

## Decisions taken by the Cabinet on Tuesday, 26 May 2020

Agenda Item No	Topic	Decision
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### Part A – Items considered in public

A5	Pendleton Building Safety Programme	<p style="text-align: center;"><b><u>Salford City Council - Record of Decision</u></b></p> <p>I the Councillor John Merry the Deputy City Mayor, in exercise of the powers contained within the City Council constitution and the delegated decision of the City Mayor dated 28<sup>th</sup> February 2018, and following consultation with the Monitoring Officer and Section 151 Officer and discussion with the Strategic Director Place do hereby approve:</p> <ol style="list-style-type: none"> <li>1. Subject to Homes England and MHCLG not objecting, the council enter into a Project Agreement Amendment and Restatement, containing a new Further Works (FW) Schedule, a Letter of Comfort, a Funders Direct Agreement Amendment and Restatement, Claims Proceed Agreement and other ancillary agreements with Pendleton Together Operating Limited (PTOL) relating to the delivery of the required building safety works in Pendleton</li> <li>2. Note that commencement of capital expenditure to fund the installation of sprinklers and accompanying revenue adjustment to the monthly Unitary Charge to fund ongoing maintenance and lifecycle costs relating to the sprinklers for the remaining duration of the Project Agreement</li> <li>3. Rent loss of up to £25k pa through the provision of council properties to support decants, where required, during the FW Period (Further Works Period)</li> <li>4. The council taking responsibility for the risk on rent loss for the first 12 weeks period</li> </ol>
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		<p>following any large scale decant of blocks for issues such as enforcement / prohibition notices.</p> <ol style="list-style-type: none"> <li>5. Continued support for suspending the letting of garages and associated loss of rent, following a recommendation from GMFRS to empty these as a precautionary safety measure post-Grenfell</li> <li>6. The waiver of pending KPI deductions and rent loss incurred during 2017/18 and 2018/19 due to the impact of the fire safety works.</li> <li>7. Authorisation to the Head of Housing &amp; Strategy to approve performance related waiver up to the value of £50,000 for each occasion in line with the principles contained within the Letter of Comfort during the Further Works Period. Authorisation for the Strategic Director Place to approve performance related waivers between the value of £50,001 and £250,000 for each occasion.</li> <li>8. Authorisation of the City Solicitor in consultation with the Deputy City Mayor and Strategic Director Place to execute all legal formalities and documents needed by electronic means if permitted.</li> </ol> <p>The Reasons are that entering into revised legal agreements will unlock a package of funding to enable the programme of required fire safety works to be delivered to the nine blocks Council owned in Pendleton.</p> <p>Options considered and rejected were: N/A</p> <p>Assessment of Risk: High</p>

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		<p>The source of funding is all rectification works to be funded by the PFI contractor Pendleton Together Operating Limited (PTOL)</p> <p>Legal Advice obtained: City Solicitor / Addleshaw Goddard</p> <p>Financial Advice obtained : Chris Mee 0161 793 2574 (Strategic Finance Manager)</p> <p>Procurement Advice obtained: City Solicitor</p> <p>The following documents have been used to assist the decision process: N/A                      (if the documents disclose exempt or confidential information, they should not be listed, but the following wording shall be inserted : "(The relevant documents contain exempt or confidential information and are not available for public inspection)" :-</p> <p>Contact Officer: Andrew Leigh <span style="float: right;">Tel No 0161 793 2155</span></p>  <p>Signed: John Merry      Dated: 26 May 2020.                      Deputy City Mayor</p> <p>-</p> <hr/> <p>FOR DEMOCRATIC SERVICES USE ONLY</p>

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		<p>The decision is urgent and is not subject to call-in, in accordance with the Decision Making Procedure Rules.</p> <p>This decision was published on 26 May 2020.</p>