

THE EXECUTIVE

3 February 2009 at 10.00 am

MEMBERS (ALL PRESENT): Councillor Sean Brennan (Chair), Councillor Ruth Dombey (Vice-Chair) and Councillor Colin Hall (Vice-Chair) and Councillors Tony Brett Young, John Drage, Lyn Gleeson, Colin Stears and Graham Tope

1. UPDATE ON EFFECTS OF WEATHER CONDITIONS

The Chair asked the Chief Executive to give Members a brief update on how the council was coping with the exceptional weather conditions. He reported that the council's response had been as positive as had been possible. A good number of staff had managed to get in to work and he commended them for their efforts and commitment in ensuring essential services continued to be delivered, particularly to the borough's most vulnerable people.

The Chair also added his thanks to staff, some of whom had walked or driven considerable distances to ensure that council services continued to operate.

2. MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting held on 13 January 2009 were agreed as a correct record, and signed by the Chair.

3. REVENUE BUDGET 2008/09 - REVIEW AS AT 31 DECEMBER 2008

The latest position against estimates was reported for the Council's service groups for month 9. Service groups' projected over and underspendings had been reviewed in detail and, where criteria had been met, their allocations had been adjusted through the central contingency provision. Details of these adjustments were reported. Following these adjustments, the General Fund now showed an underspending of £405k as at 31 December 2008, and a projected underspend of £1,025k for the full year.

The Executive Councillor for Resources highlighted the impact that the economic downturn was having on the council's budgets.

Resolved: (i) To note the current spending position against the original estimates and issues arising and impacting on the 2008/09 budget;

(ii) To approve an additional £20k contribution to the Nonsuch Park Joint Management Committee in 2008/09 and 2009/10 as detailed in paragraph 2.11 of the report.

4. BUDGET CONSULTATION 2009/10

Further to Minute 946/08, a summary of the responses that had been received to the consultation on the Council's and budget proposals for 2009/10 was submitted. A copy of all the responses received had been placed in the Members' Room.

At the Chair's discretion, Councillor Paul Scully addressed the meeting. Councillor Scully also referred to a significant number of responses to a consultation that had been carried out by his Group, and agreed to share this information.

Ms Kempin also addressed the meeting on behalf of petitioners who opposed the proposed changes to the Animal Warden Stray Dog Collection Service. The Executive Councillor for the Environment responded, and advised that he was discussing with officers and the contractor a number of the issues that Ms Kempin had raised in her presentation.

The Executive Councillor for Resources thanked all who had responded and highlighted the issues that had generated the most responses. These would be taken on board in the preparation of the budget documents for consideration by The Executive on 16 February. Full Council would set the budget on 2 March 2009. Councillor Drage also referred to the meetings that he had attended with representatives of various organisations to discuss the budget proposals, including several of the council's Local Committees, and said how helpful and constructive these dialogues had been.

Resolved: To note the responses received to the consultation and to thank all respondees for their input and Ms Kempin and Councillor Scully for their presentations.

5. REGENERATION OF THE ELIZABETH HOUSE SHELTERED HOUSING SCHEME

In view of the severe weather conditions, consideration of this report was deferred to the next meeting on 16 February, at the request of the residents' action group, to enable more people to attend to listen to the debate.

6. JOINT AREA REVIEW (JAR) OF CHILDREN'S SERVICES - IMPROVEMENT PLAN

Further to Minute 997/08, an action plan to address the recommendations within the Joint Area Review (JAR) report was submitted for approval. The action plan also set out how the success of the actions would be measured, when it was expected the areas would have been addressed, who was responsible for the actions, and the cost in terms of days. The action plan was required to be submitted to Ofsted within 70 working days of its report, i.e. 26 February 2009.

Areas of weakness highlighted within the JAR report that were not part of the formal recommendations would be picked up and dealt with by setting new priorities in the updated Children & Young People Plan.

The Children & Young People Scrutiny Committee had scrutinised the draft action plan, and its comments and recommendations were also submitted for consideration. Councillor Kirsty Jerome, Chair of the Scrutiny Committee, also addressed the meeting.

Resolved: (i) To thank the Children & Young People Scrutiny Committee for their helpful input into the process, and agree that their recommended changes be incorporated into the draft Action Plan prior to its submission to Ofsted;

(ii) To approve the draft Action Plan, amended as agreed in (i) above;

(iii) To note that the Children & Young People Scrutiny Committee will monitor the implementation of the Action Plan.

7. HRA REVIEW OF RENTS & CHARGES FOR 2009/10

Details were reported of the Housing Revenue Account (HRA) subsidy determination for 2009/10 and the likely budgetary outturn for 2008/09. Also submitted for approval were the proposed revenue estimates for 2009/10 and the draft HRA capital programme for 2009/10.

