

SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 13 NOVEMBER 2012

Present:

Councillor Dr R Williams	-	Leader of the Council
Councillor Stevens	-	Cabinet Member for Adult Services
Councillor Bogle	-	Cabinet Member for Children's Services
Councillor Rayment	-	Cabinet Member for Communities
Councillor Noon	-	Cabinet Member for Efficiency and Improvement
Councillor Thorpe	-	Cabinet Member for Environment and Transport
Councillor Payne	-	Cabinet Member for Housing and Leisure Services
Councillor Letts	-	Cabinet Member for Resources

64. SECOND QUARTER PERFORMANCE MONITORING FOR 2012/13

On consideration of the report of the Cabinet Member for Efficiency and Improvement Cabinet agreed to note that 72% of the Council's Key Critical Performance Indicators set out in the Council Plan are reported to be on target.

65. CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2012

On consideration of the report of the Cabinet Member for Resources detailing the General Fund and Housing Revenue Account (HRA) revenue financial position for the Authority for the three months to the end of September 2012 Cabinet agreed to.

- (i) Note the current General Fund revenue position for 2012/13 as at Month 6 (September), which is a forecast under spend at year end of £303,200 against the budget approved by Council on 15 February 2012, as outlined in paragraph 4. This can be compared against the reported over spend at Month 3 of £1.5M; an improvement of almost £1.8M.
- (ii) Note that the baseline forecast over spend for portfolios is almost £5.0M.
- (iii) Note that portfolios plan to take remedial action to manage a number of the corporate and key issues highlighted in this report and that the financial impact is reflected in the forecast position;
- (iv) Note that further remedial action has been taken to rigorously control staff resource costs and to put in place a moratorium on all non essential expenditure for the remainder of the financial year.
- (v) Note that the Risk Fund includes £3.9M to cover service related risks, and that the estimated draw at Month 6 is £3.0M to cover expenditure which is included within the baseline forecast portfolio over spend of £5.0M. The Risk Fund has been reviewed and it has been assumed that £430,200 of the Fund will not be required in 2012/13.

- (vi) Note that it has been assumed that the remainder of the contingency, which stands at £344,300, will be fully utilised by the end of 2012/13.
- (vii) Note the forecast level of balances which will not fall below the minimum level of £5.0M in the medium term based on the current forecast.
- (viii) Note the performance to date with regard to the delivery of the agreed savings proposals approved for 2012/13 as detailed in Appendix 9.
- (ix) Note the performance against the financial health indicators detailed in Appendix 10.
- (x) Note the performance outlined in the Quarterly Treasury Management Report attached as Appendix 11.
- (xi) Note the current HRA budget monitoring position for 2012/13, as at Month 6 (September), which includes a carry forward from 2011/12 of £282,000 as approved by Council on the 11 July 2012. There is a forecast over spend at year end of £485,300, but this includes an adverse variance of £725,800 on capital financing costs due to the earlier repayment of a loan as outlined in paragraph 34. The true underlying position is a forecast under spend of £240,500 excluding the capital financing costs.

66. CIVIL SERVICE SPORTS GROUND - APPROVAL TO SPEND

DECISION MADE: (Ref: CAB 12/13 9219)

On consideration of the report of the Cabinet Member for Children's Services, Cabinet agreed the following:

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £77,000 in 2012/13, £462,000 in 2013/14 and £11,000 in 2014/15 for the provision of additional school playing facilities and associated ground works at the former Civil Service Sports Ground.
- (ii) To delegate authority to the Director of Children's Services and Learning to determine the form and content of consultation on the preferred option for the refurbishment of the former Civil Service Sports Ground.
- (iii) To delegate authority to the Director of Children's Services and Learning following the consultation referred to at (ii) above, to determine the final layout and refurbishment of the former Civil Service Sports Ground and, within the approved budget, to do anything necessary to deliver the works necessary to bring the site back into educational use.

