

To: **All Councillors of the London Borough of Sutton**

SUPPLEMENTAL AGENDA NO.2

1. MINUTES (Pages 1 - 18)

Appendix D - Questions: Standing Order 8.13

This page is intentionally left blank

**Appendix D to Council Minutes
Questions asked under Standing Order 8.13
2 November 2015**

**Questions from Councillors
Under Standing Order 8.13**

1. Question asked by Councillor David Hicks to Councillor Simon Wales, Lead Councillor for Finance and Voluntary Sector

The Council Tax payers of the London Borough of Sutton are entitled to have a full breakdown of the expenses incurred when the Council purchased the Sutton hospital site for a potential school development.

Will you provide a detailed breakdown of all cost incurred. How many Consultants/external organisations were involved? Who were they? How much was each one paid and for what?

Response from Councillor Simon Wales

The table below details the acquisition costs for the Sutton Hospital site.

Acquisition Costs for Sutton Hospital Site

Legal costs

SLLp legal fees (agreed maximum £8,728.50 paid to date)	£8,900
Counsel	£650
Search fees	£1,048
Land registry fees	£69
Land registration fee	£910
	£11,577

Site purchase

Land Price paid to Epsom & St Helier University Hospital Trust (ESTH)	£7,953,000
Demolition & site security costs (excl. VAT) (payable to contractor through ESTH)	£580,833
Valuation Office Agency (For independent land valuation)	£2,900
Stamp Duty Land Tax (SDLT)	£340,000
	£8,876,733

Follow -up Works

Hoardings (provisional estimate)	£80,000
----------------------------------	---------

2. Question asked by Councillor Jane Pascoe to Councillor Simon Wales, Lead Member for Finance and Voluntary Sector

The Council Tax payers of the London Borough of Sutton are entitled to have a full breakdown of the expenses incurred when the Council commissioned feasibility studies for the 2 identified sites for a potential secondary school development.

Will you please provide a detailed breakdown of all cost incurred.

How many Consultants/external organisations were involved? Who were they? How much was each one paid and for what?

How much officer time was incurred?

Which budget did the fees come from?

Reply by Councillor Simon Wales

The costs of the feasibility work including consultant fees is included below. Officer time has not been recorded but was not significant as the work was largely undertaken by Gleeds. The costs came from the Basic Need Grant.

Secondary New School

	£
Gleeds initial project management	28,785.00
PPM17/016 site for new high school	106.50
Atkins to manage site investigations	8,976.00
Atkins architectural services & cost planning	41,000.00
Atkins - alternate EFA options for sites	2,637.00
Surveys	
Atkins (Rosehill Rec) traffic statement	11,550.00
Peter Brett ecological survey (Rosehill rec)	2,790.00
Atkins utilities survey Rosehill site	425.90

Appendix D to Council Minutes
Questions asked under Standing Order 8.13
2 November 2015

Acoustic survey Roshill site Clement Acoustics	1,290.00
Atkins Rosehill roundabout - junction modelling	4,930.00
Robert West Consulting Topo and buried services survey (Rosehill)	8,625.00
Geotech Rosehill (Soils Ltd)	7,365.00
Robert West - flood risk assessment	2,193.75
stat utilities survey (sutton hosp)	
Atkins	403.15
Clement Acoustics - Sutton Hosp site	1,290.00
Total	£122,367.30

3. Question asked by Councillor Jane Pascoe to Councillor Ruth Dombey, Leader of the Council

A search of 280 sites were made within LBS in reaching the conclusion that the Hospital Site was the best to deliver the first new Secondary School in 2018. (CFE December 2015)

Please list the sites and reasons for the listing as unsuitable.

Reply by Councillor Ruth Dombey

The Council undertook a site search covering 280 sites last year including sites identified in the Development Plan, unallocated potential sites and open land including Green Belt and Metropolitan Open Land.

