

EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 22 NOVEMBER 2010

Present:

Councillor Smith	-	Leader of the Council
Councillor Moulton	-	Cabinet Member for Resources and Workforce Planning
Councillor Baillie	-	Cabinet Member for Housing
Councillor Dean	-	Cabinet Member for Environment and Transport
Councillor Hannides	-	Cabinet Member for Leisure, Culture and Heritage
Councillor Holmes	-	Cabinet Member for Children's Services and Learning
Councillor P Williams	-	Cabinet Member for Local Services and Community Safety

Apologies: Councillors White

50. RECORD OF THE PREVIOUS DECISION MAKING

The record of the Executive decision making held on 25 October 2010 were received and noted as a correct record.

51. CORPORATE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2010

On consideration of the report of the Cabinet Member for Resources and Workforce Planning summarising the General Fund Revenue financial position for the Authority for the 3 months to the end of the 2nd financial quarter of 2010 and having received representations from a Member of the Council, Cabinet noted that:

- (i) the current General Fund revenue budget monitoring position for the General Fund 2010/11 as at Month 6 (September), which is a forecast over spend at year end of £293,900 against the budget approved by Council on 17th February 2010, as outlined in paragraph 4. This can be compared against the reported over spend at Month 3 of £1,123,600; an improvement of £829,700.
- (ii) the baseline forecast over spend for portfolios is £4,302,200;
- (iii) portfolios continue 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) the Risk Fund includes £3.3M 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 £4.3M. At this stage of the year, it has been prudently assumed that a further draw of £365,500 may be required in 2010/11 and consequently that the Risk Fund will be fully utilised;
- (v) the Revenue Development Fund now totals £3.6M following the allocation of a further £1.3M in 2010/11 to portfolios. At this stage of the year it has been prudently assumed that the remainder of the Fund will be fully utilised, with

- the exception of £450,000. This was earmarked for the Building Schools for the Future Programme which has been halted by the Government;
- (vi) it has been assumed that the contingency of £250,000 will be fully utilised by the end of 2010/11;
 - (vii) the forecast includes an approved carry forward for Central Repairs and Maintenance as agreed by Full Council;
 - (viii) the performance to date with regard to the delivery of the agreed savings proposals approved for 2010/11 as detailed in Appendix 10;
 - (ix) the performance against the financial health indicators detailed in Appendix 11;
 - (x) the performance outlined in the Quarterly Treasury Management Report attached as Appendix 12 and specifically that the indicator relating to the ratio of financing costs to the net revenue stream has been reviewed and amended to 10.0% as outlined in paragraph 16. This amendment will be reflected in the next revision to the Treasury Management Strategy; and
 - (xi) the current HRA budget monitoring position for 2010/11 as at Month 6 (September), which is a forecast under spend at year end of £1,300 against the budget approved by Council on 17th February 2010, as outlined in paragraph 17. This can be compared against the reported over spend at Month 3 of £154,200; an improvement of £152,900.

52. SECOND QUARTER PERFORMANCE MONITORING FOR 2010/11 CORPORATE PLAN

On consideration of the report of the Executive Director for Corporate Policy and Economic Development outlining the progress made at the end of September 2010 (Quarter 2) against the targets and commitments contained within the 2010/11 Corporate Plan Cabinet noted that:

- (i) 68% of Performance Indicators that are the responsibility of the Council and 93% of the Commitments set out in the 2010/11 Corporate Plan are reported to be on target at the end of September 2010; and
- (ii) appropriate actions are in place by the end of December 2010 for all areas where significant variances have been reported, where no targets have been set, or where monitoring information was not available at the end of September 2010.

53. SOUTHAMPTON LOCAL ECONOMIC ASSESSMENT

DECISION MADE: (Ref: CAB 10/11 4951)

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

- (i) To delegate authority to the Executive Director, Corporate Policy and Economic Development following consultation with the Leader of the Council to consult on the draft Local Economic Assessment for Southampton; and
- (ii) To delegate authority to the Executive Director, Corporate Policy and Economic Development following consultation with the Leader of the Council to take any other action necessary to meet the Council's obligations under

the Local Democracy, Economic Development and Construction Act 2009 in respect the duty to produce a Local Economic Assessment (LEA).

