

Minutes & Decisions

CABINET

Thursday, 20 April 2023

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



Decisions published on: 21 April 2023

Decisions come into effect from: 5pm, 28 April 2023

Cabinet Members Present:

Ian Edwards (Chairman)
Jonathan Bianco (Vice-Chairman)
Douglas Mills
Susan O'Brien
Eddie Lavery

Members also Present:

Pete Curling
Stuart Mathers
June Nelson
Jan Sweeting
Barry Nelson-West
Elizabeth Garelick

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Martin Goddard and Councillor Jane Palmer.

2. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING

No interests were declared by Cabinet Members present.

3. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING

The decisions and minutes of the Cabinet meeting held on 23 March 2023 were agreed as a correct record.

4. 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

It was confirmed that the reports on the agenda, as marked public and private, would be considered as shown.

5. ANNUAL EDUCATIONAL STANDARDS REPORT 2021/22

RESOLVED:

That the Cabinet note the Annual Education Standards Report 2021-22 and the key findings set out.

Reasons for decision

Cabinet received the outcomes of standards and quality of education across Hillingdon schools in 2021/22. Cabinet noted the comments from the Select Committee.

The Cabinet Member for Children, Families & Education explained that school performance data during this time was limited due to the pandemic and teacher assessed exams that took place, so that comparisons with previous years were difficult to make. However, it was noted that this would change going forward. It was welcomed that 91% of Hillingdon schools were rated good or better from Ofsted.

The Cabinet Member outlined the headline performance within cohorts and key stages and noted that nursery attainment had dropped below the national level for the first time, which was being investigated by officers. The Council's Post-16 strategy was in place, with officers working with schools to improve outcomes at A-level and with vocational qualifications.

The Cabinet Member updated Cabinet on the number of school places available and the volatility some primary schools were experiencing, which the Council was actively addressing through reviewing their Published Admissions Numbers. However, it welcomed that Hillingdon was the top borough in West London for allocating school places for parental preferences again this year.

In respect SEND provision, the Cabinet Member explained the proactive work being done to increase capacity, develop specialist resource provisions and transform the service as part of the safety valve agreement with the DfE. It was further noted that Borough was now also experiencing a reduction in parents choosing home education, for the first time following the pandemic.

The Leader of the Council remarked how the academic data from 2021/2 painted a mixed picture, during an unusual time, but that the Council was expecting to see improved results come forward in the future.

Alternative options considered and rejected

None.

Relevant Select Committee	Children, Families & Education
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-	This matter cannot be called-in, as for noting only.

in)	
Officer(s) to action	Michael Hawkins
Directorate	Children's Services Directorate
Classification	Public
	<i>The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.</i>

6. PUBLIC SPACES PROTECTION ORDER 2023 REVIEW

RESOLVED:

That the Cabinet:

1. Approves the draft Public Spaces Protection Order in Appendix 1 for public consultation to commence on 28th April 2023;
2. Notes the proposed consultation and implementation timetable contained in the body of the report and;
3. Has regard to the contents of the Equalities Impact Assessment.

Reasons for decision

Following a review into the effectiveness of the existing Public Spaces Protection Orders and taking into account emerging issues and recent data, Cabinet agreed to consult on new Public Spaces Protection Orders for the Borough. Cabinet had regard to the Equalities Impact Assessment.

The Cabinet Member for Residents' Services outlined the consultation process, which included an opportunity for the Residents' Services Select Committee to feed in.

On the proposed new Orders, this included smoking, vaping and dogs in children' play areas and also driving e-vehicles on footways. It was noted that new restrictions were being proposed, where evidence had been received, in 3 of the Borough's Town Centres in relation to amplified equipment, placing of tables, stands and signage, financial agreements and street trading without consent.

The Leader of the Council noted how such Orders had become an essential part of the armoury of the Council to tackle anti-social behaviour on behalf of residents.

Alternative options considered and rejected

Cabinet could have decided to let the existing PSPOs expire or rely on the powers, though limited resources, of the Police to manage such offences.

Relevant Select Committee	Residents' Services
Expiry date for any scrutiny call-in / date decision can	These decisions can be called in by 5pm, Friday 28 April 2023

be implemented (if no call-in)

Officer(s) to action

Directorate

Classification

Stephanie Waterford / Joanne Howells

Place Directorate

Public

The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.

7. SCHOOL CAPITAL PROGRAMME UPDATE

RESOLVED:

That Cabinet note the progress made with primary and secondary school expansions, the school condition programme and other school capital projects.

Reasons for decision

Cabinet received the regular update on the Council's school expansion programme and also the school condition programme.

