

EXECUTIVE DECISION MAKING
RECORD OF THE DECISION MAKING HELD ON 23rd NOVEMBER 2009

Present:

Councillor Samuels	-	Leader of the Council (except item 90)
Councillor White	-	Adult social Care and Health
Councillor Holmes	-	Children's Services (except item 90)
Councillor Smith	-	Economic Development (except item 90, 107 and 112)
Councillor Dean	-	Environment and Transport (except item 110 and 112))
Councillor Williams	-	Housing and Local Services
Councillor Hannides	-	Leisure, Culture and Heritage (except item 90)
Councillor Moulton	-	Resources and Workforce Planning (except item 90, 105, 106 and 112)
Councillor Walker	-	Safeguarding Children

Apologies: Councillor Matthews

TRAFFIC REGULATION ORDER
COUNCILLOR DEAN, CHAIRMAN

90. PROPOSED RESIDENTS' PARKING SCHEME, KINGSLAND ESTATE (TRO)

DECISION MADE: (Ref: CAB081 – 11/2009)

On consideration of the report of the Head of Highways and Parking Services concerning objections received during public consultations on a scheme to introduce a Residents' Parking Scheme in the car park within Kingsland Estate, and having heard from registered objectors at the meeting the decision-maker made the following decision:-

- (i) To approve the introduction of Residents' Parking Scheme in the car park on Kingsland Estate subject to a review within one year of date of adoption.

Reason for the Decision:

Having considered the objections, Cabinet noted the points raised in relation to the cost of parking, the permit system proposed, the deterrent issue ie non permit users of the car park as well as the concerns expressed about the inflexibility of the scheme. However, Members were satisfied that the proposals were in accordance with the Council's approved parking policy, that the improvements to the car parking facilities to residents outweighed any disbenefits and that the charging and permit proposals were fair and reasonable in the circumstances.

COUNCILLOR SAMUELS, CHAIRMAN

91. STATEMENT FROM THE LEADER

(a) Hampshire SENATE

The Leader reported that he had joined the Hampshire SENATE the purpose of which was to bring together Council Leaders within Hampshire meeting to consider matters of common concern and improved joint working.

(b) Closure of Care Homes

The Leader reported that the Judicial Review process had reached an end by the Judge dismissing the issues bringing to an end a period of anxiety and concern.

92. RECORD OF THE PREVIOUS DECISION MAKING

The record of the Executive decision making held on 26th October 2009 were received and noted as a correct record.

93. REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEE:

(a) Children's Annual Performance Assessment Scrutiny Inquiry

On consideration of the report of the Chair of Children and Young People Scrutiny Panel detailing recommendations made by the Panel the decision-maker made the following decision:

- (i) To receive the inquiry report on the Children's Annual Performance Assessment to enable the Executive to formulate its response to the recommendations contained within it, in order to comply with the requirements set out in the Council's Constitution.

(b) Enforcement Review Scrutiny Inquiry

On consideration of the report of the Chair of the Safer Communities Scrutiny Panel detailing recommendations made by the Panel the decision-maker made the following decision:

- (i) To receive the inquiry report on the Enforcement Review Inquiry to enable the Executive to formulate its response to the recommendations contained within it, in order to comply with the requirements set out in the Council's Constitution.

94. EXECUTIVE APPOINTMENTS

Cabinet agreed to appoint Councillor Smith to the Royal British Legion (Hampshire).

MONITORING REPORTS

95. 2ND QUARTER BUDGET AND PERFORMANCE MONITORING FOR 2009/10

On consideration of the report of the Assistant Chief Executive (Strategy) and the Executive Director of Resources detailing the General Fund revenue financial position for the Authority for the 6 months to the end of September 2009 the decision-maker made the following decision:

