

<p style="text-align: center;"><u>COMMITTEE</u> CABINET RESOURCES</p>
<p style="text-align: center;">DATE AND TIME THURSDAY, 10 NOVEMBER 2005 AT 7.00 PM</p>
<p style="text-align: center;"><u>VENUE</u> THE TOWN HALL, THE BURROUGHS, HENDON, NW4 4BG</p>

TO: MEMBERS OF THE CABINET RESOURCES COMMITTEE (Quorum 3)

Chairman: Councillor Mike Freer

Councillors:

Anthony Finn

Lynne Hillan

John Marshall

Brian Salinger

John Marr
Democratic Services Manager

Democratic Services contact:
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Town Hall
Hendon, NW4 4BG

ORDER OF BUSINESS

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AGENDA ITEM: 4

Page nos. 1 - 6

Meeting Cabinet Resources Committee

Date 10 November 2005

Subject Land at the junction of Warrens Shawe Lane and Springwood Crescent, Edgware

Report of Cabinet Member for Resources

Summary To consider the freehold transfer of part of the land and the grant of a building licence followed by a 75 years lease of the remainder, both to Notting Hill Housing Trust.

Officer Contributors Dave Stephens, Strategic Property Advisor

Status (public or exempt) Public

Wards affected Edgware

Enclosures Map

For decision by The Committee

Function of Executive

Reason for urgency / exemption from call-in (if appropriate) N/A

Contact for further information:
David Stephens, Strategic Property Advisor – 020 8359 7353

1 RECOMMENDATIONS

1.1 That subject to:

- i. Notting Hill Housing Trust agreeing to make a contribution of £25,000 towards the provision of leisure facilities within the Borough, and £42,861 towards education;**
- ii. To the outcome of the advertising of the intention to sell part of the land and grant a lease of the remainder pursuant to Section 123 (2A) of the Local Government Act 1972; and**
- iii. The prior approval of the Office of the Deputy Prime Minister if necessary;**

Approval be given to

- (a) 0.0117 hectares/0.029 acres approximately of the former playground being sold freehold to Notting Hill Housing Trust at nil consideration;**
- (b) Notting Hill Housing Trust being given licence to develop approximately 0.077 hectares/0.19 acres of the former playground site with a six bed care home; and**
- (c) Upon completion of the development in (b) Notting Hill Housing Trust be granted a 75 year lease of the development at a rent of a peppercorn and upon terms similar to those agreed for other properties in the Learning Disabilities accommodation re-provision project.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet 22.7.02 – Accepted the tender offer from Notting Hill Housing Trust (NHHT) to take the freehold transfer of various of the Council's Learning Disabilities care homes and day centres on the basis that NNHT would provide new care homes, day centres and supported living accommodation with part of the cost being met from the sale of the surplus sites.**
- 2.2 Cabinet 31.5.05 – Agreed a revised modernisation programme for the Learning Disabilities Service including the provision of a 6 bed care home at Broadfields.**

3 CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to improved asset and contract management. The proposals in this report do this by having a disused former playground to be redeveloped with a 6 bed care home to support the Council's Learning Disabilities service.**

- 3.2 The Community Plan includes a priority to improve services for those with learning difficulties.

4 RISK MANAGEMENT ISSUES

- 4.1 The playground has been closed and un-used for several years. There is little on the site but it still gets subjected to the occasional act of vandalism. Allowing it to be developed will stop these activities and bring the site back into beneficial use.

5 FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 In negotiations with Hertfordshire County Council in respect of the sharing of the proceeds of sale of The Leys, it has been put to Herts CC that the former playground site has a value of £460,000. The Council's case is that by giving this land to NHHT at nil value the opportunity cost to the Council is the £460,000 and that such sum (together with other re-provision costs) should be recovered from the proceeds of sale of The Leys before the balance is shared by the two authorities. Herts CC has so far not accepted this Council's argument and the negotiations are continuing. If the Council was to sell/lease the land to Notting Hill for full value instead of at nil value then this would be contrary to what has been put to Herts CC and the calculation of the Council's share of The Leys sale proceeds would have to be adjusted downwards.
- 5.2 Notting Hill Housing Trust achieved planning permission after taking the matter to appeal. Officers had originally recommended that any planning permission should be subject to a Section 106 Agreement requiring NHHT to pay contributions of £25,000 towards the provision of leisure facilities within the Borough and £42,861 towards education. The grant of the planning permission on appeal did not include this requirement. It is intended that NHHT should still make these payment but as condition of the land transaction.
- 5.3 As this land transaction has arisen because of NHHT's need to revise its scheme proposals to enable it to meet the Council's service needs, each party will bear its own costs in the matter.
- 5.4 Works to the new buildings on the Broadfields and Grendon Lodge Supported Flats and Care Home are at the very start of the overall programme. Their completion is required early in order to allow the decanting of residents from other sites into the new buildings. Any delays will have a direct knock-on effect to the special needs facilities and general needs blocks. It is these knock on effects which Notting Hill estimates will generate increased costs in the region of £112,000.
- 5.5 If any part of the proposed land transactions incurs a liability for the payment of Stamp Duty Land Tax, then it will be for Notting Hill Housing Trust to meet such cost.
- 5.6 There are no staffing or ICT issues. The property issues are those detailed in section 8 below.

6. LEGAL ISSUES

6.1 None.

7. CONSTITUTIONAL POWERS

7.1 Constitution – Part3 Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

FORMER PLAYGROUND

8.1 When the Council sold land in Warrens Shawe Lane in the early 1990s for an affordable housing development it included a requirement that a small parcel of Council retained land (0.22 acres/0.089 hectares approximately) at the junction of Springwood Crescent should be laid out as a children's playground. The site is shown hatched black and edged black on the attached illustrative plan.

8.2 The housing development was completed but the works to the playground were never completed satisfactorily. Efforts were made to make the development company complete the works properly but the company went into liquidation before the matters were finalised.

8.3 Because of its poor construction the playground continued to deteriorate and became dangerous. For safety purposes it was closed and has remained closed ever since.

LEARNING DISABILITIES REPROVISION

8.4 The Council has transferred various Learning Disability Service day centres and care homes together with other lands to Notting Hill Housing Trust. NHHT was to provide new care homes, day centres and supported living flats on some of the sites to meet the needs of the Service with the surplus properties being sold to provide cross-subsidy for the capital cost of reprovion. The transfer did not include the former playground at Springwood Crescent.

8.5 For a variety of reasons previously reported to Members, NHHT's scheme of reprovion has had to be substantially revised. Some of the transferred properties are to be returned to the Council, including land at York Road, Barnet which has been designated as a village green. At the same time, in order to make the scheme on the sites of the Broadfields and Springwood day centres site work, NHHT has had to include the former playground site. On appeal it has achieved a planning permission for a development on site of Broadfields and Springwood day centres and the adjacent former playground with a 6 bed residential care home, 7 supported living flats and flats for sale. This is subject to a Section 106 Agreement. NHHT is now seeking the transfer to it of an appropriate interest in the former playground.

- 8.6 A very small part of the former playground (approximately 0.0117 hectares/0.029 acres – edged black on the attached illustrative plan) is required for the development of the supported living flats and the sale flats and needs to be transferred freehold to NHHT at nil value. The greater part of the former playground is to be developed with a six bed care home.
- 8.7 Under the original agreement with NHHT, the properties were transferred freehold to NHHT with a provision that sites or part sites developed for stand-alone care homes or day centres, the freehold interest would be transferred back to the Council for £1 and in return the Council will grant NHHT a 75 year lease of the facility at a peppercorn rent.
- 8.8 In the case of the major part of the former playground site, as it is to be developed for a 6 bed care home, it is proposed that NHHT be granted a licence to enter upon the land to carry out the development. Upon completion of the care home NHHT will be granted a 75 year at a peppercorn rent and otherwise on similar terms to the leases agreed for the remainder of the Learning Disabilities accommodation re-provision project.
- 8.9 It is considered that this transaction, being at less than best consideration, will fall within the parameters of the Local Government Act 1972: General Disposal Consent (England) 2003 in that the purpose of the disposal is likely to contribute to the promotion or improvement of the social well-being of residents in the borough and the difference between the disposal price and the unrestricted value is less than £2m. Nevertheless, if upon further consideration the transaction does not fall under the general consent then the approval of the Office of the Deputy Prime Minister will be sought.

SECTION 123 ADVERTISING

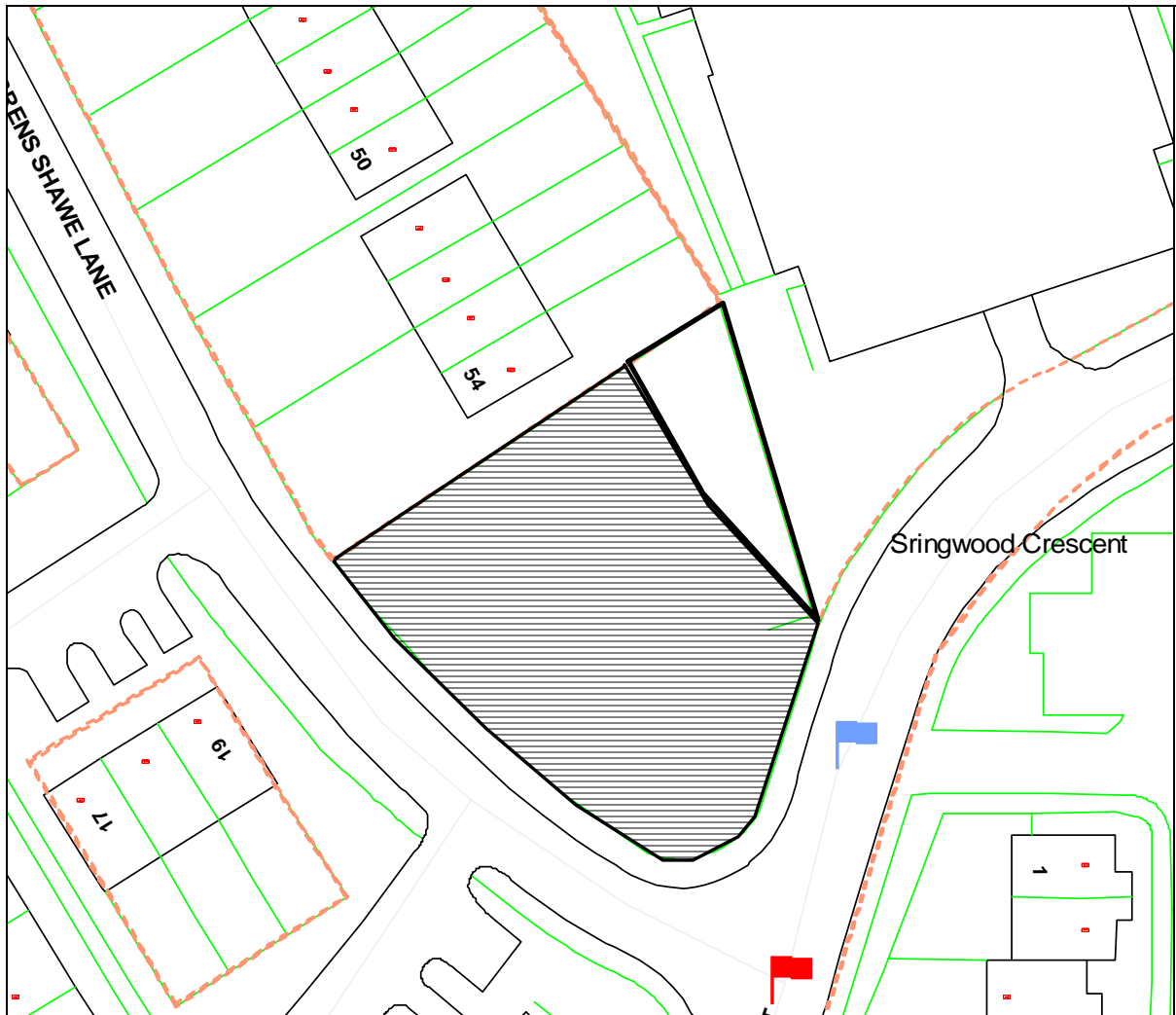
- 8.10 Because the land in question was laid out for open space purposes, although not used for that purpose for years, the proposed disposal had to be advertised in accordance with Section 123(2A) of the Local Government Act 1972. This requires local authorities intending to dispose of land acquired for or held for open space purposes to advertise the intention to dispose locally and to consider any representations received before proceeding further. An intention to dispose includes the grant of a lease.
- 8.11 It is proposed that before taking the matter further, the proposal to sell part of the former playground and grant a long lease of the remainder be advertised in accordance with Section 123 (2A) of the Local Government Act 1972 with any representations received being reported to a future meeting of this committee.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

Legal: PJ
BT: CM

Land at the junction of Springwood Crescent and Warrens Shawe Lane, Edgware



Not to scale

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EDGED BLACK – Land to be transferred freehold.

HATCHED BLACK – Land to be the subject of a long lease.

AGENDA ITEM: 5

Page nos. 7 - 12

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Write-offs of Housing Benefit and Council Tax Benefit Overpayments
Report of	Cabinet Member for Resources
Summary	The report proposes to write-off amounts of housing and council tax benefit overpayments totalling £212,891.05.

Officer Contributors	Nigel Hamilton (Head of Housing) Lyn Sutherland (Benefits Manager)
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A - History of Debts Over £20,000 Appendix B - Write Off Check List
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: Lyn Sutherland on 0208359 2318

1. RECOMMENDATIONS

1.1 That the amount of £212,891.05 as detailed below is written off.

2. RELEVANT PREVIOUS DECISIONS

2.1 It is good accounting practice to write off old or otherwise unrecoverable debts; these are usually reported to Cabinet Resources annually, the last time on 21.07.2005.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

3.1 The write off of these overpayments is in line with good accounting practice, which requires that debit balances accurately reflect realisable income and that recovery proceedings need to be taken against unaffected debt.

4. RISK MANAGEMENT ISSUES

4.1 The recommendation to write off these debts will not have any effect on the subsidy paid or payable and recognises that there is no longer a realistic possibility of their economic recovery. All appropriate avenues have been exhausted in trying to recover these sums.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

5.1 Budgetary provision has been made for non-collection of these debts.

5.2 The breakdown of the debts is as follows:

<u>AMOUNT</u>	<u>No.</u>	<u>VALUE</u>
£5,000 to £10,000	11	75,601.30
£10,000.01 to £20,000	3	46,459.43
£20,000.01 to £30,000	2	49,616.75
£30,000.01 to £40,000	0	0
£40,000.01 to £50,000	1	41,213.61
Total	17	£212,891.09

Year debt raised	Number of cases
03.04.95 - 31.03.96	1
01.04.96 - 06.04.97	0
07.04.97 - 05.04.98	1
06.04.98 - 04.04.99	0
05.04.99 - 02.04.00	5
03.04.00 - 01.04.01	4
02.04.01 - 31.03.02	3
01.04.02 - 06.04.03	2
07.04.03 - 04.04.04	1

TOTAL NUMBER OF CASES 17

6. LEGAL ISSUES

6.1 None.

7. CONSTITUTIONAL POWERS

7.1 Constitution, Part 3 - Responsibility for Functions, Section 3 - Powers of the Executive, paragraph 3.6 - terms of reference of the Cabinet Resources Committee."

8. BACKGROUND INFORMATION

8.1 L B Barnet is responsible for the administration of Housing and Council Tax Benefits and last year paid in excess of £142m in benefits.

8.2 Overpaid benefit occurs either as a consequence of official error by the Benefits Agency /Local Authority or by claimant error. Almost all overpayments occur because of claimant error, either because the claimant failed to notify a change in circumstances that affects the amount of entitlement or because there is a fraud. Appendix A gives an outline history of debts over £20,000 being submitted for write off.

8.3 The appropriate rate of subsidy has been claimed from Central Government in each of the years in which the overpayments were raised. Overpayments that arose from claimant error attracted a subsidy rate of 25% or 40% and those arising from fraud 95%, 80% or 40% depending on the year that the fraud was identified. In each case the subsidy is payable whether or not the overpayment is actually recovered. The Authority is entitled to retain all recovered overpayments without having to net off any subsidy paid. The subsidy rates are therefore seen by Central Government as an incentive for Local Authorities to pursue the recovery of overpaid benefit.

8.4 Overpayments of benefit are recoverable accordance with Regulation 99 of the Housing Benefit (General) Regulations 1987, except where there is official error and the claimant could not reasonably be expected to know they were being overpaid.

8.5 Housing Benefit overpayments are normally recovered from ongoing entitlement to benefit by small weekly instalments. Where there is no ongoing entitlement a bill will be issued. If it is paid to directly landlord he or she may be billed. Following the bill a reminder will be sent. If there is not response to the reminder the next step can be a Notice Before Proceedings, an application to the DWP (Department of Works & Pensions) for attachment of any state benefits or the debt will be registered at court. Further action will be taken depending on the circumstances. Appendix B lists the issues considered and final checks that are carried out before a debt is submitted for write off.

8.6 Claimants can appeal against decisions on overpaid Housing and Council Tax Benefit and if requested, an independent tribunal may consider the case.

8.7 The write off of unrecoverable benefit overpayments was a matter examined by the BFI (Benefits Fraud Inspectorate) during the Corporate Performance Assessment inspection. One of the standards of performance expected by the BFI is that the authority has systems in place to write off debts regularly.

9 LIST OF BACKGROUND PAPERS

9.1 Housing Benefit (General) Regulations 1987.

9.2 Any person wishing to inspect the background papers listed above should telephone Lyn Sutherland on 0208359 2318.

BS: RB

BT: SE

Appendix A – History of Debts Over £20,000

Amount £	History
41,213.61	<p>Fraudulent claim –</p> <p>Reported by Environmental Health department. The claim was cancelled from the outset. The debtor had no entitlement under Regulation 7 of the Housing Benefit (General) regulation 1987. His landlady (his mother) was found to have been living on the same premises.</p> <p>The debtor has severe mental health problems and Legal department has advised it would not be in the public interest to prosecute. The debtor has only Incapacity Benefit income, as he is not a householder.</p> <p>In view of legal decision overpayment submitted for write off.</p>
27,014.75	<p>Fraudulent claim –</p> <p>Claimant failed to declare his pension, which led to the overpayment. Unfortunately, the claimant died. Recovery was sought from his daughter. The claimant left insufficient estate for the debt to be recovered.</p>
22,602.00	<p>Fraudulent claim –</p> <p>Unable to trace debtor. Debt now 6 years old.</p>

Appendix B – Write Off Check List

	RECOMMENDING CASES FOR WRITE OFF - CHECKLIST	PLEASE INDICATE
1.	Outstanding debt is uneconomical to pursue	<input type="checkbox"/>
2.	Tracing via RATS/DCI (DWP)	<input type="checkbox"/>
3.	Tracing via EXPERION	<input type="checkbox"/>
4.	Tracing via Council Systems CTAX, Saffron etc	<input type="checkbox"/>
5.	Debtor is bankrupt	<input type="checkbox"/>
6.	Evidence verified that pursuing the debt will cause financial hardship to the customer	<input type="checkbox"/>
7.	Terminal illness or severe medical condition	<input type="checkbox"/>
8.	Mental impairment	<input type="checkbox"/>
9.	Unable to trace executor	
10.	Traced executor - No money available from the estate/executor	<input type="checkbox"/>
11.	Absconded - All tracing methods exhausted	<input type="checkbox"/>
12.	Debt has been outstanding for more than 6 years	<input type="checkbox"/>
13.	All recovery action has been taken/considered and a decision has been made not to pursue any further	<input type="checkbox"/>
14.	The debt cannot be substantiated	<input type="checkbox"/>
15.	Has the case been checked thoroughly for possible underlying entitlement/other owed credit, which would reduce the debt?	<input type="checkbox"/>
16.	It is not in the interest of the authority to pursue the overpayment. Please provide details	<input type="checkbox"/>
	Comments:	
	Checklist Completed by:	
	Signature: 2005	Date: 27 October

REFERENCE XXXX

Mr H B Debtor

AGENDA ITEM: 6 Page nos. 13 - 19

Meeting Cabinet Resources Committee
Date 10 November 2005
Subject **South Friern Library and adjoining premises**
Report of Cabinet Member for Resources
Summary To report the outcome of best and final offers from the two short-listed parties and to seek authority to proceed with the freehold sale of the property.

Officer Contributors Rob Colville, Principal Valuer
Status (public or exempt) Public - with a separate exempt section
Wards affected Coppetts
Enclosures Appendix A – Submission summaries
For decision by The Committee
Function of Executive
Reason for urgency / exemption from call-in (if appropriate) N/A

Contact for further information: Rob Colville, Principal Valuer, Property Services & Valuations

Tel: 0208 359 7363

1. RECOMMENDATIONS

- 1.1 That the recommendation set out in the Exempt report for the freehold sale of the South Friern Library site and adjoining properties be approved.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Council 2nd March 2004 resolved to keep South Friern Library open for a further six months whilst possible redevelopment options were considered.
- 2.2 Cabinet Resources Committee 18th March 2004 approved the invitation to interested parties to submit redevelopment proposals to include the reprovision of a library facility.
- 2.3 Cabinet Resources Committee 17th March 2005 agreed that two tenderers be invited to work up scheme proposals for discussion with the Head of Planning and to submit final financial offers with results being reported to a future meeting of the committee.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community. The proposals in this report will result in the achievement of a new library facility and a capital receipt which could be used to assist in funding the capital programme.

