

Decision No: CAB – 69 12/2/09

KEY

Forward Plan No: CAB 7455

This record relates to Agenda Item 168 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: FINANCE & RESOURCES

SUBJECT: TARGETED BUDGET MANAGEMENT
(TBM) 2008/09 MONTH 9

AUTHOR: NIGEL MANVELL

THE DECISION

- (1) That the Cabinet note the much improved forecast outturn position for the General Fund, which is now forecasting an underspend of £2.133 million.
- (2) That the Cabinet note the forecast outturns for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2008/09 as at month 9.
- (3) That the Cabinet agree that the net forecast underspend of £1.647 million be added to general reserves to contribute to the Medium Term Financial Strategy and balance out investment income pressures over the next 3 years due to current market conditions.
- (4) That an earmarked reserve be set up for the Housing Revenue Account Estate Development Budget and that balances held for the Estate Development Budget at the 1 April 2008, in the HRA reserves are transferred to this earmarked reserve.
- (5) That the Cabinet note the forecast outturn position, £0.048 million underspend, on the capital budgets as at month 9.
- (6) That the Cabinet approve the following changes to the capital programme:
 - Budget re-profiles (Appendix 4)
 - Budget variations (Appendix 5)
 - Slippage (Appendix 6)

REASON FOR THE DECISION

- (1) Budget monitoring is a key element of good financial management, which is necessary in order for the council to maintain financial stability and operate effectively.
- (2) The capital budget changes are necessary to maintain effective financial management.

DETAILS OF ANY ALTERNATIVE OPTIONS

- (1) The forecast outturn position on council controlled budgets is an underspend of £2.133 million, any underspend will be added to unallocated general reserves unless approval is given to allocate funds to specific reserves or contingencies.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD:

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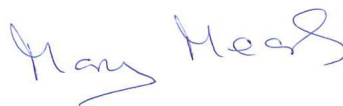
Date:

12 February 2009

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

12 February 2009

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Or: This decision is urgent and not subject to call-in (date of CE's agreement to urgency of decision).

Call-In Period

19-19 February 2009

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB – 70 12/2/09

KEY

Forward Plan No: CAB 6525

This record relates to Agenda Item 169 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	GENERAL FUND REVENUE BUDGET & COUNCIL TAX 2009/10
AUTHOR:	RICHARD SZADZIEWSKI

THE DECISION

- (1) To recommend to Council, subject to (3) below, the 2009/10 General Fund Revenue Budget proposals including;
- The 2009/10 budget allocations to services as set out in paragraphs 3.22 to 3.25 and appendix 1.
 - The council's budget for 2009/10 of £219.0m.
 - The Directorate budget strategies as set out in appendix 7
 - The corporate budgets of £9.2m
 - The contingency budget of £3.6m as set out in table 7.
 - The reserves allocations as set out in appendix 4 including earmarking sufficient reserves to cover projected investment income losses over the next 3 years.
 - The borrowing limit of £317m for the year commencing 1 April 2009.
 - The annual Minimum Revenue Provision statement as set out in paragraphs 3.43 and 3.44.
 - The prudential indicators as set out in appendix 6 to this report.
 - That any LABGI grant is earmarked for the purposes set out in paragraph 3.17.

- To increase the value of taxi vouchers to £65 as set out in paragraph 3.37.
- The licensing fees and charges set out in appendix 8 and the amendments to Culture Recreation & Tourism fees and charges set out in paragraph 3.34.
- The confirmation of allocations of LPSA2 reward grant following consideration by the Public Services Board as set out in paragraph 3.14 and appendix 9

(2) To note the budget and resource projections for 2010/11 and 2011/12 as set out in appendix 5 based on council tax increases of 2.5% for each year.

(3) To note that supplementary information needed to set the overall council tax will be provided for the budget setting Council as listed in paragraph 4.8.

(4) That the proposals made by the Chairman in response to the recommendations made from the Overview & Scrutiny Organisation Commission be agreed:

- (i) That consideration would be given to including the fees and charges reports with the main budget reports, as part of the timetable for the next financial year;
- (ii) That opposition leaders would be consulted about timings via the Leaders Group; and
- (iii) That a report be drafted for the Overview & Scrutiny Commission detailing how other authorities prepare their budgets and that it should be mindful of any resources implications.