67. JOINT WORK WITH THE ISLE OF WIGHT TO DELIVER EDUCATION SUPPORT SERVICES

DECISION MADE: (Ref: CAB 12/13 9254)

On consideration of the report of the Cabinet Member for Children's Services, Cabinet agreed the following:

- (i) To agree to the continuation and further development of the working relationship with the Isle of Wight Council to provide school improvement and the provision of statutory as well as related education functions for the academic year 2012/13 and the following two academic years.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning to do anything necessary to support, plan and implement the collaborative working arrangements.

68. CITY CENTRE PRIMARY SCHOOL EXPANSIONS - STATUTORY CONSULTATION
DECISION MADE: (Ref: CAB 12/13 9255)

On consideration of the report of the Cabinet Member for Children's Services and having received representation from a Member of Council, Cabinet agreed the following:

- (i) To note the outcome of the pre-statutory consultation as set out in the report and appendix 1.
- (ii) To commence 4 weeks of statutory consultation in November and December 2012 on proposals to:
 - Increase the PAN of Bassett Green Primary School from 60 to 90 from September 2013 (the school has initially expanded for 1 year only from September 2012)
 - Increase the PAN of Bevois Town Primary School from 30 to 60 from September 2013 (the school has initially expanded for 1 year only from September 2012)
 - Increase the PAN of St John's Primary and Nursery School from 30 to 60 from September 2014
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children's Services & Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.

69. REVISION OF THE COUNCIL'S EQUALITY POLICY AND OBJECTIVES
DECISION MADE: (Ref: CAB 12/13 8931)

On consideration of the report of the Cabinet Member for Communities, Cabinet agreed the following:

- (i) To endorse and recommend to full Council approval of the revised Equality Policy (Appendix 1) and the new Equality objectives to be monitored through an Equality Action Plan (Appendix 2).
- (ii) To agree delegated authority to the Director of Environment and Economy, in consultation with the Cabinet Member for Communities, to approve the final Equality Action Plan and subsequent amendments in light of future changes to the Council's priorities and resources.
- (iii) To note the continued use of the existing system of Equality and Safety Impact Assessments to support informed Council decision making and publication of the assessments online, as appropriate.
- (iv) To note the creation of the Equalities Information webpage.

70. DEVOLVING MAJOR SCHEMES TRANSPORT FUNDING

DECISION MADE: (Ref: CAB 12/13 9253)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed the following:

- (i) To agree to the inclusion of the Isle of Wight into Transport for South Hampshire (TFSH) as a full member and delegate authority to the TFSH monitoring officer to make appropriate changes to the joint agreement; and
- (ii) To note the principles set out in paragraph 5 by which the City Council will bid for from the devolved major scheme funding.

71. ADDITION OF TRANSPORT FUNDING TO THE CAPITAL AND REVENUE PROGRAMMES

DECISION MADE: (Ref: CAB 12/13 9215)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed the following:

Cabinet recommends Full Council to:

- (i) Accept grant funding from the Local Sustainable Transport Fund (LSTF) of £9.013M split between Capital £7.193M and Revenue £1.819M over the following three years 2012/13 to 2014/15. Total awarded to Transport for South Hampshire (TfSH), £17.839M;
- (ii) Accept a further LSTF allocation of £330K to deliver Real Time Information (RTI) Phase 4 capital works in 2012/13;
- (iii) Accept grant funding of £50K from Better Bus Area Fund (BBAF) to fund Capital expenditure of £40K in 2012/13 and Revenue expenditure of £10K in 2012/13;
- (iv) Add to the Environment and Transport Capital Programme, Integrated Transport, £7.193M; phased £0.610M in 2012/13, £4.584M in 2013/14 and £1.999M in 2014/15, in order to deliver transport measures across the City funded by LSTF grant (see Appendix 1);
- (v) Add to the Environment and Transport Capital Programme, Integrated Transport, a further £330K of LSTF allocation to deliver Real Time Information Phase 4 capital works in 2012/13. (see Appendix 1);
- (vi) Add to the Environment and Transport Capital Programme, Integrated Transport, £40K of Better Bus Area Fund (BBAF) towards transport measures across the City in 2012/13 (see Appendix 1);
- (vii) Add to the Environment and Transport Capital Programme, Public Realm, £1.392M of Public Realm Section 106 contributions phased £142K in 2012/13, £302K in 2013/14 and £948K in 2014/15 in order to deliver the Centenary Quay public realm (see Appendix 1);
- (viii) Add to the Environment and Transport Capital Programme for Integrated Transport, £910K of Strategic Transport Section 106 contributions phased £80K in 2012/13, £410K in 2013/14 and £420K in 2014/15 towards developing transport measures across the City (see Appendix 1);
- (ix) Approve to spend, in accordance with Financial Procedure Rules, schemes and projects totalling £9.865M to the Environment and Transport Capital Programme for Integrated Transport, phased £1.202M in 2012/13, £5.296M

