

# MINUTES OF THE MAYOR AND CABINET

Wednesday, 16 July 2014 at 6.00 pm

PRESENT: Sir Steve Bullock (Mayor), Alan Smith, Chris Best, Kevin Bonavia, Janet Daby, Joe Dromey, Damien Egan, Paul Maslin, Joan Millbank and Rachel Onikosi.

ALSO PRESENT: Councillor Stella Jeffrey, Councillor John Muldoon, Councillor Alan Hall and Councillor Mark Ingleby.

## 20. Declaration of interests

The Mayor declared a prejudicial interest in respect of the response from the Overview & Scrutiny Business Panel on the Surrey Canal Sports Foundation and he withdrew from the meeting during consideration of that item.

Councillor Maslin declared a personal interest in the Instrument of Government for Trinity School as a parent of a pupil there.

## 21. Minutes

RESOLVED that the minutes of the meeting held on June 25 2014 be confirmed and signed as a correct record.

## 22. Matters Raised by Scrutiny

The written views of the Overview and Scrutiny Education Business Panel on Sir Francis Drake Primary School were considered by the Mayor who responded as shown below:

*The Mayor instruct officers to fully engage both Ward Councillors and Councillors with relevant responsibilities if there is any proposal for the use of Parks.*

The Mayor gave an undertaking that this would be done.

*As there are no detailed plans within the current report, there should be a further report to Mayor and Cabinet, and the respective Scrutiny Committee, following close working with the governing body, parents and neighbouring boroughs in the finalisation of detailed proposals.*

The Mayor agreed to this proposal.

In the absence of the Mayor, the cabinet, chaired by the Deputy Mayor, received a written report and a presentation by the Chair of the Overview & Scrutiny Business Panel, Councillor Alan Hall. The Cabinet unanimously agreed that the responses shown below be reported to the Business Panel:

*Para 4.32 of the report stated that "whilst the section 106 agreement stipulates that, as a minimum, the centre should be available to local residents and students at the discounted rates for twenty percent (20%) of the proposed*

*opening hours, it is envisaged that this figure will be vastly exceeded". Business Panel would like a more specific agreement that is less aspirational and more concrete, in the next report to Mayor and Cabinet.*

The Cabinet wishes to confirm the 20% figure is concrete and leaves open future options to increase discounted rates for students and local residents. The Cabinet believes attempting to fix a higher fixed target now would not be helpful as it would reduce flexibility and would be unrealistic.

*The cumulative financial exposure of the Council in past and present projects in the Surrey Canal Triangle, should be presented in a discrete report.*

The Cabinet does not consider this to be a relevant request. A forthcoming Compulsory Purchase Order report will address relevant risk questions. The Cabinet also noted that officers have been working on due diligence matters in relation to the development.

*The Cabinet is requested to instruct officers to produce information on both the initial and future funds that the Council is expected to invest in this project.*

The Cabinet does not believe it should sanction such a report as future funding requirements cannot be accurately predicted. The Council's current financial commitment is fully laid out in the report.

*The Cabinet is requested to instruct officers to include the names of the Trustees and the Directors of the Foundation, in their next report to Mayor and Cabinet, and any links between the foundation and the developer should be reported and the report should include full due diligence on the developers.*

As indicated above the CPO report will contain a section on due diligence, so a separate report is not required. The Cabinet stated the names of Trustees and Directors are readily available at the site:

<http://surreycanalsportsfoundation.org.uk/>

and would extend an invitation to anyone interested in the Sports Foundation to visit the site.

RESOLVED that the responses as shown be sent to the Overview & Scrutiny Business Panel in respect of the Surrey Canal Sports Foundation and to the Overview & Scrutiny Education Business Panel in respect of Sir Francis Drake Primary School.

### **23. Outstanding Scrutiny Item**

RESOLVED that the report be noted.

### **24. Financial Forecasts 2014-15**

The report was presented by the Cabinet Member for Resources, Councillor Kevin Bonavia, who confirmed all Executive Directors would be asked to report back in September on action taken to restrain spending.

Having considered an officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (i) the financial forecasts for the year ended 31 March 2015 be noted;
- (ii) the actions being taken by the Executive Directors to manage down the forecasted year-end overspend be noted and ask them to report back in September on the progress being made to address the forecasted overspend position; and
- (iii) the updated capital budgets set out in Section 14 be approved.

## **25. Medium Term Financial Strategy 2014-15**

The Mayor referred to the appendices printed in a supplementary agenda and received confirmation from Councillor Millbank that the Voluntary Sector Compact committed the Council to a longer consultation period. Councillor Best suggested that a wider public consultation takes place with key dates and summary proposals being displayed on the Council website. Councillor Millbank reported that the consultation would involve all Ward Assemblies even if that entailed the arrangement of special meetings.

Having considered an officer report, and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (i) the 2015/16 to 2017/18 Medium Term Financial Strategy be endorsed;
- (ii) the commencement of a three month consultation on the proposed draft criteria, application process, and £1.5m budget reduction for the new grants programme be approved.

## **26. Designation Crofton Park and Honour Oak Neighbourhood Forum**

The Mayor reported the apologies of Councillor Morrison. He stated both she and Councillor Roy Kennedy had contacted him to say they strongly supported the recommendations. He also referred to correspondence he had received from the Forest Hill Society which wanted a mechanism for those outside the designated area to be involved and he stated the revisions made to the original proposals now made that possible.