4. RISK MANAGEMENT ISSUES

- 4.1 Both bids have been submitted subject to the grant of planning permission for the scheme proposals outlined in Appendix A and the exempt report. Should the chosen tender be delayed or their planning application fail to be granted the receipt of the capital bids detailed in the exempt report and the delivery of the replacement library facility may be at risk. Negotiations with the Planning Department, Highways & Design and Housing Strategy & Development have been facilitated so as to reduce the likelihood of any problems occurring at the planning application stage.
- 4.2 The risk of the winning tenderer failing to complete the purchase of the property has been minimised by enquiries made by Council Officers into the financial status of the two short-listed parties. This has revealed that both parties appear to be solvent and are established property developers in a position to complete the purchase without delay.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 The Council will need to employ the equivalent of 3.5 full time staff to manage the replacement library facility.
- 5.2 Assuming the replacement library facility is of the same size as the existing library, then the existing revenue budget can be retained and should be sufficient in the future, although there may well be a short-term revenue saving whilst the development work takes place. If the fit out costs are in excess of any contribution from the developer then these additional costs should be taken from the capital receipt.
- 5.3 Further financial implications are set out in the exempt report.
- 5.4 The property issues are set out below.

6. LEGAL ISSUES

- 6.1 Turning Point, currently in occupation of the Sutton Road Clinic, have given officers notice of their intention to vacate the premises within the month of October. Possession will be regained and all outstanding rent collected. The disposal of the property ought not to be delayed should vacant possession be secured.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Council Procedure Rules – Financial Standing Orders & Rules for Disposal of Land and Real Property
- 7.2 Constitution – Part 3 - Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

- 8.1 In accordance with the decision of this committee, the two short-listed parties were invited to make further enquiries with the Planning Department, Highways & Design and where appropriate, Housing Strategy & Development, so as to refine the details of their submissions. Both parties were given specific feedback with regard to their initial proposals as well as any further scheme drawings that were made. A deadline of the 15th September 2005 was set by which all best and final offers were to be received by the Property Services & Valuation Group in light of these further discussions. The details of the two submissions and comments thereon are set out in Appendix A and in the exempt report.
- 8.2 Both of the schemes submitted involve the sale of the freehold interest in the South Friern Library, the adjoining Sutton Road Clinic and the public conveniences situated on Colney Hatch Lane to the tenderer. The tenderer will subsequently erect a replacement library facility upon the site and will grant the Council a long leasehold interest in this library facility at a peppercorn rent. The Council will be liable to pay a service charge for the use of any common parts or services. Both schemes also involve the erection of a residential component of varying scales.
- 8.3 Both proposals involve the Council receiving a capital receipt for the transfer of the freehold interest in the site to the developer as outlined in the exempt report.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

BS: CM

BT: JEL

Bid No.	TENDERER	PROPOSAL	LIBRARY FACILITY	PLANNING COMMENT	OTHER COMMENT
1	Intro from JLP Homes	<p>The bid is submitted subject to the grant of planning permission for the proposed scheme and a site survey.</p> <p><u>OPTION 1 – 21 Unit scheme with 30% affordable housing for social rent</u> A mixed use scheme combining a 4,700 sqft (super) replacement library facility (shell finish only), 21 residential units and 23 parking spaces. 6 of the residential units are to be allocated for social rent and will be transferred to Warden Housing Association at 60% TCI. The units are designated as follows:</p> <p>Private ownership 12 * 2 bed/3 person 3 * 2 bed/4 person</p> <p>Affordable units 5 * 2 bed/3 person 1 * 1 bed/2 person</p>	<p>The replacement library facility is offered to a shell finish. The freehold of the whole site will be transferred to Intro Homes. Intro Homes will grant the Council a 999 year lease of the library element to the Council at a peppercorn rent. The level of service charge will require further consideration once the figures are available, but will be calculated on a proportional basis. The Council’s mobile library will be utilised, at the cost of the Council, as a temporary measure during construction.</p> <p>The construction of the scheme is expected to be complete within a maximum of 69 weeks. This figure will reduce depending upon the chosen option.</p>	<p>Planning officers previously expressed concern as to the density of the proposed scheme, issues of overlooking and the living conditions of the flats on the basement level. The proposed development has been reduced in size, reducing the impact of some of the above detailed issues. Nevertheless, officers continue to express significant concern as to the standard of accommodation that would be provided for the residential units at the lowest level. Furthermore, it is felt that concerns regarding the design approach to the Sutton Road element and its relationship to existing buildings therein have not been addressed. As such it could be argued that the building is conceived as one mass with a coherent design approach, rather than breaking the development into constituent parts, which would allow it to relate to the street scene within which it would be read. In summary, planning officers continue to raise a number of issues that would prevent the scheme from being favourably recommended at the present</p>	<p>Housing Strategy & Development raised some initial concern that the scheme had allocated only 30% of the residential units as affordable when the necessary figure is now 50% as defined by the emerging Barnet Unitary Development Plan. The lower figure may be considered acceptable because of the library re-provision and the potential for the clinic to be relocated elsewhere within the borough. However Housing Strategy & Development would rather see the residential element designed as 2 bed/4 person units instead of 2 bed/3 person units.</p> <p>Highways & Design believe that there exists an under-provision of car parking spaces. The existing scheme allocates 23 spaces (one per unit plus 2 for the library staff). 3 spaces will be marked for disabled use. Highways & Design specify that in order to meet the standards required 31 spaces should be provided and any reduction would need to be justified. They also have concern as to the</p>

		<p><u>OPTION 2 - 21 Unit scheme with 30% affordable housing for shared ownership</u> A mixed use scheme combining a 4,700 sqft (super) replacement library facility (shell finish only), 21 residential units and 23 parking spaces. 6 of the residential units are to be allocated for shared ownership and will be transferred to Warden Housing Association at 60% TCI. The units are designated as follows:</p> <p>Private ownership 12 * 2 bed/3 person 3 * 2 bed/4 person</p> <p>Affordable units 5 * 2 bed/3 person 1 * 1 bed/2 person</p> <p><u>OPTION 3 – 100% Private Scheme which includes an off-site contribution</u> A mixed use scheme combining a 4,700 sqft (super) replacement library facility (shell finish only), 21 residential units and 23 car parking spaces. No provision of affordable housing.</p>		<p>time.</p>	<p>location of the refuse collection point, which is more than 10 metres from the public highway.</p>
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		<p>A commuted payment to be deducted from the offer price and “ring-fenced” in an affordable housing fund. Off-site contribution included within offer price. Amount undisclosed.</p> <p><u>OPTION 4 – 14 Unit scheme</u></p> <p>A mixed use scheme combining a 4,400 sqft (super) replacement library facility (shell finish only), 14 residential units and 14 car parking spaces.</p> <p>No allowance has been made for a S106 contribution on any of the options other than the inclusion of affordable housing detailed in option 1 and 2.</p>			
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2	Acorn Homes	<p>The bid is submitted subject to the grant of planning permission for the proposed scheme and a site survey.</p> <p>A mixed use scheme combining 4 x 3 bed semi-detached houses, 8 x 2 bed flats and 2 x 1 bed flats as well as a replacement library building.</p>	<p>The library will be built to provide approximately 400 sq m of space, and an allowance has been made as a contribution towards internal fit-out (as detailed in the exempt report). The freehold of the site will be transferred to Acorn Homes. Acorn Homes will grant the Council a 999 year lease of the library element at a peppercorn rent. The level of service charge will require further consideration, but will be calculated on a proportional basis. The scheme has been phased so as to cause minimal impact upon the library service provision during the development period.</p>	<p>The scheme submission contains the nucleus of an acceptable scheme. Officers previously raised some concern as to the specific design approach of the library element and the relationship of the element of the building that fronts Sutton Road to the existing houses in the street. Revised submissions from the tenderer indicate that a design approach could be adopted that would ensure that the Colney Hatch Lane element would not be unduly prominent in terms of roof height and the setting back of the upper floor. The design approach to the Colney Hatch Lane frontage may require further discussions, although indications are that a design approach could be achieved that allows this part of the building to have a more comfortable relationship with the existing buildings in Sutton Road than the previous indicative plans. In summary, officers consider that the proposal continues to progress towards a scheme that may be favourably recommended.</p>	<p>The residential element contains less than 15 units so the scheme does not need to provide any affordable housing allowance.</p> <p>Highways & Design believe that the provision of car parking is adequate for the scheme, but have concerns as to the distance between the refuse area and the highway. This has been broached with Acorn and suitable solutions discussed. There exists no designated loading bay for the library, although Acorn believe that they may allocate a bollarded, off-street area to the front of the library if deemed appropriate.</p>
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AGENDA ITEM: 7 Page nos. 20 - 25

Meeting Cabinet Resources Committee
Date 10 November 2005
Subject **The former Watling Boys Club, Dryfield Road, Burnt Oak, HA8**
Report of Cabinet Member for Resources
Summary To report the outcome of best and final offers from the five short-listed parties and a late offer and to seek authority to proceed with the freehold sale of the property.

Officer Contributors Rob Colville, Principal Valuer, Property Services & Valuation
Status (public or exempt) Public (with a separate exempt section)
Wards affected Hale
Enclosures Appendix A – Submission summaries
For decision by Committee
Function of Executive
Reason for urgency / exemption from call-in (if appropriate) N/A

Contact for further information: Rob Colville, Principal Valuer, Property Services & Valuation.
Tel: 0208 359 7363

1. RECOMMENDATIONS

- 1.1 That the recommendation set out in the Exempt report for the freehold sale of the Watling Boys Club be approved.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 8th July 2004 resolved that, subject to obtaining vacant possession of the property, the freehold sale of the land at Dryfield Road for re-development be agreed, and for the property to be marketed for sale by non-binding tender by the Property Services & Valuation Group.
- 2.2 Cabinet Resources Committee 17th March 2005 – considered the outcome of the initial tender process and agreed a short-list of five developers with whom to continue negotiations. All five parties were invited to prepare scheme proposals for discussion with the Head of Planning, with final offers being submitted thereafter and the results thereof being reported to a future meeting of the committee.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community. The proposals in this report will result in the achievement of a capital receipt, which could be used to assist in funding the capital programme.

4. RISK MANAGEMENT ISSUES

- 4.1 The property remains vacant and subject to acts of vandalism and forced entry. The Council has spent a considerable amount of money on maintaining the security of the premises, yet the integrity of the building has been breached on a number of occasions. In one instance attempts were made to start a number of fires within the building resulting in internal damage. Whilst the premises are unoccupied the site also provides an access route onto the adjoining nature reserve. The London Wildlife Trust, the lessee of the adjoining site, is also reporting vandalism to their demised area as a result of unauthorised access through the Watling Boys Club site. The Watling Boys Club site has become a financial liability to the Council, and will continue to be so until such time as the site is disposed of. Whilst the premises remain in the Council's ownership, revenue outgoings will still have to be met for which there is not budgetary provision.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 There are no ICT or staffing issues.
- 5.2 The financial implications are set out in the exempt report.
- 5.3 The property issues are set out below.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Council Procedure Rules – Financial Standing Orders & Rules for Disposal of Land and Real Property
- 7.2 Constitution – Part 3 - Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

- 8.1 In accordance with the decision of this committee, five local developers were invited to prepare and submit final scheme proposals and financial offers for the site. A further interested party was additionally permitted to enter into the process and put forward similar information after submitting a late amendment to their initial proposal. All parties were invited to make further enquiries with the Head of Planning so as to refine the details of their submissions. A deadline of the 15th September 2005 was set by which all best and final offers were to be received by the Property Services & Valuation Group. The details of the submissions and comments thereon are set out in Appendix A and in the exempt report.
- 8.2 The submissions detail 3 nursing home schemes, 2 residential schemes and one scheme detailing the proposed use of the site to accommodate a primary school. All submissions would generate a capital receipt which may be put towards the Council's Capital Programme.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

Legal Department:

BT:

APPENDIX A

Bid No.	TENDERER	PROPOSAL	PLANNING COMMENT	OTHER COMMENT
1	The Huntingdon Foundation	Redevelopment to accommodate a part 2, part 3 storey primary school with associated car parking (19 spaces) and playground facilities.	<p>Highways issues will have a large bearing on this scheme, which can only be assessed within the context of an application.</p> <p>The proposed parking block with hall/ studio above, situated adjacent to the boundary with number127, would be detrimental to the living conditions of the occupiers of number 127 Dryfield Road and are considered to be unacceptable.</p> <p>Details of levels have not been submitted. Officers are therefore unable to comment on the design and external appearance of the scheme. Concern is again expressed over the relationship of the proposed playground with number 127 Dryfield Road. The inclusion of wider buffer zones around the site would aid in the screening of adjoining sites.</p> <p>Overall the scheme in its present form is not considered to be acceptable</p>	<p>The bid is submitted on the basis of the transfer of either the freehold interest in the site or alternatively of the grant of a long lease with a minimum term of 150 years at a peppercorn rent. The financial offer remains the same for either of these two options.</p> <p>Highways & Design comment has been sought. The Huntingdon Foundation has been provided with some initial comments. Traffic implications will require further clarification at the planning application stage, should the Huntingdon Foundation be chosen as the preferred bidder, at which time the applicant will be asked to submit a Traffic Impact Assessment and Travel Plan.</p>
2	Pavillion Developments Ltd (Off shore company)	Redevelopment to accommodate a 2/3 storey, 70 bed, care home. The scheme will involve part culverting of the watercourse.	<p>The use as a residential care home is acceptable in principle.</p> <p>The design and footprint of the building are considered acceptable in principle, subject to accurate level drawings to show the relationship between adjacent properties.</p> <p>A parking layout to the front of the site should be provided to the satisfaction of the traffic and transportation team, in accordance with the unitary development plan parking standards for care homes. The site is in a medium accessibility area as stated by map 7.3 of the Revised Deposit Draft UDP and would therefore be required to provide 1 parking</p>	<p>Freehold interest required</p> <p>Highways & Design comment has been sought but has not been forthcoming to date.</p>

			space per 10-15 occupants and 1 parking space per 2-3 staff. Provision for disabled and minibus parking should also be considered.	
3	Starfare Ltd	Redevelopment of the site to accommodate a 2-3 storey, 70 bed, care home. The scheme will involve part culverting of the watercourse.	As detailed for Bid number 2	Freehold interest required Highways & Design comment has been sought but has not been forthcoming to date.
4	Classgrade Ltd	Redevelopment of the site to accommodate 1 * 2 storey and 1 * 3.5 storey blocks of residential flats. The scheme provides a total of 26 * one, two and three bedroom flats (80 habitable rooms) and includes 39 car parking spaces.	The use of the site for residential purposes would be acceptable in principle. The westernmost block is considered to be too close to the rear garden of number 127 and would have a detrimental effect upon the living conditions of the occupiers of that property. The frontage has been set back and would not have a detrimental effect upon the character of the street scene. No levels details have been submitted. Officers cannot therefore comment comprehensively on the design and external appearance of the proposal.	Freehold interest required. The scheme has been submitted on the basis of 100% affordable housing. When questioned further the developer said that he could provide anywhere between 30% and 100% affordable housing without altering his bid. The Housing Strategy & Development Manager has raised concern that a Registered Social Landlord (RSL) would not be able to gain grant funding for a scheme with high levels of affordable housing as detailed. The cost of transfer to an RSL is not specified. The scheme will be built to the Housing Corporation's Scheme Development Standards. The Housing Strategy & Development Manager would rather see a 70/30% mix of social rent and private sale. Highways & Design comment has been sought but has not been forthcoming to date.

5	Rockley Dene Homes Ltd	Redevelopment to provide a 2/3-storey care home with nursing provision. The scheme will involve the full culverting of the watercourse.	<p>Use as a residential care home is acceptable in principle.</p> <p>The footprint of the building is considered acceptable in principle. The two storey extension to the west and front projection could potentially be increased to 2.5 storeys. The inclusion of a wider buffer zone to the front and western boundary should be incorporated to reduce the visual impact of the proposal.</p> <p>A parking layout would need to be provided on the frontage in order for the parking provision to be assessed. The site is in a medium accessibility area as stated by map 7.3 of the Revised Deposit Draft UDP and would therefore be required to provide 1 parking space per 10-15 occupants and 1 parking space per 2-3 staff. Provision for disabled and minibuss parking should also be considered.</p>	<p>Freehold interest required.</p> <p>Highways & Design comment has been sought but has not been forthcoming to date.</p>
6	Genesis Housing Group	Redevelopment of the site to accommodate 14 residential units. The scheme will involve the part culverting of the watercourse.	<p>Use of the site for residential purposes would be acceptable in principle.</p> <p>The block to the front of the site, although set back from the position of the previous plan, is considered to be too close to the road, to the detriment of the character of the street scene and to the amenities of the occupiers of 127 Dryfield Road. No indications of heights have been submitted. Officers cannot therefore comment in detail on the design or external appearance of the scheme.</p> <p>An access road along the western boundary with number 127 Dryfield Road is considered to impact unacceptably upon the amenities of the occupiers of that property.</p> <p>In its present form the scheme is not viable in planning terms.</p>	<p>Freehold interest required.</p> <p>The proposed scheme includes five 1-bedroom flats for shared ownership, six 2-bedroom flats for shared ownership and three 3-bedroom houses for social rent. The proposal will meet Scheme Development Standards as a minimum requirement. The scheme has the approval of the Housing Strategy and Development Team.</p> <p>Highways & Design comment sought but has not been forthcoming to date.</p>

AGENDA ITEM: 8 Page nos. 26 - 31

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Vacant site, junction of Avion Crescent and Grahame Park Way, Colindale, NW9
Report of	Cabinet Member for Resources
Summary	To report the outcome of the tender invitation and to seek approval for the next phase of the process.

Officer Contributors	Rob Colville, Senior Valuer, Property Services & Valuation
Status (public or exempt)	Public (with a separate exempt section)
Wards affected	Colindale
Enclosures	Appendix A
For decision by	The Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: Rob Colville, Senior Valuer, Property Services & Valuation.

Tel: 0208 359 7363

1. RECOMMENDATIONS

- 1.1 That the four tenderers listed in paragraph 2.2 of the exempt report be invited to work up scheme proposals for discussion with the Head of Planning and to submit final financial offers with the results being reported to a future meeting of the committee.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee – 10th February 2004 – resolved that the freehold or long leasehold sale of the land at Grahame Park Way be approved in principle, and the appropriate chief officers be instructed to offer the site for sale by non-binding tender in accordance with the procedures set out in the Constitution, reporting the outcome to a future meeting of the committee for further consideration.
- 2.2 Action taken under delegated powers by the Chief Valuer & Development Manager in consultation with the Cabinet Member for Resources – 14th July 2004 – That the Scout Association Trust Corporation be granted a lease of the land in Grahame Park Way, NW9, shown edged red on drawing No.22828/5, upon the terms set out in the report and that the Borough Solicitor completes the matter in a form to his approval.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community. Depending upon the option chosen, the proposals in this report could result in the achievement of a community benefit and a capital receipt, which could be used to assist in funding the capital programme.

4. RISK MANAGEMENT ISSUES

- 4.1 The four selected tenderers will be set deadlines by which to prepare their schemes, have discussions with the Head of Planning and submit their final offers. The successful tenderer will be expected to exchange contracts for the purchase of the land with completion being conditional only upon the grant of planning permission for its agreed scheme.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 There are no ICT or staffing issues.
- 5.2 The financial implications are set out in the exempt report. The useable part of the capital receipt will be used to support the capital programme.
- 5.3 The property issues are set out below.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Council Procedure Rules – Financial Standing Orders & Rules for Disposal of Land and Real Property

- 7.2 Constitution – Part 3 - Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

- 8.1 The Scout Association Trust Corporation held a lease of a site of 0.15 hectares in Grahame Park Way for a term of 28 years from 24 March 1974. The lease expired on 23 March 2002.
- 8.2 The Scouts have erected a single storey building on part of the site but the majority is left as open land. Attached drawing no. 22828/2 shows the land held by the Scouts under the 1974 lease. As part of the negotiations for the renewal of the lease the Scouts opted to give up part of the site – that part marked “B” on the drawing no. 22828/2.
- 8.3 Following vacation of the land marked “B” on drawing no. 22828/2 by the Scouts and in accordance with the decision of the committee on 10th February 2004, the property was widely marketed, inviting interested parties to submit tender offers and scheme proposals for the redevelopment of the site together with a financial offer for the freehold or long leasehold acquisition of the premises.
- 8.4 Tenderers were asked to submit plans and drawings of their scheme proposals as well as an outline programme of delivery and a financial offer.
- 8.5 By the closing date 19 submissions had been received. One further bid was received after the tender deadline. The detail of the submissions and comments thereon are set out in Appendix A and in the exempt report.
- 8.6 The purpose of inviting tenders for either the freehold or the grant of a lease was to give community and similar groups, which could not normally compete with developers on price, an opportunity of putting in leasehold bids which, whilst delivering a lower capital sum to the Council, would leave the latent development value with the Council for future realisation. It can be seen from the attached Appendix A that there were a number of offers from community groups and religious organisations but few opted for the leasehold alternative.
- 8.7 Some of the offers from the highest bidders are made subject to planning, whilst others are unconditional. The scheme proposals submitted so far are insufficient to say whether or not a planning permission is likely to be recommended for approval. It is recommended therefore that the top four bidders be invited to develop their schemes further in consultation with the Head of Planning and submit final offers for consideration by a future meeting of the committee.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

Legal: SWS

BT:

APPENDIX A

Bid No.	TENDERER	PROPOSAL	OTHER COMMENT
1	Peter Keegan	Use of the site for the storage of industrial vehicles and skips	The offer is made for the freehold interest subject to planning. No scheme drawings or delivery programme were included.
2	Harvest Church	Construction of a community centre offering nursery and day care facilities, a drop-in centre for the elderly, a youth club and after-school club, facilities for business and personal development and a pastoral counselling centre	The offer is made for the freehold interest subject to planning and site survey. No scheme drawings were included.
3	Steven Ettinger Longvale Estates Ltd	Use of the site for light industrial/ retail use as per the adjoining site, no.2 Grahame Park Way	The offer is made for the freehold interest subject to planning. No scheme drawings or delivery programme were included.
4	Rock Investment Holdings Ltd	Construction of 2 x two storey commercial units	The offer is made for the freehold interest subject to planning. No delivery programme was included.
5	Ricon Enterprises Ltd	Use of the site for the storage of small plant and industrial vehicles. A small site office/ storage unit would be erected.	This is an unconditional offer. It is not clear as to whether the offer is for the freehold or the leasehold interest.
6	Berry's Garden Company Limited	Use of the site for the storage of landscape gardening equipment and the erection of a small site office.	The offer is made for either the freehold interest or a leasehold interest with a 15 year term subject to planning. No scheme drawings were included.
7	Shree Swaminarayan Sidant Sajivan Mandal "Kum Kum" UK	The erection of a community centre catering for the provision of services to the "Swaminarayan" religion. The centre is proposed to be built on three storeys including basement car parking.	The offer is made for the freehold interest
8	MP Brothers Ltd	Use of the site for the erection of a building contractor and development company's head offices and workshop.	This is an unconditional offer. It is not clear as to whether the offer is for the freehold or the leasehold interest.

