

SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 19 FEBRUARY 2013

Present:

Councillor Dr R Williams	-	Leader of the Council
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

Apologies: Councillors Stevens and Letts

106. THIRD QUARTER PERFORMANCE MONITORING FOR 2012/13

On consideration of the report of the Cabinet Member Efficiency and Improvement, Cabinet noted that 65% of the Council's Key Critical Performance Indicators set out in the Council Plan are reported to be on target.

107. CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2012

On consideration of the report of the Cabinet Member for Resources, Cabinet noted:

In regard to the General Fund that

- (i) the current General Fund revenue position for 2012/13 as at Month 9 (December), which is a forecast under spend at year end of £1.9M against the budget approved by Council on 15 February 2012, as outlined in paragraph 4. This can be compared against the reported under spend at Month 6 of £0.3M; an improvement of almost £1.6M.
- (ii) the baseline forecast over spend for portfolios is almost £3.6M.
- (iii) portfolios have taken 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) further remedial action has been maintained to rigorously control staff resource costs and to continue the moratorium on all non essential expenditure for the remainder of the financial year
- (v) the Risk Fund includes £3.9M to cover service related risks, and that the estimated draw at Month 9 is £2.8M to cover expenditure which is included within the baseline forecast portfolio over spend of £3.6M. The Risk Fund has been reviewed and it has been assumed that £550,200 of the Fund will not be required in 2012/13.

- (vi) 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) the forecast includes an approved carry forward of £308,000 for Central Repairs & Maintenance as agreed by Full Council.
- (viii) the forecast does not include the impact of potential carry forwards which at Month 9 total £35,000 and which, if approved by Full Council as part of the Outturn report to be presented in July, would be a draw on balances.
- (ix) the revised minimum balance of £5.5M, subject to approval by Council on 13 February 2013, as recommended by the Chief Financial Officer in line with good practice guidance.
- (x) the forecast level of balances which will not fall below the revised minimum level of £5.5M in the medium term based on the current forecast.
- (xi) the performance to date with regard to the delivery of the agreed savings proposals approved for 2012/13 as detailed in Appendix 9.
- (xii) the performance against the financial health indicators detailed in Appendix 10.
- (xiii) the performance outlined in the Quarterly Treasury Management Report attached as Appendix 11.

In regard to the Housing Revenue Account that:

- (xiv) the current HRA budget monitoring position for 2012/13, as at Month 9 (December), which includes a carry forward from 2011/12 of £282,000 as approved by Council on the 11 July 2012. There is a forecast under spend at year end of £180,000 and a potential carry forward request has been identified

108. GRANTS TO VOLUNTARY ORGANISATIONS 2013/14 TO 2015/16

DECISION MADE: (Ref: CAB 12/13 9278)

On consideration of the report of the Cabinet Member for Efficiency and Improvement and having received representations from CLEAR, City Eye, Community Play Link, EU Welcome, Groundwork Solent, Mount Pleasant Media Workshop, Soco Music Project, Society of St. James, Solent Credit Union, Solent Sea Rescue Organisation, Southampton Advice and Representation Centre, The Hampshire and Wight Trust for Maritime Archaeology, Nuffield Theatre Trust, recommendations from Overview and Scrutiny Management Committee and Members of the Council, Cabinet agreed the following modified decision:

- (i) To approve the grant recommendations set out in the attached Appendix 1, with the following changes:
 - EU Welcome Project: recommended amount of £27,000 in 2013/14, £25,110 in 2014/15 and £23,352 in 2015/16.
 - Saints Foundation: recommended amount of £17,281 towards the project funding on the understanding the council will facilitate discussions with Southampton Football Club to explore match funding for the balance.
 - Southampton School Sports: recommended amount of £5,400 as a one off grant in 2013/14 to enable them to look for other sources of funding.

- (ii) To delegate authority to the Communities and Improvement Manager, following consultation with the Cabinet Member for Efficiency and Improvement, to allocate Community Chest grants during the year until the new Small Grants Programme takes effect.
- (iii) To delegate authority to the Senior Manager, Communities, Change and Partnerships, following consultation with the Cabinet Member for Efficiency and Improvement, to agree a process for a One-Off Grant Scheme, should sufficient funding become available.
- (iv) To delegate authority to the Senior Manager, Communities Change and Partnerships, following consultation with the Cabinet Member for Efficiency and Improvement, to:
 - determine transitional relief, where appropriate, where grants have been reduced or discontinued
 - do anything necessary to give effect to allocation of grants for 2013/14 to 2015/16.
- (v) To meet the costs of agreed transitional relief, where appropriate, where grants have been reduced or discontinued, from contingencies, following consultation with the Head of Finance and IT and the Cabinet Member for Resources.

