

CABINET

20 NOVEMBER 2014

Record of decisions taken at the meeting held on Thursday 20 November 2014.

Present:

Chairman: * Councillor David Perry

Councillors:

* Sue Anderson	* Graham Henson
* Simon Brown	* Varsha Parmar
* Margaret Davine	* Sachin Shah
* Keith Ferry	* Anne Whitehead
† Glen Hearnden	

In attendance:

Richard Almond	Minute 62
Susan Hall	Minute 62
Barry Macleod-Cullinane	Minute 62

* Denotes Member present

† Denotes apologies received

58. Apologies for Absence

Received from Councillor Glen Hearnden, Portfolio Holder for Housing.

59. Declarations of Interest

RESOLVED: To note that the following interest was declared:

Agenda Item 14 (a) – Report from the Council Tax Support Scheme Challenge Panel

Councillor Barry Macleod-Cullinane declared a non-pecuniary interest as Chair of the Scrutiny Challenge Panel on the Council Tax Support Scheme. He would remain in the room to listen to the decision of Cabinet on the reference from the Overview and Scrutiny Committee.

60. Petitions

RESOLVED: To note that the following petitions were received and referred to the appropriate body for consideration:

Petitions: Comments on Twitter by Councillor Hall – Representatives of Unison, Gary Martin and Davis Searles, each submitted a petition, one signed by 122 staff and the other by 30 staff with the same terms of reference set out at appendices A and B to the minutes.

61. Conflict of Interest

No conflict of interest/dispensation granted for Cabinet Members.

62. Questions

Such public and Councillor questions as were received were responded to and any recording placed on the Council's website. Public questioner 5, who was not present at the meeting, would be responded to in writing and the response placed on the Council's website, together with the responses to those Councillor questions not reached at Cabinet.

63. Key Decision Schedule - November 2014 to January 2015

RESOLVED: To note the contents of the Key Decision Schedule and that the item relating to 'Future Options for Harrow Museum' had been deferred to December 2014 Cabinet meeting to allow the decision to be taken in conjunction with the overall Council budget.

64. Progress on Scrutiny Projects

RESOLVED: To note the progress made on scrutiny projects.

RESOLVED ITEMS

65. Update on Major Public Health Contracts and Proposed Future Procurement Activities

RESOLVED: That

- (1) the Substance Misuse Services, School Nursing Services and Smoking Cessation Service be procured;
- (2) the extension of the Contraception and Sexual Health Service (CaSH) contracts until March 2017, as set out in paragraph 3.6 of the report, be approved;
- (3) Public Health Service's participation in collaborative procurements, where appropriate, be approved and the negotiation and direct award of Genitourinary Medicine contracts for 2015/16 and 2016/17 be repeated;

- (4) authority to award contracts, as set out in the resolutions (1) – (3) above be delegated to the Director of Public Health, following consultation with the Corporate Director of Community Health and Wellbeing, Chief Financial Officer and the Portfolio Holders for Finance and Major Contracts and Public Health, Equality and Wellbeing;
- (5) the officers' intention to conduct a negotiated procurement process with one bidder in the event the Council only received one bid for any of the services being procured within the report be noted.

Reason for Decision: The majority of Public Health Services were mandated and the contracts listed in Appendix A of the report would be funded wholly from the Public Health budget allocation. To ensure that the approvals required were given to procure new services, extend existing contracts and enter any collaborative arrangements with other London boroughs.

Alternative Options Considered and Rejected: None.

66. Total Facilities Management Procurement

RESOLVED: That approval to start the procurement exercise for the selection of provider(s) for the Council's Facilities Management Service be granted.

Reason for Decision: To ensure that the Council fulfils its statutory responsibilities for maintaining its assets.

Alternative Options Considered and Rejected: As set out in the report.

67. Arrangements for the Supply of Temporary Workers and Recruitment Process

Having considered the appendices, including the confidential appendix, it was

RESOLVED: That authority be delegated to the Corporate Director of Resources, following consultation with the Portfolio Holder for Performance, Corporate Resources and Policy Development and the Portfolio Holder for Finance and Major Contracts to:

- (1) explore the development of a Council operated Agency Model depending on the outcomes of an evaluation of trading vehicle options and a feasibility assessment and to bring a report back to Cabinet to implement this if it demonstrates value for money;
- (2) continue to explore options for Temporary Worker and Recruitment requirements to be met as part of a shared service with other Local Authorities in accordance with the Cabinet decision of 15 January 2014;

- (3) extend the current Agreements with Pertemps to run in parallel with this work and as a complementary arrangement, for a term of up to 2 years (on a 1 plus 1 year basis) from 1 October 2015;
- (4) express the Council's interest in the London Boroughs' collaboration ("LBC") procurement in respect of the MSTAR2 framework agreement and, if it was considered better value for money than a Council operated agency staff or shared service model, revert to Cabinet for authority to award a 4-year contract under the MSTAR2 framework at an appropriate time on the basis of the most economically advantageous option to the Council.

Reason for Decision: To ensure that the Council was able to continue to resource its workforce beyond the end of September 2015 through a sustainable, efficient and cost effective model that would operate in the best interests of the Council.

Alternative Options Considered and Rejected: As set out in the report.

68. Budget Planning Process Update

RESOLVED: That

- (1) savings of £131k for in-year, 2014/15, with the budget being vired into the Medium Term Financial Strategy Implementation Reserve, paragraph 1.2 of the report refers, be approved;
- (2) the saving proposal to move to a zonal responsive street cleaning service (Ref E&E E18) with an implementation date of 1 January 2015 to deliver a full year saving of £172k in 2015/16, paragraph 1.3 and Appendix 1 of the report refer, be approved.

