

AGENDA



- Committee - **CABINET**
- Date & Time - Tuesday, 14 January 2020 at 10.00 am
- Venue - Council Chamber, Council Offices, Priory Road, Spalding

Membership of the Cabinet:

Councillors: G A Porter (Leader), C N Worth (Deputy Leader), G J Taylor (Deputy Leader), T A Carter, A Casson, P E Coupland, R Gambba-Jones, C J Lawton, B Alcock (Advisory Member), A M Newton (Advisory Member), E J Sneath (Advisory Member) and A R Woolf (Advisory Member)

No substitutions permitted. Quorum 3.

Note: Cabinet reports may be referred to Council or Scrutiny Panels. They should therefore be kept for future reference during the current committee cycle.

Persons attending the meeting are requested to turn off mobile telephones

Democratic Services
Council Offices, Priory Road
Spalding, Lincs PE11 2XE

Date: 6 January 2020

Please ask for Democratic Services: Telephone 01775 764626
e-mail: demservices@sholland.gov.uk

AGENDA

1. Apologies for absence.
2. Minutes (Pages 3
- 14)
To sign as a correct record the minutes of the meeting of the Cabinet held on 3 December 2019 and 17 December 2019 (copies of both minutes enclosed).
3. Declarations of Interest.
(Where a Councillor has a Disclosable Pecuniary Interest the Councillor must declare the interest to the meeting and leave the room without participating in any discussion or making a statement on the item, except where a Councillor is permitted to remain as a result of a grant of dispensation.)
4. Questions raised by the public under the Council's Constitution (Standing Orders).
5. To consider any matters which have been subject to call-in.
6. To consider matters arising from the Policy Development and Performance Monitoring Panels in accordance with the Overview and Scrutiny Procedure or the Budget and Policy Framework Procedure Rules.
7. Debt Write Off (Pages
15 - 18)
To seek approval for the write off of uncollectable Council Tax debt (report of the Portfolio Holder for Finance and the Executive Director Commercialisation (S151 Officer) enclosed).

(Please note that the appendices to this report are not for publication by virtue of Paragraphs 1 (Information relating to any individual), 2 (Information which is likely to reveal the identity of any individual) and 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) in Part 1 of Schedule 12A of the Local Government Act 1972, and are therefore attached to this agenda as item 11.)
8. Draft Budget, Medium Term Plan and Capital Strategy (To
Follow)
9. Any other items which the Leader decides are urgent.

- Note:
- (i) No other business is permitted unless by reason of special circumstances, which shall be specified in the Minutes, the Leader is of the opinion that the item(s) should be considered as a matter of urgency.
 - (ii) Any urgent item of business that is a key decision must be dealt with in accordance with the Constitution's Access to Information Procedure Rules.

10. To consider resolving that, under section 100A (4) of the Local Government Act 1972, 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 Paragraphs 1, 2 & 3 of part 1 of Schedule 12A of the Act.

11. Debt Write Off
Appendices to the report at agenda item 8 are enclosed.

(Pages
19 - 20)

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Minutes of a meeting of the **CABINET** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 3 December 2019 at 10.00 am.

PRESENT

G A Porter (Leader)
C N Worth (Deputy Leader)
G J Taylor (Deputy Leader)

T A Carter
A Casson

P E Coupland
R Gambba-Jones

C J Lawton

Cabinet Support Members: Councillor H Drury, Councillor R Grocock and Councillor J D McLean.

The Chief Executive, the Executive Director Commercialisation (S151), the Executive Director Strategy and Governance (Monitoring Officer), the Executive Director Place, the Place Manager, the Housing Landlord Manager, the Environmental Services Manager, the Corporate Innovation, Change and Performance Manager, the Senior Business Intelligence Officer, the Housing Repairs Manager, the Head of Revenues and Benefits, the Recovery and Support Team Leader and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors A M Newton and A R Woolf, together with Welland Seniors Forum and Parish Councils.

51. MINUTES

The minutes of the Cabinet meeting held on 29 October 2019 were signed by the Leader as a correct record.

52. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

53. QUESTIONS RAISED BY THE PUBLIC UNDER THE COUNCIL'S CONSTITUTION (STANDING ORDERS)

No questions were raised under the Council's Constitution (Standing Orders).

54. TO CONSIDER ANY MATTERS WHICH HAVE BEEN SUBJECT TO CALL-IN

There were no matters subject to call in.

Action By

CABINET - 3 December 2019

55. MATTERS ARISING FROM THE POLICY DEVELOPMENT AND PERFORMANCE MONITORING PANELS

There were no matters arising from the Policy Development and Performance Monitoring Panels.

