

Minutes of the Cabinet Meeting held at Riverside, 4 Canning Road, Lowestoft on **Tuesday, 24 January 2017 at 5.30pm**

Members present:

Councillors C Law (Chairman), S Allen, S Ardley, M Barnard, G Catchpole, M Ladd, F Mortimer, D Ritchie and M Rudd.

Also in attendance:

Councillors A Cackett, M Cherry, Y Cherry and S Woods.

Officers present:

S Baker (Chief Executive), P Gore (Head of Environmental Services & Port Health), A Jarvis (Strategic Director), D Knight (Head of Customer Services), A Reynolds (Environmental Protection Manager), S Taylor (Finance Manager – Compliance), A Welham (Senior Accountant) and S Carter (Democratic Services Officer).

1 APOLOGIES

There were no apologies for absence.

2 DECLARATIONS OF INTEREST

Although not taking part in the decisions at this meeting, being in attendance only, Councillors M Cherry and Y Cherry declared a Local Non Pecuniary Interest in Item 7 – Capital Programme 2017/18 to 2020/21, as having purchased their Council house. The declaration was made during the discussion of the item.

3 MINUTES

RESOLVED

That the Minutes of the Cabinet Meeting held on 7 December 2016 be approved as a correct record and signed by the Chairman.

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

(a) The Overview & Scrutiny Committee

There were no matters to report.

(b) The Audit & Governance Committee

There were no matters to report.

5 SOCIAL VALUE POLICY

The Cabinet Member for Customers & Communities presented the report, which sought approval of the Social Value Policy, which would provide a framework for Waveney District

Council to help achieve a wider community benefit from its spending and investments. This in turn, would help to support the Enabling Communities activities of the East Suffolk Business Plan.

Members were advised that Social Value was about maximising the impact of public expenditure and was a new way to consider how the Council's scarce resources were allocated and used. It was noted that there was an opportunity for Waveney District Council to ensure that the impact of public expenditure was maximised for community benefit.

Clarification was provided that Social Value involved looking beyond the cost of each individual contract and looked at the collective benefit to a community when a public body awarded an appropriate contract. Members were reassured that the Social Value Policy was a joint policy with Suffolk Coastal District Council.

The Cabinet Member for Customers & Communities explained that, although the Councils had been applying social value principles for some time, the Policy provided a formalised and consistent framework with supporting objectives based around the Business Plan.

Members welcomed the opportunity to formalise the actions that had been taken with regard to Social Value and there being no further debate, it was

RESOLVED

That the Social Value Policy be approved.

6 DOG CONTROL – PUBLIC SPACE PROTECTION ORDERS

The Cabinet Member for Operational Partnerships & Lowestoft Rising presented the report which sought approval for the new Public Space Protection Orders, to maintain a suitable level of control over dogs in the District.

It was noted that, due to change enacted by the Anti Social Behaviour Crime and Policing Act 2014, the existing orders which related to the control of dogs would lapse in October 2017, unless reviewed and replaced by a Public Space Protection Order (PSPO). Proposals for the PSPOs had been published for statutory consultation in August 2016 and the responses to the consultation had been taken into account when drafting the PSPOs. Members were advised that, if approved, the PSPOs would remain in force for three years, whereupon they would have to be reviewed and remade, or they would lapse.

The Cabinet Member for Operational Partnerships & Lowestoft Rising expressed thanks to the officers and their teams for their diligence and compassionate manner in which they had dealt with the issues. It was interesting to note that the majority of responses to the consultation had been received from Southwold.

Attention was drawn to the updated appendix (pages 45 and 46 of the Agenda) which had been circulated to Members and tabled at the meeting. The Environmental Protection Manager advised that the proposed the PSPOs would come into force on 31 March 2017.

The Cabinet Member for Tourism, Economic Development & Rural Affairs explained that he had been involved with the issue in Southwold for some 18 months and thanked the officers for their work in achieving the best compromise. In the town, a Dog Owners Association was being formed and they would be able to help monitor and enforce the orders. An amendment of 'before 8.00am and after 8.00pm' had been suggested; that had been submitted too late for inclusion in the orders but it was hoped that proposal could be the subject of a review after one year. The PSPOs would need enforcing and new signs would need to be erected.

