

MEETING

FINANCIAL PERFORMANCE AND CONTRACTS COMMITTEE

DATE AND TIME

TUESDAY 1ST FEBRUARY, 2022

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

**TO: MEMBERS OF FINANCIAL PERFORMANCE AND CONTRACTS COMMITTEE
(Quorum 3)**

Chairman: Councillor Peter Zinkin
Vice Chairman: Councillor Thomas Smith

Councillors

Anthony Finn	Nick Mearing-Smith	Arjun Mittra
Julian Teare	Kathy Levine	Gabriel Rozenberg
Alex Prager	Barry Rawlings	

Substitute Members

John Marshall	Ammar Naqvi	Jess Brayne
Lisa Rutter	Alison Moore	
Golnar Bokaei	Geof Cooke	

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Thursday 27 January 2022 at 10AM. Requests must be submitted to Salar Rida 020 8359 7113 salar.rida@barnet.gov.uk

**You are requested to attend the above meeting for which an agenda is attached.
Andrew Charlwood – Head of Governance**

Governance Services contact: Salar Rida 020 8359 7113 salar.rida@barnet.gov.uk
Media Relations Contact: Tristan Garrick 020 8359 2454

ASSURANCE GROUP

Please consider the environment before printing.

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the Previous Meeting	5 - 10
2.	Absence of Members	
3.	Declarations of Members Disclosable Pecuniary Interests and Non-Pecuniary Interests	
4.	Report of the Monitoring Officer (if any)	
5.	Public Questions and Comments (if any)	
6.	Members' Items (if any)	
7.	Review of Capita Contracts	To Follow
8.	Chief Financial Officer Report	To Follow
9.	Capital Projects	11 - 24
10.	Update on Saracens Loan	25 - 38
11.	Brent Cross Update	39 - 52
12.	Committee Forward Work Programme	53 - 54
13.	Any Other Items that the Chairman Decides are Urgent	
14.	Motion to Exclude the Press and Public	
15.	Update on Saracens Loan (Exempt)	55 - 62
16.	Brent Cross Update (Exempt)	63 - 74
17.	Any Other Exempt Items that the Chairman Decides are Urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Salar Rida 020 8359 7113 salar.rida@barnet.gov.uk. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by uniformed custodians. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

This page is intentionally left blank

Decisions of the Financial Performance and Contracts Committee

AGENDA ITEM 1

23 November 2021

Members Present:-

Councillor Peter Zinkin (Chairman)
Councillor Thomas Smith (Vice Chairman)

Councillor Alex Prager
Councillor Kathy Levine
Councillor Arjun Mittra

Councillor Barry Rawlings
Councillor Gabriel Rozenberg

Also in attendance:
Councillor Golnar Bokaei (Substitute)
Councillor John Marshall (Substitute)

Apologies for Absence:
Councillor Nick Mearing-Smith
Councillor Julian Teare
Councillor Anthony Finn

1. Minutes of the Previous Meeting

The Chairman of the Financial Performance and Contracts Committee Councillor Peter Zinkin welcomed all attendees to the meeting. The Chairman read out the Covid-secure arrangements which were in place throughout this meeting, to ensure the safety of all those in attendance.

It was RESOLVED that the minutes of the previous meeting of the Financial Performance and Contracts Committee held on 7 October 2021 be agreed as a correct record.

2. Absence of Members

Apologies were received from Councillor Nick Mearing-Smith, Councillor Anthony Finn who was substituted by Councillor Golnar Bokaei and Councillor Julian Teare who was substituted by Councillor John Marshall.

3. Declarations of Members Disclosable Pecuniary Interests and Other Interests

Councillor Arjun Mitra declared a disclosable pecuniary interest in relation to item 10 by virtue of being a Barnet Homes tenant.

Councillor John Marshall declared a disclosable pecuniary interest in relation to item 8 by virtue of being a Director of Re and informed the Chairman that he would not partake in the discussion and abstain from the vote.

4. Report of the Monitoring Officer (if any)

None.

5. Public Questions and Comments (if any)

The response to the Public Question was published and circulated to the Committee prior to the meeting. Upon invitation of the Chairman, Mr Dix asked a supplementary question which was responded to by Officers and the Chairman.

6. Members' Items (if any)

None.

7. Chief Financial Officer Report Forecast Financial Outturn at Month 6

The Chairman invited Anisa Darr (Director of Finance), Ben Jay (Assistant Director of Finance) and Ashley Hughes (Assistant Director of Finance) to present and summarise the report.

Officers presented the report which provides summary of the Council's forecast outturn for revenue, capital budgets in the financial year 2021/22, as at Month 6 (30 September 2021) and information on the level of debt as at 30 September 2021.

The Committee noted the report and commended the ongoing work delivered to reduce the level of debt.

It was RESOLVED that the Committee noted:

- 1. the current financial forecast outturn for 2021/22 and the review of the half-year position in key budget areas;**
- 2. the ongoing costs of the pandemic and the overall level of commitments against available funding;**
- 3. the forecast of use of reserves;**
- 4. the current position against ringfenced grant funding;**
- 5. the current forecast for capital expenditure in the year;**
- 6. the current debt position and related actions.**

8. Review of Capita Contracts

The Chairman invited John Hooton (Chief Executive) and Deborah Hinde (Commercial and Customer Services Director) to present the item to the Committee.

In response to a query about publication of information Officers noted that information will be considered for publicly reporting to the Committee in consultation with legal and the Chairman once it is permissible to publish the relevant information without any risk of compromising the Councils negotiating position.

The Chairman moved to vote on the recommendations as set out in the report.

Votes were recorded as follows:

For	4*
Against	4
Abstentions	1

*The Chairman used his casting vote and voted for the recommendations.

It was RESOLVED that the Financial Performance and Contracts Committee:

- 1. Noted that extension proposals have been received from Capita;**
- 2. Noted the evaluation approach that will be applied to those proposals, as set out in paragraphs 2.1 to 2.6;**
- 3. Noted the content of the performance packs attached at Appendix B;**
- 4. Made the following recommendations to the next meeting of the Policy and Resources Committee:**
That the Policy and Resources Committee agrees that:
 - a. the council does not seek to extend those elements of the RE and CSG contracts that relate to the procurement service, regulatory services, the regeneration service and highways;**
 - b. upon expiry of those elements of the contract, these services be returned to the council;**
 - c. the future strategy for the highways service should be the subject of a separate report to the Environment Committee;**
 - d. the recruitment service be returned to the council in February 2022; and**
 - e. the chief executive be authorised to take the necessary action to transfer the recruitment service back to the council, subject to the conclusion of the necessary due diligence, and to prepare for the transfer of other returning services in 2023; and**
- 5. Noted the next stages of activity, as set out in paragraphs 4.1 and 4.2.**

9. Review of Capita Contracts - Public Engagement

The Chairman invited Deborah Hinde (Commercial and Customer Services Director) to introduce the report.

Deborah Hinde summarised the report which provides an overview of the public engagement activity on the Capita Contracts Review and sets out the council's initial response to the comments received as well as the proposals regarding the next phase of resident engagement.

Following a query from the Committee about wider engagement, Ms Hinde spoke about the various methods for engagement which will be considered including elements of digital engagement and working with client leads for customer services as well as the public engagement lead in order to reach out to a wider group.