- (i) To note the current General Fund revenue budget monitoring position for 2009/10 as at Month 6 (September), which is a forecast under spend at year end of £469,700 against the budget approved by Council on 18th February 2009, as detailed in Appendix 1.
- (ii) To note that the baseline forecast over spend for portfolios is £4,539,800.
- (iii) To note that Portfolios have identified remedial action to the value of £972,300, and that specific action plans have been requested from Children's Services, Adult Social Care and Health and Environment and Transport.
- (iv) To note that the Risk Fund totals £4.3M, and that the estimated draw at Month 6 is £2,887,200 to cover expenditure which is included within the baseline forecast portfolio over spend of £4,539,800. At this stage of the year, it has been prudently assumed that a further draw of £897,300 may be required in 2009/10 which will result in an overall forecast favourable variance on the Risk Fund of £0.5M.
- (v) To note that the Revenue Development Fund now totals £3.1M following the allocation of £1,436,000 in the first 6 months of 2009/10 to Portfolios. At this stage of the year it has been prudently assumed that the Fund will be fully utilised in 2009/10 with the exception of £200,000 which was to fund the local Council Tax discount.
- (vi) To note that it has been assumed that the contingency of £50,000 will be fully utilised by the end of 2009/10 and that the forecast currently highlights an over spend of £200,000 in the light of the economic climate.
- (vii) To approve an increase of £200,000 to bring the contingency up to £250,000. This increase is to be funded from the forecast under spend on the local Council Tax discount.
- (viii) To note the forecast includes an approved carry forward for Central Repairs and Maintenance as agreed by Full Council.
- (ix) To note the addition of £1.0M to the Interest Equalisation Reserve from the savings achieved as a result of debt restructuring as approved by Council on 18th February 2009.
- (x) To note the performance to date with regard to the delivery of the agreed savings proposals approved for 2009/10 and detailed in Appendix 3.
- (xi) To note the performance against the financial health indicators detailed in Appendix 4.
- (xii) To note that 69% of the Performance Indicators that are the responsibility of the council and 86% of the Commitments set out in the 2009/10 Corporate Improvement Plan are reported to be on target at the end of September 2009.
- (xiii) To ensure that appropriate action plans are in place by the end of November 2009 for all areas where significant variances have been reported in the 2nd Quarter and for those indicators where there are no targets set or information available on performance.

96. CORPORATE FINANCIAL GENERAL FUND CAPITAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2009

On consideration of the report of the Cabinet Member for Resources and Workforce Planning detailing the General Fund capital financial position for the Authority for the 6 months to the end of September 2009 the decision-maker

made the following decision:

- (i) To note the current General Fund capital budget monitoring position for 2009/10 as at Period 6 (September), which is an in-year under spend of £2,224,400 of which £2,100,000 is slippage.
- (ii) To note the current General Fund capital budget monitoring position for the overall programme which is a forecast under spend for all schemes of £154,400.
- (iii) To note the action plans in place, where applicable, to ensure capital expenditure remains within allocated budgets.

97. HOUSING REVENUE ACCOUNT REVENUE MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2009

On consideration of the report of the Cabinet Member for Housing and Local Services detailing the revenue financial position for the Housing Revenue Account for the 6 months to the end of September 2009 the decision-maker made the following decision:

- (i) To note the current Housing Revenue Account revenue budget monitoring position for 2009/10 for the 6 months as at period 6 (September).

DECISIONS BY CABINET

98. THE FUTURE STRUCTURE AND FUNCTION OF THE COUNCIL'S OWN HOME CARE SERVICES

DECISION MADE: (Ref: CAB066 - 11/2009)

On consideration of the report of the Cabinet Member for Member for Adult Social Care and Health seeking approval to make a decision on the future of the Council's own home care service organisation's roles and functions the decision-maker made the following decision:-

- (i) To approve the development of the Council's own home care services as a first response rehabilitation and re-ablement service for people needing home care support.
- (ii) To determine that all elements of this service will not attract a charge to the service users.
- (iii) To delegate authority to the Executive Director of Adult Social Care and Health, following consultation with the Cabinet Member for Adult Social Care and Health and the Solicitor to the Council, to implement these developments.

99. RENEWAL OF AGREEMENT WITH HAMPSHIRE PARTNERSHIP FOUNDATION TRUST FOR PROVISION OF INTEGRATED MENTAL HEALTH SERVICES

DECISION MADE: (Ref: CAB067 - 11/2009)

On consideration of the report of the Cabinet Member for Member for Adult Social Care and Health seeking approval to renew the Partnership Agreement between Southampton City Council and Hampshire Partnership Foundation Trust the decision-maker made the following decision:-

- (i) To enter into a partnership agreement between Southampton City Council and Hampshire Partnership Foundation Trust upon such terms as the Solicitor to the Council considers reasonable under Section 75 of the National Health Services Act 2006 to continue to deliver integrated Mental Health Services for a period of two (2) years from 1st April 2010 to 31st March 2012.
- (ii) To delegate authority to the Executive Director of Health and Adult Social Care, following consultation with the Cabinet Member for Adult Social Care and Health, to continue to oversee the role of the Partnership Board which shall govern the arrangements.

