

Minutes of the Cabinet Meeting held at the Town Hall, Lowestoft
on **Tuesday 22 September 2015 at 5.30pm**

Members present

Councillors C Law (Chairman), S Allen, S Ardley, M Barnard, M Ladd, F Mortimer, D Ritchie, M Rudd and L Smith

Also in attendance

Councillors S Barker, T Gandy, T Goldson, I Graham, J Murray and S Woods

Officers present

S Baker (Chief Executive), A Charvonia (Strategic Director), D Gallagher (Head of Commercial & Leisure Partnerships), S Hubbard (Principal Planner for Policy & Delivery), D Hunter (Customer Services Manager), A Jarvis (Strategic Director), Darren Knight (Head of Customer Services), E Lockwood (Client Liaison & Improvement Manager), B Parker (Head of Coastal Management), I Purdom (Principal Service Manager for Procurement & Commercial Partnerships) and N Wotton (Senior Democratic Services Officer)

Others in attendance

R Rusted – Project Manager for Waveney Norse
S Keeble – Operations Manager for Waveney Norse

1 APOLOGIES

There were no apologies for absence received.

2 DECLARATIONS OF INTEREST

No declarations of interest were made.

3 MINUTES

RESOLVED

That the Minutes of the Cabinet Meeting held on 15 July 2015 be approved as a correct record and signed by the Chairman.

4 ACCEPTANCE OF URGENT ITEM OF BUSINESS

The Leader of the Council announced that in accordance with Section 100B (4) (b) of the Local Government Act 1972, he had agreed to accept an urgent item of business. The matter related to the Cabinet Member appointments to the Southwold Harbour Lands Joint Committee. The special circumstances for considering this item as a matter of urgency was that a decision was needed before the next scheduled Cabinet meeting and to delay until then could prejudice the Council's position and significantly delay the progress of the Joint Committee. This matter would therefore be considered as Item 9 on the Cabinet Agenda for this meeting.

5 ISSUES ARISING FROM THE OVERVIEW & SCRUTINY COMMITTEE OR THE AUDIT & GOVERNANCE COMMITTEE

(a) Overview and Scrutiny Committee

There were no matters to report.

(b) Audit and Governance Committee

There were no matters to report.

6 ACCESS AND CUSTOMER CARE STRATEGY ‘JOURNEY TO EXCELLENCE’

The Cabinet Member for Customers & Communities presented a report which sought approval for the draft Access & Customer Care Strategy 2015/2019 ‘Journey to Excellence’. There were a number of strategic priorities contained within the strategy, including enabling customers to help themselves by making on-line services the ‘preferred choice’ for doing business with Waveney District Council, increasing first contact resolution to free up resources, identifying and reducing avoidable customer contact and effectively managing customer demand to reduce costs and improve efficiency.

Members were advised that the proposed strategy had been developed over 6 months and had involved detailed analysis, staff engagement events and identification of best practice from other organisations. The ‘Postcard from the Future’, included as part of the Appendix to the report, highlighted the improvements in customer service which were anticipated as a direct result of the new strategy.

Members commended the work which had taken place to date and noted the significant improvements which had already been made. It was noted that good customer service was crucial to the performance of the Council and the good practice would become embedded within all departments of the Council over time.

A Member queried how the improvements in customer care would be measured. It was reported that it was hoped that there would be a reduction in the number of phone calls and visits to the Marina Centre, with increasing amounts of online transactions. It was noted that Customer Services had been the first contact for Election queries in the run up to the General Election in 2015. They had answered over 4,000 phone calls, which had saved over £7,000 in staffing costs for the Elections Team. It was noted that there would also be a focus upon first contact resolution, so that the public were not required to make multiple contacts with the Council. The Council would also learn from complaints and avoid unnecessary contacts.

Reassurance was provided that the Council would enable the public to help themselves and provide assistance and training for customers to pay their bills online. Customers with specific or special needs would always be supported and they would have access to translators and interpreters. Customer Services also had a Disability Champion who would promote diversity and undertake themed events during National Deafness Week etc.

With regards to the efficiency of the IT system that customer services were using, it was confirmed that the Firmstep System had been installed and a review of the implementation of the system would be taken in due course. It was anticipated that minor revisions would be undertaken to improve the efficiency of the system.

RESOLVED

That the Access & Customer Care Strategy for 2015/19 be approved.

