



## ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER

|                                |   |
|--------------------------------|---|
| <b>Title</b>                   | <b>Improvements to Health Facilities</b><br>Enabling the transfer of S106 Contributions to the Clinical Commissioning Group (CCG) in order to fund Health Facility Improvements |
| <b>Report of</b>               | Deputy Chief Executive  |
| <b>Wards</b>                   | Boroughwide   |
| <b>Status</b>                  | Improvements to health facilities by Clinical Commissioning Group pending receipt of S106 funding   |
| <b>Attachment</b>              | Template Funding Agreement  |
| <b>Officer Contact Details</b> | <a href="mailto:Tawnia.Massari@barnet.gov.uk">Tawnia.Massari@barnet.gov.uk</a>  |

### Summary

Decision for LBB to enter into funding agreements with the CCG to enable the transfer of funds received via S106 Agreements to the CCG to carry out a number of health improvement projects.

### Decision

**To enter into health funding agreements between the CCG and LBB to allow S106 health contributions to be utilised by the CCG to carry out improvements to health facilities or resources throughout the London Borough of Barnet.**

#### 1. WHY THIS REPORT IS NEEDED

- 1.1 The Council has received funding through S106 agreements for health facilities/improvement to health facilities. It is considered appropriate for the CCG to bring forward improvements to health facilities.
- 1.2 The CCG in 2019 proposed projects using the S106 funding which were considered and agreed by the Council's Capital Strategy Board (CSB) prior to being added to the Capital

Programme. All projects as set out in the table below are considered to be an appropriate use of S106 funding as the wording of the S106 agreements allow for spend borough wide towards the improvements of health facilities and/or resources.

|              | Project   | Agreed by CSB | Amount                  |
|--------------|---|---------------|-------------------------|
| <b>1</b>     | Improvements to health centre for service providing care for homeless people attending Homeless Action Centre | January 2019  | <b>£121,355</b>         |
| <b>2</b>     | Improvements to Health Centres below:   | February 2019 | <b>£477,600 (total)</b> |
|              | St Andrews Whetstone  |               | £99,600                 |
|              | Heathfield, N2  |               | £40,800                 |
|              | Wentworth NW7   |               | £114,000                |
|              | <u>Millway, NW7</u>   |               | £33,600                 |
|              | <u>Longrove EN5</u>   |               | £33,600                 |
|              | Vale Drive EN5  |               | £84,000                 |
|              | Parkview Surgery  |               | £72,000                 |
| <b>3</b>     | Health Services Equipment/Clinical Devices  | March 2019    | <b>£69,800</b>          |
| <b>4</b>     | Brent Cross Feasibility   | March 2019    | <b>£4,300</b>           |
| <b>5</b>     | Digital Boards  | November 2019 | <b>£126,000</b>         |
| <b>6</b>     | Digital Patient Kiosks  | November 2019 | <b>£106,000</b>         |
| <b>7</b>     | Barnet General UTC  | November 2019 | <b>£896,968</b>         |
| <b>Total</b> |   |               | <b>£1,802,023</b>       |

- 1.3 From the projects listed above the capital amount approved at the January 2020 Policy & Resources Committee for the Health Projects was £1.380m. This capital budget is for a series of projects which will contribute to the health and wellbeing of residents throughout the Borough. All projects will be funded from S106 contributions. All proposals are in accordance with S106 capital contribution agreements and are considered an appropriate use of funds. The total value of the projects funded through S106 agreements (including the £1.380m) is £1.8 million as set out in the table above. The balance of £422k will be funded by S106 and charged to revenue and therefore they will not need to be added to the capital programme.
- 1.4 A legal mechanism, however, is needed to implement the transfer of the S106 funds to the CCG. A funding agreement has therefore been drafted for each of the agreed projects and under the Council's governance arrangements a delegated powers approval is needed to provide constitutional authority for LBB entering into the funding agreements.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 It is considered that entering into funding agreements for each of the projects with the CCG is the appropriate mechanism to ensure that the funds can be transferred to the CCG and that the funding will be used by the CCG on the agreed projects.
- 2.2 All of the contributions already received have spend approval (see decisions taken by the CSB in the Table above).

