

USE OF SPECIAL URGENCY PROVISIONS
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COUNCIL 26 October 2016	CLASSIFICATION: Open If exempt, the reason will be listed in the main body of this report.
WARD(S) AFFECTED N/A	
REPORT OF THE MAYOR	
CORPORATE DIRECTOR Tim Shields, Chief Executive	

1 SUMMARY

The Council's Constitution provides that the Mayor will submit a quarterly report to the Council on any executive decisions taken under the special urgency rule.

2 RECOMMENDATION

To note the recent use of the special urgency provisions as set out in paragraph 4 of this report.

3 BACKGROUND

Paragraph 17 of the Constitution's access to information procedure rules set out the procedures to be followed in cases of Special Urgency where the executive decision to be made is urgent and cannot reasonably be deferred. In all such circumstances the relevant approval to this course of action is sought and obtained. Paragraph 17.4 provides that the Mayor will submit a quarterly report to the Council on the executive decisions taken under this rule in the preceding three months.

4 SPECIAL URGENCY DECISIONS TAKEN BY THE EXECUTIVE

4.1 Freehold acquisition in land at 231-237 Graham Road London E8 - DECISION OF THE EXECUTIVE MAYOR 26.5.16

RESOLVED:

- 1.1 To authorise the Council's purchase of the freehold interest in land at 231-237 Graham Road London, shown edged red on the plan attached at Appendix A of the report and on the commercial and other terms set out in exempt Appendix B of the report**
- 1.2 To authorise the Group Director of Finance and Corporate Resources to agree the commercial terms for the acquisition to achieve exchange and completion of the acquisition.**
- 1.3 To authorise the Director of Legal to agree, settle, negotiate and complete the legal documentation for the acquisition of the freehold interest in 231-237 Graham Road and all other relevant and ancillary legal documentation arising thereto and to sign and complete them on behalf of the Council.**
- 1.4 To delegate to the Group Director of Finance and Corporate Resources authority to determine the most cost effective option in terms of financing the acquisition provided that it represents best value on the part of the Council.**

4.2 New Adult Day Care facilities at 2-4 Oswald Street - DECISION OF CABINET 18.7.16

RESOLVED to approve the award of contract to build a new Day Care centre at 2-4 Oswald Street to 'Contractor B' at a contract price of £3,788,000.

4.3 Award of the Building Construction Contract to Willmott Dixon Construction Ltd for the construction of the new Cardinal Pole School Extension Project - DECISION OF THE DEPUTY MAYOR IN CONJUNCTION WITH THE CHIEF EXECUTIVE 26.8.16

RESOLVED:

- 1.1 To approve the award of the Building Construction Contract to Willmott Dixon Construction Ltd for the construction of the new Cardinal Pole School Extension project as follows:-**
 - a) To authorise the Education Property Team to enter into a JCT Intermediate Building with Contractors Design 2011 contract for the construction of an extension at Cardinal Pole School for a new three floor building (circa 577m² in size) a cost of £2.83 million (+VAT).**
 - b) To authorise the Director of Legal to agree and enter into legal documentation relating to the Design and Build Contract for the new Cardinal Pole 6th Form Extension and any ancillary legal documentation relating thereto with the delivery of this scheme.**
 - c) To authorise the Group Director of Finance and Corporate Resources to make the necessary financial agreements to approve Financial Close for the delivery of the new Cardinal Pole 6th Form Extension.**

- 1.2 To note Cardinal Pole School (the funders) have provided written confirmation for £2.83 million (+VAT) expenditure on the scheme. (Appendix A)**

- 4.4 Bridge House Phase 2 Contractor Procurement; Contract Approval - DECISION OF THE DEPUTY MAYOR IN CONJUNCTION WITH THE CHIEF EXECUTIVE 13.9.16**

RESOLVED to:

- 1.1 Note the process of tender evaluation used in the selection of the preferred bid.**

- 1.2 Approve the selection of Bidder A (see Exempt Appendix 2) to proceed to the second stage of the tender process as the preferred contractor to undertake the construction of mixed tenure housing at Bridge House Phase 2 at an anticipated cost of £18,160,428.14**

- 1.3 Approve the proposal to enter into a Pre-Contract Services Agreement with Bidder A on the terms set out in Exempt Appendix 2 at a cost of £770,172.00.**

- 1.4 Approve the selection of Bidder B (see Exempt Appendix 2) to proceed to the second stage of the tender process as the reserve contractor to undertake the construction of mixed tenure housing**

at Bridge House Phase 2, and delegate authority to the Director of Regeneration to invite the reserve contractor to proceed to the second stage of the tender process if necessary.

- 1.5 Authorise the Group Director of Neighbourhoods and Housing and the Group Director of Finance and Corporate Resources to approve the appointment of Bidder A (or Bidder B if the reserve bidder is used) at the completion of the second stage of the tender process to undertake the construction of mixed tenure housing at Bridge House Phase 2.
- 1.6 Approve the proposal to enter into a JCT Design and Build contract and any other ancillary legal documentation relating thereto with Bidder A (or Bidder B if the reserve bidder is appointed) for the construction of mixed tenure housing at Bridge House Phase 2 on such terms as shall be agreed by the Director of Legal. The contract will include a contingency of 5% (of the final contract sum) to be held by the Council for scheme variations during the construction period.
- 1.7 Note that in respect of the 8 outright sale homes, the recommended procurement strategy for Bridge House Phase 2 requires the Council to make use of the authorities granted by Cabinet on the 18th July 2016 in respect of the direct development and disposal of those homes.

TIM SHIELDS

CHIEF EXECUTIVE

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