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**Decisions of the Cabinet Resources Committee**

25 February 2014

Cllr Daniel Thomas (Chairman)

\* Richard Cornelius

\* David Longstaff

\* Robert Rams

\* Tom Davey

\* Sachin Rajput

\* denotes Member Present

**1. MINUTES OF THE PREVIOUS MEETING (Agenda Item 1):**

RESOLVED-

That the minutes of the meeting held on 16 January 2014 be agreed as a correct record.

**2. ABSENCE OF MEMBERS (Agenda Item 2):**

None.

**3. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS (Agenda Item 3):**

None.

**4. PUBLIC QUESTION TIME (IF ANY) (Agenda Item 4):**

No public questions were received.

**5. COMPULSORY PURCHASE OF LONG-TERM VACANT PROPERTIES (Agenda Item 5):**

A public comment on this item was received from Mr David Tan.

It was noted that the correct title of the Officer referred to in paragraph 1.5 should be the Strategic Director for Growth and Environment, not Director for Place.

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

**RESOLVED:**

- 1 That the making of Compulsory Purchase Orders (CPOs), under Section 17 of the Housing Act 1985 and the Acquisition of Land Act 1981 be authorised in respect of the properties identified as 'a' and 'b' in the exempt report.
- 2 That, subject to the authorisation for the making of the Compulsory Purchase Orders referred to in recommendation 1.1 above, the Orders be submitted to the

Secretary of State at the Department for Communities and Local Government for consideration and confirmation.

- 3 That, in the event of the Secretary of State at the Department for Communities and Local Government returning the Orders for confirmation by the Council, the Order be confirmed on behalf of the Council.
- 4 Following confirmation of the Orders, that Cabinet Resources Committee approve the entry into a cross-undertaking with the owner(s) of the relevant property not to implement the Order on the condition that the owner(s) agree(s) to bring their property back into use within a reasonable time.
- 5 In the event that a cross-undertaking is not entered into as referred to in recommendation 1.4 above, or the terms of the cross-undertaking are not adhered to by the owner, that authority be delegated to the Strategic Director for Growth and Environment to proceed with the compulsory acquisition of the properties in question.
- 6 That following the compulsory acquisition of any of the properties, an options paper on the onward disposal be brought to the Cabinet Resources Committee for decision.
- 7 That Cabinet Resources Committee approve that the financial costs of the Compulsory Purchase Orders be indemnified through the Corporate Capital Programme.
- 8 On the basis of valuations and the potential return on investment – in relation to property “c” that Option 1 be authorised.
- 9 On the basis of valuations and the potential return on investment in relation to property “d”- that Option 3 be authorised. Costs to be indemnified through the Corporate Capital Programme.

## **6. MANAGEMENT AGREEMENT WITH THE BARNET GROUP (Agenda Item 6):**

For the reasons set out in the Cabinet Member’s report,

**RESOLVED** that Cabinet Resources Committee:

- 1 Approve the extension of the Management Agreement between the Council and The Barnet Group for the management of the Council’s social housing stock and the provision of Housing Services for a period of one year to March 2015.
- 2 Authorise officers to develop a one year Delivery Plan with The Barnet Group for housing management and housing services from April 2014.
- 3 Approve that the Lead Commissioner Housing and Environment be appointed as the Council’s representative for the purpose of liaison and consultation between the Council, The Barnet Group and Barnet Homes for the creation of a longer term arrangement from April 2015.

**7. TENDERING FOR A LOCAL VOLUNTARY AND COMMUNITY SECTOR DEVELOPMENT PARTNER (Agenda Item 7):**

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

**RESOLVED:**

That the committee authorise procurement of a local voluntary and community sector development partner, up to a maximum of 4 years (2 years plus the option to extend by 2 years) with a contract value of £900,000, to commence no later than 1 April 2015.

To ensure continuity of service during the procurement, that the committee authorise the extension of a grant of £95,775 to CommUNITY Barnet in principle for 2014/15 – apportioned as £60,128 for infrastructure support and £35,647 to underpin volunteering. There is provision in the 2014/15 budget for this.

That the committee authorise the requirements of Section 14 of the Council Contract Procedure Rules to be waived to allow for the extension of the current Family Services contract with CommUNITY Barnet from April 1 2014 up to 31 March 2015 at a value of no more than £116,550.