As in previous years, these had been subject to extensive consultation with residents and their representatives, including the two resident democracies, who had been invited to make recommendations about rent and service charge levels on their estates.

Residents, again, had expressed extreme concern at the continuing and increasing amount of money being paid from tenants' rents to the government via the HRA subsidy system. A summary of their comments was tabled at the meeting.

Analysis had shown that, in terms of amount per property, Sutton was paying the highest negative subsidy in the capital. This had impacted greatly on the council's ability to properly maintain its housing stock and provide a good management service to its customers. In view of this, the council had supported the national campaign, led by the Local Government Association, to return to local authorities the £184m surpluses built up by HM Treasury and create a better alternative to the current system. Members were asked to formally endorse the council's support for this campaign.

Attention was also drawn to the Equalities Impact Assessment attached to the report, which had identified a potential detrimental impact on working households with children of school age. This was contrary to the government's priority of 'tackling child poverty'.

The Chair undertook to write to Margaret Beckett MP to strongly reiterate this council's concerns about the unfair HRA subsidy system and point out the inconsistent approach taken by the government in imposing a 6.27% increase in rents while threatening to cap local authorities that tried to introduce similarly large increases in Council Tax.

- Resolved:** (i) To note the projected HRA outturn for 2008/09, as set out in Appendix 1;
- (ii) To note the 2009/10 HRA subsidy determination;
- (iii) To increase Council dwelling rents in accordance with government guidelines, using the recommended formula, the effect of which results in an average increase of 6.27% for the year 2009/10;
- (iv) To increase garage rents by 5% from April 2009, with the exception of those at Shanklin Village and the Collingwood Estate, where nil increases be applied following decisions taken at the respective Resident Democracy AGMs;
- (v) To increase tenant service charges by 5% from April 2009;
- (vi) To approve the draft 2009/10 estimates, as set out in Appendix 1 to the report;
- (vii) To agree that a minimum end of year HRA balance of £760k be maintained;
- (viii) To approve the proposed HRA capital programme for 2009/10 and its associated resourcing, as set out in Appendix 3, and amend capital estimates and release financial provision in the sum of £6.059m;
- (ix) To agree that a bid be made to government, at the appropriate juncture, to bring forward a substantial amount of Major Repairs Allowance funding from 2010/11 into 2009/10, in accordance with the advice contained within the 2009/10 subsidy determination letter to local authorities;
- (x) To formally endorse the council's support for the national campaign to address the unfairness inherent within the HRA subsidy system and note Councillor Brennan's undertaking to write to Margaret Beckett MP about this matter;
- (xi) To note the Equalities Impact Assessment in Appendix 4 to the report.

8. TENANTS HEATING & HOT WATER ACCOUNT

A proposed increase in tenants' charges for heating and hot water was submitted for approval. Tenant charges were last changed in July 2007, when they were decreased by 36% borough-wide to reflect reductions in energy costs. Since then energy costs had increased significantly, but an overall surplus in the account had been used to defer introducing an increase pending the start of a new contract in October 2008.

It now appeared that energy prices were beginning to fall in 2009, resulting in reductions in costs to consumers. Tenants were assured that the council would pass on any such reduction in charges, procured through its arrangement with LASER, at the earliest possible opportunity.

The medium-term strategy was to reduce the number of residents who were part of the Housing Revenue Account (HRA) pooled heating account. Financial provision had been made to carry out works to the gas mains at Collingwood, Shanklin Village and Benhill Estates, which would enable further tenants to receive individual gas meters. The impact of this on the heating account, and Collingwood Estate tenants in particular, was reported.

Resolved: (i) To note the position with gas mains replacement works, as described in paragraphs 2.1 to 2.4 of the report;

(ii) To note that there was a 36% decrease in charges in July 2007 and that no increase has been applied during 2008;

(iii) To agree the increase in tenant heating charges set out in paragraph 2.7 of the report, to take effect from 6 April 2009, the net effect of this increase being that charges will still be 4.6% lower than they were prior to 30 July 2007, and will remain no higher than the current level until the end of the next financial year;

(iv) To agree that, if a reduction in charges is achievable following confirmation of the price for gas for the contractual period October 2009 to September 2010, this reduction should be passed on at the earliest possible opportunity to residents via a Delegated Decision Notice;

(v) To confirm that a 15% discount in charges continue to be applied for properties where heating is not available in all bedrooms;

(vi) to agree to recommend to the Collingwood Resident Democracy that the notional ring-fencing be removed from the element of the heating account relating to Collingwood Estate, in order to ensure that Collingwood tenants pay the same charge that applies borough-wide (paragraphs 2.11 to 2.13 refer);

(vii) To agree that officers have the authority to explore whether there are potentially more cost-effective means of procurement of fuel supplies for residential premises managed by Sutton Housing Partnership.