The Cabinet Member for Children, Families & Education referenced the decline in primary school pupils due to the lower birth rate and that some school places were being repurposed to meet this changing demand and to help the volatility and longer-term planning for such schools. It was explained that the need for secondary school places continued to rise, so the Council was focussing on key expansion projects for this sector, which would also include specialist resource provision.

In respect of the growing number of in-borough special educational needs places required, the Cabinet Member updated Cabinet on the specific building projects underway to increase capacity and the timeline for academic year completion.

The significant capital investment by the Council, which included £22m for future SEND places along with circa. £22m for other mainstream schools, was welcomed.

The Leader of the Council remarked on the continuing investment by the Council in school infrastructure and that good progress was being made.

Alternative options considered and rejected

None.

Relevant Select Committee

Children, Families & Education

Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)

This matter is not for call-in, as noting only.

Officer(s) to action	Bobby Finch
Directorate	Place Directorate
Classification	Public
	<i>The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.</i>

8. MONTHLY COUNCIL BUDGET MONITORING REPORT: MONTH 11

RESOLVED:

That the Cabinet:

1. Note the budget monitoring position and treasury management update as at February 2023 (Month 11) as outlined in Part A of this report.
2. Approve the financial recommendations set out in Part B of this report set out below:
 - a. Agree a realignment of the permit arrangements for the Ruislip Lido RL3 Parking Management Scheme to mirror those of the RL4 Scheme, as set out in the report.
 - b. Ratify an Emergency Contract Decision taken by the Interim Chief Executive, with the agreement of the Leader of the Council, on 27 March 2023 to agree to a single tender action direct award contract with Allianz Insurance plc via Alford Burton (Insurance Broker) for the building's insurance for Council leaseholder residential properties for a period of one year from 1 April 2023 to 31 March 2024 at the cost of £919,413.76.
 - c. Accept £95k grant funding from the Department for Environment, Food, and Rural Affairs (Defra) for costs associated with the delivery of new post-Brexit port health authority functions at the Heathrow Imported Food Office.
 - d. Approve a reduction in the 2023/24 uplift in service charges for district heating schemes and gas supplies from 213% to 123% with effect from 3 April 2023 to passport the benefit of lower gas prices through to tenants and leaseholders.

Reasons for decision

Cabinet was informed of the forecast revenue, capital and treasury position for the current year 2022/23 to ensure the Council achieved its budgetary and service objectives.

The Leader of the Council read a statement from the Cabinet Member for Finance, who had given his apologies for the meeting. In this statement, it was noted that the overall in-year position was stable, strong and encouragingly predictable, where the Council was realising the benefits of its transformation programme. The general balances were predicted to be at £26.8m by year end and the continuing pressures from Covid-19 were projected at £14.9m consistent with last month, and whilst lower than last year, would be absorbed within earmarked reserves.

The material inflation pressures were still having an impact on the Council's costs, which were being absorbed through earmarked reserves. It was stated that the importance to retain and rebuild reserves was a priority. It was noted that the savings programme progressing well and on track and that in respect of the capital programme, whilst this was £25.6m under budget to due delays on projects, such spend would be re-phased into future years.

In respect of the Dedicated Schools Grant it was noted that this had also suffered from cost inflation, particularly in respect of high needs placements now coming in at £2m in excess of budget. However, the projected year-end deficit was positively showing a further reduction, with an improved position compared to last year. An update was given on the Housing Revenue Account and related capital budget.

The addendum tabled to Cabinet was considered which related to amending service charges relating to district heating and gas supplies for tenants and leaseholders, passporting the benefit of the Council securing lower than anticipated prices on gas supplies for the 2023/24 year. On this matter, the Leader of the Council provided a detailed explanation of the background, where the Council had previously been subsidising the energy cost for residents and that this position could no longer continue. It was noted that whilst the increase in charges for 2023/24 was still significant, it would now be lower than planned and that households facing exceptional pressures with energy prices could benefit from the Government's Household Support Fund in this regard, which had been confirmed again for this year.

Other financial recommendations approved by the Cabinet included the acceptance of a Government grant for the Imported Food Office, a realignment of the parking permit arrangements for the Ruislip Lido RL3 Parking Management Scheme and ratification of an Emergency Contract Decision taken for buildings insurance for Council leaseholder residential properties, where it was noted that the insurance underwriting market was challenging, but that the Council had made an exceptional effort to secure a satisfactory level of cover on reasonable terms.

Alternative options considered and rejected

None.

Relevant Select Committee	Finance & Corporate Services
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	Cabinet's decisions a, c & d can be called in by 5pm, Friday 28 April 2023
Officer(s) to action	Andy Evans
Directorate	Resources
Classification	Public
	<i>The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.</i>

9. PUBLIC PREVIEW OF MATTERS TO BE CONSIDERED IN PRIVATE

RESOLVED:

That Cabinet note the reports to be considered later in private and Part 2 of the Cabinet agenda and comment on them as appropriate for public information purposes.

