

Cabinet

Minutes

18 November 2021

Record of decisions taken at the meeting held on Thursday 18 November 2021.

Present:

Chair: Councillor Graham Henson

Councillors: Peymana Assad
Simon Brown
Keith Ferry
Phillip O'Dell
Varsha Parmar
Natasha Proctor
Christine Robson
Krishna Suresh

Joined Virtually: Councillor Keith Ferry
Councillor Christine Robson
Councillor Antonio Weiss (Non-Executive Member)
John Higgins (Non-Executive Voluntary Sector Representative)

In attendance (Councillors): Marilyn Ashton For Minute 549
Stephen Greek For Minute 549
Paul Osborn For Minute 545-565
Anjana Patel For Minute 549
Pritesh Patel For Minute 549

545. Apologies for Absence

Apologies for absence were received from Councillor Sue Anderson (Portfolio Holder for Community Engagement, Accessibility & Customer Services) and Councillor Adam Swersky (Non-Executive Member).

546. Declarations of Interest

RESOLVED: To note that the declaration of interests had been published on the Council website and that during the course of the meeting:

- (1) Councillor Keith Ferry, Portfolio Holder for Business, Property and Leisure declared a pecuniary interest in item 13 - Grange Farm Regeneration - Phases 2 and 3 and 15 - Milton Road Development - Transfer to Harrow Strategic Development Partnership in that he was Chair of Harrow Strategic Development Partnership and left the meeting while the items were being discussed.

547. Petitions

RESOLVED: To note that no petitions had been received.

548. Public Questions

RESOLVED: To note that 7 public questions had been received and responded to and the recording would be available on the Council's website.

549. Councillor Questions

RESOLVED: That the Councillor Questions were responded to and the recording would be available on the Council's website.

550. Key Decision Schedule November 2021 - January 2022

Having noted that four reports had not been included on the Key Decision Schedule but would be considered at this meeting for the reasons set out in the published notice, Cabinet

RESOLVED: To note the contents of the Key Decision Schedule November 2021 – January 2022.

551. Progress on Scrutiny Projects

RESOLVED: To receive and note the progress of the scrutiny projects.

552. Covid-19 Update

Cabinet received a presentation from the Chief Executive, which provided a strategic update on the Covid-19 case levels across the borough, the Government's Winter Plan, the Council's ongoing response to the pandemic, vaccination progress and plans for future recovery.

Acknowledging the significant impact on organisational capacity and staff resilience throughout this challenging period and expressing their gratitude to all Council and NHS staff, Cabinet

RESOLVED: That the update and accompanying presentation from the Chief Executive be noted.

Recommended Items

553. Revised Statement of Principles - Gambling Act 2005

Resolved to RECOMMEND: (to Council)

- (1) That the Revised Statement of Principles, as set out in Appendix A to the officer report, be recommended to Council for approval, noting the following:
 - a) each application would be considered on its own individual merits without regard to demand and regulate gambling in the interests of public interest; and
 - b) each application should uphold the three gambling objectives:
 - Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- (2) That a “no casino” resolution be continued as previously agreed by the Authority as there is no evidence base to show the need for a casino or the benefits of such an establishment (the policy continues to support well-run, compliant gambling premises).

[Call-in did not apply to the decisions above as they are reserved to Council]

RESOLVED: That the Revised Statement of Principles as set out in Appendix A to the officer report, be recommended to Council for approval.

Reasons: The Authority has a statutory obligation to review and publish its gambling statement of principles every three years. A full consultation had been undertaken in relation to this policy.

Resolved Items

554. Approval to consult on the Small Sites Design Code Supplementary Planning Document (SPD)

RESOLVED: That

- (1) the draft Small Sites Design Code SPD, set out in Appendix 1 to the officer report, be approved for public consultation; and.
- (2) the Interim Chief Planning Officer, following consultation with the Leader of the Council and Portfolio Holder for Strategy, Regeneration, Partnerships and Devolution, be authorised to consider and agree any minor amendments and consultation arrangements required to finalise the document for consultation.

Reasons: Preparation and adoption of a Small Sites Design Code SPD provided specific design guidance to assist in the determination of planning applications that fell within the definition of a small site development. The production of a Design Code SPD will ensure general conformity with London Plan (2021) Policy H2 (small sites), and will assist applicants in bringing forward such sites, whilst meeting good design standards, which are by their nature often awkward to deliver.