The Committee welcomed the report and commended the level of engagement received from residents.

It was RESOLVED that the Financial Performance and Contracts Committee:

- 1. Noted the content of this report and the ORS report attached at Appendix A;**
- 2. Recorded its appreciation for those residents that participated in the process; and;**
- 3. Agreed the revised approach to ongoing resident engagement, as set out in section 4 of this report.**

10. Q2 2021/22 Contracts Performance Report

The Chairman welcomed Tim Campbell (Head of Commercial Management) to present the Q2 Contracts Performance report for 2021/22.

The Committee noted the efforts towards the improvement of customer satisfaction with phone, face-to-face, email and post case closure, particularly in light of the volume of contact made with the council.

The Committee highlighted the need to enhance the target and result in relation to the web satisfaction KPI as set out in paragraph 2.10 of the report.

It was RESOLVED that the Committee noted the Quarter 2 (Q1) 2021/22 performance for the Customer and Support Group (Capita); Regional Enterprise (Capita); Barnet Homes (The Barnet Group); and HB Public Law.

11. Capital Projects

The Chairman invited Matthew Waters (Assistant Director Capital Delivery) who joined the meeting and presented the report noting that the Capital Delivery Programme remains on track to deliver live schemes within the defined time, cost, quality envelopes and that new risks are materialising for both current and prospective projects within the programme.

Members noted the importance of ensuring that the ecology issues are monitored effectively as part of the overall cemetery project. The Committee also requested that the variance between current estimates and estimates at Full Business Case stage are reviewed in relation to the project portfolios.

It was RESOLVED that the Committee is asked to note the content of this report updating on the current status of the Council's Capital Projects.

12. Brent Cross Update

The Chairman welcomed Karen Mercer, Brent Cross Programme Director to summarise the report.

Karen Mercer presented the item which provides an update on the delivery and financial performance across the Brent Cross programme and update on emerging issues relating to the Brent Cross West station works contract and the Anticipated Final Cost review.

It was RESOLVED that The Committee noted delivery progress across the Brent Cross (BX) programme as set out in the presentation to the HM Government Assurance Board on 17 November 2021 and the emerging issues relating to the Brent Cross West station works contract and the Anticipated Final Cost review.

13. Committee Forward Work Programme

The Committee noted the standing item on the agenda which lists the future reports to the Committee.

It was RESOLVED that the Committee noted the Forward Work Programme for 2021.

14. Any Other Items that the Chairman decides are Urgent

None.

15. Motion to Exclude the Press and Public

The Chairman moved a motion, which was seconded and approved, to exclude the Press and Public on the basis that the exempt item will involve discussion of confidential information. The public gallery was cleared.

16. Review of Capita Contracts (Exempt)

It was RESOLVED that the Committee noted the exempt information as set out in the report.


17. Brent Cross (Exempt)

It was RESOLVED that the Committee noted the exempt information as set out in the report.

18. Any Other Exempt Items that the Chairman Decides are Urgent

None.

The meeting finished at 21.45

	<p style="text-align: center;">Financial Performance and Contracts Committee</p> <p style="text-align: center;">1 February 2022</p>
<p>Title</p>	<p>Capital Projects</p>
<p>Report of</p>	<p>Assistant Director, Capital Delivery</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>No</p>
<p>Enclosures</p>	<p>None</p>
<p>Officer Contact Details</p>	<p>Matthew Waters, Assistant Director Capital Delivery Matthew.waters@barnet.gov.uk</p>

Summary

The Council has a broad Capital Programme which ranges across relatively small-scale initiatives to significant infrastructure projects and programmes.

The council is working to improve its approach to the tracking of changes to project cost and benefits profiles. This report is to provide details on some of the changes to progress and identifies opportunities to use the lessons learned and develop new approaches to keep benefits more aligned to the original business plan.

Overall the Capital Delivery Programme is rated amber, this is as there are risks identified that could significantly impact some of the expected benefits for individual projects. However, most live projects remain on track to deliver within the defined time, cost and quality envelopes. Risks relating to material availability and inflation remain of particular concern while challenges relating to sustainability are now being considered.

Officers Recommendations

The Committee is asked to note the content of this report updating on the current status of the Council's Capital Projects

1 PURPOSE OF REPORT

- 1.1 The Council has a broad Capital Programme which ranges across relatively small-scale initiatives to large and complex infrastructure projects and programmes.
- 1.2 The Council's approach to delivery of Capital projects aims to be proportionate to the scale and complexity of the individual schemes.
- 1.3 Generally, smaller schemes that typically do not involve a form of construction are reviewed by officers separately directly within services. Those projects of a more significant value or higher degree of complexity follow the Councils Project and Programme Management Methodology and are grouped by portfolio. Highways and Housing and the Brent Cross Programme are the exception to this approach as they are governed and reported separately.
- 1.4 This report outlines the status of project delivery across the Capital Portfolios.
- 1.5 The value of the Capital Programme approved by Policy & Resources Committee on 09 December 2021 is £1,099.874m. This figure represents projected future spend over the next five years within the programme and comprises a mixture of capital budgets, some covered by this paper and some covered by the separate papers for programmes such as Housing, Highways, Hendon Hub, and the Brent Cross Programme. A large proportion relates to Housing, Highways and the Brent Cross programmes.
- 1.6 Many projects within the programme started in previous years. Therefore, the total value of individual schemes may be higher than the values contained within the approved 2021-2026 budget as this money was spent in previous years. Total spend for FY21/22 is projected to be £324.903m.
- 1.7 Policy and Resources Committee on 09 December 2021 approved the allocation of £70.577m Strategic Community Infrastructure Levy across the programme mainly for Town Centres, Highways and other Transport Infrastructure and Parks.
- 1.8 The table below sets out the breakdown of the published capital programme to show the proportion of the budget that relates to Capital Project Delivery. The total value has increased from the last report as a result of the introduction of new Strategic Community Infrastructure Levy funding being incorporated.

Budget Type	Total (£)
Asset Management	4,928,000
Brent Cross	219,592,000
Capital Delivery	149,616,100
Highways	73,980,000
Housing	583,905,000
ICT	1,362,000

Other - Funds, Loans, Opportunities	66,491,000
Grand Total	1,099,874,100

1.9 The table below sets out the breakdown of the published capital programme to show the proportion of the budget per Theme Committee.

Theme Committee	Total (£)
Adults & Safeguarding	23,769,000
Children, Education & Safeguarding	45,907,000
Environment	95,861,000
Housing and Growth Committee	558,323,000
Housing Revenue	347,346,000
Policy and Resources	26,560,000
Community Leadership & Libraries	2,108,000
Grand Total	1,099,874,100

1.10 The Council splits the delivery of the Capital Programme into 8 Portfolios each internally reviewed by a Portfolio officer or Programme Board. There are 3 large infrastructure programmes that are run separately.