The Cabinet Member for Operational Partnerships & Lowestoft Rising agreed the need for monitoring because, unfortunately, most dog fouling was not cleaned up by the dog owner. He advised it was too late to change an order now because that would involve further consultation and delay the implementation. The importance of keeping in touch with any dog owners associations in advance of any reviews was stressed.

It was generally agreed that dog owners needed to be proactive and police themselves as there were insufficient enforcement officers. The Southwold Dog Owners Association could be used as an example to lead the way and roll out similar systems in other areas. In response to a question relating to dogs in play areas, it was confirmed that the orders related to all play areas whether Council owned or not.

A Member proposed that, as dog fouling was such a widespread problem, Councillors could be trained to deal with the issue if observed and that too might encourage the parishes to take on a monitoring role. Comment was made that Members should not be given this type of responsibility without the training to deal with both the dog fouling and the way in which to approach the public so as to avoid confrontation. The Cabinet Member for Operational Partnerships & Lowestoft Rising stated that Councillors should not be pressurised to do this because of the possibility of receiving abuse. There were three enforcers, all based within Suffolk Coastal, so he had requested Waveney Norse to come up with a dedicated person within Waveney to undertake both an enforcement and a monitoring role. This was a zero tolerance matter and more pressure on dog owners was needed.

The Environmental Protection Manager confirmed that a training course on how to deal with dog fouling was already in place. The Leader of the Council proposed this be raised at the next Member Development Steering Group meeting. There being no further discussion, it was

RESOLVED

1. That draft PSPO01 relating to the exclusion of dogs from part of Southwold Beach for part of the year be adopted as proposed, save for the amendment to the wording to reduce the period for which the exclusion shall apply to 6 months each year from 1st April to 30th September each year.
2. That draft PSPO02 relating to the requirement to keep dogs on a lead on Southwold promenade be adopted as proposed, save for an amendment to include the area of promenade behind the huts immediately to the North of the Gun Hill cafe.

3. That draft PSPO03 relating to the requirement to clean up after dogs be adopted as proposed.
4. That draft PSPO04 relating to the exclusion of dogs from parts of Carlton Marshes Nature Reserve be adopted as proposed.
5. That draft PSPO05 relating to the requirement for dogs to be kept on a lead on parts of Carlton Marshes Nature Reserve be adopted as proposed.
6. That draft PSPO06 relating to the exclusion of dogs from Lowestoft beach be adopted as drafted.
7. That draft PSPO07 relating to the exclusion of Dogs from part of Kessingland Beach for part of the year **NOT** be adopted.
8. That draft PSPO08 relating to the requirement for dogs to be kept on a lead on Lowestoft Promenade be adopted as proposed.
9. That draft PSPO09 relating to the exclusion of dogs from gated and fenced children's play areas be adopted as proposed, save for an amendment to include the wording "Gated or fitted with grids and fenced to prevent access to dogs".
10. That draft PSPO10 relating to the requirement for dogs to be kept on a lead on Lowestoft beach **NOT** be adopted.
11. That draft PSPO18 relating to the exclusion of dogs from Corton beach be adopted as proposed.
12. That draft PSPO19 relating to the requirement for dogs to be kept on a lead on land specified by the schedule be adopted as proposed save for the amendment to wording to read "dogs to be kept on a lead at all times and be kept under close control" and also with an amendment to include "Burial Parks" within the scope of item 7 in the schedule.
13. That the adopted PSPOs come into force on 31 March 2017.

7 CAPITAL PROGRAMME 2017/18 to 2020/21

The Cabinet Member for Resources & Welfare Reforms presented a report, which set out the Council's General Fund Capital Programme and the Housing Revenue Account (HRA) Capital Programme for the financial year 2017/18 to 2020/21. The report also included revisions to the 2016/17 programme. It was noted that the Capital Programme had been compiled taking account of the following main principles in order to:

- Maintain an affordable four-year rolling Capital Programme.
- Ensure the capital resources were aligned with the Council's Business Plan, Strategic Vision and Corporate Priorities.

