

NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 23 September 2009

PRESENT: Councillor Woods (Chair); Councillors Church, Crake, Perkins and Varnserry

1. APOLOGIES

Apologies were received from Councillors Beardsworth and B Hoare.

2. MINUTES

The minutes of the meeting of Cabinet held on 9 September 2009 were signed by the Chair.

3. DEPUTATIONS/PUBLIC ADDRESSES

- RESOLVED:**
- (1) That Messrs Oldham, Sharpe, Brown, Gutowski, Windhaber and Ingle and Ms Wilmhurst and Miss Daly and Councillors P D Varnserry and Matthews be granted leave to address Cabinet in respect of item 8 “Hunsbury Hill Country Park Conveniences”.
 - (2) That Mr Grethe be granted leave to address Cabinet on item 6 “Single Persons Accommodation Review”.
 - (3) That Councillor Hadland be granted leave to address Cabinet in respect of item 9 “St Crispins Section 106 Agreement – Transfer of Land to Council”.

4. DECLARATIONS OF INTEREST

- (1) Councillor P D Varnserry declared a personal and prejudicial interest in item 8 – Hunsbury Hill Country Park Public Conveniences as his previous involvement in this issue raised issues of pre-determination and bias.
- (2) Councillor Matthews declared a personal and prejudicial interest in item 8 – Hunsbury Hill Country Park Public Conveniences as his previous involvement in this issue raised issues of pre-determination and bias.
- (3) Councillor Woods declared a personal non-prejudicial interest in item 7 – East Midlands Regional Plan – Partial Review of Options Consultation June 2009 insofar as any discussion might concern the Regional Assembly of which was the Council’s appointee and his role as a WNDC Board member and Chair of West Northants Joint Strategic Planning Committee.
- (4) Councillor Church declared a personal non-prejudicial interest in respect of item 7 – East Midlands Regional – Partial Review of Options Consultation June 2009 insofar as any discussion may involve WNDC of which he was a Board member. He was also a member of the West Northants Joint Strategic Planning Committee.

5. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

None.

6. SINGLE PERSONS ACCOMMODATION REVIEW

Mr Grethe as the Chair of Brookside Residents Council commented that the Residents Council had had discussions with the Council and believed that Robinson House should be used for the homeless and improvements should be made to the building. He expressed the hope that a Residents Council would be involved in how this project moved forward.

The Director of Housing submitted a report that proposed a way forward for dealing with the issue of Single Persons Accommodation. Councillor Woods noted the appendix to the report which comprised a survey of residents conducted by S Keeble MP. The Director in answer to a question commented that at the present time no particular options had been ruled in or out at this stage and that the consultation was due to run to the end of the financial year.

RESOLVED:

- (1) That agreement be given to a “design and finance” competition to address the future use of Robinson House with the competition brief informed and agreed by local residents and stakeholders.
- (2) That a further report be brought to Cabinet setting out the outcome of the competition and seeking agreement to a proposed way forward.
- (3) That whatever scheme is proposed future housing provision would be 100% affordable before that the future of other SPAs be informed by the work carried out within this proposal for Robinson House.

7. EAST MIDLANDS REGIONAL PLAN: PARTIAL REVIEW - OPTIONS CONSULTATION JUNE 2009

Councillor Church, as the relevant Portfolio Holder, submitted a report that set out the key issues that related to Northampton within the East Midlands Regional Plan Partial Review: Options Consultation and sought Cabinet’s approval to the Council’s response to the consultation. He noted that the report followed on from the debate at Council on 8 September in respect of the Emergent Joint Core Strategy to seek the targets for housing to be reviewed and questioning deliverability of those targets and highlighting that growth could not be accepted without proper infrastructure being in place and adequately funded. Councillor Church noted the decline in housing completions over the last three years which was predicted to continue for the next two years. It was clear that the targets to 2021 would not be met. The Emergent Joint Core Strategy consultation process had shown up the weaknesses in the RSS Transport Strategy and funding regime which he believed had let Northampton down. He also noted cuts in funding to WNDL for infrastructure projects. He commented that regional policy concentrated on the Derby, Leicester, Nottingham triangle and that Northampton was treated as being on the fringe of the region.