56. Q2 2019-20 PERFORMANCE OVERVIEW REPORT

Consideration was given to the report of the Portfolio Holder for Governance and Customer, which provided an update on how the Council was performing for the period 1 July 2019 to 30 September 2019.

DECISION:

That the contents of the report be noted.

(Other options considered:

- *Do nothing*

Reasons for decision:

- *That the Council's performance is properly scrutinised).*

(The Corporate Innovation, Change and Performance Manager and the Senior Business Intelligence officer left the meeting following discussion of the above item).

57. CAR PARKING ORDER CONSULTATION

Consideration was given to the report of the Portfolio Holder for Place and the Executive Director Place which reviewed and consulted on changes to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012.

DECISION:

- a) That the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 be amended;
- b) That it be agreed in principle that the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012 be amended so as to include within the Order the times for which car parking charges applied so as to be consistent within the hours of 8am to 6pm Monday to Saturday for all Spalding car parks listed in Appendix A to the report, with the exception of Herring Lane, Spalding which would continue to be subject to charges from 8am to 8pm;
- c) That the Environmental Services Manager be authorised, in

CP

CABINET - 3 December 2019

consultation with the Portfolio Holder for Place, to:

- i. Finalise the necessary notice of proposal and statement of reasons relating to the proposed amendments to the existing Off-Street Parking Places Order detailed in recommendation 2 above;
 - ii. Undertake the necessary consultation and equality impact assessment in relation to the proposed amendments to the car parking order and report back to the portfolio holder following completion of the consultation process.
- d) That the Portfolio Holder for Place be given delegated authority to consider the results of the consultation on the proposed amendments to the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012, and the required Equality Impact Assessment, and to determine whether or not to amend the Order, including any non-substantial modifications considered appropriate.

(Other options considered:

- *To do nothing and not change the order. This would mean parking charges could be enforceable all hours, including bank holidays.*

Reasons for decision:

- *To provide consistency and clarity to users of Spalding's car parks;*
- *To reflect in the car parking order as part of the consultation that charges for bank holidays cease*
- *To enable officers to undertake this work alongside the work already being done to amend the South Holland District Council (Off Street Parking Places) (Civil Enforcement) Order 2012, following the previous decision at Cabinet on 29 October 2019); and*
- *To reduce any possible duplication of work and costs for advertising the changes and consulting with the public, and to reduce possible confusion if multiple consultation were to take place in close proximity).*

58. LOCAL COUNCIL TAX SUPPORT SCHEME 2020/21

Consideration was given to the report of the Portfolio Holder for Finance and the Executive Director Commercialisation (S151), which sought Cabinet decision on the final proposals for the 2020/21 Local Council Tax Support Scheme, to be presented to Council on 22 January 2020.

CABINET - 3 December 2019

DECISION:

That the following recommendations be approved and recommended to Council:

RECOMMENDATION TO FULL COUNCIL:

CM, SH

- a) That the scheme be uprated and harmonised as appropriate to the DWP welfare reforms in Housing Benefit, and the prescribed scheme for pensioners for 2020/21 and future years;
- b) That a link to the award of Universal Credit be introduced, removing the need for customers to make a separate application for Council Tax Support;
- c) That a £15 weekly (£65 monthly) tolerance rule for Universal Credit customer change in earnings be introduced; and
- d) That delegation be agreed to the Executive Director Commercialisation, in consultation with the Portfolio Holder for Finance, to approve the final scheme policy in line with the report.

(Other options considered:

- *Continuation of the current scheme into 2020/21, uprated in line with DWP's annual update of allowances and premiums for housing benefit, but not to introduce the link to Council Tax Support, or the tolerance rule for earnings. This would require Universal Credit claimants to continue to make a separate application for Council Tax Support (CTS) to the local authority, and require CTS to be recalculated for all monthly changes in Universal Credit;*
- *Do nothing. This would have the effect of carrying the 2019/20 scheme over to 2020/21 without any changes (other than the prescribed changes for pensioners.*

Reasons for decision:

- *To continue to align the CTS scheme and uprating for working age customer with DWP provisions for Housing Benefit and the CTS scheme for pensioners. This has been consistent each year since the introduction of local Council Tax Support schemes, and if determined for 2020/21 and future years, would remove the need for the decision to be taken each year, however it would not prevent a different decision in future years if desired;*
- *Linking CTS with the award for Universal Credit would make it simpler and more timely for customers to access CTS, preventing delay and potential loss in support (under scheme rules, if an application is made late it can only be backdated*

CABINET - 3 December 2019

for 1 month);

- *Introducing a tolerance for earnings changes would reduce the number of notifications customers received to amend their Council Tax payments, and provide stability for customer repayments whilst at the same time potentially reducing customer contact).*

59. HOUSING REPAIRS AND FITNESS FOR HABITATION POLICY

Consideration was given to the report of the Portfolio Holder for Housing and Health which sought approval for adoption of the Housing Repairs and Fitness for Habitation Policy.

