

CABINET

22nd March 2016

Present: Councillor Bayliss in the Chair

**Councillors Amos, Mrs L. Hodgson,
Johnson, Mitchell and Roberts**

Also in Attendance:

Councillors Berry and J. Squires

109 Declarations of Interest

The following declaration of interest was made:

Councillor Mrs L. Hodgson – Quarter 3 Performance Report for 2015/16 (Minute 115) - As a Governor of Heart of Worcestershire College

110 Public Participation

None.

111 Minutes

RESOLVED: That the minutes of the meeting held on 9th February 2016 be approved as a correct record and signed by the Chairman.

112 Major Projects - Progress Report

The Cabinet received an update on progress made against some key Corporate Plan projects as well as some other major projects approved by Cabinet during 2015/16. The Leader presented the report and highlighted in particular the new Swimming Pool at Perdiswell, the Crematorium Refurbishment and the redevelopment of Cathedral Square.

Other Cabinet Members welcomed the report and it was highlighted that the Swimming Pool project was on time and to budget at this stage.

Other Members present were also given an opportunity to comment and in response to questions it was explained that the highways work at Cathedral Square was consistent with the approved scheme.

RESOLVED: That the Cabinet note the progress that has been made on major projects during the last 12 months.

113 Perdiswell Culvert Repairs - Award Of Contract - Key Decision

The Cabinet considered proposals for repairs to the Perdiswell Culvert. The Portfolio Holder for a Cleaner, Greener and Safer City presented the report and explained that the Cabinet had given approval for repairs in December 2014. As the work progressed it became apparent that, due to the deterioration to the culvert, alternative repair work was required in the form of a new culvert laid parallel to and bypassing the existing.

The nature of the project meant that the final specification was dependent on preliminary survey work and prevailing site conditions. This meant that the final specification, and therefore costs, would be agreed shortly before the commencement of work on site in April 2016.

It had been established that the revised scheme would require additional funding of up to £295k. It was anticipated that external funding of £95k would be confirmed by the Environment Agency during April 2016. Therefore the Council would be required to contribute up to an additional £200k. There was potential for additional external funding to be secured during early 2016/17, reducing the Council's contribution, although there was a significant risk that this would not be available.

Other Cabinet Members commented and expressed support for proceeding with the works at the earliest opportunity in view of the implications of a collapse of the culvert.

Other Members present also supported the proposals. In response to questions, it was clarified that should a collapse occur then the risk of flooding would occur upstream of the culvert.

RESOLVED: That the Cabinet:

- 1. delegate authority to finalise the specification and award a contract for repairs to the Perdiswell Culvert to the Service Manager, Cleaner and Greener City in consultation with the Corporate Director, Resources; and**
- 2. allocate additional funding of up to £295k to provide a capital project budget of £800k for these works. The additional funding to be met from internal earmarked reserves and external funding.**

114 Quarter 3 Financial Monitoring Report - 2015/16

The Cabinet considered the Quarter 3 Financial Monitoring report covering the period to 31st December 2015. The Portfolio Holder for Resources presented the report and highlighted the main points. Other Cabinet Members and other Members present also commented.

In summary, Quarter 3 performance was positive, with a surplus of £298k. The year-end forecast was a £404k surplus. The Portfolio Holder explained that this represented approximately one per cent of the budget and he congratulated Officers on their effective management of the Council's finances. He referred to write-offs of Council Tax and Business Rates during Q3 and explained that cases totalling £71k required Cabinet approval, the remainder having been approved by Officers.

The Performance Management and Budget Scrutiny Committee had considered the report at their meeting on 15th March. It was explained that the Vice-Chairman of the Committee, who had been in the chair for that meeting, was unwell and was not able to attend to feedback on points made in the discussion.

Other Cabinet Members spoke and welcomed the report. Other Members present were given the opportunity to comment and in response to questions the Portfolio Holder stated that the 'Mind the Gap' plan was on target to deliver the majority of the anticipated savings. He was confident that any items carried forward would be achieved in 2016/17. The Corporate Director – Resources explained the position on capital payments in respect of the Swimming Pool.

The Cabinet did not make any recommendations of action to take as a result of the information.

RESOLVED: That the Cabinet:

- 1. note the financial monitoring report and variances highlighted for the third quarter ended 31st December 2015; and**
- 2. approve the write-offs noted in paragraph 3.6 of the report.**

115 Quarter 3 Performance Report for 2015/16

The Cabinet considered a summary by exception of performance for the 3rd quarter for the period to 31st December 2015. The Portfolio Holder for Resources presented the report and highlighted the main points. Other Cabinet Members also commented.

The Performance Management and Budget Scrutiny Committee had considered the report at their meeting on 15th March 2016. There were no specific comments from the Committee to Cabinet in respect of this item.

Other Members present were given the opportunity to comment and Cabinet Members responded to questions on detailed aspects of the report. It was clarified that performance information would be provided by the new leisure provider.

RESOLVED: That the Cabinet note the summary by exception of performance for the third quarter (October - December 2015) as set out in the report.

116 Community Infrastructure Levy Draft Charging Schedule Consultation

The Cabinet considered the latest position and progress towards adopting a Community Infrastructure Levy (CIL) Charging Schedule by December 2016. The Portfolio Holder for Economic Prosperity and Tourism presented the report. He highlighted the main points and explained that, in accordance with the adopted Local Development Scheme it was intended to consult on the Draft Charging Schedule (DCS) in April 2016 and submit to the Planning Inspectorate a CIL Charging Schedule for examination in July 2016.

