

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE EXECUTIVE – 10 JANUARY 2012

SUBMITTED TO THE COUNCIL MEETING – 21 FEBRUARY 2012

(To be read in conjunction with the Agenda for the Meeting)

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| * Cllr Robert Knowles (Chairman) | Cllr Stephen O’Grady |
| * Cllr Mike Band (Vice-Chairman) | * Cllr Julia Potts |
| * Cllr Carole King | * Cllr Stefan Reynolds |
| * Cllr Bryn Morgan | * Cllr Adam Taylor-Smith |
| * Cllr David Munro | * Cllr Keith Webster |
- * Present

Cllrs Jim Edwards and Peter Isherwood were also in attendance
Cllr Diane James attended and spoke on Agenda Items 9, 10, 11 and 16 (Minute Nos. 121, 126, 127 and 122 relate)

117. MEMBERSHIP OF THE EXECUTIVE

The Chairman announced that, following a recent period of ill-health, Cllr Roger Steel had resigned from the Executive as Portfolio Holder for Leisure and Culture. In accordance with the Constitution, as Leader of the Council, he had appointed Cllr Julia Potts as his replacement and her portfolio would include Leisure, Culture and Young People. Cllr Stephen O’Grady’s portfolio would be slightly revised to lose Young People but gain Parks and Playgrounds. The Executive welcomed Cllr Potts to the meeting.

118. MINUTES (Agenda Item 2)

The Minutes of the Meeting of the Executive held on 29 November 2011 were confirmed and signed.

119. APOLOGY FOR ABSENCE (Agenda Item 3)

An apology for absence was received from Cllr Stephen O’Grady.

120. DISCLOSURE OF INTERESTS (Agenda Item 4)

There were no interests raised under this heading.

Part I - Recommendations to the Council

121. NOVEMBER BUDGET MONITORING – 2011/12 (Agenda Item 9; Appendix D)

121.1 The Executive considered a report detailing the expenditure and income position to the end of November compared with the budget for the General Fund and Housing Revenue Account. The monitoring position showed an increased underspend position for service budgets of £132,000. This was after allowing for items put towards the spending opportunities identified in the Mid-Year Budget Review.

- 121.2 The projected variations from the Budget are detailed in the schedule at Annexe 1. The detailed monitoring report for the General Fund Capital Programme was also considered, and there were no major variations to report at this stage with the exception of the Development Consultancy budget covering the East Street project. This budget, which was constituted originally to account for maintenance and survey issues in preparation for the East Street project, was on target to be spent as budgeted.
- 121.3 The East Street project has gained momentum during the year and preparation for the submission of Compulsory Purchase Orders (CPOs) for sites not in the Council's ownership has been in progress.
- 121.4 In spring of 2011 the viability monitoring reports on the East Street project indicated that there were sufficient positive indicators to justify the possible future submission of a Compulsory Purchase Order for the remaining sites required for the development.
- 121.5 Preparatory work has begun on the legal requirements for an eventual submission. This involved the commissioning of specialist expert legal work particularly in relation to advice on the framing of a committee report and the preparation of a Statement of Reasons for submitting to the Council to consider.
- 121.6 It was agreed at the November Executive meeting that work could now continue on the preparation of the CPO submission, including a public notice on appropriation of land. The previous and new costs which were not included in the original budget have been charged to the Development Consultancy budget. The main cost at this stage is the legal advice both from internal and external sources, including preliminary views and advice from Counsel.
- 121.7 Costs will continue to be added during the last three months of the financial year and a sum for the publication of public notices will also need to be taken into account. In total the legal costs are £22,867. In addition, works to discharge the planning conditions on Riverside have already been incurred in 2011/12 costing £8,643, together with £2,000 for public notices. The total of these extra costs is £33,510.
- 121.8 If the Council is minded to approve the submission of a CPO at the April Council meeting, then the preparations for the work at Riverside can commence. Part of the work to Riverside includes the removing and burying of existing overhead electricity cables. Currently the electricity company is requiring that works be carried out during the low power usage period of July to August. If this is not possible, a corridor of vegetation will need to be removed before the bird nesting season.
- 121.9 In 2010/11, work commenced on the planning permission on Riverside. To enable that to occur, considerable work was required by specialist consultants to enable the discharge of the planning conditions prior to commencement. The work was greater than anticipated to satisfy all the conditions and expenditure of £8,643 was needed to be spent in this year's budget.

