WESTMINSTER CITY COUNCIL

STATEMENT OF DECISION

COMMITTEE OF THE CABINET MEETING - 3 March 2008

Notice is hereby given that the Committee of the Cabinet meeting on 3 March 2008 took the following executive decisions following consideration of a report on the following matter:

BSF PROCUREMENT PROCESS – APPROVAL OF FINAL BUSINESS CASE, AUTHORITY TO COMPLETE LEGAL AGREEMENTS AND FINANCIAL MATTERS

Decisions:

(1) That the report be not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

(2) That the information set out in the report relating to the additional BSF funds of £1.3M be noted and the allocation of these funds as outlined in the report be agreed.

(3) That the allocation of Council funding to support the design changes required by the Planning Committees of October and December 2007 in the amount of £598k be agreed and it be noted that any design changes required by future Planning Committees relating to the non-sample schools will need to be met from the Council's own resources.

(4) That a lease with Westminster Kingsway College be entered into as part of the decant arrangements for Westminster City School on the terms set out in the report and that all ancillary property agreements to facilitate the redevelopment of the school and te the payment of the reasonable costs of the other parties to the agreements be approved, noting that these sums will be contained within existing budget for BSF advisers costs.

(5) That the cost of parking suspensions and temporary traffic orders associated with the works to the three sample schools be approved, estimated to be around £200,000 and to being met by the Council.

(6) That the reasonable and proper legal costs of the trustees of St Marylebone and St Vincent's schools be met, to a maximum of £5,000 plus VAT in connection with the relevant property issues relating to the Blandford St premises and, in respect of St Marylebone, the transfer of the interest in the main St Marylebone site, noting that this sum is contained within existing budget for BSF advisers costs.

(7) That the Director for Finance and Resources be authorised to engage qualified consultants to act on behalf of the Council to fulfil client side responsibilities for

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the Construction Design Management Coordination (CDM - C) Regulations, the cost of which will be contained within the BSF technical advice budget and that the provisions of the Council's Procurement and Contracts Code be waived accordingly.

- (8) That the Chief Executive be authorised to execute the Governing Body Agreements in relation to the provision of and funding for ICT services for the Non-Sample Schools, between the Council and the respective Governing Bodies for Quintin Kynaston and the two special schools, and between the Council, the Governing Bodies, and the VA Trustees for the three VA Non-Sample Schools as set out in the report.
- (9) That the Chief Executive in consultation with the Leader and Cabinet Member for Children's Services, be authorised to agree any matters to facilitate conclusion of the contract arrangements including (but (not limited to) entering into additional legal agreements and payment of property and third party costs.
- (10) That the further extension of the Early Works Contracts for the three Sample Schools be authorised up to a maximum additional value of £1.7 million and that the expenditure be approved under Financial Regulation B8.
- (11) That the Chief Executive, the Director of Children's Services, the Director of Schools and Learning, the Director of Legal and Administration and other officers of the Council be authorised as required to do everything necessary to give effect to the above resolutions and to facilitate financial close, including (but not limited to) the completion of relevant legal agreements to determine the property issues.

Reason for Decisions:

In order to proceed with the BSF procurement, the additional financial implications of the BSF programme must be considered and the additional expenditure to Authority must be agreed. It is also required for Officers to conclude additional property agreements and to do everything necessary to give effect to the above resolutions.

C T Wilson Director of Legal and Administrative Services Westminster City Hall 64 Victoria Street LONDON SW1 6QP

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