1.11 The following Programmes and Portfolios are within the scope of this report

- Greenspaces, Parks and Leisure Capital
- Education and Families Capital
- Depot Programme
- Hendon Hub Programme
- Town Centres Capital
- Property and Operations Portfolio
- Development Portfolio
- Care Homes

1.12 The following Programmes and Portfolios are out of scope of this report as they are reported separately.

- Brent Cross
- Highways Programme
- Housing

- 1.13 The portfolio typically consists of buildings (excluding housing) such as schools, leisure centres, community centres parks and open spaces as well as corporate projects such as office accommodation and operations bases.
- 1.14 The allocated budget for capital delivery projects for this portfolio is £149.616m, an increase of almost £60m from £92.845m due mainly to Town centres and Transport & Highways Strategic Community Infrastructure Levy (SCIL) allocations now being included. There are projects within the programme that are well underway. Therefore, this figure only represents a proportion of the total value of the Capital Delivery programme. This is because a large volume of schemes are now approaching project closure with the majority of costs already incurred.
- 1.15 The table below provides a breakdown of the total value by portfolio and captures variance. The table covers projects that are post Full Business Case and/or have started on site works and remain live. There is a 6% total variance between current aggregate estimates and estimates made at Full Business Case stage, the variance for individual projects above and below can be significantly higher. These are discussed later in this report.

	Estimated Total Project Cost	Sum of Estimated Project Cost at Full Business Case Stage	Sum of % Variance (Current Estimate vs FBC Estimate)
Capital Delivery	154,259,432	145,848,995	6%
Greenspaces & Leisure Capital Portfolio	53,525,000	47,945,252	12%
Hendon Hub Programme	23,085,000	23,085,000	0%
Property & Operations Capital Portfolio	3,546,000	4,674,000	-24%
Education & Families Capital Programme	74,103,432	70,144,743	6%
Grand Total	154,259,432	145,848,995	6%

- 1.16 The table below sets out the overall status and direction of travel of the in-scope projects from a time, cost quality perspective.

Category	Direction of Travel	Comment	RAG
Time	→	Timeline for some projects have been impacted by third parties	Amber
Cost	→	Whilst costs have been relatively well maintained within projects that have entered contract pre Jan 2021, affordability of future schemes is expected to be impacted due to availability of resources, material cost and contractor's appetite for risk	Amber
Quality	→	There are no concerns relating to quality across the programme	Green
H&S	→	There are no project H&S issues to report	Green
Benefits	→	Future projects are expected to see challenges as a result of rising construction costs and labour shortages. The situation is being monitored and considered as part of Business Case reviews	Amber

	There is one project that has identified risks that could significantly impact the expected benefits
--	--

1.17 The table below outlines the status of individual projects that are post Business Case Stage (Live)

Project	Commentary	Time	Cost	Quality	Overall RAG
Hendon Hub The Boroughs	Planning Committee has resolved to grant planning consent for the project. The project timeline remains under review.	A	A	A	A
Colindale Future of Work Modifications	Some outstanding works to accommodate existing services	A	G	G	G
Colindale Parks Improvements	Colindale Park has been completed Rushgrove Park is currently on hold whilst dependencies with statutory services are understood and coordinated Heybourne Park is progressing and near completion	A	G	G	G
Children's Homes: Meadow Close (no. 68) & Woodhouse Road (Families)	Works progressing at both sites to improve the provision, extent of works required at Meadow Close has been more involved than originally planned	G	G	G	G
Libraries Capital Programme	New project now underway to undertake some improvements and repairs to building fabric across multiple sites	G	G	G	G
Care Homes Programme (Adults)	Works to improve the provision at Dellfield and Meadowside are continuing, further improvements are currently being scoped prior to tender	A	A	G	G
Milespit Cemetery	Design work is ongoing pending a planning application. Previously reported ecology risks need to be resolved in order to achieve the expected benefits	A	R	A	A
Gaelic Football Pitch	The Gaelic Football Club has relocated to King George V PF and a new pitch has been constructed. Next phase is the planning and construction of a sports pavilion/club house	G→	G→	G→	G→
Hendon Cem and Crem	Refurbishment project for gatehouse complete. Project now commencing procurement for provision of new maintenance facilities	G→	G→	G→	G→

Project	Commentary	Time	Cost	Quality	Overall RAG
Victoria Park Infrastructure	Project now progressing procurement activities for new café building	G→	G→	G→	G→
Grammar School's Project (St. Michael's)	DofE have confirmed that funding has been paused temporarily (at the school's request).	A→	A→	G→	A→
Modernisation Programme	Programme (21/22) to be prioritised and proposed in June	G→	G→	G→	G→
PRU Pavilion Study Centre (Alternative provision)	Project continuing to progress well	G→	G→	G→	G→
Saracen's Primary	Letter signed for the LBB Capital contribution to DfE relating to works at Saracens Primary School	G	G	G	G
Sports & Physical Activity (SPA)	Main contract is complete. Feasibility activities now commencing for playing pitch enhancements in order to discharge planning conditions	G→	G→	G→	G→
Woodside Avenue	Project completed and in defects liability period	A	G	G	G
Blessed Dominic St James's	Project completed and in defects liability period	G	G	G	G
Whitefields School ASD Unit	Project completed and in defects liability period				
Barnet House Exit Works	COMPLETE				
Claremont SEN Unit	COMPLETE				
St. Agnes Primary	COMPLETE				

1.18 The section below outlines the highlights of each in scope portfolio or programme

1.19 Depot Programme

1.20 The Depot Programme aims to reduce the property related costs associated with running the Streetscene services. The programme is reviewing the various leasehold arrangements currently in place and is investigating opportunities to make improvements to the current use of the sites.

- 1.21 The future project is in the assessment phase and the business case is yet to be taken through the formal approval process. A number of acquisitions have been made in part to provide accommodation for the Streetscene service while site remediation activities were in progress on the existing depot site and also in part to capitalise on strategic opportunities that were presented with Network Rail on adjacent sites.
- 1.22 The Council has negotiated taking the head lease for some sites adjacent to the Oakleigh Road Depot that are owned by Network Rail. At the time of taking the headlease, the sites were leased to private organisations (Brogans and Beil Brothers).
- 1.23 Education and Families Capital Programme**
- 1.24 The Education and Families Capital Programme delivers projects relating to Children, Schools and Education. Initiatives include;
- Modernisation programme which will oversee improvements to school infrastructure;
 - Additional Places programme for Primary & Secondary Schools which has been able to re-provide 60 places at a primary school level and to create an additional 60 new places at a secondary school and facilitated the building of the new 6 form entry Saracens High School
 - Special Educational Need (SEN) Schemes has enabled an additional 126 SEN places created since July 2019 and 1 Pupil Referral Unit,
 - The creation of new nursery places and a new children's home.
- 1.25 The table below sets out the projects that are post Full Business Case stage or that have started on site that remain live. The Woodside Avenue Children's home project has experienced a number of delays at project handover and is projected to spend more than the original business case assumption. This additional spend is due to some Covid related costs not being containable within existing contingency budgets and new risks relating to scope creep. The project team are working to mitigate additional costs where possible including seeking remedies from the contractor.
- 1.26 As previously reported within this portfolio the Blessed Dominic St James' scheme required a significant budget increase due to the discovery of underground contamination. At full business case stage the risk was identified and an allowance was made within the overall programme risk register. Once the full extent to the contamination was known, the appropriate budget was moved from programme risk into the project budget. When assessing below ground risk, the project teams calculate a figure for assumed worst case and a weighted figure which makes an assumption to the likelihood and extent of a risk occurring. In most cases sites that carry significant risk will be reconsidered through project gateways and alternative sites investigated where possible. In this case, the funding and opportunity was targeted to a specific set of schools and sites. The project enabled the future needs for pupil places within the Colindale area to be met through the expansion of two schools and also vacated a site to enable the development of a new school in the area funded by third parties rather than use of Council resources.