Reason for Decision: To ensure that (i) in-year, 2014/15, saving proposals of £131k were approved for immediate effect; (ii) a zonal responsive street cleaning service was implemented from 1 January 2015 to deliver a saving of £172k in 2015/16.

Alternative Options Considered and Rejected: As set out in the report.

69. HB Public Law Limited

Having considered the confidential appendices, it was

RESOLVED: That

- (1) the formation of HB Public Law Limited ('HBPL Ltd') under the provisions of the Localism Act 2011 be noted and the Corporate Director of Resources, following consultation with the Portfolio Holder for Performance, Corporate Resources and Policy Development, be instructed to agree the Business Plan for HBPL Ltd;
- (2) Harrow's ownership of 100% of the shares in HBPL Ltd be noted;

- (3) the appointment of Hugh Peart, Director of Legal and Governance Services, and Jessica Farmer, Head of Legal Practice, as Directors of HBPL Ltd and the appointment of Hugh Peart as its Chief Executive be approved;
- (4) the appointment of the Director of Legal and Governance Services as Harrow's shareholder representative in relation to HBPL Ltd save for the exercise of the Reserved Powers in the Shareholder Agreement be approved;
- (5) having received Council approval of the loan on 13 November 2014, the Director of Finance and Assurance be authorised to make available appropriate working capital to of up to £100,000 to HBPL Ltd by means of a loan, to be called down as required;
- (6) the Corporate Director of Resources, following consultation with the Portfolio Holder for Performance, Corporate Resources and Policy Development, be authorised to execute a guarantee agreement between Harrow Council and HBPL Ltd whereby the Council underwrites HBPL Ltd's liabilities up to an amount agreed by the Director of Finance and Assurance;
- (7) the Corporate Director of Resources, following consultation with the Portfolio Holder for Performance, Corporate Resources and Policy Development, be authorised to execute a supply agreement between Harrow Council and HBPL Ltd;
- (8) the provisions of the shareholder agreement between Harrow Council and HBPL Ltd which formed part of its governance arrangements, Appendix A to the report refers, be noted;
- (9) the Corporate Director of Resources, following consultation with the Portfolio Holder for Performance, Corporate Resources and Policy Development, be authorised to make any amendments as required and to sign the shareholder agreement between Harrow Council and HBPL Ltd;
- (10) the terms of the memorandum and articles and accounting reference date of HBPL Ltd, Appendix B to the report refers, be noted;
- (11) the changes to the Constitution agreed by Council on 13 November 2014 and the proposal under consultation to vary staff terms and conditions to enable HBPL Ltd to comply with its licence requirements be noted;
- (12) the Corporate Director of Resources, following consultation with the Portfolio Holder for Performance, Corporate Resources and Policy Development, be instructed to undertake a review during the first year of trading of HBPL Ltd and to bring any recommendations back to Cabinet for approval at its December 2015 meeting together with the Business Plan for the second year of trading.

Reason for Decision: To ensure compliance with company law and SRA requirements following the incorporation of HBPL Ltd and the granting of an ABS licence.

Alternative Options Considered and Rejected: As set out in the report.

70. Elections and Individual Electoral Registration

RESOLVED: That the information report be noted.

Reason for Decision: To receive an update on 2014 Local and European Elections and the Individual Electoral Registration (IER) process.

Alternative Options Considered and Rejected: None.

[Call-in does not apply.]

71. Council Tax Support Scheme Challenge Panel (Urgent Business)

RESOLVED: That the report be received and

- (1) the Corporate Director of Resources be requested to submit a report to the December 2014 Cabinet meeting responding to recommendations of the Challenge Panel;
- (2) cross-party representation, in line with the Cabinet/Scrutiny Protocol, be invited to address the December 2014 Cabinet meeting.

Reason for Decision: To receive a response report at the next Cabinet meeting.

Alternative Options Considered and Rejected: None.

[Call-in does not apply.]

(Note: The meeting, having commenced at 6.30 pm, closed at 7.34 pm).

Proper Officer

Publication of decisions:	21 November 2014
Deadline for Call-in:	<p>5.00 pm on 28 November 2014</p> <p>(Please note that Call-in does not apply to all decisions).</p> <p>To call-in a decision please contact:</p> <p>Una Sullivan on 020 8424 1785 or email: una.sullivan@harrow.gov.uk</p> <p>Vishal Seegoolam on 020 8424 1883 or email: vishal.seegoolam@harrow.gov.uk</p> <p>Alison Atherton on 020 8424 1266 or email alison.atherton@harrow.gov.uk</p>
Decisions may be implemented if not Called-in on:	29 November 2014

We the undersigned staff of the London Borough of Harrow ask Harrow Council monitoring officer to hold Councillor Susan Hall fully accountable for the offensive and inexcusable comments made on Twitter. Furthermore we would politely and respectfully ask her step down from her respective position as Councillor and Leader of Conservative party. These comments were made in a public forum and are contrary to the Council's CREATE values introduced in 2008 primarily

Respect – 'so we treat each other with courtesy and regard, earning respect through working with others to engender trust.'

Councillor Hall's comments are also in breach of the Council's Code of Conduct for Councillors principally.

3.0. General obligations

(1) To treat others with respect.

3.2(b) You must not bully any person.

Would it be acceptable to make such comments regarding someone with anorexia or their personal appearance.

We the undersigned staff of the London Borough of Harrow call upon the Monitoring Officer to take this matter forward in order to avoid Harrow Council and its staff facing any further reputational damage which has the real potential to impact on all staff representing Harrow Council.

Comments

Susan Hall@Councillorsuzie Nov 16

#ImACeleb OMG this fat woman Gemma is ghastly, really ghastly..however watching her squeal may be funny!

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#ImACelebrity who on earth is that stupid fat blond woman Gemma?

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