

Minutes of Cabinet

11 December 2018

Present:

Councillor I.T.E. Harvey, Leader and Council Policy co-ordination
Councillor A.C. Harman, Deputy Leader and Communications
Councillor M.M. Attewell, Community Wellbeing
Councillor J.R. Boughtflower, Corporate Management
Councillor M.P.C. Francis, Housing
Councillor O. Rybinski, Customer Service, Estates and Transport
Councillor H.R.D. Williams, Finance

Apologies:

Councillor C. Barnard, Planning and Economic Development
Councillor D. Patel, Environment and Compliance

2547 Minutes

The minutes of the Cabinet meeting held on 21 November 2018 were agreed as a correct record.

2548 Disclosures of Interest

There were no disclosures of interest in relation to the items being heard in public.

A non-pecuniary interest was disclosed in relation to exempt item 13 – Investment Acquisition T. Details of this are recorded in the exempt minutes for this item.

2549 Leader's announcements

The following are the latest service updates from various Council departments.

Firstly, it is with great sadness that I report the passing of former councillor and past mayor, Sam Budd. Sam was a long-serving, hard-working public servant who will be sorely missed by all who knew him. My sympathies go to his family at this sad time.

The Council is calling on Heathrow to conduct meaningful community engagement and is urging residents to respond to the public consultations starting in January 2019.

We are also calling for Government to approve the SLR scheme which we believe is the quickest and cheapest option to improve airport connectivity from the south and west. We think this will bring enormous economic benefits to the local area, have real benefits to residents and fewer environmental impacts compared to heavy rail schemes, including protecting Staines Moor.

An extensive list of frequently asked questions have been added to the Council's website to explain the rationale behind Spelthorne's commercial investment strategy.

To be located in Staines-upon-Thames, we have recently announced that an initiative to provide dynamic business incubation space for start-ups and pre-starts in the science, technology and creative sectors will be opening in spring 2019. To be known as the Heathrow Launchpad, the scheme is a new partnership between Spelthorne Borough Council, Royal Holloway University of London and the University of Surrey.

Works to provide extra space for people with additional support needs have commenced at the Greeno Centre.

Work is also progressing to clear the west wing of the Council Offices in preparation for development into residential.

Mayor Cllr Jean Pinkerton, OBE, celebrated the winners of a 'what I love about Spelthorne' creative arts competition at an awards ceremony on 12 November.

The Council is actively encouraging residents to respond to the five Surrey County Council consultations on Children's Centres, Community Recycling Centres, SEND, Libraries and Concessionary Bus Travel. The Council will be also making robust representations.

A special ceremony was held on 14 November to mark the planting of 100 trees in Thameside, Laleham Park, to commemorate the centenary of the end of the First World War. We plan to plant a tree for every soldier lost during that conflict over the coming months as a fitting and lasting tribute.

Staying on the tree theme, five trees donated to MP Kwasi Kwarteng were planted in Staines Park on 16 November. The trees were from the Woodlands Trust, Queens Commonwealth Canopy project, to mark Her Majesty's lifetime of service to the Commonwealth.

Following our assurance to residents that the new leisure centre will not be sited in Staines Park, we are looking obtaining a "Fields in Trust" designation for the Park.

To spread a little Christmas cheer and support our town centre shops, we are offering free parking in our town centre car parks for late night shopping on Thursdays in the run up to Christmas. Festive events include an Art Open Day, Christmas Explorer, Santa Stroll, a free Christmas lunch at the Greeno Centre and the ever popular Lantern event held in Stanwell on 30 November.

2550 Outline Budget 2019/20 - 2022/23 - Key Decision

Cabinet considered a report on the Outline Budget for 2019/20 to 2022/23 which outlined the current expected budget gaps for 2019/20 and the following three years.

The Provisional Local Government Funding settlement had been delayed until after the 'meaningful vote' in Parliament on the Brexit deal which had been due to take place on 11 December 2018 but had now been postponed. The specifics of the funding settlement would be communicated as soon as they were known and this was now expected to be before Christmas.

Officers were working up proposals to close the budget gaps as set out at paragraph 1.5 of the report, which currently stood at £1.5m, £4.8m, £6m and £4.1 respectively, and would bring these to Cabinet in the New Year.

Resolved that:

1. The net budgeted expenditure (before investment and use of reserves) for 2019-20 be set at a maximum level of £22.2m;
2. Cabinet support the overall strategy set out in the report for addressing efficiencies and achieving medium term financial sustainability; and
3. the financial health indicators set out in paragraph 3.23 be agreed.

2551 Treasury Management Strategy - half yearly report

Cabinet considered the half yearly report on the Treasury Management Strategy for 2018/19.

Borrowing totalled £1,033m as at 30 September 2018, of which £1,008m was loans from the PWLB (Public Works Loan Board) and £25m from local authorities.

The Council's investment portfolio totalled £68.8m as at 30 September 2018. This included pooled investment funds of £17.5m with an income return of 4.46%.

Resolved to note the treasury position achieved during the first six months of 2018/19 and the financial environment in global markets.

2552 Proposal for Local pay, terms and conditions

Councillor J. Boughtflower, Portfolio Holder for Corporate Management, advised Cabinet that a Collective Agreement had been signed on 10 December 2018. The report was therefore withdrawn.

