

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY 8 FEBRUARY 2024

**Councillors Present:** Jeff Brooks (Chairman), Heather Codling, Iain Cottingham, Denise Gaines, Stuart Gourley, Janine Lewis, Alan Macro and Louise Sturgess

**Also Present:** Ross Mackinnon, Dominic Boeck, Jo Stewart, Richard Somner, Howard Woollaston, David Marsh, Adrian Abbs and Carlyne Culver

**Officers Present:** Sarah Clarke (Service Director Strategy & Governance), Paul Coe (Executive Director – Adult Social Care), AnnMarie Dodds (Executive Director – Children and Family Services), Joseph Holmes (Executive Director – Resources), Clare Lawrence (Executive Director – Place), Nigel Lynn (Chief Executive), Sadie Owen (Principal Democratic Services Officer), and Benjamin Ryan (Democratic Services Officer)

**Also in attendance:** Justin Pemberton

**Apologies for inability to attend the meeting:** Councillor Lee Dillon and Councillor Tony Vickers

#### PART I

##### 1. Minutes

The Minutes of the meeting held on 14 December 2023 were approved as a true and correct record and signed by the Deputy Leader.

##### 2. Declarations of Interest

There were no declarations of interest received.

##### 3. Public Questions

A full transcription of the public and Member question and answer sessions is available from the following link: [Transcription of Q&As](#).

##### 4. Petitions

There were no petitions presented to the Executive.

##### 5. Medium Term Financial Strategy (C4442)

Councillor Jeff Brooks noted that the budget papers would be referred by Executive to Council without debate, as full debate would take place there. Members were however encouraged to raise matters of clarification or accuracy.

Councillor Brooks thanked Councillor Culver for chairing Scrutiny Commission earlier in the week which had reviewed and debated the budget papers.

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 6), noting that a robust debate had taken place at Scrutiny Commission and queried whether there were any further questions from Members.

Councillor Ross Mackinnon agreed that there would be no substantive debate at the current meeting and welcomed Councillor Louise Sturgess as the newest member of the Executive.

Councillor Brooks seconded the recommendation within the report.

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**RESOLVED that:** Executive referred the report to Council to consider the following recommendation:

- For members to approve the Medium Term Financial Strategy.

### 6. Investment and Borrowing Strategy Financial Year 2024-25 (C4444)

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 7), which detailed the Investment and Borrowing Strategy for the forthcoming year.

Councillor Carolyn Culver referred to the Scrutiny Commission meeting that had discussed the budget papers and suggested that in future years it would be beneficial to hold an earlier meeting that was not scheduled so closely to the Executive and Council meetings. Councillor Culver reported that Scrutiny Commission Members had urged that the Executive exercise caution in the divestment of its commercial property portfolio.

Councillor Adrian Abbs queried whether there had been any indication of the level of funding that would be received from Central Government. Joseph Holmes, Executive Director-Resources commented that an estimate had been included within the budget papers which had been close to the final Local Government finance settlement figure and that papers would be adjusted accordingly prior to Council. It was suggested that the difference was approximately £100,000 and so was unlikely to have a significant impact on the Investment and Borrowing Strategy.

Councillor Jeff Brooks seconded the recommendations within the report.

**RESOLVED that:** Executive referred the report to Council to consider the following recommendations:

That Council is requested to adopt the following recommendation:

- To agree and adopt the proposed Investment and Borrowing Strategy for 2024/25.
- That the Council agrees the revised Commercial Property strategy in appendix D.
- That the capital receipts generated from disinvestment are applied to offset potential future financing costs or are utilised as part of the flexible use of capital receipts policy.

### 7. Capital Strategy Financial Years 2024-2034 (C4443)

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 8) which detailed the Capital Strategy for the forthcoming ten years.

Councillor David Marsh referred to item 24 on the project list (the proposed classroom replacement at Falkland Primary School) and requested clarification as to when the design phase of the scheme would commence. Councillor Iain Cottingham confirmed that capital expenditure could be moved into the forthcoming financial year to allow for immediate action and progress with the project.

Councillor David Marsh requested clarification between item 29 (the Playing Pitch Action Plan), and item 250 (Newbury Sports Hub, Playing Pitch Strategy). Councillor Cottingham clarified that both formed part of the overall district wide Playing Pitch Consultation.

**RESOLVED that:** Executive referred the report to Council to consider the following recommendations:

That Council is requested to adopt the following recommendations:

- That the Capital Strategy and supporting Capital Programme for the period 2024 - 2034 is approved (appendix A).

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- That the Council approves the Minimum Revenue Provision (MRP) statement for 2024/25 and the revised MRP policy for 2023/24 (appendix C).
- That the Flexible Use of Capital Receipts Policy (appendix D) is approved.
- That the proposed CIL (Community Infrastructure Levy) Bids for inclusion in the Capital programme (appendix E) is approved.

### 8. **Revenue Budget: 2024-25 (C4441)**

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 9) which set out the Revenue Budget for the forthcoming financial year.

