

Minutes of a meeting of the **CABINET** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 8 November 2016 at 10.00 am.

PRESENT

The Lord Porter of Spalding CBE(Leader)
C N Worth (Deputy Leader)
M G Chandler (Deputy Leader)

A Casson
P E Coupland

R Gambba-Jones
S-A Slade

G J Taylor

Cabinet Support
Members:

C N Johnson and E J Sneath

Chief Executive, Executive Director Strategy and Governance, Interim S151 Chief Finance Officer, Executive Manager People and Public Protection, Executive Manager Information, Place Manager, Environmental Services Manager and Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillor C J Lawton, together with the Lincolnshire Community & Voluntary Service.

In Attendance: Councillor B Alcock (Chairman, Performance Monitoring Panel), Councillor G R Aley (Chairman, Governance and Audit Committee) and Councillor A M Newton (Independent Group Leader).

Community Representatives: Parish Councils

In the Public Gallery: Councillor F Biggadike, Communications Officer and the Press.

11. MINUTES

The minutes of the meeting held on 12 July 2016 were signed by the Deputy Leader as a correct record. The Leader was delayed and not present at the start of the meeting.

12. DECLARATIONS OF INTEREST.

Councillor Newton informed the meeting that in relation to item 13, in the interests of transparency she wished it to be recorded that she was a member of the CPBS Board. She had to leave the meeting early, prior to discussion of this item, and would address questions through Councillor Alcock.

Councillor Coupland informed the meeting that in relation to item 13, in the interests of transparency, he wished it to be recorded that he was a member of the CPBS Board. He remained in the meeting during discussion of this item.

Action By

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

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

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

There were no matters subject to call-in.

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

Final Report of the Swimming Pool and Leisure Facilities Contract Task Group

Consideration was given to the final report of the Swimming Pool and Leisure Facilities Contract Task Group containing recommendations which had been approved by the Performance Monitoring Panel.

The Chairman of the Task Group, Councillor G Dark was unable to attend the meeting, and the report containing the Task Group's recommendations was presented to the Cabinet on his behalf by Councillor A M Newton.

The Portfolio Holder, Communities and Facilities reported that officers at the Authority and at 1Life had met, and that a number of issues were being dealt with. Staff training, cleaning and spot checks were being undertaken.

The Leader asked how a full time cleaner could be accommodated under the existing contract, and was advised that the contract made provision for cleaning of the facilities. It was requested that the contract be considered thoroughly and managed effectively.

With regard to the monitoring of progress, it was requested that the Portfolio Holder, Communities and Facilities be kept up to date on any relevant issues that arose.

The Leader welcomed the report of the Task Group and requested that his thanks be passed to the Task Group for the work it had undertaken.

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DECISION:

- a) That the following recommendations of the Task Group be approved:
- (i) That a full time cleaner is considered by 1Life as part of their annual budget allocations. It is evident that additional hours are required for the proactive cleaning of the swimming pool facility, in particular the changing room areas, in order to adhere to the requirements of the contract;
 - (ii) That contract management of the site improves with a formally recorded daily and weekly monitoring regime and that should standards fall short of the requirements within the contract, the contract warning system is to be followed through and be robustly pursued by the contract manager;
 - (iii) That staff within the facilities record and notify management of any repairs required on a daily basis and that these are dealt with in a timely manner. In addition, all outstanding repairs and maintenance should be undertaken promptly to improve standards at the leisure facilities;
 - (iv) That the blue overshoe policy is reviewed immediately and a new, more effective policy is put in place within three months;
 - (v) That these recommendations are allocated to an identified officer to ensure they are actioned and that an update is received by the Performance Monitoring Panel on actions against these at 7 February 2017 meeting; and
 - (vi) That the Performance Monitoring Panel is involved in the consultation stage of any future option appraisals in respect to Leisure Facilities provision in South Holland as detailed in the Transformation Programme.
- b) That the existing contract between South Holland District Council and 1Life be considered thoroughly and managed effectively; and
- c) That the Portfolio Holder, Communities and Facilities be kept up to date on any relevant issues that may arise.

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(Other options considered:

- *Not to approve the Task Group's Final Report and/or suggest that some or all of the recommendations be*

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amended; or

- *Do nothing.*

Reasons for decision:

- *To improve processes and procedures in the future, as identified;*
- *To enable effective monitoring by the Performance Monitoring Panel as identified.)*

(The Leader of the Council and the Portfolio Holder for Place joined the meeting during discussion of the above item.)

16. REVIEW OF THE EXISTING DESIGNATED PUBLIC PLACE ORDER IN SPALDING TOWN CENTRE

Consideration was given to the joint report of the Portfolio Holder, Strategy, Governance and Transformation and the Executive Manager, People and Public Protection, which sought a review of the existing Designated Public Place Order (DPPO) in light of new tools and powers following the introduction of the Anti-Social Behaviour, Police and Crime Act 2014.

Councillors were advised that the Policy Development Panel had considered the report recently, had supported the recommended option 4, and had also suggested a new Public Spaces Protection Order (PSPO) be considered, to include the wider riverbank area and to include a number of additional behaviours suggested during the consultation period.

Members commented that public expectation in relation to the issue of PSPOs to address anti-social behaviour was important. In addition, it was vital that residents reported issues where there were any as currently, perception was not always supported by the evidence of reported incidents.