Row Labels	Estimated Total Project Cost	Sum of Estimated Project Cost at Full Business Case Stage	Sum of % Variance (Current Estimate vs FBC Estimate)
Education & Families Capital Programme	74,103,432	70,144,743	6%
Blessed Dominic St James Grammar Schools Project	29,720,916	25,999,136	14%
- St. Michaels (Grammar schools) (WATCHING BRIEF)	5,523,100	5,524,000	0%
Libraries Capital Programme	378,000	378,000	0%
Modernisation Programme FY20/21	9,403,000	9,403,000	0%
PRU Pavilion Study Centre ('Alternative Provision')	21,867,811	21,867,996	0%
Saracens Primary (WATCHING BRIEF)	2,240,000	2,230,243	0%
St Agnes Primary School Classroom Extension	901,628	879,000	3%
Woodside Avenue (Meadow Close)	3,942,977	3,737,368	6%
Placement Demand Transformation	126,000	126,000	0%

1.27 Town Centres Capital

1.28 There are no significantly sized projects within the programme that are past Full Business Case Stage. Workstream now progressing to define whole Town Centre Capital work including opportunities for acceleration as well as establishing the plan and spend profile for the longer-term initiatives. Projects at Golders Green, Finchley Central and Burnt Oak have recently been approved to take forward to Full Business Case Stage. Finchley Central is furthest advanced and expected to commence procurement activities in the next reporting period.

1.29 Greenspaces, Parks and Leisure

1.30 The programme covers the capital projects that cover the investment in the Borough's Greenspaces, Parks and Leisure. Key elements of the programme include

- The delivery of the Council's Parks and Open Spaces Strategy, which has been developed to guide future investment in parks, ensuring that they are practical and are part of the well-used fabric of the local community.
- Provision of modern facilities and enhanced outdoor space, contribution to council's strategic commitments to provide additional sports and playing pitches with increased usage by residents and users.
- The creation of two new leisure centres at Barnet Copthall and Victoria Recreation Ground in New Barnet.
- The investment in the Council's Cemetery and Crematory infrastructure
- We have a number of projects between outline business case and full business case including West Hendon and Copthall

1.31 The programme has recently completed the delivery of new play facilities at Colindale Park and is reporting Green overall. However, there has been a delay incurred at Rushgrove Park to align the project with third party timelines.

1.32 The New Cemetery at Milesplit is in operation. However, a review of the number of plots available at the site when considering the impact of trees and a badger set, has identified a significant potential shortfall of plots when compared to the assumptions within the original business case.

1.33 The table below sets out the projects that are post Full Business Case stage or that have started on site that remain live. There are no new variances to report in this period.

Row Labels	Estimated Total Project Cost	Sum of Estimated Project Cost at Full Business Case Stage	Sum of % Variance (Current Estimate vs FBC Estimate)
Greenspaces & Leisure Capital Portfolio	53,525,000	47,945,252	12%
Gaelic Football Pitch	700,000	700,000	0%
Hendon Cem and Crem (Refurbish and Regenerate)	1,687,000	1,622,000	4%
Milesplit Cemetery	1,800,000	1,800,000	0%
Leisure Centres	41,468,000	35,953,252	15%
Victoria Park Infrastructure	623,000	623,000	0%
Montrose Playing Fields / Silkstream Valley	5,747,000	5,747,000	0%
Colindale Park	1,500,000	1,500,000	0%

1.34 As the previous report, most projects are reporting delivery in line with the original budget and benefit assumptions expected at Full Business Case stage. The Delivery of the leisure centres has been reported separately to FPC Committee in October 2020. Both leisure Centre projects remain live while remaining project activities are resolved.

1.35 Property and Operations Portfolio

1.36 The programme is overall green with-in flight projects are delivering to plan.

Row Labels	Estimated Total Project Cost	Sum of Estimated Project Cost at Full Business Case Stage	Sum of % Variance (Current Estimate vs FBC Estimate)
Property & Operations Capital Portfolio	3,546,000	4,674,000	-24%
Barnet House Exit Works	372,000	1,500,000	-75%
Enforcement CCTV Project	730,000	730,000	0%
Colindale Future of Work Modifications	2,444,000	2,444,000	0%

Sustainability

2.1 Officers are currently working to consider and understand how the outcomes identified within the Council's Sustainability Strategy can be achieved. This is of particular importance within the Capital Programme as the materials, construction methods and technology used for both construction and long term use of the Council's assets provide a significant opportunity to respond to the priorities within the sustainability strategy. Officers are working to identify how best to achieve sustainability outcomes for capital projects whilst remaining within budget.

Challenges

- 2.2 The largest emerging threat to the programme relates to shortages and rising costs of materials, labour and energy. This could impact the viability of future projects. The impact is also reflected in contractors current appetite for risk, this may mean that existing procurement strategies need to be revisited to ensure competitive tenders are received. The situation is being monitored and timing of new procurements being considered to reflect the current market conditions. Cost plans for high value projects are now being revisited at a higher frequency. Covid 19 has also had an impact as resources have need to be prioritised away from projects that are in conceptual stages but this is expected to resolve over time.
- 2.3 The projects that are expected to progress to Business Case during this year subject to relevant Theme Committee Approval are listed below.
- West Hendon Playing Fields
 - The Family Friendly hub
 - Barnet Playing Fields
 - Finchley Central Town Centre
 - Burnt Oak Town Centre
 - Golders Green Town Centre
 - Heybourne Park
 - Hollickwood Primary School
 - Oakleigh SEN School
- 2.4 Overall the Capital Delivery Programme remains broadly on track to deliver live schemes within the defined time, cost quality envelopes. The Milesplit Cemetery as noted above has issues that have not yet been mitigated. However, it should also be noted that there are new risks (such as inflation) materialising risk within both current and prospective projects within the programme.

2 REASONS FOR RECOMMENDATIONS

- 2.5 This report provides an overview of the current position in the delivery of projects within the Council's Capital Programme.
- 2.6 The Committee is asked to note the contents of the report.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 N/A

4 POST DECISION IMPLEMENTATION

4.1 N/A

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 Robust budget, performance and risk monitoring are essential to ensure that there are adequate and appropriately directed resources to support delivery and achievement of corporate and committee priorities as set out in the Corporate Plan (Barnet 2024) and Annual Delivery Plans.

5.1.2 Relevant council strategies and policies include the following:

- Medium Term Financial Strategy
- Corporate Plan (Barnet 2021-2025)
- Capital Strategy
- Performance and Risk Management Frameworks.

5.2 Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 None

5.3 Social Value

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders. As set out in the council's Contract Procedure Rules, commissioners should use the Procurement Toolkit, which includes Social Value guidance. The Contract Management Toolkit should also be used to help ensure that contracts deliver the expected services to the expected quality for the agreed cost. Requirements for a contractor to deliver activities in line with Social Value will be monitored through the contract management process.