Councillor Carlyne Culver reported that Scrutiny Commission had held an interesting debate relating to the paper and noted that key themes had included the need for the Council to look at long term challenges within Adult Social Care; Special Educational Needs and the level of spending within that area; the idea of involving parish councils in the responsibility for bin maintenance and collection; and the fact that there were forty members of the public that were costing the Council approximately £10m per year. It was suggested that in relation to the latter subject it may prove useful to have some anonymised case studies to review and understand the needs.

Councillor Jeff Brooks commented that the most important responsibility that Councillors had was to keep people safe and support the vulnerable, and that both cost time and money. Councillor Brooks stated that it was not a lament that forty people cost that amount but that it was worth analysing why costs were so expensive.

Councillor Cottingham noted that he was hoping to produce some benchmarking figures later in the year which would compare the Council's financial resilience against other local authorities.

Councillor Brooks seconded the recommendations within the report.

**RESOLVED that:** Executive referred the report to Council to consider the recommendations and:

- Approved a further consultation on options for the opportunity for all WBC-run care homes to be run by external providers rather than through our in-house provision.
- Approved the fees and charges as set out in appendix G.

### 9. **2023/24 Revenue Financial Performance Quarter Three (EX4364)**

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 10), which outlined the Council's Revenue position as at Quarter Three of 2023/24. It was noted that the forecast overspend had reduced by £100,000 from Quarter Two to £3.2m.

Councillor Adrian Abbs queried how accurate the forecasts would have been without the Social Care variables. Councillor Cottingham responded that if finances had been in line with the original budget there would have been a £5m underspend. Councillor Abbs suggested that the Council lobby Central Government to be more accountable in relation to the costs of Social Care.

Councillor Ross Mackinnon queried whether Councillor Cottingham felt that the Council's performance against revenue budget should be externally audited. Councillor Cottingham clarified that the Council's formal accounts had not been externally audited for two years. Councillor Cottingham expressed confidence in the finance team but noted that the lack of audit may not have identified any deviation in interpretation from generally accepted accounting principles between revenue and capital expenditure. Councillor Cottingham did not feel that it was a substantive risk but noted that Members should be aware of it prior to new auditors KPMG commencing their review.

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Councillor Mackinnon referred to section 5.3 of the report and the table that detailed the 'review of the Council's Minimum Revenue Provision (MRP)' and queried whether text was missing for the 2024-25 benefit. Councillor Cottingham responded that the 2024-25 benefit would be £3m.

Councillor Mackinnon noted that the amendment to the policy generated a significant revenue benefit and queried why it had not been done before and whether there were any disadvantages to the revised policy. Councillor Cottingham commented that previously there had been a prudent approach to MRP, and that the amendment would bring the Council into line with other local authorities. Councillor Cottingham reported that he had requested that the new auditors look to ensure that the Council was not now being too aggressive in its approach.

Councillor Mackinnon again queried whether there was any downside to the scheme to which Councillor Cottingham responded that the Council would in effect be deferring payment of MRP to later years which would make it cheaper to repay.

Councillor Mackinnon referred to section 5.32 of the report which referred to an overspend of £195. Councillor Cottingham clarified that the amount should have been £195,000.

Councillor Mackinnon referred to the bar graph associated with the section and commented that the figures totalled £222,000 rather than £195,000. Councillor Cottingham explained that the Chief Executive data had been erroneously omitted from the graph.

Councillor Jeff Brooks seconded the recommendations within the report.

**RESOLVED that:** Executive

- Note the £3.2m forecast overspend, a reduction of £0.1m from Quarter Two.
- Note the implementation of measures included in the report around recruitment, staffing and agency.
- Note the continuation of Financial Review Panel (FRP) meeting weekly to ensure the spending limits are being adhered to.

### 10. **Direct Payment Policy (EX4495)**

Councillor Alan Macro introduced and proposed a report (Agenda Item 11) and referred to the Appendix which outlined that the purpose of the policy was to make clear the Council's approach to direct payments, and the responsibilities of the direct payment recipient. Councillor Macro also highlighted section 5.3 of the report which defined what was meant by a direct payment.

Councillor Denise Gaines seconded the recommendation within the report.

**RESOLVED that:** Executive adopt the policy.

### 11. **Members' Questions**

A full transcription of the public and Member question and answer sessions is available from the following link: [Transcription of Q&As.](#)

### 12. **Exclusion of Press and Public**

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

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**13. Disposal of property known as West Street House, Newbury**

*(Paragraph 3 – information relating to financial/business affairs of particular person)*

*(Paragraph 5 – information relating to legal privilege)*

The Executive considered a report (Agenda Item 14) concerning the disposal of West Street House.

**RESOLVED that:** the recommendations in the exempt report be agreed.

**Other options considered:** the Council could do nothing and reject the offer and wait for another offer. There is a risk that another offer would not be forthcoming, especially in the timescales set out for a swift asset sale by the end of March 2024. This would put pressure on the Council's revenue budget, potentially, in year if no other asset sale was to occur. The Council is incurring costs of £16.3k per month.

*(The meeting commenced at 5.00 pm and closed at 6.45 pm)*

**CHAIRMAN** .....

**Date of Signature** .....