

EXECUTIVE

Tuesday 8 December 2009

Present:-

Councillor Fullam (Chair)

Councillors S Brock, Cole, Edwards, Mrs Henson, Mitchell, Newton and Wadham

Director Economy and Development, Director Community and Environment, Director Corporate Services, Assistant Chief Executive, Head of Treasury Services and Member Services Manager

143

DECLARATIONS OF INTEREST

No declarations of interest were made.

144

2010-2011 BUDGET STRATEGY

The report of the Head of Treasury Services was submitted, providing a strategic overview of the budgetary position for the 2010/11 financial year and beyond including an indication of the likely level of available resources, the known demand for resources and the proposals to ensure that a balanced budget is achieved.

The Head of Treasury Services corrected the reference to the level of increased revenue costs for 2010/11 in paragraph 6.1 of the report which were £1,069,000 and not £1,016,000 as stated. He outlined the key assumptions made with regard to the following year's budget including the economic factors outside the Council's control. He informed members of the likely revenue resources and spending commitments and identified the risks inherent in the budgets set.

Members noted the very challenging financial position facing the Council in the next and future years.

RECOMMENDED that the contents of the report be noted and that the proposals to establish a balanced revenue budget and capital programme be approved.

(Report circulated)

145

CAPITAL MONITORING STATEMENT TO SEPTEMBER 2009

The report of the Head of Treasury Services was submitted, setting out the current position in respect of the Council's annual capital programme, and advising of the anticipated variations. In accordance with the Prudential Code for Capital Finance in Local Authorities, it is necessary to monitor performance against the prudential indicator for capital expenditure and highlight significant deviations from expectations.

The Head of Treasury Services reported that £1.4 million of this year's Capital Programme of £25,307,040, would need to be carried forward into future years, as detailed in the report. During the first six months of the current financial year, 23.8% of the revised Capital Programme had been spent compared with 19.6% in the first six months of the previous year.

Scrutiny Committee – Resources considered the report at their meeting of 25 November 2009 and their comments and support were noted.

RECOMMENDED that:-

- (1) the current position in respect of the annual capital programme be noted; and
- (2) the amendments to the Council's annual capital programme outlined in Appendix 2 of the report be agreed.

(Report circulated)

146

OVERVIEW OF THE GENERAL FUND REVENUE BUDGET 2009/10

The report of the Head of Treasury Services was submitted, advising Members of the overall projected financial position of the General Fund Revenue Budget after six months, for the 2009/10 financial year.

He reported the forecast underspend of £367,040 (1.85%) on Service Committee budgets for the year and highlighted the level of outstanding debt by the end of October 2009. Members were pleased to note the decrease in debt over 30 days old over the ten month period and the good performance in relation to creditor payments.

Scrutiny Committee – Resources considered the report at their meeting of 25 November 2009 and their comments and support were noted.

A member queried the position in respect of the re-letting of 88 Fore Street. The Director Economy and Development responded that this premises posed particular challenges but officers were actively pursuing the re-letting of the property. Executive congratulated the Estates team on their very successful record of negotiation for re-lets, particularly in respect of premises in South Street, and acknowledged the important source of revenue that lettings generated for the Council.

RESOLVED to note:-

- (1) the General Fund forecast financial position for the 2009/10 financial year;
- (2) the HRA forecast financial position for the 2009/10 financial year;
- (3) the outstanding Sundry Debt position as at October 2009;
- (4) the recovery position of Icelandic Investment; and
- (5) the Statutory Performance Indicator BVP18 for creditors' payments.

(Report circulated)

147

ANNUAL STATEMENT OF MINIMUM REVENUE PROVISION

The report of the Head of Treasury Services was submitted, seeking approval to the Annual Statement of Minimum Revenue Provision for the Council as required by the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008.

Scrutiny Committee – Resources considered the report at their meeting of 25 November 2009, and their comments and support were noted.

RECOMMENDED that the Annual Statement of Minimum Revenue Provision for the Council be approved.

(Report circulated)

148

TREASURY MANAGEMENT 2009/10

The report of the Head of Treasury Services was submitted on the current performance for the 2009/10 financial year and the position regarding investments and borrowings at 30 September 2009. He reported that the fund manager had performed well but the General Fund had been adversely affected by the low interest rates.

Scrutiny Committee – Resources considered the report at their meeting of 25 November 2009 and their comments and support were noted.

RESOLVED that the Treasury Management report for the first six months of 2009/10 be noted.

(Report circulated)

149

STAFFING - HOUSING BENEFITS

The report of the Head of Treasury Services was submitted, seeking approval for an increase in the establishment of the Housing Benefits Team by one full time member of staff. The post was needed as a result of the significant increase in caseload resulting from the current economic downturn. The Government had allocated an additional £30 million subsidy to local authorities in addition to the previously agreed £45 million, of which Exeter would receive £50,249 in 2009/10.

Scrutiny Committee – Resources considered the report at their meeting of 25 November and their comments and support were noted.

RESOLVED that the creation of an additional post of Benefits Assessment Officer at Grade 5 be approved.

(Report circulated)

150

RESULTS OF PUBLIC CONSULTATION: DRAFT SUPPLEMENTARY PLANNING DOCUMENT ON PLANNING OBLIGATIONS

The report of the Head of Planning and Building Control was submitted, seeking approval for the adoption of the amended Supplementary Planning Document on planning obligations.

