

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Cabinet held on
Thursday, 12 May 2005

PRESENT: Councillor Mrs DSK Spink MBE (Leader of Council)
Councillor RT Summerfield (Deputy Leader of Council and Resources & Staffing
Portfolio Holder)

Councillors:	Dr DR Bard	Planning & Economic Development Portfolio Holder
	JD Batchelor	Information & Customer Services Portfolio Holder
	Mrs JM Healey	Conservation, Sustainability & Community Planning Portfolio Holder
	Mrs EM Heazell	Housing Portfolio Holder
	SGM Kindersley	Environmental Health Portfolio Holder

Councillors RF Bryant, Mrs SJO Doggett, JA Hockney, Mrs CAED Murfitt, Dr JPR Orme, NJ Scarr, Mrs GJ Smith and Dr SEK van de Ven were in attendance, by invitation.

Apologies for absence were received from Councillor Mrs DP Roberts.

Procedural Items

1. MINUTES OF PREVIOUS MEETING

The Leader was authorised to sign the Minutes of the meeting held on 14 April 2005 as a correct record, subject to the following amendment:

Direct Labour Organisation Review (Minute 19)
Fourth paragraph, replace first sentence with:

“Given other pressures on the Housing Revenue Account, the DLO’s operating deficit needed to be reduced as quickly as possible; however given the DLO tender’s over ambitious assumptions, a deficit of £185,000 was included in the 2005/06 budget.”

2. DECLARATIONS OF INTEREST

Councillor SGM Kindersley declared a personal interest in St Denys Church, East Hatley, should the subject be discussed.

Recommendations to Council

3. WINDMILL ESTATE, FULBOURN

The Housing Portfolio Holder introduced the options for a long term housing solution for the Windmill Estate, commending a redevelopment scheme. Councillor NJ Scarr reported that the local members were happy to recommend the proposals as long as residents were permitted to change their views, as he felt that many of those currently opposed would do eventually. Councillor Mrs SJO Doggett added that if arrangements could be made concerning mortgage debt, some of those owner/occupiers who did not

want an equity share model might change their minds. It was noted that 18 households had not responded to the Council's survey of opinion on the options for the Windmill Estate but, if the scheme was approved, Nene Housing Society would work closely with all the residents since knowledge of all individual housing needs would be essential.

Responses to queries included:

- Scheme costs and potential funding were assumptions at this stage, as was the funding shortfall, as a scheme had not yet been prepared
- The Council would not bear any funding shortfall
- Nene Housing Society was in a good position to press for Housing Corporation funding
- It would be Nene Housing Society's option to acquire the freehold of the land under the terms of any leasehold disposal of the Council's interest at nil cost
- The future of occupied properties remaining in the Council's ownership would be part of the larger debate on the future of the housing stock at the next meeting
- Residents would always be given the opportunity to change their minds

Members commended the excellent report and thanks were expressed to the local Members, Fulbourn Parish Council, the officers involved and all who served on the project group for their hard work and commitment.

Cabinet

RESOLVED to endorse the policy that Council-owned properties on the Windmill Estate continue to be leased to Nene Housing Society in the short term as they become available following relocation of current tenants (on a temporary or permanent basis) until such time as a redevelopment scheme can be implemented. Any surplus income over expenditure in respect of any Council owned properties is to be reinvested in the estate.

RECOMMEND TO FULL COUNCIL

That once a redevelopment scheme has been approved and planning consent obtained, the properties held on a short term lease, together with any other Council properties that become vacant thereafter and any other land in the Council's ownership within the estate boundary (to be agreed), be disposed of to Nene Housing Society for redevelopment purposes subject to the following conditions:

- (i) that redevelopment will maximise the number of affordable homes to be provided with no more than 30% to be open market housing and,
- (ii) that the Council will only transfer the freehold interest in the land required for the open market dwellings at nil cost and,
- (iii) that the land on which any new affordable dwellings are provided (social rented and shared ownership units) will be leased under a 125 year term to Nene Housing Society at nil cost with the Council retaining the freehold interest. However, an option within the lease will enable Nene Housing Society to acquire the freehold interest at an independent open market valuation that reflects the use of

- (iv) the land is for affordable housing and, that Nene Housing Society will meet any legal costs and home loss/disturbance payments incurred by the Council in respect of the Windmill estate in 2004/05 and future years and,
- (v) that a value for money scheme can be developed to enable appropriate funding from external sources to be secured,
- (vi) that any new affordable housing is tailored to meet identified housing needs as agreed by the Council,
- (vii) that the Council will be entitled to receive nomination rights of 100% of initial lets and 75% of subsequent lettings of all social rented units provided through refurbished and new build affordable housing on the sites and,
- (viii) that the Council will receive 100% nomination rights in perpetuity to any shared ownership and/or other intermediate tenures provided through refurbished and new build affordable housing on the sites and,
- (ix) that the Council will not seek to use compulsory purchase powers to facilitate the redevelopment and,
- (x) that as far as possible the wishes of all residents (tenants, owner-occupiers and leaseholders) should be accommodated without compromising the wishes of others on the Windmill Estate and,
- (xi) that Nene Housing Society will contribute towards the cost of any additional staffing resources that may need to be identified within Shire Homes to manage the redevelopment scheme.

