

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

GENERAL FUND REVENUE BUDGETS 2002/03 (REVISED), 2003/04 AND
CAPITAL PLAN, STRATEGY & PARTNERSHIPS SERVICE PLAN, DRAFT
BUDGETS 2003/04 AND FORECAST 2004/05

Decision of: David Howarth, Leader

Reference: 03/STR/01 (Forward Plan 02/49)

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Key

Matter for Decision: Service Plans set out service priorities and the resources proposed to enable objectives and targets to be met. The decisions of the Leader will be considered at a meeting of the Executive on 30 January, which will arrive at an overall set of proposals for Council to consider on 13 February. The report also summarised the General Fund, Housing Revenue Account and Capital Plan.

Why the decision had to be made (and any alternative options) : Service Plans and draft budgets are key elements of the Council's budgetary and policy framework.

The Executive Councillor's decision(s):

Part A - Strategy Scrutiny Committee Services:

- a) Agree the performance targets (in Services Plan table 3) and proposals and other objectives (in Services Plan table 4).
- b) Approve the revised budget for 2002/03, as shown in Appendix A for Strategy Scrutiny Committee Services.
- c) Agree proposals for revenue savings and bids, as set out in Appendix C, which have been incorporated into the budgets presented to this committee [paragraph 6.2 refers].
- d) Agree the Capital Bids, as identified in Appendix C, that should be considered for inclusion in the Capital Plan [paragraph 8.2 refers].
- e) Approve the revised cash limit for 2003/04 as shown in Appendix D [paragraph 6.3 refers]
- f) Approve, the budget for 2003/04 as shown in Appendix A [paragraph 7 refers]

Part B - General Fund Summary:

- a) Agree the request from the Executive Councillor for Housing and Health, considered at Housing & Health Scrutiny Committee on 14th January 2003, to:
 - use savings in the current year (from one-off salary vacancy and fees overachievement) to part fund £27k of CPO revenue costs, and approve, in principle, a request to carry forward any of the sum not spent in the current year into 2003/04 for this purpose [paragraph 11.6 refers].
- b) Approve, the overall revised budget for 2002/03, as shown in Appendix Ga for

General Fund Services.

- c) Approve the level of reserves to be used to support the 2002/03 budget. As shown in appendix Gc.
- d) Approve the carry forward of £148,010 (replacing the £103,610 reported to the November Committee) from the 2002/03 budget into the 2003/04 budget (included in the Cash Limit adjustments) [paragraph 11.3 refers].

Budget 2003/04:

- e) Take account of the Independent Remuneration Panel's recommendation on Members ' Allowances [paragraph 13.6 refers].
- f) Agree the action with regard to the bids made above Cash Limit [paragraph 13.15 refers].
- g) Approve the overall base budget for 2003/04 [Appendix Ga refers].
- h) Approve the level of reserves to be used to support the 2003/04 budget.[paragraph 22.1 and Appendix Gc refers]
- i) Recommend to Council the level of Council Tax for 2003/04, based on a 98% collection rate [paragraph 15.2 and Appendix H refers]
- j) Recommend to Council the appropriate borrowing limits for 2003/04 and changes in the Council's approved lending list, as detailed in Appendix P [paragraph 19.2 refers].
- k) Delegate to the Director of Finance authority to finalise changes relating to the reallocation of support service and central costs in accordance with the CIPFA Best Value Accounting Code of Practice. [paragraph 13.17 refers].

Part C - Capital Plan:

- a) Agree the request considered by the Executive Councillor for Environment following the Environment Scrutiny Committee on 21st January 2003 that the £50,000 in the Capital Plan in 2002/03 for SC138 Cycling and Walking Strategy be transferred to the Cycleways programme PR007 in the Capital Plan in order to secure matching funding from the County Council for cycleways in the current year.
- b) Agree the bids outlined in Appendix N for inclusion in the Capital Plan, or on the Hold List [paragraph 18.2 refers] noting the position the Executive is minded to take [Appendix R] .
- c) Agree the re-phased Capital Plan as outlined in Appendix K, as amended by the above decisions [paragraph 18.5 refers].

Reasons for the decision: The decisions are required as part of the Council's budget and policy framework for 2003/04.

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Scrutiny consideration: The Scrutiny Committee considered and approved the recommendations as recorded.

Report: : Agenda Item 5 of Strategy Scrutiny Committee, 28 January 2003.

Conflicts of interest: No conflicts of interest were declared by the Executive Councillor.

Comments: - See Scrutiny Committee minutes for voting.