Executive noted the support of the Planning Member Working Group for the amended document. Members congratulated officers on the clarity of the document.

RESOLVED that the amended document be approved as a formal Supplementary Planning Document on Planning Obligations.

(Report circulated)

WAVELENGTH 20 - SURVEY RESULTS

The report of the Assistant Chief Executive was submitted, presenting the main findings of the Wavelength 20 survey. She reported that 623 forms had been returned from 901 sent out, which equated to a return rate of 69%. She drew Members' attention to the proposed next steps identified in the report.

RESOLVED that the findings of the Wavelength 20 survey be noted and the proposed next steps be approved.

(Report circulated)

COUNCIL HOUSE BUILDING PROGRAMME 2009-11 - DELEGATED AUTHORITY

The report of the Director Community and Environment was submitted, seeking to agree a level of delegated authority to enable the Council to enter into agreements and contracts to ensure the new properties being built through the Council House Building Programme 2009 -11 would be delivered on time. The Chair had agreed to accept the item as a matter of urgency in order to enable start on site by March 2010.

RECOMMENDED that:-

- (1) authority be delegated to the Head of Housing Services in consultation with the Portfolio Holder for Housing and Community Engagement, the Chair of the Scrutiny Committee – Community, the Head of Contracts and Direct Services and the Head of Treasury Services for the award of the building contracts relating to the Council's own build policy in accordance with the scheme details set out in the report;
- (2) authority be delegated to the Head of Housing Services in consultation with the Portfolio Holder for Housing and Community Engagement, the Chair of the Scrutiny Committee – Community and the Head of Legal Services for entering into the Grant Agreement with the Homes and Communities Agency; and
- (3) a total of £1,022,500 capital grant be allocated to these schemes from the Council's Affordable Housing Budget and a sum of £6,081,160 is borrowed, financed by the future rental income from these properties.

(Report circulated)

CHANGE OF COMMITTEE MEMBERSHIP

The Chair proposed the replacement of Councillor Cole with Councillor Newton on the Licensing Committee. The item was accepted as a matter of urgency in the interests of the effective operation of the Committee.

RECOMMENDED that Councillor Newton be appointed to replace Councillor Cole on Licensing Committee with effect from 16 December 2009.

154 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION
OF PRESS AND PUBLIC**

RESOLVED that, under Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1, 3, 4 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

155 **INFORMATION MANAGEMENT - STAFFING**

The report of the Head of Corporate Customer Services and the Head of IT Services was submitted, requesting approval to the redundancy of the Information Manager's post and subsequent severance payments for the current post-holder. The report also noted various other staffing changes to both the Corporate Customer Services and IT Services Units.

Scrutiny Committee – Resources considered the report at their meeting of 25 November 2009 and their comments and support were noted.

RESOLVED that:-

- (1) the restructuring of the Information Management service be approved as detailed in this report;
- (2) the employment of the holder of the post of Information Manager (CSO7150) be terminated on the grounds of redundancy on 31 December 2009 in accordance with the provisions of Regulation 19 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007;
- (3) compensation be paid to the holder of post CSO7150 in accordance with the discretion exercised by the Council under the provisions of the Local Government (Early Termination) (Discretionary Compensation) (England and Wales) Regulations 2006;
- (4) a payment of compensation be made in respect of the unexpired period of notice to which the employee would otherwise have been entitled under the contract of their employment.

(Report circulated to Members)

156 **QUARTERLY PROGRESS REPORT - ROYAL ALBERT MEMORIAL MUSEUM
(RAMM) DEVELOPMENT PROJECT**

The report of the Head of Leisure and Museums was submitted, updating Executive on the current situation with respect to the various contracts now let for the Royal Albert Memorial Museum Development Project.

Scrutiny Committee – Resources considered the report at their meeting of 25 November 2009 and their comments and support were noted.

Executive noted the current contractual and budgetary position and the outstanding risk factors identified in the report. Members were pleased to note the significant progress made on site and congratulated officers on the advancement of the project.

RECOMMENDED that:-

- (1) the progress report on the Royal Albert Memorial Museum Development Project be received and approved;
- (2) the agreement to settle current outstanding claims be concluded, as set out in paragraph 4 of the report, and
- (3) a new budget for the project of £20.355 million be approved.

(Report circulated to Members)

157

SOIL EROSION AT CLIFTON HILL

The report of the Head of Leisure and Museums was submitted, informing Members of the revenue costs of each of the three options for resolving the soil erosion problem at Clifton Hill. Executive had initially considered the issue at their meeting on 24 November 2009 and had deferred a decision pending further information in relation to the financial implications of the options.

Councillor Shepherd attended the meeting under Standing Order 44 and spoke in support of Option 2, thanking officers for expediting the report back to Executive on the matter.

RECOMMENDED that:-

- (1) the Council's duty of care to its neighbouring residents in this case be accepted;
- (2) Option 2 be implemented and funding of up to £100,000 to resolve the matter be authorised;
- (3) implementation of the works by the Golf Driving Range operators at lower cost be investigated and implemented if appropriate;
- (4) no payment be made to the Golf Driving Range operators unless approved by the Head of Leisure and Museums in consultation with the Portfolio Holder for Environment and Leisure.

(Report circulated to Members)

(The meeting commenced at 5.30 pm and closed at 6.35 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 15 December 2009.