9	Antonio Petrucci & Robert Esson	Use of the site for the erection of a storage facility	The offer is made for a 25 year lease subject to the provision of a mains electricity supply, mains cold water supply, mains drainage and the installation of a telephone connection.
10	Delo Ltd	Construction of a communal hall catering for the needs of the orthodox Jewish community	The offer is made for the freehold interest and is subject to planning and legal searches.
11	Safeland Plc	No scheme proposal provided	The offer is made for the freehold interest and is made subject to contract.
12	Pradeep Mehta	Construction of a community/ social centre comprising dining room/function room, kitchen and stores, toilets, boiler room, garden and car park facilities.	This is an unconditional offer for the freehold interest in the site. No scheme drawings or delivery programme were included.
13	Castlestone Investments Ltd	Construction of a steel frame and steel clad building for B1, B2 and B8 planning uses. The building is to have a gross internal area of 4,250 sqft plus a mezzanine of 850 sqft.	The offer is made for the freehold interest and is submitted subject to planning and the completion of a contamination survey
14	James Salter	Construction of premises for the storage for janitorial supplies	The offer is made for the freehold interest and is submitted subject to planning and the completion of a site survey
15	O. Ogumuyiwa, O.Akinrinmade & L Benson	Construction of a communal hall on the site. Use unspecified.	The offer is made for the grant of a 100 year lease of the site and is submitted subject to planning
16	The Farooqia Association	Construction of a multi-ethnic community centre to fulfil the educational, cultural, social, religious and recreational requirements of the communities of Grahame Park and its surrounding areas.	The offer is made for the freehold interest and is submitted subject to planning and building regulations together with all relevant authorities for establishing a multi-ethnic education and community centre for the local residents
17	Mr R Bhatt	Construction of a communal hall on the site. Use unspecified although believed to cater for the Hindu Welfare Society.	The offer is made for the freehold interest. It is not specified as to whether the offer is conditional or unconditional

18	Eugene McGoldrick	Use of the site for the erection of warehouse and office accommodation with parking.	The offer is made for the freehold interest. It is not specified as to whether the offer is conditional or unconditional. No scheme drawings have been submitted.
19	Tichborne Family Trust	Use of the site for the provision of B1 light industrial units	The offer is made for the freehold interest and is submitted subject to planning for a change of use to B1. No scheme drawings have been provided.
20	Trenchco Ltd	Use of the site for the provision of B1 light industrial units of "standard" design, constructed on steel supports with profiled steel elevations and roof.	The offer is made for the freehold interest and is submitted subject to the grant of planning consent for B1 use with a minimum of 40% site cover. This was a late bid

AGENDA ITEM: 9 Page nos. 32 - 35

Meeting Cabinet Resources Committee

Date 10 November 2005

Subject **Disposal of Deansbrook Day Centre,
Deansbrook Road, Edgware**

Report of Cabinet Member For Resources

Summary To report on the issue of binding tender documentation to the top four bidders for the above property, from the previous tender invitation. A report on the tender results will follow as a late item as soon as possible after the tender closing date of 26 October 2005.

Officer Contributors George Church, Principal Valuer, Property Services and Valuation Group

Status (public or exempt) Public (with a separate exempt section)

Wards affected Hale

Enclosures None

For decision by The Committee

Function of Executive

Reason for urgency / exemption from call-in (if appropriate) N/A

Contact for further information: George Church, Principal Valuer, Property Services and Valuation Group Tel 020 8359 7366

1. RECOMMENDATIONS

- 1.1 That the appropriate Chief Officers be instructed to proceed with the freehold sale of the Deansbrook Day Centre in accordance with the recommendation contained in the report to be circulated as soon as possible after the tender closing date of 26 October.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Resources Executive – 16 June 2005 – approved acceptance of the tender offer from the Edgware Muslim Community for the freehold sale of the former Deansbrook Day Centre.
- 2.2 Cabinet Resources Committee 21 July 2005 – Agreed to suspend the sale of the former Deansbrook Day Centre pending the presentation of a further report to the Committee due to the receipt of a late unconditional offer from another organisation to purchase the property.
- 2.3 Delegated Powers Report of the Leader of the Council and the Cabinet Member for Policy and Performance, reference VAL/CMDP/07/05, August 2005 – authorised the four tenderers named in the exempt report be invited to make a binding tender offer for the purchase of the freehold interest in the former Deansbrook Day Centre, answering the following questions:
- a the size of the local community which they represent
 - b the numbers of members within their organisation
 - c. the proposed uses of the building and hours of use
 - d. the numbers of people using the premises at any one time
 - e the age range of people to benefit from the use of the premises
 - f how people will travel to the premises and how car parking in the locality will be controlled
 - g how they intend to engage with the neighbours

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to “plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community”. The proposals in this report will do this firstly by returning the building to use by one of the community groups listed in the attached exempt report. Secondly, there is a possibility of achieving an enhanced capital receipt compared to that offered in April 2005 from the sale of the property, which can be used to assist in funding the Council’s approved capital programme.

4. RISK MANAGEMENT ISSUES

- 4.1 The risk of the Council being in breach of Section 123 of the Local Government Act 1972 in proceeding with the highest tender received from the Edgware Muslim Community Centre when the property was first offered for sale by tender, has been addressed by the re-tendering of the freehold interest in the property by binding tender to the four parties referred to in

section 1 of the exempt section of this report. A further risk management matter is referred to in section 3 of the exempt report.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 Details of the offers received are set out in section 1 of the exempt part of the report.
- 5.2 There are no staffing or ICT issues. The property implications are set out below

6. LEGAL ISSUES

6.1

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Council Procedure Rules – Financial Standing Orders & Rules for Disposal of Land and Real Property
- 7.2 Constitution – Part 3 Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8 BACKGROUND INFORMATION

- 8.1 In March 2005 the property was offered for sale by non binding tender inviting offers for the purchase of the freehold or the grant of a long lease. The marketing particulars stated that the property was suitable for either redevelopment or community use, subject to planning. The tender closing date was 22 April 2005.
- 8.2 At its meeting on 16 June the Cabinet Resources Committee agreed to accept a tender offer from the Edgware Muslim Community Centre for the freehold acquisition of the former Deansbrook Day Centre, as set out in section 1 of the exempt report.
- 8.3 In July a late, unconditional offer, was received for the property from one of the unsuccessful original tenders. This offer is set out in section 2 of the exempt report. To avoid acting illegally and breaching the provision of Section 123 of the Local Government Act 1972, the Committee, at its meeting on 21 July, agreed the suspension of the sale to the Edgware Muslim Community
- 8.4 The Delegated Powers report of August 2005 stated that the difference between the offer from the Edgware Muslim Community Centre and the later, unsolicited, offer was such that proceeding by way of a contract race was not considered appropriate. The Edgware Muslim Community Centre had been informed of the acceptance of their “subject to contract” offer and they were fully expecting to complete the purchase of the former day centre. It was

considered that it would be inequitable to accept the new unsolicited offer, without giving the other top 3 tenderers the opportunity of reviewing their offers.

- 8.5 The Delegated Powers report referred to in paragraph 8.4 above authorised that the four tenderers named in section 1 of the exempt section of this report be invited to make binding tender offers for the purchase of the freehold interest in the former day centre, at the same time giving answers to the questions set out in paragraph 2.3 above.
- 8.6 To minimise delay in achieving the sale, binding tenders have been despatched to the four previous tenderers referred to above. To allow a reasonable period for the tenderers to reconsider the matter and return the binding tenders, a return date for the tenders has been set of 26 October. The results of the binding tender exercise are not therefore known at the time of writing this committee paper. The results will be placed on circulation as late information for members consideration as soon as possible after the tender closing date.
- 8.7 In addition to reporting on the sum tendered, the report will also deal with the tenderer's response to the 7 points referred to in paragraph 2.3 above at a-g. this information and the price tendered will be set out in a table for consideration.

9 LIST OF BACKGROUND PAPERS

- 9.1 None.

BS:

BT:

AGENDA ITEM: 10 Page nos. 36 - 44

Meeting Cabinet Resources Committee
Date 10 November 2005
Subject **Spencer House, 156/162 Station Road,
Hendon, NW4 3TG**
Report of Cabinet Member for Resources
Summary To report the outcome of the tender invitation and to seek
approval for the next phase of the process.

Officer Contributors Rob Colville, Principal Valuer, Property Services & Valuation
Status (public or exempt) Public (with a separate exempt section)
Wards affected Hendon
Enclosures Appendix A – Submission summary
For decision by The Committee
Function of Executive
Reason for urgency /
exemption from call-in (if
appropriate) N/A

Contact for further information: Rob Colville, Principal Valuer, Property Services & Valuation.

Tel: 0208 359 7363

1. RECOMMENDATIONS

- 1.1 That the 6 tenderers listed in paragraph 2.2 of the exempt report be invited to work up scheme proposals for discussion with the Head of Planning and to submit final financial offers with the results being reported to a future meeting of the committee.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee – 10th February 2005 – resolved that the freehold sale of Spencer House be approved in principle, and that the appropriate chief officers be instructed to offer the site for sale by non-binding tender in accordance with the procedures set out in the Constitution, reporting the outcome to a future meeting of the committee for further consideration.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community. Depending upon the option chosen, the proposals in this report could result in the achievement of a community benefit and a capital receipt, which could be used to assist in funding the capital programme.

4. RISK MANAGEMENT ISSUES

- 4.1 The 6 selected tenderers will be set deadlines by which to prepare their schemes, have discussions with the Head of Planning and submit their final offers. The successful tenderer will be expected to exchange contracts for the purchase of Spencer House with completion being conditional only upon the grant of planning permission for its agreed scheme.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 There are no ICT or staffing issues.
- 5.2 The financial implications are set out in the exempt report.
- 5.3 The property issues are set out below.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Council Procedure Rules – Financial Standing Orders & Rules for Disposal of Land and Real Property

- 7.2 Constitution – Part 3 - Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

- 8.1 In accordance with the decision of the committee on 10th February 2005, all existing tenants of the Spencer House premises were decanted and provided with alternative accommodation. The property was subsequently widely marketed, inviting interested parties to submit tender offers and scheme proposals for the redevelopment of the site together with a financial offer for the freehold acquisition of the premises.
- 8.2 Tenderers were asked to submit plans and drawings of their scheme proposals as well as an outline programme of delivery and a financial offer.
- 8.3 By the closing date 43 submissions had been received. Six further bids were received after the tender deadline. The detail of the submissions and comments thereon are set out in Appendix A and in the exempt report.
- 8.4 Some of the offers from the highest bidders are made subject to planning, whilst others are unconditional. The scheme proposals submitted so far are insufficient to say whether or not a planning permission is likely to be recommended for approval. It is recommended therefore that the top 6 bidders be invited to develop their schemes further in consultation with the Head of Planning and submit best and final offers for consideration by a future meeting of the committee.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

Legal: SWS
BT:

APPENDIX A

BID	TENDERER	PROPOSAL	OTHER COMMENT
1	The Tannen Group Ltd	Construction of a 40+ bed purpose-built nursing home.	The offer is made subject to satisfactory survey and subject to contract.
2	Community Housing Association	Construction of a 21 Unit 100% affordable housing scheme. 8 units for shared ownership and 13 units for rent. 60 habitable rooms.	The offer is made subject to contract, due diligence and planning
3	R Pathman	Refurbishment and letting of existing property	The offer is unconditional
4	Agudas Israel Housing Association	No scheme detailed	The offer is made subject to contract
5	Trentpeak Ltd	Refurbishment of the existing premises	It is not specified as to whether this is an unconditional or conditional bid
6	Fitzmor Ltd	2 * 2.5 storey residential blocks of flats, each one containing 7 units	This offer is unconditional
7	Gil Levy	Construction of a three storey 14 unit housing scheme of 19,612 sqft total with basement parking	The offer is made subject to planning
8	Obadiah Tamuno-opu Lulu Elekima	Refurbishment of the existing building to provide sheltered accommodation for the "less privileged, deprived and disadvantaged" members of the community of Barnet and victims of domestic violence in Barnet	The offer is submitted on a conditional basis although the conditions of sale are not detailed
9	Managing Partners Ltd	No scheme detailed	The offer is made subject to contract
10	David Baruch	Refurbishment of the existing building. The ground floor would be utilised as a medical clinic and kindergarten, with the first floor to be used as a house of multiple occupancy	This offer is unconditional
11	Borisa Ristic	Refurbishment and extension of the existing building to provide 17 residential flats targeted for key workers in the area. Addition of a third storey	It is not specified as to whether this is an unconditional or conditional bid

		with a hipped roof.	
12	Pocket Living (holdings) Ltd	OPTION 1 - Refurbishment of the existing building to provide at least 24 residential units (3 * one-bed, 1 * two-bed and 20 * studio units). Subject to planning, to provide an additional third storey to accommodate a minimum of a further 5 and a maximum of a further 9 one-bedroom flats, increasing the total to up to 33 units. OPTION 2 - Refurbishment of the existing building to provide 20 * one-bedroom units. Subject to planning, to provide an additional third storey to accommodate a minimum of a further 5 and a maximum of a further 9 one-bedroom flats, increasing the total to up to 29 units	The offer is made subject to planning
13	Lets Buy Ltd	No scheme detailed	This offer is unconditional
14	Golden Key Estates Ltd	No scheme detailed	The offer is made subject to a full viewing of the property
15	Ellison Estates Ltd	Refurbishment and letting of existing property	This offer is unconditional
16	CPR & S Patel	Construction of two * 2.5 storey residential buildings, one to be sold on a commercial basis (8 * 2-bed and 4 * 3-bed units) and one to be used for affordable housing (4 * 1-bed, 4 * 2-bed and 1 * 4-bed units)	The offer is made subject to contract and planning
17	Churchcrest Ltd	Construction of a 60 bedroom nursing home	The offer is made subject to planning
18	Higgins Homes Plc	Construction of 2 * 2.5 storey blocks of residential apartments comprising 14 units in total	The offer is made subject to planning and site survey
19	Mr Pindoria	No scheme detailed	This offer is unconditional
20	Family Housing Association	Construction of a residential development comprising 9 * two-bed flats, 8 * one-bed flats and 3 * three-bed flats. Total of 20 units	The offer is made subject to satisfactory title, planning, site survey and soil investigation, vacant possession and contract.

21	Servite Houses	Construction of a residential development comprising 30 residential units. 6 * 1 bed/2 person, 3 * 2 bed/3 person and 3 * 2 bed/4 person flats for general needs rent. 9 * 1 bed/2 person, 2 * 2 bed/3 person, 4 * 2 bed/4 person (73 sqm) and 3 * 2 bed/4 person (66sqm) for shared ownership	The offer is made subject to planning, site survey and receipt of satisfactory title.
22	Rockley Dene Homes Ltd	Construction of a 65 bed care home with nursing.	Option 1 is unconditional. Option 2 is made subject to planning and includes an overage provision.
23	Trymax Investments Ltd	Refurbishment of the existing building to accommodate vulnerable people in consultation with Barnet Council (preferred use), for mainstream tenants or Middlesex University students	This offer is unconditional
24	Ezra Attia Ltd	No scheme detailed	This offer is unconditional
25	McCarthy & Stone Developments Ltd	Construction of a 2 to 3 storey block of Category II sheltered accommodation containing one and two bedroom flats for the elderly	The offer is made subject to planning for Category II sheltered accommodation, soil tests, site survey and satisfactory title
26	The Lohana Community Trust	Construction of a three storey care home for the elderly, providing 30 self-contained units. Option 1 allows for the London Borough of Barnet to be granted nomination rights for 40% of the total places available. Option 2 does not provide the London Borough of Barnet with any nomination rights.	Option 1 is conditional. Option 2 is unconditional
27	First Central Ltd	No scheme detailed	This offer is unconditional
28	Circle Anglia Ltd	Construction of a 4 storey residential development including 4 * 1 bed units and 34 * 2 bed units (38 in total). The proposed tenure mix is for 13 social rented units, 6 shared ownership units and 19 units for private sale.	The offer is made subject to planning

29	Bauhaus Development Ltd	Refurbishment of the existing building and extension to accommodate a new mansard second floor. The development would provide 44 bed-sit units.	This offer is unconditional
30	Starfayre Ltd	Construction of a 48+ bed care home	The offer is made subject to planning for a 48 bed care home
31	Wheatley Homes Ltd	Construction of a three-storey block of one and two bedroom apartments. It is proposed that 30% be allocated as affordable (30% for rent and 70% for shared ownership) to be sold to a RSL.	The offer is made subject to obtaining satisfactory planning consent, completion of soil and site surveys and vacant possession.
32	Acorn Homes GB Ltd	Construction of a terrace of 9 * 4- bedroom town houses with front and rear gardens. Each house is three-storeys with the top storey in the roof space.	The offer is made subject to contract
33	Berger Homes UK Ltd	Construction of a three-storey 21 flat residential development. No allowance appears to have been made for affordable housing provision.	This offer is unconditional
34	Xland Ltd	Short to medium term - Refurbishment of the existing building and grounds and the letting of the property for residential use. Long term - Re-development of the site for the construction of a residential scheme.	This offer is unconditional
35	SRJB Hayeem	Refurbishment and letting of the existing building	This offer is unconditional
36	M Lamba & K Desai	Refurbishment and extension of the existing building to provide 50 self-contained student accommodation rooms each with its own kitchenette and shower/toilet facilities. Addition of a mansard 2nd floor.	This offer is unconditional

37	Arkley Land Ltd	Construction of a 14 * 2-bedroom residential development. The scheme includes ten * 700 sqft units and four * 1000 sqft units.	The offer is made subject to contract and planning
38	Executec Ltd	Construction of a 50 bed residential development. 17 units have been allocated for affordable housing, with the remaining 33 units for private sale.	The offer is unconditional
39	T Loughman & Co Ltd	Construction of a three-storey block of 12 residential flats, together with 3 * three-storey town houses	This offer is unconditional
40	James, Matthew & Howard Reiff	Construction of a minimum two-storey building comprising 14 * two-bedroom residential dwellings (each with a gross internal area of 900 sqft).	The offer is made subject to contract, site survey, soil investigations and receipt of planning permission.
41	Arlen Properties Plc	Construction of 58 self-contained studio units and one-bed flats. 13 units are to be provided on each of the 2 existing floors, a further 11 units on a new second floor and a further 9 units within a new pitched roof. It is also intended to extend the building on three storeys to the rear, thus adding a further 12 units.	Option 1 is offered subject to contract and site survey as well as receipt of planning permission. Option 2 is offered subject to contract and site survey
42	Goldkey Construction & Services Ltd	Initial refurbishment of the existing building to provide a residential care home for the elderly. The premises will be extended or redeveloped to accommodate the target of at least 50 bedrooms.	This offer is unconditional
43	Michelen Design Ltd	Construction of a three-storey 14 unit residential development. The scheme comprises 4 * two-bedroom apartments, 8 * three-bedroom apartments and 2 * three-bedroom penthouses.	This offer is unconditional save as being subject to contract.