- in 2013/14 and £3.367M in 2014/15 funded as detailed in Appendix 1 on schemes as detailed in Appendix 2 and Appendix 3;
- (x) Approve the addition of £428,000 to the 2012/13 revenue estimates of the Environment and Transport Portfolio funded by government grant (LSTF and BBAF) and to note that further additions of £894,000 to the 2013/14 and £507,000 to the 2014/15 revenue estimates will be formally made as part of the preparation of those financial years' budget; and
 - (xi) Note that Southampton will play a lead authority role for the delivery of a South Hampshire Smartcard for Public Transport, Legible Cities projects procured by SCC as lead authority for TfSH from LSTF Funding including developing a joint back office as agreed at TfSH Joint Council committee 25/09/2012, for which a scheme of £5M is included in the proposed capital programme, contained within the total addition to the capital programme of £9.865M.

72. TOWNHILL PARK REGENERATION FRAMEWORK - SCHEME APPROVAL FOR PHASE 1

DECISION MADE: (Ref: CAB 12/13 9155)

On consideration of the report of the Cabinet Member for Housing and Leisure Services and having received representations from Members of the Council, Cabinet agreed the following:

(i) To approve the vision and themes of the Townhill Park Regeneration Framework based on the modified Central Park option, as set out in this paper, and to delegate authority to the Director of Environment and Economy to finalise the Townhill Park Regeneration Framework following consultation with Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure and Leader of the Council.

Note: A number of proposals contained in the Framework documents require further study and consultation and these studies and consultation may necessitate some changes to be made to the Framework, approval as delegated above.

(ii) To approve in principle the redevelopment of Townhill Park in three phases with the following zones in each phase:

- Phase 1 comprising zones 1, 33, and 34
- Phase 2 comprising zones 9, 11 (redevelopment), 12, 19, 20, 27 and 28
- Phase 3 comprising zones 3, 14, 17, 24, 29, 30, and 25

including additional associated open space and highways improvements incorporated in the proposals and to delegate authority to the Director of Environment and Economy, following consultation with the Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure to amend Phases, to move or amend zones within phases, to decide the extent of improvements and when to implement the additional open spaces and highways improvements incorporated in the proposals.

Note In the August 2012 Cabinet paper Zone 33 was proposed in Phase 1 and Zone 25 in Phase 3. In this paper Site 35 is removed from Phase 1

The public consultation on Phase 1 has been carried out and is reported as part of this Cabinet paper.

- (iii) To note that the wider consultation with residents has also taken place including consultation on the proposed new road link to Cornwall Road and is reported as part of this Cabinet paper.