121.10 A further sum of £11,500 is sought to cover the extra costs of preparing the Riverside site prior to the bird nesting season in 2012.

121.11 If the Council gives approval to the commencement of a CPO process and subsequently all the conditions to enable the contract between Waverley and Crest Nicholson to go unconditional are met, it is possible that work on the main site may commence in early 2013. However, the start on site is dependent on first carrying out significant works to Riverside to enable the main contract to commence. The critical procedure is the laying underground of the existing electricity cable that crosses the site. The cable carries a significant power load and the electricity company require it to be carried out during July and August when the demand is low. If the cable is not re-laid in 2012, it is likely that work could not begin on the main site until 2014. Therefore, provision is requested in the current year for the work of cutting back the foliage sufficiently in February/March to allow, if necessary, the cable laying to be executed at the appropriate time of the year.

121.12 Details of the sums involved are shown below. The Council is therefore requested to approve the increase in the 2011/12 Development Consultancy budget by £33,500 to cover expenditure already incurred.

East Street Riverside costs 2011/12

Legal expenditure to date :		£
Counsel	Consultation on Appropriation issues and advising in conference with Client solicitor. Checking report and Statement of reasons and providing advice by e-mail.	7,350
Kent CC	Provision of outsourced legal advice and preparation work on all aspects of the CPOs.	15,517
Planning condition discharge final fees		8,643
Public notices appropriation		2,000
	Total expenditure incurred	£33,510
Estimated further potential costs 2011/12:		£
Counsel		7,000
Kent CC Legal		
Fees		12,000
Public notices		2,000
Site strip		7,000
	Total budget provision requested for future expenditure	£28,000
	Total potential extra expenditure	£61,510

The Executive RESOLVED that:

1. the position as at 30 November 2011 be noted;
2. a virement of £38,500 be approved from revenue underspends to the recycling budget to fund the costs of the implementation of the new recycling system, as detailed in the report; and
3. the General Fund and HRA Budgets continue to be monitored closely during the remainder of 2011/12 and also

RECOMMENDS that

33. **a virement of £61,500, as identified in Annexe 1, be approved from revenue underspends to the East Street development consultancy budget, of which £33,500 is to cover the costs incurred in preparation for the Brightwells/East Street project in 2011/12 and £28,000 to be released as approved by the Deputy Chief Executive in consultation with the Portfolio Holder for East Street and the Portfolio Holder for Finance.**

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

122. INDEPENDENT REMUNERATION PANEL (Agenda Item 16; Appendix J)

The Executive considered the report of the Independent Remuneration Panel established to consider the appropriate level of Members' Allowances, attached as Annexe 2, and accordingly

RECOMMENDS that

34. **the report and its recommendations be adopted, for implementation within the three year life of this Council;**
35. **the existing scheme be continued for the 2012/13 financial year; and**
36. **the Panel be thanked for its work.**

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

Part II – Matters Reported in Detail for the Information of the Council

There were no matters falling within this category.

Part III – Brief Summaries of Other Matters Dealt With

123. EXECUTIVE FORWARD PROGRAMME (Agenda Item 6; Appendix A)

RESOLVED that the forward programme of key decisions for Waverley Borough Council be adopted.

124. FINANCIAL STRATEGY 2012/2013 – 2015/2016 AND BUDGET 2012-2013
(Agenda Item 7; Appendix B)

RESOLVED that the report be noted and full consideration be given to the Budget for 2012/2013 by the Executive at its meeting on 7 February 2012 when the final Grant figures on the General Fund would be confirmed, together with the final debt allocated to the HRA.