9. TREE STRATEGY & ACTION PLAN

A draft Tree Strategy submitted for approval, with clear objectives, policies, procedures and action plans detailing how the council proposed to manage its tree stock for the next ten years. The Strategy had been developed with the overall aim of protecting and enhancing the council-owned tree stock and also protecting the interests of the council, residents and visitors.

The Strategy had been subject to extensive consultation, including the council's Local Committees. Also submitted was a response from the Belmont & South Cheam Residents' Association, on behalf of the South Sutton, Belmont & Cheam Local Committee. Comments received had been included in the draft document, where appropriate.

At the discretion of the Chair, Councillor Graham addressed the meeting.

Resolved: To thank all respondees for their helpful input and approve the Tree Strategy and Action Plan now submitted, including the Joint Mitigation Protocol and the London Tree Officer Risk Limitation Strategy May 2007, subject to the Tree Removal Appeal Procedure being amended so that for strategic cases, where tree removal may be in the best interest of the community as a whole, the matter is referred to The Executive to decide.

10. LOCAL IMPLEMENTATION PLAN (LIP) SETTLEMENT

Details were reported of the Local Implementation Plan (LIP) funding that had been allocated to Sutton under various discrete topic headings by Transport for London (TfL). The total funding allocation for 2009/10 was £5,352,600, with a commitment of £1,578,000 for 2010/11 and £425,000 for 2011/12. This represented an increase of 22% on last year's settlement and was well above the average for London boroughs.

This welcomed increase was principally due to allocations for the Sutton Town Centre generation project and the Hackbridge railway bridge reconstruction. In addition, TfL was working with boroughs to reform the current LIP funding processes and reduce bureaucracy. Officers had met London's Transport Commissioner to lobby for greater flexibility in the process to allow Sutton to create the Smarter Travel Sutton legacy project 'Enabling Smarter Travel Choices' which would see integrated transport packages implemented across the borough, starting in Wallington. TfL had committed substantial funds for this project. TfL also proposed to reduce the number of programmes under which funding was allocated from 20+ down to 5 for 2010/11 onwards. This would simplify the LIP process and make it easier for local authorities to spend their allocation.

Resolved: (i) To note the 2009/10 LIP funding settlement and the programme for which TfL has agreed the grant;

(ii) To amend capital estimates to fully include the settlement allocation of £5,352,600 for 2009/10, £1,578,000 for 2010/11 and £425,000 for 2011/12;

(iii) To release financial provision of £5,352,600 so that, subject to appropriate approval by Local Committees, the schemes for which funding is allocated may proceed;

(iv) To note the comments on the settlement and for future bidding.

11. ENFORCEMENT & PROSECUTION POLICY FOR REGULATORY SERVICES

The Department for Business, Enterprise and Regulatory Reform (BERR) had recommended that local authority regulatory services should produce and publish an enforcement policy to achieve consistent standards of enforcement.

Sutton's revised draft Enforcement Policy was submitted for approval. The document had been updated in line with government guidance, and set out the principles of good enforcement and the enforcement options available to regulators. It would ensure that enforcement decisions were consistent, balanced and fair and related to common standards that would protect the public, businesses and the environment.

It was proposed to consult local businesses on the draft Policy through the Business Forum.

Resolved: (i) To agree the draft Environmental Sustainability Enforcement Policy now submitted;

(ii) To agree that business representatives be consulted on the draft Policy and any revisions be agreed via the Delegated Decision Notice Procedure.

12. REFERENCE FROM SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE

963/08 Leisure Pricing Policy

Resolved: To note the Executive Head of Leisure & Libraries' comments and agree that, in future, charges for the use of lockers at leisure centres should be included in a Delegated Decision Notice.

13. REFERENCE FROM SUTTON SOUTH, CHEAM & BELMONT LOCAL COMMITTEE

1030/08 Cheam Park – Stable Block

Resolved: (i) To note the comments of the South Sutton, Belmont & Cheam Local Committee and agree to await the results of the full survey and then consider the future of the building as part of the review of Parks Service buildings;

(ii) Officers to let Executive Members and Councillor Graham Whitham know when the Review of Parks Services Buildings is due to be considered and also what the current position is with Sutton Lodge.

At the discretion of the Chair, Councillor Graham, Chair of the Sutton South, Belmont & Cheam Local Committee, addressed the meeting.

The meeting ended at 11.43 am

Chair:

Date: