

Minutes

Cabinet

Thursday, 16 February 2012

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



Published on: 17 February 2012

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Cabinet Members Present:

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

Members also Present:

George Cooper
Brian Crowe
Peter Kemp
Mo Khursheed
Edward Lavery
Richard Mills
Brian Stead
Michael White

489. APOLOGIES FOR ABSENCE

Cllr Higgins sent his apologies for the meeting.

490. DECLARATIONS OF INTEREST IN MATTERS BEFORE THIS MEETING

Cllr Ray Puddifoot declared a personal interest in Item 15 (minute 503) as Chief Executive of The Magdi Yacoub Institute and remained in the room during discussion and voting on the item.

Cllr Douglas Mills declared a personal interest in Item 6 (minute 494) on High Speed 2 and remained in the room during discussion and voting on the item.

Cllr Douglas Mills declared a personal interest in Item 15 (minute 503) due to a connection with a voluntary organisation in receipt of discretionary rate relief and remained in the room during discussion and voting on the item.

Cllr Douglas Mills declared a personal interest in Item 7 (minute 495) as a Governor of Ruislip High School and Sacred Heart Primary School and remained in the room during discussion and voting on the item.

Cllr Douglas Mills declared a personal interest in Item 5 (minute 493) as a Governor of Ruislip High School and remained in the room during discussion and voting on the item.

Cllr Richard Mills declared a personal interest in Item 6 (minute 494) on High Speed 2 and remained in the room during discussion and voting on the item.

Cllr Richard Mills declared a personal interest in Item 15 (minute 503) due to a connection with a voluntary organisation in receipt of discretionary rate relief and remained in the room during discussion and voting on the item.

Cllr Philip Corthorne declared a personal interest in Item 15 (minute 503) due to a connection with the Sacred Heart Scout and Guide Groups in receipt of discretionary rate relief and remained in the room during discussion and voting on the item.

Cllr George Cooper declared a personal interest in Item 7 (minute 495) as a Governor of St Mary's Primary School and remained in the room during discussion and voting on the item.

Cllr Scott Seaman-Digby declared a personal interest in Item 15 (minute 503) due to a connection with a voluntary organisation in receipt of discretionary rate relief and remained in the room during discussion and voting on the item.

491. TO APPROVE THE MINUTES OF THE LAST CABINET MEETING

The decisions and minutes of the last Cabinet meeting held on 26 January 2012 were agreed as a correct record.

492. 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

493. MONTH 9 2011/12 REVENUE AND CAPITAL MONITORING REPORT

RESOLVED:

That Cabinet:

- 1. Note the forecast budget position for revenue and capital as at Month 9;**
- 2. Note the treasury Month 9 update at Appendix B;**
- 3. Approve the retaining of agency staff as detailed in Appendix C;**
- 4. Approve the use of Schools Urgent Building Condition Works capital budget to fund critical boiler works at Ruislip High School;**
- 5. Approve the award of shop front grants from Town Centre Initiatives capital budgets**

Reasons for decision

Cabinet received an update on the Council's strong financial position and made a number of necessary decisions in relation to agency staff, urgent school building works and grants to shop fronts.

Alternative options considered and rejected

None.

Officer to action:

Paul Whaymand, Central Services

494. THE COUNCIL'S BUDGET: GENERAL FUND REVENUE BUDGET AND CAPITAL PROGRAMME 2012/13

RESOLVED:

That Cabinet approves for recommendation to Council:

- 1. The General Fund revenue budget proposals for 2012/13 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 2012/13 to 2013/15 as detailed in Appendix 10;**
- 5. The proposed London Borough of Hillingdon Pay Policy Statement for 2012/13 set out at Appendix 11;**
- 6. That it resolves that Cabinet may utilise the general reserves or balances during the MTF financial years 2012/13 to 2014/15 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).**
- 7. That Cabinet notes the Chief Finance Officer's comments regarding his responsibilities under the Local Government Act 2003.**

Reasons for decision

Cabinet considered its budget proposals and budget strategy for 2012/13 and beyond for approval by full Council which would deliver a zero increase in Council

Tax for the fourth successive year for all residents and for the sixth year for the over 65's. Cabinet welcomed that the proposed budget also provided for additional growth in front-line services.

