

DECISIONS OF THE CABINET RESOURCES COMMITTEE

19 OCTOBER 2010

COMMITTEE:

*Councillor Daniel Thomas (Chairman)

Councillors

* Brian Coleman
* Andrew Harper
Robert Rams

* Richard Cornelius
* Lynne Hillan

*Denotes Member present

\$Denotes member absent on Council business

1. **MINUTES:**

The minutes of the meeting held on 2 September 2010 were approved as a correct record.

2. **ABSENCE OF MEMBERS:**

Apology for absence was received from Councillor Robert Rams.

3. **DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS:**

No interests were declared:

4. **PUBLIC QUESTIONS:**

No questions were received.

5. **BRENT CROSS CRICKLEWOOD REGENERATION (Report of the Cabinet Member for Housing, Planning and Regeneration – Agenda Item 5):**

An addendum to the Cabinet Member's report was tabled at the meeting. For the reasons set out in the Cabinet Member's report, the Committee

RESOLVED –

- (1) That the changes to the terms and conditions of the Development Framework Agreement (DFA) and the two Principal Development Agreements (PDA) regarding Brent Cross Cricklewood (as considered and approved by Cabinet in October 2009) which are set out in this and the accompanying consultants reports be approved subject to:
 - (a) All plans to be attached to the various documents being in forms to the Council's satisfaction;
 - (b) The Council's consultants confirming that the historic costs schedule is a proper record of admissible costs for the current scheme; and
 - (c) Eversheds Solicitors being satisfied that the final documents reflect the approved terms.
- (2) That the advice of the Deputy Chief Executive and Chief Finance Officer be noted, that in the view of the Council's property advisors (CB Richard Ellis), that the DFA and PDA's represent best consideration for the Council's land assets.
- (3) That the grant of an option to extend the lease of Brent Cross, by an extra 25 years from 225 years to a revised term of 250 years, be approved subject to:

- (a) the parties entering into appropriate legal documentation; and
- (b) Eversheds Solicitors being satisfied that the legal documents reflect the approved terms.

And that the advice of the Chief Finance Officer be noted, that in the view of the Council's property advisors (CB Richard Ellis), this transaction represents best consideration for the Council's land assets.

- 6. LEASING OF EMPTY PROPERTIES ON THE REGENERATION ESTATES TO BARNET HOMES TO LET AS ASSURED SHORTHOLD TENANCIES (Report of the Cabinet Member for Housing, Planning and Regeneration – Agenda Item 6):**
For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –
- (1) That the relevant Chief Officer be authorised to lease properties on the Council's regeneration estates to Barnet Homes who will offer these units to households on assured shorthold tenancies at affordable rents.
 - (2) That the relevant Chief Officer be authorised to seek approval from the Secretary of State as required in order to implement resolution (1) above.
- 7. BARNET'S INFRASTRUCTURE DELIVERY PLAN (Report of the Cabinet Member for Housing, Planning and Regeneration – Agenda Item 7):**
For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –
- (1) That the Infrastructure Delivery Plan be published as part of the Core Strategy evidence base to be submitted for formal examination to the Secretary of State.
 - (2) That the Director of Planning, Housing and Regeneration be authorised, in consultation with the Cabinet Member for Housing, Planning and Regeneration, to make any necessary changes to the Infrastructure Delivery Plan prior to the Core Strategy – Submission Stage as further information becomes available.
 - (3) That the Infrastructure Delivery Plan be used to provide the basis for preparing a charging schedule for the Community Infrastructure Levy (CIL) to replace Section 106 agreements in Barnet as the principal mechanism for securing infrastructure funding to support new development should the coalition government confirm that the legislation introducing CIL will proceed.
- 8. BROOKSIDE WALK PLAY AREA (Report of the Cabinet Member for Environment – Agenda Item 8):**
For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –
- (1) That the funding allocated for play equipment in Brent Park be retrospectively reallocated to Brookside Walk to install a play area.
 - (2) That the funding allocated for remedial works in Windsor Open Space be retrospectively reallocated to Brookside Walk to install a play area.
 - (3) That the retrospective authority to draw down funds to construct a play area in Brookside Walk subject to planning consent be authorised.
 - (4) That, if in the event planning consent is not achieved for Brookside Walk, the funding and authority to construct the play area be reallocated to Hendon Park and any costs are contained within the Environment and Operations budget.
- 9. STONEGROVE SPUR ROAD HOUSING REGENERATION – ADVANCE DISPOSAL OF LAND IN PHASE 5 (Report of the Cabinet Member for Resources and Performance – Agenda Item 9):**
For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –

- (1) That pursuant to the provisions of Section 122 of the Local Government Act 1972 the appropriate Chief Officer be authorised to appropriate to planning purposes the land shown on Drawing no: 24146/2 attached to this report, which is presently held by the Council as Housing Land, prior to the disposal of the land.
- (2) That the Council enters into a deed of variation of the Principal Development Agreement (the PDA) to give effect to the exclusion of the land the subject of this report from the Phase 5 of the regeneration scheme and to remove it from the operation of the provisions of the PDA.
- (3) That subsequent to resolutions (1) and (2) above and subject to any necessary consent of the Secretary of State, the freehold transfer of land in Council ownership as shown hatched blue on drawing no: 24146/2 attached to this report ,to Barratt Evolution Limited be approved, on the basis of the terms set out in the accompanying exempt report.