The Director of Planning and Regeneration noted that it was important for the Council to seek to review the RSS process to help shape the Council’s and West Northamptonshire’s documents. Growth had to be managed and planned for. Councillor Woods commented that the Council had a responsibility to provide for the next generation and it was important for the critical decisions to be correct. Councillor P D Varnsvery noted that Northampton would be the regional lead for the Cultural Olympiad from 2011 through to the opening of the Olympic Games in 2012.

RESOLVED:

- (1) That the key issues that relate to Northampton as set out in the report be noted.
- (2) That the suggested comments and responses to the consultation as set out in Appendix 1 of the report be approved.

8. HUNSBURY HILL COUNTRY PARK - PUBLIC CONVENIENCES

Mr Oldham stated that he was objecting to the disposal of land to convert the toilet block into a café as it would be situated just after a sharp bend in the road and believed that the roads in the area would become a lorry park particularly as the entrance to the car park had a

height restriction barrier. He commented that he believed that lorries would park on the pavements blocking access for the disabled and young mothers with prams and pushchairs. In turn this would make it dangerous crossing the road. He believed that a café would attract these situations. Mr Oldham compared the current situation with Cabinet's decision earlier in the year to object to quarrying at Milton Malsor on traffic grounds and believed that this situation was not materially different. He related first hand experience of a near accident due to the driver driving too fast on this stretch of road.

Mr Sharpe speaking on behalf of residents and on behalf of the Friends of Hunsbury Hill Country Park felt that the report was biased against residents. He noted that residents had lived with the toilets as a magnet for crime, drugs and anti-social behaviour for many years. He observed that no improvements had been made to the car park as yet. He also commented that as a car park it did not meet any national standard in terms of crime prevention. He stated that both Ward Councillors felt that the café in the park would increase crime but the report said the opposite. Mr Sharp stated that the Head Teacher of the nearby school had indicated that a café was likely to increase problems with truancy. He also noted the Council's crime safety document which indicated that the Council would provide residents with a safe environment free of crime. He requested that Cabinet respond to the community's concerns positively and that the Council should be supporting the Northampton Ironstone Railway Trust and their facilities. Councillor Perkins commented that the Council did support the Northampton Ironstone Railway Trust (NIRT) and their café and asked Mr Sharpe in what way supporting NIRT would be different. Mr Sharpe commented that a café at the NIRT already existed; it was fenced and had CCTV and was well run and managed. He was aware that the Trust was planning to extend facilities, for example, to provide disabled toilets and extend their opening times. The Friends of Hunsbury Hill Country Park had a vision for the park that the Trust supported. Councillor Perkins asked if Mr Sharpe was aware of any discussions between the proposed lessee and NIRT about the lessee possibly being involved with the Trust's café operation. Mr Sharpe indicated he was not aware of any such discussion.

Mr Brown, the Chair of the Friends of Hunsbury Hill Country Park, believed that a café would increase noise, anti-social behaviour and he referred to the poor surface of the existing car park. He noted the Police's Crime Prevention Officer's report which suggested the removal of bunding and a significant number of mature trees which, in Mr Brown's opinion, amounted to corporate vandalism. He noted that the park was designated as a wildlife park and believed that the Planning Committee should have considered these issues as well as the provision of green corridors. Mr Brown referred to a number of the Council's planning policies, the East Midlands Regional Plan and Northampton Diversity Plan and other documents. He commented that the Friends had a strategic vision for the park which the Trust formed an important part and they were seeking the Council's support for it. He requested that Cabinet did not approve the lease but instead approved demolition of the toilet block. Councillor Woods noted that Planning Committee had already considered the planning application points and noted that some of the policies quoted by Mr Brown in respect of the Council's own policies may not be "saved policies" from the old Northampton Plan.

