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## DECISIONS OF THE CABINET RESOURCES COMMITTEE

28 JULY 2011

COMMITTEE:

\*Councillor Daniel Thomas (Chairman)

Councillors

Brian Coleman  
\* Andrew Harper  
\* Robert Rams

\* Richard Cornelius  
\* Sachin Rajput

\*denotes Member present

1. **MINUTES:**

The minutes of the meeting held on 29 June 2011 were approved as a correct record.

2. **ABSENCE OF MEMBERS:**

Apologies for absence were received from Councillor Brian Coleman.

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

None.

4. **PUBLIC QUESTIONS:**

The following questions were received from John Dix on Agenda Item 6 relating to Contract for Systems Based Internal Audit Services.

A. **Who determined that quality should attract 70% of the scoring for the award of this particular tender and pricing only 30%?**

**Reply by the Chairman of the Cabinet Resources Committee**

*The split between 70% Quality and 30% Price was set by Buying Solutions, whose framework was used to carry out the mini-competition. This contract is let under the terms and conditions of contract of the Buying Solutions Framework RM662/L13.*

B. **How many of the three other firms that were shortlisted are ICAEW member firms?**

**Reply by the Chairman of the Cabinet Resources Committee**

*The accreditation of all three firms was determined by Buying Solutions and was not part of the mini-competition process, as we are calling off from a framework. At least two would be ICAEW accredited based on our understanding of the firms who submitted bids.*

- C. Do the committee believe it is credible that a professional firm bidding for what is a largely standardized service should have scored one fifth of the quality score of the winning bid?**

**Reply by the Chairman of the Cabinet Resources Committee**

*The Invitation to Tender was very specific of what it required from the bidder and each were asked to submit their response to the tender against three method statements. Some did not answer all of the method statements and therefore did not score well, in addition some bidders did not customise their bid to both Council's requirements for example showing innovation. It is therefore debatable that all firms would offer a standardised service. The panel (2 LBE and 1 LBB) evaluated all tenders and the scores were determined by consensus.*

- D. How comfortable do the committee feel awarding this contract to the highest priced bidder (according to the pricing score)?**

**Reply by the Chairman of the Cabinet Resources Committee**

*The Committee should be concerned with value for money - price and quality, in addition high quality assurance is necessary as we go through a period of transformation to ensure all stakeholders have adequate assurance and a service that drives through cultural change in getting the basics right. Previously we received a low cost IA service however they did not engage at appropriate levels within the organisation nor did they have a high profile, as such a focus on quality was viewed as necessary going forward.*

Mr Dix asked supplementary questions on questions A, C and D, above

The following question was received from Keith Martin on Agenda Item 7 relating to Church Farmhouse, Greyhound Hill, NW4 4JR.

- E. I note from 9.11 of the committee papers that planning advice will involve full consultation with English Heritage. Is the Council taking active steps to put Church Farmhouse Museum (sic) on the National Heritage At Risk Register, which English Heritage in conjunction with The Daily Telegraph is promoting?**

**Reply by the Chairman of the Cabinet Resources Committee**

*Currently the Church Farmhouse Museum is not listed on the National Heritage At Risk Register, and at this time is not considered by the Local Planning Authority as a building which would meet the criteria for it to be placed on this list. However, this does not detract from the historic importance of this building which will as a matter of course in relation to its Grade II Listed status, require English Heritage's involvement in terms of any proposals put forward to reuse the building. English Heritage working with the Local Planning Authority will want to find solutions which will keep this property from falling into significant disrepair or being blighted by its permitted use history, and avoid this property from falling into the sort of state where it would need to be listed on the 'at risk register'.*

*The proposed action will ensure that the future opportunity for the building is considered as a matter of urgency to prevent the deterioration of this important Listed building.*

Mr Martin asked a supplementary question on question E, above

- 5. MONTH 2 MONITORING 2011/12 (Report of the Cabinet Member for Resources and Performance – Agenda Item 5):**