- Maximise available resources by actively seeking external funding and disposal of surplus assets.
- Not anticipate receipts from disposals.

The General Fund Capital Programme totalled £45.18m, of which £35.28m (78%) was external funding from grants and contributions. The HRA Capital Programme, comprising housing repairs, housing development and housing improvement, totalled £48.7m and had not required any additional external borrowing to finance it as the programme was funded from external grants and contributions, and internal resources.

The Cabinet Member for Resources & Welfare Reforms was pleased to report that the building of Riverside and the refurbishment of the Marina Centre had come in at £1m less than budget. He drew particular attention to paragraph 6 in the report which explained the revenue implications on capital projects. At the joint Audit & Governance and Overview & Scrutiny Committee meeting on 18 January 2017, the recommendation in the report had been supported.

A Cabinet Member asked questions relating to Beccles Quay and expressed his disappointment that no budget had been allocated within the four year programme, whereas finance had been allocated to other projects. It was an important asset for which the Council was responsible and he was concerned that there was no forward plan for the rectification works necessary as, it was understood, the quay was now becoming dangerous. Years of neglect might now result in the quay being closed.

In response, it was explained that the finance allocated in connection with the Mariners Street development and the Burger King restaurant at the rear of the Town Hall site was not a comparable proposal, as it would be supported by a revenue stream. There was no such revenue funding for Beccles Quay resulting in any business case not stacking up. The Strategic Director explained the complicated issues relating to Beccles Quay; the Council had been working closely with Beccles Town Council, the Broads Authority and other stakeholders to come up with an appropriate solution. Whilst agreeing that capital maintenance was needed, the problems with the piling around the quay were not down to neglect but as a result of the pilings being at the end of their life. There was no obvious solution; the pilings would probably need to be removed and replaced.

Further questions were raised relating to the Right to Buy (RTB) information in paragraph 2.8 in the report. It was confirmed that the maximum RTB discount was £77,900 and the cost of building a new home was estimated at £130,000. Although the Government confirmed that receipts from sales would be used to fund replacement stock on a one to one basis, this was not the actually case; three to four sales would be needed to provide sufficient finance for one new build.

The Finance Manager – Compliance clarified the recommendation in that those projects in the report marked with two asterisks were the projects ‘subject to a business case’.

RECOMMENDATION TO COUNCIL

1. That the Capital Programme for 2017/18 to 2020/21, including revisions to 2016/17, be approved by Full Council.

2. That Delegated Authority be granted to the Cabinet to authorise those projects “subject to a business case” to proceed, once a satisfactory business case has been presented and approved at a Cabinet meeting.

Note: Councillors M Cherry and Y Cherry left the Conference Room at this point in the meeting.

8 TREASURY MANAGEMENT AND INVESTMENT STRATEGY FOR 2017/18

The Cabinet Member for Resources & Welfare Reforms presented the report on the Treasury Management and Investment Strategy for 2017/18. It was noted that each year, every local authority had to approve a policy strategy, which would govern its day to day treasury management objectives for that year. Treasury Management was a balance between maximising the performance from investments, money market and capital market transactions, whilst minimising the risk to the Council’s cash flows and banking. The overriding principle was always the security of Council monies. The main areas covered within the report were:

- The capital plans (including prudential indicators).
- The treasury management strategy (how the investments and borrowings were to be organised) including treasury indicators.
- An investment strategy (the parameters on how investments are to be managed).
- Minimum revenue provision (MRP) strategy.

Particular attention was drawn to the relevant economic factors. The report itself gave an overview of the current economic background, including the global economy, UK economy, inflation and the interest base rate. Appendix A to the report provided the Treasury Management Policy Statement for 2017/18 whilst Appendix B outlined the Treasury Management and Investment Strategy showing that investments totalled £39.68m and the latest interest rate forecast up to September 2018. Annex B to Appendix B reflected the latest Counterparty List and Annex C commented on the interest rate forecast and forward view. Full details of the prudential indicators for 2016/17 to 2020/21 were set out in Appendix C.