5.4 Legal and Constitutional References

5.4.1 Section 151 of the Local Government Act 1972 states that: "without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs". Section 111 of the Local Government Act 1972 relates to the subsidiary powers of local authorities to take actions which are calculated to facilitate, or are conducive or incidental to, the discharge of any of their functions.

- 5.4.2 Section 28 of the Local Government Act 2003 (the Act) imposes a statutory duty on a billing or major precepting authority to monitor, during the financial year, its income and expenditure against the budget calculations. If the monitoring establishes that the budgetary situation has deteriorated, the authority must take such action as it considers necessary to deal with the situation. Definition as to whether there is deterioration in an authority's financial position is set out in sub-section 28(4) of the Act.
- 5.4.3 The council's Constitution, Article 7 Committees, Forums, Working Groups and Partnerships, sets out the remit of the Financial Performance and Contracts Committee as being responsible for the oversight and scrutiny of:
- The overall financial performance of the council
 - The performance of services other than those which are the responsibility of the: Adults and Safeguarding Committee; Children, Education and Safeguarding Committee; Community Leadership and Libraries Committee; Environment Committee; and Housing and Growth Committee.
 - The council's major strategic contracts including (but not limited to):
 - Analysis of performance
 - Contract variations
 - Undertaking deep dives to review specific issues
 - Monitoring the trading position and financial stability of external providers
 - Making recommendations to the Policy and Resources Committee and/or theme committees on issues arising from the scrutiny of external providers
 - At the request of the Policy and Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and making recommendations to the referring committee
 - To consider any decisions of the West London Economic Prosperity Board which have been called in, in accordance with this Article.

5.5 Risk Management

- 5.5.1 Throughout the life of each project, emerging risks are recorded and managed in line with the Council's risk management methodology and project management methodology.

5.6 Equalities and Diversity

- 5.6.1 The Equality Act 2010 requires organisations exercising public functions to demonstrate that due regard has been paid to equalities in:
- Elimination of unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
 - Advancement of equality of opportunity between people from different groups.
 - Fostering of good relations between people from different groups.
- 5.6.2 The Equality Act 2010 identifies the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership, pregnancy and maternity; race; religion or belief; sex and sexual orientation;
- 5.6.3 In order to assist in meeting the duty the council will:
- Try to understand the diversity of our customers to improve our services.
 - Consider the impact of our decisions on different groups to ensure they are fair.

- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

5.6.4 This is set out in the council's Equalities Policy, which can be found on the website at: <https://www.barnet.gov.uk/your-council/policies-plans-and-performance/equality-and-diversity>

5.6.5 The Council has had regard to the Equalities Act 2010 and has taken account of any relevant matters in the making of its decisions in respect of the projects within the Capital Programme

5.7 Corporate Parenting

5.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

5.8 Consultation and Engagement

5.8.1 Obtaining customer feedback is part of the contract management process to inform service delivery, service development and service improvement.

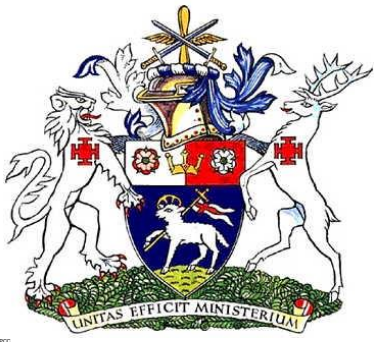
5.8.2 The nature of Capital delivery projects mean that the large majority of projects require consultation and engagement as part of the design process. Consultation and engagement forms part of the project planning process for capital delivery schemes. Projects hold gateway reviews at key points of the project's lifecycle to ensure that the planned process has been followed and to check the plan for future phases. Consultation and Engagement is a core component of the Gateway Review process.

5.9 Insight

5.9.1 The recommendation of future schemes within the Capital Programme will be informed through insight.

6 BACKGROUND PAPERS

6.1 None



Financial Performance and Contracts Committee

AGENDA ITEM 10

1st February 2022

Title	Update on Saracens Loan
Report of	Cath Shaw, Deputy Chief Executive
Wards	All
Status	Public with exempt appendices. These are exempt under Schedule 12A of the local Government Act 1972 as they contain information relating to the financial or business affairs of a particular person or body including the Council.
Urgent	No
Key	No
Enclosures	Appendix 1 Public Officer Decision- Change Control Decision Appendix 2 Exempt Appendix to Public Officer Decision- Change Control Decision (Note) Appendix 3 Attachment to Exempt Appendix to Public Officer Decision- Change Control Decision (Note)
Officer Contact Details	Cath Shaw Deputy Chief Executive Cath.shaw@barnet.gov.uk 020 8359 4716

Summary

This paper updates the Financial Performance and Contracts Committee on the position with the loan to Saracens Cophall LLP. It includes updates on recent changes to the majority shareholder for Saracens Limited and SCLLP, and progress of the construction of the West Stand at Cophall.

Officers Recommendations

That the Committee:

- Notes the position with the loan to Saracens Cophall LLP and the safeguards in place to protect the council's interests**

2. Notes that approval has been given to a change in control of Saracens Copthall LLP (SCLLP) in accordance with clause 12.5 of the Loan Agreement between LBB and SCLLP, following appropriate due diligence as set out in and the further assurances offered by Saracens, summarised in this report and detailed in the accompanying DPR with exempt appendices .

3. Notes the progress being made with the delivery of the West Stand.

1. Programme and funding update

- 1.1 LBB currently has an agreement with Saracens Copthall LLP, to lend them £23,174,450 (inclusive of interest), in order for them to be able to build a new West Stand at their stadium at Copthall for completion in May 2022. Drawdown 22 was made in December 2021 and the total of drawdown payments with accumulated interests up to 31st December 2021 is £12,360,663.93 The drawdowns are made monthly, following verification, including site visits to assess progress on site.
- 1.2 Construction works commenced on site on 22nd February 2021. The programmed end date for construction was 6th May 2022 but the contractor is currently reporting a practical completion date of 27th May 2022. For context, the construction has taken place in a period of constraints, due to covid and steel and delivery shortages. Some drone photographs are included below:





2. Why this report is needed

2.1 To update the Committee on progress since the last update report in October 2020.

3. Reasons for recommendations

- 3.1 Following the announcement in October 2021 that a consortium of investors had agreed terms to acquire a majority controlling stake in the club, the parties had requested LBB's consent for a 'change in control' under the loan agreement.
- 3.2 In agreeing to the change in control and other matters, the council has confirmed that the change has no negative impacts on the business plan or the guarantee and change of control approval requests have been obtained from Sport England/ DCMS and the Rugby Football Union to implement the change of control.