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

APPLICATION FOR SAFER CITY GRANTS – EAST BARNWELL COMMUNITY CENTRE & BARNWELL ROAD CYCLE PATH

Decision of: David Howarth, Leader

Reference: 03/STR/02

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Not Key

Matter for Decision: To decide whether to agree Safer City grant funding (and what amount) for two applications from East Barnwell Community Centre and the Pev-Hill Residents Association.

Why the decision had to be made (and any alternative options) : The amount of grant was a matter for the Leader. The alternative options were to either give more or less than applied for.

<p>The Executive Councillor's decision(s):</p>

<p>To award a Safer City capital grant of £5,854 to East Barnwell Community Centre for improved security.</p>

<p>To award a Safer City capital grant of £15,000 to Pev-Hill Residents Association for improved lighting along the foot/cycle path on Barnwell Road.</p>

Reasons for the decision: The decision to grant fund the Barnwell Road application was made because there was sufficient budget in 2002/03 and members agreed the application was worthy of support in full.

Scrutiny consideration: The Scrutiny Committee considered and approved the recommendations as recorded.

Report: : Agenda Item 6 Strategy Scrutiny Committee, 28 January 2003

Conflicts of interest: No conflicts of interest were declared by the Executive Councillor.

Comments: -

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

CITY CENTRE MANAGEMENT PROJECT FUNDING – FITZROY STREET

Decision of: Colin Rosenstiel, Deputy Leader

Reference: 03/STR/03

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Not Key

Matter for Decision: To decide whether to allocate capital grant funding toward improvements to Fitzroy Street.

Why the decision had to be made (and any alternative options) : The Council is obliged to consider the application for funding. Alternative options would be not to grant at all or grant less than applied for.

The Executive Councillor's decision(s):

To approve £30,000 grant funding from the City Centre Management Capital projects Fund for improvements to Fitzroy Street.

Reasons for the decision: Stated in the report, although to note that the decision was taken by the Deputy Leader.

Scrutiny consideration: The Scrutiny Committee considered and approved the recommendation as recorded.

Report: : Agenda Item 7 of Strategy Scrutiny Committee, 28 January 2003

Conflicts of interest: The Leader made a ruling on 21 October 2002 not to take any decision relating to the Grand Arcade project which would be reported to a future Strategy Scrutiny Committee. This was because of his personal interest as a contributor to the Universities Superannuation Scheme, a major investor in the Grand Arcade project. The responsibility for any decisions were therefore passed to the Deputy Leader under paragraph 3.2 of Executive Procedure Rules of the Constitution (page 166)

Additionally, when looking at the likely executive decisions to be taken following consideration at a future Strategy Scrutiny Committee, the officers were of the view that the Deputy Leader's powers although quite wide, could have impinged on the responsibility of other executive councillors and/or were not sufficiently broad or clearly worded enough to encompass all likely decisions (except the CPO which was a matter for the Executive Councillor for Environment). For the avoidance of doubt the Leader also ruled that under 2.3.3 of Part 3 of the Constitution (page 38) the Deputy Leader would be responsible for executive decisions relating to the Grand Arcade project which arose from the Council's role as a partner in the development.

Comments: -

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

ADOPTION OF NEW CODE OF PRACTICE FOR TREASURY MANAGEMENT IN THE PUBLIC SERVICES
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Decision of: David Howarth, Leader

Reference: 03/STR/04 (Forward Plan 02/75)

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Key

Matter for Decision: To agree for incorporation into the Constitution new clauses from CIPFAs 'Treasury Management in the Public Services'.

Why the decision had to be made (and any alternative options) : The decision was required to comply within proper practices for the Council's Treasury Management function.

The Executive Councillor's decision(s):

That, in line with CIPFA's recommendation, the following four clauses, from its new "Treasury Management in the Public Services - Code of Practice and Cross-Sectoral Guidance Notes", be approved for adoption by full Council and included within Financial Regulations at Appendix C: Risk Management - Treasury Management:

Clause no.

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1. This organisation adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the Code), as described in Section 4 of that Code (reproduced at Appendix 1, below):

2. Accordingly, this organisation will create and maintain, as the cornerstones for effective treasury management:

- a treasury management policy statement, stating the policies and objectives of its treasury management activities

- suitable treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

The content of the policy statement and TMPs will follow the recommendations contained in Sections 6 and 7 of the Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the Code's key recommendations.

(note: Section 6 basically widens the definition of treasury management activities to include "banking" and "capital market" transactions and replaces the words "management of" with "effective control of" the risks associated with treasury activities. Section 7 contains the detail required by officers to enable them to bring existing treasury documentation up to the revised recommended standards).