Having considered the issue carefully the political administration made it clear in September 2015 that they would not support the delivery of a secondary school on a greenfield site should a deliverable brownfield site be available in line with planning policy. Deliverable in this sense means that the Council owns it and the existing uses on site would make the delivery of a secondary school practicable.

Given this, only the brownfield sites in the Council's ownership which are 0.4ha and above (to ensure all are considered) are included in the attached with brief commentary. This explains how the Sutton Hospital site was arrived at.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

BROWNFIELD SITES - COUNCIL OWNED							
	Type	Size	Own	Existing use	PTAL	Comment	Deliverable by 2018
Shanklin Estate, Brighton Road (s135)	Allocation	4.4	Mixed	Occupied with strong right-to-buy penetration	PTAL 1b/2	High right-to-buy penetration and existing density make likelihood of sufficient land availability unlikely	No
Benhill Estate (s24)	Allocation	5.76	Mixed	Occupied with some right to buy penetration	PTAL 2/4	Long-term estate regeneration provides possibility for new school in longer term	No
Chaucer Estate, Sutton	Allocation	3.9	Mixed	Occupied with low right-to-buy penetration	PTAL 2/3	Long-term estate regeneration provides possibility for new school in longer term	No
Collingwood Estate, Sutton	Allocation	2.3	Mixed	Occupied with high right-to-buy penetration	PTAL 2/4	Long-term estate regeneration provides possibility for new school in longer term	No
Sutton Hospital (issue 2)	Allocation	1.6	Council	Available	PTAL 2	Available	Yes
Hill House Site, Bishopsford Road (s119)	Allocation	1.05	Council	Community centre on the border with LB Merton	PTAL 2	Strong links to Merton. Poorly located to meet Sutton need	No
Sutton West Centre (s4)	Allocation	1	Council	Occupied by various uses	PTAL 5/6	Site may have potential for a secondary school despite site size. Given it is in an Area of Taller Building Potential. Limes college would need to be relocated	No
Civic Centre Site (s9) (includes Library and SCOLA)	Allocation	0.9	Council	Occupied	PTAL 6	Potential as a secondary school despite site size given it is in an Area of Taller Building Potential	No
Robin Hood School, St Nicholas Way and shed	Allocation	0.86	Council	Occupied, current school would need to be relocated	PTAL 6	May have potential as a secondary school despite site size given it is in an Area of Taller Building Potential	No
Wallington Hall and Car Park (s51)	Allocation	0.54	Council	Vacant	PTAL 4	Too small for secondary school	Yes
Council Offices, Denmark Road (s98)	Allocation	0.4	Council	Occupied	PTAL 2	Too small for secondary school	No
Council Car Park, Denmark Road (s99)	Allocation	0.4	Council	Occupied	PTAL 3	Too small for secondary school	No
Shotfield (usually called Library) Car Park, Wallington (s145)	Allocation	0.4	Council	Well used	PTAL 4	Important to the vitality of Wallington as a retail centre. Too small for secondary school.	Yes
Sutton Life Centre, Alcorn Close	No designation	0.4	Council	In use	PTAL 2	Small site in low public transport accessibility area	No
Secombe Theatre with adjacent church	No designation	0.49	Mixed	In use. Church land for sale,	PTAL 5/6	Too small for secondary school	No
Houses on Throwley Way	No designation	0.48	Mixed	Occupied with minor right to buy penetration	PTAL 6	Too small for secondary school	No

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

4. Question asked by Councillor Neil Garratt to Councillor Ruth Dombey, Chair of Strategy and Resources Committee

What actions were taken between 28 September and 2 November which could not have taken place until after 2 November, had there not been an Extraordinary Council Meeting on the 28th September?

Reply by Councillor Ruth Dombey

The activity delayed from 4th August until after the Extraordinary Council meeting on 28th September included the following:

- Finalisation and submission of legal documentation including Articles of Association and Shareholding Agreement.
- Completion of Company registration at Companies House.
- Appointment of Company Directors, required for the Company to be registered and to commence trading.
- Opening Company bank account (dependent on registration having taken place).
- Negotiation of land and property acquisitions (dependent on the Company business plan being approved).
- Identification and appointment of conveyancing solicitors and valuers to act for the Company in acquisition matters.