100. FUTURE CONFIGURATION OF ADULT SOCIAL CARE AND HEALTH IN SOUTHAMPTON

DECISION MADE: (Ref: CAB068 - 11/2009)

On consideration of the report of the Cabinet Member for Adult Social Care and Health seeking approval to implement the findings of a review of management and future service commissioning arrangements for the Adult Social Care and Health Directorate, the decision-maker made the following decision:-

- (i) That NHS Southampton City and the Council enter into appropriate arrangements, the details of which:
 - In Southampton City Council be delegated to the Chief Executive after consultation with the relevant Cabinet Member, Executive Director of Resources and Solicitor to the Council,
 - In NHS Southampton City are delegated to the Chief Executive from the Board,to agree closer alignment of their health and social care commissioning arrangements and associated budget responsibilities (Phase 1).
- (ii) That the above arrangements are entered into in anticipation that a recommendation about Phase 2, which will involve moving to fully integrated commissioning, pooled budgets and a single responsible Executive Director across both organisations will be considered formally by both NHS Southampton City Board and the Council no later than September 2011, and if that is approved to implement Phase 2 no later than April 2012.
- (iii) To delegate authority to the Executive Member for Adult Social Care and Health all decisions with regard to matters concerning the Adult Social Care and Health portfolio that fall to be considered by the proposed Joint Strategic Board.
- (iv) To authorise the Chief Executive, Executive Director of Resources and the Solicitor to the Council to undertake any such actions as considered necessary to implement these matters.

101. BUILDING SCHOOLS FOR THE FUTURE - APPROVAL OF STRATEGY FOR CHANGE PART 2

DECISION MADE: (Ref: CAB069 - 11/2009)

On consideration of the report of the Cabinet Member for Children's Services seeking approval for the Strategy for Change Part 2 and grants all necessary delegations to officers to carry out all preparatory work necessary towards submission of Outline Business Case the decision-maker made the following decision:-

- (i) To delegate authority to the Building Schools for the Future and Academies Project Director, following consultation with the Cabinet Member for Children's Services, to amend, finalise and submit the Strategy for Change Part 2, to Partnerships for Schools.
- (ii) Subject to relevant financial approvals required from Council, to delegate authority to the Executive Director, Children's Services and Learning following consultation with the Solicitor to the Council, Executive Director of Resources and the Cabinet Member for Children's Services to take any necessary steps to prepare, finalise and submit the Outline Business Case, to Partnerships for Schools.
- (iii) Subject to relevant financial approvals required from Council, to delegate authority to the Executive Director of Resources as the Council's Section 151 Officer to agree the Council's formal response and commitment on affordability in such form as required in order to submit OBC and obtain all necessary project approvals.
- (iv) To delegate authority to the Executive Director Children's Services and Learning to submit all necessary planning applications for the following schools sites to be included within the BSF programme: Bitterne Park School Chamberlayne College for the Arts St George VA Catholic College The Sholing Technology College Upper Shirley High School, together with such other schools sites as may be necessary in order to finalise the schools to be included within the Building Schools for the Future programme and submit the Outline Business Case.
- (v) To delegate authority to the Executive Director of Children's Services and Learning, to approve final sample school selection, subject to necessary planning approvals, site surveys and feasibility studies.
- (vi) To delegate authority to the Executive Director Children's Services and Learning in consultation with the Solicitor to the Council and Executive Director of Resources and following consultation with the Cabinet Member for Children's Services, to undertake the procurement of the Wave 6a Building Schools for the Future programme in accordance with national and EU procurement legislation by such procurement route as is deemed to be legally most appropriate. Such delegation to include any and all procurement decisions necessary up to and including selection of preferred bidder.
- (vii) To note that a further report will be brought forward in due course seeking to approve formal award of contract, financial and contractual close and seeking all outstanding delegated authorities including authority for the Council's Monitoring officer to enter into any necessary contract Act certificate under the Local Government (Contracts) Act 1997 to confirm the Council has the requisite powers to enter into the BSF contracts

- (viii) To delegate authority to the Building Schools for the Future and Academies Project Director, to be a signatory on any required license in order to authorise use of land outside of Southampton City Council ownership.
- (ix) To delegate authority to the Head of Property and Procurement to acquire or dispose of any interest in land to be used/developed in connection with school sites or otherwise as required in order to progress the Building Schools for the Future programme.

