

Decisions of the Cabinet Resources Committee

7 November 2012

Committee:

*Councillor Daniel Thomas (Chairman)

* Councillor Richard Cornelius * Councillor Andrew Harper \$ Councillor Robert Rams
* Councillor Tom Davey * Councillor Sachin Rajput

*denotes Member Present

\$denotes Member absent on Council business

1. MINUTES OF THE PREVIOUS MEETING (Agenda Item 1):

RESOLVED – That the minutes of the meeting held on 18 October 2012 be approved as a correct record.

2. ABSENCE OF MEMBERS (Agenda Item 2):

Apologies for absence were received from Councillor Robert Rams who was on council business attending the meeting of the General Functions Committee as a member of that Committee.

3. DECLARATIONS OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS (Agenda Item 3):

There were no such declarations.

4. PUBLIC QUESTION TIME (IF ANY) (Agenda Item 4):

There were no public questions.

5. OUTLINE BUSINESS CASE AND OPTIONS APPRAISAL FOR WASTE AND STREET SCENE SERVICES (Agenda Item 5):

For the reasons set out in the Cabinet Member's report,

RESOLVED –

1. That the Outline Business Case for the future delivery of the Waste and Street Scene Services through in-house development of services with the option of support from external specialists and the incoming provider for support and customers services be approved;
2. That council officers review the services in two years to assess the ability to deliver continued improvement and savings for the council and customer and revisit the business case if considered appropriate.

6. WIRELESS CONCESSION CONTRACT (Agenda Item 6):

For the reasons set out in the Cabinet Member's report,

RESOLVED –

1. That authorisation is given to participate in the London-wide procurement process to let a wireless concession contract for constrained use of Council facilities and/or street furniture for the installation of appropriate wireless equipment to provide Wifi and potentially 4G services within the borough.
2. To authorise the Director of Commercial Services, subject to appropriate legal advice, to oversee the Council's involvement in the London Boroughs collaborative procurement process as well as the preparation and finalisation of contract documentation.
3. That provided the contract award is for a period of no longer than 10 years and is to be granted to the tenderer who submits the most economically advantageous tender, the Cabinet Member for Environment be authorised to 'Accept' the contract on behalf of the Council.
4. That up to £60,000 of contingency (non-recurring) funds be used to cash flow the Council's costs of involvement in the procurement process as required. This is to be refunded once the concession contract delivers an income stream; with any additional income generated through the concession, after the procurement costs, used to support the Council's Capital Strategy.

7. CONTRACT PROCUREMENT PLAN (Agenda Item 7):

The Committee agreed an additional recommendation as set out in (2) below.

For the reasons set out in the Cabinet Member's report,

RESOLVED –

1. That approval be given for officers to proceed with the contract procurement activity for the 2013/14 financial year as set out in the Appendix 1 to the report subject to budget availability.
2. That a paper on advice expenditure be brought back to the next appropriate meeting of the Committee.

8. LEGAL ADVICE FOR THE PRIMARY SCHOOL CAPITAL INVESTMENT PROGRAMME (PSCIP) (Agenda Item 8):

For the reasons set out in the Cabinet Member's report,

RESOLVED - That the Contract Procedure Rules as set out at paragraphs 8.2 and 8.3 of the report relating to tendering and quotation, and an extension to a contract, be waived to allow Trowers and Hamlins to be retained to provide legal support for the continuation of the Primary Schools Capital Investment Programme at a cost of £165,000.

9. THE LEASING OF THE PAVILION IN CHERRY TREE WOOD BROMPTON GROVE EAST FINCHLEY N2 (Agenda Item 9):

For the reasons set out in the Cabinet Member's report,

RESOLVED –

1. That the Committee take into account the information contained in the public and the exempt reports and confirms the authority to grant a lease of the pavilion in Cherry Tree Wood to Mr Sarfaraz Dostezad.
2. That the Finchley and Golders Green Area Environment Sub Committee's representations resulting from objections received following the publication of a Notice under Section 123(2)(A) of the Local Government Act 1972 be noted.

10. ADULT PASSENGER TRANSPORT POLICY (Agenda Item 10):

The Committee agreed an amendment to recommendation 1.2 of the report as reflected in (2) below.

