

AGENDA ITEM: 10 Page nos. 10 – 13

Meeting	Business Management Overview & Scrutiny Committee
Date	11 July 2011
Subject	Hendon Football Club
Report of	Scrutiny Office
Summary	The Committee have requested to undertake pre-decision scrutiny of Hendon Football Club report, scheduled to go before the Cabinet Resources Committee on 28 July 2011

Officer Contributors	Andrew Charlwood, Overview & Scrutiny Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Business Management Overview and Scrutiny Committee

Contact for further information:

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1. RECOMMENDATIONS

- 1.1 That the Committee receive evidence from the Cabinet Member for Resources and Performance and the relevant officers in relation to Hendon Football Club and make appropriate comments/ recommendations in advance of the Cabinet Resources Committee considering the item at their meeting on 28th July 2011.**

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.**
- 2.2 The three priority outcomes set out in the 2011-13 Corporate Plan are: –**
- Better services with less money**
 - Sharing opportunities, sharing responsibilities**
 - A successful London suburb**

3. RELEVANT PREVIOUS DECISIONS

- 3.1** Cabinet Resources Committee (CRC), 18th September 2003 - approved in principle the freehold sale of the Hendon Football Club site for residential development.
- 3.2** CRC, 8th July 2004 - approved terms, among other things, to the ultimate transfer of the freehold interest in part of the site to Ealing Family Housing Association for the building of an elderly persons care home and day centre.
- 3.3** CRC, 18th October 2004 - Outline Planning Consent was granted for 162 two bedroom flats and a care home
- 3.4** CRC, 26th September 2005 - subject to extensive conditions safeguarding this Council's objectives and the future of Hendon Football Club, approved terms for the sale of the freehold of the site to developer KingsOak North London.
- 3.5** CRC, 6th December 2006 - agreed to proceed with a sale to Oracle Homes Ltd and City and Docklands Property Group subject to conditions
- 3.6** CRC, 14th January 2008 - approval was given to the sale of this Council's freehold interest to Hendon Football Club Ltd

4. RISK MANAGEMENT ISSUES

- 4.1** None in the context of this report.

5. EQUALITIES AND DIVERSITY ISSUES

5.1 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- The Council's leadership role in relation to diversity and inclusiveness; and
- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 None in the context of this report.

7. LEGAL ISSUES

7.1 The Council's Constitution allows the overview and scrutiny committees to (i) review and scrutinise the decisions made by and performance of the executive and/or committees and Council officers both in relation to individual decisions and over time; and

(ii) scrutinise decisions, which the executive is planning to take and comment on them to the executive

7.2 As the Cabinet Resources Committee report is not available, no definitive legal comment can be given at this time. However, as this relates to a proposed disposal, any disposal of the land must comply with the provisions of sections 123 of the Local Government Act 1972 in that 'except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained'.

8. CONSTITUTIONAL POWERS

8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.

8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).

8.3 Constitution, in Part 3, Responsibility for Functions, paragraph 3.6 states the functions delegated to the Cabinet Resources Committee including all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

9. BACKGROUND INFORMATION

9.1 At the meeting held on 1st June 2011, the Committee requested to undertake pre-decision scrutiny of the Cabinet Resources Committee (CRC) decision in relation to Hendon Football Club. Due to the reporting timescales for the CRC meeting on 26th July 2011, it will not be possible for the Committee to pre-scrutinise the full CRC report. However, the Cabinet Member for Resources and Performance and relevant officers have been invited to the meeting to answer questions from the Committee on issues relating to the disposal of the Hendon Football Club site. Any comments/recommendations made by the Committee will be reported to the CRC meeting on 26th July 2011.

10. LIST OF BACKGROUND PAPERS

10.1 None

Legal: JKK
CFO: JH/MC