102. AIR QUALITY ACTION PLAN 2009

DECISION MADE: (Ref: CAB070 - 11/2009)

On consideration of the report of the Cabinet Member for Environment and Transport seeking approval of a revised Air Quality Action Plan the decision-maker made the following decision:-

- (i) To approve adoption of the Air Quality Action Plan and its subsequent submission to DEFRA.
- (ii) To delegate authority to the Head of Planning and Sustainability following consultation with the Cabinet member for Environment and Transport to make any minor amendments necessary to the Air Quality Action Plan to give effect to issues arising out of Cabinet and any further consultation prior to it's submission to DEFRA.

103. DOCK GATE 20 DEPOT DEVELOPMENT

DECISION MADE: (Ref: CAB071 - 11/2009)

On consideration of the report of the Cabinet Member for Environment and Transport seeking approval following the purchase of land at Dock Gate 20 for the development of a new depot and recycling park the decision-maker made the following decision:-

- (i) To note that Dock Gate 20 is the main site for the relocation of services from the Town Depot and that the estimated cost of purchasing land and buildings, construction and relocation of services is expected to be £13.6 million.
- (ii) In accordance with Financial Procedure Rules, to approve spend of £10.84 million to carry out the construction of a new depot on the site at Dock Gate 20; to be phased £0.7m in 2009/10, £6.6million in 2010/11 and £3.54 million in 2011/12.
- (iii) In accordance with Financial Procedure Rules to approve spend of £250,000 to facilitate the relocation of the Neighbourhoods Services Management team to Red Lodge and to move this budget from the Environment and Transport Portfolio Capital Programme to the Neighbourhoods Capital Programme in 2010/11.
- (iv) To delegate authority to the Executive Director of Environment following consultation with the Cabinet Member for Environment and Transport to agree amendments to the scheme which will reduce costs or improve the final operation of the development; provided the amendments are retained within the overall £13.6 million cost envelope.
- (v) To note that delegated powers were exercised by the Head of Property and Procurement to purchase a warehouse in First Avenue at a cost of £370,600.

- (vi) To note that costs for the relocation of Building Contracts and Stores will be funded by the Housing Revenue Account (HRA) and will be the subject of a separate report to Cabinet.

104. REVIEW OF THE PLANNING DEVELOPMENT CONTROL SERVICE:
INTRODUCTION OF CHARGEABLE PRE-APPLICATION ADVICE SCHEME

DECISION MADE: (Ref: CAB072 - 11/2009)

On consideration of the report of the Cabinet Member for Environment and Transport seeking approval in respect of the principles of an improved chargeable pre-application advice scheme the decision-maker made the following decision:-

- (i) To agree the proposed chargeable pre-application advice scheme, including the charges and scope of the scheme, as set out in the schedule in Appendix 1;
- (ii) To agree the exemptions from pre-application charging, as set out in the report; and
- (iii) That the Head of Division for Planning and Sustainability, in consultation with the Solicitor to the Council, be given delegated authority to undertake the actions required to implement the scheme and to adjust fees to ensure that the scheme responds flexibly to market conditions and that charges do not exceed the cost of service provision.