4. **END OF YEAR PERFORMANCE - APRIL 2004 TO MARCH 2005, CORPORATE ACTION PLANS, MILESTONES AND PERFORMANCE INDICATORS**

The Resources and Staffing Portfolio Holder introduced the end of year report, commenting that performance was reported by exception.

The improvement in the % of major planning applications decided in 13 weeks was noted but Members expressed their frustration at the Government's unrealistic expectations of performance by this Council given the number of very large developments for which it had to plan. It was also noted that a large development meant anything from 10 properties upwards.

Cabinet

NOTED Note the significant progress made on many corporate actions and milestones to improve corporate capacity and progress on priorities in 2004/05;

AGREED to

(a) Include realistic targets in the 2005 Performance Plan and continue to monitor the following areas to ensure progress is achieved:-

- Procurement Strategy

- Waste & Recycling Scheme
 - ICT
 - Northstowe
- (b) Continue to monitor the following priority PIs closely to ensure progress is achieved:-
- BV109a – Major Planning Applications
 - BV157 - ESD Delivery
- and note that Directors will monitor progress on these and other priority PIs monthly in 2005/06
- (c) Reduce the number of milestones in the final quarter, when preparing the 2005 Performance Plan.

5. STRATEGIC RISK MANAGEMENT

The Resources and Staffing Portfolio Holder updated Cabinet on progress on strategic risk management and the Finance and Resources Director highlighted the 4 corporate strategic risks felt worthy of more detailed report: capped Council Tax; travellers' influx; procurement and efficiency; and planning for growth. Efforts were being made to embed a risk management culture and training was taking place, although cascading it through departments had been delayed. Funding was available from the Council's insurers for training for Members, but it was not certain that this would be the most effective way of keeping Members advised. Councillor Summerfield was prepared to continue to carry the responsibility. Cabinet

APPROVED

- (a) The risk scenarios provided at Appendix A, the prioritisation matrix provided at Appendix B and the management action plans provided at Appendix C;
- (b) The suggestions made to improve actions taken to embed risk management within the Council:
- Enhance use of the risk management implications section in reports to Members
 - Change use of mainstreaming risk management section in Service Plans
 - Include strategic risks in the Council's Performance Plan
- (c) The cascading of risk management down to departments

A note was circulated of decisions it was felt were required of Cabinet in relation to the threat of Council Tax capping. One, reviewing the business case in relation to an additional refuse collection round, was deleted since it was a service specific example of freezing uncommitted Continuous Improvement Plan (CIP) bids, when all should be reviewed. Cabinet

AGREED

- (a) To continue to fight capping this year;
- (b) To consider the extent of any cuts to be made in response to any capping decision and when they should be effective;
- (c) To use balances to cushion the effect in the current year if capping is imposed;

- (d) To consider any accounting treatment changes that might help, such as using capital receipts to fund capital projects, releasing earmarked revenue reserves, subject to a report on detail;
- (e) To freeze any uncommitted CIPs bids pending resolution of capping, and examine other bids for potential savings;
- (f) To require Resources and Staffing Portfolio Holder approval before filling any vacancies, pending the resolution of capping;
- (g) To seek initial legal advice on the potential for judicial review;
- (h) To continue to seek support for the Council's case in challenging capping.

6. DELIVERING EFFICIENCY SAVINGS - UPDATE

The Resources and Staffing Portfolio Holder introduced the finalised forward-looking part of the Council's first Annual Efficiency Statement, for which the comments from Scrutiny and Overview Committee had been taken into account. He outlined the next steps, highlighting the meeting to be arranged for developing the "front office-back office" approach; the recommendations from Scrutiny and Overview Committee for year two onwards; and staff shortages in the Policy and Performance team.

A call was made for further work on the Efficiency Statement to be deferred pending the appeal against capping but, although there was considerable sympathy with this view, it was noted that the forward-looking part of the Statement was already done and that there could be a spiral of intervention if the Statement were not completed. The advice of the external auditors had been sought on how efficiency savings could be shown as having a neutral effect on services if cuts in service were having to be made at the same time.