7 COMMUNITY INFRASTRUCTURE LEVY SPENDING 2015/16

The Cabinet Member for Planning & Coastal Management presented the report, which sought approval of the Community Infrastructure Levy Infrastructure Plan 2015 and to agree how the Community Infrastructure Levy funds should be spent for the financial year

2015/16. Members noted that Waveney District Council had introduced the Community Infrastructure Levy (CIL) in August 2013, which had followed the Council's adoption of the CIL Charging Schedule in May 2013.

It was noted that CIL was the main way in which the Council collected contributions from developers for infrastructure provision, to support development planned in the Council's Local Development Framework (the Local Plan). CIL largely replaced the old system of Section 106 planning obligations. However it was noted that Section 106 would still be used for some site specific infrastructure and affordable housing.

Members were advised that in November 2014, Full Council had agreed the process and governance arrangements for the spending of CIL funds. It was noted that decisions on how to spend CIL should be made through an annual programming process supported by an annually updated infrastructure plan. Recommendations on what to spend CIL on were made by the Council's Local Plan Working Group and the final decision would be made by the Council's Cabinet.

The Infrastructure Plan outlined the CIL statement of accounts as of 1 April 2015 and at present there was only £69,197.51 available to spend. The relatively modest amount was due to the fact that CIL was only paid once development commenced and once commenced it is paid in instalments over a period of 18 months to 2 years. Therefore it would take several years before the Council started to collect more significant amounts from the levy.

A funding gap of £6,659.042 for infrastructure had been identified and CIL would help to close the gap. A number of projects had been identified which could benefit from the CIL funding should the funds be made available this year:

- Access Improvements to Broadway Farm Industrial Estate (Site Specific Allocation HAL1 and 2)
- Normanston Park Changing Rooms
- Beccles Common Lane Pitches Drainage Improvements
- Play Space Provision at the planned community centre site, Old Grammar Lane, Bungay (Site Specific Allocation: BUN4)

Members were advised that CIL was likely to raise over £3,223,570 during the period to 2025, which would fund almost half of the current project funding gap. However, it was noted that the funding gap may rise in future years as more projects were identified and the Council would need to remain cautious when releasing CIL funds, to ensure they were spent on projects which provide the most amount of benefit, in terms of helping to sustainably deliver development within the Council's Local Plan.

In response to a query from a Member, reassurance was provided that if a project had been identified but had not been allocated funding, it would remain in the Community Infrastructure Levy Infrastructure Plan for further consideration.

Clarification was provided in respect of the Pedestrian and Cycle Bridge over Lake Lothing at Brooke Peninsula. It was noted that this project formed an essential part of the redevelopment of Lowestoft. There were several significant developments which were due to be commenced in that particular area and in accordance with the current legislation, up to 5 Section 106 contributions could be levied in that area to support the project. If there was insufficient funding available for the project once all of the Section 106 contributions had been collected, then the Community Infrastructure Levy funding could be used supplement the funding available.

RESOLVED

1. That the Community Infrastructure Levy Infrastructure Plan included as Appendix A to the report be approved.
2. That no Community Infrastructure Levy Funds be spent in this financial year.

8 **TREASURY MANAGEMENT OUTTURN REPORT 2014/15 AND MID YEAR REPORT 2015/16**

The Cabinet Member for Resources & Welfare Reforms presented the report and advised Members that the Treasury Management Policy Statement required both an annual and a mid-year report to be produced by 30 September 2015, and approved by Council. The report reviewed the performance of the Treasury Management function, including prudential indicators, in 2014/15, and a mid-year view of the first half of 2015/16.

The report outlined the economic background within which the Council had operated, and set out the Council's borrowing and investment activity over the previous year.

The 2014/15 summary showed that investments totalled £23.6m as at 31 March 2015. Interest received during the year totalled £162k compared to £86k in 2013/14, and the Council had maintained its policy of investing short term rather than longer term, due to market conditions. During 2014/15, £4m of short term borrowing for the London Road North Complex had been replaced by a long term Public Works Loan Board (PWLB) loan, as planned. The loans portfolio totalled £93.22m, as at 31 March 2015, of which £78.4m related to the Housing Revenue Account.

The Council had held an average cash balance of £24.1m during the year and received investment income of £162k, realising an average rate of 0.44% in liquidity accounts (instant access) and 0.97% in fixed term deposits. As at 31 August 2015 the Council held £32.7m of investments, and interest received totalled £74.7k.