10. HENDON CENTRAL CLINIC, THE BURROUGHS, LONDON NW4 (Report of the Cabinet Member for Resources and Performance – Agenda Item 10):

For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –

- (1) That a deed of agreement be entered into between the Council and Barnet Primary Care Trust (PCT), for PCT to cease to occupy the Premises and vacate the same by a date to be agreed, on the terms set out in the Cabinet Member's report.
- (2) That upon the vacation of the Premises, the Premises be leased to Middlesex University on the terms set out in the Cabinet Member's report.

11. CARE CONTRACT – DECISION OF CATALYST COMMUNITIES HOUSING ASSOCIATION LIMITED ARBITRATION (Report of the Cabinet Member for Adults – Agenda Item 11):

For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –

- (1) That the result of the arbitration and its outstanding issues be noted.
- (2) That the costs of defending the Council against the claim so far be noted.
- (3) That the work around the renegotiation of the Care Home Contract underway be noted.

12. CAMPUS RE-PROVISION PROGRAMME – CONTRACT AWARD INTENSIVE SUPPORTED LIVING SUPPORT CONTRACT (CONTRACT REFERENCE: 50283) (Report of the Cabinet Member for Adults – Agenda Item 12):

For the reasons set out in the Cabinet Member's report, the Committee
RESOLVED –

- (1) That the Intensive Supported Living Contract be awarded to Lifeways Community Care Limited for a period of three years commencing on 30 November 2010, with an option to extend subject to satisfactory performance, for a further two years.
- (2) That subject to written confirmation from the Department of Health that they will not reclaim the grant previously awarded as set out in paragraph 4.4 of the Cabinet Member's report, the Council enters into a development agreement with Notting Hill Housing Trust as outlined in resolution (4) below.
- (3) That a 125 years lease be granted on the Pert Close site, at Pert Close, London N10, to Notting Hill Housing Trust in accordance with the site's valuation, on condition that it pursues the development outlined in resolution (4) below.
- (4) That the development by Notting Hill Housing Trust consists of up to eight one bed supported living units which would be contained in a new building developed on the Pert Close site, in accordance with Section 6 of the Cabinet Member's report.
- (5) That the requirement for a land receipt for Pert Close, London N10 be forgone, should this be necessary, to support the capital element of the Campus Re-provision programme as set out in paragraph 6.11 of the Cabinet Member's report.

(6) That the previous decision of Cabinet Resources Committee on 16 February 2006, as amended by the Leader of the Council and Cabinet Members for Resources by delegated powers on 23 February 2010, to sell the site to Notting Hill Housing Trust for a social housing scheme be rescinded, and approval to sell the site to Notting Hill Housing Trust as detailed in the Cabinet Member's report be granted.

14. MOTION TO EXCLUDE THE PRESS AND PUBLIC:

RESOLVED – That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in category 3 of Part 1 of Schedule 12A of the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006):

Agenda Subject

Item

- | | |
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| X1 | Exempt information relating to item 5 in public session – Brent Cross Cricklewood Regeneration |
| X2 | Exempt information relating to item 9 in public session – Stonegrove Spur Road Housing Regeneration – Advance disposal of land in Phase 5 |
| X3 | Exempt information relating to item 11 in public session – Care Contract – Decision of Catalyst Communities Housing Association Limited Arbitration |
| X4 | Exempt information relating to item 12 in public session – Campus Re-provision Programme – Contract Award Intensive Supported Living Support Contract (contract reference: 50283) |

15. EXEMPT INFORMATION RELATING TO ITEM 5 IN PUBLIC SESSION – BRENT CROSS CRICKLEWOOD REGENERATION (Report of the Cabinet Member for Housing, Planning and Regeneration – Agenda Item X1):

RESOLVED – That the exempt information be noted.

16. EXEMPT INFORMATION RELATING TO ITEM 9 IN PUBLIC SESSION – STONEGROVE AND SPUR ROAD HOUSING REGENERATION – ADVANCE DISPOSAL OF LAND IN PHASE 5 (Report of the Cabinet Member for Resources and Performance – Agenda Item X2):

RESOLVED – That the exempt information be noted.

17. EXEMPT INFORMATION RELATING TO ITEM 11 IN PUBLIC SESSION – CARE CONTRACT – DECISION OF CATALYST COMMUNITIES HOUSING ASSOCIATION LIMITED ARBITRATION (Report of Cabinet Member for Adults – Agenda Item X3):

RESOLVED – That the exempt information be noted.

18. EXEMPT INFORMATION RELATING TO ITEM 12 IN PUBLIC SESSION – CAMPUS RE-PROVISION PROGRAMME – CONTRACT AWARD INTENSIVE SUPPORTED LIVING SUPPORT CONTRACT (CONTRACT REFERENCE: 50283) (Report of Cabinet Member for Adults – Agenda Item X4):

RESOLVED – That the exempt information be noted.

The meeting finished at 7.17pm.