

Decisions of the Urgency Committee

17 October 2016

Members Present:-

Councillor Richard Cornelius (Chairman)
Councillor Daniel Thomas (Vice-Chairman)

Councillor Barry Rawlings

1. MINUTES

RESOLVED that the minutes of the meeting held on 28 July be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

3. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

4. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS (IF ANY)

Councillor	Nature of Interest	Agenda Item No.	Detail of Interest
Richard Cornelius	Non-pecuniary	6 – Barnet House Freehold Purchase and Early Release from the occupational Lease of Barnet House	Declared that he was formally (until 18 months ago) a Trustee of the Baxendale Association.
Barry Rawlings	Non-pecuniary	9 – Update on adult social care enablement service	Declared that he works in health care.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

None.

6. BARNET HOUSE FREEHOLD PURCHASE AND EARLY RELEASE FROM THE OCCUPATIONAL LEASE AT BARNET HOUSE

The Director of Resources introduced the report. She explained that the negotiations on the potential early release from the occupational lease at Barnet hose were actively progressing. She further explained that the structure of the transaction may change from the proposed format of the commercial agreement in the exempt report. As a consequence to allow the sufficient authority to conclude a reasonable commercial deal for the Council the recommendations required some amendments that were read out to the committee.

Paragraph 5.3.6 was amendment as underlined and ***italicised in bold*** below to correspond with the recommendations;

5.3.6 The structure of the proposed purchase and surrender will involve separate agreements with the freeholder, developer and the head landlord and there is a potential risk for the Council in the event the developer or the head landlord do not complete all or one of its agreements and the Council should only proceed if this risk can be ameliorated by effecting a simultaneous exchange and completion of all associated agreement on 24 October 2016 or **or such later extended date as can be agreed with the freeholder**

Having considered the report and the accompanying exempt information, the committee accepted the amendments, ***italicised in bold*** below;

RESOLVED –

1. That the committee approve the exercise of the of the option to purchase the Barnet House freehold (if required) by exercising the option notice by the end of 24th October 2016 (**“the Option Date) or such later date that can be agreed with the freeholder on the terms set out in the associated exempt report.**
2. That the Committee approve the disposal of the underlease of Barnet House by way of a surrender subject to agreement of terms.
3. That the Committee delegate authority to the Director of Resources in consultation **with the Chairman of ARG, to conclude negotiations** and **if necessary to purchase the freehold on behalf of the London Borough of Barnet and to authorise its subsequent disposal on the terms set out in the associated exempt report and to include considering the Council’s tax position upon the exercise of the Option.**
4. That the Committee delegate authority to the Director of Resources in consultation with the Chairman of ARG, to negotiate a settlement for early surrender of the Barnet House underlease on behalf of the London Borough of Barnet and **shall have authority to negotiate any variation of the commercial agreement terms and financial structure for the surrender provided it is within the remit of paragraph 5.2.3 of the exempt report.**
5. That the Committee delegates authority to the Director of Resources in consultation with the Chairman of ARG, **if necessary** to exercise the option to purchase the freehold of the Barnet House **on the Option Date or such later date as may be agreed with the freeholder** and subsequently dispose of the freehold on the terms set out in the associated exempt report and conclude the final early surrender settlement agreement.

7. INCLUSION OF ALL REGENERATION ESTATES IN THE CAPITAL PROGRAMME FOR ADVANCED ACQUISITIONS (REGENERATION ESTATES)

The Commissioning Director for Growth and Development introduced the report which sought approval to include all regeneration schemes in the Advance Acquisition Programme and also to include hardship cases and payments for home loss and disturbance where there is a statutory requirement to pay these.

It further sought approval to remove limits to individual schemes in terms of overall number of properties that can be acquired on a particular regeneration scheme.

Having considered the report the Committee;

RESOLVED to approve -

- (i) the inclusion of all regeneration estates within the existing HRA capital budget for Advanced Acquisitions (Regeneration Estates)**
- (ii) the inclusion of hardship cases within the Advanced Acquisition capital budgets**
- (iii) removing limits to individual schemes in terms of overall number of properties that can be acquired on a particular regeneration scheme**
- (iv) delegating authority to the Commissioning Director for Growth and Development to decide upon the most appropriate use of funds across the Council's regeneration schemes and to take all other necessary actions to implement the advanced acquisition programme, acting in the best interests of the council.**

8. IN AND OUT OF LONDON ACQUISITIONS

The Commissioning Director, Growth and Development introduced the report and explained to the Committee the reason for urgency was due to the need for the Council to commit by the end of quarter 3 (December 2016) accumulated Right to Buy receipts of approximately £800,000. The next meeting of the Asset, Growth and Regeneration committee where this would ordinarily be reported was not due to take place until 13 December 2016.

Following consideration of the report the Committee;

RESOLVED -

- 1. That the Committee approve the business case for the acquisition of residential units in London through the Council's Housing Revenue Account as outlined in Appendix 1 to utilise right-to-buy receipts required to be committed by the end of Quarter 3 2016/17.**
- 2. That the authorisation of purchases of individual properties for the in London and out of London acquisitions programmes is delegated to the Commissioning Director, Growth and Development in consultation with the Chairman of Assets, Regeneration and Growth Committee.**

9. UPDATE ON ADULT SOCIAL CARE ENABLEMENT SERVICE

The Commissioning Director for Adults and Health (Director of Adult Social Services) introduced the report.

She provided the Committee with detailed outline of the events that occurred on the transfer of the Council's Enablement Homecare Service from Housing and Care 21 to Aquaflo Care Ltd, the actions taken by the Council and measures put in place – these are further detailed at paragraph 1.16 of the report

The Committee requested that it be noted (i) how quick a recovery plan was not only put in place but also effectively delivered, (ii) the proactive and supportive response by all staff involved, all whilst ensuring the clients welfare took priority .

RESOLVED –

1. **That the Committee notes the report setting out an update on the enablement service in Barnet.**

10. ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

None.

14. MOTION TO EXCLUDE THE PRESS AND PUBLIC

The Chairman moved a motion to exclude the press and public which was duly seconded and unanimously agree.

11. BARNET HOUSE FREEHOLD PURCHASE AND EARLY RELEASE FROM THE OCCUPATIONAL LEASE AT BARNET HOUSE (EXEMPT)

The Committee considered the report.

RESOLVED that the Committee agree the recommendations as amended in the public session of the meeting.

1. **As set out in the associated public report**
2. **That the Committee take into account the exempt information as set out in the report in reaching a decision to exercise the option to purchase the freehold and to dispose of same as part of the final settlement agreement to enable an early surrender of the Barnet House lease.**

12. UPDATE ON ADULT SOCIAL CARE ENABLEMENT SERVICE (EXEMPT)

The Committee noted the information set out in the exempt report which informed their decision in approving the recommendations made in the public session.

13. ANY OTHER EXEMPT ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 7.00 pm