- 3.3 Assurances include: (1) Confirmation that the guarantee is unaffected, and that the guarantor's assets (Company A) will remain above the agreed value following the new investment (2) Confirmation that Rothschild gave a reference to confirm that the consortium has the resources to complete the transaction (3) Confirmation that the change in control has no negative impacts on the business plan (4) Confirmation that required change of control approvals have been obtained from Sport England/ DCMS and the Rugby Football Union to implement the change of control. These approvals were obtained in December 2021 (5) Saracens LLP has represented and warranted that it has no knowledge of any reputational issues in relation to its directors or any matters that may give rise to public concerns, and that Saracens LLP will continue to appropriately review its Board composition.
- 3.4 The arrangement involves additional monies being invested into Saracens. It is positive for the long-term future of the club and provides additional confidence in the ability of SCLLP to meet the repayment schedule of the stadium loan. LBB has verified that the business plan is unchanged (as is the guarantee arrangement and the Middlesex involvement) but with the added assurance that the holding company has new funding to support both the rugby club and, if needed, the stadium loan.

4. Alternative options considered and not recommended

- 4.1 N/A

5. Post decision implementation

- 5.1 The council has required that it is notified when the change of control is completed.

6. Implications of decision

6.1 Corporate Priorities and Performance

- 6.1.1 The July and October 2018 P&R reports noted that the granting of this loan helps to meet Corporate Plan 2015-20 strategic objectives. The council has since updated its Corporate Plan to Barnet 2024 and the granting of the loan also supports the objectives contained in that version, in particular "Investing in community facilities to support a growing population" and "Encouraging residents to lead active and healthy lifestyles and maintain their mental wellbeing".

6.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 6.2.1 All repayments and interest payments come back to LBB. Interest is charged on the loan at a commercial rate of 6% and the loan therefore provides a positive contribution to the Council's Medium Term Financial Strategy.
- 6.2.2 Finance have conducted due diligence and are comfortable that the changes do not adversely impact on the council as lender.

6.3 Legal and Constitutional References

6.3.1 Constitution article 9 para 9.1 .(b).(i.) (a) states that chief officers can make decisions and approve expenditure relating to their functions and the functions of their department , where necessary providing that the sum to be expended is within the approved budget for the department and the amount does not exceed 189k.

<https://barnet.moderngov.co.uk/documents/s68456/10Article9ChiefOfficers.doc.pdf>

6.3.2 Under the Council's Constitution, Article 7, the terms of reference of the Financial Performance and Contracts Committee includes the following responsibilities

Responsible for the oversight and scrutiny of:

- The overall financial performance of the council
- The performance of services other than those which are the responsibility of the: Adults and Safeguarding Committee; Children, Education and Safeguarding Committee; Community Leadership and Libraries Committee; Environment Committee; and Housing and Growth Committee.
- The council's major strategic contracts including (but not limited to):
 - Analysis of performance
 - Contract variations
 - Undertaking deep dives to review specific issues
 - Monitoring the trading position and financial stability of external providers
 - Making recommendations to the Policy and Resources Committee and/or theme committees on issues arising from the scrutiny of external providers
- At the request of the Policy and Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and making recommendations to the referring committee
- To consider any decisions of the West London Economic Prosperity Board which have been called in, in accordance with this Article.

6.3.3 The value of this decision is nil. Under the Loan Agreement the Council's consent is required but it could not be unreasonably withheld.

6.4 **Insight**

N/A

6.5 **Social Value**

Saracens Rugby have and will continue to deliver significant benefits to the local community, as detailed as detailed in previous reports. A report on Saracens' socio-economic impact is due for publication

6.6 **Risk Management**

6.6.1 The corporate risks have been updated

6.7 **Equalities and Diversity**

6.7.1 The Equality Act 2010 requires organisations exercising public functions to demonstrate that due regard has been paid to equalities in:

- Elimination of unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advancement of equality of opportunity between people from different groups.

- Fostering of good relations between people from different groups.

6.7.2 The Equality Act 2010 identifies the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership, pregnancy and maternity; race; religion or belief; sex and sexual orientation; marriage and civil partnership.

6.7.3 In order to assist in meeting the duty the council will:

- Try to understand the diversity of our customers to improve our services.
- Consider the impact of our decisions on different groups to ensure they are fair.
- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

6.7.4 This is set out in the council's Equalities Policy, which can be found on the website at: <https://www.barnet.gov.uk/your-council/policies-plans-and-performance/equality-and-diversity>

6.7.5 The Council has had regard to the Equalities Act 2010 and has taken account of any relevant matters in the making of its decisions in respect of the relocation and options presented for the Depot.

6.7.6 There are no specific equalities implications from this report, which is for noting.

6.8 Saracens Rugby have and will continue to deliver significant benefits to the local community and those with protected characteristics, as detailed as detailed in previous reports

6.9 Corporate Parenting

6.9.1 N/A There are no implications for Corporate Parenting in relation to this report.

6.10 Consultation and Engagement

6.10.1 N/A for this report

6.11 Environmental Impact

6.11.1 There are no specific environmental implications from this report, which is for noting.

7. Background papers

7.1 Policy & Resources Committee, 19 July 2018:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=9725&Ver=4>

7.2 Policy & Resources Committee, 23 October 2018:
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=9459&Ver=4>

7.3 Delegated Powers Report, Loan Agreement with Saracens Cophall LLP, 24 April 2020

<https://barnet.moderngov.co.uk/documents/s59718/Loan%20Agreement%20with%20Saracen%20Cophall%20LLP.pdf>

7.4 FPCC Committee, 27th October 2020

https://barnet.moderngov.co.uk/documents/s60803/201019_SCLLP_Loan_update.pdf

7.5 Officer Decision 12.1.2022 with Exempt Appendices attached.

This page is intentionally left blank

Officer Decision

TITLE	<p>SARACENS LOAN- SARACENS COPTHALL LLP APPLICATION FOR APPROVAL OF CHANGE OF CONTROL for SCLLP</p> <p>Public apart from exempt Appendix A this is exempt as it contains information falling within Schedule 12A of the Local Government Act 1972, information relating to the financial or business affairs of a person or body (including the authority holding that information)</p>
DATE OF DECISION	20.1.2022
DECISION TAKER	Deputy Chief Executive
SUMMARY OF THE DECISION	<p>SUMMARY OF THE DECISION: To approve the change in control of Saracens Copthall LLP (SCLLP)] in accordance with clause 12.5 of the Loan Agreement between LBB and SCLLP.</p> <p>Dated 29th January 2019.</p> <p>Following recent proposals to make change to the majority shareholder for Saracens Limited and SCLLP, to a consortium of investors, the parties have requested LBB's consent under clause 12.5 , 12.7, 12.9.1 and 10.4 of the loan agreement:</p> <p>In agreeing to the change of control and other matters, the council has confirmed that the change has no negative impacts on the business plan or the guarantee and change of control approval requests have been obtained from Sport England/ DCMS and the Rugby Football Union to implement the change of control.</p> <p>Saracens LLP has represented and warranted that it has no knowledge of any reputational issues in relation to its directors or any matters that may give rise to public concerns and that Saracens LLP will continue to appropriately review its Board composition.</p> <p>SCLLP has confirmed that nothing has been omitted from the information provided to the Council and no information has been given or withheld that results in the information provided to the Council being untrue or misleading in any material respect.</p> <p>Assurances include:</p> <ol style="list-style-type: none"> (1) Confirmation that the guarantee is unaffected, and that the guarantor's assets (Company A) will remain above the agreed value following the new investment (2) Confirmation that Rothschild gave a reference to confirm that the consortium has the resources to complete the transaction (3) Confirmation that the change in control has no negative impacts on the business plan (4) Confirmation that required change of control approvals have been obtained from Sport England/ DCMS and the Rugby Football Union to implement the change of control. These approvals were obtained in December 2021