The Small Sites Design Code SPD will assist in increasing housing delivery from this potential source and furthermore will assist in enabling Harrow to meet its housing targets as set out in The London Plan (2021).

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

555. Request for authority to award the housing domestic and commercial gas contracts

Having noted the confidential appendices to the report, Cabinet

RESOLVED: That

- (1) the award of the domestic gas heating contract to Liberty Group for a period of 4 years commencing 28/02/2022 to the 01/03/2026, with an option to extend for a further two years, be approved and the Corporate Director of Community, following consultation with Portfolio Holders for Housing and Finance and Resources, be authorised to carry out any contractual matters with respect to the above;
- (2) the award of the commercial gas heating systems contract to Thermoserve for a period of 4 years commencing 14/02/2022 to the 15/02/2026, with an option to extend for a further two years, be approved and the Corporate Director of Community, following

consultation with Portfolio Holders for Housing and Finance and Resources, be authorised to carry out any contractual matters with respect to the above;

- (3) approval for the budget and authority to commence procurement of commercial gas heating system which was being sought retrospectively as set out in resolution 2 above, be noted;
- (4) for 2021/22 the part year impact of the contracts, £10,367 and one-off costs of internal project support up to a maximum of £35,000 be funded from the Housing Revenue Account (HRA) repairs reserve; and
- (5) from 2022/23 the full year cost, £0.878m, of the above contracts be funded from the following sources:
 - existing revenue budgets within the Housing Revenue Account - £0.600m,
 - Community Centre and General fund budgets -£0.025m
 - the boiler installation, capitalised repairs and unallocated budget within the housing capital programme (min £0.178m to max £0.300m budget permitting),
 - revenue savings of £0.075m from a savings to the contract by converting to new technologies over the term of the contract.

Reasons: The approval was being sought so that the Council would be able to continue to provide essential services to meet its statutory duties as a social housing landlord across Council homes within the Borough, whilst complying with Health and Safety Gas Regulations.

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

556. "Kodak" Wealdstone Footbridge - Land assembly and Compulsory Purchase Order (CPO)

Having noted the confidential appendix to the report, Cabinet

RESOLVED: That

- (1) the Corporate Director of Community be authorised to carry out work in preparation for the making of a Compulsory Purchase Order (CPO) in respect of the Property as shown in edged red on the attached plan at Appendix 10 to the officer report). The work will include:
 - appointment, if necessary, of land referencers to review all interests in the Property and produce a draft schedule and plan for the CPO; and

- serve request for information notices under section S16 of the Local Government (Miscellaneous Provisions) Act 1976 on those potentially affected by the proposed CPO;
- (2) the Corporate Director Community, be authorised to negotiate with landowners (freehold owners and leasehold owners) and to acquire property through private treaty;
 - (3) that Officers be instructed to bring a further report to seek authority to secure the making, confirmation, and implementation of a CPO if the Property cannot be acquired by private treaty;
 - (4) the Direct Award to Network Rail (NWR) as the supplier to build the bridge in accordance with Regulation 12(7) of the Public Contracts Regulations 2015 relating to contracts to establish co-operation between contracting authorities as set out in Appendix 2 to the officer report, be approved;
 - (5) the option of pursuing a competitive tender process following the design phase of the project, in the event that the final proposal from Network Rail was unsatisfactory or did not provide value for money, be approved;
 - (6) the Corporate Director of Community, following consultation with the Director of Finance and Deputy Leader and Portfolio Holder for Finance and Resources, be authorised to award contract to NWR following the evaluation of the Direct Award option or make a decision not to pursue that route and instead undertake procurement to identify a build partner to award contract(s) for the delivery of the Pedestrian Bridge; and
 - (7) pursual of a Direct Award to NWR, be approved (the Cabinet Report dated 20 May 2021 foresaw a competitive process only).

Reasons: Funding has been secured from Ministry of Housing, Communities and Local Government (MHCLG) by way of Future High Street Fund (FHSF) to construct the Kodak Footbridge. There were five parcels of land that need to be purchased. Negotiations are still ongoing with the landowners to acquire the Property. In addition to the construction costs there will be associated costs with regards to legal fees, Land referencing fees and compensation for businesses and landowners. The costs will be funded from the FHSF. The construction of the Kodak Footbridge, the CPO and all associated costs were unlikely to exceed £8.9m, which was made up from the funding provided by the FHSF plus £1.76m from the Borough CIL. The CPO process must begin by December 2021 to meet the FHSF requirements to build the footbridge by early 2024. The CPO process can take up to 18 months.

The procurement option would allow the Council to collaborate with NWR to deliver the project within budget. If contractors were required to undertake the works, it was expected that NWR will commission the contractors using their own competitively procured frameworks.

The Planning application for the bridge was submitted on 04.10.2021 (Appendix 5 to the officer report).

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

557. Grange Farm Regeneration - Phases 2 and 3

Having noted the confidential appendix to the report, Cabinet

RESOLVED: That

- (1) progress on Phase 1 Grange Farm be noted;
- (2) the principle of appointing the Harrow Strategic Development Partnership (HSDP) to take forward the redevelopment of Phase 2 and 3 Grange Farm, be agreed; and
- (3) the Corporate Director of Community be authorised to commission the HSDP to develop a detailed Business Plan which would be brought back to Cabinet for final approval.

Reasons: To enable delivery of the Grange Farm estate regeneration project.

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

558. Frameworks for Minor Works, Electrical Works, Mechanical Works, Professional Services and Planned and Preventive Maintenance and Compliance (PPM&C)

RESOLVED: That

- (1) to extend, increase values and re-procure the Authority's Frameworks for Minor Works, Electrical Works, Mechanical Works and Professional Services Frameworks for a period of up to 1 year as follows:
 - a. Minor, Mechanical and Electrical Works Frameworks:
 - i. the current contracts, expiring 30 November 21, be extended by up to 12 months;
 - ii. the current framework values be increased by a max of £5.6m broken down as Minor Works (£1.6m), Mechanical Works (£2m) and Electrical Works (£2m); and
 - iii. a re-procurement exercise for all the services at an anticipated value of £28m over a 4-year term be commenced

- b. Professional Services Framework:
 - i. current contracts expiring 19 May 2022 on the professional services framework be extended by up to 6 months;
 - ii. the current framework value be increased by a maximum of £1.5m across all lots; and
 - iii. a re-procurement exercise for this service at an anticipated value of £3m over a 4-year term be commenced.
- (2) the Corporate Director of Community, following consultation with the Portfolio Holder for Environment and Climate Change, the Portfolio Holder for Finance and Resources and the Director of Finance, be authorised to finalise the procurement of the Minor, Mechanical and Electrical Works and Professional Services Frameworks and make an award of Contract/s following the completion of a compliant procurement process (noting that operational responsibility for the delivery of this process is with the Interim Divisional Director of Environmental Services);
- (3) to procure a new Planned and Preventative Maintenance and Compliance Framework (PPM&C) at an anticipated value of £9m over a 4-year term, to cover the provision of refurbishment and building works to both Corporate Sites and Schools; and
- (4) the Corporate Director of Community, following consultation with the Portfolio Holder for Environment and Climate Change, the Portfolio Holder for Finance and Resources and the Director of Finance, be authorised to finalise the procurement of the Planned and Preventative Maintenance and Compliance Framework and make an award of Contract/s following the completion of a compliant procurement process (noting that operational responsibility for the delivery of this process is with the Interim Divisional Director of Environmental Services).

Reason: Whilst the Harrow Works Framework arrangements were being reviewed, it was considered necessary to review the Professional Services Framework that was due to expire on 19 May 2022 and to align all Frameworks to run concurrently.

The Council should ensure that the Scope of Works / Services between all these frameworks interface and co-ordinate with each other. As an example, some of the PPM&C scope may be “extracted” from the existing scope of works / services contained within the current Minor Works / Electrical Works and Mechanical Works Framework Agreements.

There was insufficient time to review and procure / re-procure these new Framework Agreements before the expiry of the current Framework Agreements.

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

559. Milton Road Development - Transfer to Harrow Strategic Development Partnership

RESOLVED: That

- (1) the extension of the current Pre-Contract Services Agreement (PCSA) between the Council and Wates to allow for Royal Institute of British Architects (RIBA) stage 4 design and preparation for the demolition of Civic 9, be agreed;
- (2) the Corporate Director of Community, following consultation with the Portfolio Holder for Strategy, Regeneration, Partnerships and Devolution and Portfolio Holder for Housing, be authorised to agree the terms of the extension to the existing PCSA and to enter into all appropriate legal documentation;
- (3) the Harrow Strategic Development Partnership (HSDP) be commissioned to carry out the demolition and redevelopment of the site at Milton Road under a Community Works Agreement as provided for in the founding documents of the HSDP; and
- (4) the Chief Executive, following consultation with the Corporate Director of Community, the Leader of the Council and Portfolio Holder for Strategy, Regeneration, Partnerships and Devolution and the Portfolio Holder for Housing, be authorised to agree the terms of and formally enter into the Community Works Agreement.

Reasons: To enable the development of housing on the Milton Road site taking the benefit of funding granted under the Building Council Homes for Londoners programme

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

560. Short Breaks for Children and Young People with Special Educational Needs and Disabilities

RESOLVED: That

- (1) the commencement of a competitive procurement process for a Short Breaks Service be agreed; and
- (2) the Corporate Director of People Services, following consultation with Portfolio Holder for Education and Social Services for Children and Young People, Portfolio Holder for Adults and Social Care, and the Portfolio Holder for Finance & Resources, be authorised to award the contract, following the competitive procurement process.

Reasons: The Authority is required under the Children and Families Act 2014 for Local Authorities to commission services which provide families in need of respite, with a choice in provision.

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

561. Household Support Fund

RESOLVED: That

- (1) the allocation of the Household Support Fund as set out in the officer report and specifically the Council Tax Support (CTS) and Emergency Accommodation (EA) options be approved as follows:
 - a. For CTS, the Working Age households' option at £40 to be paid in one instalment;
 - b. For EA, the Household with Children option at £36 per month for the time of the grant.
- (2) the Household Support Fund Policy set out in Appendix 1 to the officer report, be approved;
- (3) the Corporate Director of Resources, following consultation with the Portfolio Holder for Finance & Resources, be authorised to make minor changes to the scheme and to manage the small reserve of £32,399.78;
- (4) the purchase of vouchers for elements identified in the officer report relating to Council Tax Support, Emergency Accommodation and the Emergency Support Scheme, through a compliant procurement route be approved; and
- (5) the Corporate Director Resources, following consultation with the Portfolio Holder for Finance & Resources be authorised to (1) finalise and make decisions on any issues pertaining to the HSF and (2) award a contract for the purchase of the vouchers that the Council will directly administer.

Reasons: The recommendations meet the criteria as set out by Department for Work and Pensions (DWP). Those criteria provide broad discretion with a focus for 50% of the scheme on families with children. The Council had considered from the limited data available where best to focus the funding. The proposals provided a spectrum of support together with focus so that the funding was not spread too thinly. The proposal eligibility criteria cover the following:

- Free school meals and Council tax support which have historically been found to provide effective support to vulnerable families;

- Harrow's Community Hub support. This is a joint venture with the community and voluntary sector, which is effective in providing essential food support quickly to vulnerable residents;
- Emergency accommodation and general support to help stop vulnerable people spiralling into acute difficulties following a critical one-off event; and
- Administration support which included enlisting the aid of Citizens Advice Harrow (CAH) to act as the main referral route into the emergency support scheme. If CAH know the history of the household, they can screen clients for eligibility before referring on to the Council.

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

[The Chair of the Overview and Scrutiny Committee has waived call-in of these decisions for the reasons set out in the published notice.]

562. Award of Contract for Provision and Hosting of Pensions Administration IT System

Cabinet considered a confidential report relating to the Council's pensions administration IT system. Having noted the confidential information contained in the report and accompanying appendices, Cabinet

RESOLVED: That a waiver to the Contract Procedure Rules to permit a compliant award of contract for the provision of Pensions Software, be agreed.

Reasons: A suitable pensions administration IT system was essential for the management of the pension records of the members of the London Borough of Harrow Pension Scheme.

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

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

563. Request for authority to award the housing domestic and commercial gas contracts

See Minute 555.

564. "Kodak" Wealdstone Footbridge - Land assembly and Compulsory Purchase Order (CPO)

See Minute 556.

565. Grange Farm Regeneration - Phases 2 and 3

See Minute 557.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.32 pm).

Proper Officer

Publication of decisions:	19 November 2021
Deadline for Call-in:	5.00 pm on 26 November 2021 (Please note that Call-in does not apply to all decisions). To call-in a decision please contact: Mwim Chellah via email: mwimanji.chellah@harrow.gov.uk
Decisions may be implemented if not Called-in on:	27 November 2021