Ms Wilmhurst commented that she walked her dog in the park and could not see how a café would of benefit. She commented that dog walkers tended to use the park early in the morning or later in the evenings when the café would not be open. Furthermore, as most users came from the immediate vicinity they would have no obvious use for a café. She noted that Hunsbury Park was not a Premier Park and therefore could not be compared with others such as Salcey Forest; there was no regular warden presence or decent children's play area. She noted that the Friends of Hunsbury Hill Country Park hoped to make a difference and that the Ironstone Railway was an attraction that the Council should be supporting. It already had a café in a safe area protected from vandalism and queried why

Cabinet would support a commercial concern over a facility run by a charity. She concurred that the toilet block should be demolished.

Miss Daly supported comments made by previous speakers and expressed concerns about loutish behaviour that she believed would ensue and the traffic problems. She commented that this might deter her from using the park and noted the nuisance might become more widespread because of it. She commented that her garden was adjacent to the park and that this might deter her from enjoying it. She commented that the Council should not be disposing of this area.

Mr Gutowski commented that he had previously objected to the proposal at the Planning Committee stage because of the HGV traffic he believed such a facility would attract. He commented that the public of Northampton welcomed the opportunity to be consulted but they would not want to be ignored. He noted that for the Planning Committee between 300 & 400 people had objected as well as the Ward Councillors. He noted that Councillor P D Varnsberry had recently reiterated views opposing the proposal and requested that Cabinet take note of public concerns.

Mr Windhaber as Secretary of NIRT commented that the Trust had been set up some 30 years previously on land leased to it by the Council. He noted that approximately four years previously the facilities had started to be improved and grants had been obtained to allow improvements for the members of the Trust and the Museum. He commented that a grant application this year to make improvements to the café had been turned down but some funding had been obtained to make some improvements and to provide disabled toileting. He noted that currently the railway was open to the public for 25 days per year which the Trust wished to extend and also wished to increase their membership and had plans for a children's play area; a commercial café virtually next door would affect their likely revenue. He commented that knowing what currently happened in the park would only be made worse by the presence of a café. He noted that NIRT could assist the Council in the demolition of the toilets. Councillor Perkins asked Mr Windhaber if he had any discussions with the lessee as to whether he would invest in the Trust café. Mr Windhaber commented that this was the first occasion he had heard such a suggestion some adjustments might be needed to be made to make the area secure. Councillor Perkins suggested that such proposal could improve the situation for the Trust. Mr Windhaber agreed. In answer to another question Mr Windhaber indicated that the main objection to a café was that it could damage the income stream to the Trust.

Mr Ingle commented that he was the proposed owner of the café and was also a member of Friends of Hunsbury Hill Country Park. He noted that originally the Friends had neither been for nor against his proposal and indicated that nobody had actually approached him to discuss his plans for the café. He felt that the objectors were being misled about it becoming a truck stop and burger bar as well as a "subsidy he would be receiving". He commented that none of this was true. He intended to serve sandwiches, salads and baked potatoes and other food of that type. He intended to have displays of the park's heritage and hoped that people who currently parked on the road because of the poor condition of the car park would actually use it. He noted his café would have a public toilet and a baby changing facility and he hoped that all the parties could work together. He noted that initially the lease would be for one year in case things did not work out. He commented that lorries would not be allowed and there was already a sign up that said this. He noted that many of these issues had been dealt with by the Planning Committee. Mr Ingle expressed some exasperation, at points made by County Councillor David Hughston-Roberts that lorries would actually come from the M1 to this particular facility. Councillor Perkins asked Mr Ingle if anyone had approached him with a view to developing the café of the NIRT. Mr Ingle commented that he had had a phone call at 4.30pm that afternoon in this respect but couldn't really comment upon it at such short notice.

Councillor Matthews commented that park had seen a gradual decline over the last 15 years when it had been used by a good percentage of people from the Town. It was also an historic part of the Town. In the park's current state it was mainly used by dog walkers but better facilities would attract more people. He noted that the park did need improvements which also included the car park. He commented that the Planning Committee had not considered this. He commented that the issues commented on by the residents would still be present and therefore requested that Cabinet refuse the disposal and lease as the proposal was in the wrong place at the wrong time and suggested that Cabinet should support the Trust in trying to improve its facilities.