	<p>The decision is to approve the Change in Control, changes to the Business Plan and Disposal of Assets and amendment to 10.14 of the Loan Agreement to reflect the fact that the members of Saracens Cophall will be as described in the attached Appendix A. The deal involves additional monies being invested into Saracens. It is positive for the long-term future of the club and provides additional confidence in the ability of SCLLP to meet the repayment schedule of the stadium loan. LBB has verified that the business plan is unchanged as is the guarantee arrangement (and the Middlesex involvement) but with the added assurance that the holding company has new funding to support both the rugby club and if needed the stadium loan. LBB Finance is satisfied that the change in ownership have a positive impact and do not consider that a credit assessment of the companies involved in the Saracens ownership structure is currently required.</p> <p>The council requires that it is notified when the change of control is completed.</p>
<p>DECISION</p>	<p>Relevant previous decision(s);</p> <p>On 29.1.2019 LBB entered into a loan agreement with Saracens Cophall LLP (SCLLP, the Borrower) to lend them £23,174,450 (inclusive of interest), in order for them to be able to build a new West Stand at their stadium at Cophall for completion in May 2022.</p> <p>On 23rd October 2018 the Policy and Resources Committee authorised the Deputy CEO to enter into a Loan Agreement with Saracens Cophall LLP for the provision of a new West Stand as part of the Stone X (then named Allianz Park) stadium at Cophall.</p> <p>https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=9459&Ver=4</p> <p>This Loan Agreement, and associated documentation, was entered into on 29th January 2019 under the DPR dated 28th January 2019.</p> <p>https://barnet.moderngov.co.uk/documents/s51011/Public%20-%20Saracens%20Loan%20Agreement.pdf</p> <p>Risk management issues;</p> <p>The corporate risks have been updated</p> <p>Use of resources implications;</p> <p>The value of this decision is nil. All repayments and interest payments come back to LBB. Interest is charged on the loan at a commercial rate of 6% and the loan therefore provides a positive contribution to the Council's Medium Term Financial Strategy.</p> <p>Finance have conducted due diligence and are comfortable that the changes do not adversely impact on the council as lender.</p> <p>Legal issues;</p> <p>Constitutional powers / delegated power exercised;</p> <p>Constitution article 9 para 9.1 .(b).(i.) (a) states that chief officers can make decisions and approve expenditure relating to their functions and the functions of their department , where necessary providing that the sum to be expended is within the approved budget for the department and the amount does not exceed 189k.</p>

	<p>https://barnet.moderngov.co.uk/documents/s68456/10Article9ChiefOfficers.doc.pdf</p> <p>The value of this decision is nil.</p> <p>Item 7 from Decisions of the Policy and Resources Committee 23 October 2018</p> <p>“Authorises to the Deputy Chief Executive to take all reasonable steps to prepare to enter into a loan agreement with Saracens Copthall LLP for the provision of a new West Stand as part of the Allianz Park stadium at Copthall.”</p> <p>Consultation The Leader has been consulted on this decision. The council will be notified when the new ownership structure and investment is in place.</p>
<p>AUDIT TRAIL OF DECISION</p>	<p>The audit trail should include details of any background information relied upon in making the decision and any advice or clearances received.</p> <p>Policy & Resources Committee, 19 July 2018: https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=9725&Ver=4</p> <p>Policy & Resources Committee, 23 October 2018: https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=9459&Ver=4 Printed minutes 23rd-Oct-2018 19.00 Policy and Resources Committee.pdf (moderngov.co.uk)</p> <p>Delegated Powers Report, Saracens Loan Agreement, 28 January 2019: https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7108</p> <p>FPCC Committee, 27th October 2020 https://barnet.moderngov.co.uk/documents/s60803/201019_SCLLP_Loan_update.pdf</p> <p>Delegated Powers Report, Loan Agreement with Saracens Copthall LLP, 24 April 2020 Click Here</p> <p>Delegated Powers Report, Saracens Loan Agreement to Restart the Loan, 24.02.2021 Decision - Loan Agreement with Saracens Copthall LLP - Re-starting Loan Draw Down Payments (moderngov.co.uk)</p>

Decision taker's statement

I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.

I authorise the above decision:

Signed



Designation

Deputy CEO

Date

20.01.2022

Process Guidance

Guidance notes:

- 1) Decisions with a value of up to £189,329 are recorded via the Officer List of Decisions. Full Officer DPR's for this financial threshold can still be used where the decision maker wishes to do so.
- 2) ALL delegated powers decision should be published on the Council's website.
- 3) The EA's will collate the Officer List of Decisions as required.
- 4) Decisions will be included in this style in accordance with the Council's Constitution.
- 5) The Scheme of Delegation sets out the level of authority at which certain decisions can be made within a service. Once signed by authorised Officer, the decision is taken as approved and therefore there is no additional requirement for the Strategic Director to also sign the decision. This means that decisions taken by Officers should be collated by EA's.
- 6) The Chief Officer is requested to follow these principles when taking decision at this level
 - i) The Chief Officer has the required powers to make the decision documented or have delegated authority to the recorded Officer.
 - ii) That the Officer is satisfied that all relevant advice has been sought in taking the decision in order to ensure that the decision-making framework of the organisation including the Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations are applied.
 - iii) That a full audit trail will be retained on file and available on request by the relevant authority.

Please be referred to [Article 10](#) of the Council's Constitution

The Chief Officer/ Executive Assistants Support Structure:

Chief Officer	Executive Assistant
John Hooton	Lucy Law
Cath Shaw	Madhu Nambiar
Clair Green	Corinna Demetriou
Chris Munday	Corinna Demetriou
Jamie Blake	Laura Ives-Appleby
Dawn Wakeling	Laura Ives-Appleby
Anisa Darr	Kar Lai Lee
Tamara Djuretic	Madhu Nambiar

Appendix A Exempt with two attachments

This page is intentionally left blank

	<p style="text-align: center;">Financial Performance and Contracts Committee</p> <p style="text-align: center;">1 February 2022</p>
Title	Brent Cross Update
Report of	Director of Growth
Wards	Childs Hill, Golders Green and West Hendon
Status	Public with accompanying exempt report (Exempt by virtue of paragraphs 3 and 5 of Schedule 12A Local Government Act 1972) on account that it contains information relating to the financial or business affairs of any particular person including the authority holding the information and information in respect of which professional legal privilege could be maintained in legal proceedings.
Urgent	No
Key	No
Enclosures	Appendix 1 – Extracts LBB progress update presentation to the Government Assurance Board, 12 January 2022
Officer Contact Details	Karen Mercer, Programme Director Karen.Mercer@barnet.gov.uk , 0208 359 7563

Summary

This report provides an update on the delivery across the Brent Cross programme and update on emerging issues relating to the Brent Cross West station works contract.

Officers Recommendations

The Committee is asked to note delivery progress across the Brent Cross (BX) programme as set out in the presentation to the HM Government Assurance Board on 12 January 2022 (Appendix 1) and the emerging issues relating to the Brent Cross West station works contract.

