

COTSWOLD DISTRICT COUNCIL

CABINET

15TH MARCH 2018

Present:

Councillor NJW Parsons - Vice-Chairman (in the Chair)

Councillors -

Sue Coakley
C Hancock
Lynden Stowe

SG Hirst
MGE MacKenzie-Charrington

Observers:

SI Andrews

AR Brassington (until 5.12 p.m.)

Apologies:

Mark F Annett

CAB.87 DECLARATIONS OF INTEREST

Councillor NJW Parsons declared an 'other' interest in respect of Agenda Item (8), relating to the 'Missing Link' consultation, as he was the Ward Member for the area adjacent to the A417 Highway.

There were no declarations of interest under the Code of Conduct for Officers.

CAB.88 MINUTES

RESOLVED that the Minutes of the Meeting of the Cabinet held on 14th February 2018 be approved as a correct record.

Record of Voting - for 5, against 0, abstentions 1, absent 1.

Arising thereon:-

Draft Medium Term Financial Strategy 2018/19 to 2021/22, Capital and Revenue Budget 2018/19 (CAB.77)

In response to representations/comments from the Overview and Scrutiny Committee, relating to a request for that Committee to be involved in the formulation of the questions to be included in the next budget public consultation exercise for 2019/20, the Cabinet Member for Environment confirmed that the matter had been brought to the attention of the Cabinet and provided reassurance that the request had been taken on board by the Cabinet, who had welcomed the involvement of the Committee.

CAB.89 PUBLIC QUESTIONS

No public questions had been submitted.

CAB.90 MEMBER QUESTIONS

In accordance with Council Procedure Rule 11, questions had been submitted, and responses provided, as follows:-

(1) From Councillor JA Harris to Councillor Mark Annett, Leader of the Council

'Why are Universal and Non Universal credit customers not treated the same way when it comes to calculating income?'

The following response had been provided by Councillor NJW Parsons, on behalf of Councillor Annett:-

This is basically down to legislation and the Government's push to get people into work. In the 'legacy benefits' provisions (i.e. Job Seekers Allowance or Income Support), customers were limited to the amount of hours they could work each week (i.e. 16 hours), whereas Universal Credit (UC) has removed this barrier and a person's UC is worked out on how much they earn. There are different working allowances for different groups of people according to how their household is made up; and, if they reach their working allowance or go over it, the UC doesn't stop, but the amount they receive will decrease by a benefit taper (this is 65p for every £1 they earn over the allowance).

There are other abnormalities with UC versus legacy benefits; however, the crux of the matter is the different rules and regulations around the administration of the UC system.

(2) From Councillor Juliet Layton to Councillor Mark Annett, Leader of the Council

'How does the Council mitigate a situation where a Council Tax Reduction recipient is not receiving the full monthly child maintenance due?'

The following response had been provided by Councillor NJW Parsons, on behalf of Councillor Annett:-

The Council Tax Support Scheme provides that child maintenance payments are disregarded in full for customers in receipt of Universal Credit (in line with UC rules); but such payments are included as income for those customers not in receipt of UC.

More generally, the Council would not necessarily know whether a customer was in receipt of child maintenance, or if the 'correct' level of maintenance was being paid. Furthermore, most maintenance payments are agreed between parents; there are no set rules on how much should be paid, or what the maintenance should cover, etc.; and it also depends on the absent parent's financial situation as to what they can reasonably afford.

If a customer is struggling to pay their Council Tax, we have client support officers who can work with these customers to review their income/expenditure, and identify all available avenues of help/support. The Council also established, as part of the 2017/18 support scheme, a Hardship Fund, the cost of which is met fully by the Council - this means that we can provide additional support to those customers who can demonstrate that they are suffering financial hardship and are unable to meet their Council Tax contributions.

(3) From Councillor Juliet Layton to Councillor Mark Annett, Leader of the Council

'Are savings in council tax really to be made from taking from the poorest sector of our community?'

It was explained that clarification/confirmation had been requested, and was still awaited, as to whether such question related to the Council Tax Support Scheme, or whether it had been posed in some other context. In the absence of any clarification/confirmation had been requested, and with the agreement of Councillor Layton, the question would be held over to a future Meeting.

CAB.91 LEADER'S ANNOUNCEMENTS

There were no announcements from the Deputy Leader.