54. COURT LEET PRESENTMENTS 2010

DECISION MADE: (Ref: CAB 10/11 4799)

On consideration of the report of the Leader of the Council and having received representations from Members 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.

55. PRIMARY SCHOOL REVIEW: PHASE 2 STATUTORY CONSULTATION

DECISION MADE: (Ref: CAB 10/11 4712)

On consideration of the report of the Cabinet Member for Children's Services and Learning and having received representations from Members of the Council, Cabinet agreed the following modified decision:

1. To note the outcome of the pre-statutory consultation as set out in Appendix 1 of this report.
2. To make the following statutory proposals for changes to primary education in the city by enlarging the following schools in September 2011.
 - (i) The enlargement by 15 places (0.5FE – forms of entry) per year group of Bassett Green Primary School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1.5FE (45 places) to 2FE (60 places) per year group, and increasing the net capacity from 315 to 420 by September 2017.
 - (ii) The enlargement by 30 places (1FE – form of entry) per year group of Glenfield Infant School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 3 years have been expanded. This would have the effect of enlarging the school from 2FE (60 places) to 3FE (90 places) per year group, and increasing the net capacity from 179 to 270 by September 2013.
 - (iii) The enlargement by 10 places (0.33FE – forms of entry) per year group of Highfield CE Primary School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1.16FE (35 places) to 1.5FE (45 places) per year group, and increasing the net capacity from 233 to 315 by September 2017. This enlargement would be carried out in conjunction with the CE diocese of Winchester.

- (iv) The enlargement by 15 places (0.5FE – forms of entry) per year group of Kaneshill Primary School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1.5FE (45 places) to 2FE (60 places) per year group, and increasing the net capacity from 315 to 420 by September 2017.
 - (v) The enlargement by 30 places (1FE – forms of entry) per year group of Moorlands Primary School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1FE (30 places) to 2FE (60 places) per year group, and increasing the net capacity from 210 to 420 by September 2017.
 - (vi) The enlargement by 30 places (1FE – forms of entry) per year group of Shirley Warren Primary School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1FE (30 places) to 2FE (60 places) per year group, and increasing the net capacity from 210 to 420 by September 2017.
3. To make the following statutory proposals for changes to primary education in the city by enlarging the following schools in September 2012.
- (i) To revoke the proposals approved by Southampton City Council on 9th July 2009 to change Banister Infant School (Community School) Banister Gardens, Westrow Road, Southampton, SO15 2LX from an infant and nursery school to become an all through primary school by changing the age range of pupils to be admitted from 3-7 year olds to 3-11 year olds from September 2013 increasing the size of the school from 135 pupils to 315 pupils by September 2016. Instead, the following alterations will be made to Banister Infant School (Community School) Banister Gardens, Westrow Road, Southampton, SO15 2LX from 1st September 2012. To increase admissions to Banister Infant School by admitting a further 15 pupils to Year R (age 4) from September 2012 and continuing each school year until all years have been expanded and from 1st September 2013 to change Banister Infant School from an infant and nursery school to become an all through primary school by changing the age range of pupils to be admitted from 3-7 year olds to 3-11 year olds. In order to achieve the change of age range up to 60 pupils will be permitted to transfer from Year 2 (age 6) to Year 3 (age 7) or be admitted as casual vacancies to Year 3 (age 7) from September 2013 and in subsequent school years. This will have the effect of enlarging the school from 162 places to 420 places by September 2018. The current net capacity of the school is 162 (excluding the nursery) and the proposed net capacity will be 420 statutory school age places. The current number of pupils registered at the school is 130 (excluding the nursery). The current admissions number is 45 and the proposed admission number will be 60.
 - (ii) The enlargement by 30 places (1FE – form of entry) per year group of Fairisle Infant School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 3 years have been expanded. This would have the effect of enlarging the

