

COUNCIL – 13th APRIL 2017

RECOMMENDATIONS OF THE EMPLOYMENT COMMITTEE AND EXECUTIVE

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Employment
Committee
23rd March
2017

6/413

APPOINTMENT OF MONITORING OFFICER

The Chief Executive reported that the decision to end the Legal Services partnership with Spelthorne Borough Council (with effect from 31 March 2017) had resulted in the former Head of Legal Services and Monitoring Officer returning to Spelthorne Borough Council resulting in the position of Monitoring Officer becoming vacant. The Committee noted that a report on the wider provision of Legal Services was being considered by the Executive on 23 March 2017.

The Committee noted that the appointment of a Monitoring Officer was a statutory requirement (under the Local Government and Housing Act 1989) which had a number of duties and responsibilities relating to the Council's Constitution and our arrangements for effective governance. It was, under the Constitution, a requirement for the appointment of the Monitoring Officer to be on the recommendation of the Employment Committee.

The Committee further noted that the Head of Corporate Policy & Performance and Deputy Monitoring Officer, Mr Gavin Handford was currently operating as Head of Legal services. The Committee noted the extensive experience that Mr Handford brought to this role and the Committee were asked to consider appointing him to the role of Monitoring Officer.

The Committee recalled a previous approach that had been adopted to recommend the appointment of the Monitoring Officer post on an interim basis (to allow for changes within the organisation to settle). This approach would allow the Committee to review the position again after a further period of 6 months. Following discussion the Chairman moved an amendment to the Recommendation and it was:

RECOMMENDED that, in accordance with Section 5 of the Local Government and Housing Act 1989, Mr Gavin Handford, be confirmed as the Council's Monitoring Officer for an interim period of 6 months to allow the Committee to review the position again at the end of that period.

Reason for decision: To comply with the requirements of the Local Government & Housing Act 1989 (as amended).

Alternative Options: To appoint another Officer of the Council.

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TREASURY MANAGEMENT STRATEGY 2017/18

Councillor T. Schofield, Executive Member for Planning Policy and Finance reported on the current position in relation to the adoption of the proposed Treasury Management Strategy for 2017/18.

The report set out relevant statutory powers, issues (objectives, the current treasury position, matters for consideration and prudential indicators) legal, financial and equalities implications, risk management and other considerations, consultation undertaken and policy framework factors. The report had five Annexes:

- An Investment Strategy
- A Borrowing Strategy
- A Cash Management Strategy
- Risk Management Assessment
- Minutes from the Overview and Scrutiny Committee on 16 March 2017

It was noted that the draft Strategy had been considered by the Executive in January 2017 and reviewed as part of the consultation by the Treasury Management Portfolio Holder Panel and by the Overview and Scrutiny Committee.

The Executive Member indicated that the only significant change proposed was an increase in the Borrowing Limits as set out in the Borrowing Strategy to help deliver the projects approved by the Council including the Marketfield Way project and the activities of the property company.

To comply with the Code of Practice on Treasury Management the Council has to approve annually prudential indicators and a Treasury Management Strategy that reflected the Council's expected operations in this area for the 2017/18 financial year.

RECOMMENDED that the Treasury Management Strategy 2017/18 be approved.

RESOLVED that the comments of the Overview and Scrutiny Committee be noted.

Reasons for decision: To adopt a current Treasury Management Strategy for the 2017/18 period.

Alternative options: To not support the contents of this report or to defer it and ask Officers to provide more information and/or clarification on any specific points.

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MARKETFIELD WAY – THE CONSTRUCTION OF A MIXED USE DEVELOPMENT COMPRISING CINEMA, A1, A2, AND A3 RETAIL, TOGETHER WITH 153 RESIDENTIAL FLATS AND UNDERCROFT CAR PARKING

The Executive Member for Property, Councillor Mrs N.J. Bramhall was pleased to report to the Executive that the report before them was the culmination of a significant amount of work by the Council's property and consultancy team on the proposed developments for Marketfield Way, Redhill.

The project had reached a key stage with an acceptable Planning Permission having been obtained and Phase 1 construction tenders received. It was noted that work had also progressed well to secure a number of key pre lets and potential pre sales of the residential aspect of the development.

The Executive noted that the next phases of the scheme included further financial investment into the detailed design of the project, further phase 2 tendering, acquiring of landed interests and responding to other landed interests.