**8. FRIARY HOUSE, FRIARY PARK, FRIARY ROAD, LONDON, N12 - 9PQ (Agenda Item 8):**

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

**RESOLVED**

1. That Cabinet Resources Committee note the proposal to grant an agreement for lease and lease between the Council and Community Focus Inclusive Arts of the vacant first floor and one of two offices on the top floor of Friary House, plus an external store, following completion of the works required to make the first floor space useable. Once agreed, the letting will be authorised via a Delegated Powers report.
2. That, subject to completion of the agreement for lease referred to at 1.1 above, the Committee approve the fit-out works to the first floor of Friary House in order to facilitate the occupation of Community Focus Inclusive Arts. The total cost of the works will not exceed £100,000, towards which Community Focus Inclusive Arts will make a contribution of £10,000.

**9. ANNUAL UPDATE REPORT ON THE GROWTH AND REGENERATION PROGRAMME (Agenda Item 9):**

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

**RESOLVED**

- 1 That the Committee endorse the general progress being made towards delivering the Borough's regeneration schemes and skills and enterprise activities, including

key achievements and successes from November 2012 as well as expected activities in 2014/15.

2 That the Committee note the Forward Plan of Decisions for 2014/15.

**10. WEST HENDON REGENERATION PROJECT (Agenda Item 10):**

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

**RESOLVED**

1 That the Committee note the decisions, taken by the Leader of the Council on 12 September 2013:

- (i) That in accordance with the provisions of S.122 of the Local Government Act 1972, the land shown coloured blue on the attached plan, excluding the area shown coloured blue hatched red is hereby appropriated to planning purposes; and
- (ii) That in accordance with the provisions of S.122 of the Local Government Act 1972, the land shown coloured blue hatched red on the attached plan shall be appropriated to planning and that delegated power is given to the Strategic Director Growth and Environment (formerly the Director for Place) to complete the appropriation upon implementation of the highway closure.
- (iii) Subject to Secretary of State consent the transfer of the land shown coloured blue on the attached plan to Barratt Metropolitan LLP in accordance with the relevant provisions of the Principal Development Agreement

2 That the Committee note that the Leader of the Council made the following decision on 11th February 2014:

- (i) The granting of the resolution to make CPO1

**11. QUARTER 3 MONITORING 2013/14 (Agenda Item 11):**

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

**RESOLVED**

That Cabinet Resources Committee:

- 1 note the Performance in Paragraph 9.1 and Appendix A;
- 2 instruct Directors to take appropriate action to ensure costs are kept within budget and income targets are met (Paragraph 9.3.2);
- 3 instruct Directors to take appropriate action to improve performance against those corporate performance, Human Resources (HR), project, and risk measures

where quarter three performance remains a challenge (Paragraphs 9.1 and Appendix A).

- 4 instruct Directors to 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 (Paragraph 9.3.17).
- 5 approve the proposed 2013/14 capital additions/deletions totalling £4.852m and slippage of £22.583m as set out in Table 3 (Paragraph 9.3.16) and Appendix C and the related funding implications summarised in Table 4 (Paragraph 9.3.13).
- 6 note the Agency Costs for the third quarter (Paragraph 9.5.1).
- 7 note the Corporate Risk Register at Appendix E.
- 8 note the One Barnet Programme (Paragraph 9.10 and Appendix F).
- 9 approve the following virement for this financial year:  
  
£0.381m to Central Expenses in respect of insurance charges made to Directorates for 2013/14. This is required to realign the Directorate budgets to reflect the insurance charges made for 2013/14. There is a nil impact on budgets. (Paragraph 9.4.1)
- 10 approve the following transfers from contingency for this and subsequent financial years, as set out in paragraph 9.6:  
  
£0.500m into Re in respect of reactive road maintenance; and  
  
£0.916m into the Barnet Group in respect of temporary accommodation pressures as outlined in the quarter two monitoring report.
- 11 approve the following allocation from the Risk and Litigation reserve in 2013/14 only, reflecting the delayed savings and increased costs arising from the judicial review, as set out in paragraph 9.3.12:  
  
£0.878m into Re
- 12 approve a total of £1.163m of transfers from the Transformation Reserve as set out in paragraph 9.10.4.
- 13 note the Treasury position in 9.8.
- 14 note that the change in benefit rates payable from the Department for Work and Pensions will be used on all financial assessments carried out for Adult Social Care from 7<sup>th</sup> April 2014 set out in paragraph 9.7.1 and 9.7.2.