44	N Nathwani	Refurbishment of the existing building to house the elderly.	It is not specified as to whether this is an unconditional or conditional bid
45	Bellstone Homes Ltd	No scheme detailed	The offer is made subject to vacant possession.
46	Roselodge Group Ltd	OPTION 1 - Construction of a 14 unit residential development. OPTION 2 - Construction of a 54 bedroom residential care home. OPTION 3 - Construction of a 12,000 sqft medical centre. OPTION 4 - Construction of office accommodation.	This offer is unconditional although both option 3 and option 4 state that they are offered subject to planning.
47	R & J Parmar	Refurbishment of the existing building for residential and care home use for the elderly or as sheltered accommodation for the elderly.	This offer is unconditional
48	Safeland Plc	No scheme detailed	This offer is unconditional save as to being subject to contract.
49	Prime Central Properties Ltd	To operate the building as a hostel for homeless people, students or various councils.	The offer is made subject to contract and vacant possession.

AGENDA ITEM: 11

Page nos. 45 - 60

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Write Offs taken under Delegated Authority
Report of	Cabinet Member for Resources
Summary	To report action take under delegated authority by the Borough Treasurer to write off debts totalling £685,160.66

Officer Contributors	Borough Treasurer
Status (public or exempt)	Public
Wards affected	Not Applicable
Enclosures	Delegated Powers Reports Schedules listing the amounts to be written-off
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not Applicable

Contact for further information: Bob Henderson, 020 8359 2410

1. RECOMMENDATIONS

1.1 That the action taken be noted.

2. RELEVANT PREVIOUS DECISIONS

2.1 See attached delegated powers reports.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

3.1 To approve write-offs of debts totalling £685,160.66.

4. RISK MANAGEMENT ISSUES

4.1 See attached delegated powers reports.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

5.1 See attached delegated powers reports.

6. LEGAL ISSUES

6.1 None.

7. CONSTITUTIONAL POWERS

7.1 Details are set out in the delegated powers report. The constitution requires the Borough Treasurer to report write-offs authorised under delegated powers.

8. BACKGROUND INFORMATION

8.1 See attached delegated powers reports.

9. LIST OF BACKGROUND PAPERS

9.1 None.

BS: RB

BT: PK

1. RELEVANT PREVIOUS DECISIONS

1.1 None.

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

2.1 Good accounting practice requires that debit balances accurately represent realistic realisable income.

3. RISK MANAGEMENT ISSUES

3.1 The retention of irrecoverable debts on accounts is not consistent with good practice.

3.2 I have considered whether the issues involved are likely to raise significant levels of public concern or give rise to policy considerations and it was not considered that the issues would raise significant levels of public concern etc.

4. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

4.1 Budgetary provision has been made for the non-collection of these debts.

5. LEGAL ISSUES

5.1 N/A.

6. CONSTITUTIONAL POWERS

6.1 Delegated Power 6.6 (Subject to a report being submitted to Resources Cabinet Committee on the action taken, to write off debt up to £5,000).

7. BACKGROUND INFORMATION

7.1. The attached schedule summarises the amounts to be written off. These flow from good accounting practice in ensuring unrecoverable debts are cleared out of the accounts so that debtors are not overstated, but it should be noted that this activity has been more intensified in recent months to reduce the amount of bad debt taken into SAP.

7.2. Debts being written off are summarised below:-

- (i) Home Help Charges under £100 and over 2 years old – approximately 4,000 invoices totalling £114,011.46.

Because of the large number of cases which met the criteria, a sample 300 of were reviewed and it was confirmed that all reasonable recovery action had been taken in all cases and that given the type of debt (the majority relating to vulnerable clients and the age and size of the debts) it would be inappropriate to take further recovery action.

- (ii) Home Help Charges over £100 and over 6 years old – 256 invoices totalling £94,071.71.

Appropriate recovery action was taken at the time these invoices were issued, but again because of the age and type of debt and the vulnerability of the clients, further action at this late stage would be inappropriate particularly as the debts are

now statute barred. Many of the clients will also by now have deceased. None of these invoices exceed the Borough Treasurer's delegated powers.

- (iii) Meals at Home under £100 over 2 years old – approximately 1,500 invoices totalling £23,075.51.

As in the case of the small Home Help debts, all reasonable recovery action has been taken on these invoices and again further action at this late stage would be inappropriate given the type of debt and vulnerability of the clients, as well as being uneconomic given the comparatively small amounts of each invoice.

- (iv) Removal of abandoned vehicles to 31 March 2003 – 1,668 invoices totalling £137,782.34.

This is an area of debt where the rate of recovery has always been very low. Many of these invoices remain unpaid because liability has been disputed (where debtors have claimed they had previously disposed of the vehicle) or because the whereabouts of the last-registered owner are not known. Until the charges were increased in July 2002 from £30 to £105 recovery action had been limited, but even after the increase when a sample 30 cases were taken to Court the rate of recovery did not improve.

- (v) Tenants Rechargeable Works – 244 invoices totalling £17,605.18.

This is another area where the rate of recovery has been very low, partly because the debtors are often former tenants and their whereabouts are not known. Although the initial recovery procedures are followed, because the debts are often under £100 it is not considered economical to pursue legal proceedings.

- 7.3. The collection procedures used for the recovery of the majority of these debts have included the issue of an invoice and also a reminder and final notice, followed where appropriate, by a Notice Before Proceedings. Efforts have also been made to contact the debtor where possible and to agree suitable instalment arrangements.
- 7.4. Where these efforts have been unsuccessful or the instalment arrangements have not been adhered to, the case (if appropriate) has been referred for court action. Where Judgement has been awarded to the Council, suitable enforcement proceedings have been taken in an attempt to secure the debt.
- 7.5. Where the debtor has absconded, enquiries have been made to identify a new address. These enquiries have included the employment of tracing agents and the checking of records held by the Council including Council Tax, Housing Benefit, Rents, and Non-Domestic Rates. Because of the restrictions imposed by the Data Protection Act, the utility companies, which at one time could be relied upon for information and the Department of Work and Pensions, have been unable to assist.

8. LIST OF BACKGROUND PAPERS

- 8.1 Management Procedures.
- 8.2 Any person wishing to inspect the background papers listed above should telephone Bob Henderson, Principal Income Manager (Tel 020 8359 2410).

9. OFFICER'S DECISION

9.1 I have consulted with the Borough Solicitor and **I authorise the following action**

9.2 That the debts listed on the attached schedules are written off and that a report on my action is presented to the next Cabinet Resources Meeting.

Signed

Borough Treasurer

Date

Signed

Borough Solicitor

Date

**SCHEDULE OF
WRITE-OFFS
2005 - 2006**

SCH No.	NUMBER OF ITEMS	DEBT-RANGE		GENERAL DEBTS	HOUSING REVENUE DEBTS	GEN FUND TEMP ACCOM
G417	4000	(£0 - £100)	HOME HELP	114,011.46		
G418	265	(£100+)	HOME HELP	94,071.71		
G419	1500	(£0 - £100)	MEALS AT HOME	23,075.51		
G420	1668	(£0 - £105)	ABANDONED VEHICLES	137,782.34		
G421	24	(£4 - £103)	TENANT RECHARGES	1,323.82		
G422	24	(£5 - £99)	TENANT RECHARGES	1,745.18		
G423	24	(£24 - £98)	TENANT RECHARGES	1,719.04		
G424	24	(£0 - £100)	TENANT RECHARGES	1,317.60		
G425	24	(£0 - £100)	TENANT RECHARGES/ PIPER LIFELINE	1,359.33		
G426	24	(£0 - £100)	TENANT RECHARGES/ PIPER LIFELINE	1,380.35		
G427	24	(£3 - £98)	TENANT RECHARGES	1,535.54		
G428	24	(£0 - £322)	TENANT RECHARGES	1,261.18		
G429	24	(£0 - £100)	TENANT RECHARGES/ CARETAKERS PHONE-CALLS	1,500.21		
G430	24	(£0 - £100)	TENANT RECHARGES	1,688.67		
G431	4	(£44 - £2K)	TENANT RECHARGES	2,774.26		
R410	170	Under £5000			67,104.49	
R411	24	Under £5000			6,674.85	
R412	73	Under £5000				53,365.37
	7649			386,546.20	73,779.34	53,365.37

TOTAL

£513,690.91

1. RELEVANT PREVIOUS DECISIONS

1.1 None

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

2.1 Good accounting practice requires that debit balances accurately represent realistic realisable income.

3. RISK MANAGEMENT ISSUES

3.1 The retention of irrecoverable debts on accounts is not consistent with good practice.

3.2 I have considered whether the issues involved are likely to raise significant levels of public concern or give rise to policy considerations and it was not considered that the issues would raise significant levels of public concern etc.

4. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

4.1 Library fines are accounted for on a cash basis, so there is no budgetary consequence of writing these debts off.

5. LEGAL ISSUES

5.1 N/A.

6. CONSTITUTIONAL POWERS

6.1 Delegated Power 6.6 (Subject to a report being submitted to Resources Cabinet Committee on the action taken, to write off debt up to £5,000.)

7. BACKGROUND INFORMATION

7.1. The attached report from the Business Performance & Library Resources Manager sets out how Library fines and charges are incurred, the action taken to limit the amount of debt incurred by individual customers and the action taken to recover outstanding fines and charges.

8. LIST OF BACKGROUND PAPERS

8.1 Management Procedures.

8.2 Any person wishing to inspect the background papers listed above should telephone Bob Henderson, Principal Income Manager (Tel 020 8359 2410).

9. OFFICER'S DECISION

9.1 I have consulted with the Borough Solicitor and I authorise the following action

9.2 **That the debts listed on the attached schedules are written off and that a report on my action is presented to the next Cabinet Resources Meeting.**

Signed

Borough Treasurer

Date

Signed

Borough Solicitor

Date

London Borough of Barnet

Cultural Services

Report for Borough Treasurer requesting write-off of uncollected library fines & charges.

Background:

- Library stock items are issued through the Geac Library Management system. Most books are issued for a three week loan period, audio-visual material e.g DVD's may be issued for shorter periods and carry a loan charge.
- Items returned or renewed late or which are requested for a further chargeable loan period accrue a charge on the Geac system. Customers may not be present when this charge accrues as they are able to renew online, by phone or by letter. Items returned to the library may be left on the library counter but the customer does not wait for service so the fines are debited to their ticket. Items may also be returned by other family members/friends who decline to pay or returned by depositing in secure Library deposit boxes out of hours.

Action to limit debt and recover monies:

- If charges accrue to a customer ticket in excess of £3.00, no further loans or use of PC's is permitted until the debt is paid off. The £3.00 threshold is set at a level considered practicable to permit remote access to service but to control amounts owed.
- Overdue charges are charged at 15p per item per day up to a cap of £9.00. This has remained unchanged for a number of years as LB Barnet is at the higher end of fines charged and increased fines can result in more unpaid debts, greater loss of stock through non-return and can be a deterrent to use.
- The number of stock items that can be borrowed at any one time is 14 items on an adult ticket; within this a maximum of 4 videos/DVD's is permitted.
- Every time a library ticket is presented, the system alerts staff if any money is owing for whatever reason. Obviously, with remote access sums accrue without the customer being present but which for the most part are collected from them on their next visit.
- The uncollected debts represent a small proportion of customers from whom we have not been able to recover the money owed. Two overdue reminders are sent automatically by the system; for debts over £50 but under £100 staff will send a third warning letter and a small number of debts in excess of £100 are referred to the Income recovery section.
- The cost of staff and system time to further follow up debts below the threshold of £100 is not cost effective. The number of debts recovered by the Income Section is very low as customers have mostly moved away. These will be written off through their own procedures.

Authorisation for write off:

- The library service is requesting retrospective agreement by the Borough Treasurer to the write off of unpaid fines and charges for the years 2002, 2003 and 2004 under his Delegated Powers. The debts range from a few pence to £99 with an average of £2.42.
- In the first year we ran this process was run, based on data at 28/08/2000 there was a total of scheduled debts of £44,684.82. This represented all unpaid fines up to that date of over two years old. The age at which fines were considered uncollectable was then moved to three years so the amount of scheduled debt was extremely low as it had mostly been covered by the previous year's data. In August 2005 the process was run

again for fines over three years old under £50 and for fines between £50.01 and £100.00 for all previous years.

- It is important for management of the Geac database that these old debts and records are cleared on a regular (annual) basis. In future an annual report requesting write off will be submitted in advance with a schedule of debt it is proposed should be written off. Due to the fact this is a live system there may be a minor difference in the final amount cleared from the system.
- The schedule has been downloaded from the Geac Library Management system and is listed by customer (patron) barcode number, it is attached on a email file.

Summary:

<u>Year</u>	<u>Patrons</u>	<u>Amount</u>
2002	7067	44,684.82
2003	6	40.28
2005	4413	46,011.45
		<small>this includes charges under £50 for 2004 – 3439 patrons, value £23,989.22</small>
		Total £90,736.55

Mary Ross

Business Performance & Library Resources Manager

1. RELEVANT PREVIOUS DECISIONS

1.1 None

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

2.1 Good accounting practice requires that debit balances accurately represent realistic realisable income.

3. RISK MANAGEMENT ISSUES

3.1 The retention of irrecoverable debts on accounts is not consistent with good practice.

3.2 I have considered whether the issue's involved are likely to raise significant levels of public concern or give rise to policy considerations and it was not considered that the issues would raise significant levels of public concern etc.

4. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

4.1 Budgetary provision has been made for non-collection of these debts.

5. LEGAL ISSUES

5.1 N/A.

6. CONSTITUTIONAL POWERS

6.1 Delegated Power 6.6 (Subject to a report being submitted to Resources Cabinet Committee on the action taken, to write off debt up to £5,000.)

7. BACKGROUND INFORMATION

7.1. The attached schedule shows how the amount written off is made up, broken down into size-bands.

7.2. Included in the debts written off are £39,000 relating to Leaseholders charges where the debts are statute barred and where recovery action by Housing Services and more recently, Barnet Homes, has proved to be unsuccessful; £11,800 of commercial rents which are either statute barred or where the former tenants have absconded; £8,300 for commercial waste charges owed by businesses which have gone into liquidation and £4,500 for training fees for courses provided by the Mill Hill Skills Centre in 2002 and 2003, where once again, the debtor has gone into liquidation.

7.3. The collection procedures used for the recovery of the majority of these debts have included the issue of an invoice and also a reminder and final notice, followed by a Notice Before Proceedings. Efforts have also been made to contact the debtor where possible and to agree suitable instalment arrangements.

7.4. Where these efforts have been unsuccessful or the instalment arrangements have not been adhered to, the case, if appropriate, has been referred for court action. Where Judgement has been awarded to the Council suitable enforcement proceedings have been taken in an attempt to secure the debt.

7.5. Where the debtor has absconded, enquiries have been made to identify a new address. These enquiries have included the employment of tracing agents and the checking of

records held by the Council including Council Tax, Housing Benefit, Rents, and Non Domestic Rates. Because of the restrictions imposed by the Data Protection Act, the utility companies, which at one time could be relied upon for information and the Department of Work and Pensions have been unable to assist.

8. LIST OF BACKGROUND PAPERS

- 8.1 Management Procedures.
- 8.2 Any person wishing to inspect the background papers listed above should telephone Bob Henderson, Principal Income Manager (Tel 020 8359 2410).

9. OFFICER'S DECISION

- 9.1 I have consulted with the Borough Solicitor and **I authorise the following action**
- 9.2 **That the debts listed on the attached schedules are written off and that a report on my action is presented to the next Cabinet Resources Meeting.**

Signed

Borough Treasurer

Date

Signed

Borough Solicitor

Date

INCOME SECTION
SCHEDULE OF WRITE-OFFS
2005 - 2006

SCH No.	NUMBER OF ITEMS	DEBT-RANGE	GENERAL DEBTS	LEASEHOLDERS DEBTS
G409	24	(£0 - £100)	1,189.07	
G410	22	(£100 - £250)	3,965.45	
G411	14	(£250 - £500)	4,474.73	
G412	6	(£500 - £1000)	4,262.59	
G413	11	(£1K - £5K)	27,928.46	
G414	24	(£0 - £5K)		20,648.70
G415	23	(£0 - £5K)		9,041.97
G416	12	(£0 - £5K)		9,222.23
	136		41,820.30	38,912.90

TOTAL	£ 80,733.20
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AGED DEBT ANALYSIS

SCH No	UP TO ONE YEAR OLD	UP TO TWO YEARS OLD	UP TO THREE YEARS OLD	UP TO FOUR YEARS OLD	UP TO FIVE YEARS OLD	UP TO SIX YEARS OLD	OVER SIX YEARS OLD	TOTAL
G409	112.27	86.70	120.00	387.31	130.18	146.24	206.37	1,189.07
G410		537.29	304.49	1,040.98	101.07	1,105.49	876.13	3,965.45
G411		295.84	792.96	999.20	369.03	617.34	1,400.36	4,474.73
G412			1,119.18	248.98	760.00		2,134.43	4,262.59
G413	1,420.36	2,143.12	7,633.47	4,920.31	1,513.65	-	10,297.55	27,928.46
G414							20,648.70	20,648.70
G415							9,041.97	9,041.97
G416							9,222.23	9,222.23
TOTAL	1,532.63	3,062.95	9,970.10	7,596.78	2,873.93	1,869.07	53,827.74	80,733.20

AGENDA ITEM: 12

Page nos. 60a – 60x

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Revenue Monitoring 2005/06
Report of	Cabinet Member for Resources
Summary	To consider a report on revenue monitoring in the current year and instruct officers to take appropriate action.

Officer Contributors	Borough Treasurer
Status (public or exempt)	Public
Wards affected	N/A
Enclosures	Appendix A – 2005/06 General Fund Forecast Outturn Appendix B(i) – 2005/06 Efficiency Savings Implementation Monitor Appendix B(ii) – 2005/06 Budget Reductions Implementation Monitor Appendix C – 2005/06 Housing Revenue Account Forecast Outturn
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Clive Medlam 020 8359 7110.

1 RECOMMENDATIONS

- 1.1 That the General Fund and Housing Revenue Account budget monitoring position be noted.**
- 1.2 That an amendment to the 2005/06 budget be approved for the £315,000 additional recycling costs and the base budget pressure of £465,000 for 2006/07 be noted.**
- 1.3 That Heads of Service be instructed to return confirmed forecast underspends to the centre and take appropriate management action to contain emerging budget pressures.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee 21 July 2005; General Functions Committee 28 July 2005; Cabinet Resources Committee 26 September 2005.

3 CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Robust revenue monitoring is essential to ensure that resources support the Council's priorities as set out in the Corporate Plan.

4 RISK MANAGEMENT ISSUES

- 4.1 The risks posed by budget pressures are addressed in Section 8 below. Management action is being taken to contain forecast overspends within service budgets to avoid having to call on balances.

5 FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 The 2004/05 outturn report presented to this committee on 21 July 2005 advised that General Fund balances at 31 March 2005 amounted to £5.004m. The 2005/06 budget included a contribution to balances of £3m, which brings the total of General Fund balances to £8.004m before considering the effects of monitoring during the year. Taking account of forecast variations set out in Appendix A, the forecast of balances at 31 March 2006 is £6.608m.
- 5.2 Further comments are contained in Section 8.

6 LEGAL ISSUES

- 6.1 None.

7 CONSTITUTIONAL POWERS

- 7.1 This committee is responsible for monitoring the council's budgets.

8 BACKGROUND INFORMATION

- 8.1 Following the implementation of SAP in August 2005, this is the first attempt at monitoring the Council's financial position utilising the new system. At the time of completing the monitoring, some information remained in the legacy financial management system plus the payroll system continued to post into LAFIS for August and September. These factors, combined with other workload pressures, has meant that the analysis for month six has had to focus on the key financial risk areas for the authority and this report should be read in that context.

- 8.2 The greatest budget risk in 2005/06 that was identified at the start of the financial year was parking income, which was highlighted in the 2005/06 budget report to Council in March, and this budget has consequently been monitored on a weekly basis since April. The current position is addressed in paragraph 8.4.

- 8.3 Taking account of forecast variations set out in Appendix A, the forecast of balances at 31 March 2006 is £6.608m. This figure incorporates the planned £3m contribution to balances in 2005/06.

- 8.4 The projected balances figure represents a deterioration in the position reported to this committee in September of £0.616m. Significant movements since month 4 are commented on in the following paragraphs, along with details on items not yet reflected in the forecast variations but which need to be brought to Members attention.

8.4.1 Adult Social Services

Client Care – This is demand led area of expenditure which has a history of large fluctuations throughout the year. It will continue to be monitored closely and an updated position reported on a regular basis.

Staffing Costs – Revised projections have been made following the implementation of the restructure and an update of the agency staffing position.

8.4.2 Law & Probity

Land Charges Income – Demand for local authority searches is directly linked to the robustness of the property market and, as such, is volatile and beyond the influence of the Council.

8.4.3 Central Expenses

Underhill Public Inquiry – As Members will be aware, a report to Cabinet on 11 October approved additional legal costs for the named officers and Members. A provision of £742,000 was made in the 2004/05 accounts for all the costs of the Inquiry and it is currently anticipated that all expenditure will be contained within this provision. Officers are considering the risks, including the financial risks, associated with this item.

Interest Earnings & Cost of Borrowing – It was as reported in September that a net benefit might arise during the year, reflecting differences between assumptions and actual interest rate movements, and cashflow throughout the year. At this point in time, a £1.5m benefit can be returned to the centre.