Councillor P D Varnsvery commented that the toilet block had always been a liability and that in respect of likely crime the important thing was people's actual experience. These problems had existed since at least 1984. He had voted against the planning application at Planning Committee and noted that the Police believed that crime would be attracted to the area. He referred to an e-mail from the Police Area Commander that there had been a 29% increase in anti-social behaviour in that area. Councillor P D Varnsvery also noted that the Friends of Hunsbury Hill Country Park had been reformed and had produced a vision document which was regarded as a benchmark for the future of the park. He stated that Hills Community Residents Association had recently been formed and hoped to secure a £50,000 grant for improvements, and that NIRT were making improvements and were supported by the other community groups. He commented that if the lease were agreed the Council might gain marginally from it but there would be future problems for residents. In answer to a question from Councillor Church, Councillor P D Varnsvery confirmed the information from the Area Police Commander and also further information from when he had been Chair of the Area Neighbourhood Board where the local Police Sergeant had expressed concerns that this area was a hotspot for crime and that the café proposal was likely to worsen this. He noted that the Police Crime Prevention Officer had contributed to the planning process but their proposals were not designed to prevent crime completely.

(Councillors P D Varnsvery and Matthews left the meeting for the remainder of the discussion of this item).

Councillor Perkins as the relevant Portfolio Holder submitted a report which sought Cabinet's authority for the Council to agree to the disposal of an area of land designated as public open space by the grant of a lease for a term of nine years determined by negotiation. Councillor Perkins commented that the issue was contentious locally and he noted the comments that had been made by the speakers and commented that Cabinet needed to be balanced in the decision that it made. In particular he noted that one of the speakers from the public had commented that this was an opportunity for the Council to demonstrate that it listened to the concerns of the public. Councillor Perkins felt that it was important to remember that in the democratic process it was important to take account of the minority view as well as the majority view and pointed out that the planning permission that had been granted included 15 conditions which were mostly designed to manage the risks and concerns of those against this proposal. This surely was evidence that those against the proposal had been listened too. He also noted the suggestion that the prospective lessee, the Friends of Hunsbury Country Park and NIRT work together to come to an amicable solution. Cabinet had to decide whether there was any good reason not to agree to the disposal of the land and he referred to the break clauses in the lease.

Councillor Church noted the views that had been expressed and commented that not all of the fears outlined would actually happen. It was clear that the facility would not be a truck stop and that there were many good examples of cafes operating in parks. Generally speaking more people being present in parks made them safer and reduced levels of crime. It was important that Cabinet had regard to the views of the Police, and given the time that

had passed by since the planning permission had been granted Cabinet perhaps should have available the current views of the Police's Crime Prevention Officer. He noted that the suggestion that the parties worked together had come late in the day and perhaps time should also be allowed to allow a discussion to take place.

Councillor Woods noted that although he had cycled through the park many times he had never found it to be dangerous but had noted the effects of anti-social behaviour. He also concurred with the view that cafes in parks could improve and be a welcome addition to, the facilities provided.

RESOLVED: That consideration of the report be deferred so as to allow further information from the Police's Crime Prevention Officer and to allow the prospective lessee and Friends of Hunsbury Hill Country Park and NIRT to discuss whether the lessee could operate the Trust's café facility.

(Councillor P D Varnsberry rejoined the meeting).

9. ST CRISPIN S106 AGREEMENT - TRANSFER OF LAND TO THE COUNCIL

Councillor Hadland commented that the use commuted sums was a common practice but in previous years sometimes this money had been diverted to other uses. This was often possible because the multipliers and interest rates that applied at that time were high. He sought an assurance that this would not happen now and that a clear idea of the revenue cost being taken on had actually been calculated. He noted the appendix which separated capital and revenue expenditure.

Councillor Crake as the relevant Portfolio Holder submitted a report and noted that the figures shown in paragraphs 3.7 and 4.4 should be amended to read £446,842.50. It was noted that the parcels of land detailed were now in a condition that the Council could accept taking over the maintenance of and that the remaining areas were still under negotiation.

