

# Special Cabinet Minutes

Date: 22 April 2014

Time: 6.30 - 7.24 pm

**PRESENT:** Councillor R J Scott (Executive Leader of the Council - in the Chair)

Councillor J Gibbs	- Cabinet Member For Community
Councillor A R Green	- Cabinet Member for Economic Development & Regeneration
Councillor M Hussain JP	- Cabinet Member for HR, ICT & Customer Services
Councillor N B Marshall	- Cabinet Member for Planning and Sustainability
Councillor H L McCarthy	- Deputy Leader and Cabinet Member for Strategy
Councillor Mrs J E Teesdale	- Cabinet Member for Environment

**Also present:** Councillors P R Turner, A D Collingwood, M Hanif, J L Richards OBE and J A Savage

## 103 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Bates (Leader of the Labour Group) M Foster (Cabinet Member for Finance), I McEnnis (Chairman of the Council), S Parker (Leader of the Liberal Democrats Group) A Turner (Leader of the Independent Group).

## 104 MINUTES

**RESOLVED:** That the Minutes of the meeting of the Cabinet held on 3 March 2014 be approved as a true record and signed by the Chairman.

## 105 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 106 MEDIUM TERM FINANCIAL STRATEGY

The report before Cabinet and the Medium Term Financial Plan outlined the framework that the Council would be adopting to manage its financial position over the coming 6 years to enable it to deliver its 3 priorities whilst maintaining a financially robust position. It was recognised that the delivery plan was subject to significant risks having particular regard to the continuing economic climate and severe funding cuts. Members noted that the Council would continue to implement its Transformation Programme in addition to further budget restructuring to help achieve a balanced budget position. The risks associated with the delivery of the Transformation Programme which would need to be managed were included in the report.

The following recommendation was made to enable the Council to set an overall financial management framework for delivering its priorities and services over the next 6 financial years.

**Recommended:** That the Council's Medium Term Financial Strategy (MTFS) covering the period 2014/15 to 2020/21 be approved and the financial targets and actions set out within the document be adopted.

## 107 HS2 PETITION

Cabinet approval was sought to endorse the recommendation to petition Parliament to ensure that the Council was able to effectively influence consideration of the High Speed Rail (London – West Midlands) Bill with due regard to the effects on the Wycombe district.

The Buckinghamshire Blueprint for HS2 and the response to the HS2 Environmental Statement were considered by Cabinet before reaching their decision. During consideration, it was noted that petitioning could result in the Bill being amended, the Environmental Statement being supplemented or mitigation being secured through undertakings and assurances which would be legally binding.

The following recommendation was made to ensure that the Council was able to effectively influence Parliament's consideration of the High Speed Rail (London – West Midlands) Bill insofar as it affected Wycombe district so as to ensure that the impact of the HS2 proposals upon the district were effectively mitigated.

**Recommended:** That the Petition to Parliament as set out in Appendix A of the report be approved.

## 108 MANAGEMENT OF WYCOMBE DISTRICT ATHLETICS FACILITY

Cabinet approval was sought to enter into a sub-lease with Operator 1 which had submitted the strongest expression of interest to operate the athletics complex at Little Marlow.

The following decisions were made as the athletics track at Handy Cross was now closed and the new facility had been relocated to Little Marlow. Under the Council's Community Asset Transfer Policy an open expression of interest process had been followed and Organisation 1 had submitted the strongest expression of interest. Given the timescales delegated authority was needed to complete the transfer in order for the facility to open as planned on 1 July 2014.

**RESOLVED:** That (i) the Council enters into a sub-lease and service level agreement with Organisation 1 for the Wycombe District Athletics Facility; and

(ii) delegated authority be given to the Major Projects and Estates Executive, the District Solicitor & Monitoring Officer, the Head of Finance and Commercial Services and the Head of Community

Services in consultation with the Cabinet Member for Community Services to agree the terms for the lease, in accordance with the terms outlined in the Council's Community Asset Transfer Policy.

### **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That the Press and Public be excluded from the meeting during consideration of the following items as they contain exempt information as defined in Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, more particularly as follows:

**Minute 109 – ICT & CSC Contract**

**Minute 110 – Next**

Information relating to the financial or business affairs of any particular person (including the authority holding that information (Paragraph 3, Part 1 of schedule 12A, Local Government Act 1972)

[The need to maintain the exemption outweighs the public interest in disclosure because disclosure could prejudice the Council's position in any future tender process or negotiations]

### **109 ICT & CSC CONTRACT**

Cabinet was advised that the Council's current Managed Services Contracts for Information Communications Technology (ICT) and the Customer Services Centre (CSC) were due to terminate in January 2015. A procurement exercise had been conducted, and Cabinet's approval was sought to award the Contract.

An addendum to the report was circulated at the meeting which detailed external legal advice that had been obtained.

The following recommendations were made to facilitate the award of the Managed Services Contracts for ICT and CSC.

**Recommended:** That (i) the progress with regard to the procurement of the new ICT & CSC Managed Services, which would be for a contractual period of five years, with the opportunity of two, 2 year extensions, commencing 1<sup>st</sup> February 2015 and approve delegations to enable a contract to be awarded, as follows:

- a) subject to (b) below, delegated authority be given to the Head of HR, ICT & SSS, in consultation with the Cabinet Member for HR, ICT & SSS, the Section 151 Officer, and the Monitoring Officer, to enter into and complete discussions to finalise a contract with the Preferred Bidder;

b) In the event that the final form of contract cannot be agreed within a suitable timeframe (e.g. within 3 weeks of notification of preferred bidder status) with the Preferred Bidder due to the Preferred Bidders non-compliance with the Restricted Procedure (for example because the Bidder was attempting to introduce material changes or any other matters), the Council would de-select the Preferred Bidder and commence discussions with the next highest scoring Bidder who would become the Preferred Bidder, and the delegated authority would enable the contract to be entered into; and

(ii) that the allocation of an ICT capital budget of £225k for each of the years 2015/2016 and 2016/2017 be made from the Major Projects Programme.

## 110 NEXT

Cabinet had before it a comprehensive report setting out proposals to acquire the Next development at Cressex Island for investment purposes.

Cabinet reviewed the exempt appendix relating to financial information that was circulated at the meeting during consideration of this item.

The following recommendations were made to acquire the Next development at Cressex Island.

**Recommended:** That subject to final due diligence and the financial limits (to be circulated at the meeting):

(i) the Council exercise a right of pre-emption to acquire the Next development at Cressex Island, as a let investment;

(ii) delegated authority be granted to the Chief Executive, Head of Finance and Commercial, Head of Legal Services and Major Projects and Property Executive in consultation with the Leader of the Council, Cabinet Member for Economic Development and Regeneration and Cabinet Member for Finance to finalise the acquisition terms, based on the financial information circulated at the meeting, having obtained and taken into account external valuation advice;

(iii) Contract Standing Orders be waived to extend the appointment of the property consultant named in the detailed report paragraph 20; and

(iv) Risk Mitigation measures be implemented as set out in paragraphs 38-40 of the report including the creation of a Specific Investment Property Reserve.

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Chairman

**The following officers were in attendance at the meeting:**

- Karen Satterford - Chief Executive
- Ian Hunt - Democratic Services Manager
- Catherine MacKenzie - Principal Democratic Services Officer
- Steve Richardson - Head of Finance and Commercial
- John McMillan - Head of HR, ICT & Customer Services