105. CONCESSIONARY FARES SCHEME 2010/11

DECISION MADE: (Ref: CAB073 - 11/2009)

On consideration of the report of the Cabinet Member for Environment and Transport seeking approval to the terms of the Council's concessionary travel scheme that are proposed to apply from 1 April 2010 the decision-maker made the following decision:-

- (i) To agree the Southampton City Concessionary Scheme from 1 April 2010 and agree to retain the current concessions, as follows:
 - (a) free travel at any time for registered blind residents of Southampton;
 - (b) for all other Southampton passes, free travel between 0900 -midnight Mondays to Fridays and any time at weekends and bank holidays;
 - (c) to continue to provide a local pass for those disabled residents of Southampton who meet the relevant criteria;
 - (d) for all other non-Southampton English National Concession passes, free travel valid between 0930 and 2300 Monday to Friday and anytime at weekends and bank holidays; and
- (ii) To revise the proof of eligibility for companion passes for those pass holders who are unable to travel alone to ensure the need is targeted.
- (iii) To reimburse bus operators at 41.2%.
- (iv) To delegate authority to the Executive Director of Environment following consultation with the Solicitor to the Council to do anything necessary to give effect to the report recommendations including (but not limited to) taking all necessary decisions relating to the statutory consultation process required in accordance with the legislation to introduce an amended 2010 scheme.

106. SOUTHAMPTON CENTRAL STATION IMPROVEMENT

DECISION MADE: (Ref: CAB074 - 11/2009)

On consideration of the report of the Cabinet Member for Environment and Transport seeking approval to identify £800,000 of funding towards a £2.5m scheme to improve the south side passenger facilities at the station the decision-maker made the following decision:-

- (i) To approve capital expenditure of £800,000, phased £50,000 in 2009/10, £375,000 in 2010/11 and £375,000 in 2011/12 in the form of a grant to South West Trains towards the cost of an improvement programme of £2.4M to Southampton Central station.
- (ii) To delegate to the Director of Environment, in consultation with Committee, authority to enter into an agreement relating to financial assistance with South West Trains and allocate and apportion strategic section 106 or local transport plan funding in accordance with managing the capital programme.

107. REVIEW OF GRANTS TO VOLUNTARY ORGANISATIONS

DECISION MADE: (Ref: CAB075 - 11/2009)

On consideration of the report of the Cabinet Member for Housing and Local Services giving the outcome of the 12 week consultation, seeking final approval for the 'in principle' recommendations of the Review of Grants to Voluntary Organisations report approved by Cabinet on 27th July 2009 the decision-maker made the following decision:-

- (i) To approve, in addition to the Council's 6 priorities, the Grants Criteria attached at Appendix 1 as a basis for allocating grants in 2010/11 and beyond.
- (ii) To approve the principle that in future unallocated grants budgets are used to fund non-recurring, one-off projects and initiatives for discrete periods of time and that only in exceptional circumstances will consideration be given to repeat funding.
- (iii) To approve that in future the annual revenue grants scheme will be advertised and new applications encouraged.
- (iv) To approve that where appropriate and for a limited number of organisations the council enters into Three Year Grant Funding Agreements from 2011/12.
- (v) To approve the continued use of grants as well as contracts to fund voluntary organisations and the use of the Grant Flowchart attached at Appendix 2 as a guide for officers to determine the most appropriate route.
- (vi) To approve the establishment of a centrally administered single corporate grants budget including all reserves and small grants schemes from 2010/11.
- (vii) To approve the following monitoring regime and grant payment instalments
 - Grants quarterly and paid in four quarterly instalments in advance
 - Grants £5,000-£50,000 monitored twice a year and paid in two instalments in advance
 - Grants under £5,000 monitored annually and paid in one instalment in advance
- (viii) To approve the delegation of authority to the Executive Director of

Neighbourhoods:

- following consultation with the Cabinet Member for Housing and Local Services to carry out such further consultation as may be necessary to inform the Council's decision making process in June 2010 and to take any further action necessary to effect the recommendations and actions arising from the review.
 - in consultation with any other relevant Portfolio Directors and following consultation with the relevant Cabinet Members for the affected portfolios to transfer any residual amounts between portfolios.
- (ix) To approve that the Workers Education Association 2010/11 continuation grant is increased from one quarter (£1,530) to one-third (£2,040).