In response to Councillor Hadland's comment the Director of Finance and Support commented that the commuted sum would not be otherwise diverted. Councillor P D Varnsberry noted an interest by the Greek Orthodox Church to take over the maintenance of the former St Crispin's chapel graveyard.

RESOLVED: (1) That the transfer of the areas of open space detailed below and as shown on the attached plan to the report be accepted as areas of open space as per the Section 106 Agreement for St Crispin, Northampton to the Council:-

- Church Gardens (Site 1)
 - Wood east of Phase 1 including play area north west (Site 2)
 - Village green (Site 4)
 - Green west of school (Site 5A, B, C and D)
 - Berrywood (Site 10)
 - Maintenance of open space to the west edge (Site 3)
- (2) That further consideration be given to the interest of the Greek Orthodox Church in taking over the maintenance of the former St Crispin chapel graveyard.

10. STRENGTHENING LOCAL DEMOCRACY: CONSULTATION

Councillor Woods as the relevant Portfolio Holder circulated a report that set out the Council's proposed response to the Department of Community and Local Government's consultation entitled "Strengthening Local Democracy". He considered that the best way to

strengthen local democracy would be give local Councils more responsibility, the ability to raise its own taxes and to review the local government electoral system to give the public a real choice.

Councillor Church noted that the consultation document was a diversion from the real issues which for Northampton would be the creation of a unitary authority. He suggested that the Council's response to the consultation document should be framed with that objective in mind.

RESOLVED: That the Chief Executive in consultation with the Leader of the Council amend the proposed response set out in Appendix 2 of the report to reflect the Council's wish to become a unitary authority.

11. TREASURY MANAGEMENT OUTTURN REPORT 2008-09

Councillor Perkins as the relevant Portfolio Holder submitted a report that set out the Council's performance in relation to its borrowing and investment strategy for 2008-9 and advised of an increase for 2009/10 to the maximum amount permitted for investments within the UK Debt Management Office and with the UK nationalised/part nationalised banking groups. Councillor Perkins further commented that the report demonstrated that the Council was now on a firm financial footing which was all the more welcome because of the unprecedented situation that the Council found itself in over the last 18 months. He noted that borrowing had been kept down to £26m although Council could borrow up to £43m. He commented that the Council's position compared favourably with a number of other Councils. Councillor Perkins also commented on the reduction in investment rates from 5.5% to 0.5%.

RECOMMENDATION: That Council note the Council's Treasury Management Performance in 2008-9.

RESOLVED: (1) That the following changes to the 2009/10 counter party limits authorised by the Chief Finance Officer (the Section 151 Officer) on 12 June 2009 be noted:

- An increase in the maximum level of investment with any county or party or group of counter parties from £10m to £15m
- That under the additional restrictions to counter party criteria and limits in place for 2009/10 set out in the Treasury Strategy increased limits should apply and lead to a maximum amount permitted for investments with the UK Debt Management Office and with the UK nationalised/part nationalised banking groups including on the sector list (Lloyds Banking group, Royal Bank of Scotland group and Northern Rock)

(2) That the Director of Finance and Support and her colleagues be congratulated upon the Council's Treasury Management and Performance in 2008-9.

12. THE STATEMENT OF ACCOUNTS 2008/09

Councillor Perkins as the relevant Portfolio Holder submitted a report that presented the 2008-9 Statement of Accounts to Cabinet and commented that there had been no material changes since the statement was presented to Cabinet and Council in June. Councillor Perkins made reference to the KPMG report appended and commented that the Use of Resources criteria were harder this year and the Council had maintained a score of 2 which in reality represented an improvement. He also acknowledged that there were areas where improvements were still needed and that action was being taken in this respect.

Councillor Woods in referring to the KPMG report noted their statement “that the authority continues to make improvements and scores 2 across all KLOES”.

The Director of Finance and Support noted that the Audit Committee had made no significant comments on this report and that the Use of Resources scores were still subject to verification by the Audit Commission in October but no changes were expected.

- RECOMMENDED:**
- (1) That Council be informed that the Cabinet does not wish to raise any concerns in respect of the revised 2008-9 Statement of Accounts.
 - (2) That the Director of Finance in consultation with the Portfolio Holder for Finance be authorised to make any non-material adjustments to the accounts prior to their publication.
 - (3) That the 2008-9 Statement of Accounts be adopted.

RESOLVED: That the position of the Audit Committee be noted.

13. THE ANNUAL GOVERNANCE REPORT

Councillor Perkins as the relevant Portfolio Holder submitted a report which set out the 2008-09 Annual Governance Statement post external audit. He noted that there had been no material changes since the Statement was considered by Cabinet in June. He also noted that the Audit Committee had not made any comments.

RECOMMENDED: That Council adopt the previously approved Annual Governance Statement for 2008-09.

14. PERFORMANCE

14.1 PERFORMANCE REPORT (MONTHLY REPORT) JULY 2009

Councillor Woods submitted a report that set out the Council’s Performance for July 2009. He noted that the statistics for flytipping and dealing with missed bin collections were particularly impressive. He also noted that there were some issues with Revenue Benefits but noted that this reflected the effects of the recession and increased demand for the service.

RESOLVED: That the report be noted.

14.2 GENERAL FUND AND REVENUE MONITORING

Councillor Perkins submitted a report that set out the Council’s projected outturn position for the current financial year. He noted the forecast overspend which primarily lay in one directorate but was aware that discussions were taking place to deal with the situation.

Councillor Woods commented that Environment and Culture had contributed more savings than any other part of the authority and that recently a value for money partner had been appointed who would assist with the identification of further possible savings. Councillor Crane commented that Environmental Services provided a number of frontline services and the £3m savings represented a significant percentage of their budget.

- RESOLVED:**
- (1) That the report and the forecast overspend of £920,000 net of management action be noted.
 - (2) That a further report be submitted where projected savings are now regarded as being undeliverable and setting out alternatives on how those savings might be achieved.

14.3 HOUSING REVENUE ACCOUNT MONITORING PERIOD

Councillor Perkins submitted a report that set out the projected outturn position for the current financial year for the Housing Revenue Account. He noted a possible overspend of £1m in respect of Housing Repairs and also that action was being taken.

The Director of Housing commented that this budget was demand led and the projected overspend reflected increased demand from the service. A further report as part of the HRA Monitoring would be made if the overspend could not be resolved. She also noted that tenants may have to be consulted if changes were made. The Director of Finance and Support noted that expenditure could go up in situations where service provision improved. She noted that the allocation of money to capital and revenue was being carefully examined so that expenditure would be capitalised wherever possible. This would improve the budgetary situation.

RESOLVED: That the report and forecast overspend of £1,051,000 on the nett cost of services be noted.

14.4 CAPITAL PROGRAMME (MONITORING REPORT)

Councillor Perkins submitted a report that set out the situation in respect of the Council's Capital Programme for 2009/10 and noted that the programme was fully funded. He also commented that many of the schemes related to carbon management and the Council's intention to reduce its carbon footprint.

RESOLVED: (1):

Scheme Reference, Description & Directorate	Narrative	2009-10 £	Future Years £	Funding Source
2009-10/GF060 Places of Change Housing GF	The overall Places of Change scheme is to provide a new flagship facility for homeless people in the borough. This project is being completed in partnership with Midland Heart Housing Association. NBC's responsibility is to provide project management support and ensure vacant possession of the Maple Buildings site.	873,155	696,816	£1.42m CLG Grant, £149,971 Section 106
2009-10 GF063B CMP Lighting Upgrade Environment & Culture	Carbon management project to update the lighting at St John's multi storey car park and Lings Forum Leisure Centre. This project does not require any additional funding as the external funding and match funding was approved in 2008-09.	48,334	-	50% Salix, 50% Prudential Borrowing
2009-10 GF064 Playbuilder – Kingsthorpe Recreation Ground Assistant Chief	To provide a new adventure play area, aimed at 8-13 year olds, on Kingsthorpe Recreation Ground.	49,000	-	DCFS Grant

Executive				
2009-10 GF066B CMP Boiler Room Pipework, Valve & Flange Insulation Environment & Culture	Carbon management project to insulate pipework at Mounts Baths, Danes Camp Leisure Centre and the Guildhall. This project does not require any additional funding as the external funding and match funding was approved in 2008-09.	17,479	-	50% Salix, 50% Prudential Borrowing
2009-10 HRA016 Woodside Way (NBC Council Dwelling New Build Scheme) Housing HRA	The construction of 8 family homes on a garage site within the Kings Heath area of Northampton. The demolition of existing garages will be required to enable the construction of the new homes. 62% of this project will be funded by NBC resources and 38% will be bid for from the Challenge Fund Pot, Homes & Community Agency (HCA)	225,957	958,036	£600,080 Prudential Borrowing, £132,000 Section 106, £451,913 HCA Grant
2009-10 HRA017 Fire Safety Works to Communal Areas Housing HRA	The Council is required to complete fire assessments to the communal areas of its flats and maisonettes. A number of improvements are expected to meet its duty under the Regulatory Reform Act & Orders. Improvements could include replacement of fire doors, emergency lighting, smoke alarms, fire stops and other significant works. This will be funded by a reduction in the decent homes budget.	100,000	-	Major Repairs Reserve

(2) That the following variations to schemes in the Capital Programme for 2009-10 be approved.

Scheme Reference, Description & Directorate	Narrative	2009-10 £	Future Years £	Funding Source
Carbon Management Programme				
2008-09 GF036B V03 CMP PowerPerfector Voltage Optimisation Environment & Culture	This project formed part of the carbon management programme that was approved in 2008-09. Due to high frequency lighting being used in the locations identified, the original savings cannot be achieved. The external funding and ring-fenced match funding will have to be used on	(124,886)	-	50% Salix, 50% Prudential Borrowing

	other carbon management projects to meet the terms and conditions of the funding.			
2008-09 GF036B V04 CMP St John's Lighting Environment & Culture	The final cost of this project was less than originally estimated. The underspend will have to be used on other carbon management projects to ensure the terms and conditions of the external funding are met.	(2,555)	-	50% Salix, 50% Prudential Borrowing
2008-09 GF036B V05 CMP Loft & Cavity Wall Insulation Environment & Culture	Loft insulation at Weston Favell offices was included as part of this project, however as these offices are now closed this will not be going ahead. The money released from this project will have to be re-directed to other carbon management projects to ensure the terms and conditions of the external funding are met.	(1,386)	-	50% Salix, 50% Prudential Borrowing
2008-09 GF045B V02 CMP Steam Control Valve Environment & Culture	The cost of this work was more than originally estimated. The overspend will be covered by underspends on other carbon management projects, therefore there is no additional financing requirement.	3,595	-	50% Salix, 50% Prudential Borrowing
2008-09 GF045B V03 CMP Variable Speed Drive Environment & Culture	The final cost of this project was less than originally estimated. The underspend will have to be used on other carbon management projects to ensure the terms and conditions of the external funding are met.	(401)	-	50% Salix, 50% Prudential Borrowing
2008-09 GF045B V04 CMP Building Energy Management System Environment & Culture	The final cost of this project was less than originally estimated. The underspend will have to be used on other carbon management projects to ensure the terms and conditions of the external funding are met.	(644)	-	50% Salix, 50% Prudential Borrowing
2009-10 GF007B V01 Carbon Management Programme Environment & Culture	The following carbon management projects are to be removed from the 2009-10 capital programme as the revenue savings are not achievable: Voltage Optimisation at St Johns's MSCP (£11,757), Vending Machine Timer Controls (£1,653), Air Conditioning Unit Controls at Westbridge (£5,512), Hot Water Storage Time Switches (£8,765), Lighting Upgrade – Guildhall & Westbridge (£31,751), Guildhall Spot Lights (£827), PIR Lighting Controls at Guildhall Car Park (£4,134). These projects were to be funded by a revenue	(64,399)	-	Revenue Financing (GF)