- (iv) To delegate authority to serve Initial Demolition Notices on secure tenants under the provisions of the Housing Acts 1985, as appropriate on all 3 Phases properties of the proposed redevelopment to the Director of Environment and Economy following consultation with the Cabinet Member for Housing and Leisure, the Head of Legal, HR and Democratic Services and the Head of Finance and IT (CFO).
- (v) To implement the adopted Decant Policy in relation to Phase 1, and to delegate authority to the Senior Manager Property and Procurement to negotiate and acquire by agreement any legal interests or rights held in respect of the properties in Phases 1, 2 and 3, not held by the Council, using such acquisition powers as the Head of Legal HR and Democratic Services advises. In each case subject to confirmation from Capita, acting as independent valuers, that the price represents the appropriate Market Value.
- (vi) To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), the Head of Legal HR and Democratic Services, and the Senior Manager Property and Procurement and Cabinet Member for Housing and Leisure to:
 - a) Produce, finalise and approve the range of documents necessary for the delivery of Phase 1 including as required; a Development/Contractor Brief, planning application, tender specifications and associated employer's requirements for Phase 1.
 - b) To decide and undertake the appropriate procurement route and the appropriate development model for the Council under the prevailing circumstances in order to enable, subject to Cabinet approval, to entry into appropriate Development Agreements/contracts to deliver Phase 1 in accordance with the Council's Contract Procedure Rules to deliver Phase 1
- vii) To report back to Cabinet the outcome of the procurement activity referred to in vi) b) above, as appropriate, and to seek further authority from Cabinet to appoint a preferred bidder(s) based upon the results of that procurement activity and to seek consent to any required land disposal within Phase 1 and/or to seek approval to appointment of a developer/contractors under an appropriate development or construction agreement.
- viii) To agree to recommend to Council that that the HRA capital programme will fund the site preparation costs set out in this report, currently estimated at £11.8M, and:
 - a) To recommend that Council approve a virement of £10.5M from the uncommitted provision for Estate Regeneration, which exists in the HRA capital programme and business plan, and £1.3M from the uncommitted funding for affordable housing in the Housing GF capital programme to establish a specific budget of £11.8M for the regeneration of Townhill Park, the phasing for which is set out in Appendix 1.
 - b) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of £3.9M on site preparation costs, including the purchase of leasehold interests, for Phase 1 of the Townhill Park regeneration project, phased £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
 - c) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of up to a further £3.9M on the purchase of leasehold interests for properties in Phases 2 and 3 of the Townhill Park regeneration project, phased £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17.

- ix) a) To approve, in accordance with Financial Procedure Rules, the addition of a Townhill Park enabling project budget to the HRA Capital Programme, funded by Direct Revenue Financing (DRF) provisions of £200,000 within the HRA Business Plan, primarily for professional fees relating to the development agreement, the procurement process and for design and planning advice.
- b) To approve capital expenditure of up to £200,000 on enabling activities, including professional fees, phased £60,000 in 2012/13, £120,000 in 2013/14 and £20,000 in 2014/15.
- x) To note that the HRA will be required to incur further capital expenditure to acquire the 450 units of social housing at an estimated cost of £47.7M, provision for which has been included in the 30 year HRA Business Plan projections for these proposals, but with the timing dependent on the final details of the development agreement and subject to future Cabinet/Council approvals.
- xi) To note that the General Fund capital programme will be required to fund highways infrastructure, and open space improvements, at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts are known.
- xii) To agree that the preferred approach for the provision of the new social housing is for this housing to be supplied by the Council, as part of the HRA, and that this new social housing provision will be provided for letting at Affordable Rents, subject to approval from the Department for Communities and Local Government / Homes and Communities Agency.
- xiii) To agree that the following proposals in the Townhill Park Regeneration Framework will not be implemented:
 - The road connection from Townhill Park to Cornwall Road at the junction with Litchfield Road
 - The opening up of Cutbush Lane to vehicular traffic.
- xiv) To agree to recommend to Council that:
 - a) £23.9M of the 30 year HRA revenue surplus will be utilised to meet the long term revenue costs of the regeneration of Townhill Park, which includes the requirement to repay the debt on the dwellings that have been disposed of from the general HRA revenue balance as there is no net capital receipt to fund this repayment.
 - b) The General Fund capital programme will fund the highways infrastructure and open space improvements at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts become known.