REASON FOR THE DECISION

The council is under a statutory duty to set its council tax and budget before 11 March each year. The recommendations to Budget Council contained within this report together with the recommendations to follow in the supplementary report to full Council, will enable the council to meet its statutory duty.

DETAILS OF ANY ALTERNATIVE OPTIONS

The budget process allows all parties to put forward viable alternative budget and council tax proposals to Budget Council on 26 February. Budget Council has the opportunity to debate both the proposals put forward by Cabinet at the same time as any viable alternative proposals. All budget amendments must have been "signed off" by finance officers no later than 4pm on 24 February.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

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Leader of the Council

Signed:



Proper Officer:

12 February 2009

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

12-19 February 2009

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB – 71 12/2/09

KEY

Forward Plan No: CAB 6527

This record relates to Agenda Item 170 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	CAPITAL RESOURCES & CAPITAL INVESTMENT PROGRAMME 2009/10
AUTHOR:	RICHARD SZADZIEWSKI

THE DECISION

To recommend to Council the following:-

- The Capital Investment Programme for 2009/10 and note the estimated resources in future years as detailed in appendix 2.
- To allocate £0.65m resources in 2009/10 for the Strategic Investment Fund and agree the allocation of Strategic Investment Fund resources as set out in paragraph 3.17.
- To allocate £0.685m for the ICT fund.
- To allocate £1.0m for the Asset Management Fund.
- To allocate £0.5m toward the Brighton Centre redevelopment reserve.
- The potential use of unsupported borrowing as set out in Table 4.

REASON FOR THE DECISION

The council is under a statutory duty to set its council tax and budget before 11 March each year. The recommendations to Budget Council contained within this report together with the recommendations in the revenue budget report, will enable the council to meet its statutory duty.

DETAILS OF ANY ALTERNATIVE OPTIONS

The budget process allows all parties to put forward viable alternative capital investment proposals to Budget Council on 26 February. Budget Council has the opportunity to debate both the proposals put forward by Cabinet at the same time as any viable alternative proposals. All budget amendments must have been "signed off" by finance officers no later than 4pm on 24 February

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

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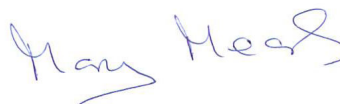
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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB – 72 12/2/09

KEY

Forward Plan No: CAB 6576

This record relates to Agenda Item 171 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ADULT SOCIAL CARE & HOUSING
SUBJECT:	HOUSING REVENUE ACCOUNT BUDGET 2009/10
AUTHOR:	SUE CHAPMAN

THE DECISION

That Cabinet recommend that Council;

- (1) Agree the budget for 2009/10 as shown in Appendix 1;
- (2) Agree the individual rent increases and decreases in line with rent restructuring principles as determined by the Government;
- (3) Agree the changes to fees and charges as detailed in paragraph 3.14 to 3.20;
- (4) Authorise the Director of Adult Social Care & Housing to implement the new rents, fees and charges, but with delegation to make any minor amendments which may appear to be appropriate in particular cases; and
- (5) Authorise the Director of Adult Social Care & Housing to prepare and place on deposit the statement of proposals, estimates and other particulars as required by Section 76 of the Local Government and Housing Act 1989.

REASON FOR THE DECISION

The Local Government and Housing Act 1989 requires each Local Authority to formulate proposals relating to income from rent and charges, expenditure on repairs, maintenance, supervision and management and any other prescribed matters in respect of the HRA. In formulating these proposals using best estimates and assumptions the Authority must set a balanced account. This budget report provides a breakeven budget and recommends rent increases in line with current government guidance.