- school from 3FE (90 places) to 4FE (120 places) per year group, and increasing the net capacity from 270 to 360 by September 2014.
- (iii) The enlargement by 30 places (1FE – form of entry) per year group of Fairisle Junior School, with implementation from 1 September 2015, beginning with Year 3 and continuing incrementally until all 4 years have been expanded. This would have the effect of enlarging the school from 3FE (90 places) to 4FE (120 places) per year group, and increasing the net capacity from 360 to 480 by September 2018. This proposal is to be treated as linked to 3(ii) above.
 - (iv) The enlargement by 15 places (0.5FE – forms of entry) per year group of Harefield Primary School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1.5FE (45 places) to 2FE (60 places) per year group, and increasing the net capacity from 315 to 420 by September 2017.
 - (v) The enlargement by 30 places (1FE – form of entry) per year group of Tanners Brook Infant School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 3 years have been expanded. This would have the effect of enlarging the school from 3FE (90 places) to 4FE (120 places) per year group, and increasing the net capacity from 270 to 360 by September 2014.
 - (vi) The enlargement by 30 places (1FE – form of entry) per year group of Tanners Brook Junior School, with implementation from 1 September 2015, beginning with Year 3 and continuing incrementally until all 4 years have been expanded. This would have the effect of enlarging the school from 3FE (90 places) to 4FE (120 places) per year group, and increasing the net capacity from 360 to 480 by September 2018. This proposal is to be treated as linked to 3(v) above.
 - (vii) The enlargement by 30 places (1FE – form of entry) per year group of Valentine Infant School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 3 years have been expanded. This would have the effect of enlarging the school from 3FE (90 places) to 4FE (120 places) per year group, and increasing the net capacity from 270 to 360 by September 2014.
 - (viii) Linked to this is the enlargement by 30 places (1FE – form of entry) per year group of Heathfield Junior School, with implementation from 1 September 2015, beginning with Year 3 and continuing incrementally until all 4 years have been expanded. This would have the effect of enlarging the school from 3FE (90 places) to 4FE (120 places) per year group, and increasing the net capacity from 359 to 480 by September 2018. This proposal is to be treated as linked to 3(vii) above.
 - (ix) The enlargement by 30 places (1FE – form of entry) per year group of Sholing Infant School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 3 years have been expanded. This would have the effect of enlarging the school from 2FE (60 places) to 3FE (90 places) per year group, and increasing the net capacity from 174 to 270 by September 2014.
 - (x) Linked to this is the enlargement by 30 places (1FE – form of entry) per year group of Sholing Junior School, with implementation from 1 September 2015, beginning with Year 3 and continuing incrementally until all 4 years have been expanded. This would have the effect of

- enlarging the school from 2FE (60 places) to 3FE (120 places) per year group, and increasing the net capacity from 239 to 360 by September 2018. This proposal is to be treated as linked to 3(ix) above.
- (xi) The enlargement by 15 places (0.5FE – forms of entry) per year group of St Patrick’s Catholic Primary School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1.5FE (45 places) to 2FE (60 places) per year group, and increasing the net capacity from 315 to 420 by September 2017. This enlargement would be carried out in conjunction with the RC diocese of Portsmouth.
 - (xii) The enlargement by 30 places (1FE – forms of entry) per year group of St Mark’s CE Primary School, with implementation from 1 September 2012, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 2FE (60 places) to 3FE (90 places) per year group, and increasing the net capacity from 459 to 630 by September 2017. This enlargement would be carried out in conjunction with the CE diocese of Winchester.
4. To note enlargements to the following schools which do not need statutory proposals, but will be actioned through the annual admissions process in due course.
- (i) The enlargement by 30 places (1FE – form of entry) per year group of Beechwood Junior School, with implementation from 1 September 2014, beginning with Year 3 and continuing incrementally until all 4 years have been expanded. This would have the effect of enlarging the school from 2FE (60 places) to 3FE (90 places) per year group, and increasing the net capacity from 311 to 360 by September 2017. This proposal is to be treated as linked to 2(ii) above.
 - (ii) The enlargement by 30 places (1FE – forms of entry) per year group of Mansel Park Primary School, with implementation from 1 September 2011, beginning with Year R and continuing incrementally until all 7 years have been expanded. This would have the effect of enlarging the school from 1FE (30 places) to 2FE (60 places) per year group, and increasing the net capacity from 358 to 420 by September 2017.
5. To delegate authority to the executive Director of Children’s Services & Learning, following consultation with the Cabinet Member for Children’s Services & Learning to do anything necessary to give effect to the recommendations in this report.
6. To delegate authority to the executive Director for Children’s Services & Learning in consultation with the Solicitor to the Council to take any action necessary to comply with the requirements of the Schools Standards & Frameworks Act 1998 and associated legislation, including but not limited to the publication of Statutory Notices and compliance with statutory representation procedures, to give effect to the recommendations in this report.