8.4.4 Children's Services

External & Other Placements – Members will have long experience of this being a volatile budget due to the nature of the service. The current forecast outturn is based on anticipated demand for the remainder of the financial year, although there remains the potential for significant fluctuations in costs as the number of placements rises or falls on a daily basis.

8.4.5 Education

Nursery Education Funding – The current projection has been revised to take account of the grant claimed by nurseries to date, based on the number of eligible children in private and voluntary nurseries in the summer and autumn terms. The level of grant payments is completely dependent on parental choice regarding childcare.

8.4.6 Environment

Recycling Collection Costs – Additional recycling collection costs associated with the successful expansion of the Council's doorstep recycling scheme are estimated at £315,000 in the current year and £465,000 in a full year. Approval to this variation will also place a commitment into next year's base budget.

8.4.7 Highways & Design

Parking Account & Highways Planned Maintenance – There is currently a forecast £1.5m shortfall in parking income that results from fewer tickets being issued than anticipated. As was agreed when the Council's budget was set, the majority of the planned roads maintenance budget is currently deferred to ensure there is no impact on council balances. Unless the income significantly increases in the second half of the year, the 2006/07 base budget for parking income will need to be adjusted.

Highways - Given that there is a limited amount of revenue highways

maintenance currently being done, staffing budgets (including temporary and agency staff) are being managed to ensure that an overspend does not arise from costs that would otherwise have been set against planned works and allocated to alternative projects where possible.

8.4.8 Housing

Benefit Payments – The increase in the forecast net cost of Housing Benefit payments of £274,000 over month 4 reflects a continued refinement of the monitoring process for this budget and includes an element of offsetting of reduced temporary accommodation costs.

Temporary Accommodation – Continuing progress with procuring temporary accommodation in a planned and cost effective manner, without the need to utilise expensive and unsatisfactory types has meant that the net cost for the year is now expected to be £300,000 less than the month 4 forecast.

8.4.9 Public Offices

North London Business Park – The Inland Revenue's Valuation Office have reassessed the rateable value of NLBP. For the ground floor (part), first and second floors there is a significant increase in the rates liability. In addition, the landlord has passed additional utility costs onto the authority. The overall position for 2005/06 has, however, improved due a more detailed costing of each element of the move, which reduced the cost from £197,000 to £135,000, and as a result of the delay in taking the additional space planned. Nonetheless, the additional long term costs mentioned above will impact on future years budgets.

Cabinet Resources Committee has previously approved the leasing of additional spaces on the ground floor at Building 4, the extension of leases on both Building 4 & 5, and the disposal of vacated properties as part of the accommodation strategy. Members were advised in the month 4 monitoring report that the signing of new leases was subject to finalisation of all cost estimates and the revised charge to Barnet Homes in respect to space occupied at Barnet House. The above increased costs currently reinforce the need to ensure the business case is robust before the new leases are agreed.

8.4.10 Resources

Corporate Procurement Savings – The strategic procurement savings included in the budget have not been taken from services to assist in the management of those budgets and therefore need to be reflected as unachieved. This figure will be partially offset by the £300,000 savings that have been achieved but have yet to be allocated to individual services. This will be done later in the financial year with the saving returned to the centre and an update provided to a future committee.

Pericles Implementation – The additional costs resulting from the overrun of this project may be offset by a potential claim by the authority against Anite.

- 8.5 A traffic light monitor on budgeted savings is attached at Appendix B though the forecast variations shown in this monitor is included in Appendix A, so that that appendix provides a comprehensive position statement.
- 8.6 Cabinet Members are aware of the impact that non-achievement of budgeted savings and new emerging pressures could have on balances, and are working with Heads of Service to contain these costs.
- 8.7 The position on the Housing Revenue Account (HRA) is being monitored in partnership by Barnet Homes. This is shown in Appendix C with the current forecast showing a lower contribution of £102,000 to the HRA working balance which is unchanged from the month four position.

9 LIST OF BACKGROUND PAPERS

- 9.1 None.

BS: Margaret Martinus

BT: Clive Medlam
Michael Bradley
Pam Kettle

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC		£000	£000
	£000	£000	£000	£000		
<u>Adult Social Services</u>						
Client Care - these are volatile, demand led budgets with potential for significant fluctuation during the year. Winter pressures could cause significant fluctuation in demand.	(101)		173			274
Staffing Costs - restructure now implemented, agency projections based on adjusted month 4 figures.	(407)		(647)			(240)
Fines not yet incurred - the investment in hospital discharge services and good mangement is enabling the rapid discharge of people and the avoidance of fines. This budget is now included within the overall placements budget and will not be shown separately in future reports.	(45)		0			45
		(553)		(474)		79
<u>Law & Probity</u>						
Land Charges Income Levels	0		100			100
		0		100		100
<u>Borough Treasurer</u>						
Accountancy Staffing - delay in restructure	175		170			(5)
Vacancies across the service	(45)		0			45
		130		170		40
<u>Central Expenses & Contingency</u>						
External Audit & Inspection Fees (Robson Rhodes)	62		70			8
Other Corporate Levies & Subscriptions - higher than budgeted	27		27			0
Miscellaneous Income	(23)		(23)			0

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC		£000	£000
	£000	£000	£000	£000	£000	£000
Rate Refund (net effect)	(19)		(19)		0	
Net effect of the corporate prudential borrowing position	0		(1,500)		(1,500)	
		47		(1,445)		(1,492)
<u>Children's Services</u>						
External Placements - see note 1 below	735		936		201	
Other placements (In-borough fostering & residential) - see note 1 below	(196)		(110)		86	
Social Work Teams & other salaries see note 2 below	(153)		(395)		(242)	
Section 17 & 18 (support to families in need) - see note 3 below	(143)		(116)		27	
Uncommitted Safeguarding Children Grant - see note 4 below	(231)		(231)		0	
Other budgets - see note 5 below	(228)		(228)		0	
		(216)		(144)		72
Note 1 - these are volatile budgets & there is potential for significant cost fluctuation.						
Note 2 - this projection is based on uncertain information regarding the expenditure incurred through the Hays temp desk. Any real underspend is due to delayed appointment to full year funded posts.						
Note 3 - significant element of spend through p-cards and imprest accounts for which consolidated month 5&6 information unavailable within timescale						
Note 4 - this grant is currently being held to offset external placements costs						
Note 5 - based on month 4 information as some uncertainty over month 5&6 p card and other information						

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC		£000	£000
	£000	£000	£000	£000	£000	£000
<u>Resources</u>						
HR Improvement Plan	100		112		12	
IS - Pericles project over-run delaying achievement of mainframe downsizing	140		140		0	
IS - Revenue costs of CRM and CMS projects	40		40		0	
HR - Lost income from Mill Hill Training transfer	60		60		0	
Vacancies and Running Costs Underspends Across Resources	(90)		(93)		(3)	
Lettings income from the Claremont Industrial Estate	22		7		(15)	
Lettings income from Ravensfield House & Park House	(68)		(95)		(28)	
Rent Assistance	(13)		(13)		0	
Net Property charges outside of the general fund	(5)		(5)		0	
Property Services - net effect of temporary and agency staff offset by salary savings	136		190		54	
Strategic Procurement Savings	0		1,400		1,400	
		323		1,743		1,421
<u>Cultural Services</u>						
Leisure Management Contract	(60)		(60)		0	
Staffing	25		35		10	
		(35)		(25)		10
<u>Education</u>						
Early Years & Play						

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC		£000	£000
	£000	£000	£000	£000	£000	£000
Staff vacancies - various	(172)		(196)		(24)	
Nursery Education funding saving	0		(222)		(222)	
Youth Service						
Salary net savings	44		(13)		(57)	
Resources & Performance						
Pupil Travel Passes	(210)		(150)		60	
Staff related savings	(89)		(27)		62	
Lea Retained Budgets	(16)		(15)		1	
ELT/Schools	39		35		(4)	
Standards & Effectiveness						
Staff oncosts - (pending budget allocation)	91		91		0	
Standards & Inclusion						
Transport Costs - additional number of pupil days	304		277		(27)	
Placement underspend / Therapist overspend - net position	(8)		(24)		(16)	
Specialist Teams - net position	(17)		(43)		(26)	
		(34)		(287)		(253)
<u>Environmental & Neighbourhood Services</u>						
Licencing Act - reduced income and additional staffing	195		135		(60)	
Recycling - additional recycling boxes	60		60		0	
Recycling - ECT additional collection costs	45		360		315	
Increased Green Waste Gate fee	100		95		(5)	

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC			
	£000	£000	£000	£000	£000	£000
Savings to meet increased Gate Fee:						
Street Cleansing training and supplies & services	(17)		(17)		0	
Trade Waste increased income	(35)		(35)		0	
Refuse training and Saturday collections	(13)		(13)		0	
Parks locking/unlocking and developments	(13)		(13)		0	
Grounds Maintenance agency and overtime reductions	(6)		(6)		0	
Mill Hill Depot security savings	(16)		(16)		0	
Catering - reduced take-up	97		97		0	
Golf Courses - residual maintenance costs	80		80		0	
Parks & Openspaces - control spend on developments to meet Golf course maintenance	0		(80)		(80)	
CCTV - efficiency saving from merger with Emergency Telephone Suite	(78)		(78)		0	
Management - additional staffing costs	75		75		0	
Abandoned Vehicles - procurement efficiencies	0		(8)		(8)	
Street Enforcement service - vacancies	(150)		(200)		(50)	
Additional weed spraying	22		22		0	
Residential Services - loss of Barnet Homes income	35		35		0	
Cemetery & Crematoria fees & charges - increase from 1st January 2006	0		(15)		(15)	
SEN Transport (virement not yet agreed by Education)	0		60		60	
Street Cleansing - change flytip target	0		(15)		(15)	
Targeted efficiency savings - Refuse, Street Cleansing, Greenspaces & Catering	0		(50)		(50)	
Other minor variations (net)	30		30		0	
		411		503		92

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC		£000	£000
	£000	£000	£000	£000	£000	£000
Highways & Design						
Special Parking Account - reduced income	938		1,218		280	
Car parks - reduced income	312		328		16	
Highways Planned Maintenance	(1,250)		(1,500)		(250)	
Other Expenses	26		26		0	
R.A.S.W.A.	25		35		10	
Rechargeables	80		(10)		(90)	
Other minor variations (net)	0		5		5	
		131		102		(29)
Planning						
Planning Appeal Costs - Initial inquiry and court costs	0		20		20	
Other minor variations (net)	0		3		3	
		0		23		23
Public Offices						
Contract Cleaning	154		154		0	
Miscellaneous Income (Aerial mast on Barnet House)	(55)		(55)		0	
Vacant posts offset by use of admin-temp-casual-agency	(42)		(10)		32	
General premises budgets	(57)		(67)		(10)	

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC		£000	£000
	£000	£000	£000	£000	£000	£000
Additional costs from lease on NLBP building 4 ground floor - approved CRC 28/7 (see comments in main report under section 8.4)	197		97		(100)	
NLBP - Additional invoices from landlord in respect of utility expenditure, deemed not to be within service charge	0		65		65	
NLBP rates - Increase in Rateable Value (notification from Inland Revenue's Valuation Office as a result of a reassessment of rateable value from £0.635m to £1.090m and application of multiplier)	0		87		87	
		197		271		74
<u>Housing</u>						
Salaries (Benefits Admin & Control)	(33)		(33)		0	
Vacant posts offset by use of admin/temp/casual/agency staff	274		274		0	
Admin-Subsidy	(110)		(110)		0	
Performance Standards Funding	(31)		(31)		0	
Benefits Payments	760		1,034		274	
Housing Benefits transitional relief	109		109		0	
Housing Benefits limitation subsidy	420		420		0	
Temporary Accommodation	(900)		(1,200)		(300)	
General Fund Community Centres - BHL management fee & Claremont Road Community Centre	0		90		90	
		489		553		64
<u>Strategic Development</u>						
Staff savings & impact of restructure	(21)		(62)		(41)	
Admin-temp-casual-agency including EDAW fees	89		131		42	

	FORECAST VARIATIONS				CHANGE TO PREVIOUS FORECAST	
	September CRC		November CRC			
	£000	£000	£000	£000	£000	£000
Consultants Fees	41		41		0	
Staff Advertising	26		26		0	
Developers' Contributions	(40)		(40)		0	
Anticipated use of S106 receipts	(91)		(91)		0	
Other - minor variations	(4)		(5)		(1)	
		0		0		0
Total (net forecast overspend)	890	890	1,090	1,090	201	201
General Fund Balances @ 1.4.2005	(5,004)		(5,004)		0	
Contribution to Balances	(3,000)		(3,000)		0	
Variations Approved at Cabinet Resources Committee 26th September 2005						
Street Lighting	0		415		415	
Coroners Court Levy - unrequired budget returned to the centre	(109)		(109)		0	
		(8,113)		(7,698)		415
Forecast Balances @ 31.3.2006	(7,223)	(7,223)	(6,608)	(6,608)	616	616

Line Reference	Efficiency Proposal	Budget 2005/06	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	

On Target/Achieved Efficiency Savings

1	Adult Social Services				
4	Printing & Stationery	13,900	13,900	0	The budgets have been reduced
5	Learning disability reprofiling	200,000	200,000	0	Service modernisation continuing
6	Age Concern - reduction from 3 to 2 centres	50,000	50,000	0	SLA agreed with Age Concern
7	Restructure Management Team	100,000	100,000	0	The restructure has been completed and implemented
8	Reinvestment Leys receipt	220,000	220,000	0	A revised schedule has been agreed with NHHT and the capital payment has been made
9	Borough Solicitor				
10	Supplies and Services	27,150	27,150	0	
11	Court Fees	10,000	10,000	0	Early monitoring suggests spend within budget
12	Land Registry Fees	2,500	2,500	0	
13	Counsels Fees	33,000	33,000	0	Early monitoring suggests spend within budget
14	IT Budgets	20,800	20,800	0	
16	Legal Fees - Receipts	35,000	35,000	0	Early monitoring suggests income received upto budgeted levels
17	Court Costs Awarded	10,000	10,000	0	Early monitoring suggests income received upto budgeted levels
18	Copying Charges	1,000	1,000	0	
21	Electoral Registration - Advertising	8,000	8,000	0	
22	Legal Services - Staff Reduction	117,000	117,000	0	Staffing costs within budget at Month 4
23	Staffing efficiencies from IT investment (FYE)	63,000	63,000	0	Staffing costs within budget at Month 4
24	Reduction of one manager post	18,000	18,000	0	Staffing costs within budget at Month 4
25	Reduction of 1 1/2 x FTE posts in Office Support Team.	37,000	37,000	0	Staffing costs within budget at Month 4
26	Supplies & Services	3,000	3,000	0	
27	Transport	2,000	2,000	0	
28	Restructure Scrutiny	50,000	50,000	0	2 staff are leaving - saving now likely to be achieved in full
29	Borough Treasurer				
30	Cashiers - Close Wood Street	30,000	30,000	0	Cashiers Staffing Costs within Revised Budget
31	Internal audit - Delete one post	15,000	15,000	0	Post deleted - revised structure costed and agreed - and is within budget
32	Administration - Delete one post	25,000	25,000	0	Post deleted - revised structure costed and agreed - and is within budget
33	Expenses service wide	15,000	15,000	0	
34	Reduce IT budgets service wide	30,000	30,000	0	Budgets have been adjusted service-wide
35	Car allowances service wide	20,000	20,000	0	
36	CAFT - Vacancy factor	15,000	15,000	0	CAFT staffing budget reset to include vacancy factor
37	Welfare rights - Delete one post	21,000	21,000	0	Post deleted - revised structure costed and agreed - and is within budget
39	Grants	25,000	25,000	0	Grants budget reduced.
40	Assessments - Delete one post	25,000	25,000	0	Post deleted - revised structure costed and agreed - and is within budget
42	Delete 2 posts in Local Taxation	35,000	35,000	0	Posts deleted - revised structure costed and agreed - and is within budget
43	Delete post in Audit	60,000	60,000	0	Post deleted - revised structure costed and agreed - and is within budget
44	Central Expenses				

Line Reference	Efficiency Proposal	Budget 2005/06	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	
45	Democratic Health Network	690	690	0	
46	London Team Against Fraud	7,500	7,500	0	
47	Corporate - Car leasing	16,000	16,000	0	
48	Senior management restructure (contingency)	180,000	180,000	0	
49	Children & Families				
50	Efficiency review	278,000	278,000	0	Administrative posts deleted and IT technology introduced
52	Young Peoples Team	15,000	15,000	0	Post deleted
53	Cultural Services				
54	Cessation of Translation Service	65,460	65,460	0	
55	Savings on running costs (£160 to CC)	27,500	27,500	0	
56	Savings on IT expenditure	23,300	23,300	0	
57	Media Fund	30,000	30,000		
58	Staff restructure	221,320	221,320	0	Staffing expenditure around new budgeted level at month 6
59	Education				
60	reorganisation	95,000	95,000	0	Budget Amended
61	travel passes	50,000	50,000	0	Budget Amended
62	Publications	10,000	10,000	0	Budget Amended
63	Delete transport client officer post	20,000	20,000	0	Budget Amended
64	Reorganisation	70,000	70,000	0	Budget Amended
65	salaries reduction	40,000	40,000	0	Budget Amended
66	staffing reductions	10,000	10,000	0	Budget Amended
67	Traded Services	50,000	50,000	0	Budget Amended
68	increased use of grant income to fund posts	50,000	50,000	0	Budget Amended
69	Grant income to fund posts	25,000	25,000	0	Budget Amended
70	reduce EBP grant by 3% -efficiency saving	2,500	2,500	0	Budget Amended
71	Reduced running costs	7,500	7,500	0	Budget Amended
72	Delete post of SEN tribunal officer	25,000	25,000	0	Budget Amended
73	Environmental Services				
77	Parks & Open Spaces - management	115,000	115,000	0	Budget reduced - staff savings (3 management posts) actioned.
78	Staff - overtime	3,500	3,500	0	Budgets reduced and controls in place.
79	Management and Support	500	500	0	
81	Ground maintenance efficiencies	25,000	25,000	0	Post deleted.
82	Domestic Refuse - bin purchase	15,000	15,000	0	
83	Domestic Refuse - protective clothing	4,000	4,000	0	Budgets reduced and amended. (Bins, protective clothing, special collections)
84	Domestic Refuse - special collection income	10,000	10,000	0	
87	Street Enforcement Service	603,750	603,750	0	Restructure approved by General Functions (November 2004) and implemented.
89	Grounds Maintenance	10,000	10,000	0	Budgets reduced.
92	SES/Street Cleansing	870	870	0	Budgets reduced on equipment and materials
93	Refuse	340	340	0	
94	SES	1,220	1,220	0	Budgets reduced on printing and stationery

Line Reference	Efficiency Proposal	Budget 2005/06	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	
95	SES	170	170	0	Budgets reduced on printing and stationery
96	Residential Services/Catering	4,920	4,920	0	Service IT budgets reduced.
98	Highways & Design				
76	Responsive Highways Maintenance - carriageways	55,000	55,000	0	Budgets reduced. Reflects improved conditions following increased planned mtnce.
85	Road structural repairs	35,000	35,000	0	Budgets reduced.
90	Highways Maintenance	50,000	50,000	0	Budgets reduced.
99	Highways - staffing reduction	32,000	32,000	0	Budgets reduced
100	General running cost savings - Equipment & Materials	2,864	2,864	0	Budgets reduced
101	General running cost savings - General Office Expenses	500	500	0	Budgets reduced
102	General running cost savings - IT	11,520	11,520	0	Budgets reduced
103	General running cost savings - Other Expenses	50,808	50,808	0	Budgets reduced
104	General running cost savings - Printing	3,946	3,946	0	Budgets reduced
105	General running cost savings - Stationery	1,442	1,442	0	Budgets reduced
106	Car Parks - repairs/maintenance	8,000	8,000	0	Budgets reduced
107	Disabled Crossing Facilities	5,000	5,000	0	Budgets reduced
108	Schools Crossing Patrols	5,000	5,000	0	Budgets reduced
109	Home Zones - works budget	30,000	30,000	0	Budgets reduced
110	Building Control - net additional income	60,000	60,000	0	Fees Increased
111	Highways Administration reduction in posts - additional impact 05/6 (FYE)	20,000	20,000	0	Posts reduced - Total £90k, £70k 2004-05 - balance of £20k 2005-06
113	Housing -General Fund				
115	Reduction in IT budget in Housing Benefit	16,800	16,800	0	Budgets reduced
116	Temporary accomodation	50,110	50,110	0	Budgets reduced
117	Human Resources				
119	Payroll Reductions due to move to Weekly Pay	37,500	37,500	0	Post reductions have occurred - final tidy up of revised budget required
119a	Delete 1 post in training	42,500	42,500	0	Post deleted - revised structure costed and agreed - and is within budget
120	Discontinue central advertising / outsource resource handling	70,000	70,000	0	Posts deleted - revised structure costed and agreed - and is within budget
121	Information Systems				
124	IS vacancies	30,000	30,000	0	Staffing in IS within budget at Month 4
125	IS - Telephony Infrastructure - reduced call rate charges	20,000	20,000	0	Reduced charges already reflected in 04-05 so no problem expected
126	IS - reduction of 1 post	45,000	45,000	0	Staffing in IS within budget at Month 4
130	IS - 10% Reduction in NLBP managed service costs	45,000	45,000	0	Whether or not saving is achieved will not become apparent until later in year
132	Planning				
133	Reduce the annual spending on employee expenses	13,300	13,300	0	Budgets reduced
134	Reduce the annual spending on transport costs	2,330	2,330	0	Budgets reduced
135	Reduce the annual spending on supplies and services	10,210	10,210	0	Budgets reduced
136	Revised base budget	61,600	61,600	0	Budgets reduced
137	Property Services				
138	Reduced spending on stationery, traning	4,000	4,000	0	Achieved
139	Recharge post to Housing Estates regeneration budget	14,600	14,600	0	Post to be recharged to Regeneration budget