CAB.92 PUBLICA BUSINESS PLAN 2018/19

In the absence of the Leader, the Deputy Leader introduced this item and explained that the Cabinet was requested to consider the draft Publica Business Plan for 2018/19. The Deputy Leader also welcomed Mr Dave Brooks, the independent Chairman of the Publica Group, to the Meeting.

Mr Brooks explained that he had been appointed as Chairman of the Publica Group on 1st March 2017 and, since that time, had witnessed the transformation to Publica, which he considered had been successful, and commented upon the support and professionalism of Officers during this time.

Mr Brooks informed the Cabinet that the key priority of Publica was to ensure the 'day job' was being completed successfully and explained that, currently, the Key Performance Indicators were at expected levels. Mr Brooks added that a second key aim of Publica was to prepare for the future, and seek to deliver ambitious savings over three years, to be made possible by a robust Business Plan and, during the second year, a robust Transformation Plan.

The Executive Director of Commissioning drew attention to, and amplified various aspects of, the circulated draft Business Plan; and referred to the comments of the Overview and Scrutiny Committee on the document. The Executive Director also explained the desire to improve digital capabilities to ensure that the best service was being delivered to customers; and added that formal employee consultations were being undertaken and the flexible benefits scheme had been well received by Officers. In conclusion, the Executive Director stressed the continuing need to support Members and clients, and confirmed that the representations and comments received from the Overview and Scrutiny Committee would be taken on board.

The Deputy Leader thanked the Overview and Scrutiny Committee for their positive and helpful contributions on the matter and, in conjunction with other Cabinet Members, expressed support for the Business Plan.

The Cabinet Member for Environment welcomed the Business Plan, but considered that more reference/emphasis should be included to supporting customers. She drew attention to the fact that not all customers accessed services online, and stressed the consequent need therefore for a good balance and subsequently, asked for confirmation that all local government pensions for existing staff would be protected and stated that this had not been explicitly referenced in the Plan.

In response, the Executive Director of Commissioning confirmed that the pensions of all staff that had transferred from the Council to Publica were protected for as long as those staff were employed by Publica, unless any individual wished to opt-out of the Local Government Pension Scheme (LGPS) in favour of the Publica pension.

A Member enquired as to the new recruitment process and if Officers from other local authorities, who were currently within the Local Government Pension Scheme, would be allowed to retain this arrangement once employed by Publica. The Executive Director of Commissioning responded that any newly-appointed member of staff would be required to sign up to the new stakeholder pension arrangement.

The Cabinet Member for Enterprise and Partnerships welcomed the comments from the Overview and Scrutiny Committee and the engagement from staff, and explained the success of the joint working arrangements, highlighting the resilience it had afforded in the recent bad weather.

In response to a Member's question regarding the new Management Team, the Executive Director of Commissioning explained that the new Team had been working together as a group, and whilst this represented a considerable change from working in departmental structures, explained that the Team was mindful of the need to work with retained Officers.

The Cabinet Member for Planning and Licensing commented that, in his view, there was a requirement to continually 'drip-feed' details relating to Publica to the public, with the clear statement that the intention was to reduce cost, but continue existing service delivery.

In response, Mr Brooks explained that Publica was in no way seeking to reduce the independence of each partner Council and explained that, in this regard, anonymity could be considered a good sign. He also commented upon recent difficulties in recruiting Planning Officers and highlighted an increase in response to a job advert for a Planning Officer at Forest of Dean District Council, in comparison to when adverts had been placed under the Council's name. Mr Brooks added that the 140 Councillors within the partner Councils were key ambassadors for Publica and therefore needed to be kept updated with information as frequently as possible.

In concluding the item, the Deputy Leader requested that a short briefing note be produced to assist Members with information required to be presented to Parish Councils at their Annual Parish Meetings.

RESOLVED that:

(a) the Cabinet recommends that the Leader approves the Business Plan;

(b) a short briefing note, detailing the Publica Business Plan, be provided to Members for use at parish meetings.

Record of Voting - for 6, against 0, abstentions 0, absent 1.

CAB.93

HIGHWAYS ENGLAND CONSULTATION ON THE A417 'MISSING LINK'

In introducing this item, the Deputy Leader and Cabinet Member for Forward Planning explained that the Cabinet was requested to respond to this important consultation, which would close on 29th March 2018.

With specific regard to the two possible route options, the Deputy Leader explained that Option 30 was considered to be the best-fitting option and that Highways England considered that such Option could realistically be built and the return from investment as required by central government was deemed acceptable. The Deputy Leader added that, as the Ward Member, he received a large volume of correspondence in relation to the road, but added that no alternatives were currently being considered and that the construction of a tunnel could not occur in the permitted timeframe. In conclusion, he recommended that the Cabinet support Option 30 and submit a formal response to Highways England, to be finalised by the Head of Paid Service and relevant Cabinet Members.

A Member commented that, in his view, a full technical response was not needed until after the outcome of the statutory consultation. In response, the Executive Director of Commissioning explained that a response to this consultation was important in regards to informing Highways England of what the Council would expect to see when it came forward with its formal proposal. She also explained that submitting a response now would provide a clear message to the public of the Council's support for Option 30.

The Cabinet Member for Environment explained that she considered there to be a need to comment now, to ensure residents were aware of the Council's view on Option 30. She added that Option 30 enabled the door to be 'left open' if the situation regarding a tunnel changed and explained that, by being involved early, and once a member of the Steering Group, the Council was ideally placed to achieve the best option for the District.

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The Cabinet Member for Enterprise and Partnerships informed the Cabinet the Gloucestershire Economic Growth Joint Committee had approved Option 30 in its current form. He added that he still had reservations regarding the environmental impact of the Option and considered that a discussion was still required in regards to tunnel options. He confirmed that whilst he considered Option 30 to be the 'least worst' of the Options, he stressed the need to full support from the area affected.

The Cabinet Member for Housing, Health and Leisure stated that he considered Option 30 to be the best option and drew attention to the five evaluation criteria and urged the Cabinet to consider how each Option impacted upon each of the criteria.

As the Council's representative on the Cotswold Conservation Board, the Cabinet Member for Planning and Licensing Services explained that Option 30 was the most environmentally-damaging, and that Option 3 provided a logical alternative, which would prevent a full 'scar' on the landscape. He added that, whilst Option 3 was more expensive per mile, it needed to be considered, as the National Trust, who were the landowners, were very concerned about the Option 30. In relation to the response, the Cabinet Member explained that he could understand the financial sense of Option 30, as the cheaper and most financially-effective of the two options, but explained that if a new road was to be built, it should not be constructed alongside the existing highway. In conclusion, he expressed the view that the Council should be commenting on other options, including Option 3.

A Member commented that the Council needed to make a decision and that Option 30 already had the support of the Government and the Prime Minister, alongside support from MPs and the County Council. The Member informed the Cabinet that it needed to be pragmatic and drew attention to the current congestion issues and high accident levels currently being experienced. In relation to comments regarding tunnel options, he explained that any of the options involving tunnels would lead to a long delay on the project, and that the options as currently existed would be unlikely to return again. He also reminded the Cabinet that the funding had been secured and a united support was now required.

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The Executive Director of Commissioning drew attention to the abridged Officer's response contained within the circulated report and informed the Cabinet that some of the suggestions raised in the discussion could be included, but reminded Members that the response needed to be realistic. added that Highways England had only presented two options for formal consultation and explained that the response would make reference to the fact a tunnel would have been the preferred option had it been 'on the table'. In regards to the delegation, the Director confirmed that the response would be made by the Head of Paid Service in consultation with the relevant Cabinet Members.

RESOLVED that:

- (a) this Council fully supports Option 30 as the better of the routes consulted upon;**
- (b) the Council submits a full response to Highways England, commenting in detail on the landscape, environmental, traffic, social and technical issues;**
- (c) the Head of Paid Service be given delegated authority, in consultation with the relevant Cabinet Member(s), to finalise the Council's response.**

Record of Voting - for 6 against 0, abstentions 0, absent 1.

Note:

The Cabinet wished to extend its thanks to Officers for the production of the report.

CAB.94 SOMERFORD KEYNES CONSERVATION AREA - APPRAISAL AND BOUNDARY REVIEW

The Deputy Leader and Cabinet Member for Forward Planning introduced this item and praised the quality of the Officer's report.

The Cabinet was requested to consider the 2018 conservation area appraisal for the Somerford Keynes Conservation Area, and proposed new boundaries.

The Cabinet Member for Planning and Licensing Services was pleased with the engagement from the local community, who were fully supportive of the scheme proposals. He also explained that the area would now include open parkland and would aim to protect historic buildings.

In response to a question regarding funding, the Heritage and Design Manager confirmed that funding would be drawn from core budgets and that this was the same arrangement for Down Ampney and Ebrington.

The Cabinet Member for Environment expressed her support for the Review and stated that she was pleased the Review had been formally recognised as an evidence piece for Neighbourhood Plans, and praised Officers for their work in relation to the item.

RESOLVED that:

- (a) the 2018 Somerford Keynes Conservation Area appraisal be approved;**
- (b) the 2018 Somerford Keynes Conservation Area appraisal be considered as a material consideration in the determination of planning (and other related) applications and notifications;**
- (c) the 2018 Somerford Keynes Conservation Area appraisal be considered as part of the evidence base for any local or neighbourhood plans;**
- (d) the proposed new boundaries for the Somerford Keynes Conservation Area be approved;**
- (e) the Heritage and Design Manager and/or the Head of Paid Service, in consultation with the relevant Cabinet Member(s), be authorised to approve further Conservation Area appraisals and boundary changes.**

Record of Voting - for 6 against 0, abstentions 0, absent 1.

CAB.95 SUMMARY FINANCE/SERVICE PERFORMANCE REPORT - 2017/18 QUARTER 3

The Deputy Leader of the Council introduced this item.

The Cabinet was requested to consider and comment on the overall finance/service performance for the third quarter of the 2017/18 financial year.

It was noted that a similar report was considered by the Overview and Scrutiny Committee at its Meeting held on 13th March 2018, and the comments of that Committee were circulated at the Meeting.

The Deputy Leader thanked Officers for their work in relation to the report. He explained that car parking figures were reaching budgetary expectations, notwithstanding the 'Free after 3pm' scheme, and was pleased that the Local Plan examination had been completed.

A Member commented that, at the beginning of 2017, the Council had re-based its budget heads and highlighted to the Cabinet that, when studying the variances, most had been proved correct. He also drew attention to the positive underspend of £141,000, but highlighted the significant shortfall of income in Development Control; a significant overspend of £68,000 on Health and Safety; and an 80% overspend on Training and Development.

In response, the Chief Finance Officer explained that whilst planning application fees had increased by 20% from January 2018, income was dependent on the volume of applications received. The Training and Development budget variance required more analysis, but some of the costs related to graduate costs, which needed to be re-allocated, and there had been some maternity leave in the team. In addition, as a shared service led by Cotswold District Council, the cost was to be spread across all partner Councils as part of the year-end processes. A Member commented upon the basket of indicators, highlighting that the Council was the most efficient in the country, and expressed the view that this was as a result of joint working arrangements.

With particular reference to the representations and comments from the Overview and Scrutiny Committee:-

- a Member explained that, in relation to Broadband, the County Council bid referred to had been successful and had now gone out for procurement;
- those present were unable to comment on the veracity of the crime rate figures - the Executive Director of Commissioning confirmed that data requested in relation to crime would be verified;
- with reference to the comments on Building Control's improved performance, a Member noted that the market share had just risen above 60%, and the Council's Building Control team were now positioned within the competitive market.

The Cabinet Member for Environment also expressed her congratulations to the Council's Building Control team and highlighted that all staff within the department now held the relevant professional qualification.

RESOLVED that:

- (a) service and financial performance for Quarter 3 of the financial year 2017/18 be noted;**
- (b) the amendment to the Risk Management Methodology - Evaluation Criteria, which increases the score at which a risk becomes 'primary' from 12 to 15, be endorsed.**

Record of Voting - for 6, against 0, abstentions 0, absent 1.

CAB.96 SCHEDULE OF DECISIONS TAKEN BY THE LEADER OF THE COUNCIL AND/OR INDIVIDUAL CABINET MEMBERS

The Cabinet noted a Schedule detailing decisions taken by the Leader of the Council and the Deputy Leader and Cabinet Member for Forward Planning.

The Cabinet Member for Housing, Health and Leisure informed the Cabinet that Ward benefits were proving successful and explained that there would be an opportunity for review as part of the half-year performance.

CAB.97 ISSUE(S) ARISING FROM OVERVIEW AND SCRUTINY AND/ OR AUDIT (IF ANY)

There were no issues arising from Overview and Scrutiny and/or Audit, apart from the draft Publica Business Plan to 2018/19 and the Summary Finance/ Service Performance Report - 2017/18 Quarter 3.

CAB.98 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 4.05 p.m. and closed at 5.20 p.m.

Chairman

(END)