Cabinet noted that the main challenge in delivering a balanced budget for 2012/13 was the development of significant savings of around £17.7m, on top of the £26.2m that had already been delivered in 2011/12. It was welcomed that such savings had been identified through a rigorous focus on efficiencies across the Council as part of the Business Improvement Delivery Programme, to focus resources on front-line services.

Despite the savings required, Cabinet outlined a number of priority growth areas to support the delivery of their objectives for the Borough. These included further investment in road and pavement maintenance, extended library opening hours and an expansion of support for the voluntary sector.

Each of the service Policy Overview Committees referred their comments on the draft budget to the Corporate Services and Partnerships Policy Overview Committee on 6 February 2012. Cabinet welcomed the Committees' endorsement of the budget proposals.

Cabinet then recommended their budget proposals to full Council on 23 February 2012 in order to formally set the General Fund revenue budget, capital programme and Council Tax for the 2010/11 financial year. In doing so, Cabinet requested that the recent £2.7m announcement by the Mayor of London to revitalise Town Centres in the Borough should also be noted.

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, Chief Finance Officer, Central Services

495. SCHOOLS BUDGET 2012/13

RESOLVED:

That Cabinet:

- 1. Agrees that the total Schools Budget for 2012/13 will be equal to the total of the Dedicated Schools Grant (as set out in paragraph 28) and Pupil Premium Grant (where the rate is set out in paragraph 26, 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 11 to 24.**
- 3. Approves the proposal to introduce a Transitional Funding Arrangement of +/- 1.5% over a period of two years, where the full implications will be realised in the third year.**

Reasons for decision

As the local decision-making body for school funding, Cabinet agreed the arrangements to ensure that indicative and final 2012-13 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.

In making its decision, Cabinet was made aware of representations that had been received since the Schools Forum had last met regarding transitional funding arrangements. Cabinet indicated that it would be willing to ask the Schools Forum to consider these at its next meeting, and if requested Cabinet stated that it would be willing to consider a revised Schools Budget at its next meeting in March.

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.

Officer to action:

Peter Malewicz, Planning, Environment, Education and Community Services

496. HOUSING REVENUE ACCOUNT & RENT SETTING 2012/13

RESOLVED:

That Cabinet approve for recommendation to Council:

- 1. To note this report as an update on the Self-financing implementation for the HRA in line with the requirements of the 2011 Localism Act;**
- 2. To use formula rents under the DCLG rent restructure policy to calculate HRA dwelling rents for 2012/2013;**
- 3. To agree the average HRA rents, charges and allowances for 2012/13 as set out in Tables A to D of this report;**
- 4. To agree the HRA Budget for 2012/13 as set out in Appendix 1 of this report;**
- 5. To instruct officers to bring forward a long term strategy and 30 year business plan for the HRA.**

That Cabinet approves:

- 6. The proposed programme for works to the existing stock in 2012/13 - plus any additional budget from self financing be approved – as set out in Appendix 4 of this report**

Reasons for decision

Cabinet gave approval to the proposed HRA rents, service charges and allowances for 2012/2013 for recommendation to full Council on 23rd February 2012.

Alternative options considered and rejected

Cabinet could have amended the proposals in respect of charges and noted that such amendments or additions would have to ensure any that service charges levied covered the cost of providing services.