The report concluded that the Council had operated its Treasury Management function within the prescribed Treasury Management Policy and Prudential Indicators for 2014/15 and for the first half of 2015/16. The Council had maintained a healthy cash balance during 2015/16 to date, and ensured that an improved interest rate return had been achieved.

RECOMMENDATIONS TO COUNCIL

1. That the Annual Report on the Council's Treasury Management activity for 2014/15 incorporating the Mid Year review for 2015/16 be approved.
2. That the Prudential Indicators Outturn position for 2014/15 in Appendix A be noted.

9 **SUFFOLK DEVOLUTION**

The Leader of the Council presented the report, which sought approval to agree the ambition and approach to devolution, as set out in Appendix A to the report and to refer the matter to Full Council for further discussion. It was noted that the Expression of Interest was developed by Waveney District Council, alongside both Suffolk local government and wider public sector partners, in response to the Government's invitation to submit formal, fiscally-neutral proposals for devolved arrangements to be submitted to the Treasury by 4 September 2015, ahead of the Spending Review.

Suffolk's Leaders were collectively eager to make the most of this opportunity for Suffolk and had worked together to develop a shared ambition for devolution. This had been built on Suffolk's strong track record of collaboration and innovation, and would serve as the basis for negotiation with the government for a robust devolution deal that would deliver better outcomes for local people.

It was noted that for many years, Suffolk Councils and wider public sector partners had worked collaboratively across a number of projects such as the Suffolk Growth Strategy, Great Yarmouth and Lowestoft Enterprise Zone, Business Rates Pool and Lowestoft Rising. Nationally, Suffolk has come to be respected as a place for innovation, collaboration and delivery. This was further recognised in 2014 by the granting of £3.3million from the Governments Transformation Challenge Award for the further development of Suffolk's approach to innovation and shared delivery.

There was also the recognition amongst Suffolk's Public Sector Leaders that as well as collaborating and working in a more integrated way, there was a need for more radical change in order to meet the forthcoming financial challenges and still effectively support local communities.

Members were informed that the Expression of Interest would form the basis for negotiation of more detailed proposals with Government throughout the autumn, with the expectation of some conclusions in the 25 November 2015 Autumn Statement. Once concluded, these would then be subject to further discussion by Full Council and the various appropriate decision making bodies of Suffolk's public sector partners.

It was noted that although the Expression of Interest was solely regarding Suffolk, the Councils had intimated that they would be willing to work in collaboration with Norfolk Councils, should the opportunity arise. Further discussions would be undertaken in this respect in due course.

Members were advised that the devolution process may necessitate the creation of a Combined Authority, which would be an additional layer of local government, which would need to make certain collective decisions. Reassurance was provided that this would not alter the powers of the individual Councils.

The timetable for the progress of the devolution agenda was currently fluid, however a meeting had been arranged for 22 October 2015 with Ministers, Civil Servants and the Councils in Suffolk. Members would be kept apprised of any developments.

Members were very supportive of the developments so far and they were keen for the Councils to benefit from any efficiencies or cost savings which were created as a result. The potential for improvements for the public was significant.

A Member queried whether the devolution process would eventually include Town and Parish Councils. It was reported that it was already possible for Councils to transfer some of their powers and responsibilities, however the majority of Town and Parish Councils did not have the breadth of legal powers to undertake these additional roles. It was also noted that there was insufficient information available to foresee how Town and Parish Councils may be affected at this current time. A Member queried how Lowestoft would be affected as a result of devolution as it was currently unparished and therefore it could not receive any devolved powers. It was confirmed that this was a matter for future discussion, as there was not enough information to make a formal judgement at this stage, however it was noted that a Task and Finish Group meeting to discuss the parishing of Lowestoft was scheduled in the near future.

Members noted that the Council already had significant experience of working with different partners and Suffolk was recognised nationally as a positive and progressive County.

A Member queried whether the Local Plan Working Group would be looking at additional sites for the development of housing, as the Expression of Interest stated that 70,000 houses would be built in Suffolk in the coming years. It was reported that it was premature to start looking just yet and the figure quoted was aspirational. It was also noted that the Local Plan was in the process of being refreshed and additional sites would be identified for development as a matter of course.

With regards to the meeting on 22 October 2015, with Ministers, Civil Servants and the Councils in Suffolk, it was confirmed that only the Leaders of the Councils would be involved. Reassurance was provided that the meeting would be cross-party, as the Leader of Ipswich Borough Council was from the Labour Party and had significant experience from the negotiations regarding the City Deal.

A Member queried whether the development of a further Enterprise Zone with a focus upon agriculture technology, would involve genetically modified crops. Reassurance was provided that there were no plans regarding genetically modified crops and there was no specific detail within the submission.

RECOMMENDATIONS TO COUNCIL

1. That the Expression of Interest (Appendix A) forms the basis for future detailed negotiation with Government throughout the autumn of 2015.
2. That Suffolk's ambition and approach to devolution be discussed at Full Council in order to provide a strong democratic mandate for future negotiation with Government.

10 URGENT ITEM OF BUSINESS – APPOINTMENTS TO SOUTHWOLD HARBOUR LANDS JOINT COMMITTEE

The Leader of the Council agreed to consider the report on Appointments to Southwold Harbour Lands Joint Committee as a matter of urgency. The special circumstances for considering this item as a matter of urgency was that a decision was needed before the next scheduled Cabinet meeting and to delay until then could prejudice the Council's position and significantly delay the progress of the Joint Committee.

The Leader of the Council presented the report which sought to make formal appointments to the Southwold Harbour Lands Joint Committee for the 2015/16 municipal year. The membership of the Joint Committee needed to be Cabinet Members, given that it was a body with executive-level decision making powers. The Terms of Reference of the Joint Committee was included as Appendix A to the report.

A Member queried whether an Opposition Member could be appointed as an observer to this Joint Committee. It was reported that there was no provision to make such an appointment, however all of the meetings of the Joint Committee were open to the public and all Members were welcome to attend.

RESOLVED

1. That Councillors M Barnard, C Law, D Ritchie and M Rudd be appointed to the Southwold Harbour Lands Joint Committee for 2015/16.
2. That Councillors F Mortimer and L Smith be appointed to the Southwold Harbour Lands Joint Committee as Substitute Members for 2015/16, who may attend meetings of the Joint Committee in the absence of an appointed Member.

11 EXEMPT / CONFIDENTIAL ITEMS**RESOLVED**

That under Section 100(A) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

12 TUPE TRANSFER

The Cabinet Member for Housing presented a report which advised Members of the opportunity to transfer the applicable external staff ('TUPE Transfer') into the Council's Housing Maintenance Service.

RESOLVED

That the creation of an in-house service for the delivery of roofing and scaffolding, and the TUPE Transfer of the relevant external staff into the Council be approved.

13 CAR PARKS UPDATE – PROGRESS REPORT

The Cabinet Member for Operational Partnerships & Lowestoft Rising presented the report which sought approval of a number of recommendations made by the Overview & Scrutiny Committee in relation to Waveney District Council's Car Parking Fees and Charges.

RESOLVED

That the revised car parks fees and charges be publicly advertised through a Statutory Road Traffic Order.

14 LOWESTOFT FLOOD RISK MANAGEMENT PROJECT – PURCHASE OF TEMPORARY TIDAL FLOOD BARRIER

In accordance with Paragraph 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chairman of the Overview & Scrutiny Committee had been informed that this item needed to be considered at this meeting, even though the item had not been included on the Forward Plan.

In accordance with Paragraph 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chairman of the Overview & Scrutiny Committee had given her agreement that this Exempt and Urgent item could be considered at this meeting.

The Cabinet Member for Planning & Coastal Management presented the report, which sought delegated authority for the Head of Planning & Coastal Management, following consultation with the Cabinet Member for Planning & Coastal Management, to commence the procurement process and to award the tender for procurement of temporary flood defence barriers.

The temporary flood barriers would reduce the risk of tidal flooding to people, homes and businesses in Lowestoft ahead of the worst of the winter weather this year and until the completion of the Lowestoft Flood Risk Management Project.

RESOLVED

1. That budget provision for the estimated £300,000 for the purchase of temporary flood barriers, which will be funded by the Regional Flood and Coastal Committee pending final agreement at their October meeting, be approved as a new project in the 2015/16 capital programme.
2. That delegated authority be given to the Head of Planning & Coastal Management, following consultation with the Cabinet Member for Planning & Coastal Management, to commence the tender procurement process and to award the tender for the procurement of the temporary flood barriers.

15 CONFIDENTIAL MINUTES**RESOLVED**

That the Exempt Minutes of the meeting held on 15 July 2015 be approved as a correct record and signed by the Chairman.

The meeting concluded at 7.50 pm.

Chairman