A Member asked specific questions relating to the increase in the Council’s investments from March 2016 to November 2016 and the content of the Counterparty List. The Finance Manager – Compliance explained that Council Tax and Business Rates were collected on a 10 monthly basis and paid out on a 12 monthly basis. That resulted in the increase in the actual amount shown under investments. The Counterparty List set out the banks the Council used for banking and investing; the Council did not currently invest with non-UK banks.

The Cabinet Member for Resources & Welfare Reforms advised that the report had been presented to the joint Audit & Governance and Overview & Scrutiny Committee meeting on 18 January 2017. The report had been supported and had included an additional recommendation requesting Council to approve the 2017 Minimum Revenue Provision.

RECOMMENDATION TO COUNCIL

1. That the Treasury Management Policy Statement for 2017/18, the Treasury Management & Investment Strategy for 2017/18, the Prudential Indicators 2017/18 and the 2016/17 to 2017/18 Counterparty List be adopted.
2. That the 2017 Minimum Revenue Provision (MRP) structure in Appendix B to the report be approved.

9 HOUSING REVENUE ACCOUNT BUDGET

The Cabinet Member for Resources & Welfare Reforms presented the report on the Housing Revenue Account (HRA) Budget. It was noted that under the self financing regime, the future resources and spend of the HRA Budget were based on local decisions. The HRA budgets were fully funded from existing funds to meet the Council's HRA spending plans, including the capital investment programme and reserve balances, as per the HRA Financial Business Plan. At the present time, there was no use being made of the £9m borrowing headroom available to the HRA.

It was noted that the Government had decided to reduce affordable and social housing rents by 1% year on year, for four years (2016/17 to 2019/20). The HRA Business Plan had been updated with the mandatory rent reductions. It was reported that the Council would continue to collect rent on a 50 week per year basis and the proposed rent decrease of 1% gave an average weekly rent for 2017/18 of £83.73. The income from dwelling rents would be £7.7 million over the four year period and which had a knock on effect over the 30 year business plan. It was anticipated that rents would increase by 1% in 2021 and a further 1% the following year. Garage rents and service charges for 2017/18 would be £6.20 and £12.92 respectively per week. The HRA repairs and maintenance programme was derived from rents.

Welfare Reforms introduced major changes to the way people received benefits and the implementation of Universal Credit had also affected the HRA, full details of which were contained in the report.

The report had been considered at the joint Audit & Governance and Overview & Scrutiny Committee meeting on 18 January 2017 and the recommendation to Council had been supported.

A Member sought clarification on the £913,000 shown in the HRA Repairs and Maintenance Revenue budget for relet repairs/voids and asked for a breakdown between repairs and how long properties remained empty. It was confirmed that, financially, there was no specific breakdown; the figure quoted related to voids, redecoration costs and/or total refurbishment prior to letting to a new tenant. The control of empty properties was a performance indicator and a new system was now in place which had placed a better control on voids. As a result, voids had been reduced from 35 days per property to 21 days.

With regard to the Right to Buy scheme and maximum discount, reassurance was provided that there was a maximum discount of 70% or £77,900 per property, whichever was the

lower figure. It was confirmed that the Council was not allowed to sell the property for less than they had paid for it.

RECOMMENDATION TO COUNCIL

1. That the Housing Revenue Account Budget for 2017/18, the revised estimates for 2016/17 and the indicative figures for 2018/19 to 2020/21 be approved.
2. That the Movements in Reserves and Balances be approved.
3. That the weekly housing rent decrease of 1% for 2017/18, giving an average weekly rent of £83.73 over a 50 week collection period be approved.
4. That the Service Charges and associated fees for 2017/18 be approved.
5. That the forthcoming change affecting public and private sector housing and welfare be noted.

10 EXEMPT/CONFIDENTIAL ITEM

RESOLVED

That, under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

11 CONFIDENTIAL MINUTES

RESOLVED

That the Exempt Minutes of the meeting held on 7 December 2016 be approved as a correct record and signed by the Chairman

The meeting concluded at 6.22pm.

Chairman