DECISION:

- a) That the Housing Repairs and Fitness for Habitation Policy be approved; and
- b) That amendments to the appendices of the Policy be delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder for Housing and Health.

(Other options considered:

- *Do nothing, and continue to operate with the existing policy. However, this would not provide a mechanism for recharging repairs, as outlined in the Housing Income Policy.*

Reasons for decision:

- *The Policy clearly sets out the responsibilities of both the Council as a Landlord, and those of the tenant. It gave the tenant clear expectations that could be managed whilst ensuring there was no ambiguity as to what they were responsible for and what was expected of them as a tenant of the Council;*
- *Adopting the policy would enable the Council to clearly state when a recharge for a repair caused by damage or neglect was applicable, thus allowing recuperation of costs where applicable).*

60. HOUSING INCOME MANAGEMENT POLICY

Consideration was given to the report of the Portfolio Holder for Housing and Health which sought approval of the Housing Income Management Policy.

Members agreed that only the principles of the report be discussed and there was therefore no need for the meeting to go into private session for this item.

JK, CM

CABINET - 3 December 2019

DECISION:

VC, JK

- a) That the Housing Income Management Policy be adopted; and
- b) That amendments to the appendices of the Policy, and minor operational amendments be delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder for Housing and Health.

(Other options considered:

- *Do nothing, and continue to operate without policies in place.*

Reasons for decision:

- *To provide an updated policy on income collection and to allow for debt to be written off and chargeable repairs to be charged;*
- *To set out the Council's approach to the collection of housing income within the policy, for officers and residents to refer to; and*
- *To avoid the risk of legal challenge by not having up to date policies regarding income collection in place).*

(The Housing Repairs Manager left the meeting following discussion of the above item).

61. DEBT WRITE OFF - HOUSING BENEFIT OVERPAYMENTS

Consideration was given to the report of the Portfolio Holder for Finance and the Executive Director Commercialisation (S151) which sought approval for the write off of uncollectable Housing Benefit Overpayments.

Members agreed that only the principles of the report be discussed and there was therefore no need for the meeting to go into private session for this item.

DECISION:

SH

- a) That the amounts identified in the report be approved for write off.
- b) That the amounts written off under delegated powers be noted.

(Other options considered:

- *To do nothing.*

Reasons for decision:

- *All recovery methods available had been considered and where appropriate pursued before making the decision to write off;*

CABINET - 3 December 2019

- *Officer time can be maximised on greatest returns, at the same time as ensuring robust procedures for debt management are in place across all revenue streams).*

62. ANY OTHER ITEMS WHICH THE LEADER DECIDES ARE URGENT

There were no urgent items.

63. RESTRICTED MINUTE

Consideration was given to the restricted minutes of the meeting of the Cabinet held on 29 October 2019.

The content of the minutes was not discussed and members agreed that there was therefore no need for the meeting to go into private session for this item.

DECISION:

That the minutes be signed as a correct record.

(The meeting ended at 10.20 am)

(End of minutes)

These minutes are published on **Friday 6 December 2019**. In accordance with the Council's Constitution the DECISIONS detailed above will, unless otherwise stated, come into force and may then be implemented on **Monday 16 December 2019** (i.e. after the expiry of 5 working days from the date of publication of these minutes), unless during that period a notice which is signed by either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members, and complies with the requirements of the Council's Constitution is served on the Executive Manager Governance requesting that the decision be called-in and the Executive Manager Governance approves the request for call-in. Where a decision is called-in it will firstly be considered by the Performance Monitoring Panel on a date to be fixed.

Any FINAL DECISIONS and any URGENT DECISIONS take effect immediately.

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on **Wednesday 22 January 2020**.

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Minutes of a meeting of the **CABINET** held in Meeting Room 1, Council Offices, Priory Road, Spalding, on Tuesday, 17 December 2019 at 10.00 am.