109. TRANSFER OF PUBLIC HEALTH FUNCTIONS TO SOUTHAMPTON CITY COUNCIL
 DECISION MADE: (Ref: CAB 12/13 9770)

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

- (i) That the details of the local authority public health responsibilities set out in this report be noted;
- (ii) That the proposed scheme of delegation to the Director of Public Health set out in Appendix 1, be approved for submission to Council as an amendment to the Council Constitution;
- (iii) That authority be delegated to the Director of Public Health, together with other directors of the Council as appropriate, to undertake any actions and make any arrangements necessary for the transfer of relevant public health functions to the Council

110. CREATION OF A LOCAL TRANSPORT BODY
 DECISION MADE: (Ref: CAB 12/13 9486)

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

- (i) That Cabinet approves the LTB Joint Agreement attached in Appendix 1:
- (ii) That Cabinet delegates to the Monitoring Officer authority to fine tune the agreement before submission to the Department of Transport(DfT).

111. PLAY SITE DEVELOPMENT

DECISION MADE: (Ref: CAB 12/13 9714)

On consideration of the report of the Cabinet Member for Housing and Leisure Services, Cabinet agreed the following:

- (i) To add, in accordance with Financial Procedure Rules a sum of £263,500 to the Housing & Leisure Capital Programme for play area development.
- (ii) Individual scheme spending will be processed through the Capital Board and authorised by the Executive Director for Children Services or relevant officer.

112. LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION - CONSULTATION RESULTS AND FINAL APPROVAL

DECISION MADE: (Ref: CAB 12/13 9338)

On consideration of the report of the Cabinet Member for Housing and Leisure Services and a resident from the Polygon area, Cabinet agreed the following:

- (i) To note the outcome of a full consultation, which has taken place in accordance with the Housing Act 2004
- (ii) To approve the designation of Bevois, Bargate, Portswood and Swaythling wards as being subject to additional licensing, requiring all houses in multiple occupation (HMOs) to be licensed, apart from section 257 HMOs and buildings exempted by Schedule 14 of the Housing Act 2004, to take effect on 1 July 2013 for a period of five years
- (iii) To agree that Cabinet will consider approving a further designation covering the entire City as being subject to additional licensing of houses in multiple occupation from 1 July 2016, subject to an evaluation and further consultation, as appropriate and further decision of Cabinet in due course.

Note: Councillor Williams declared a personal interest and left the meeting for this item.

113. MOBILITY SCOOTER STORAGE POLICY

DECISION MADE: (Ref: CAB 12/13 9840)

On consideration of the report of the Cabinet Member for Housing and Leisure Services, Cabinet agreed that the policy is adopted.

114. CITY CENTRE FORUM

DECISION MADE: (Ref: CAB 12/13 9750)

On consideration of the report of the Leader of the Council, Cabinet agreed that the Director, Environment and Economy be authorised to enter into any necessary arrangements to facilitate and support proposals for the City Centre Forum.

115. SCOUTS PREMISES - FREEHOLD SALES TO SCOUT GROUPS

DECISION MADE: (Ref: CAB 12/13 9694)

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

- (i) To approve the principle of the disposal of the freeholds of the scout premises listed in appendix one to this report to the tenant scout groups
- (ii) To delegate authority to the Senior Manager, Property, Procurement and Contract Management to approve all the disposals of the scout sites for purposes authorised by s.1 Local Government Act 2011 at figures less than best consideration.
- (iii) To delegate authority to the Senior Manager, Property, Procurement and Contract Management after consultation with the Cabinet Member for Resources to approve the detailed disposal terms to the Scout groups and to subsequently negotiate and carry out all ancillary matters to enable disposal of the sites in consultation with the City Services Senior Manager.
- (iv) That the Head of Legal, HR and Democratic Services be authorised to enter into any legal documentation necessary in respect of the sales
- (v) To authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal of those sites held under the Public Health Acts in accordance with Section 123 Local Government Act 1972, and to report any objections to the Cabinet before taking these sites forward.