Other Cabinet Members expressed support for the proposed DCS, which would provide the opportunity to collect CIL from relevant future development and help to ensure infrastructure improvements are coordinated across the South Worcestershire area.

In response to questions from other Members present, Officers would provide written clarification of the definitions of "supermarket" and "student accommodation" in the document.

RESOLVED: That the Cabinet:

- 1. note the work that has been undertaken to produce the Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS) and that Cabinet advises officers of any changes they recommend to the document before the public consultation period;**
- 2. approve the CIL DCS (Appendix 1) for a six week public consultation from Friday 1st April to Monday 16th May 2016;**
- 3. note the CIL timetable as set out in the Local Development Scheme and the crucial stages in submission of the CIL and Examination by the Planning Inspectorate by the autumn of 2016;**
- 4. delegate authority to the Corporate Director – Place in consultation with the Cabinet Member for Economic Prosperity and Tourism to make minor amendments to the DCS prior to consultation; and**
- 5. delegate authority to the Corporate Director – Place in consultation with the Cabinet Member for Economic Prosperity and Tourism to submit the DCS, following the close of consultation, together with the representations received and a 'Statement of Modifications' as necessary, to the Secretary of State for Examination by an independent inspector.**

117 Revised Draft South Worcestershire Developer Contributions Supplementary Planning Document

The Cabinet considered proposals for a second round of public consultation on the South Worcestershire Developer Contributions Supplementary Planning Document (SPD). The Portfolio Holder for Economic Prosperity and Tourism presented the report and explained that consulting on a revised draft SPD which incorporated changes resulting from the first round of consultation would make the final SPD more robust and mitigate against any legal challenge being successful. Subject to the outcome of the consultation, it was anticipated that final adoption of the SPD would take place in December 2016. He emphasised the difference between the CIL and Section 106 Agreements.

The Portfolio Holder and other Cabinet Members referred to the importance of involving local Members in deciding how monies were spent.

Having considered the content of the SPD the Cabinet did not identify any changes they would recommend to this document prior to consultation.

RESOLVED: That the Cabinet:

- 1. approve this document for public consultation between 1st April and 16th May 2016; and**

2. **delegate authority to the Corporate Director - Place in consultation with the Cabinet Member for Economic Prosperity and Tourism to make minor amendments to the South Worcestershire Developer Contributions Supplementary Planning Document prior to consultation.**

118 Refurbishment of Playing Pitches at Perdiswell - Key Decision

The Cabinet considered a report on proposals to carry out works to bring the pitches back into use.

The Portfolio Holder for Sport, Leisure, Retail, City Centre and Riverside Enhancement explained that the pitches were closed in 2012 as they were largely unplayable and afforded a risk of injury to participants. Discussions had been on-going with the Football Foundation since the closure with regard to bringing them back into use.

The preferred option was to reinstate 6 grass pitches commencing in April 2016. These works would satisfy the requirements of the Football Foundation and would take approximately 10 weeks to complete, following which there would be a period of at least 12 months for the grass to become established. The appointment of a specialist technical consultant was required to oversee the execution of the works. The costs of the specialist consultant and a contingency for the works would be funded from the 2016/17 New Homes Bonus grant which had been set aside to support Corporate Plan priorities.

Following market testing, a tendering process had resulted in the receipt of 7 bids from Football Association approved contractors. All 7 submissions were acceptable in terms of quality and therefore the successful submission should be awarded in accordance with the lowest price.

Other Cabinet Members expressed support for these works, which would fit with the South Worcestershire Playing Pitches Strategy.

In response to questions from other Members present, it was clarified that the works undertaken to renovate the outdoor pitches following the grant award in 2008 had been completed in accordance with the specification agreed at that time.

RESOLVED: That the Cabinet:

1. **award a contract to Contractor D to carry out works to reinstate 6 grass pitches at Perdiswell;**
2. **approves a total project budget of £336,000 for this work, to include the contract works, project supervision and contingency; and**
3. **notes the availability of Section 106 funding to finance the contract works and agrees to allocate funding from the 2016/17 New Homes Bonus grant, to finance the remaining project costs.**

119 Disability and Employment Scrutiny Review - Final Report

The Cabinet considered the Disability and Employment Scrutiny Review final report. The Chairman of Scrutiny Committee was in attendance to present the report on behalf of the Review Group. The Leader invited her to comment and she summarised the recommendations set out in the report.

The Leader explained that he had agreed to include this item on the agenda as one of the recommendations was to actively support the Disability Confident Conference to be arranged by Robin Walker MP. The Conference was scheduled for 6th April 2016 and in the circumstances he proposed that the decision be taken to agree this particular recommendation. The Portfolio Holder for Economic Prosperity and Tourism would give detailed consideration to all the other recommendations with a view to providing a formal response. Other Cabinet Members expressed support for this proposed way forward.

RESOLVED: That the Cabinet:

- 1. agree recommendation I "To actively support and promote awareness of the business opportunity of employing disabled people through the Disability Confident Conference to be arranged by Robin Walker MP;" and**
- 2. agree to consider all the other the recommendations and provide a formal response.**

120 Any Other Business

None.

121 Item Involving the Disclosure of Exempt Information

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of information as defined in Schedule 12A of the said Act.

122 Refurbishment of Playing Pitches at Perdiswell - Evaluation of Bids

The Cabinet noted details of seven tenders submitted and the specialist consultants commissioned to cover the technical management of the works.

Duration of the meeting: 7.00p.m. – 8.26p.m.

Chairman at the meeting on
14th June 2016