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Meeting	Cabinet Resources Committee
Date	1 <sup>st</sup> August 2012
<b>Subject</b>	<b>Reference back from Business Management Overview &amp; Scrutiny Committee:</b> <b>Sale of freehold interest in the former Hendon Football Club ground and adjoining land Claremont Road, Hendon</b>
Report of	Overview & Scrutiny Office
Summary	Cabinet Resources Committee took a decision on the above matter at the meeting on 17 <sup>th</sup> July 2012. The Business Management Overview and Scrutiny Committee has referred the decision back to Cabinet Resources Committee for further reconsideration.

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Officer Contributors	John Murphy, Overview and Scrutiny Officer
Status (public or exempt)	Public, with separate exempt section
Wards Affected	Golders Green Ward
Reason for urgency / exemption from call-in	N/A
Function of	Executive
Enclosures	Annex A – Call-In of Sale of freehold interest in the former Hendon Football Club ground and adjoining land Claremont road, Hendon  Annex B – Decision extract of Business Management Overview & Scrutiny Committee, 31 July 2012  Annex C – Additional information requested by Business Management Overview and Scrutiny Committee
Contact for Further Information:	John Murphy, Overview and Scrutiny Officer, 020 8359 2368

## **1. RECOMMENDATIONS**

- 1.1 That Cabinet Resources Committee indicate whether or not they wish to amend their decision taken at the meeting on 17 July 2012 on the Sale of freehold interest in the former Hendon Football Club ground and adjoining land Claremont Road, Hendon

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 As set out in the Sale of freehold interest in the former Hendon Football Club ground and adjoining land Claremont road, Hendon.

- 2.2 Cabinet Resources Committee, 17 July 2012

Decision Item 5 – The committee resolved to - To take into account the information contained in the public and the exempt reports to give the authority to complete the sale of the Council's freehold interest in this site to Montclare Limited on the terms authorised by the Director for Commercial Services in consultation as set out below.

- a) For a consideration of £2.8 million
- b) Overage payment as set out in the exempt report 2
- c) The provision of £4.1 million worth of Affordable Housing in the borough
- d) Community Infrastructure Levy and Section 106 contributions
- e) Nomination rights on the Affordable Homes as valued in the exempt report

- 2.3 Business Management Overview and Scrutiny Committee, 31 July 2012

Decision Item 6 – the Committee referred the decision back to Cabinet for further consideration (see section 9 below)

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 As set out in Agenda item 5 in the report to Cabinet Resources Committee on 17 July 2012

## **4. RISK MANAGEMENT ISSUES**

- 4.1 As set out in Agenda item 5 in the report to Cabinet Resources Committee on 17 July 2012

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 As set out in Agenda item 5 in the report to Cabinet Resources Committee on 17 July 2012

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

- 6.1 As set out in Agenda item 5 in the report to Cabinet Resources Committee on 17 July 2012

## **7. LEGAL ISSUES**

- 7.1 As set out in Agenda item 5 in the report to Cabinet Resources Committee on 17 July 2012

## **8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)**

- 8.1 Council Constitution, Overview and Scrutiny Procedure Rule 15.6 – Any Member of the Business Management Overview and Scrutiny Committee is empowered to call-in key decisions taken by the Cabinet, Cabinet Resources Committee, individual Cabinet Members or Officers for consideration at the next meeting of the Committee.
- 8.2 Council Constitution, Overview and Scrutiny Procedure Rule 15.9 – If, having considered a decision the Business Management Overview and Scrutiny Committee remain concerned about it then it may refer it back to the decision making body for reconsideration, setting out their concerns.
- 8.3 Council Constitution, Overview and Scrutiny Procedure Rule 15.10 – Where a decision is referred back to the original decision maker, he/she will reconsider the decision and decide whether or not to change it before adopting a final decision.

## **9. BACKGROUND INFORMATION**

- 9.1 Cabinet Resources Committee decision of 17 July 2012 on the Sale of freehold interest in the former Hendon Football Club ground and adjoining land Claremont road, Hendon was called-in for consideration by Business Management Overview and Scrutiny Committee on 31 July 2012.
- 9.2 The Committee decided to refer the decision back to Cabinet Resources Committee requesting that additional information be provided to the Cabinet Resources Committee prior to their reconsideration of the decision in relation to:
- :
- The council's obligations under the Equalities Act 2010 in relation to the decision
  - The financial status of Montclare Developments Ltd, Montclare Limited and Hendon Football Club Limited
  - Consideration of any wider community benefits of the London Jewish Girls High School bid

In addition to points above the Business Management Overview & Scrutiny Committee requested that, subject to the outcome of their reconsideration of the decision, Cabinet Resources Committee ensure that any potential negotiations taking place with the London Jewish Girls High School include consideration of the provision of local community services.

## 10. LIST OF BACKGROUND PAPERS

- 10.1 Cabinet Resources Committee, 17 July 2012, Sale of freehold interest in the former Hendon Football Club ground and adjoining land Claremont road, Hendon:

[http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=151&MId=6754&Ve  
r=4](http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=151&MId=6754&Ve<br/>r=4)