1. PURPOSE OF REPORT

Introduction

- 1.1 This report provides an update on the delivery progress of the Brent Cross Programme since the last meeting on 23 November 2021. The latest presentation on programme delivery to the Government Assurance Board on 12 January 2022 is attached at Appendix 1.
- 1.2 Since the report to the last Committee, works on the Brent Cross West Station have continued including a 72-hour possession over the Christmas period. Works include steelwork on the new concourse, start to the cladding of the footbridge, concrete pours for lift shafts and structural works on both east and western entrances.
- 1.3 As the Committee is aware, there are cost pressures on the Brent Cross West budget should identified risks materialise. (See paragraph 1.4 of the last committee report). The GAB working group is meeting to mitigate these risks.
- 1.4 Since the last report, this has been further compounded as a result of railway possessions being cancelled by Network Rail. Network Rail has proposed replacement possessions which the BXW delivery team have accepted. All parties are working through the implications of these delays and meetings are scheduled for w/c 24 January and an update will be provided to the Committee.
- 1.5 The quarterly progress update on the BXW Programme will be provided to the Housing and Growth Committee on 17 February 2022.

2 REASONS FOR RECOMMENDATIONS

- 2.1 To provide an update to the Committee on the HMG funded elements of the BX programme that the council is directly delivering.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None.

4 POST DECISION IMPLEMENTATION

4.1 None.

5 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The comprehensive regeneration of Brent Cross Cricklewood is a long-standing objective of the council and of the aims under the Corporate Plan Barnet 2021-2024 and a key regeneration priority of the Mayor of London.

5.2 Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)

Budget Monitoring

5.2.1 Budget, performance and risk information across the BXC programme is set out in the latest report to Housing and Growth Committee on 16 November 2021.

5.3 Social Value

5.3.1 As set out in the report to the Housing and Growth Committee on 16 November 2021.

5.4 Legal and Constitutional References

5.4.1 Article 7 of the Council's Constitution, the terms of reference of the Financial Performance and Contracts Committee includes the followings responsibilities:

Responsible for the oversight and scrutiny of:

- (a) the overall financial performance of the council
- (b) the performance of services other than those which are the responsibility of the: Adults & Safeguarding Committee; Assets, Regeneration & Growth Committee; Children, Education & Safeguarding Committee; Community Leadership & Libraries Committee; Environment Committee; or Housing Committee
- (c) the council's major strategic contracts including (but not limited to):
 - Analysis of performance
 - Contract variations
 - Undertaking deep dives to review specific issues
 - Monitoring the trading position and financial stability of external providers
 - Making recommendations to the Policy & Resources Committee and/or theme committees on issues arising from the scrutiny of external providers

5.4.2 The general power of competence under paragraph 1 of Section 1 of Chapter 1 of the Localism Act 2011 enables the Council to do anything that individuals can do subject to any specific restrictions contained in legislation and the 'incidental power' in Section 111 of the Local Government Act 1972 provides that a local authority has power to do anything which is calculated to facilitate, or is conducive or is incidental to, the discharge of its functions.

5.4.2 Any necessary procurement activity will be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 (as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 SI 1319 (PP Amendment Regulations 2020)).

5.5 Risk Management

5.5.1 As set out in the report to the Housing and Growth Committee on 16 November 2021.

5.6 Equalities and Diversity

5.6.1 As set out in the report to the Housing and Growth Committee on 16 November 2021.

5.7 Corporate Parenting

5.7.1 As set out in the report to the Housing and Growth Committee on 16 November 2021.

5.8 Consultation and Engagement

5.8.1 As set out in the report to the Housing and Growth Committee on 16 November 2021.

5.9 Insight

5.9.1 As set out in the report to the Housing and Growth Committee on 16 November 2021.

6 BACKGROUND PAPERS

6.1 Financial Performance & Contracts Committee, 23 November 2021

<https://barnet.moderngov.co.uk/documents/b37846/Brent%20Cross%2023rd-Nov-2021%2019.00%20Financial%20Performance%20and%20Contracts%20Committee.pdf?T=9>

6.2 Housing & Growth Committee, 16 November 2021

<https://barnet.moderngov.co.uk/documents/s68654/Brent%20Cross%20Cricklewood%20Update.pdf>



Brent Cross Government Assurance Board

12 January 2022

Brent Cross Town – Site Progress



Claremont Park works – due to open in Spring 22

Drone Footage - <https://nc.galldris.co.uk/index.php/s/XB7Li2AqCk2MtER>

Brent Cross Town – Site Progress



DRONE SURVEY DATA
GALLDRIS
SERVICES LTD

Brent Cross Town – Site Progress



Locally run café and eatery Spruce & Larch are now open at the Visitor Pavilion



Programme Updates

Brent Cross Town

- Locally run café and eatery Spruce & Larch are now open at the Visitor Pavilion.
- Upgrades to shopfront on Claremont Way ongoing – new café and pizzeria opening soon.
- Works on Claremont Park continue at pace with vegetation planting and installation of new play equipment underway. On target to open in Spring 2022.
- Basement works well underway on combined basement for early plots
- Earthworks continue to progress on Plot 25 (Fusion student accommodation) – main works to commence in March/April 2022.

Programme Updates

Plots 53/54

- Works continue on site after Christmas stand down. Bulger have completed the piling works and sub-structure works are due to commence in January 2022
- Ongoing liaison with neighbouring residents to resolve issues over construction traffic.

Southern Junctions

- Works complete at second junction.
- Focus now on wider integration with Cricklewood town centre

West of the Station

- Western Entrance public realm consultation has gone live <https://engage.barnet.gov.uk/bxw-western-entrance>

Programme Updates

Brent Cross West Station (photos included later in presentation)

- Progress made on site over Xmas period
 - Cladding of station overbridge underway
 - Ongoing civils works on the platforms
 - commencement of drainage activities in the WEB
 - striking of the scaffolding following the final concrete pour to the lift shaft in the SEEB.

Brent Cross West Station - Progress



Brent Cross West Station - Progress



View of station concourse from below



Footbridge cladding underway

Brent Cross West Station - Progress



View of Eastern entrance looking east to west



Eastern entrance lift shaft and footbridge partially clad

**London Borough of Barnet
Financial Performance and
Contracts Committee
Forward Work Programme
2022**

Contact: Salar Rida 020 8359 7113 salar.rida@barnet.gov.uk

Title of Report	Overview of decision	Report Of (<i>officer</i>)	Issue Type (Non key/Key/Urgent)
14 March 2022			
Chief Finance Officer Report	To review and note the council's financial performance.	Director of Finance (S151 Officer) Assistant Director of Finance	Non key
Year 6/7 Strategic Contracts Review	To receive an update and any interim recommendations.	Director (Commercial and Customer Services)	Non key
Capital Programme	To update on the Capital Schemes within the Capital Programme.	Assistant Director Capital Strategy	Non key
Q3 2021/22 Contracts Performance Report	To review and note Quarter 3 2020/21 performance of strategic Contracts.	Director (Commercial and Customer Services)	Non key
Brent Cross Delivery Update	For the Committee to review the recommendations.	Programme Director Brent Cross	Non key

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 15

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 16

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank