

PRESENT

Members of the Committee

Members of the Cabinet

Councillor Merrick Cockell - Leader (Chairman)
Councillor Fiona Buxton - Housing Services, Adult Social Care, Public Health and Environmental Health
Councillor David Campion, B.A. (Arch.), Dip.T.P., F.R.I.B.A., M.B.C.S. - Corporate Services
Councillor Thomas Fairhead, Finance and Property
Councillor James Husband, Education and Libraries
Councillor Warwick Lightfoot, Community Safety
Councillor Daniel Moylan, Deputy Leader, Planning Policy, Housing Policy and Transportation
Councillor Nicholas Paget-Brown - Regeneration, Environmental Management and Leisure
Councillor Shireen Ritchie - Family and Children's Services
Councillor Paul Warrick - Service Improvement

Others in Attendance

Councillor Christopher Buckmaster, OSC Chairman on Health
Councillor Terence Buxton, OSC Chairman on Housing, Environmental Health and Adult Social Care
Councillor Keith Cunningham, OSC Chairman on Cabinet and Corporate Services
Councillor Margot James, Older People's Champion

PART A (PUBLIC) MINUTES

A1 APOLOGIES FOR ABSENCE

Apologies were received from Lead Members Councillor Miss Barbara Campbell and Councillor Miss Weatherhead.

A2 MEMBERS' DECLARATIONS OF INTEREST AND DECLARATIONS PURSUANT TO SECTION 106 OF THE LOCAL GOVERNMENT FINANCE ACT 1992

Councillor Warrick declared a prejudicial interest in item A6 as he was a member of the Pension Scheme and left the room when this item was discussed.

Councillor Moylan declared a possible conflict of interests in agenda item B1 - Ellesmere Contract on the grounds of his designated role as shareholder representative in Chelsea Care Company Limited. As he had not received a dispensation from the Standards Committee allowing him to take part in this decision, he would leave the meeting during the discussion.

The Town Clerk and Chief Executive and the Director of Personnel and General Services also declared a potential conflict of interest in item B1 - Ellesmere Contract on the grounds of their involvement in the setting up of Chelsea Care Company Limited and stated that they would leave the meeting during the course of the discussion.

A3 MINUTES OF THE MEETING HELD ON 27 JULY 2006

The Minutes of the meeting held on 27 July 2006 were confirmed as a correct record and signed by the Chairman.

A4 JOINT OLDER PEOPLE'S STRATEGY FOR KENSINGTON AND CHELSEA 2007-2017

Mr Andrew Kenworthy, Chief Executive of the Primary Care Trust and Mrs Fran Pearson, Older People's Partnership Manager were invited to speak.

It was noted that this was the first time that the Primary Care Trust and the Council had set out their commissioning priorities for older people's services within a broader context of promoting well-being and citizenship for all older people in the Borough. It was hoped that this would provide a platform on which to build with other partners.

Councillor Ritchie queried the statistics presented in Appendix one and was advised that the figures had been drawn from a number of different data sources in both organisations and provided a best assessment of the likely levels of growth.

Councillor Lightfoot was please to see that the projections provided coherence and tallied up with other work on the commissioning of residential and nursing beds. Councillor Lightfoot asked about issues of access to services by elderly men, BME communities and the asset rich.

It was emphasised that the Joint Strategy provided a starting point for more work and that further studies were required to ensure that all groups had full access to services. It was acknowledged that women had been over-represented in the consultation and that St.

Mungo's had also been closed during the period of consultation. It was also noted that commissioning arrangements would not only focus on homes and home care but on making people feel safe by contributing to a positive effect on the whole environment. Cllr Terence Buxton confirmed that the Overview and Scrutiny Committee on Health wanted to commission a study on a whole range of public and private accommodation to get a better picture of provision needed.

Referring to the map on page five, Cllr Fairhead pointed out that the Earl's Court area reflected a large number of older people with multiple needs and he felt that this, along with trends of deprivation and illness being carried into old age, had not been picked up in the strategy. The Executive Director for Housing, Health and Adult Social Care confirmed that this would be included in the action plan.

As the Older People's Champion, Councillor James confirmed it was her intention to take the strategy forward in a systematic way by ensuring that partnerships between voluntary organisations, the PCT and the Council worked well. There would also be a focus on tailoring services to the highest of standards whilst ensuring that other areas are older people friendly. On the topic of well-being, Councillor Ritchie indicated a desire to see cross generational work continue.

RESOLVED-

To agree the Joint Older People's Strategy for Kensington and Chelsea for 2007-2017

Action by:EDHHASC

A5 OVERVIEW AND SCRUTINY ANNUAL PROGRAMME

This report set out the annual work programme of the Council's Overview and Scrutiny Committees and invited Cabinet Members to express their interest in any reviews about which they might wish to be kept informed. The following points were noted:

(i) a drafting error in paragraph 3.5 referred to Councillor Paget-Brown as the Cabinet Member with responsibility for Safer Neighbourhoods and PCSO's when in fact it was Councillor Lightfoot.

(ii) OSC on Cabinet and Corporate Services

Councillor Cunningham confirmed that the projected workload was likely to be staggered throughout 2007-8.

Councillor Moylan indicated an interest in the reviews on Economic Regeneration and the regeneration of Golborne and Portobello Roads. It was noted that monitoring the

implementation of the Parks Strategy would affect members of the Public Realm OSC and there was potential to do cross OSC work on Golborne and Portobello Road. Councillor Cunningham agreed to keep Councillors Moylan and Fairhead informed and requested that a copy of the Economic Regeneration report be circulated to all Overview and Scrutiny Committees. Councillor Warrick requested feedback from the OSC review on Corporate Grants due to be reporting back on 2 April 2007.

(iii) OSC on Family and Children's Service

With reference to paragraph 4.1 of the report, the Leader suggested that most of the information relating to the expenditure on the two new schools was already in the public domain and therefore, a review of Looked After Children might prove to be more valuable. Councillor Fairhead added that all key decision reports relating to the expenditure on new schools would be thoroughly scrutinised in any case.

(iv) OSC on Public Realm

Councillor Moylan expressed an interest in the scrutiny of the 28, 31 and 328 bus routes and the Western Riverside Waste Authority and asked to be kept informed.

RESOLVED-

The Overview and Scrutiny Annual Programme was noted by Cabinet and Cabinet Members indicated their interest in particular pieces of work as indicated above.

Action by:DSSI

A6 OPTIONS FOR NEW LOOK LOCAL GOVERNMENT PENSION SCHEME IN ENGLAND AND WALES - CONSULTATION RESPONSE

Councillor Warrick declared a prejudicial interest in this item as he was a member of the Pension Scheme and left the room when this was discussed.

It was noted that Option A from the Government's list was to be recommended by the Council in its response to the Government's consultation. It was felt that this represented the greatest stability and continuity.

RESOLVED-

The response to the DCLG as set out in Appendix A to the report was agreed.

by:EDFISP

A7 KEY STAGE ASSESSMENTS - PROVISIONAL 2006 RESULTS

Cabinet was pleased to note that there had been further improvements in Key Stage One performance, with the National Standard now achieved at that level. A very high level had already been achieved at Key Stage Two and further improvements would therefore be very difficult. There had also been a sharp improvement overall in Key Stage Three.

A comprehensive Action Plan had been put into place for Looked After Children which included priority placements within the Borough's Schools.

RESOLVED-

The performance of schools in the Royal Borough in National examinations was noted and actions to improve performance further was endorsed.

Action by EDFCS:

A8 ANY OTHER ORAL OR WRITTEN PUBLIC ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT

There were no such items.

A9 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED-

That the press and public be excluded from the remainder of the proceedings by virtue of the private nature of the business to be transacted, as follows:

B1 - ELLESMERE CONTRACT

Public summary of decision:

Councillor Moylan declared a possible conflict of interests in this item on the grounds of his designated role as shareholder representative in Chelsea Care Company Limited. As he had not received a dispensation from the Standards Committee allowing him to take part in the decision, he left the meeting during the course of the discussion.

Officers were authorised to negotiate a preferred bidder letter with Care UK and BUPA. The contents of the preferred bidder letter

would be approved by Councillor F Buxton, Cabinet Member for Housing Services, Adult Social Care, Public Health and Environmental Health;

Subject to the outcomes of these negotiations, authorisation was given to issue the Preferred Bidder letter to Care UK and Reserve to BUPA. In the event that terms cannot be agreed with Care UK, authority would be given to Councillor F Buxton, Cabinet Member for Housing Services, Adult Social Care, Public Health and Environmental Health to approve the issuing of preferred bidder letter to BUPA; and

Officers were authorised to negotiate final contract and lease terms for approval by Cabinet.

The meeting ended at 8.10 pm

CHAIRMAN

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

CABINET - 28 SEPTEMBER 2006

PART B (PRIVATE) MINUTES

B1 - ELLESMERE CONTRACT

Not for publication by virtue of information relating to the financial or business affairs of any particular person (including the authority holding that information)

Councillor Moylan, the Town Clerk and Chief Executive and the Director of Personnel and General Services left the room during the course of this discussion.

Councillor Fairhead emphasised the importance of enforceable guarantees, economically tight proposals and high standards of care in relation to Care UK and BUPA. It was confirmed that a payment mechanism would be in place and monitored. Monthly visits would be made and money deducted if targets were not achieved.

It was confirmed that a sensitivity analysis had been done which had demonstrated there would have been no difference to the outcome of the selection of the preferred bidder with the weightings that had been used.

RESOLVED:

- (a) That officers be authorised to negotiate a preferred bidder letter with Care UK and BUPA. The contents of the preferred bidder letter would be approved by Councillor F Buxton, Cabinet Member for Housing Services, Adult Social Care, Public Health and Environmental Health;
- (b) That, subject to the outcomes of these negotiations, authority be given to issue the Preferred Bidder letter to Care UK and reserve to BUPA. In the event that terms cannot be agreed with Care UK, authority would be given to Councillor F Buxton, Cabinet Member for Housing Services, Adult Social Care, Public Health and Environmental Health to approve the issuing of preferred bidder letter to BUPA; and
- (c) That officers be authorised to negotiate final contract and lease terms for approval by Cabinet.

CHAIRMAN