73. *LIBRARY PROVISION IN WOOLSTON

DECISION MADE: (Ref: CAB 12/13 9250)

On consideration of the report of the Cabinet Member for Housing and Leisure Services and having received representation from a Member of the Council, Cabinet agreed the following:

Subject to Council approval of recommendation (ii).

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £35,000 in 2012/2013, £107,000 in 2013/2014 from the Housing and Leisure Capital Programme for the design work of the community facilities including the replacement library in Centenary Quay.
- (ii) To delegate authority to the Director of Environment and Economy to sign the lease for the property subject to consultation with the Director of Resources and Cabinet Member for Housing and Leisure.

74. TENDER FOR A CONTRACT FOR CITY CENTRE MARKETS, EVENTS AND OTHER ACTIVITIES

DECISION MADE: (Ref: CAB 12/13 8953)

On consideration of the report of the Leader of the Council, Cabinet agreed the following:

To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), Head of Legal, HR and Democratic Services, and Senior Manager Property and Procurement; to produce, finalise and approve the range of documents necessary for the tender of a contract for City Centre markets, events and other activities using the most appropriate procurement route.

75. COURT LEET PRESENTMENTS 2012

DECISION MADE: (Ref: CAB 12/13 9160)

On consideration of the report of the Leader of the Council having received representations from Court Leet presenters and a Member of the Council, Cabinet agreed the following:

- (i) That the initial officer responses to the Presentments approved by the Court Leet Jury as set out in Appendix 1 to the report be noted; and
- (ii) That individual Cabinet Members ensure that responses are made to Presenters regarding presentments within their portfolios as appropriate and as soon as practically possible.

76. APPROVAL OF THE LOCAL DEVELOPMENT SCHEME 2012

DECISION MADE: (Ref: CAB 12/13 9249)

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed the following:

- (i) To approve the Local Development Scheme 2012 (Appendix 1) for the publication on the Council's website to have effect from 22nd November 2012.
- (ii) To delegate authority to the Senior Manager, Planning, Transport and Sustainability following consultation with the Cabinet Member for Resources, to amend Part 2 of the Local Development Scheme 2012 as required in order to reflect changes in the programme.

77. IMPLEMENTATION OF THE REFORMED SCHOOL FUNDING FORMULA FOR 2013/14

DECISION MADE: (Ref: CAB 12/13 8840)

On consideration of the report of the Senior Manager for Children and Young People Strategic Commissioning, Education and Inclusion, the Cabinet Member for Children's Services and Learning agreed to approve the implementation of the new Southampton funding formula for schools with effect from 1 April 2013 as described in Appendix 1.

78. CONCESSIONARY FARES SCHEME 2013

DECISION MADE: (Ref: CAB 12/13 9435)

On consideration of the report of the Senior Manager Planning, Transport and Sustainability, the Cabinet Member for Environment and Transport agreed the following:

- (i) To approve the scheme in Appendix 1 subject to the calculations in recommendation (ii) below; and
- (ii) To reimburse bus operators at a percentage rate plus an amount per generated journey, in accordance with the guidance given by the Department for Transport using their reimbursement calculator.

79. * ESTABLISHMENT OF THE COMMISSIONING PROCESS FOR HEALTHWATCH SOUTHAMPTON

DECISION MADE: (Ref: CAB 12/13 9264)

On consideration of the report of the Executive Director, Health and Adult Social Care, the Cabinet Member for Adult Social Care, agreed the following:

- (i) That approval be given to the Director of Health and Adult Social Care to procure Healthwatch Southampton to deliver the local Healthwatch services set out in the Health and Social Care Act 2012.
- (ii) That authority be delegated to the Director of Health and Adult Social Care, after consultation with the Cabinet Member for Adult Social Care, to determine whether the arrangements for securing an NHS complaints advocacy service should be delivered jointly with other authorities in south east England, or provided as part of the local contract for Southampton.