For the reasons set out in the Cabinet Members' report,

RESOLVED THAT THE COMMITTEE –

1. Considered the outcomes of the public consultation on door-to-door transport for vulnerable adults and the equalities impact analysis.
2. Approves in principle the Eligibility Policy for council-funded transport for adults (as set out at Appendix 5 to the report) and, subject to the receipt of further legal advice on eligibility criteria, that authority for approval of the final Eligibility Policy be delegated to the Director of Adult Social Care and Health / Interim Director of Children's Service in consultation with the responsible Cabinet Members.
3. Approves a charge of £10 payable by successful applicants for a 3 year Blue Badge parking permit.
4. Approves the revised policy for the provision of personal parking bays for disabled people.
5. Approves the replacement of the existing Travel Voucher scheme with the London wideTaxicard scheme.

11. WEST HENDON REGENERATION PROJECT (Agenda Item 11):

For the reasons set out in the Cabinet Member's report,

RESOLVED –

1. That the Committee notes the general progress on the West Hendon Regeneration Scheme as set out in this report since the last report to Committee on 28 February 2012.

2. That the Committee notes that the outcome of the negotiations, being undertaken by the Deputy Chief Executive, for revised terms for the West Hendon Principal Development Agreement will be presented to Committee in early 2013 along with authority to enter in to a Deed of Variation to the existing Principal Development Agreement for the West Hendon Regeneration Scheme.
3. That approval be given to further extend the expiry date of the Principal Development Agreement for the West Hendon Regeneration Scheme for a period of six months, expiring on 15 June 2013, in order to enable Barratts Metropolitan Limited Liability Partnership to have sufficient time to submit their Hybrid planning application.
4. Subject to the extension referred to 3 above having been made and to the submission of a Hybrid planning application, authority be given to the Deputy Chief Executive to authorise by delegated powers a further extension of the Principal Development Agreement for a period of 12 month to cover the period for the planning application to be considered.
5. That the Committee reaffirms the resolution to make a Compulsory Purchase Order for the acquisition of all non-Council owned property and other proprietary interests in the West Hendon regeneration area and that the appropriate Chief Officers be authorised to take all necessary action to secure the confirmation and implementation of the Compulsory Purchase Order.

12. GRANVILLE ROAD, NW2, NEW HOUSING DEVELOPMENT - UPDATED FROM 18 OCTOBER 2012 REPORT (Agenda Item 12):

For the reasons set out in the Cabinet Member's report,

RESOLVED –

1. That the Committee considers the matters detailed in Appendix 2 to the report and for the reasons set out in paragraph 9 below affirms its decisions of 18 October 2012 as set out in paragraphs 2 to 12 below.
2. That in exercise of the Council's general power of competence under Section 1 of Chapter 1 of the Localism Act 2011, and the other statutory powers referred to in the Legal Issues Section of the report and all other relevant powers, authority be granted to:
 - (i) appoint Mulalley/One Housing Consortium comprising of Mulalley & Co Limited, CHA Ventures Limited and, as guarantor with CHA Ventures Limited, Sherrygreen Limited (Bidder B) (as detailed in the Exempt Report) as the Council's preferred development partner to take forward their Option 1 for the Granville Road, NW2, New Housing Development Scheme.
 - (ii) approve the selection of the Countryside/Metropolitan Housing Consortium comprising of Countryside Properties (UK) Limited and Metropolitan Housing Partnership and, as guarantor, Countryside Properties plc (Bidder C) as detailed in the Exempt report to be the Council's reserve development partner for the Granville Road, NW2 New Housing Development Scheme

3. That authority be delegated to the Deputy Chief Executive in consultation with the Leader of the Council to finalise any outstanding matters and the New Housing Development Agreement for the Granville Road Estate, NW2 and any other related legal agreements with Bidder B (or with Bidder C if in their opinion it is not feasible to reach a timely agreement on outstanding matters with Bidder B).
4. That the Council shall enter into the New Housing Development Agreement for the Granville Road Estate, NW2 and any other related legal agreements with Bidder B (or Bidder C if applicable under paragraph 1.2) subject to the Deputy Chief Executive being satisfied as to the terms of such agreements and the Practice Director of the Joint Legal Service, or authorised delegate, being satisfied as to the form of such agreements.
5. That authority be delegated to the Deputy Chief Executive in consultation with the Practice Director of the Joint Legal Services to decide whether:
 - (a) to rely upon one or more of the General Housing Consents 2012; or
 - (b) subject to the authorisation of the full Council to make a specific application for the consent of the Secretary of State for Communities and Local Government for the Council to dispose of land to Bidder B (or Bidder C if applicable under paragraph 1.2) in the Granville Road, NW2 development site which it holds under Part II of the Housing Act 1985.
6. That authority be delegated to the Deputy Chief Executive in consultation with the Practice Director of the Joint Legal Services to decide whether:
 - (a) the Council is not required to seek the consent of the Secretary of State for Communities and Local Government; or
 - (b) to rely on the General Consent (Circular 06/03: The Local Government Act 1972 general disposal consent (England) 2003); or
 - (c) to make a specific application to the Secretary of State for his consent;

for the Council to dispose of land to Bidder B (or Bidder C if applicable under 2 above) in the Granville Road, NW2 development site which it holds other than under Part II of the Housing Act 1985.
7. That authority be delegated to the Deputy Chief Executive in consultation with the Practice Director of the Joint Legal Service to decide whether:
 - (a) Council is providing financial assistance in respect of the new housing development at Granville Road, NW2 as described in Section 24 of the Local Government Act 1988; and if so whether:
 - (i) to rely on one or more of the general consents under Section 25 of the Local Government Act 1988 (Local Authority assistance for privately let housing) 2010; or
 - (ii) to make a specific application to the Secretary of State for his consent under Sections 25 and 26 of the Local Government Act 1988;

in connection with the proposed new housing development at Granville Road, NW2.
8. That authorisation be given (granted) to the Interim Director for Planning, Environment and Regeneration to notify secure tenants affected by the proposed new housing development of Granville Road, NW2 and enable the same to make representations to the Council in accordance with the requirements of Part V of schedule 2 of the Housing Act 1985.

9. That authority is delegated to the Interim Director for Planning, Environment and Regeneration in consultation with the Leader of the Council to consider any representations made by secure tenants received under the process set out in 7 above, and if as a consequence of such representations, she believes it appropriate, to seek relevant changes to the proposed new housing development at Granville Road, NW2.
10. That approval is given to make of discretionary payments for home loss and disturbance payments, to secure tenants who transfer from the Beech Court to alternative accommodation to facilitate redevelopment.
11. That, subject to undertaking the actions required under 7 and 8 above, authority is delegated to the Interim Director for Planning, Environment and Regeneration to apply for the Secretary of State's approval for the proposed new build housing development and disposal of identified land at the Granville Road Estate, NW2 for the purposes of ground 10 A in Part II of Schedule 2 of the Housing Act 1985.
12. That, subject to the prior grant of the planning permission for the regeneration of the Granville Road, NW2 development area ("Development Area"), the appropriate Chief Officers be authorised to (1) advertise the Council's intention of appropriating open space lands within the Development Area pursuant to Section 122(2A) of Local Government Act 1972 and to report to a future meeting of the Committee if any representations are made and (2) subject to any relevant consents of the Secretary of States being obtained, to appropriate to planning purposes, the Housing land in the Development Area and any land held for any other purpose of the Council, within the Development Area, prior to the disposal of such lands.

13. MOTION TO EXCLUDE THE PRESS AND PUBLIC (Agenda Item 13):

RESOLVED - That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 12A of the Act (as amended).

14. GRANVILLE ROAD, NW2, NEW HOUSING DEVELOPMENT - UPDATED FROM 18 OCTOBER 2012 (EXEMPT) (Agenda Item 14):

RESOLVED – That the exempt information be noted.

15. THE LEASING OF THE PAVILION IN CHERRY TREE WOOD BROMPTON GROVE EAST FINCHLEY N2 (EXEMPT) (Agenda Item 15):

RESOLVED – That the exempt information be noted.

16. ANY OTHER ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT (Agenda Item):

There were no such items.

The meeting started at 8.00pm and finished at 8.32 pm