PRESENT

C N Worth (Deputy Leader)

G J Taylor (Deputy Leader)

T A Carter

P E Coupland

R Gambba-Jones

C J Lawton

Cabinet Support Members: Councillor H Drury

The Chief Executive, the Executive Director Strategy and Governance, the Executive Director Commercialisation (S151), the Executive Director Place, the Executive Manager Growth, the Executive Manager Governance, the Strategic Finance and Compliance Manager, the Strategic Housing Manager and Housing Landlord Manager, the HRA Account/Business Partner and the Democratic Service Officer.

Apologies for absence were received from or on behalf of Councillors G A Porter, A Casson and A R Woolf, together with South Holland Citizens Advice Bureau.

In Attendance: Councillor B Alcock (Chairman, Performance Monitoring Panel) and Councillor A M Newton (Independent Group Leader).

64. DECLARATIONS OF INTEREST.

Councillor Coupland informed the meeting that in relation to agenda item 4, in the interests of transparency, he wished it to be recorded that he had a biased interest in Welland Homes and would not take part in debate and would also abstain from the vote.

Councillor Drury informed the meeting that in relation to agenda item 4, in the interests of transparency, he wished it to be recorded that he had a non-pecuniary interest in Welland Homes.

Councillor Alcock informed the meeting that in relation to agenda item 4, in the interests of transparency, he wished it to be recorded that he had a non-pecuniary interest in Welland Homes.

Councillor Lawton informed the meeting that in relation to agenda item 4, in the interests of transparency, she wished it to be recorded that she is the Shareholder representative.

Action By

CABINET - 17 December 2019

65. EXCLUSION OF PRESS AND PUBLIC

In response to a question about the public interest and whether this was met by excluding the press and public, the Executive Manager for Governance expressed his view that release of financial data, including business modelling for Welland Homes and South Holland District Council, could have a detrimental impact on future schemes. In addition, releasing information about this specific scheme could damage the relationship with the developer and put the scheme at risk.

DECISION:

Under section 100A (4) of the Local Government Act 1972, the press and public were 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.

66. STANDING ORDER 29 - REFERENCE BACK TO CABINET FROM THE COUNCIL MEETING ON 27 NOVEMBER 2019, IN RESPECT OF ACQUISITION OF MARKET DWELLINGS TO PROVIDE NEW AFFORDABLE HOUSING FOR THE HRA

Consideration was given to the report of the Portfolio Holder Housing and Health and the Executive Director Commercialisation (S151) – which, in accordance with Standing Order 29 (reference back to Cabinet from the Council meeting 27 November 2019) reviewed feedback and explored options in respect of acquisition of market dwellings to provide new affordable housing for the HRA.

In considering the issue, the Cabinet had regard to the content of the report and concluded that it should not change its original decision taken on 29 October 2019 for the following reasons:

1. The reasons set out at section 6 of the confidential report.
2. There is a need for HRA properties in Donington with families waiting for social housing.
3. The recommendation increases the supply of new homes immediately.
4. The competition for S106 housing is significant.
5. If sold under Right to Buy, the properties would have likely increased in value, mitigating the potential discount after Year 15.
6. There is a significant homelessness issue. The acquisition of

CABINET - 17 December 2019

HRA dwellings enables families to be moved from temporary accommodation.

7. Further information received on the modelling reinforces that this would be the right decision socially and financially.
8. The dwellings are ready to be occupied, subject to due diligence.
9. The Housing Register is ready to allocate families.
10. The decision is not simply about the best financial model, the Cabinet is also mindful of the social cost of insufficient social housing.
11. The concerns raised at Council in respect of lack of detail have been responded to in the report.
12. Where the Council has disposed of garage sites, these have been remote sites to the main dwellings.
13. There are currently 12 households on the register for this type of property in Donington, this is an increased number on those previously reported.

DECISION:

- a) To approve the business case relating to acquisition of seven homes for the HRA.
- b) Subject to Council approval of the recommendation to Council below, to delegate the detail of agreeing the contract and reviewing the due diligence to the Executive Director – Commercialisation (the S151 Officer) in consultation with the Portfolio Holder for Housing and Health, and to complete on the purchase.
- c) To instruct officers to prepare a draft policy which sets the parameters for the type of investment deemed appropriate for each delivery vehicle.

RECOMMENDATION TO COUNCIL:

- d) To identify this project and its budget, as an approved HRA scheme within the Capital Programme for 2019/20 and approve the associated funding arrangements.