Line Reference	Efficiency Proposal	Budget 2005/06	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	
140	Public Offices				
141	Equipment and Materials	880	880	0	Budgets reduced
142	Floral Decorations	160	160	0	Budgets reduced
143	General Office Expenses	140	140	0	Budgets reduced
144	Printing	400	400	0	Budgets reduced
145	Staffing efficiencies	10,600	10,600	0	Budgets reduced
146	Staffing efficiencies	280	280	0	Budgets reduced
147	Staffing efficiencies	110	110	0	Budgets reduced
148	Resources				
151	CPO - End all consultancy budgets	40,000	40,000	0	Spend reduced in 04-05 - so saving should be achieved
153	Savings on running costs (from CC)	160	160	0	
154	Savings on IT expenditure (from CC)	1,250	1,250	0	Budgets have been adjusted service-wide
155	Restructure switchboard (from CC)	25,000	25,000	0	Posts deleted - revised structure costed and agreed - and is within budget
156	Strategic Development				
157	IT savings	3,080	3,080	0	Achieved
159	Strategic Directors & Corporate Support				
160	Reduced Printing, Conference and Stationery Budgets	25,160	25,160	0	
162	Reduce First team to 4 issues a year	11,000	11,000	0	
163	CPO - Reduce Consultation Budgets	25,000	25,000	0	
164	CPO - Citizens's panel - 2 per year	5,000	5,000	0	

At Risk Efficiency Savings

1	Adult Social Services				
2	Placements	450,000	450,000	0	This is a demand led service & it is too early in the year to be certain of the outturn position, however the service has good controls on assessments and placements processes and will endeavour to bring the budgets in on line.
3	IT	15,660	15,660	0	Significant demand for IT hardware replacement
9	Borough Solicitor				
15	Registrars Income	19,500	19,500	0	Income levels below level required at Month 4
19	Registrars - Closure of Wood Street office - saving on premises costs	21,000	21,000	0	Office still open - compensatory savings expected on income
20	Registrars - Closure of Wood Street office - saving on staff costs	50,000	50,000	0	Office still open - compensatory savings expected on income
29	Borough Treasurer				
41	MCS efficiencies - deletion of posts within Accountancy, Cashbook & Income	235,000	35,000	200,000	Final restructure proposals to be agreed
49	Children & Families				

Line Reference	Efficiency Proposal	Budget 2005/06	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	
51	Asylum seekers	180,810	245,210	(64,400)	Last year NASS informed authorities that they would resume responsibility for single adults and families. The budget was set on this basis. NASS has subsequently asked authorities to continue with supporting these asylum seekers. Barnet informed NASS that after end of Sept there will no longer be an Asylum Seekers Team to deal with these asylum seekers.
73	<u>Environmental Services</u>				
74	Barnet Homes - re-negotiation of grounds maintenance contract	75,000	75,000	0	SLA - awaiting confirmation from Barnet Homes
75	SEN Transport efficiencies - Education	90,000	90,000	0	£30k from management charges, £60k logistics savings to be confirmed with Education.
80	Stores organisation efficiencies	30,000	30,000	0	Two posts deleted. Cost recovery process to be confirmed.
91	Mill Hill Depot	100,000	100,000	0	Additional income being negotiated and confirmed.
97	Recycling - increase in green waste collection	44,000	44,000	0	Tonnages collected being monitored. Participation rates will be key.
98	<u>Highways & Design</u>				
112	Design services	250,000	250,000	0	Implementation in progress. Fee base being confirmed
117	<u>Human Resources</u>				
118	Re-organise management of HR	100,000	100,000	0	Final structure of HR not yet clear
121	<u>Information Systems</u>				
122	HBS Business Services - Print Contract	60,000	60,000	0	Whether or not saving is achieved will not become apparent until later in year
123	IS Partners	15,000	15,000	0	
127	IS - Hardware Maintenance Savings	30,000	30,000	0	
128	IS - Managed service saving due to new system implementation	150,000	150,000	0	Delay in Pericles implementation has jeopardised achievement of this saving
129	IS - Re-scope terms of contract for HBS partnership	150,000	150,000	0	Saving not achieved in full at this point
131	IS - Increase in Schools income	20,000	20,000	0	Saving should be achievable though income levels will not be apparent until later in year
148	<u>Resources</u>				
149	Procurement savings	300,000	300,000	0	This represents increase in existing savings in base and hence must be considered high risk
150	IS and CPO Admin reduction (1.5 posts)	45,000	45,000	0	Pressure on staffing budgets in new Directorate
152	CPO - reduction of 1 post	45,000	45,000	0	Pressure on staffing budgets in new Directorate
156	<u>Strategic Development</u>				
158	Staff savings to be achieved through reducing hours and restructuring	14,290	14,290	0	Budgets reduced & restructure to be completed by Head of Service
159	<u>Strategic Directors & Corporate Support</u>				
161	Remove Consultants Fees budget for Arts Depot	31,000	31,000	0	

High Risk/Unachieved Efficiency Savings

73	<u>Environmental Services</u>				
86	ECT recycling contract - productivity savings	95,000	50,000	45,000	£50k no inflation increase confirmed. Balance of £45k will not be achieved by round reduction as originally envisaged(because of impact of compulsory recycling).
88	Golf Courses - running costs	108,000	28,000	80,000	Disposal agreed Cabinet Resources 28/04/05. No revenue budget 2005/06. There will be some residual maintenance costs. Report to Cabinet Resources 21/07/05 with tender results. Expected to lease from 1 April 2006

Line Reference	Efficiency Proposal	Budget 2005/06	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	
113	Housing -General Fund				
114	Community Centres staffing	13,000	0	13,000	Will not be achieved, further work required with Barnet Homes, but can be taken up elsewhere in Housing GF
165	Totals	7,170,900	6,897,300	273,600	
166	Summary of Efficiencies :-				
167		4,433,640	4,433,640	0	
168		2,521,260	2,385,660	135,600	
169		216,000	78,000	138,000	
170	Totals	7,170,900	6,897,300	273,600	

Appendix B (ii)

Line Ref	Budget Reduction Proposal	Budget 2005/06	Total Reduction	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	£	

On Target/Achieved Savings

1	Adult Social Services					
2	Close Springwood (FYE)	100,000	100,000	100,000	0	achieved
4	Telephones for disabled	24,000	24,000	24,000	0	
5	HIV / AIDS Service	8,000	8,000	8,000	0	
7	Borough Solicitor					
8	Removal of Head of Service post and 1 manager post	93,000	93,000		93,000	
9	Borough Treasurer					
10	Grant to Barnet Action 4 Youth - expires March 2004	50,000	50,000	50,000	0	Grants budgets reduced and allocation of grants expected to be within reduced budget
11	Grant to Barnet Retired & Senior Volunteer Programme - expires March 2004.	12,500	12,500	12,500	0	
12	Reduction in small grants to voluntary organisations.	70,000	70,000	70,000	0	
13	Additional grant funding for Welfare Rights Unit	18,560	18,560	18,560	0	Grant funding secured
14	Assessments - eliminate one-off budget increase for introducing "Fairer Charging"	10,000	10,000	10,000	0	Budget adjusted
16	Increase charge to Special Parking Account re cash collection	75,000	75,000	75,000	0	Increased charge achieved in 04-05 - so should be secure in 05-06
17	Delete post in Student Finance	25,000	25,000	25,000	0	Post deleted - revised structure costed and agreed - and is within budget
18	Central Expenses	0				
19	Roundabout Sponsorship	28,700	28,700	28,700	0	
20	LPSA - interim reward grant	124,000	124,000	124,000	0	
21	Children & Families					
22	ART - reduction in service	120,000	120,000	120,000	0	Specific posts deleted and phase 2 of the C&F restructure costed and agreed within available resources
23	Further staff savings	140,000	140,000	140,000	0	Specific posts deleted and phase 2 of the C&F restructure costed and agreed within available resources
24	Principal Projects and Strategy Officer	33,580	33,580	33,580	0	Post deleted
25	Cultural Services					
26	Close Totteridge Library (FYE)	28,000	28,000		28,000	
28	Cease adult guidance support	50,000	50,000		50,000	
29	Reduce library opening hours and re-designate posts	226,000	226,000		226,000	
30	Nil inflation on Media Budget	24,000	24,000		24,000	
31	Reduce mobile libraries by 1 vehicle	96,500	96,500		96,500	
32	Reduction on media fund	22,500	22,500		22,500	
33	Education					
34	Recode 50% ELT post to grant	36,000	0	36,000	0	Budget adjusted
35	Charge part of Early Years advisory service to grant	96,000	96,000	96,000	0	Budget adjusted
36	Youth Service	300,000	300,000	300,000	0	Budget adjusted
37	Targeted support for schools causing concern	44,000	44,000	44,000	0	Budget adjusted
38	Capitalise consultancy for Primary capital strategy	250,000	250,000	250,000	0	Budget adjusted
39	Environmental Services					
40	Abandoned Vehicles	12,000	12,000	12,000	0	Budget reduced.

Line Ref	Budget Reduction Proposal	Budget 2005/06	Total Reduction	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	£	
41	Restructure of Street Enforcement	201,250	201,250	201,250	0	Restructure approved General Functions November 2004 and implemented.
42	LA 21 Grants	5,000	5,000	5,000	0	Budget reduced
45	Noise Service - refocus to times of peak demand	90,000	90,000	90,000	0	Reduction in Out of Hours service implemented.
47	Residential service - staffing reductions	60,000	60,000	60,000	0	Two posts deleted.
48	Grounds maintenance - rationalisation of highways planting	70,000	70,000	70,000	0	Savings agreed with Cabinte member. Implementation being monitored.
50	Litter bins & graffiti	62,000	62,000	62,000	0	Budgets reduced (equipment £50k , graffiti 12k)
52	Cease HECA survey programme	22,000	22,000	22,000	0	Programme ceased and budget deleted.
54	Public health - reduction 0.5 posts	13,000	13,000	13,000	0	Post deleted
55	Waste Performance Grant	276,000	276,000	276,000	0	Government grant for 2005/06 confirmed. 2006/07 to be confirmed.
56	Highways and Design					
44	Responsive Highways Maintenance - footways	25,000	25,000		25,000	Budget reduced. Reflects improved conditions following increased planned mtnce.
57	Highways - general increase in fees and charges	180,000	180,000	50,000	130,000	Additional income applicable to 2005-06 estimated to be on target.
58	IT invest to save	50,000	50,000	50,000	0	Budget reduced
59	Highways - general fees & charges increase	30,000	30,000	30,000	0	Fees and charges increased - monitor
60	Highways rationalisation of works programme	340,000	340,000	340,000	0	Budgets reduced (public lighting). One off
61	War memorials	10,000	10,000	10,000	0	Budgets reduced
62	Highways planned maintenance	200,000	200,000	200,000	0	Budgets reduced
63	Safer Routes	23,000	23,000	23,000	0	Budgets reduced
66	Housing - General Fund					
68	Housing Initiatives	39,200	39,200	39,200	0	On target
69	Human Resources					
70	Close Occupational Health Service	80,000	80,000		80,000	Service closed and services now picking up cost of OH referrals
73	Planning					
74	Increased income (national planning fees)	15,000	15,000	15,000	0	Fees increased 01/04/05. awaiting member confirmation of use of extra income.
76	Property Services					
77	Charging for property disposal packs	2,000	2,000	2,000	0	Fees being generated
79	Charge HRA for work undertaken on Housing Association programme	8,000	8,000	8,000	0	Fees being generated
80	Increased charges for Court of Protection work	5,000	5,000	5,000	0	Fees being generated
81	Review of charges of costs against capital receipts for disposals	10,000	10,000	10,000	0	Fees being anticipated
82	Public Offices					
83	Full costs of Stag House to Barnet Homes	51,000	51,000	51,000	0	Achieved
84	Reduction of budget for building maintenance	6,000	6,000	6,000	0	Budgets reduced
88	Strategic Development					
90	Inward Investment North London	35,000	35,000	35,000	0	Achieved

At Risk Savings

1	Adult Social Services					
3	Sheltered workshops	23,000	23,000	23,000	0	Consultation underway - will be contained within service cash limit
6	Community Network	50,000	50,000	50,000	0	Consultation underway - will be contained within service cash limit
9	Borough Treasurer					
15	Cease services provided to the Probation Service (net of income lost)	5,000	5,000		5,000	Final restructure proposals awaited
25	Cultural Services					

Line Ref	Budget Reduction Proposal	Budget 2005/06	Total Reduction	Forecast Outturn	Variance	Progress & Risks of not achieving
		£	£	£	£	
27	Reduce GLL management fee	25,000	25,000		25,000	Negotiations with Schools still ongoing expected to progress but full year saving will not be achieved
39	Environmental Services					
43	Increase fees & charges above inflation	20,000	20,000	20,000	0	Increased fees and charges approved by CRC committee 25/11/2004. Monitor
46	Trade Waste - increased income	25,000	25,000	25,000	0	Targetted increase in turnover and improved debt collection.
51	Allotments - increased income	50,000	50,000	30,000	0	Charges increased 1/4/05 - but first 4 months indicate a possible drop in take-up.
53	Capitalise Environmental Health Officer	40,000	40,000	40,000	0	Capitalisation process to be confirmed with external auditor.
69	Human Resources					
71	Charge Services for all Corporate run training courses	50,000	50,000		50,000	Level of Income received will not become apparent until later in the year
72	Revision of the advertising style - reduce information included	50,000	50,000		50,000	Savings need to be reclaimed from services - therefore high risk
73	Planning					
75	Reductions in Planning and Enforcement Posts	109,000	109,000	109,000	0	Restructure proposal put forward to members for approval.
76	Property Services					
78	Charges for RTB/Home loss work	18,000	18,000	18,000	0	Fees being generated for RTB's and potential fees being generated for Home loss
82	Public Offices					
85	Barnet House	120,000	120,000	57,340	62,660	Net effect of contract cleaning budget pressure and savings on premises budgets, means that this reduction cannot be confirmed as being met, at present.
86	Resources					
87	Staff savings through service restructuring	28,000	28,000		28,000	Unclear at present where this saving is
88	Strategic Development					
89	Review sources of funding	39,000	39,000	39,000	0	Partner organisations contributing to costs

High Risk/Unachieved Savings

39	Environmental Services					
49	School meals - increase charge to £1.85	90,000	90,000	(7,000)	97,000	At risk due to potential reduction in take-up of school meals. Also impact of non-controllable factors (eg school closures) and "Healthy Eating" drive to be taken into account.
64	Special Parking Account					
65	Parking - fees restructure (SPA?)	500,000	500,000	(1,046,000)	1,546,000	Fees increased/revised. Income pressure continuing into 2005/06
66	Housing - General Fund					
67	Community centres	37,000	37,000		37,000	Will not be achieved, further work required with Barnet Homes, but can be taken up elsewhere in Housing GF
91						
92						
93	Total	5,304,790	5,268,790	2,609,130	2,675,660	
94	Summary of Budget Reductions					
95		3,998,790	3,962,790	3,223,790	775,000	
96		769,000	769,000	431,340	317,660	
97		537,000	537,000	(1,046,000)	1,583,000	
98	Total	5,304,790	5,268,790	2,609,130	2,675,660	

HOUSING REVENUE ACCOUNT

Service	2005/6					Remarks
	Original Budget	Current Budget	Actual Year to Date	Projected Outturn	Variance	
	£	£	£	£	£	
EXPENDITURE						
Supervision & Management:-						Although no change shown at present there are outstanding issues relating to SLAs and Insurance costs that will affect the management fee payable to Barnet Homes. Reduction in contribution reflecting lower income estimates.
General Expenses	14,639,160	14,639,160	4,388,433	14,639,160	0	
Special Expenses	5,059,920	5,059,920	1,688,640	5,059,920	0	
Other Expenses	106,220	106,220	44,187	106,220	0	
Repairs & Maintenance	8,458,000	8,458,000	2,529,854	8,458,000	0	
Capital Charges :-					0	
Cost of Capital	550,000	550,000	0	550,000	0	
Depreciation	8,112,170	8,112,170	0	8,112,170	0	
Housing Benefits	500,000	500,000	0	500,000	0	
Housing Subsidy	8,300,000	8,300,000	2,490,000	8,300,000	0	
Contribution to Working Balance	634,680	634,680	0	532,380	(102,300)	
	46,360,150	46,360,150	11,141,114	46,257,850	(102,300)	
INCOME						
Supervision & Management:-						
General Income	(2,361,860)	(2,361,860)	(590,465)	(2,361,860)	0	
Special Income	(3,294,500)	(3,294,500)	(1,067,055)	(3,216,500)	78,000	
Rent Income:-						
Dwellings	(38,984,000)	(38,984,000)	(10,547,494)	(38,984,000)	0	
Garages	(721,000)	(721,000)	(246,777)	(696,700)	24,300	
Other	(698,790)	(698,790)	(139,465)	(698,790)	0	
Interest	(300,000)	(300,000)	0	(300,000)	0	
	(46,360,150)	(46,360,150)	(12,591,256)	(46,257,850)	102,300	
NET COST OF SERVICES	0	0	(1,450,142)	0	0	

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Meeting Cabinet Resources Committee

Date 10 November 2005

Subject **Fees & Charges for Building Control, Parking and Planning 1 January 2006 – 31 December 2006**

Report of Cabinet Member for Resources
 Cabinet Member for Environment and Transport

Summary To approve fees and charges for Building Control, Parking and Planning as detailed in the report and Appendices.

Officer Contributors Mike Freestone, Head of Highways & Design
 Stewart Murray, Head of Planning

Status (public or exempt) Public

Wards affected Borough Wide

Enclosures Appendix A – Current/Proposed Charges for Work Schedules
 Appendix B – Other Sundry Fees and Charges
 Appendix C – Car Park Tariffs
 Appendix D – Schedule of Planning Fees & Charges

For decision by Cabinet Resources Committee

Function of Executive

Reason for urgency / exemption from call-in (if appropriate) N/A

Contact for further information: Richard Morcom 020 8359 4646, Chris Harry 020 8359 7876, Clive Robinson, 020 8359 4358

1. RECOMMENDATIONS

- 1.1 That the fees and charges detailed in Appendix A of this report be approved to take effect from 1 January 2006.**
- 1.2 That, for the borough's car parks that have an all-day tariff, a decrease in the all-day charge from £4.00 to £3.00 be approved.**
- 1.3 That the Planning schedule of fees and charges detailed in Appendix D of this report be approved to take effect from 1 January 2006.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee 23 September 2004 Decision no. 6 that increases in fees and charges above the rate assumed in the Financial Forward Plan be approved by Cabinet Resources Committee.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Building (Local Authority Charges) Regulations 1998, require the Council's Building Control functions to recover all of its costs via charge income on works as controlled by Building Regulations and to break even over a rolling three year period after taking all costs into account.

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to increase Building Control fees and charges will result in future costs not being fully recovered.
- 4.2 The financial impact of reducing the parking charges could result in a revenue reduction. The purpose of the reduction is to increase patronage thereby increasing the income derived from all day parking.
- 4.3 The increases in Planning fees and charges are necessary to meet new income targets and deliver budget savings.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

Building Control

- 5.1 Building Control services are required to ensure that the income received from the charges which they set fully recovers the costs of carrying out their prescribed building control functions.
The charge income received is based on building work which is demand driven. The slowdown in the construction industry and current economic climate is making it difficult to achieve the balanced position required. The stringent financial controls currently being exercised are creating service pressures which cannot be contained long term. The estimated impact of additional income which will be generated to cover cost is £50,000 in a full year (£10,000 2005-06 taking winter period into account).

Parking

- 5.2 The significant underachievement of estimated car park income has been reported to this Committee as part of the 2004/5 outturn report and 2005/6

revenue monitoring process. As one way of improving the income position it is proposed to reduce charges for the all day tariff to increase usage and income. However, the financial impact cannot be predicted as it depends on the decisions of individual motorists. The aim is to increase patronage, and if this report is accepted, usage and consequential financial impact will be monitored and reported to the Cabinet Member for Environment and Transport. Should no new customers be attracted by a lower tariff, the possible annual revenue reduction would be £70,000. This equates to approximately 9% of the off-street annual pay and display revenue.

- 5.3 If the scheme is implemented this financial year, the earliest that change could be achieved is by the end of January, and the results will be monitored closely. As set out in paragraph 8.16 the change, if approved, will be actively promoted to maximise the impact.

Planning

- 5.4 Financial detail is set out in paragraph 8.17.

6. LEGAL ISSUES

- 6.1 See paragraph 3.1.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution, Part 3 - Responsibility for Functions, Section 3 - Powers of the Executive, paragraph 3.6 - terms of reference of the Cabinet Resources Committee.