108. LOCAL AUTHORITY 'NEW BUILD' SCHEME APPROVAL

DECISION MADE: (Ref: CAB076 - 11/2009)

On consideration of the report of the Cabinet Member for Housing and Local Services seeking approval to accept a grant award from the Housing and Communities Agency (HCA) and to approve expenditure on this capital scheme in accordance with the Council's Financial Procedure Rules the decision-maker made the following decision:-

Subject to DCLG approval that the proposed new dwellings will be outside the HRA subsidy system:

- (i) To accept the grant sum of £2,338,000 from the Homes and Communities Agency (HCA) to build new Council homes under the LA New Build scheme on 6 sites in the city at:-
- Borrowdale Road
 - Flamborough Close
 - Keynsham Road
 - Orpen Road
 - Pennine Road
 - Grateley Close.
- (ii) To approve, in accordance with Financial Procedure Rules, overall capital expenditure of £4,722,000 within the Housing Revenue Account Capital Programme for 2010-2011 for the following LA New Build schemes:-
Borrowdale Road £823,577 Flamborough Close £467,377 Keynsham Road £902,950 Orpen Road £772,419 Pennine Road £444,353 Grateley Close £1,311,005
- (iii) To delegate authority to the Executive Director of Neighbourhood, following consultation with the Cabinet Member for Housing and Local Services and Chief Financial Officer, to undertake all necessary actions to achieve the proposals within the Report, such as entering into the HCA grant contract, all consequential contracts, and rent setting for the new homes.
- (iv) To note that another funding bid to build more new Council homes was made to the HCA in October 2009, and that a further report will be submitted to the Cabinet meeting scheduled for the 15th of February 2010 if the bid is successful.

109. COURT LEET PRESENTMENTS 2009

DECISION MADE: (Ref: CAB077 - 11/2009)

On consideration of the report of the Leader of the Council bringing to the Executive's attention the Presentments accepted by Court Leet, the action taken to date and to identify Lead Officers and members for future actions, having also received a deputation from a Presenter requesting an amendment, the decision-maker made the following modified decision:-

- (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.
- (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.

NOTE: Other relevant matters – presentment 16 – Riverside Park – Zebra Crossing initial officer response be amended as follows:

Second sentence delete 'controlled' crossing and replace with 'zebra' crossing.

110. SEA CITY MUSEUM PROJECT

DECISION MADE: (Ref: CAB078 - 11/2009)

On consideration of the report of the Cabinet Member for Leisure, Culture and Heritage seeking approval to submit the bid to the Heritage Lottery Fund (HLF) and to continue to develop the project until a decision is made on the submission in March 2010 the decision-maker made the following decision:-

- (i) That, in accordance with finance procedure rules, Cabinet approve the increase in the total spend on the development of this scheme by £375,000.

111. HIGHTOWN YOUTH CENTRE – SALE TO PLUS YOU LIMITED (Successor Body to the Thornhill Plus You NDC Partnership)

DECISION MADE: (Ref: CAB079 - 11/2009)

On consideration of the report of the Cabinet Member for Resources and Workforce Planning detailing the proposal to sell the Hightown Youth Centre to Thornhill Plus You with an asset when the current NDC programme ends the decision-maker made the following decision:-

Subject to approval by the Government Office for the South East (GOSE):

- (i) That the sale of Hightown Youth Centre to Plus You Limited (PYL) with a disposal transaction value of £215,000 be approved.
- (ii) That future use of the building is secured for Early Years and Youth Services as set out in the report, including a binding agreement in relation to the proposed Early Years provision.
- (iii) To delegate authority to the Head of Property and Procurement to agree the final terms of sale.

112. CUSTOMS HOUSE DECLARATION PROCEEDINGS

DECISION MADE: (Ref: CAB080 – 11.2009)

On consideration of the report of the Cabinet Member for Housing and Local

Services in relation to Customs House the decision-maker made the decision in accordance with recommendations set out in the confidential report.

INDIVIDUAL CABINET MEMBER DECISIONS

113. REDEVELOPMENT OF THE FORMER TYRRELL AND GREEN DEPARTMENT STORE
DECISION MADE: (Ref: CAB081 - 11/2009)

On consideration of the report of the Head of City Development and Economy to agree the principle terms of the development agreement with Grosvenor and any associated documentation necessary to progress the selected developer proposal and the implementation of the art complex project, the decision-maker made the following decision:

- (i) To delegate authority to the Head of City Development and Economy authority to proceed to enter into the necessary documentation (including all leases relating to the development and art complex) to facilitate the delivery of the Grosvenor proposal. The agreement with Grosvenor will be conditional upon the Council entering into a funding agreement with the Arts Council and in line with the financial information provided in Confidential Appendices 1a and 1b of the original 7th September 2009 Cabinet report.