

**Council : 3 March 2008  
SUMMONS AND AGENDA**

Civic Offices  
St Nicholas Way  
Sutton  
Surrey  
SM1 1EA

22 February 2008

To: **All Councillors of the London Borough of Sutton**

Dear Councillor,

You are hereby summoned to attend a Meeting of the COUNCIL of the LONDON BOROUGH OF SUTTON to be held in the EUROPA GALLERY, CIVIC OFFICES, SUTTON on Monday 3 March 2008 at 7pm for the transaction of the business stated on the agenda below.

Yours sincerely

Chief Executive

**AGENDA**

**1. CONFIRMATION OF THE MINUTES OF THE COUNCIL MEETING HELD ON 21 JANUARY 2008 (Pages 1 - 20)**

**2. MAYOR'S ANNOUNCEMENTS**

**3. CHEAM WARD BY ELECTION : RESULTS**

The results of the Cheam Ward By Election on 28 February 2008 will be reported at the meeting.

**4. ANSWERS TO QUESTIONS**

**a) Asked by Members of the Public**

**b) Asked by Councillors**

**5. APPOINTMENT OF SPECIAL ADVISERS**

To appoint Judy McDaid of the Durand Close Residents Association (Substitute Caroline Walden) as a Special Advice to serve on the St. Helier, The Wrythe and Wandle Valley Local Committee until the annual meeting of the Council in May 2008.

**6. NOTICE OF MOTION : POST OFFICE CLOSURES**

In accordance with Notice given, Councillor Ruth Dombey will move the following Motion

“This Council deplores the Post Office's proposal to close five post offices in the Borough - 3, Hillfield Parade Bishopsford Road, 213 Carshalton Road, 7-9 Seymour Road, 131 Wrythe Lane, and 143 Gander Green Lane.

Given the Council's plans to develop a sustainable community in the Hackbridge /Mitcham Junction area this Council particularly deplores the proposal to close the Seymour Road post office which sits at the centre of the area the Council wishes to develop as a sustainable community. The Council notes that only two years ago the postmaster spent a substantial sum following guidance provided by the Post Office to make this branch fully DDA compliant and strongly opposes the loss of such a branch in a relatively poor area of the Borough with a significant elderly population.

The Council resolves to respond to the Post Office Ltd's consultation opposing the further closure of post offices in Sutton borough which are vital to supporting sustainable communities.”

In accordance with Standing Order 11.22 the Motion will be dealt with at this Council meeting.

**7. PETITIONS**

To receive any petitions, which will either be dealt with at this Council meeting or stand referred for consideration by appropriate Committees of the Council.

**8. COMMITTEE RECOMMENDATIONS**

To receive and consider the following recommendations of Committees

**a) Budget 2008/09 and Associated Matters (The Executive 19 February 2008)**

Further to Minutes 1132/07 and 118/08, the Committee considered the proposed revenue budget and capital programme for all the Council's services. The report also gave details of the government's financial settlement and the Council's overall financial position. It proposed a total level of revenue and capital expenditure for 2008/09 and projected forward a three-year forecast of Council spending.

The report also recommended the level of Council Tax for 2008/09 for adoption by Full Council on 3 March 2008. An increase of 3.4% was being recommended, which was lower than any of the neighbouring boroughs, despite Sutton's poor government grant allocation. This low level of increase had been made possible by the efficiency measures and service transformations that had been introduced across the Council, without adversely affecting the Council's services or their delivery.

Additional information regarding the levies from the Lee Valley Regional Park Authority, the London Pension Fund Authority and the Environment Agency, and the approved Greater London Authority precept had been received since the budget papers had been circulated. The impact of this additional information on the draft budget was explained in amended pages that had been circulated separately (Updated Annexes Rev 3 and Rev 4 refer).

Officers across the Council were commended for their input and achievements. Councillor John Drage and the whole Resources team were also thanked for their hard work and leadership in preparing the budget.

**RECOMMENDED:** That full Council:

Revenue Budget

(i) approves the Council's revised estimates for 2007/08 as detailed in Section 4;

(ii) agrees that no revenue underspendings at 31 March 2008 be approved for carry forward to 2008/09 (paragraph 4.5)

(iii) approves the allocation of the Area Based Grant (paragraph 6.3)

(iv) notes the changes to the Concessionary Fares Scheme (paragraph 6.4);

(v) approves the Council's draft revenue estimates 2008/09, prior to amendment for growth and reduction options;

(vi) agrees the arrangements for education services funded from the Dedicated Schools Grant (Section 7) and approves the Education Services savings and growth proposals detailed in Annex Rev 5;

(vii) notes the government's warning on 2008/09 Council Tax levels and their threat to use capping powers (paragraph 10.4);

(viii) approves the growth and savings proposals set out in Section 11 and Annex Rev 2 for incorporating in 2008/09 estimates;

(ix) authorises Strategic Directors to progress the agreed growth and savings items without the need to seek further committee approval;

(x) agrees a central contingency of £3.5m (Section 13);

(xi) notes the precept level of the Greater London Authority, agreed by the London Assembly on 13 February 2008, and the resulting impact on this Council's budget;

Council Tax

(xii) sets a Council Tax for 2008/09 based on a Sutton increase of 3.4% and the figures given in Updated Annex Rev 3, and in accordance with the draft resolution in Updated Annex Rev 4 as follows:

1. That it be noted that at the meeting of 3 December 2007 the Council calculated the amount of 73,000 as its Council Tax Base for the year 2008/09 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992; (*Council Tax Base for 2008/09 is 73,000*);

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2. That the following amounts be now calculated by the Council for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-

- (a) £404,351,000 being the aggregate of the amounts that the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act;  
*(the Council's estimated general fund expenditure)*
- (b) £269,543,000 being the aggregate of the amounts that the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act;  
*(the Council's estimated general fund income)*
- (c) £134,808,000 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year;  
*(estimated general fund net expenditure)*
- (d) £53,869,000 being the aggregate of the sums that the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant (together comprising formula grant), and increased by the amount of the sums that the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988 and pursuant to the Collection Fund (Community Charges) (England) Directions 1994 under section 98(4) of the Local Government Finance Act 1988 (as amended).  
*(aggregate external financing adjusted for the surplus on the collection fund)*
- (e) £1,108.76 being the amount at 2(c) above less the amount at 2(d) above, all divided by the amount at 1 above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;  
*(Council Tax at Band D for Council purposes)*

(f)	Valuation bands	(i) £	(ii) £	(iii) £
	A	739.17	206.55	945.72
	B	862.37	240.97	1,103.34
	C	985.56	275.40	1,260.96
	D	1,108.76	309.82	1,418.58
	E	1,355.15	378.67	1,733.82
	F	1,601.54	447.52	2,049.06
	G	1,847.93	516.37	2,364.30
	H	2,217.52	619.64	2,837.16

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- (g) Column 2(f) (i) above being the amounts given by multiplying the amount at 2(e) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;  
*(f(i) sets out the Council Tax for each band for Council purposes)*
- (h) That it be noted that for the year 2008/09 the Greater London Authority has stated the amount shown in column 2(f)(ii) in precept issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown.  
*(f(ii) sets out the provisional GLA precept for each tax band based on a 1.95% increase)*
- (i) That, having calculated the aggregate in each case of the amounts at columns 2(f)(i), and 2(f)(ii) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown in column 2(f)(iii) above as the amount of the Council Tax for the year 2008/09 for each of the categories of dwellings shown.  
*(f(iii) sets out the total Council Tax for each tax band)*

*(Note: Words in italics are explanatory and do not form part of the formal resolution).*

(xiii) notes the updated three year forecast and the aim to keep Sutton's Council Tax increase over the following two years to a similarly low level to that in 2008/09;

Capital Programme

(xiv) approves the Capital Programme set out in Appendix A and Annex CAP1 to the report, subject to the Modernisation of Learning Disability Day Services being included as a 'signature project';

(xv) approves the financing of capital expenditure from borrowing of £8.106m in 2008/09 (paragraph 9.3) and that this sum be taken account of within the Council's revenue estimates for 2008/09 and the three year revenue forecast to 2010/11;

(xvi) delegates to the Chief Finance Officer the authority to allocate capital financing resources to schemes during 2008/09 as detailed in Appendix A to the report, for confirmation by report at the end of the year;

Treasury Management

(xvii) approves the 2008/09 to 2010/11 Treasury Management Strategy and Annual Investment Strategy set out in Appendix B to the report;

(xviii) approves the prudential indicators to support the Council's capital financing borrowing requirement as set out in Annex TM1 to the report;

(xix) approves the borrowing limits and treasury management prudential indicators set out in Annex TM2 to the report.

**b) Annual Review of The Constitution (The Executive : 19 February 2008)**

The Council's constitution was reviewed annually to ensure it continued to be up-to-date and reflect changes made elsewhere. A number of amendments were submitted for approval as a result of this year's review. The Executive Head of Legal & Democratic Services had also carried out a more fundamental review of the document's wording and format, and was recommending a number of amendments intended to make the constitution easier to read and more accessible.

Senior officers and the Strategic Community Leadership Group had considered the proposals and their comments and recommendations had been incorporated into the report now submitted.

**RECOMMENDED:** That full Council agrees the following changes to the Constitution:

(i) Revised Section 2 (Articles) as set out in Appendix A (paragraphs 2.7 to 2.13 in the report);

(ii) Revised Section 3 (Responsibility for Functions) as set out in Appendix B (paragraphs 2.18 and 2.19 in the report) and Appendix B2 (paragraphs 2.20 to 2.22);

(iii) Revised Section 4 (Standing Orders, Procedure Rules and Contract Standing Orders) as set out in paragraph 2.17 and Appendix C to the report;

(iv) Establish a new Statement of Accounts Committee, comprising five members appointed proportionally (3 LD and 2 C), to be responsible for approving the statement of accounts annually in June (paragraphs 2.14 to 2.16 in the report);

(v) Change the names of The Executive's Advisory Groups as described in paragraph 2.23 of the report;

(vi) Delete Section 6 (Principal Statutes and Extracts) and agree that this information will be included in an Appendix to the Code of Conduct and given to councillors, other members and officers as part of that document;

(vii) Delete Section 9 (Democratic & Management Structure) and Section 10 (Vision and Values) as this information is readily available on the Internet and in other more appropriate documents;

(viii) Delegate authority to the Executive Head of Legal & Democratic Services to make other, minor cross-referencing and textual changes to the Constitution to ensure that revisions that are agreed are reflected throughout the document.

*NOTE: Under the provisions of Standing Order 1.7, Recommendations (i), (iii) and (iv) above will stand adjourned, without discussion, until the next meeting of the Council on 12 May 2008.*

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