8. BACKGROUND INFORMATION

Building Control

- 8.1 For the purposes of charging, work is classified into three schedules which are common to all local authorities. These are:
- Schedule 1 – new houses and flats up to three hundred square metres in floor area and no more than three storeys including basements.
 - Schedule 2 – Certain detached garages and domestic extensions up to three storeys and loft conversions.
 - Schedule 3 – Other building works.
 - Schedules 1 and 3 apply to the areas of work where Barnet is currently at most risk of competition.
- 8.2 Current charges have been compared with the neighbouring London Boroughs of Brent, Camden, Enfield, Haringey and Harrow. The categories of work where increases are proposed range from twelve per cent below the mean of those boroughs to 1.8 per cent above.
- 8.3 All Barnet's current and proposed charges for Schedules 1, 2 and 3 are shown in Appendix A.

- 8.4 In Schedule 1 the charge for a single new dwelling is twelve percent below the mean and it is anomalous that this charge is less than for a domestic extension between ten and forty square metres. It is therefore proposed to increase this figure by fourteen per cent to bring it just above the mean and equate it to the proposed charge for the said extension. The income generated from this area is minimal and thus not quantified within this report.
- 8.5 Schedule 2 covers more applications than any other schedule. Small detached garages and carports are currently ten per cent above the mean so no increase is proposed. Other charges in this schedule are 1.5 to 1.8 per cent above the mean. It is proposed to increase these by five per cent which would still keep them below the highest of our neighbours.
- 8.6 Schedule 3 figures are close to or above the mean and no changes are proposed.
- 8.7 No increases are proposed for 'Other Sundry Fees and Charges' (copies of approvals etc) shown in Appendix B.

Parking

- 8.8 It is considered that occupation rates at some of the Council's off-street car-parks have fallen and a contributory factor is thought to be the level of the long-stay parking charge.
- 8.9 Where the demand and capacity allows, car parks offer all-day parking which can be of use to people working in the local area and for people transferring to public transport to continue a journey.
- 8.10 The all-day charge was £3.00 in 2003/4 and was increased to £5.00 for 2004/5. There are no before and after occupancy studies, but the perception is that usage substantially declined.
- 8.11 For the year 2005/6 the all-day charge was reduced to £4.00. Revenues have broadly remained the same – however as short-stay charges had increased at the same time, this indicates that the all day reduction did not attract additional patronage such as to cover the reduction in tariff. Members, residents and the media continue to comment on apparent low usage of many car parks.
- 8.12 In designating off street paid parking places under the Road Traffic Regulation Act, the key issue is to implement parking policies, not to do so for the purpose of raising revenue. If patronage is low, this means the Council is not achieving an aim of providing a suitable parking facility in a given area. The solution is to reconsider charges to increase usage, but to accept that this may lead to a reduction in revenue.
- 8.13 It is therefore recommended that the tariff in off-street car parks, where there is an all-day tariff be amended to give an all day charge of £3.00 in accordance with the table shown in Appendix C with effect from 1 January 2006. Charges other than the all-day rate would remain the same, and thus continue to be consistent with all on-street tariffs where the charge bands are the same (though the maximum stay varies dependant on local needs).

- 8.14 It should be borne in mind that since the tariff was last £3.00, some people will have developed new parking habits which might continue. High Barnet, Finchley Central, and (just outside the borough) Arnos Grove all offer station car parking for £2.50 a day and for some people this will be an attractive alternative. Some station car parks in Barnet are £2.00 a day and there are still areas where one can park on-street close to a station for no cost. Even within the Council's controlled parking zones there are some 3,000 free car parking spaces. All of these factors mean that the use of Council car parks for long- term parking may remain low – particularly by people continuing a journey by public transport.
- 8.15 Car park machines do not regularly download transactions onto a database for later analysis, but estimates can be prepared by sampling data held in a short term memory in each machine. Extrapolating, it is estimated that 70,000 transactions a year are for "all day" parking.
- 8.16 It is proposed to promote the reduced charge through the use of prominent notices for a period of time. This would take the form of street notices in local streets and specific messages on the car park tariff boards and entry points.

Planning

- 8.17 The majority of planning related fees are set nationally by Government and the Council has no control over when these are set which are at flat rates. The most recent increase by the Office of the Deputy Prime Minister was April 2005 and these increases were built into the planning budget. Other locally set fees and charges, detailed in Appendix D, are proposed to be changed in a number of ways reflecting research and benchmarking against other charged services and local authorities as follows:-
- Increased by inflation - some documents and planning publications where significant modifications have taken place, for example the Unitary Development Plan.
 - Inflation level increases on a number of publications including conservation area appraisals and Tree Preservation Orders.
 - No increases in photocopying and reproduction map charges with some reductions where live documents.
 - Increases above inflation in pre-application advice and Section 106 professional costs recovery charges, reflecting increased work input and costs. New category of charges for very major developments advice.
 - No increases or some reductions in hourly rate charges for pre-application and Section 106 advice.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

BS: RB
BT: PA

Highways & Design

Building Control

Fees and Charges 2005/2006

Schedule 1 Charges for small domestic buildings (New Houses & Flats)

APPENDIX A

No. of Dwellings	Current Charges		Proposed Charges WEF 01/12/05		Difference	% Change
	Building Notice		Building Notice			
	Deposit Charge		Deposit Charge			
	Basic Charge	Additional fee for each dwelling above the minimum no.in Column 1	Basic Charge	Additional fee for each dwelling above the minimum no.in Column 1		
Column 1	£	£	£	£		%
1	£352	£0	£400	£0	48.00	13.64
2	£589	£0	£589	£0	0.00	0.00
3	£819	£0	£819	£0	0.00	0.00
4	£1,060	£0	£1,060	£0	0.00	0.00
5	£1,303	£0	£1,303	£0	0.00	0.00
6	£1,471	£0	£1,471	£0	0.00	0.00
7	£1,681	£0	£1,681	£0	0.00	0.00
8	£1,891	£0	£1,891	£0	0.00	0.00
9	£2,100	£0	£2,100	£0	0.00	0.00
10	£2,310	£0	£2,310	£0	0.00	0.00
11	£2,478	£0	£2,478	£0	0.00	0.00
12	£2,644	£0	£2,644	£0	0.00	0.00
13	£2,814	£0	£2,814	£0	0.00	0.00
14	£2,982	£0	£2,982	£0	0.00	0.00
15	£3,151	£0	£3,151	£0	0.00	0.00
16	£3,324	£0	£3,324	£0	0.00	0.00
17	£3,491	£0	£3,491	£0	0.00	0.00
18	£3,659	£0	£3,659	£0	0.00	0.00
19	£3,827	£0	£3,827	£0	0.00	0.00
20	£3,996	£0	£3,996	£0	0.00	0.00
21 - 30	£4,121	£129	£4,121	£129	0.00	0.00
30 & over	£5,401	£95	£5,401	£95	0.00	0.00

Interpretation of Schedule 1

For the purposes of the Table, the reference in the heading to column (1) is a reference to the number of dwellings in the building.

For Building or buildings having a floor area exceeding 300m² please refer to schedule 3.

VAT - The above charges are net of VAT. All fees (other than regularisation charges) are vatable.

For simplification, only Building Notice Charges are shown. Full Plans Charges are the same, but are split into a deposit charge of 25% and an inspection charge of 75% of the total. Regularisation Charges are 120% of the Building Notice net charge

Highways & Design

Building Control

Fees and Charges 2005/2006

SCHEDULE 4 OTHER SUNDRY FEES AND CHARGES

Appendix B

		No Increases Proposed		
Service and Category	VAT Applicable Y/N	Current Gross Charge 2005/2006 (including 17.5% current VAT rate where applicable) £	Postage Scales	Notes
BUILDING CONTROL				
Building Control Publications Building Regulations - Additional copies of decision notices and completion certificates on Full Plans applications, Building Notices, and Regularisations.	Y	£40.00	C	Charges are specific to each dangerous structure and cover the costs incurred on works undertaken by the Council.
Dangerous Structures When undertaking works in accordance with Section 78 of the Building act 1984, reasonable expenses incurred by the council are to be recovered from the owner of the property.	Y	Actual		
ADDITIONAL ENQUIRIES ON LAND CHARGE SEARCHES	Y	£40.00	C	
RESEARCHING AND ARRANGING VIEWING OF BUILDING CONTROL CASE FILES.	Y	£40.00	N/A	
COPYING DRAWINGS AND ASSOCIATED DOCUMENTS FROM BUILDING CONTROL CASE FILES				
AO	Y	£8.00	B	
A1	Y	£6.00	B	
A2	Y	£6.00	B	
A3	Y	£6.00	C	
Photocopying				
A3	Y	£2.00	C	
A4	Y	£1.00	C	
All publications and maps subject to extra postage and packing, at the following scales, except where supplied to personal callers. Charges not subject to VAT				
Postage Scale				
A = £3.50	N			
B = £1.85	N			
C = £0.60	N			

| Faxed information - per A4 page in addition to relevant charge - £2.00

Car Park Tariffs

Current Tariff		Proposed Tariff 1 January 2006 – 31 December 2006	
Time Purchased	Charge	Time Purchased	Charge
up to 15 mins	£0.30	up to 15 mins	£0.30
up to 30 mins	£0.50	up to 30 mins	£0.50
up to 45 mins	£0.80	up to 45 mins	£0.80
up to 1 hour	£1.50	up to 1 hour	£1.50
up to 90 mins	£2.50	up to 90 mins	£2.50
up to 3 hours	£3.00	over 90 minutes	£3.00
over 3 hours	£4.00		

Fees and Charges 2006 - Planning Services

SERVICE	CURRENT CHARGE 2005	PROPOSED CHARGE 2006
<u>Policy Publications</u>		
UDP Inspector's Report (for residents only)	£60.00 (£18.00)	£63.00 (£19.00)
UDP deposit Draft July 2000 (for residents only)	£60.00 (£18.00)	£63.00 (£19.00)
Adopted Unitary Development Plan 1991 (for residents only)	£50.00 (£22.50)	£52.50 (£23.50)
Unitary Development Plan Review: Trends and Prospects (for residents only)	£25.00 (£13.00)	£26.00 (£13.50)
Unitary Development Plan Review: (1996 combined volume) Policy Issues Papers (for residents only)	£25.00 (£13.00)	£26.00 (£13.50)
Planning Briefs & Supplementary Planning Guidance (for residents only)	£17.00 (£8.00)	£18.00 (£8.50)
<u>Conservation Publications</u>		
Conservation Area Character Appraisals (for residents only)	£17.00 (£8.00)	£18.00 (£8.50)
Statutory List of Buildings of special architectural or historic interest (for residents only)	£29.00 (£12.80)	£30.00 (£13.50)
Schedule of Building of local or historic interest (for residents only)	£15.00 (£7.50)	£17.00 (£8.00)
Statutory List extracts One building per extra copy	£2.50 (£1.25)	£2.75 (£1.50)
Article 4 Directions per area	£3.50	£3.75
Conservation Area Maps (for residents only)	£22.00 (£10.50)	£23.00 (£11.00)
<u>Development Control Publications</u>		
Copies of Planning Decisions	£15.00	£17.00
Tree Preservation Order Full Document	£26.00	£28.00
Tree Preservation Order Extract	£15.00	£17.00
Weekly list of Planning applications per area-by post only <i>NB. No charge for emailing the weekly list</i>	£150.00	£155.00
<u>All Planning Services</u>		
Photocopying per copy		
A3	0.30p	0.30p
A4	0.20p	0.20p
Reproduction of maps/drawings (Historic Applications)		
A0-A2	£10.00	£10.00
A3	£6.25	£6.25
A4	£5.00	£5.00
Reproduction of maps/drawings (Live Applications)		
A0-A2	£10.00	£5.00
A3	£6.25	£3.00
A4	£5.00	£2.00
Dyeline paper copies(per copy)		

AO	£7.40	£7.80
A1	£6.40	£6.75
A2	£6.40	£6.75
A3	£6.40	£6.75
A4	£6.40	£6.75
All publications and maps subject to extra postage and packing, at the following scales, except where supplied to personal callers.	A= £3.50 B = £1.85 C = £ 0.60	A= £3.75 B = £2.00 C = £ 0.65
Faxed Information - per A4 page in addition to relevant charge	£2.10	£2.20
Ordnance Survey Extracts		
Price per extract (minimum of 3 extracts)	£13.00	£14.00
Historic Planning Information		
Price per file (for residents only)	£10.00 (£5.00)	£10.00 (£5.00)
Correspondence		
Planning History per question per address	£30.00	£32.50
Enforcement Enquiry per question per address	£30.00	£32.50
High Hedge Complaints		
Complaint Investigation (Fee agreed at Cabinet Resources July 2005) (50% discount for specified benefits)	£450 (£225)	£450 (£225)
Other Planning Costs (Recovery of Costs Only)		
Planning Advice Charges (Pre-Application Advice)		
Category A (Complex - 25+ residential units or 2000m ² + of commercial floor space)	n/a	£2,935 (VAT Inclusive)
Category B (Major - 10-24 residential units or 1000m ² -2000m ² commercial floor space)	£1,175 (VAT Inclusive)	£1,468 (VAT Inclusive)
Category C (Minor - 2-9 residential units or 100m ² -999m ² commercial floor space)	£587.50 (VAT Inclusive)	£646.25 (VAT Inclusive)
Hourly Rates For Subsequent Meetings		
Case Officer (up to Principal Planner/Deputy Team Leader/Manager)	£100 per hour	£100 per hour
Team Leader/Manager	£175 per hour	£125 per hour
Service Heads and Directors	£250 per hour	£150 per hour
Specialist Advice (Conservation & Design, Highways)	£100 per hour	£100 per hour
Section 106 Agreements Recovery of Professional Planning Services Costs		
Category A (Complex)	n/a	£1,500; £100 per hour after first 10 hours
Category B (Major)	£1,000	£1,000
Category C (Minor)	£650	£650

Notes

1. The average price increase for those fees and charges which have been raised is 5.1%
2. The average price increase for all fees and charges is 1.24%
3. The hourly rate for pre-application advice charges for Service Heads/Director and Team Leader/Manager has been reduced following benchmarking with London Boroughs of Westminster and Hammersmith & Fulham
4. A third pre-application advice and Section 106 recovery of costs category has been introduced for larger scale, complex developments
5. A new charge has been introduced for the photocopying of plans/drawings on live planning applications in response to customer complaints. The 2005 charge is unchanged for the photocopying of plans/drawings on historic planning applications

AGENDA ITEM: 14

Page nos. 73 - 78

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Fees & Charges for Environmental Services 1 January 2006 – 31 December 2006
Report of	Cabinet Members for Resources and Environment and Transport
Summary	To approve increases in Fees & Charges for Hendon Cemetery & Crematorium

Officer Contributors	Ray Philips, Assistant Head of Environmental Services Andy Milne, Environmental Services Manager Kate Solomon, Care & Repair Manager Kathy May, Assistant Head of Environmental Services
Status (public or exempt)	Public
Wards affected	Borough wide
Enclosures	List of proposed charges
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not Applicable

Contact for further information: Kathy May - 020 8359 7493

1. RECOMMENDATIONS

- 1.1 That the fees and charges detailed in the enclosure with this report be approved to take effect from 1 January 2006.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee 23 September 2004 Decision no. 6 that increases in fees and charges above the rate assumed in the Financial Forward Plan be approved by Cabinet Resources Committee.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 None.

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to increase fees and charges adequately will create pressures on other Council budgets. This needs to be balanced against potential for customers to go elsewhere for these services. However, comparison of the main cremation price increase with other providers shows the charges would still be competitive.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 The impact of increased fees and charges will be taken into account in the 2005/2006 revenue monitoring and the 2006/2007 forward plan process.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution, Part 3 - Responsibility for Functions, Section 3 - Powers of the Executive, paragraph 3.6 - terms of reference of the Cabinet Resources Committee.

8 BACKGROUND INFORMATION

- 8.1 This report sets out proposed fees and charges to be applied to Hendon Cemetery & Crematorium functions from 1st January 2006. Individual increases vary between 2.5% and just under 35%, (in the latter case for weekend cremation service), with the increase for the majority of fees being less than 5%. In setting the new charges, regard has been made to changes at competing facilities and the need to sustain business at Hendon Cemetery and Crematorium.

9 LIST OF BACKGROUND PAPERS

- 9.1 None.

BS: RAB

BT: PA

**FEES AND CHARGES REVIEW 2006/2007
ENVIRONMENTAL SERVICES**

Service and Category	Current Charge 2005/2006	VAT applicable Y/N	Proposed Gross Charge Effective from 1 January 2006 (include 17.5% current VAT rate where applicable)	Notes
	£		£	

HENDON CEMETERY & CREMATORIUM

A. Burials for LBB Residents:

Class 'A' 7'6" x 3' 6"	£3,100	N	£3,300	
Class 'B' 6'6" x 2' 6"	£1,400	N	£1,500	
Additional charge for Mausoleum spaces	£400	N	£450	
Half size grave for burial of children under 3 years of age.				
Class 'A'	£1,400	N	£1,500	
Class 'B'	£606	N	£660	
Grave digging only charge				
Single depth	£370	N	£400	
Double depth	£480	N	£500	
Additional charge per Weekend Burial.	£130	N	£150	

Excavation and Interment Fees (all classes of private interments)

Persons over 10 years of age	£370	N	£400	
Children under 10 years of age including those still born	£240	N	£250	
Additional charge for any depth in excess of 6 feet	£110	N	£120	
Interment of cremated remains	£190	N	£200	
Common Interments:- Persons over 10 years of age	£170	N	£180	
Children under 10 years of age	£60	N	£65	
Stillborn children	£40	N	£45	

**FEES AND CHARGES REVIEW 2006/2007
ENVIRONMENTAL SERVICES**

Service and Category	Current Charge 2005/2006 £	VAT applicable Y/N	Proposed Gross Charge Effective from 1 January 2006 (include 17.5% current VAT rate where applicable) £	Notes
B. Burials for Non-LBB Residents:				
Class 'A' 9' x 4'	£5,300	N	£6,000	
Class 'B' 6'6" x 2' 6"	£2,400	N	£2,700	
Half size grave for burial of children under 3 years of age.				
Class 'A'	£2,670	N	£2,900	
Class 'B'	£1,210	N	£1,350	
Excavation and Interment Fees (all classes of private interments)				
Persons over 10 years of age	£770	N	£850	
Children under 10 years of age including those still born	£485	N	£505	
Additional charge for any depth in excess of 6 feet	£220	N	£250	
Common Interments :				
Persons over 10 years of age	£340	N	£350	
Children under 10 years of age	£120	N	£125	
Stillborn children	£70	N	£75	
C. General Fees				
Interment of Casket	£150	N	£180	
Removing and replacing Memorials for the purpose of enabling further interment	£170	N	£190	
Erecting new monuments, grave stones and tablets for the right to erect or place on private graves (including first inscription)				
a. Headstone with kerbs	£200	N	£205	
b. Headstone only	£150	N	£155	
c. Conversion of existing Headstone to include kerbs	£60	N	£65	
d. In the form of a Vase,	£50	N	£55	
e. Renovation or additional inscription	£50	N	£55	
For the right to erect, or place a memorial on a common grave	£90	N	£95	
Fee for Organ Music and Services of Organist	£30	N	£35	

FEES AND CHARGES REVIEW 2006/2007

ENVIRONMENTAL SERVICES

Service and Category	Current Charge 2005/2006 £	VAT applicable Y/N	Proposed Gross Charge 1 Jan 2006 (include 17.5% current VAT rate where applicable) £	Notes
D. Planting and General Attention of Private Graves				
Grave 7'6 x 3'6"				
Maintaining existing grave with seasonal bedding	£425	N	£436	Yearly fee
Maintaining existing grave with shrubs only	£310	N	£318	Yearly fee
Maintaining existing grave with turf only	£200	N	£205	Yearly fee
Turfing grave only (no after care)	£110	N	£113	
Moulding only (no after care)	£110	N	£113	
Grave 6'6 x 2'6"				
Maintaining existing grave with seasonal bedding	£210	N	£215	Yearly fee
Maintaining existing grave with shrubs only	£140	N	£143	Yearly fee
Maintaining existing grave with turf only	£100	N	£103	Yearly fee
Turfing grave only (no after care)	£55	N	£56	
Moulding only (no after care)	£55	N	£56	
Memorial rose standard	£165	N	£169	3 year lease
Memorial rose bush	£125	N	£128	3 year lease
Rose plaque (maximum 50 letters)	£80	N	£82	
Floral Tribute dedication	£40	N	£41	
Memorial seat 6' with choice of Inscribed bronze plaque or letters Carved in back rail	£650	N	£665	
Memorial bulbs:				
50 Bluebells	£30	N	£31	
50 Snowdrops	£45	N	£46	
50 naturalising Daffodils	£36	N	£37	
Wooden Cross (with inscribed brass plate not exceeding 30 letters)	£110	N	£110	

FEES AND CHARGES REVIEW 2006/2007

ENVIRONMENTAL SERVICES

Service and Category	Current Charge 2005/2006 £	VAT applicable Y/N	Proposed Gross Charge 1 Jan 2006 (include 17.5% current VAT rate where applicable) £	Notes
<u>E. Cremation Fee :</u>				
Persons over 10 years - weekday weekend	£320 £365	N N	£370 £415	Golders Green: £411.50 Islington: £320 New Southgate: £375 Kensal Green: N/A Marylebone £376.50 (These charges are
Children over 1 month - 10 years	£40	N	£45	
Children still born - 1 month	No charge	N	No charge	
Additional charge per Weekend Cremation	£45	N	£45	
Columbarium niche with inscription	£790	N	£810	35 year lease
Lily Pond tablet with inscription	£665	N	£682	35 year lease
Large commemorative tablet with inscription	£1,820	N	£1,865	
Cloister tablet with inscription	£1,340	N	£1,373	
Wall tablet in Book of Remembrance Hall with inscription	£570	N	£584	35 year lease
Entry in Book of Remembrance consisting of -				
Two lines	£90	Y	£92	
Five lines	£90	Y	£133	
Book of Remembrance copy 2 lines	£45	Y	£46	
Book of Remembrance copy 5 lines	£70	Y	£72	
Armorial bearing or badges (these may be engrossed in the Book of Remembrance only if accompanied by an inscription of at least 5 lines	£185	Y	£190	
Main drive flower bed	£545	N	£559	5 year lease

AGENDA ITEM: 15

Page nos. 79 - 83

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Highways Works Procurement Strategy
Report of	Cabinet Member for Environment & Transport and Cabinet Member for Resources
Summary	This report outlines a strategy for procuring highways related work, a procurement programme for Planned Maintenance contracts, reduction in the size of the Highways Maintenance Direct Service Organisation (DSO) and the transfer of the Sign Shop Direct Labour Organisation (DLO).