125. TREASURY MANAGEMENT PERFORMANCE 2011/2012 (Agenda Item 8; Appendix C)

RESOLVED that the Treasury Management Performance for 2011/12 be noted and the approach to Treasury Management activity be endorsed.

126. WAVERLEY COMMUNITY PARTNERSHIP – APPLICATIONS FOR REVENUE FUNDING 2012-13 (Agenda Item 10; Appendix E)

RESOLVED that

1. the Community Overview and Scrutiny Committee be asked to consider the applications for Waverley Community Partnership Funding in 2012/13 under its remit and, after taking account of the comments of the Sub-Committee, pass their observations to the Executive at its next meeting; and
2. the proposal to add Farnham Maltings to the list of organisations appropriate for consideration of a Service Level Agreement be endorsed; and
3. the detailed proposals be referred back to the Executive for consideration.

127. SURREY BUS REVIEW (Agenda Item 11; Appendix F)

RESOLVED that

1. the proposed response to Surrey County Council's consultation be approved for submission; and
2. any additional comments received before and during the Community Overview and Scrutiny Committee meeting on 30 January 2012, and any final amendments, be made in consultation with the Portfolio

Holder and Head of Service and submitted as a supplementary paper to the response before the deadline of 31 January 2012.

128. LOCALISM ACT – AMENDMENTS TO WAVERLEY’S ALLOCATION SCHEME (Agenda Item 12; Appendix G)

RESOLVED that

1. housing associations, stakeholders and applicants be consulted regarding the proposed changes to the allocations policy outlined in the report;
2. taking into account any issues raised as part of the consultation, Waverley’s allocation scheme be amended to reflect the changes, and a revised allocation scheme be presented to councillors in July 2012; and
3. the amendments be implemented and applicants affected by the changes be notified as soon as possible following endorsement of the amended allocation scheme by the Council in July 2012.

129. INTERNAL AUDIT SERVICE CONTRACT ARRANGEMENTS FROM APRIL 2012 AND BEYOND (Agenda Item 13; Appendix H)

RESOLVED to note that a contract had been awarded for the Internal Audit service and that it would provide further savings for the Council over the life of the contract.

130. HOUSING MAINTENANCE CONTRACTS – APPOINTMENT OF CONSTRUCTION DESIGN MANAGEMENT (CDM) COORDINATOR (Agenda Item 14)

The Executive noted the action taken by the Deputy Chief Executive relating to the appointment of Robert Noble Associates as CDM Co-ordinator for the Housing Maintenance Contracts.

131. DRAFT CALENDAR OF MEETINGS 2012/13 (Agenda Item 15; Appendix I)

RESOLVED that the Calendar of Meetings for 2012/13 be approved, a copy of which is attached as Annexe 3, (for information).

132. EXCLUSION OF PRESS AND PUBLIC (Agenda Item 18)

At 7.44 p.m. it was

RESOLVED that, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt

information (as defined by Section 100I of the Act) of the description specified in the following paragraphs of the revised Part I of Schedule 12A to the Act, namely:-

Minute No. 133

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3).

Minute No. 134

Information relating to any individual (Paragraph 1)

133. GROUNDS MAINTENANCE CONTRACT (Agenda Item 19; (Exempt) Appendix K)

RESOLVED that

1. the extension of the grounds maintenance contract be approved;
2. further negotiations with Surrey County Council over depot leases be approved; and
3. delegated authority be given to the Portfolio Holder and Finance Director to accept the SCC highway horticultural offer should it be financially viable.

134. REQUEST FOR FLEXIBLE RETIREMENTS (Agenda Item 20; (Exempt) Appendix L)

RESOLVED that

1. postholder AI06 and postholder AA04 be granted flexible retirement from 1 April 2012 in accordance with the Council's flexible retirement policy;
2. a post of Trainee Democratic Services Assistant be created with an anticipated starting salary of £16,075, subject to job evaluation; and
3. the saving of £14,401 be noted.

The meeting commenced at 6.45 p.m. and concluded at 7.46 p.m.

Chairman