

COTSWOLD DISTRICT COUNCIL

CABINET

2 DECEMBER 2019

Present:

Councillor Joe Harris - Chair

Councillors -

Rachel Coxcoon	Jenny Forde
Tony Dale	Mark Harris
Andrew Doherty	Lisa Spivey
Mike Every	Clive Webster

Observers:

Stephen Andrews	Gina Blomefield
Julian Beale	

CAB.53 DECLARATIONS OF INTEREST

There were no declarations of interest by Members under either the Code of Conduct for Members or Section 106 of the Local Government Finance Act 1992.

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

CAB.54 MINUTES

**RESOLVED that the Minutes of the Meeting of the Cabinet held on 4 November 2019 be approved as a correct record.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

CAB.55 PUBLIC QUESTIONS

No Public questions had been submitted.

CAB.56 MEMBER QUESTIONS

No Member questions had been received.

CAB.57 LEADER'S ANNOUNCEMENTS

The Leader asked everyone present to stand and observe a period of silence in remembrance of the victims of the London Bridge attack on Friday 29 November 2019.

**CAB.58 DRAFT MEDIUM TERM FINANCIAL STRATEGY 2020/21 AND BUDGET 2020/21**

The Cabinet was requested to consider an update to the Council's Medium Term Financial Strategy for the period 2020/21 to 2029/30. The report also set out details of the Council's draft budget for 2020/21; and Cabinet was asked to consider and approve the draft budget for consultation purposes.

The Cabinet Member for Finance introduced the report and amplified various key aspects. In so doing, he identified a number of items within the Strategy that were important for delivering the aims and priorities of the Council, including:

- New Homes Bonus
- Funding for the Climate Change Manager
- Webcasting
- Community grant scheme
- Local plan review
- Health and Wellbeing Strategy
- Corinium Museum
- Commercialisation Strategy
- Supporting the work of the Property Team
- Disabled facilities grant monies
- Pay award
- Waste Service
- Members' allowances
- Increasing insurance for risk of cyber attacks
- Comprehensive pre-application advice
- Treasury Management investment income
- Growth in business rates.

He explained that there were challenges ahead and the Council was fortunate to have reserves in the General Fund, although it needed to consider ways of doing business differently to enable effective service delivery. This included looking at green technology, car parking charges, and council tax, all of which would be consulted on before any decisions were made. He reiterated that the approval of the proposed draft budget was only the start of the consultation process; and that the draft budget would be presented to the Overview and Scrutiny Committee for consideration and comment. Councillor Evemy welcomed comments and suggestions.

The Leader thanked Councillor Evemy and the Chief Finance Officer for putting together the new administration's first budget.

The Cabinet Member for Car Parks and Town and Parish Councils commented on the New Homes Bonus and questioned how the Government were going to administer this, including would they charge developers and retain the money. He was also concerned about a possible change relating to the business rates and how the consultation on the budget would be managed. The Chief Finance Officer explained that New Homes Bonus was not a charge on developers. In the past, the New Homes Bonus had been funded from a top-slice from local government funding (Revenue Support Grant). The Chief Finance Officer explained that changes to the Business Rates scheme, which impacted upon local businesses, would be set by national government. The use of business rates to fund local government was a completely separate issue and would not affect local businesses. The Leader explained that the Chief Finance Officer and he would be meeting with the Communications Team to enable wide consultation, putting a pack together for the press and town and parish councils.

The Cabinet Member for Development Management, Landscape and Heritage thanked the Members for meeting in Moreton-in-Marsh and commented that there were other ways of securing income and raising revenue, rather than just raising Council Tax. The service the Council provided for the public needed to be considered holistically; and consultation was very important.

The Cabinet Member for Economic Development, Skills and Young People explained he would like to consider commercialisation and how revenue could be increased through this route, rather than taxing residents.

The Cabinet Member for Housing and Homelessness was concerned with the funding gaps, which would be increasing over the next three years, and questioned whether there would be a need to increase council tax or asking people to pay more for car parking. He felt that Members should work with Officers to look at ways to generate income, in an innovative way.

The Cabinet Member for Planning Policy, Climate Change and Energy sought information on how the Council's rate of Council Tax compared with neighbouring authorities.

The Cabinet Member for Finance thanked the Chief Finance Officer for her input and commented that this was the start of the consultation process with more discussion to be undertaken.

**RESOLVED that:**

- (a) the updated Medium Term Financial Strategy and how the 2020/21 budget fits within the longer term financial planning horizon be noted;**
- (b) the draft budget 2020/21 be approved for consultation purposes.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

CAB.59 PROSECUTIONS OF HOUSING AND TENANCY FRAUD ON BEHALF OF SOCIAL HOUSING

The Cabinet Member for Housing and Homelessness introduced the report explaining that housing and tenancy fraud was a big issue, leaving people who were in need of social housing without homes. The Counter Fraud Unit carried out work on behalf of social housing providers, gathering evidence and prosecuting when necessary.

The Counter Fraud Manager explained that Housing Associations were not able to access information using the powers set out in the Prevention of Social Housing Fraud Act 2013 or prosecute offences set out in the legislation; and therefore had to commission local authorities to carry out the work on their behalf.

In response to some concerns and potential risks of having clients outside the District, and how that would impact on the work being carried out within the District, the Counter Fraud Manager reiterated that all costs were met by the clients, and that other work would not be impacted detrimentally. It was considered that there was a demand for the service and a possible opportunity for looking at commercialisation for the service.

The Cabinet Member for Housing and Homelessness recommended approval of the recommendations, which was seconded by the Leader, with the addition of the word 'authority' after delegated, in recommendation (c), to read 'delegated authority'.

**RESOLVED that:**

- (a) the proposal, be approved, for the Council to provide legal advice, support and undertake advocacy services for prosecutions on behalf of Social Housing providers where the property is situated within the District; and the Counter Fraud Unit has undertaken the investigation;**
- (b) that delegated authority be given to the Group Manager Legal Services to exercise the Council's enforcement powers to prosecute in each case taking into account both stages of the 'Full Code Test' as set out in the Code for Crown Prosecutors;**
- (c) that, in exceptional circumstances, where the Counter Fraud Unit has undertaken an investigation for a Social Housing provider in relation to a property that falls outside of the District, the Group Manager Legal Services be given delegated authority to still consider undertaking a prosecution, if it is considered expedient and appropriate to do so.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

Note:

At this point in the meeting, the Leader changed the order of items on the agenda, to allow for the better administration of business - bringing forward Agenda Item 10 (Minute CAB.60 refers) and Agenda Item 13 (Minute CAB.61 refers).

**CAB.60 REGULATION OF INVESTIGATORY POWERS ACT 2000 SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCE POLICY / INVESTIGATORY POWERS ACT 2016 ACQUISITION OF COMMUNICATIONS DATA POLICY**

The Leader provided a general introduction to this report.

The Counter Fraud Manager explained that new legislation had been enacted which created the need for revisions to the existing policy relating to surveillance and for the introduction of a new policy relating to the acquisition of communication data.

The Cabinet Member for Finance commented that the policies gave reassurance that, if there was a need to carry out cases of surveillance, there would be checks to understand why it was required.

The Counter Fraud Manager explained that when an officer wanted to undertake surveillance there were checks and balances and a process to be strictly followed. As part of this, the Monitoring Officer, as the Council's Senior Responsible Officer, was required to approve any surveillance application. Furthermore, the entire process was heavily regulated and inspection by the IPCO was carried out regularly.

**RESOLVED that:**

- (a) the circulated Policies be adopted;**

- (b) the Group Manager Legal Services be authorised to approve future minor amendments to the Policies in consultation with the Counter Fraud Manager and the Leader of the Council.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

CAB.61 REVIEW OF COTSWOLD DISTRICT COUNCIL'S HACKNEY CARRIAGE TABLE OF FARES

The Cabinet Member for Waste, Flooding and Environmental Health introduced the report and explained that consultation had taken place with the trade over the proposals, which were based on the premise that fares needed to increase in order for the trade to make a living and given the period that had elapsed since the last review. The revised proposal, as set out in Annex D of the report, provided as follows:

**Tariff 1** - For the first 1410 yards or part thereof £3.20 / for the subsequent 70 yards or part thereof £0.10.

**Tariff 2** - For the first 1410 yards or part thereof £3.70 / For the subsequent 60 yards or part thereof £0.10.

**Tariff 3** - For the first 1410 yards or part thereof £6.40 / For the subsequent 70 yards or part thereof £0.20.

**Additional Charges**

Waiting to all 3 tariffs £0.30 per minute or part thereof.

Extra charge per passenger above two £0.15

Extra luggage charge for each package carried outside £0.15, for each bicycle or perambulator £0.30

Soiling charge valet costs (excluding loss of earnings) £75.00

**Tariff 1** - For hirings between 7am - 9pm Monday to Saturday

**Tariff 2** - For hirings between 9pm and 7am and all day Sundays and bank holidays.

**Tariff 3** - For hirings from 9pm on Christmas Eve and all hirings on Christmas Day and Boxing Day. For hirings from 6pm on New Year's Eve and all hirings on New Year's Day to 23.59 hours.

Prices on the above tariffs equate to:

**Tariff 1** - First mile £3.70 Running mile £2.50 2 mile journey £6.20

**Tariff 2** - First mile £4.30 Running mile £2.90 2 mile journey £7.20

**Tariff 3** - First mile £7.40 Running mile £5.00 2 mile journey £12.40

It was noted that these proposals were supported by 57% of the trade. The Officer and trade were thanked for their work on producing the proposal.

**RESOLVED that the revised table of fares for Hackney Carriages (taxis) as set out above be adopted.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

**CAB.62** SUMMARY FINANCE/SERVICE PERFORMANCE REPORT - 2019/20 QUARTER TWO

The Cabinet Member for Finance introduced the report, stating that overall performance had been good, with a number of improvements in performance in certain services since quarter one.

Members were, however, concerned with the performance of Building Control. In this connection, the Executive Director – Commissioning explained that Officers were in negotiations regarding the pay and grading structure for the service, although market forces for Building Control meant that Building Inspectors were leaving local authority to work for the private sector. The Leader asked Officers to look at the indicators and report back to Cabinet.

The Cabinet Member for Housing and Homelessness commented that performance should improve in the next quarter, although Building Control and ERS were struggling with staff leaving to go to other authorities and private sector. The disruption to the Museum, with the building work being carried out, had impacted on visitor numbers; and discussions were taking place with SLM, for them to consider how they could promote the Museum when all works were finished.

A new piece of work had been started with a revised set of performance indicators relating to the new priorities of the Council. These would be operational in the new financial year.

**RESOLVED that, subject to the comments made, service and financial performance report for Quarter Two of the financial year 2019/20 be noted.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

**CAB.63** ADDITIONAL FUNDS FOR THE CONSTRUCTION PHASE OF THE RUGBY CLUB CAR PARK, CIRENCESTER

The Cabinet Member for Car Parks and Town and Parish Councils introduced this report, and explained that extra funding was being requested for the construction phase of the project. Members were reminded that the project sought to provide additional spaces to allow the Waterloo car park building project to progress. The requested funds would be reallocated from the Waterloo project budget.

**RESOLVED that:**

- (a) Council be recommended to include an additional sum of £192,200 in the Capital Programme 2020/21 to meet the construction cost of the Rugby Club car park;**
- (b) the funds be allocated from the Waterloo car park project within the Capital Programme.**

**Record of Voting - for 9, against 0, abstentions 0, absent 0.**

**CAB.64** SCHEDULE OF DECISIONS TAKEN BY THE LEADER OF THE COUNCIL AND/OR INDIVIDUAL CABINET MEMBERS

Cabinet noted the schedule of decisions taken by the Leader of the Council and/or individual Cabinet Members since the last meeting of the Cabinet.

CAB.65 ISSUES ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT (IF ANY)

There were no issues arising.

CAB.66 OTHER BUSINESS

There was no other business.

The Meeting commenced at 6.00 p.m. and closed at 8.09 p.m.

Chair

(END)