Officer Contributors	Mike Freestone – Head of Highways and Design Ian Counce – Chief Highways Officer
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: Ian Counce, Highways and Design 020 8359 3011

1. RECOMMENDATIONS

- 1.1 That the Highways Works Procurement Strategy as detailed within this report be approved.**
- 1.2 That the Head of Highways and Design be instructed to take the necessary action to achieve this outcome as identified within the Highways Works Procurement Strategy including the reduction in the size of the Highways Maintenance DSO.**
- 1.3 That the Head of Highways and Design test the market by entering into negotiations for the transfer of the sign-making activity from the in-house service as identified within this report, on the most favourable terms to the Council, and take action in consultation with the Cabinet Member for the Environment and Transport to achieve this outcome.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Barnet's Community Plan 2003/6 identifies the need to offer first class services to all our residents. This report seeks to develop the organisation that provides value for money services, is fit for purpose and slim enough to be cost efficient, ensuring we are a good Council with which to do business.
- 3.2 The Council's Corporate Plan 2005/6 – 2008/9 confirms the Council's commitment to repairing roads and pavements. The efficiencies resulting from this report will enhance the overall investment directed at the continuing improvements to the condition of the borough's roads and pavements.
- 3.3 The Corporate Plan's sixth priority is to be a better Council for a better Barnet with the aim to be an excellent organisation. In order to achieve this objective the Council needs to continuously improve how it works and the infrastructure it works with to deliver its priorities.
- 3.4 The Traffic Management Act 2004 requires Local Traffic Authorities to effectively manage their road network by maintaining or improving the movement of traffic, preventing or reducing congestion and avoiding danger to persons or other traffic and should not delay in taking such actions to fulfil these responsibilities. The Highways Works Procurement Strategy will incorporate this requirement within the agreed rates and working practices.

4. RISK MANAGEMENT ISSUES

- 4.1 The envisaged cost and quality benefits that would result from the resulting improved procurement and project delivery practices may not be realised without a change in the current practice.

- 4.2 There is a high likelihood that the current in-house activity will continue to operate at a net cost to the Council unless action is taken. Failure to act would mean that budgets for other emergency and reactive works would have to be reduced.
- 4.3 There is a risk that the personnel involved would not wish to work for another employer. Action resulting from this report seeks to transfer their working conditions and maintain the current employment location. The risk is currently assessed as medium.
- 4.4 There is a lower risk of redundancies than normally expected as a result of the envisaged down-sizing as there is private sector interest in sign manufacture as the Council has been approached on this matter independently but delay could risk a loss of interest.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 Delivering better contracts and supply chain agreements should result in overall financial savings and better product quality to the Council.
- 5.2 The sign making activity currently operates at an effective annual activity loss and, without any intervention, this would need to be met within existing budgets to the detriment of other necessary maintenance activity.
- 5.3 There would be a potential saving of £150,000, which would be reprogrammed to support priority carriageway and footway works, if the sign-making activity was externalised.

6. LEGAL ISSUES

- 6.1 None.

7. CONSTITUTIONAL POWERS

- 7.1 Part 3, paragraph 3.3 of the Council's constitution states that Cabinet Members powers include the power to discharge the executive functions that fall within their portfolio, whether or not they are also delegated to officers, except for matters specifically reserved to Council, Cabinet or Cabinet Committees.

8. BACKGROUND INFORMATION

- 8.1 A comprehensive review took place this summer on the future procurement and service options for the Council's highways maintenance needs. This examined the current highways services procurement situation and carried out a business review of the DSO. The business objectives and overall strategy were defined and compared against other local authority practice (and has since been market tested with contractors). A series of

options were appraised and an action plan identified. The broad conclusions were:

- i. to outline procurement programme for Planned and Reactive Highways Works in order for new contracts to be let in April 2007
- ii. direct non-urgent work to Planned Maintenance contractors
- iii. downsize the Highways Maintenance DSO

The above actions are in line with the document's strategy for all our highway related work to deliver efficiency benefits. This involves improving the quality and cost of service provision across the whole road network for the benefit of all users of the public highway in Barnet.

- 8.2 The service options discussed in the report have been evaluated in both procurement and delivery terms. Efficiency through innovative procurement is a theme common to the 2004 Gershon Review, the 2005 Code of Practice for Highways Maintenance, the recent Highways Agency's Highways Industry Strategy on collaborative roads procurement and the new CPA Framework.
- 8.3 The procurement programme would run throughout 2006 and include decisions on contract format, document preparation, tenderer selection and tender bid evaluation. Additionally, to add value to the process, an open day for potential contractors and a challenge event with other authorities is being arranged and the outcome will be reported verbally to the meeting. New contracts would commence from April 2007.
- 8.4 The Highways Maintenance DSO's role in Rapid Response has been evaluated and since April 2005, the type and nature of the work currently being undertaken in-house has been assessed. The majority of it is non urgent and can be better carried out at a lower cost by the Council's term planned maintenance contractors. Therefore their schedule of rates are being renegotiated to better accommodate the smaller, lower value works and these rates will apply until the existing contracts end in March 2007.
- 8.5 The Highways Maintenance DSO will need to downsize to react to emergency and urgent works only. The DSO employs 30 personnel and the target is to reduce to 12 by the end of this financial year with more work being carried out by our term contractors on a 'value for money' basis. The reduction in staff will be achieved through a mixture of:-
 - 8.5.1 redeployment (including an 'invest to save' initiative relating to additional inspection posts within the Highways Group i.e. faster fault detection reduces the overall repair required and costs, although there will be a medium term investment in inspection to be made),
 - 8.5.2 transfer (helped by the general London-wide shortfall in construction-related resources, especially in advance of the 2012 Olympics)
 - 8.5.3 and redundancy / early retirement.
- 8.6 One of the objectives identified within the Highways Maintenance DSO review is to cease the Sign Shop operation. This is outlined in more detail in Appendix B to this report. Normal transfer arrangements for the Sign Shop activity have the potential to be expensive and although we have some sign work that we can offer interested third parties, this would not be more than

circa £100,000 per annum and cannot be guaranteed. Transfer of Undertakings - Protection of Employment (TUPE) would come into play with some staff and we could be looking at redundancy payments with others.

- 8.7 However, the Council has been approached independently and unsolicited by two of our current highways maintenance term contractors interested in taking over the sign making activity. They have wider trading opportunities than the Council and they have identified a range of potential clients and future income streams. The characteristics of our in-house sign making activity are that the Sign Shop employs up to seven people, it uses various items of sign making equipment, has value in materials held and occupies depot area at Mill Hill.
- 8.8 Authority is sought for the Head of Highways and Design to openly approach interested highways maintenance contractors and negotiate, independently or as a package, on the following aspects:
- Employment of preferably all or most of the Sign Shop workforce
 - Purchase of sign making equipment & materials
 - Short term rental of depot space
 - Agreement of competitive rates for sign manufacture up to 31 March 2007 or until such time as new tenders for this work have been let.
- 8.9 There is the potential, therefore, to reduce the cost on the Council resulting from current trading operation, avert possible future direct employment costs, receive external income through short term depot occupancy and achieve savings in the foreseeable future on sign works. The Council did not inspire nor encourage the approaches made by the external contractors. In addition, no approach has been made to the other five companies that hold term highways contracts. However, there is obviously commercial interest in this manufacturing activity and it is therefore considered urgent that the Council seize the opportunity presented.
- 8.10 Strategic Procurement and Human Resources colleagues are working with the Highways & Design service to select and take forward the most advantageous and appropriate process(es).
- 8.11 Union representatives from the GMB and Unison have been consulted on the proposals detailed in this report.

9. LIST OF BACKGROUND PAPERS

- 9.1 Procurement and Service Options for Highways Maintenance – August 2005
- 9.2 Sign Shop Trading Evaluation – October 2005
- 9.3 Anyone wishing to inspect the background papers should telephone 020 8359 7018.

BS:DP
BT:DM

AGENDA ITEM: 16

Page nos. 84 - 89

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	Management of the All Weather Pitch at Grahame Park
Report of	Cabinet Member for Culture, Community Engagement and HR. Cabinet Member for Resources.
Summary	This report sets out a proposal for the Council to continue to manage the all weather pitch for the period 1 January 2006 – 31 March 2007 during evenings, weekends and holiday periods and to explore alternative arrangements for its future management by an external organisation.

Officer Contributors	A.Hatvani - Leisure Services Manager
Status (public or exempt)	Public
Wards affected	Colindale
Enclosures	Appendix A – Risk Management
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	N/A

Contact for further information: A.Hatvani on 020 8359 7840

1. RECOMMENDATIONS

- 1.1 That an agreement is reached for the Council to continue to manage the 3rd Generation all weather football pitch at Grahame Park for the period January 2006 – March 2007 inclusive during evenings, weekends and holiday periods.**
- 1.2 That the Council agree to the Leisure Service Manager exploring other alternative arrangements for its future management.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Relevant Unitary Development Plan Policies: Barnet Adopted Unitary Development Plan (adopted 1991): G1, T1. 1, EDN3. 1, L1.3, L1.4. Barnet Revised Deposit Draft Unitary Development Plan (revised (2001):GBEnv1, D1, D2, D5, L19, L20, L21, M14, CS5
- 2.2 Relevant history:
- The decision by Cabinet on 17 February 2002 to give approval to undertake the steps necessary to successfully deliver the construction of a Community Sports Pitch on Land owned by St James High School at Grahame Park.
 - Planning granted for the sports pitch on 18 June 2003
 - Cabinet Resources report, 4 November 2003. Grahame Park Community Sports Pitch (Report of cabinet Member for Borough Development and Planning and Cabinet Member for Community Development and Youth. Decision by Cabinet Resources to appoint a single contractor to construct the sports pitch and changing facilities
 - Action taken by Cabinet Member(s) under delegated powers(executive function)
- 2.3 Cabinet Resources agreed for the Leisure Services to manage the all weather facility at Grahame Park for the period February 2005 – December 2005 inclusive during evenings, weekends and holiday periods.
- 2.4 Cabinet Resources agreed to the Leisure Services working with Pinnacle Education Sport Trust or another partner to build up their capacity so that they have the ability to manage the facility from January 2006.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The community sports pitch supports the corporate aims of the Council by:
- Engaging the local youth population in sporting activities which will help to reduce levels of crime and disorder. Working closely with the Police, Barnet's youth offending and drugs teams will offer diversionary activities for those most at risk of offending and re-offending.

- The creation of the new pitch has enabled the Council to position the facility where there was no sports provision in the past.
- Local schools will be supported through their use of the facility and there will be the opportunity for young people to develop their skills to assist with future employment opportunities.

4. RISK MANAGEMENT ISSUES

4.1 These are attached in Appendix A.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

5.1 The Leisure Service has appointed part time recreational staff on sessional contracts to oversee the facility during the evenings, weekends and holiday periods. Staff are supported by the externally funded Football Development officer and Sports Development team who are currently based at North London Business Park.

5.2 The cost of managing and operating the facility will be contained within existing Leisure Service budgets.

6. LEGAL ISSUES

6.1 Incorporated in the body of the report.

7. CONSTITUTIONAL POWERS

7.1 Constitution – Part 3 - Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee.

8 BACKGROUND INFORMATION

8.1 In 2000, the London Development Agency awarded the Grahame Park Partnership £2.5 million of SRB Round 6 funding to deliver the *Putting New Heart into Grahame Park* regeneration programme. The Council has developed the community sports pitch project in partnership with the Board of the Grahame Park SRB programme, St James' Catholic High School, the Pinnacle Education Sports Trust (PEST) and Choices for Grahame Park.

8.2 The project involved the construction of a 60 metre by 40 metre all weather sports pitch, with associated fencing and floodlighting, and the provision of single storey changing room building on land owned by the school. During school hours the sports pitch is available for use by St James' School and two primary schools, Blessed Dominic and the Orion School. Outside of school hours, at weekends and during the school holidays the pitch is available for a range of community use.

- 8.3 The facility was officially opened by the Mayor, Councillor Tambourides, on Saturday 9 July with over 160 young people taking part in two tournaments organised by the Football Development Officer
- 8.4 The Council's Leisure Service has managed the use and operation of the facility since the handover from the contractors in April 2005. Unfortunately, contrary to original plans, the Leisure Service has not been able to engage with Pinnacle Education Sports Trust(PEST) to take over the management of the pitch and it is their wish that they do not become involved in the future management of the facility.
- 8.5 Grahame Park's young people have very few community facilities or leisure opportunities. The motorway link and the rail link that run between the estate and the nearest leisure facility, Barnet Copthall Leisure Centre, exacerbate the isolation of Grahame Park in terms of leisure facilities. The all weather pitch aims to address this by developing a successful, sustainable and viable community resource that will offer an inclusive programme of healthy activities.
- 8.6 The local community will benefit from a co-ordinated programme of activities delivered at the pitch. The design of the pitch is ideally suited for community use. A half-sized facility enables focused sessions and creates a better learning environment for younger children attending after school groups. The potential for real community benefit arising from the project has been demonstrated by the substantial support that it has received from local groups.
- 8.7 The facility is well used by community groups during the evenings and there is a thriving 'community' Free Kick scheme based at the pitch on a Saturday morning. Young people from the surrounding neighbourhood have exclusive use of the pitch between 4.30pm and 5.25pm each weekday with St James' School using it for their extra curricular activities from Monday – Friday.
- 8.8 The Leisure Service wish to continue to manage the facility on behalf of the Council and work with a prospective partner to develop programmes and the facility itself in the future.

9 LIST OF BACKGROUND PAPERS

- 9.1 None.

MO: DP
BT: MG

Appendix A Leisure Service: Future Management of Grahame Park all weather facility

November 2005

Ref	Risk	Early Warning Mechanisms / Mitigating Actions	Residual Risk (H, M, L)		Further action proposed (including timetable and officers responsible)
			Likelihood	Impact	
1	Strategic - not enabling the Leisure Services to continue managing the facility for the period January 2006 – March 2007.	Facility would be seen as a waste of a new resource in an area deficient of leisure and sporting opportunities. The scheme is a key component of the Grahame Park SRB programme and has received funding from a number of bodies who need to see the facility in use by the community for which it was intended.	H	H	None if recommendation agreed. Situation to be monitored accordingly
2	Operational – Facility only available to schools during the day time and not used in the evenings, weekends and holiday periods	Proposals contained in main body of report. Facility could be prone to vandalism and mis-use due to no on site supervision.	H	H	None if recommendation agreed. Situation to be monitored accordingly
3	Financial – Leisure Services to operate the overall management of the facilities within budget.	Strict financial procedures to be in place to minimise the risk of any potential overspend.	L	L	None if recommendation agreed. Situation to be monitored accordingly

REPORT TO BE CONSIDERED IF THE CHAIRMAN AGREES IT IS URGENT

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AGENDA ITEM: 17

Page nos. 89a – 89c

Meeting	Cabinet Resources Committee
Date	10 November 2005
Subject	The Bull Theatre, 68 High Street, Barnet, EN5 5SJ
Report of	Cabinet Member for Resources
Summary	To report an administrative error in the tender invitation and to seek approval for the property to be re-marketed for either freehold or leasehold disposal.

Officer Contributors	Rob Colville, Principal Valuer, Property Services & Valuation
Status (public or exempt)	Public (with a separate exempt section)
Wards affected	High Barnet
Enclosures	None
For decision by	The Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	The existing marketing campaign has been stopped as a result of an administrative error. Authority must be received to re-commence the disposal process so as to minimise the impact of the need to re-market upon expected timescales for delivery of a capital receipt.

Contact for further information: Rob Colville, Principal Valuer, Property Services & Valuation.

Tel: 0208 359 7363

1. RECOMMENDATIONS

- 1.1 That the current marketing campaign be terminated as a result of an administrative error.**
- 1.2 That prior to re-marketing a full planning brief be supplied by the Head of Planning, clarifying the use class categorisation of the site and investigating the statutory requirement to consult with the Theatre's Trust for any change of use, and that the Property Services & Valuation Department be instructed to conduct a full strategic review of the property interests held in the vicinity of the Bull Theatre.**
- 1.3 the appropriate chief officer be invited to re-market the disposal of the Bull Theatre on either a freehold or leasehold basis by way of informal tender in accordance with the Constitution, inviting interested parties to submit scheme proposals and financial offers with the results being reported to a future meeting of this committee for further consideration.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet Resources Committee – 28th July 2004 – resolved that the freehold or long leasehold sale of the Bull Theatre be approved in principle, and that the appropriate chief officer be instructed to offer the site for sale by non-binding tender in accordance with the procedures set out in the Constitution, reporting the outcome to a future meeting of the committee for further consideration.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Corporate Plan commits the Council to plan and manage land use and development in Barnet to enhance the quality of life and provide tangible benefits for the community. The proposals in this report will result in the achievement of a capital receipt, which could be used to assist in funding the capital programme.

4. RISK MANAGEMENT ISSUES

- 4.1 The re-marketing of the Bull Theatre is likely to delay the analysis of tender submissions and will subsequently impact upon the timing of the decision-making process. This will cause the Susi Earnshaw Theatre School, the current tenant at will pending the grant of the new short-term lease, further uncertainty and may delay any long-term plans for their future educational service provision.
- 4.2 The Council is in receipt of 9 tenders as a result of the first marketing process. It is possible that those tenders submitted for the re-marketing of the property may not realise any bids of equivalent value to those already submitted, and as such may result in the loss of a capital receipt.

5. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS

- 5.1 There are no ICT or staffing issues.
- 5.2 The financial implications are set out in the exempt report.
- 5.3 The property issues are set out below.

6. LEGAL ISSUES

- 6.1 As contained in the report.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution – Council Procedure Rules – Financial Standing Orders & Rules for Disposal of Land and Real Property
- 7.2 Constitution – Part 3 - Responsibility for Functions – Section 3.6 Functions delegated to the Cabinet Resources Committee – All matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

8. BACKGROUND INFORMATION

- 8.1 In accordance with the decision of the Committee on 28th July 2004, the property was widely marketed, inviting interested parties to submit tender offers and scheme proposals for the site, together with a financial offer for either the freehold or long leasehold acquisition of the premises.
- 8.2 The purpose of inviting tenders to purchase either the freehold or leasehold interest in the site was to give community and similar groups, which could not normally compete with developers on price, an opportunity of putting in leasehold bids which, whilst delivering a lower capital sum to the Council, would leave the latent value of the site with the Council for future realisation.
- 8.3 By the closing date 9 submissions had been received.
- 8.4 Following the tender closing date officers were in receipt of correspondence from members of the public which highlighted what was felt to be misleading information within the planning information contained within both the tender document and the marketing brochure. The queries concerned the accuracy of the stated 'D2' planning use class, as specified by the Town & Country Planning (Use Classes) (Amendment) Order 2005, and claimed that the Bull Theatre should be classified as 'sui generis' on the basis that the property was previously used as a theatre.
- 8.5 Advice from the Planning Department states that because the site is used for a number of uses including a theatre school, a theatre and 9 studios to the rear, it is difficult to attribute the site with any one specific use class. However, theatre use is excluded from the D2 use class, and as such, the information previously included within the marketing campaign was deemed to be potentially misleading to tenderers.
- 8.6 Planning advice suggests that the site be categorised within the 'sui generis' planning use class on the basis that it does not fall within any other classification. Any change of use of the premises would require planning permission and any application would be assessed against the provisions of the Unitary Development Plan.
- 8.7 The Property Services & Valuation Department holds on file a record of all parties who previously expressed an interest in receiving information concerning the disposal of the Bull Theatre. All parties will be advised of the need to re-tender the property and will be given an opportunity to submit a bid for the site.

9. LIST OF BACKGROUND PAPERS

- 9.1 None.

Legal: RB
BT: CM