There is no direct cost of the delay in terms of abortive work. However, there is an increased risk of the Company incurring higher SDLT costs if the delay means that acquisitions that would otherwise have completed prior to the SDLT "buy-to-let" changes introduced in the Chancellor's Autumn Statement, which will take effect from April 2016.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

5. Question asked by Councillor Neil Garratt to Councillor Simon Wales, Lead for Finance and Voluntary Sector

If a company is bidding for a contract with Sutton Council, would it be appropriate at that time for Sutton Liberal Democrats to accept a political donation from that company or its directors? Would such a donation, if offered, be turned down? Should members of the administration declare such donations or advise their party colleagues against accepting them?

Reply by Councillor Simon Wales

Donations made to political parties, whether Sutton Liberal Democrats, the Conservative party or any other party are regulated by the Political Parties, Elections and Referendums Act 2000, and any donations made by companies to Sutton Liberal Democrats have been recorded appropriately.

Members of the administration, like all members, need to complete the register of members' interests, in respect of their connections with businesses and many other financial matters such as property ownership.

The distinction that the question fails to make, is between the Council and a local political party. The award of Council contracts (unless they are over £1m) is made by officers, not by the administration, so that they are free of political interference, are open and transparent and above board. Whether officers or councillors take the final decision to award a contract, recommendations and decisions are based on set criteria and objective assessments against those criteria.

The Code of Conduct requires Members to "declare at a meeting any other pecuniary or non-pecuniary interest in any business of the Authority if the interest is one which other Members considering the item of business should be aware of when making their decision."

Other than that there is no need, and indeed no mechanism, for members of the administration to declare donations made to the political party to which they belong, but in which they hold no position of authority.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**6. Question asked by Councillor Neil Garratt to Councillor Wendy Mathys,
Chair of the Children, Family and Education Committee**

In November 2014 the Council announced two preferred sites for new secondary schools: one at Rose Hill, the other on the Sutton Hospital site. Are these two sites the same size? What is the size of each?

Reply by Councillor Wendy Mathys

The Sutton Hospital site is circa 1.6ha with an option to purchase a further 0.4ha. The area that the Council was considering transferring for the school on the Rosehill park site following the feasibility work was 2.4ha. This would have excluded the bowling green and recreation ground and would have concentrated development of the building on the disused all weather pitch.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**7. Question asked by Councillor Neil Garratt to Councillor Wendy Mathys,
Chair of the Children, Family and Education Committee**

For the Sutton Hospital school site, the administration proposes the unusual step of drawing up the school plans and taking them through the planning process itself, at an estimated cost of £950,000. This exceptional step is required because Sutton Council missed the deadline for the chosen school to develop its own plans in time for 2018 opening. Why did Sutton Council miss this deadline?

Reply by Councillor Wendy Mathys

The Council didn't miss a deadline for the chosen school to develop its own plans, but it did indicate to the Education Funding Agency and to Greenshaw Learning Trust that it would not be able to support the development of their Free school on their preferred site (Rosehill) given that there is a suitable brownfield site elsewhere in the Borough.

Given that Greenshaw Learning Trust have decided not to proceed with the Sutton Hospital site, the timetable for a new school has been set back as a new provider now needs to be found. With the level of interest in the site from other reputable free school providers the Council is confident that the Department for Education will approve an alternative provider later this year. To help facilitate the process and delivery of the school by 2018 the Council is proposing to progress a planning application in advance of that decision.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**8. Question asked by Councillor Neil Garratt to Councillor Wendy Mathys,
Chair of the Children, Family and Education Committee**

The administration proposes to develop plans only for the Sutton Hospital site for the new secondary school required by 2018. Time is now very tight for this to happen. What will happen if these plans are delayed?