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

An alternative option would be for the Council to utilise these funds itself. However, it is not considered appropriate for the Council to use the funding to directly fund health projects as this is not the Council's area of responsibility – it is more appropriate for the CCG to utilise the funding.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 A Capital Cost centre (53002) for Health Projects has been set up so that the projects are managed and monitored in the same way as other Council capital projects.
- 4.2 Each funding agreement with the CCG will ensure use of the S106 health contributions by the CCG for the project identified. The funding agreement also requires the CCG to use the monies in an appropriate timeframe.

Once the funding has been transferred to the CCG, the only monitoring of compliance will be if there has been a failure to communicate the progress or the completion of projected works once the date agreed has passed for works to be completed and/or monies are unspent.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The residents of the London Borough of Barnet residents live happy, healthy an independent lives with the most vulnerable protected. The improvement of health facilities throughout the borough will enable residents to lead active and healthy lifestyles and maintain their mental wellbeing.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 The resource implications of this approach are considered to be minimal and can be met within existing budgets.
- 5.2.2 The total value of the projects funded through S106 agreements (including the £1.380m) is £1.8 million as set out in the table above. The balance of £422k will be funded by S106 and charged to revenue and therefore they will not need to be added to the capital programme. Additionally, this balance funded by S106 and charged to revenue, contributes to the works that will enable residents to lead active and healthy lifestyles and

maintain their mental welling being.

### **5.3 Social Value**

The proposals will increase social value by providing improvements to health facilities/resources across the Borough of Barnet.

### **5.4 Legal and Constitutional References**

5.4.1 The funding agreements have been drafted with the input of HB Public Law and the CCG legal advisors.

5.4.2 The Council's Constitution Article 10 Decision making states that the appropriate documentation to enter into these agreements, if within budget, is a Full Officer delegated powers report.

5.4.3 The capital amount for this funding of the Health projects was approved at the January 2020 Policy & Resources Committee for the sum of £1.380m. The balance of £422k will be funded by S106 and charged to revenue and therefore they will not need to be added to the capital programme.

### **5.5 Risk Management**

5.5.1 It is considered that the use of a funding agreement will reduce the potential risk arising from transferring the monies to the CCG and the projects not being delivered or the funds being used for other projects.

### **5.6 Equalities and Diversity**

5.6.1 The proposed projects cover the whole of the borough of Barnet and provide improvements to facilities or resources that can be accessed by all as required.

### **5.7 Corporate Parenting**

5.7.1 N/A

### **5.8 Consultation and Engagement**

Public consultation was undertaken on the planning applications that secured the S106 health contributions. It is not a requirement for consultation to be undertaken for expenditure of S106 funding.

### **5.9 Insight**

5.9.1 N/A

## **6. BACKGROUND PAPERS**

6.1 Funding transfer agreements are being prepared for each approved project. Outlined in Schedule 1 of each funding agreement are the details and expenditure of each project that has completed the approval process for use of S106 health contributions as their funding stream. Attached is a template form of the Funding Agreement to demonstrate the contents. All the funding agreements will follow the same format and will be entered

into by the CCG and the Council following the Decision approving this Delegated Powers Report.

- 6.2 Policy and Resources committee report: 6 January 2020 – Business Planning – Medium Term Financial Strategy 2020-25, Budget Management 2019/20 and Draft Budget for 2020/21. This report added the health projects to the capital programme. The balance of £422k will be funded by S106 and charged to revenue and therefore will not need to be added to the capital programme.

## **7. DECISION TAKER'S STATEMENT**

- 7.1 *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. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

**Chief Officer: Deputy Chief Executive**

**Signed: Cath Shaw**

**Dated: 14 August 2020**