For the reasons set out in the Cabinet Members' report, the Committee

RESOLVED –

- (1) That Directors take appropriate action to ensure costs are kept within budget and income targets are met as set out in paragraph 9.1.2 of the report.
- (2) That the following virements be approved:
  - £0.025m movement in the Recharge Budget and £0.020m in the Insurance Budget to cost centres within the Finance Directorate. As set out in paragraph 9.2.2 of the report
  - £0.540m movement within the Transport Service area as set out in paragraph 9.2.3 of the report
  - £0.321m to be noted for re-alignment of the budget within the Environment and Operations service as set out in paragraph 9.2.4 of the report
  - £0.028m movement in the Recharge Budget and £0.001m in the Insurance Budget to cost centres within the Chief Executive Directorate as set out in paragraph 9.2.5 of the report
- (3) That the following movements to and from contingency be approved:
  - £0.900m from Contingency to Commercial for 2011/12 and for future years (approved in the 2011/12 budget book) to cover the establishment of critical business posts following the transformation of the Commercial directorate as set out in paragraph 9.3.2 of the report
  - £0.500m from Contingency to Environment & Operations for 2011/12 as a one off transfer to fund the Leisure budget pressure as set out in paragraph 9.3.3 of the report
  - £0.436m from Contingency to Environment & Operations for 2011/12 and for future years to fund the PFI Street lighting costs as set out in paragraph 9.3.4 of the report
- (4) That Directors ensure that those capital projects in their services are managed closely to ensure they are delivered within budget and in accordance with the agreed timeframe as set out in paragraph 9.4.1 of the report.
- (5) That the proposed Capital additions/deletions of £0.775m, slippage of £10.112m as set out in Appendix B of the report and the related funding implications summarised in table 2 of the report be approved.
- (6) That the proposed Capital additions/deletions and movements relating to the Final Outturn of £1.433m as set out in Appendix B of the report be approved.

**6. CONTRACT FOR SYSTEMS BASED INTERNAL AUDIT SERVICES (Report of the Cabinet Member for Resources and Performance – Agenda Item 6):**

For the reasons set out in the Cabinet Members' report, the Committee

RESOLVED –

- (1) To authorise the completion of the procurement process with London Borough of Enfield.
- (2) To approve the awarding of the contract to Price Waterhouse Coopers (PWC) for the period of three years starting 1<sup>st</sup> August 2011 using Management Consultancy and Accounting Services – Audit and Assurance Advice and Services - Framework RM662/L13, and with the option for 1 year extension. The contract includes the provision of internal audit, risk management and counter fraud services.

**7. CHURCH FARMHOUSE, GREYHOUND HILL, NW4 4JR (Report of the Cabinet Member for Resources and Performance – Agenda Item 7):**

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

RESOLVED –

- (1) That the Council's freehold interest in the land identified in plan no. 24323 which includes the Church Farm Museum building be declared surplus to its requirements.
- (2) That the disposal of the freehold interest be advertised on the open market to seek details of proposed schemes and initial bids.
- (3) That the appraisal and results of the open market testing be reported to a future meeting of the Cabinet Resources Committee for further consideration.

**8. EX HENDON FOOTBALL CLUB GROUND AND ADJOINING LAND, CLAREMONT ROAD, HENDON (Report of the Cabinet Member for Resources and Performance – Agenda Item 8):**

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

- (1) That officers be given authority to seek to conclude negotiations for the sale of the freehold interest of this site to Montclare Ltd (the current owners of Hendon Football Club Ltd), being the tenant of this site. This should be upon a basis which satisfies the Council's requirement to achieve best consideration and reflect the development, permitted under a new planning consent to be submitted by Montclare.
- (2) That upon conclusion, the outcome of these negotiations be reported to the Chairman for authority for the Council to complete the necessary documentation for the sale of the freehold site.

**9. AUTHORISATION AND ACCEPTANCE OF MINI TENDER FOR THE SUPPLY AND INSTALLATION OF PLAY EQUIPMENT FOR 2011-13 (INCLUDING DESIGN AND LANDSCAPING WORKS) (Report of the Cabinet Member for Environment – Agenda Item 9):**

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

- (1) That a contract for the design, supply and installation of play equipment is awarded to SMP Playground Ltd, subject to the terms on the use of the framework agreement being approved by Legal.