Reply by Councillor Wendy Mathys

The administration proposes to develop plans for the Sutton Hospital site first as this is on the only available brownfield site that is suitable for a new secondary school. It will be considering the issue of identifying further sites for school provision in the future through the consultation on the issues and options document that will be published in February this year as part of the Local Plan. Until a second site has been identified it is not possible to progress plans for further secondary school provision in the Borough.

Officers will be working on contingency plans should the plans for the school on the Sutton hospital site be delayed. These solutions will likely involve the use of temporary accommodation which are often used in such circumstances where there are site or delivery issues that hold back progress.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**9. Question asked by Councillor Neil Garratt to Councillor Wendy Mathys,
Chair of the Children, Family and Education Committee**

When new secondary schools have been built in Sutton in recent years, how long did they take? How long from a site for the school being confirmed, to the school opening to students?

Reply by Councillor Wendy Mathys

The most recent new secondary school built by the Council is Stanley Park High School (SPHS).

SPHS was part of a much wider regeneration of the former Orchard Hill Hospital site of which the school was just part. Acquisition of the school site from the Sutton & Merton PCT was completed in March 2010. Construction of the school building and associated works (car park, sports field etc.) was started in June 2010 and completed January 2012.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**10. Question asked by Councillor Neil Garratt to Councillor Wendy Mathys,
Chair of the Children, Family and Education Committee**

The Children, Family and Education Committee first asked officers to identify suitable secondary school sites within Sutton in 2013. Why are we still looking?

Reply by Councillor Wendy Mathys

The ongoing search for secondary school sites illustrates how difficult it is to find a suitable site within a built up area. An initial search in 2013 considered a wide array of sites allocated for different types of development in the Development Plan, unallocated potential sites and open land including Green Belt and Metropolitan Open Land. The sites were assessed against the preferred criteria although it was difficult to identify sites that met all of the criteria:

- The site should be brownfield land or land that is previously developed
- It should be 1km or more from the borough boundary
- It should not contain any buildings built more recently than 2004 (to exclude recently developed sites)

From a longlist of circa 280 sites, a further high level assessment of sites in terms of their probability of being successfully delivered given the time constraints and planning policy considerations was undertaken (based on ownership, planning policy constraints) to identify a shortlist. Against these criteria, only 2 sites were identified initially, the All Weather Pitch and Sutton Hospital site. Sutton Hospital Site has been identified as the Council's preferred site for the first secondary school given that the AWP is Metropolitan Open Land

More recently, officers have been considering the Borough's future infrastructure needs over the next 15 years including future education needs as part of the refresh of the Local Plan. The purpose is to identify sites for both primary and secondary school provision. A further search has been undertaken with a much wider criteria - considering all sites of 0.4ha and above. This was to ensure all options were considered (e.g. opportunities for land assembly, split sites, urban schools with little or no external areas etc.). The result of this search is that the Sutton Hospital site remains the only brownfield site that is deliverable and of sufficient size for the first new secondary school.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**11. Question asked by Councillor Neil Garratt to Councillor Wendy Mathys,
Chair of the Children, Family and Education Committee**

When the Rose Hill Park site was identified as one of two preferred sites for the two new secondary schools we need, did the administration know that it was a park and that it is Metropolitan Open Land?

Reply by Councillor Wendy Mathys

The Rosehill site was originally identified by the Council largely out of a concern that the Local Authority would not be able to complete the purchase of the Sutton Hospital site in a timely fashion to enable the development of the first new secondary school. At the time, it was also looking increasingly likely that a second secondary school would be needed such that it was prudent to consider where this might go in the future as well.

In identifying the Rosehill site, the administration was aware that the site lies in an area of Metropolitan Open Land but the intention was to concentrate any building work onto the disused all weather pitch part of the site as this is land that has already been developed and arguably no longer functions as MOL in the way the designation originally intended. Some further land take may have been required but the intention was to maintain the bowling green and recreation ground 'as is' to ensure that openness of the site is maintained as much as possible.