## **12. VARIATION OF CONTRACT VALUE AND EXTENSION OF FROZEN FOOD CONTRACT (Agenda Item 12):**

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

## **RESOLVED**

That the Cabinet Resources Committee:

authorise the variation of the Frozen Foods contract with Hopwells Limited for an additional £1,000,000; and

authorise the extension of the Frozen Foods contract with Hopwells Limited for a further year until 29 July 2015, for the value of £1,750,000, to allow for a new procurement exercise to be undertaken.

### **13. INDEPENDENT TRANSPORT OPERATIONS FOR SEN AND PASSENGER TRANSPORT UPDATE (Agenda Item 13):**

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

#### **RESOLVED**

- 1 To approve B&L Coach and Car Hire Ltd and Ruskins Private Hire Ltd as suppliers to the Independent Transport Operations for SEN and Passenger Transport contract following mini competition.
- 2 To retrospectively approve an increase in the annual value of the contracts of £655,000 following an increase of 10% clients being transported over the same period.

### **14. AGREEMENT FOR LEASE- GATEWAY HOUSE (Agenda Item 14):**

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

#### **RESOLVED**

- 1 That Cabinet Resources Committee note the contents of this report and the opportunity presented by the proposed redevelopment of Gateway House for a new library in Finchley Church End.
- 2 That Cabinet Resources Committee approve the proposed Heads of Terms as detailed in Appendix 1 and the Exempt report as the basis for entering into an agreement for lease with Maverick Estates Limited.
- 3 That Cabinet Resources Committee approve the Council entering into an agreement for lease of Gateway House for the accommodation of a new library in accordance with the approved Heads of Terms.
- 4 That Cabinet Resources Committee delegate authority to the Chief Operating Officer to agree any variations or additional terms as are required to conclude the agreement for lease acting in consultation with the Deputy Leader and Cabinet Member for Resources and Performance.
- 5 That once the Deputy Leader and Cabinet Member for Resources and Performance

has approved the final heads of terms then officers may instruct HB Public Law to complete the Agreement for lease.

**15. HOME MEALS CONTRACT EXTENSION (Agenda Item 15):**

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

**RESOLVED**

That the Committee agree to a waiver to the Contract Procedure Rules as necessary to extend the Home Meals contract with Sodexo Healthcare Limited for one year until 1 April 2015.

**16. CONTRACT AWARD FOR THE INDEPENDENT MENTAL CAPACITY ADVOCACY, THE DEPRIVATION OF LIBERTIES SAFEGUARDS, THE RELEVANT PERSON'S PAID REPRESENTATIVE AND THE INDEPENDENT MENTAL HEALTH ADVOCACY SERVICES (Agenda Item 16):**

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

**RESOLVED**

That the Committee:

- 1 Award the three-borough Contract for the Independent Mental Capacity Advocacy (IMCA), the Deprivation of Liberties Safeguards Relevant Person's Paid Representative (DOLS) and the Independent Mental Health Advocacy Services (IMHA). The successful award is dependent on the award of the Contract by all three Boroughs.
- 2 Award the Contract to the winning bidder, Voiceability, for a period of three years, with the option of extending for a further year plus another further year. Contract extension would be subject to satisfactory performance, availability of resources and the continued demand for the services.

**17. ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT (Agenda Item 17):**

None.

**18. MOTION TO EXCLUDE THE PRESS AND PUBLIC (Agenda Item 18):**

**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 Paragraph 9 of Part 1 of Schedule 12A of the Act (as amended).

**19. COMPULSORY PURCHASE OF LONG-TERM PROPERTIES (Agenda Item 19):**

**RESOLVED**

That the exempt information that relates to the item for consideration at the meeting in public session be noted.

**20. AGREEMENT FOR LEASE- GATEWAY HOUSE (Agenda Item 20):**

**RESOLVED**

That the exempt information that relates to the item for consideration at the meeting in public session be noted.

**21. HOME MEALS CONTRACT EXTENSION (Agenda Item 21):**

**RESOLVED**

That the exempt information that relates to the item for consideration at the meeting in public session be noted.

**22. CONTRACT AWARD FOR THE INDEPENDENT MENTAL CAPACITY ADVOCACY, THE DEPRIVATION OF LIBERTIES SAFEGUARDS, THE RELEVANT PERSON'S PAID REPRESENTATIVE AND THE INDEPENDENT MENTAL HEALTH ADVOCACY SERVICES (Agenda Item 22):**

**RESOLVED**

That the exempt information that relates to the item for consideration at the meeting in public session be noted.

**23. ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT (Agenda Item 23):**

None.

The meeting finished at 8.45 pm