116. * ESTATE REGENERATION - WESTON LANE SHOPPING PARADE REDEVELOPMENT

DECISION MADE: (Ref: CAB 12/13 9827)

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

- (i) To approve, in accordance with Financial Procedure Rules, the virement of £300,000 in 2014/15 from the Estate Wide Programme to the Weston Shopping Parade Redevelopment Programme.
- (ii) To, approve, in accordance with Financial Procedure Rules, additional expenditure of £300,000 in 2014/5 on the Weston Shopping Parade Redevelopment Programme.
- (iii) To approve, in accordance with Financial Procedure Rules, expenditure of £1,325,000 phased £700,000 in 2013/14, £375,000 in 2014/15 and £250,000 in 2015/16 on the Weston Enabling Works Programme provision for which already exists in the unapproved section of the HRA Capital Programme.
- (iv)
 - (a) To approve the appointment of Bouygues (UK) Limited as preferred bidder for the redevelopment of Weston Lane Shopping Parade site
 - (b) Subject to the Land becoming vacant land and falling within the terms of section 32 of the Housing Act 1985 under General Consent A of the General Housing Consents 2012 to approve the sale of the site at the price set out in the confidential Appendix 2 which is at less than best consideration due to the delivery requirements being imposed on the developer by the Council

- through the proposed development agreement which will create an undervalue.
- (v) To delegate power to the Head of Legal, HR & Democratic Services to amend, finalise and sign the Development Agreement with the preferred bidder for the disposal of the site in accordance with the financial terms outlined in Confidential Appendix 2 (exempt) and to enter into the associated Delivery Partner Panel Framework Agreement.
 - (vi) To delegate authority to the Senior Manager Property, Procurement and Contract Management to:
 - a. Negotiate and acquire by agreement any legal interests or rights held in respect of the parcel of land shown edged red in Appendix 4 not already owned by the Council (being within Weston Lane Shopping Parade site) using such acquisition powers as the Senior Manager Property, Procurement and Contract Management advises;
 - b. To agree the payment of appropriate compensation for the acquisition of the rights and interests in the land to be compulsorily purchased
 - (vii)
 - a. That subject to reasonable attempts to negotiate the acquisition of each of the interests in the areas shown on the map at Appendix 4 having failed, to authorise the Head of Legal, HR & Democratic Services to make a Compulsory Purchase Order to acquire any rights and interests in the land and flats and buildings thereon shown on the attached map in Appendix 4 under section 17 of the Housing Act 1985 for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing.
 - b. To approve the Statement of Reasons for making the Compulsory Purchase Order as set out in Appendix 3 and that power be delegated to the Head of Legal, HR & Democratic Services to make amendments to the statement of reasons as the scheme progresses.
 - (viii) To authorise the Head of Legal, HR & Democratic Services to do anything necessary to give effect to the above recommendations including but not limited to undertaking all procedural steps required to:
 - (a) make, advertise and secure confirmation and implementation of the CPO,
 - (b) Acquire interests in the land either by agreement or compulsorily
 - (c) Enter into agreements with land owners setting out the terms for withdrawal of objections to the Order (to include the payment of compensation), including where appropriate seeking exclusion of land from the Order
 - (d) to represent the Council in any Inquiry into the confirmation of the CPO
 - (ix) To approve (once vacant possession and planning permission has been obtained) the service of a Final Demolition Notice on secure tenants at the estate regeneration site under the provisions of the Housing Act 1985 and the demolition of the buildings and structures on the land edged red in Appendix 4
 - (x) To delegate authority to the Director for Environment and Economy, in consultation with the Senior Manager for Finance to accept, in accordance

with Financial Procedure Rules, any grant funding towards the costs of the redevelopment of the Weston Lane Shopping Parade.

- (xi) To authorise the Manager, Estate Regeneration Projects responsible for managing the Weston Lane Shopping Parade project in consultation with the Planning & Development Manager and the Highways Manager to make the necessary stopping up or diversion applications for orders under the most appropriate legislative powers available to the Council under section 116 of the Highway Act 1980, section 247 or 257 Town & Country Planning Act 1990 in respect of Kingsclere Close, the precinct footpaths/ walkways linking Weston Lane to Kingsclere Avenue and a spur footpath linking to Ashton House all within the Weston Lane Shopping Parade site and identified in the plan at Appendix 4.
- (xii) To authorise the City Parking and Patrol Manager to proceed with the public consultation process for a Traffic Regulation Order under Section 32 of the Road Traffic Regulation Act 1984 Act to close the public car park at Weston Lane Shopping Parade.

Note: Councillor Payne declared a pecuniary interest and left the meeting for this item.