3. This organisation (i.e. full board/council) will receive reports on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, and an annual report after its close, in the form prescribed in its TMPs.

4. This organisation delegates responsibility for the implementation and monitoring of its treasury management policies and practices to the Leader and for the execution and administration of treasury management decisions to the Director of Finance, who will act in accordance with the organisation's policy statement and TMPs and, if he/she is a CIPFA member, CIPFA's Standard of Professional Practice on Treasury Management"

Reasons for the decision: Adoption of the Code's recommendations by the Council, as part of its financial regulations, gives it the status of "...a code of practice made or approved by or under any enactment" and hence proper practice under the provisions of the Local Government & Housing Act 1989.

Scrutiny consideration: The Scrutiny Committee considered and approved the recommendations as recorded.

Report: : Agenda Item 8 of Strategy Scrutiny Committee, 28 January 2003.

Conflicts of interest: No conflicts of interest were declared by the Executive Councillor.

Comments: - The decision to amend the Constitution (or not) will be made at Council on 13 February following consideration at Civic Affairs Committee on 29 January.

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

ELECTED REGIONAL ASSEMBLIES – GOVERNMENT ‘SOUNDINGS’ EXERCISE

Decision of: David Howarth, Leader

Reference: 03/STR/05

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Not Key

Matter for Decision: To decide how to respond to Government consultation on elected regional assemblies.

Why the decision had to be made (and any alternative options) : The alternative would be not to respond.

The Executive Councillor’s decision(s):

To agree that the Council’s response be composed by the Chief Executive after consultation with Group Leaders. The response to reflect:

An ‘in principle’ view in favour of an elected regional assembly;

The proposals for a referendum to be supported;

Any referendum on an elected regional assembly should not also include further proposals to reform local government, rather this should be a decision for an elected regional assembly;

The Council would support unitary status for Cambridge but would not wish to comment on whether unitary status would be beneficial for local authority administration across the region.

The Government must consider devolving more powers to elected regional assemblies

More information is required to inform the electorate before any referendum was undertaken on the current responsibilities of local government (the elected) against quangos

That the Council request through the County consultation contract that a poll is undertaken to assess the electorates view on elected regional assemblies.

Reasons for the decision: The deadline for response is 3 March which is prior to the next scheduled meeting of the Scrutiny Committee.

Scrutiny consideration: The Scrutiny Committee considered and approved the recommendations as recorded.

Report: : Agenda Item 9 Strategy Scrutiny Committee, 28 January 2003

Conflicts of interest: No conflicts of interest were declared by the Executive Councillor.

Comments: -

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

GRAND ARCADE - WALKWAYS & CCTV AGREEMENTS

Decision of: Colin Rosenstiel, Deputy Leader

Reference: 03/STR/06 (Forward Plan 02/57)

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Key

Matter for Decision: Whether or not the Council should approve the contents of the Walkways and CCTV Agreements forming part of the documentation to be entered into pursuant to the Development Agreement.

Why the decision had to be made (and any alternative options) : The decisions were integral to progress the Grand Arcade project.

The Executive Councillor's decision(s):

That, subject to the payment by the Developer of internal and external costs related to the completion of the agreements, the Head of Legal Services be authorised to execute and complete in due course the a) Walkways Agreement and b) CCTV Agreement which currently form part of the documentation to be completed pursuant to the Development Agreement.

That authority be delegated to the Chief Executive (in consultation with the Head of Property and Building Services) to approve and implement any amendments, additions and/or omissions to the Walkways Agreement and CCTV Agreement.

Reasons for the decision: Stated in the report, although to note that the decision was taken by the Deputy Leader.

Scrutiny consideration: The Scrutiny Committee considered and approved the recommendations as recorded.

Report: : Agenda Item 10 of Strategy Scrutiny Committee, 28 January 2003

Conflicts of interest: The Leader made a ruling on 21 October 2002 not to take any decision relating to the Grand Arcade project which would be reported to a future Strategy Scrutiny Committee. This was because of his personal interest as a contributor to the Universities Superannuation Scheme, a major investor in the Grand Arcade project. The responsibility for any decisions were therefore passed to the Deputy Leader under paragraph 3.2 of Executive Procedure Rules of the Constitution (page 166)

Additionally, when looking at the likely executive decisions to be taken following consideration at a future Strategy Scrutiny Committee, the officers were of the view that the Deputy Leader's powers although quite wide, could have impinged on the responsibility of other executive councillors and/or were not sufficiently broad or clearly worded enough to encompass all likely decisions (except the CPO which was a matter for the Executive Councillor for Environment). For the avoidance of doubt the Leader also ruled that under 2.3.3 of Part 3 of the Constitution (page 38) the Deputy Leader would be responsible for executive decisions relating to the Grand Arcade project which arose from the Council's role as a partner in the development.

Comments: -

CAMBRIDGE CITY COUNCIL
Record of Executive Decision

GRAND ARCADE - DEVELOPMENT AGREEMENT AND FINAL DOCUMENTATION
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Decision of: Colin Rosenstiel, Deputy Leader

Reference: 03/STR/07 (Forward Plan 02/57)

Date of decision: 28 January 2003 (recorded on 29 January 2003)

Decision Type: Key

Matter for Decision: Whether or not the Council should execute the Development and Indemnity Agreements.

Why the decision had to be made (and any alternative options) : The decisions were integral to progress the Grand Arcade project.

<p>The Executive Councillor's decision(s):</p>

1) That, subject to the payment by the Developer of internal and external costs related to the completion of the agreements, the Head of Legal Services be authorised to execute and complete a) the Indemnity Agreement and b) the Headlease and c) the Car Park Underlease and d) all other relevant documentation (other than the Development Agreement) on behalf of the Council on the terms set out in this report, subject to 2 below.

2) That authority be delegated to the Chief Executive to approve and implement any amendments, additions, and/or omissions to the Indemnity Agreement, Headlease and Car Park Underlease and all other relevant documentation (other than the Development Agreement) which he considers to be appropriate, in consultation, where necessary with the Deputy Leader, Chair & Spokes of City Centre Development Scrutiny Committee.

3) That authority be delegated to the Chief Executive or such other specifically designated Officer or Officers as he may authorise, in relation to the documents referred to in 2:

- a) apply for, grant, serve and accept (or not, as the case may be) service of all necessary consents, approvals, notices and counter-notices; and
- b) take all necessary decisions; and
- c) negotiate, approve, execute and complete any other documents provided for under the terms of the Development Agreement; and
- d) continue to negotiate with the development partners and objectors.

4) That the Head of Property and Building Services be authorised to enter into negotiations for, and approve terms for, the acquisition (whether by the Council whether direct from third parties or from the Developer) by private

treaty of interests in land within the CPO where such acquisitions are to be financed by the Developer in accordance with the Indemnity Agreement and to complete such acquisitions.

5) That the City Centre Development Scrutiny Committee continues its current role in monitoring and reporting progress of the Development to the Executive Councillor for City Centre Development as appropriate.

6) That authorisation to execute and complete the Development Agreement be deferred until the figure for car park compensation referred to in 4.4 of Confidential Appendix Four to the report is agreed by the Head of Property and Building Services.

Reasons for the decision: The decisions are an amended version to that contained in the report to Scrutiny Committee. These amendments were recommended by the officers. Delays in agreeing the figure for car park compensation necessitated the removal of any reference to taking a decision on the Development Agreement at this stage. To note that the decision was taken by the Deputy Leader.

Scrutiny consideration: The Scrutiny Committee considered and approved the recommendations as recorded.

Report: : Agenda Item 11 of Strategy Scrutiny Committee, 28 January 2003

Conflicts of interest: The Leader made a ruling on 21 October 2002 not to take any decision relating to the Grand Arcade project which would be reported to a future Strategy Scrutiny Committee. This was because of his personal interest as a contributor to the Universities Superannuation Scheme, a major investor in the Grand Arcade project. The responsibility for any decisions were therefore passed to the Deputy Leader under paragraph 3.2 of Executive Procedure Rules of the Constitution (page 166)

Additionally, when looking at the likely executive decisions to be taken following consideration at a future Strategy Scrutiny Committee, the officers were of the view that the Deputy Leader's powers although quite wide, could have impinged on the responsibility of other executive councillors and/or were not sufficiently broad or clearly worded enough to encompass all likely decisions (except the CPO which was a matter for the Executive Councillor for Environment). For the avoidance of doubt the Leader also ruled that under 2.3.3 of Part 3 of the Constitution (page 38) the Deputy Leader would be responsible for executive decisions relating to the Grand Arcade project which arose from the Council's role as a partner in the development.

Comments: - The Scrutiny Committee agreed that if the matter in (6) could be resolved before the next meeting a report should be circulated to the Scrutiny Committee and the decision taken by the Deputy Leader following consultation with Chair and spokes. If any member of the Scrutiny Committee so requested, a special meeting could be held to discuss the issue before the Deputy Leader took a decision.