Reasons for decision

The Leader of the Council introduced the report which provided a public summary of the matters to be discussed in the private part of the Cabinet meeting later, increasing the Council's transparency.

Alternative options considered and rejected

These were set out in the public Cabinet report.

Relevant Select Committee	As set out in the report
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	This matter is not for call-in, as noting only.
Officer(s) to action	Mark Braddock
Directorate	Central Services
Classification	Public - <i>The report and any background papers relating to this decision by the Cabinet are available to view on the Council's website or by visiting the Civic Centre, Uxbridge.</i>

10. NEW COMMERCIAL LEASE FOR KINGSEND SHORT-TERM CAR PARK, RUISLIP

RESOLVED:

That the Cabinet:

- 1) Authorises the granting of a 5-year lease at Kingsend South Short Stay Car Park, Ruislip, to John Lewis for an annual rent and income to the Council as set out in the report;
- 2) Instructs Legal Services to complete the appropriate lease documentation;
- 3) Delegates any further decisions required in respect of this matter to the Corporate Director of Place, in consultation with relevant Cabinet Members.

Reasons for decision

Cabinet agreed to the letting of the Council's adjacent car park to facilitate an improved parking experience for Waitrose Ruislip customers. It was welcomed that the lease would help support this key local supermarket.

Alternative options considered and rejected

Cabinet could have decided to continue operating the car park as 'pay and display' but discounted this for the reasons set out in the report.

Relevant Select Committee	
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	These decisions can be called-in by 5pm, Friday 28 April 2023
Officer(s) to action	James Raven,
Directorate	Place Directorate
Classification	Private - <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and 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 in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

11. EXTENSION OF CONTRACT FOR TEMPORARY AGENCY WORKERS

RESOLVED:

That the Cabinet:

1. Authorise a 1-year extension with Matrix SCM for the provision of Temporary Agency Workers, from 21 June 2023 to 20 June 2024, with associated costs of up to £10m depending on the needs of individual Directorates.
2. Notwithstanding the decision above, instructs officers to complete a review of future agency worker requirements to inform workforce planning and options to further reduce service delivery costs, including the use of technology.

Reasons for decision

Cabinet agreed an extension of the current contract for the provision of Temporary Agency Workers, who are used to supplement the Council's directly employed workforce across various roles.

The Cabinet Member for Corporate Services outlined how the Council would continue to review workforce planning as part of its move using new technologies going forward, without detriment to service delivery.

Alternative options considered and rejected

Cabinet could have decided to tender the contract, but discounted this for the reasons set out in the report.

Relevant Select Committee	Finance & Corporate Services
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	These decisions can be called-in by 5pm, Friday 28 April 2023
Officer(s) to action	Irvin Luchowa
Directorate	Central Services
Classification	Private - <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and 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 in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

12. PROVISION OF SUPPLY, FITTING AND SERVICE OF TYRES FOR FLEET

RESOLVED:

That the Cabinet:

- 1) Accept the tender from RMT Tyres Ltd for the provision of Supply, Fitting and Service of Tyres for Fleet to the London Borough of Hillingdon for a four year period from 8 May 2023 to 7 May 2027 at the projected value of £832,521, subject to annual inflationary increases.
- 2) Furthermore, agrees that this includes the provision to extend the contract for a two year period (6 years in total), delegating approval of any extension to the Leader of the Council and Cabinet Member for Property, Highways and Transport, in consultation with the Corporate Director of Finance.

Reasons for decision

Following a competitive procurement exercise, Cabinet agreed a contract for the supply, fitting and servicing of tyres for the Council's fleet of 295 vehicles.

The Cabinet Member for Property, Highways and Transport noted the significant use of tyres by such vehicles and that the contract would ensure they could be back on the road as quickly as possible.

Alternative options considered and rejected

Cabinet could have considered providing the service in-house or consolidate within the main vehicle maintenance contract, but discounted these for the reasons set out in the report.

Relevant Select Committee	Property, Highways and Transport
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	These decisions can be called-in by 5pm, Friday 28 April 2023
Officer(s) to action	Steve Gunter
Directorate	Resources Directorate
Classification	Private - <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and 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 in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).</i>

13. HAYES ESTATE REGENERATION - ONGOING CONSULTANCY REQUIREMENTS

RESOLVED:

That the Cabinet:

- 1) Approve the award of contract to Martin Arnold Ltd for ongoing consultancy services Employers Agent and as Clerk of Works Services to the Council supporting the Development Agreement in accordance with their fee schedule of £1,072,350 through to project completion on 31st October 2031;
- 2) Approve the continued engagement with Trowers and Hamlin LLP providing general advice and conveyancing Legal Services including the preparation of Shared Equity Ownership to vacate five occupied properties and find new off-site onward accommodation, and general advice to the Council regarding the Development Agreement for the Hayes Regeneration Project, collectively at a cost of £183,775;
- 3) Approve the continued engagement with Savills Plc providing Compulsory Purchase Order (CPO) advisor, Valuation / compensation

reports services, Development advisory and Project Management support Services to the Council, in connection with delivering the Development Agreement, at a cost of £460,000;

- 4) Approve the continued engagement with Bevan Brittan LLP providing legal advice Services at a cost of £40,000;
- 5) Approve the continued engagement with Sawyer Fielding LLP providing independent property valuations for affected Residents at a fixed fee of £750 per valuation £18,750;
- 6) Approve the continued engagement with Ardent Management Ltd for CPO process Services including Land Registry checks and serving of Notices on behalf of the Council, at a cost of £23,000.
- 7) Agree to the capital release request of £1,076,315 from the 2022/23-2026/27 Hayes Estates Regeneration Programme Budget programme budget as shown in Appendix A.
- 8) Agree to continued delegated authority to the Leader of the Council and Cabinet Member for Property, Highways and Transport, Finance and Residents Services, in conjunction with the Corporate Director of Place.

Reasons for decision

The Cabinet Member for Property, Highways and Transport introduced the report, which Cabinet approved, agreeing the ongoing requirements for specialist consultancy services to support project delivery for this large-scale regeneration scheme providing new high-quality affordable housing and place-making around Hayes Town Centre.

Alternative options considered and rejected

None, as no tendering for such services would have had an adverse effect and/or delay on the project.

Relevant Select Committee	Property, Highways and Transport
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	These decisions can be called-in by 5pm, Friday 28 April 2023
Officer(s) to action	Perry Scott
Directorate	Corporate Director Place
Classification	Private - <i>Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and 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 in accordance with Section 100(A) and</i>

14. FLATS AT NEWPORT ROAD, HAYES END

RESOLVED:

That the Cabinet:

1. Authorise the purchase of land at Newport Road, Hayes, UB4 8JX from and to enter into a Land and Development Agreement with B&K Developers Ltd to purchase 24 new build flats as set out in this report;
2. Approve the setting of housing rents to London Affordable Rent (LAR);
3. Approve a budget virement as set out in this report from the HRA Unallocated Acquisitions and Development Budget to create the Newport Road development budget;
4. Approve the Capital Release as set out in this report;
5. Delegate any further decisions to implement this project and agreements to sign, to the Corporate Director of Place, in consultation with the Cabinet Member for Property, Highways & Transport.

Reasons for decision

Cabinet agreed to acquire a property in Hayes to contribute to the Council's target of 100 new build social rented homes per year. The Cabinet Member for Property, Highways and Transport noted these would be high quality zero carbon new homes.

Alternative options considered and rejected

Cabinet could have decided not to buy the development, but considered the pressing demand for rented accommodation at the current time.

Relevant Select Committee	Property, Highways and Transport
Expiry date for any scrutiny call-in / date decision can be implemented (if no call-in)	These decisions can be called-in by 5pm, Friday 28 April 2023
Officer(s) to action	Julie Markwell
Directorate	Place Directorate
Classification	Private - Whilst the Cabinet's decisions above are always made public, the officer report relating to this matter is not because it was considered in the private part of the meeting and 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 in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended).

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

No additional items were considered by the Cabinet.

The meeting closed at 7:33pm

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Implementation of decisions & scrutiny call-in

When can these decisions be implemented by officers?

Officers can implement Cabinet's decisions in these minutes only from the expiry of the scrutiny call-in period, unless otherwise stated above, which is:

5pm, Friday 28 April 2023

However, this is subject to the decision not being called in by Councillors on the relevant Select Committee. Upon receipt of a valid call-in request, Democratic Services will immediately advise the relevant officer(s) and the Cabinet decision must then be put on hold.

Councillor scrutiny call-in of these decisions

Councillors on the relevant Select Committee shown in these minutes for the relevant decision made may request to call-in that decision. The call-in request must be before the expiry of the scrutiny call-in period above.

Councillors should use the Scrutiny Call-in App (link below) on their devices to initiate any call-in request. Further advice can be sought from Democratic Services if required:

[Scrutiny Call-In - Power Apps](#) (secure)

Notice

These decisions have been taken under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This Cabinet meeting was also broadcast live on the Council's YouTube channel [here](#) for wider resident engagement.

Please note that these minutes and decisions are the definitive record of proceedings by the Council of this meeting. If you would like further information about the decisions of the Cabinet, please contact the Council below:

democratic@hillingdon.gov.uk

Democratic Services: 01895 250636

Media enquiries: 01895 250403