(Other options considered:

- *To progress the purchase of 7 homes, with 4 being delivered*

CABINET - 17 December 2019

as market rented housing through Welland Homes and 3 being delivered as Affordable Rented housing for the HRA;

- *To progress the purchase of 4 homes, but with a view to deliver those homes as market rented housing through Welland Homes*
- *Not proceed with the acquisition*

Reasons for recommendation:

- *To provide direction on the next steps concerning the potential investment in properties at Donington)*

(The meeting ended at 10.43 am)

(End of minutes)

These minutes are published on **Friday 20 December 2019**. In accordance with the Council's Constitution the DECISIONS detailed above will come into force and be able to be implemented immediately as they were previously published on 29 October 2019 and were not called in.

Any FINAL DECISIONS and any URGENT DECISIONS take effect immediately.

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on Tuesday 17 December 2019.

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Portfolio Holder for Finance and Executive Director - Commercialisation (S151)

To: Cabinet Tuesday, 14 January 2020

(Author: Sharon Hammond Head of Revenues & Benefits)

Subject Debt Write Off – Sundry Debt

Purpose: To seek approval for the write off of uncollectable Sundry Debt.

Recommendations:

- 1) That the amounts identified in this report are approved for write off.
- 2) To note the amounts written off under delegated powers.

1.0 BACKGROUND

1.1 Efficient and well administered debt management is crucial to the Council. Debt Management and Operational Debt Write Off Policies were approved by Cabinet in July 2017. Further information about the statutory requirements and processes relating to recovery and enforcement of debt was provided at a presentation to Cabinet Members in February 2018.

1.2 The last write off report, which contained Sundry Debt, was presented to Cabinet on 27 March 2018, with a total of £12,207.07 approved for write off at that meeting.

2.0 WRITE OFFS FOR CABINET APPROVAL

2.1 A review of collectability of outstanding debts has concluded that recovery and enforcement options in respect of sundry debts presented in this report have been considered, and exhausted, and Cabinet approval for write off is now requested.

2.2 The need to write off debt can arise for a number of reasons, including the debtor being untraceable, ceased trading with no assets, or deceased with insufficient funds in the estate. All methods of recovery are considered and pursued in line with legislative provision, before making the decision to write off. This can include internal recovery action, use of debt enforcement agents, external tracing agents and procedures through the Courts.

2.3 A summary of these debts is shown in the table below, totalling £30,332.49.

Reason for Write Off	Sundry Debt
Insolvency	£2,450.56

Uncollectable	£2,959.48
Unenforceable	£22,635.99
Absconded	£2,286.46
Total	£30,332.49

- 2.4 Details of individual debts are shown in confidential Appendix A to this report. The reason provided for write-off is consistent with the policy approved by Cabinet. Where applicable, multiple debts are shown together.
- 2.5 The Operational Debt Write-Off Policy was originally approved by Cabinet in July 2017.
- 2.6 In line with the policy, prior to this report being presented, consultation has taken place with the Section 151 Officer and the Portfolio Holder for Finance. Cabinet Members can therefore be assured that the debts listed are irrecoverable, and that write off is the correct course of action.
- 2.7 All debt approved for write off will be set against existing bad debt provisions and can be resurrected in full or in part at any time should new information come to light suggesting that they might be recoverable after all. In all cases collection options have been exhausted and there is no realistic prospect of recovery.
- 2.8 **DELEGATED WRITE OFFS**
- 2.9 The S151 Officer has not written off any debts below £1,050 in relation to Sundry Debt at this point in the year.

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 All recovery methods have been considered and where appropriate pursued, before making the decision to write off. Officer time can be maximised on greatest returns, at the same time as ensuring robust procedures for debt management are in place across all revenues streams.

3.2 EXPECTED BENEFITS

- 3.3 The Council has a clear position in terms of uncollectable debt, and its bad debt position.

4.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

4.1 Financial

4.1.1 Clear processes for the writing off of irrecoverable debt represents sound financial management practice. Provision for bad debt is made in Council accounts.

4.2 Risk Management

4.2.1 By the nature, volume and value of annual revenue to the council there will always be uncollectable amounts which will be recommended for write off once avenues to recover are exhausted. Provision for bad debt is made and reviewed regularly.

5.0 WARDS/COMMUNITIES AFFECTED

5.1 All

Background papers:- (Confidential) Operational Debt Write Off Policy, approved July 2017

Lead Contact Officer

Name and Post: Sharon Hammond Head of Revenues & Benefits
Telephone Number
Email: Sharon.Hammond@pspsl.co.uk

Key Decision: N
Exempt Decision: Y

This report refers to a Mandatory Service

**Confidential Appendix A attached to this report:
(Please note that the following appendix is not for publication by virtue of Paragraphs 1 (Information relating to any individual), 2 (Information which is likely to reveal the identity of any individual) and 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information))**

Appendices attached to this report:

Appendix A Sundry Debt

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By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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