When Greenshaw and the Education Funding Agency named the Rosehill site as their preferred site, the Council was initially open to the idea of the site for the first school given the need for places. However, upon further consideration the administration decided that it could not support development in the MOL for school provision where an alternative brownfield site exists. This is in line with the Council's planning policies.

Having learnt from the EFA and Greenshaw about their concerns about the size of the site the Council offered the hospital site to build a smaller secondary school at 6 forms of entry but the Greenshaw Learning Trust chose not to take this forward.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

12. Question asked by Councillor Neil Garratt to Councillor Simon Wales, Lead for Finance and Voluntary Sector

For this year's budget, how did the administration decide the proportion of financial cuts to be apportioned to each Directorate?

Reply by Councillor Simon Wales

The report on Commissioning and Financial Planning 2015/16 to 2018/19 to Strategy and Resources Committee on 7 July 2014 proposed savings targets for each of the Directorates over the four year period. The targets were derived by dividing the projected deficit in 2018/19 in proportion each Directorate's controllable net budget. This is the net budget excluding depreciation, capital charges, and certain other costs which are regarded as not controllable by the Directorate such as concessionary fares and members' allowances. It is also before support cost recharges, so the targets relating to these costs (accommodation, finance, HR, ICT, customer services etc) sit with Resources and Chief Executive's Directorates rather than with the commissioning Directorates. As stated in the report the savings over the period broadly equate to 27% of controllable net budgets at Directorate level. It is for Directorates to decide how to meet their target. There is no requirement or expectation that every service within a Directorate will identify the same percentage of budget as savings options.

Directorates developed plans to achieve the target savings by 2018/19. Savings that could be delivered in 2015/16 were included in the 2015/16 budget, but no specific Directorate targets were set for savings in individual years.

Following the restructuring of the Council's Directorates in April 2015, savings targets and savings options were reallocated to reflect the new groupings. The savings targets to 2018/19 were revised and agreed by Strategy and Resources Committee in June 2015 to reflect changed circumstances and savings planned to be delivered during 2015/16.

Key savings options put forward by Directorates are subject to decisions by Members who will decide whether or not to accept specific proposals. The targets are indicative and are regularly reviewed.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

**13. Question asked by Councillor Neil Garratt to Councillor Jill Whitehead,
Chair of the Environment and Neighbourhood Committee**

This administration appears to place great importance on sustainable travel, including cycling. Are there 3 examples of good cycling infrastructure in Sutton, of which the administration is proud? This equates to approximately one good scheme per decade in power, which I hope is not too challenging.

Reply by Councillor Jill Whitehead

The council does place great importance on sustainable travel including cycling and has done for many years. Recently, the council has reinvigorated its support for sustainable transport by publishing a new Sustainable Transport Strategy in the summer of 2015. In addition, in order to give a greater impetus to cycling the council has recently approved a new Cycling Strategy for the borough.

A key element of the council's commitment to sustainable transport and cycling is the implementation of good quality infrastructure facilities. The council has been developing a comprehensive cycle route network over the last three decades, both on and off road. The Cycling Strategy sets out how this network will be taken forward and the action plan outlines a number of schemes that are currently planned and funded. It also sets out the council's commitment to designing high quality schemes in accordance with TfL's new London Cycling Design Standards.