DETAILS OF ANY ALTERNATIVE OPTIONS

There are no alternative options proposed. Rents are set in accordance with the Government's rent restructuring guidance and increases are in line with the Housing Subsidy Determination. The Housing Subsidy Determination controls rent setting by removing resources from local authorities through non compliance.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

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12-19 February 2009

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Call-in Procedure completed (*if applicable*)

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB – 73

KEY

Forward Plan No: CAB 7173

This record relates to Agenda Item 172 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	ICE RINK, QUEEN SQUARE, UPDATE ON DISPOSAL
AUTHOR:	ANGELA DYMOTT

THE DECISION

- (1) That Cabinet approve and authorise
 - (a) the disposal of the Ice Rink site and 11 Queen Square on a 150 year lease to the successful bidder for a premium and a peppercorn rent, following the full evaluation of informal bids and recommendations by the council's appointed agents, Oakelys, as outlined in item 3.9 of this Agenda and detailed in the part two report.
 - (b) the detailed terms to be settled by the Director of Finance & Resources, Assistant Director Property & Design and the Solicitor to the Council provided the terms are certified by the valuer to be the best consideration reasonably obtainable.
- (2) Should the disposal to the preferred party not be completed, to approve and authorise the disposal to either of the short listed parties, or other bidders on similar terms with an agreed target premium.

REASON FOR THE DECISION

- (1) To regenerate this area of the City, opening up the site to the north allowing more permeability to the site and enabling environmental improvements to create a lively south facing square.
- (2) To make best use of an existing asset and provide employment opportunities for the City encouraging local small businesses and apprenticeship training opportunities in construction.
- (3) The level of interest in the site has been good and the offers encouraging in the present economic climate. By initiating the development process now there is potential for the scheme to take advantage of an improving market when it comes. There is unlikely to be any higher price to be achieved in the near future from residential or office developers as these markets have some way to go before recovering.
- (4) Delay in disposing of the site will leave the Council with on going security and safety problems with the buildings and postpone the opportunity to improve safety and the general environment of the Square and Church yard.

DETAILS OF ANY ALTERNATIVE OPTIONS

- (1) The bids that have been submitted have been encouraging despite the impact of the credit crunch and the poor economic background. Due to the uncertain current property market the council asked its agents to carry out thorough due diligence before making their recommendations.
- (2) With the backdrop of the 'credit crunch' market conditions have been extremely difficult during 2008 and have resulted in a whole sale withdrawal from the development market in most property sectors, perhaps with exception in the hotel, restaurant and entertainment sectors. This is a reflection of the fall in the demand for both residential property and the lack of confidence in the business sector, whether this be commerce or retail, resulting in significant falls in value through 2008.
- (3) If the disposal falls through the alternative options available to the Council are :-
 - (a) Negotiate with short listed parties: Re-visit the other short listed parties bids and explore the possibilities of negotiating acceptable terms with other bidders with a target premium over a similar range.
 - (b) Submit a Planning Application for the site: this would remove some uncertainty for the successful developer but would not be appropriate for every party. There is the likelihood that a further planning application would be made varying the planning permission negating the time saved. The estimated cost for a full planning application with an Environmental Assessment is £100,000 which may not be fully recovered by any increase in the price.
 - (c) Set up Joint Venture to deliver planning permission and potentially develop: this would be undertaken by approaching selected parties of sufficient standing. It would involve a more complicated legal structure and documentation. There would be a share in the potential upside to compensate for a lower current price but the Council would not receive 100% of the uplift in land values if market conditions improve.
 - (d) Wait until the economy improves before going back to the market: This may not be until late 2009 /2010 and this option remains open if the current disposal does not proceed. There is no guarantee that a higher price would be achieved nor that market conditions will improve in the near future. In the meantime the property would remain vacant and vulnerable to vandalism and security problems.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

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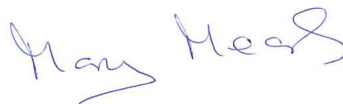
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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB – 73

KEY

Forward Plan No: CAB 7173

This record relates to Agenda Item 173 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA:

SUBJECT: ICE RINK, QUEEN SQUARE, UPDATE ON DISPOSAL

AUTHOR: ANGELA DYMOTT

THE DECISION

Cabinet accepted the recommendations as set out in the report.

REASON FOR THE DECISION

- (1) To regenerate this area of the City, opening up the site to the north allowing more permeability to the site and enabling environmental improvements to create a lively south facing square.
- (2) To make best use of an existing asset and provide employment opportunities for the City encouraging local small businesses and apprenticeship training opportunities in construction.
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DETAILS OF ANY ALTERNATIVE OPTIONS

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OTHER RELEVANT MATTERS CONCERNING THE DECISION

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CONFLICTS OF INTEREST

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