	contribution from the savings on the Salix funded projects. To meet the terms and conditions of the funding the savings have to be re-invested in other carbon management projects, therefore the revenue contribution will be ring-fenced for future projects.			
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Housing Revenue Account				
2009-10 HRA004 V02 Decent Homes & Poor Condition Housing HRA	Phase 2 of decent homes will not be on site this financial year, however work can be completed on the complete roofs project which will contribute towards decent home spend. £600k is to be removed from this project to the complete roofs project. Also, £100k is required to fund the Fire Safety Works to Communal Areas project.	(700,000)	-	Major Repairs Reserve
2008-09 HRA007 V02 Complete Roofs Housing HRA	The main decent homes phase 2 will not be started this financial year. However, roofs have been identified which can be completed in advance of the second stage and contribute towards the decent homes spend this financial year. An increase in budget of £600k is required for this work, to be funded by a reduction to the decent homes and poor condition budget.	600,000	-	Major Repairs Reserve
Private Sector Housing – GOEM funded schemes				
2006-07 Slippage V16 GOEM Roofing & Electrics Housing GF	There are currently three different capital codes for decent homes works funded by GOEM. It is proposed to move all of the budget and expenditure to one capital code as often the properties require more than one type of work, which makes reconciliation between the private sector housing and finance system difficult. Also, there is no requirement by GOEM to split the grants by type of work.	(113,176)	-	GOEM
2007-08 PR005B V02 GOEM Solid Wall Insulation Housing GF	There are currently three different capital codes for decent homes works funded by GOEM. It is proposed to move all of the budget and expenditure to one capital code as often the properties require more than one	(200,732)	-	GOEM

	type of work, which makes reconciliation between the private sector housing and finance system difficult. Also, there is no requirement by GOEM to split the grants by type of work.			
2009-10 GF026 V01 GOEM Projects – Decent Homes Housing GF	It is proposed to move the budget from the above two projects to this project. This code is currently used for general decent homes works and having the budget all on one cost centre would make the coding and reconciliation of the grants simpler.	313,908	-	GOEM
Movement between years				
2009-10 GF065 V01 Improvement Works at Grosvenor Centre Car Park Planning & Regeneration	Commissioning will take place in 2009-10 with the beginning of the works in late winter/early spring, therefore the bulk of the spend will be in early 2010-11.	(1,700,000)	1,700,000	Prudential Borrowing

(3) That the following be noted:

- a) The scheme below which was approved by Cabinet on the 5 August 2009 as part of a separate report:

Scheme Reference, Description & Directorate	Narrative	2009-10 £	Future Years £	Funding Source
2009-10 GF065 Improvement Works at Grosvenor Centre Car Park Finance & Assets	Major improvement works at the car park to assist the final negotiations of the proposed Conditional Development Agreement relating to the Grosvenor Greyfriars complex.	1,750,000	-	Prudential Borrowing

- b) The capital programme monitoring position as at end of June 2009, including forecast outturns and slippage into 2010-11, as set out at Annex C and D.
- c) The funding arrangements for the 2009-10 capital programme as set out at Annex E.

(4) The usage of section 106 funds as outlined in paragraph 2.1 additions to the capital programme.

- GF060 Places of Change

- HRA016 Woodside Way

(5) That a future report to set out progress towards the Council's carbon management programme.

15. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

16. ECTON LANE TRAVELLERS SITE - REVIEW OF MANAGEMENT ARRANGEMENTS

Councillor Woods as the relevant Portfolio Holder submitted a report which sought Cabinet's approval to agree in principle to the new proposed management arrangements set out in the report.

- RESOLVED:**
- (1) That the Director of Housing be authorised to conclude negotiations with the present site manager for an agreement for a three year period commencing December 2009.
 - (2) That subject to consultation with the existing pitch licence holders the Director of Housing in consultation with the Borough Solicitor and the Portfolio Holder for Housing be delegated authority varying the terms of the existing licences including the weekly pitch fees between pitch holders and the Council (Option 3.3.3 of the report).
 - (3) That pitch fee be set at £55 per week from the commencement of the proposed new Agreement subject to annual review of the pitch fees commencing in February 2011 and thereafter on each anniversary thereof.
 - (4) That the draft Heads of Terms with the Site Manager which included the proposed commercial elements of the arrangement, be noted.

The meeting concluded at 20.05 hours