Having considered an officer report, and a presentation by Deputy Mayor, Councillor Alan Smith, Mayor, for the reasons set out in the report:

RESOLVED that:

- (i) the designation of the Crofton Park and Honor Oak Park Neighbourhood Area as set out at Annex 1 and Annex 2 be approved;
- (ii) the designation of the Crofton Park and Honor Oak Park Neighbourhood Forum as set out at Annex 3 and Annex 4 be approved; and
- (iii). the Executive Director for Resources and Regeneration be authorised to give the required publicity to the designations.

## **27. Energy Policy**

The report was presented by Councillor Rachel Onikosi who indicated there would be a follow up report in September.

Councillor Smith noted that the GLA was currently consulting on its Infrastructure Plans to 2015 and he suggested this policy could form part of the council's consultation response.

Having considered an officer report, and a presentation by the Cabinet Member for Public Realm, Councillor Rachel Onikosi, the Mayor, for the reasons set out in the report:

RESOLVED that the draft corporate Energy Policy be approved.

## **28. Fostering Statement 2014-15**

The report was introduced by Councillor Paul Maslin who praised all the staff involved in the fostering service and welcomed the success in recruiting more local foster carers resulting in an improved service operating at reduced cost.

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor, for the reasons set out in the report:

RESOLVED that the Statement of Purpose for the Fostering Service for 2014-2015 and Children's Guides My Guide to Foster Care be approved.

## **29. Post 19 PMLD House on the Hill Part 1**

In considering the open report the Mayor took into account the financial considerations contained within the closed report on the same matter. Acting on the advice of the Executive Director for Children & Young People's representative, the Mayor added the additional fourth recommendation shown below setting out possible responses to consultation outcomes..

Having considered both an open and a confidential officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor, for the reasons set out in the report:

RESOLVED that:

- (i) the need to develop post 19 provision for PMLD pupils within the borough

and the options available to achieve this be approved;

(ii) officers should pursue the option of expanding Greenvale School, noting that the Governors are supportive of proceeding with consultation to extend the age range within the school, subject to finding suitable accommodation and further work on the operation of the financial arrangements;

(iii) the financial arrangements set out in the confidential part of the report be approved; and

(iv) a further report be considered should opposition be identified during the consultation process, but should the consultation process reveal no opposition, authority be delegated to the Executive Director for Children and Young People to proceed to the next recommendation;

(v) the Director of Regeneration and Asset Services negotiate and finalise the occupancy arrangements for all occupying parties in consultation with Executive Director for Children and Young People and the Head of Law.

(vi) the agreement of the Schools Forum to support the allocation of funding from DSG CERA be noted;

(vii) the revenue savings achieved by the investment (General Fund and DSG) be noted; and

(viii) the capital investment be funded from capital grant and from the DSG CERA provision and that the DSG CERA provision be allocated as capital investment to House on the Hill to provide the accommodation for the post 19 provision for PMLD students, subject to the outcome of consultation.

### **30. Planning Obligations SPD 2014**

Having considered an officer report, and a presentation by the Deputy Mayor, Councillor Alan Smith, the Mayor, for the reasons set out in the report:

RESOLVED that:

(i) the draft Planning Obligations SPD be approved for public consultation in accordance with the Statement of Community Involvement, and recommend that the full Council do the same.

(ii) authority be delegated to the Director for Resources and Regeneration to make any minor changes to the text and format of the documents prior to the document going to public consultation.

### **31. Instrument of Government Dowderry School**

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor for the reasons set out in the report:

RESOLVED that:

(i) the Instrument of Government for Dowlerry Primary School be made by Local Authority order dated 1st September 2014; and

(ii) the nomination of John Harrington be approved for appointment by the governing body.

### **32. Instrument of Government Trinity School**

Having considered an officer report, and a presentation by the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor for the reasons set out in the report:

RESOLVED that:

(i) 3.1 the Instrument of Government for Trinity Church of England School, Lewisham (to be known as Trinity, Lewisham), be made by Local Authority order dated 1st September 2014; and

(ii) the nomination of Tom Willetts be approved for appointment by the governing body.

### **33. Appointment of LA Governor**

Having considered information supplied in respect of the nominee proposed for appointment and advice from the Cabinet Member for Children & Young People, Councillor Paul Maslin, the Mayor agreed that the following person be appointed as a Local Authority governor;

Philip Ratcliff

St.Stephens CE Primary School

### **34. London LGPS Collective Investment Vehicle**

Having considered an officer report and tabled legal implications and presentations by the Cabinet Member for Resources, Councillor Kevin Bonavia, and from the Chair of the Pensions Investment Committee, Councillor Mark Ingleby, the Mayor, for the reasons set out in the report:

RESOLVED that:

(i) the Council becomes a shareholder in the Authorised Contractual Scheme Operator,

(ii) the Council appoints an elected Councillor who will have power to act for the local authority in exercising its rights as a shareholder of the ACS Operator; and

(iii) Councillors from the London Boroughs be appointed as interim directors of the ACS Operator, subject to the consent of their relevant authorities to the appointments. These directors may be replaced once FCA authorisation is formally applied for.

### **35. Exclusion of Press and Public**

RESOLVED that that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs [3, 4 and 5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

17. Post 19 PMLD Provision House on Hill Part 2
18. Non-Core Housing Asset Register

### **36. Post 19 PMLD Provision House on Hill Part 2**

The decisions taken in the closed part of the meeting are as shown above in the minute of the open meeting.

### **37. Non-Core Housing Asset Register**

Having considered a confidential officer report, and a presentation by the Deputy Mayor, Councillor Alan Smith, the Mayor:

RESOLVED that the attached register of the Council's non-housing property assets be noted.

The meeting closed at 7.46pm