56. ESTATE REGENERATION PROGRAMME

DECISION MADE: (Ref CAB 10/11 4068)

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

- (i) To delegate to the Solicitor to the Council to amend, finalise and sign the Development Agreements with the preferred developers for each of the three sites within Phase 2 Estate Regeneration Programme with the respective preferred bidders comprising:
 - (a) Lot 1 Exford Avenue Shopping Parade: Lovell Partnerships Limited /First Wessex Housing Association.
 - (b) Lot 3 Laxton Close: Lovell Partnerships Limited /First Wessex Housing Association.
 - (c) Lot 4 Meggeson Avenue: Lovell Partnerships Limited/First Wessex Housing Association.
- (ii) Lot 2 Cumbrian Way: Not to award.
- (iii) Delegate authority to the Head of Property and Procurement to negotiate and agree the purchase of each of the parcels of land shown edged red on Appendices 1 – 3 (being Exford Avenue Shopping Parade, 222-252 Meggeson Avenue and 5 – 92 Laxton Close)
- (iv) (a) That subject to reasonable attempts to negotiate the acquisition of each of the parcels of land referred to in paragraph 3 above respectively having failed, that the Solicitor to the Council be authorised to make Compulsory Purchase Orders to acquire those relevant parcels of land and any necessary rights for the following parcels of land, all being within the Council's Phase 2 Estate Regeneration Programme:
 - 1. Exford Avenue Shopping Parade as shown edged red on the map in Appendix 1.
 - 2. 222-252 Meggeson Avenue as shown edged red on the map in Appendix 2.
 - 3. 5 – 92 Laxton Close as shown edged red on the map in Appendix 3.under Section 226(1) (a) Town & Country Planning Act 1990 for the purpose of facilitating the carrying out of redevelopment and improvement of the land.
- (b) The Solicitor to the Council be authorised to approve the basis of each Statement of Reasons for making the Compulsory Purchase Orders as set out in Appendices 4 to 6.
- (v) The Solicitor to the Council be authorised to:
 - (a) To make, advertise and secure confirmation and implementation of the Compulsory Purchase Orders referred to in paragraph 3(a) above.
 - (b) To acquire interests in or rights over the land shown edged red on Appendices 1 - 3 either by agreement or compulsorily.
 - (c) To amend all or any of the Statements of Reasons referred to in paragraph 4(b) above as required.
 - (d) To approve agreements with land owners setting out the terms for withdrawal of any objections to any of the Compulsory Purchase Orders (to include payment of compensation), including where appropriate seeking exclusion of land from any Order.

- (e) To approve (once vacant possession and planning permission has been obtained) the service of a Final Demolition Notice and the demolition of the buildings and structures on the land edged red in Appendices 1 to 3.

57. THE DISPOSAL OF LAND AT BROADLANDS ROAD AND RE-PROVISION OF ALLOTMENTS AT BRICKFIELD ROAD

DECISION MADE: (Ref: CAB 10/11 4932)

On consideration of the report of the Cabinet Member for Resources and Workforce Planning, representations from local allotment holders, residents and Members of the Council, Cabinet agreed the following:

- (i) To approve in principle the sale terms of the Broadlands Road allotment site to Southampton University, subject to Secretary of State Consent.
- (ii) To approve the conversion of the land at Brickfield Road into replacement allotment plots, subject to Planning Approval.
- (iii) To delegate authority to Head of Property and Procurement after consultation with the Executive Director for Neighbourhoods to take any such action as considered necessary to facilitate the conversion of the Brickfield Road site into allotments and for the disposal of the Broadlands Road site.