117. PROPOSALS TO EXPAND THREE PRIMARY SCHOOLS IN THE CITY
DECISION MADE (Ref: CAB 12/13 9841)

On consideration of the report of the Head of Infrastructure the Cabinet Member for Children's Services made the following decision:

- (i) To consider and take into account the outcome of statutory consultation as set out in Appendix 1.
- (ii) To approve the implementation of the enlargement of the following two schools from 1 September 2013 (subject to obtaining the necessary planning consents):
 - The enlargement by 30 places (1FE – form of entry) per year group of Bassett Green Primary School, with implementation from 1 September 2013, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 2FE (60 places per year group) to 3FE (90 places per year group), and increasing the net capacity to 630 by September 1 2018. Please note that Bassett Green admitted 90 pupils to year R in September 2012 for one year only. This proposal is to expand the school on a permanent basis.
 - The enlargement by 30 places (1FE – form of entry) per year group of Bevois Town Primary School, with implementation from 1 September 2013, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 1FE (30 places per year group) to 2FE (60 places per year group), and increasing the net capacity to 420 by September 1 2018. Please note that Bevois Town admitted 60 pupils to year R in September 2012 for one year only. This proposal is to expand the school on a permanent basis.

- (iii) To approve the implementation of the enlargement of the following school from 1 September 2014 (subject to obtaining the necessary planning consents):
 - The enlargement by 30 places (1FE – form of entry) per year group of St Johns Primary & Nursery School, with implementation from 1 September 2014, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 1FE (30 places per year group) to 2FE (60 places per year group), and increasing the net capacity to 420 by September 1 2020.
- (iv) To add, in accordance with Financial Procedure Rules, a sum of £1.55 million to the Children’s Services Capital programme, from the ring fenced DfE basic need grant.
- (v) Subject to the approval of Council to add £400,000 to the Bassett Green Primary project on the 13th February, to approve, in accordance with Financial Procedure Rules, capital expenditure of £3.65 million in 2013/14 and £1.3 million in 2014/15 from the Children’s Services Capital Programme for the expansions of:
 - Bassett Green Primary £1.4 million
 - Bevois Town Primary £1.45 million
 - St Johns Primary and Nursery £2.1 million
- (vi) To note that assumptions have been made about the likely level of Basic Need Grant to be awarded in future years. If the final award is less than anticipated any shortfall in funding will need to be met from Council resources

118. PRIMARY SCHOOL DEVELOPMENT - ST MONICA INFANT AND JUNIOR SCHOOLS
 DECISION MADE: (Ref: CAB 12/13 10048)

On consideration of the report of the Senior Manager Children and Young People Strategic Commissioning, Education and Inclusion, the Cabinet Member agreed the following:

Having complied with the requirements of paragraph 15 (General Exception) of the Access to Information Procedure Rules, it is recommended:

- (i) To approve the commencement of six weeks of pre-statutory consultations on a proposal to discontinue St Monica Junior School and expand St Monica Infant School to accommodate 4-11 year olds.
- (ii) To approve the establishment of a steering group for both schools to oversee the consultation on the possibility of transitioning to a primary.
- (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 and Learning, following consultation with the Cabinet Member for Children’s Services, to do anything necessary to give effect to the recommendations in this report.

119. CONCESSIONARY FARES SCHEME 2013/14
DECISION MADE (Ref: CAB 12/13 9712)

On consideration of the report of the Senior Manager Planning, Transport and Sustainability the Cabinet Member for Children's Services made the following decision:

- (i) To approve the scheme in Appendix 1 subject to the calculations in recommendation (ii) below;
- (ii) To reimburse bus operators at 48p in the £ plus 6.9p marginal capacity operating cost per trip and 0.2p per journey administration fee, in accordance with the guidance given by the Department for Transport (DfT) using their reimbursement calculator;
- (iii) To withdraw the issue of local disabled persons bus pass;
- (iv) To retain the ticket types used in the calculation of the average fare to include day tickets, carnet (multi-trip), single and returns as per the guidance issued by the DfT;
- (v) To delegate authority to the Senior Manager Planning, Transport and Sustainability to enter into arrangements with some smaller operators to agree reimbursement at a fixed rate in accordance with the DfT guidance for 2013/14;
- (vi) To delegate authority to the Senior Manager Planning, Transport and Sustainability in consultation with the Executive Director of Corporate Services following consultation with the Cabinet Members for Environment & Transport and Resources to do anything necessary to implement the Concessionary fares Scheme 2013 including but not limited to the service of statutory Notices (including Variation and Participation Notices) and participation in and determination of any appeal against the proposed Concessionary Fares Scheme or reimbursement arrangements for 2013/14.

120. MATTERS REFERRED BY THE COUNCIL OR BY THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE FOR RECONSIDERATION (IF ANY)

Consideration of this item was deferred to a future meeting.