Officer to action:

Neil Subbings / Maqsood Sheikh, Social Care, Health and Housing

497. EASTCOTE HOUSE BUILDINGS AND GARDENS: HERITAGE LOTTERY FUND STAGE 2 BID

RESOLVED:

That the Cabinet:

- 1). Authorises a Part 2 Application to the Heritage Lottery Fund (HLF) for the refurbishment, conversion and extension of the listed buildings, and the upgrading and interpreting of the park at Eastcote House Gardens, for community and educational use and;**
- 2). Delegates authority to the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services to proceed with and accept tenders for the necessary consultants, and commissioning a Construction Design and Management (CDM) co-ordinator to advise on site safety, as set out in the Stage 1 Bid.**
- 3. Authorise the sum of £15,000 from the Priority Growth Budget for preliminary investigations and urgent works to the listed buildings.**

Reasons for decision

Cabinet welcomed the Heritage Lottery Fund's acceptance of the Council's Stage 1 bid for the project at Eastcote House Gardens and its grant to progress the scheme to the second stage. Cabinet gave its authorisation to develop the project in detail for

submission at Stage 2, to go out to tender for the necessary consultants and release funds for urgent building works.

Alternative options considered and rejected

Cabinet could have decided not to proceed with the project, which would have put at risk the buildings and structures, leaving them to fall into disrepair and become a health and safety hazard.

Officer to action:

Charmian Baker –
Planning, Environment, Education and Community Services

498. ACCEPTANCE OF DEPARTMENT OF HEALTH FUNDING AND SUPPORTED HOUSING

RESOLVED:

That the Cabinet:

- 1) Agrees to accept the grant from the Department of Health.**
- 2) Agrees that 5 units of local authority or Housing Association stock will be offered to households with symptomatic HIV.**
- 3) Agrees that £210,000 of the grant be used to enable the sale of Tasman House to provide 14 units of supported housing for adults with mental illness.**
- 4) Agrees that the grant is used for affordable housing.**
- 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 Corporate Director of Planning, Environment, Education and Community Services, to agree how the remainder of the grant can be used to enable affordable housing on a site by site basis.**

Reasons for decision

Cabinet agreed to accept grant funding from the Department for Health to further its affordable housing provision in the Borough, whilst at the same time it was noted that the existing build programme would allow for improved support for those with symptomatic HIV. Cabinet made the necessary decisions to progress the use of the grant.

Alternative options considered and rejected

Cabinet could have decided to refuse the grant or use it as specified by the Department of Health, but it was noted that the previous ring-fencing of the grant had been removed.

Officer to action:

Julie Markwell – Planning, Environment, Education and Community Services

499. GIFT FUNDING FOR PLANNING FUNCTIONS: FORMER EMI SITE, HAYES

RESOLVED:

That Cabinet accepts the offer of a gift from Purplexed 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 development of the former EMI site in Hayes. 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

500. HIGHROVE POOL REFURBISHMENT: OUTCOME OF THE SECOND STAGE TENDER PROCESS

RESOLVED:

That Cabinet notes the outcome of the second stage tender clarification period and agrees to:

- 1. Award the contract in the sum of £4,529,233.20 to refurbish Highgrove Pool to Volker Fitzpatrick Limited**
- 2. Delegate authority to the Deputy Chief Executive and Corporate Director Planning Environment Education & Community Services to agree a reduced scope of works in consultation with the Leader of the Council and relevant Cabinet Members by selecting one or more of the value engineering options presented in the body of the report so that the project is within an acceptable budget**
- 3. Increase the allocated budget from £4,100,000 to £5,050,000 to be funded by annual Leisure contract savings.**

4. **Instruct Officers to enter into negotiations with GLL to mitigate the level of compensation being sought for loss of income by the leisure management operator for the extended closure period required to refurbish Highgrove Pool.**
5. **Release £4,500,000, subject to approval of the increase in budget, in order to progress with the refurbishment of Highgrove Pool**

Reasons for decision

Cabinet made a number of decisions to progress the modernisation of Highgrove Pool to meet the needs of Borough residents in the 21st century and to align the facility with the newly developed Hillingdon Sports & Leisure Complex and the Botwell Sports & Leisure Centre. Cabinet awarded the necessary building contract following a robust procurement exercise.

Alternative options considered and rejected

Cabinet could have decided to modify the refurbishment of the Pool, to appoint another contractor, re-tender or abort the project.

Officers to action:

Mohamed Bhimani and Philip Ross
Planning, Environment, Education & 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.

501. APPLICATION TO STOP UP ADOPTED HIGHWAYS LAND AT WARLEY ROAD, HAYES

RESOLVED:

That Cabinet, having taken in account the legal tests and relevant considerations set out in the report, does not support the application to stop up the adopted public highway.

Reasons for decision

Cabinet carefully considered the legal framework and relevant considerations in deciding what steps to take in relation to the application submitted pursuant to section 117 of the Highways Act 1980.

Cabinet agreed, having taken into account the legal tests, that it did not support the application to stop up the adopted public highway and that the area of land should therefore be returned to its original amenity use by residents and the general public.

Alternative options considered and rejected

Cabinet could have decided to support the application, having taken into account the legal tests and relevant considerations set out in the report.

Officer to action:

John Fern – Planning, Environment, Education and Community Services

Exempt Information

This report was included in Part II as it contained information relating to an individual and 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 paragraphs 1&3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

502. AWARD OF BROADBAND AND INTERNET SERVICE PROVISION CONTRACT

RESOLVED:

That Cabinet agrees:

- 1. To the award of a 4 year contract with Virgin Media subject to satisfactory negotiations being concluded based on the Westminster call off contract and the start of the contract to be effective from 1st July 2012 and;**
- 2. To delegate authority to the Cabinet Members for Finance, Property and Business Services & Co-ordination and Central Service, in conjunction with the Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services, to authorise a Single Tender Acton until 30th June 2013 for these services in the event that a satisfactory contract cannot be negotiated by 15th May 2012.**

Reasons for decision

Cabinet noted that the current corporate broadband contract would end in 2012 and following a robust procurement and market testing exercise, it agreed to award a new contract to ensure flexibility in broadband services and support the model of delivery identified through the Google desktop project.

Alternative options considered and rejected

Cabinet could have sought an alternative supplier independent of the framework agreement, but this would not have provided value for money.

Officer to action:

Steve Palmer – 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.

503. NATIONAL NON-DOMESTIC RATES - GUIDELINES FOR GRANTING DISCRETIONARY RATE RELIEF

RESOLVED:

That the Cabinet:

- 1. Agree new guidelines contained in the report for granting Discretionary Rate Relief from 1st April 2013 as set out in Appendix 2.**
- 2. Withdraw the exempt nature of the Discretionary Rate Relief Guidelines in Appendix 2 for public information.**

Reasons for decision

Cabinet approved the amendment of current guidelines for granting Discretionary Rate Relief for National Non-Domestic Rates (NNDR), which had been in operation since 1996 so they would be fit for purpose in future decisions to grant rate relief. Cabinet noted that the new guidelines reflected the growth in the charity and “not for profit” sector and the requirement for value for money for any “investment” in the form of relief that the Council makes on their behalf.

Alternative options considered and rejected

Cabinet could have decided to keep the current scheme, which had become outdated.

Officer to action:

Rob Smith, Central Services

Exempt Information

This report was included in Part II as it contained information likely to reveal the identity of an individual and 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 paragraphs 2&3 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended.

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

No additional items were considered by the Cabinet.

The meeting closed at 7:40pm

IMPORTANT INFORMATION

DECISION AUTHORITY

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

Decisions on Item 6 (minute 494) and Item 8 (minute 496) in relation to the Council's Budget and Housing Revenue Account are recommended to full Council for approval on 23rd February 2012. These decisions therefore come into immediate effect.

The remaining decisions made by the Cabinet will come into effect from 5pm, Friday 24 February 2012.