2553 Urgent Action

Cabinet noted urgent action taken by the Chief Executive in consultation with the Leader in relation to a letting within the Porter Building, Slough. The matter was considered as an urgent action because the lease had to be signed before the Cabinet was next due to meet.

2554 Urgent items

An urgent item had been notified and was dealt with as an exempt matter at the end of the agenda as Item 13 – Investment Acquisition T.

2555 Exempt Business

Resolved to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

2556 Exempt report - Acquisition of Property R - Key Decision

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

Cabinet considered an exempt report regarding the acquisition of Property 'R'.

Alternative options considered:

Formally agree not to submit a bid

Resolved to:

- Approve the acquisition of the investment including forward funding identified in the report;
- Formally agree the offer conditional submitted, and authorise the Chief Executive (and delegated Officers) to undertake any necessary subsequent negotiations (including a further bid if required) and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);
- Authorise the Chief Finance Officer to decide (i) the most financially advantageous funding arrangements for the purchase, (ii) the most tax efficient method of holding the asset, and overall to ensure the acquisition is prudentially affordable;
- Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the asset; and
- Agree to exempt Contract Standing Orders in respect of our Advisors.

Reason for recommendation:

It will bring in a steady income stream in order for the Council to deliver its ambitious housing and regeneration programme across the Borough to help meet the needs of its residents. The Council needs to generate additional income to offset the revenue impacts of undertaking these projects across the Borough.

2557 Exempt report - Acquisition of Property S - Key Decision

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

Cabinet considered an exempt report regarding the acquisition of Property 'S'.

Alternative options considered:

Formally agree not to submit a bid

Resolved to:

- Approve the acquisition of the investment asset identified in this report;
- Formally agree the offer conditional submitted, and authorise the Chief Executive (and delegated Officers) to undertake any necessary subsequent negotiations (including a further bid if required) and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);
- Authorise the Chief Finance Officer to decide (i) the most financially advantageous funding arrangements for the purchase, (ii) the most tax efficient method of holding the asset, and overall to ensure the acquisition is prudentially affordable;
- Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire the asset; and
- Agree to exempt Contract Standing Orders in respect of our Advisors.

Reason for recommendation:

It will bring in a steady income stream in order for the Council to deliver its ambitious housing and regeneration programme across the Borough to help meet the needs of its residents. The Council needs to generate additional income to offset the revenue impacts of undertaking these projects across the Borough.

2558 *Urgent Business: Exempt report - Investment Acquisition T - Key Decision

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

A member disclosed a non-pecuniary interest in relation to this item and left the meeting room during the debate and decision on this matter.

Cabinet considered an exempt report regarding investment acquisition 'T' as urgent business.

In accordance with Urgent Action provisions, the Chairman of Overview and Scrutiny Committee had agreed that the matter was urgent and could not reasonably be deferred.

Reasons for urgency

The site had very recently come to the attention of the Council as a redevelopment opportunity. The timescales for bidding were extremely tight and it was not possible to defer the decision until the expiry of 28 working days for the publication of notices under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, as the Council would have missed the deadline for submitting its bid to acquire the site. The deadline for submitting bids was Wednesday 12 December 2018.

Alternative options considered:

Formally agree not to submit a bid

Resolved to:

- Approve the acquisition of the site and its future development for Housing purposes as identified in this report;
- Agree the offer submitted for the acquisition, and authorise the Chief Executive (and delegated Officers) to undertake any necessary subsequent negotiations (including a further bid if required) and complete the acquisition of the asset (in consultation with the Chief Finance Officer, the Leader and the Cabinet Member for Finance);
- Authorise the Chief Finance Officer to decide (i) the most financially advantageous funding arrangements for the purchase, (ii) the most tax efficient method of holding the asset to include the transfer of the asset into Knowle Green Estates Limited if and when appropriate to do so, and overall to ensure the acquisition is prudentially affordable;
- Authorise the Head of Corporate Governance to enter into any legal documentation necessary to acquire and develop the asset including any documentation required for any potential transfer of the asset to Knowle Green Estates Limited;
- Agree to exempt Contract Standing Orders in respect of our Advisors;
- Delegate the selection of the design team and the contractor to the Group Head of Regeneration and Growth in consultation with the Portfolio Holder.
- **Recommend to Council** the approval of the budget for the design team and the contractor for the development of the site.

Reason for recommendation:

The site will deliver a steady income stream once developed which will support the Council to deliver its ambitious housing and regeneration programme across the Borough to help meet the needs of its residents. The Council needs to generate additional income to offset the revenue impacts of undertaking these projects across the Borough.

NOTES:-

- (1) Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule 16, the “call-in” procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.**
- (2) Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.**
- (3) Within five working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to “call in” a decision;**
- (4) To avoid delay in considering an item “called in”, an extraordinary meeting of the Overview and Scrutiny Committee will be convened within seven days of a “call in” being received if an ordinary meeting is not scheduled in that period;**
- (5) When calling in a Cabinet decision for review the members doing so should in their notice of “call in”:-**
 - Outline their reasons for requiring a review;**
 - Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;**
 - Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and**
 - Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.**
- (6) The deadline of five working days for “call in” by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 19 December 2018.**