finance and Resources

## **Exempt Information**

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**156. BLUE COLLAR TEMPORARY WORKER AGENCY CONTRACT**

**RESOLVED:**

**That Cabinet approve the award of a new contract with ASAP Per Temps for the sole provision of Blue Collar / Manual temporary workers.**

**Reasons for decision**

Cabinet approved the award of a new two-year contract covering the provision of Blue Collar / Manual temporary workers, predominantly used within Refuse Services and for transport escorts within Education & Children Services. Cabinet noted that temporary workers are an essential part of the workforce.

**Alternative options considered and rejected**

Cabinet could have sought agency provision through the London Boroughs Recruitment Partnership framework or undertaken a full tender exercise.

**Officer to action:**

Mike Talbot, Deputy Chief Executive's Office

**Exempt Information**

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**157. PROCUREMENT OF VEHICLES FOR PASSENGER TRANSPORT**

**RESOLVED:**

**That Cabinet accept the tender for the supply of eight wheelchair accessible vehicles from UVM Ltd.**

**Reasons for decision**

Cabinet accepted the tender as UVM Ltd offered the best overall option based on price and quality and the vehicles were operating beyond their expected life and were unreliable.

**Alternative options considered and rejected**

Cabinet could have decided not to replace the existing vehicles.

**Officer to action:**

David Fisher, Environment and Consumer Protection

**Exempt Information**

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**158. LEASEHOLD BUILDINGS INSURANCE TENDER**

**RESOLVED:**

**That Cabinet, following the evaluation of tenders for buildings insurance for the private leaseholders, mortgage holders and co-owners of equity share properties, show Acumus to be the bidder offering the most economically advantageous terms, and that a contract be let with them for a maximum period of three years and eight months subject to the following:**

**That the Director of Finance & Resources, in consultation with the Cabinet Member for Finance & Business Services, are to be satisfied with the outcome of consultation with leaseholders which will take place before the approval is implemented.**

**Reasons for decision**

Cabinet gave approval to a tender for the leaseholder, mortgaged property and equity share properties buildings insurance, to commence on 1st April 2010. Cabinet noted that it had an obligation under contract to provide buildings insurance to a portfolio of properties.

**Alternative options considered and rejected**

Cabinet noted that no viable alternatives were available.

**Officer to action:**

Simone Batchelor, Finance and Resources

**Exempt Information**

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

## **159. SUPPORTING PEOPLE PROGRAMME**

### **RESOLVED:**

**That Cabinet agree that authority to make contract extension decisions for Supporting People funded services for 2010/11 continues to be delegated as follows:**

- a) To the Cabinet Member for Social Services, Health and Housing upon annual contract sums of between £100,000 and £250,000**
- b) To the Deputy Directors of Adult Social Care, Health and Housing for annual contract sums of up to £100,000.**

### **Reasons for decision**

Cabinet agreed to continue to delegate contract extension decisions under Procurement Standing Orders in order to make decisions on supporting people contracts more efficiently.

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

Cabinet could have decided to maintain current delegations and approval all supporting people contracts, rather than delegate them.

### **Officer to action:**

Barry Newitt, Adult Social Care, Health and Housing

### **Exempt Information**

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## **160. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE RELEVANT OR URGENT**

None.

**The meeting closed at 7.45pm**

## **DECISION AUTHORITY**

**THE ABOVE DECISIONS MADE BY THE CABINET DO NOT COME INTO EFFECT UNTIL FRIDAY 26<sup>th</sup> FEBRUARY, UNLESS CALLED-IN BY THE EXECUTIVE SCRUTINY COMMITTEE.**

**THE EXCEPTION BEING ITEMS 6 & 7 (MINUTE NOS. 146 & 147) WHICH WILL BE RECOMMENDED TO FULL COUNCIL ON 25<sup>TH</sup> FEBRUARY AND THEN, SUBJECT TO THEIR APPROVAL, TAKE IMMEDIATE EFFECT.**

**MEMBERS AND OFFICERS WILL AUTOMATICALLY BE NOTIFIED OF ANY CALL-IN BY DEMOCRATIC SERVICES.**