**10. BARNET CENTRE FOR INDEPENDENT LIVING – COMMISSIONING USER-CONTROLLED INFORMATION, ADVICE AND ADVOCACY FOR DISABLED PEOPLE (Report of the Cabinet Member for Adults – Agenda Item 10):**

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

- (1) That authority be given to commission Barnet Centre for Independent Living to provide information, advice and advocacy services for a maximum period of two years.
- (2) That the requirements of paragraph 6.4-5 of the Contract Procedure Rules be waived.
- (3) That the Cabinet Member for Adults be authorised to approve the Council entering into a two-year Section 75 National Health Service Act 2006 pooled funding agreement with NHS Barnet (NHSB), with the council acting as lead commissioner, subject to the legal and financial terms of the agreement being approved by the Assistant Director – Legal and the Chief Finance Officer.

**11. STONEGROVE AND SPUR ROAD ESTATES REGENERATIONS (Report of the Leader of the Council – Agenda Item 11):**

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

RESOLVED –

- (1) That a Compulsory Purchase Order (CPO) be made pursuant to the powers contained in Section 226 (1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 in respect of all third party property and other proprietary interests in the Stonegrove & Spur Road Regeneration Area as shown outlined in red on drawing no: 10930\_MP\_54.
- (2) That the appropriate Chief Officers be authorised to take all necessary action to secure the confirmation and implementation of the CPO.
- (3) That the appropriate Chief Officers be authorised to carry out the necessary consultation required by Part 11 of Schedule 2 of the Housing Act 1985 and seek the Secretary of State's approval of the SGSR scheme for the purpose Ground 10A of Part 11 of Schedule 2 of the Housing Act 1985 (Ground 10A) and to use Ground 10A to obtain vacant possession of Council owned dwellings that are occupied by secure tenants.
- (4) That the appropriate Chief Officer be authorised to approve the service of Initial and Final Demolition Notices as required within the programme for deliver of the regeneration project, pursuant to schedule 9 and section 182 of the 2004 Housing Act to suspend the right to buy on properties due for demolition on the Stonegrove and Spur Road Estates.

**12. 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**

- |    |  |
|----|--|
| X1 | Exempt information relating to item 6 in public session – Contract for Systems Based Internal Audit Services   |
| X2 | Exempt information relating to item 8 in public session – Ex Hendon Football Club Ground and Adjoining Land, Claremont Road, Hendon  |
| X3 | Exempt information relating to item 9 in public session – Authorisation and Acceptance of Mini Tender for the Supply and Installation of Play Equipment for 2011-13 (including Design and Landscaping Works) |

**13. EXEMPT INFORMATION RELATING TO ITEM 6 IN PUBLIC SESSION – CONTRACT FOR SYSTEMS BASED INTERNAL AUDIT SERVICES (Report of the Cabinet Member for Resources and Performance – Agenda Item X1):**

RESOLVED – That the exempt information be noted.

**14. EXEMPT INFORMATION RELATING TO ITEM 8 IN PUBLIC SESSION – EX HENDON FOOTBALL CLUB GROUND AND ADJOINING LAND, CLAREMONT ROAD, HENDON (Report of the Cabinet Member for Resources and Performance – Agenda Item X2):**

RESOLVED – That the exempt information be noted.

**15. EXEMPT INFORMATION RELATING TO ITEM 9 IN PUBLIC SESSION – AUTHORISATION AND ACCEPTANCE OF MINI TENDER FOR THE SUPPLY AND INSTALLATION OF PLAY EQUIPMENT FOR 2011-13 (INCLUDING DESIGN AND**

**LANDSCAPING WORKS) (Report of the Cabinet Member for Environment –  
Agenda Item X3):**

RESOLVED – That the exempt information be noted.

The meeting finished at 7.25pm.