The Chief Executive asked Members to keep in mind that the Medium Term Financial Strategy already in place had built into it a need for savings to fund the growth in the District before the growth produced additional income. Added to this was the Gershon efficiency savings of 2.5% a year; then any cuts required by capping.

It was noted that

- the wording of the extract from the Minutes of the Scrutiny and Overview Committee had not yet been agreed by the Committee
- the forthcoming lettings review might produce savings in the more efficient use of housing accommodation
- structural change took time and was disruptive – it needed careful consideration

By 6 votes to 1, Cabinet

NOTED

- (a) The feedback from the Scrutiny and Overview Committee set out in paragraph 11 and Appendix A to the report;
- (b) The contents of the finalised forward-looking part of the Annual Efficiency Statement, set out in Appendix B to the report; and

AGREED

- (c) that the Leader, in conjunction with the Chief Executive and the Finance and Resources Director, be given delegated authority to finalise the backward-looking part of the Annual Efficiency Statement for 2005/06, in time for the official deadline of 15 June 2005;
- (d) That a meeting between the Information & Customer Services and Resources & Staffing Portfolio Holders and the Chief Executive and the

Finance & Resources Director in relation to developing the “front office-back office” approach be held within 1 month.

7. **WILLINGHAM - RIGHT OF WAY OVER BRICKHILLS**

The Housing Portfolio Holder advised that the decision on the request for a vehicular right of way over Council land was before Cabinet because the local Members were not all in agreement with the recommendation of refusal.

The Leader reported that she had had a telephone conversation with the applicant but that she had not received an email from him. It was noted that Councillor RMA Manning had originally not wished to comment because of an interest, through an employee’s involvement, in other land nearby.

The main issue of concern was the future use of the land south of Brickhills should the request be granted, together with additional traffic generation and the proximity of the proposed access to the parking area. The value of the proposed right of way had not been assessed. In the light of these concerns, Cabinet

REFUSED the request for a right of way over Council land at Brickhills, Willingham.

8. **TRANSFER OF COUNCIL LAND TO REGISTERED SOCIAL LANDLORDS**

The Housing Portfolio Holder commended the recommendation that Registered Social Landlords be granted long-term ground leases rather than freehold transfers since this gave the Council the opportunity for future review. The Head of Housing Strategic Services added that lease arrangements were now the more common approach and that agreement to the revised approach would permit review of earlier decisions to offer land at nil cost and establish a principle for the future. If leasing was not viable in any particular case a report would be brought to Cabinet, but it was noted that for some schemes a mixture of leasehold and freehold disposals would be necessary. Cabinet

RESOLVED to approve the disposal of Council property to Registered Social Landlords by long-term (125 years) ground lease at nil rent rather than freehold free of charge transfer; recognising that some schemes may include a freehold element where necessary.

9. **UNCOMMITTED GRANT BALANCES AND OTHER EARMARKED RESERVES OVER TWO YEARS OLD AS AT 31 MARCH 2005**

On considering the report, Cabinet

NOTED that the War Memorial grant balance of £9,810 was to be returned to the overall General Fund Reserve; and

RESOLVED that the following uncommitted reserve balances that are over two years old be carried forward into the 2005/06 financial year:

Dual Use Capital Grants (£1,148,295 in total)	£972,195
Heritage Initiatives Grants	£16,800
Historic Buildings Preservation Fund	£152,990

Shopping Car Parks

£29,000

Information Items

10. QUARTERLY MONITORING REPORT AND PRUDENTIAL INDICATORS

The Resources and Staffing Portfolio Holder introduced the quarterly monitoring report on actual income and expenditure against budget for 2004/05.

Cabinet **RECEIVED** the report, noting that income in all but one case was lower than expected, but not by a great amount proportionately

Standing Items

11. MATTERS REFERRED BY SCRUTINY AND OVERVIEW COMMITTEE

In accordance with the recommendations of the Scrutiny and Overview Committee, Cabinet **AGREED**

- (a) That the current Freedom of Information Act process continue, with the Information Management Officer reporting monthly to the Information and Customer Services Portfolio Holder; and that Members talk to either party for updates should they be required;
- (b) That the Information Management Officer's pursuit of funding from the Department of Constitutional Affairs for providing information under the Freedom of Information Act be strongly supported;
- (c) That every report to Council and its committees/constituent bodies, other than regulatory committees, must link to both the Corporate Objectives **and** Corporate Priorities.

12. UPDATES FROM CABINET MEMBERS APPOINTED TO OUTSIDE BODIES

None received

**The Meeting ended at 12.35
p.m.**