There are many examples of cycling infrastructure of which the administration is proud, and which have proven popular with cyclists. It is difficult to single out three, but here are a selection spanning the decades which are considered to be particularly useful to cyclists:

1. The network of contra-flow cycle tracks in Sutton town centre, allowing cyclists to ride against the traffic flow on one-way streets to access and cross the High Street and gyratory. This network is an early legacy of the councils cycling work, originating in the mid-late 1990s and forming part of the wider London Cycle Network. These routes include Camden Road / Gibson Road / Throwley Road; Throwley Way to Greyhound Road; and St. Nicholas Way / Greenford Road / Benhill Avenue.
2. Cycle paths through parks, allowing traffic-free cycling on key strategic cycle routes. Early examples implemented in the 1990s include the segregated path through Fairlands Park in North Cheam, which forms part of the former London Cycle Network route 75 and was built as part of the Sainsbury's development, allowing cyclists to avoid the busy Queen Victoria junction. Later examples include a path through Beddington Park on route 75, linking Carshalton to Beddington Lane and onwards to Croydon, and more recently a new path along the western boundary of the park; while in recent years new cycle paths have been built in Mellows Park, Grove Park, Carshalton Park, Oaks Park, Cheam Park and Cuddington Recreation Ground, as well a new off-road path behind The Hamptons in Worcester Parks and improvements to the Wandle Trail.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

3. Cycle parking is also important to cyclists and over the last three decades the council has been implementing an extensive programme of public cycle stands across the borough in town centres and at key destinations, as well as requiring developers to make good quality cycle parking provision in new developments. We have also worked closely with the rail operators to expand cycle parking provision at stations, and in the past few years have provided new secure shelters in social housing estates and at youth centres and council offices.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

14. Question asked by Councillor Neil Garratt to Councillor Jayne McCoy, Chair of the Housing, Economy and Business Committee

What Section 106, Community Infrastructure Levy or other similar developer funds have been raised in Sutton on the last 5 years for healthcare related purposes? What has this money been spent on?

Reply by Councillor Jayne McCoy

The Council has secured a total of £541,848 for health infrastructure via Section 106 negotiations from 7 major development sites in the last five years. Details are provided below of the s106 sums and whether the development trigger for it to be transferred from the developer has occurred. The use of the money is specified in the s106 agreement. In most cases, the monies are for healthcare improvements in the vicinity of the individual developments (with the exception of Kelvin House). The Local Planning Authority does not collect information on what the PCT/CCG has spent the health contribution on and is under no duty to report it to the developer who has provided the funds.

1. 36-46 Mollison Drive, Wallington £37,500. The contribution has been received by the Council and was transferred to Sutton & Merton PCT in November 2012. The contribution must be spent by 21 March 2016

2. Kelvin House £23,700. The contribution has been received by the Council and the Planning team has agreed with the Finance Director of Sutton CCG to transfer it in January 2016 for healthcare improvements to Green Wrythe Lane Clinic. The contribution must be spent by 9 January 2018.

3. Elizabeth House, Park Lane Cheam £29,592. The contribution has been received by the Council. There is no deadline by which the money must be spent. The Planning team has agreed with the Finance Director of Sutton CCG to transfer the s106 sum in January 2016.

4. 17 Sutton Court Road, Sutton. £72,575. The contribution has been received by the Council. There is no deadline by which the money must be spent. The Planning team has agreed with the Finance Director of Sutton CCG, to transfer the s106 sum in January 2016.

5. Victoria House 388 Malden Road, North Cheam £70,481. Work has not yet commenced on site and an alternative planning application is anticipated. The trigger for payment of the s106 amount is the occupation of first dwelling so no contribution has yet been received.

6. South Point, Sutton Court Road Sutton £50,000. The contribution has not yet been received as it is pending the finalisation of a deed of variation to the s106.

7. The Hamptons, Worcester Park. £258,000. The contribution has been received by the Council and transferred to the PCT in December 2013. All monies must be spent by 12 December 2016.

**LONDON BOROUGH OF SUTTON
QUESTIONS: STANDING ORDER 8.13**

CIL

The total amount of money collected since the 1st April 2014 against the Community Infrastructure Levy is £277,097. This money will be allocated through Member approval of the capital programme, but must reflect the Council's Regulation 123 list, which sets out the priorities for CIL. This list includes health provision in Sutton town centre but also includes education, green space enhancement etc. Outside of Sutton town centre (e.g. Hackbridge), the Council is still able to seek health improvements on site through a s106 agreement.