The Executive Member emphasised that following further consultation and review a reassessment of the Options had been undertaken which had resulted in a re-analysis of the Options. The updated information was presented to the Executive in the Part 2 Addendum tabled at the meeting. It was noted that the reason for reconsidering the options was to provide the Council with greater flexibility to cater for changing markets and the economy going forward as this project was anticipated to take several years to bring to fruition and required more flexibility to accommodate different circumstances.

Councillor Mrs Bramhall indicated that the analysis had resulted in proposed changes to the recommendations in the published report. The Executive Member therefore proposed an amendment to Recommendations (ii) and (iv) to read:

(ii) That the Head of Property be authorised, in consultation with the Executive Member for Property, Leader and Deputy Leader of the Council, to progress Stage 3 of the Marketfield Way project, in accordance with the strategy set out in the Executive report dated 26 February 2015 and updates set out in this report, and bring forward the development, retaining the commercial elements and pre selling the residential flats to a private rented sector operator/residential investor or selling/ letting the individual residential units on the open market at completion of the development.

(iv) That the Capital Programme be amended to resource stage 3 of the Marketfield Way project subject to stage 3 (phase two construction tenders) meeting the financial parameters set out in the financial projections provided in Annex 6 and the estimated potential Compulsory Purchase costs set out in the exempt report in Part 2 of this agenda.

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To make the revised recommendations easier for the Executive to understand the Executive Member tabled a full set of the revised recommendations that incorporated the above changes.

RECOMMENDED that the Capital Programme be amended to resource stage 3 of the Marketfield Way project subject to stage 3 (phase two construction tenders) meeting the financial parameters set out in the financial projections provided in Annex 6 and the estimated potential Compulsory Purchase costs as set out in the exempt report in Part 2 of the Executive's agenda.

RESOLVED that:

(i) the completion of Stage 2 of the Marketfield Way project and the confirmation of the scheme's viability, obtaining of detailed planning consent, and stage 1 building construction tenders be noted;

(ii) the Head of Property be authorised, in consultation with the Executive Member for Property, Leader and Deputy Leader of the Council, to progress Stage 3 of the Marketfield Way project, in accordance with the strategy set out in the Executive report dated 26 February 2015 and updates set out in the report before the Executive, and bring forward the development, retaining the commercial elements and pre selling the residential flats to a private rented sector operator/residential investor or selling/ letting the individual residential units on the open market at completion of the development;

(iii) the Marketfield Way project be progressed in accordance with the updated financial parameters set out in the exempt report in Part 2 of this agenda, including further land assembly, appointment of construction consultants, appointment of construction building contractors, placement of contracts to move statutory services on site, and conclusion of pre let arrangements; and

(iv) the list of prospective tenants set out in the exempt report in Part 2 of the agenda be noted.

Reasons for decision:

To obtain authority to progress to Stage 3, the appointment of a building construction contractor to progress phase 2 fixed tender and contract pricing, finalising of detail design, whilst at the same time progressing with moving statutory services from the site and preparing the site for the building contract.

Alternative options: The Executive received revised Options for consideration in the Addendum which included selling the site with the benefit of planning consent or to do nothing.

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**OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME
2017/18**

A report was submitted with the proposed 2017/18 work programme for the Overview and Scrutiny Committee. The report set out relevant statutory powers, information on the work programme and how it had been prepared, resource, legal and equalities implications and consultation undertaken. The draft work programme was appended to the report.

The Leader of the Council, Councillor V.W. Broad informed the Executive that he and the Chief Executive had been consulted during the preparation of the work programme and that it delivered a good range of activities that were both achievable and adding value to the work of the Council.

The Executive noted that the work programme proposals for 2017/18 included provision for scrutiny of Pathway, and other council owned companies, at an appropriate time when they have had sufficient time to operate and be constructively reviewed. However the Overview & Scrutiny Committee had requested an earlier report on Pathway and the Leader indicated that in the interests of working constructively with the Committee, a report would be provided to the Committee in April 2017.

The Committee had also requested a report regarding the recent investment in the Council IT system improvements and it was confirmed that this would be provided to the Committee during the 2017/18 municipal year.

The Committee had continued to recognise the increased pressures on the Council and had sought to maintain a streamlined approach to its activities to ensure that its work programme reflected the Council's priorities.

RECOMMENDED that the Overview and Scrutiny Committee work programme for 2017/18 be adopted.

Reasons for decision: To agree a work programme for the Overview and Scrutiny Committee for the 2017/18 Municipal Year.

Alternative options: To add to or not adopt the Overview and Scrutiny Committee work programme for 2017/18.