The potential introduction of further PSPOs in the District was also discussed, as was the time it took to put these in place. It was explained that legislation dictated that this process be undertaken in a particular way, to include consultation, and that there was evidence of anti-social behaviour. It was requested that officers produce a timeline detailing how PSPOs could be extended in relevant areas and the quickest way in which these could be undertaken, and that the Portfolio Holder for Strategy, Governance and Transformation review this information.

DECISION:

- a) That Option 4 be approved, to proceed with the immediate transfer of the existing DPPO to a PSPO with conditions to address alcohol consumption;

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- b) That further consultation be undertaken to assess if any additional behaviours would need to be included within the new PSPO mentioned at (a) above;
- c) That a new PSPO be considered, to include the wider riverbank area and to include a number of additional behaviours suggested during the consultation period;
- d) That enforcement options and mechanisms are reviewed to ensure that public expectations are met; and
- e) That officers produce a timeline detailing how PSPOs could be extended in relevant areas, and the quickest way in which these could be undertaken, and that the Portfolio Holder for Strategy, Governance and Transformation review this information.

(Other options considered:

- *Do nothing.*
- *Proceed with the immediate transfer of the existing DPPO to a PSPO only.*
- *Leave the existing town centre DPPO to remain in place until 20 October 2017 until it automatically becomes a PSPO (to address alcohol in public) and conduct a thorough review of community concerns of street drinking or alcohol related concerns along the riverbank, raised through the consultation already undertaken, with a separate and new PSPO.*

Reasons for recommendations:

- *To address the main concern of the consumption of alcohol.*
- *In order to justify use of an order, the following conditions are required to be met and in the view of the Cabinet, these conditions are likely to be met:*

First condition

- *Activities carried out in a public place in the local authority's area have a detrimental effect on the quality of life of those in the locality; or*
- *It is likely that the activities will be carried out in a public place within the area that will have such an effect support continued action in the Spalding Town Centre area and a transition from a DPPO to a PSPO.*

Second condition

- *Is, or is likely to be, of a persistent or continuing nature;*
- *Is, or is likely to be, such as to make the activities unreasonable; and*
- *Justifies the restrictions imposed.)*

17. LOCAL COUNCIL TAX SUPPORT SCHEME 2017/18

Consideration was given to the joint report of the Portfolio Holder for Finance and the Interim S151 Chief Finance Officer which recommended that changes to the Local Council Tax support

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scheme were reviewed and agreement was given to release them for consultation.

Appendix A set out the detail of the proposed changes together with some examples of the impact for claimants. In summary, the amendments which would be consulted on were:

- Abolish second adult rebate
- Introduce a minimum weekly amount (£5) of Council Tax Support, such that amounts of benefit below this level will not be paid
- Decrease the non-dependant deduction rate
- Restrict the maximum level of benefit to the level that would be available to Council Tax Band C
- Lower the maximum capital limit to £8,000 (from £16,000)
- Lower the capital threshold to £3,000 (from £6,000)
- Limit the back dating of benefit to 1 month (from 3 months)
- Remove the family premium for new applications of Council Tax Support
- Reduce the maximum level of discount from 75% to 70%

The Leader requested that the following changes be made:

- One of the core principles of South Holland's local Council Tax Support scheme was that people with children, disabilities or caring responsibilities would be supported. It was requested that ex-forces personnel be added to this list.
- Proposals to abolish the second adult rebate be phased in over 3 years in order to minimise the impact on individuals.
- The restriction of Council Tax to a particular band be amended from Band C to Band D.

DECISION:

That the recommended changes to the Local Council Tax support scheme be released for consultation, with the following amendments:

SJ, KT

- (i) That ex-forces personnel be added to the list of those to be supported as one of the core principles of South Holland's local Council Tax Support scheme, in addition to people with children, disabilities or caring responsibilities;
- (ii) That proposals to abolish the second adult rebate be phased in over 3 years in order to minimise the impact on individuals; and
- (iii) That the restriction of Council Tax to a particular band be amended from Band C to Band D.

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(Other options considered:

- *Retain the existing Council Tax Support scheme for 2017/18*

Reasons for decision:

- *The local Council Tax support scheme is now embedded and in its third year of operation. An annual review of discount levels is required, even if there are no changes proposed. National funding for the scheme is diminishing with zero contribution from central government expected by 2019/20 meaning the full cost would be met by the precepting bodies.)*

18. UK MUNICIPAL BOND AGENCY

Consideration was given to the joint report of the Portfolio Holder for Finance and the Interim S151 Chief Finance Officer which sought approval for the Council to enter into the borrowing documents prepared by the UK Municipal Bonds Agency (the Agency).

The Agency required that local authorities borrowing from it entered into its Framework Agreement. The Agreement included an accession document confirming that the Council had the necessary approvals to sign the Agreement and a joint and several guarantee to those lending money to the Agency in respect of the borrowing of all other local authorities from the Agency. Entering into the Framework Agreement enabled the Council to access funding from the Agency as and when required.

The report set out the background to the Agency, key facets of the Framework Agreement and the advantages and disadvantages of entering into the Agreement, including an assessment of the risk that the Council would be called upon under the guarantee.

Members considered the information provided. It was agreed that the principles of the report would be discussed and there was therefore no need for the meeting to go into private session to consider Appendix 1 to the report specifically (exempt item – UK Municipal Bonds Agency PLC, Documents Package for Local Authorities).

RECOMMENDATIONS TO FULL COUNCIL:

- a) To approve the Council's entry into the Framework Agreement and its accompanying schedules including the joint and several guarantee;
- b) That delegated authority is given to the Executive Director, Commercialisation as Section 151 Officer in consultation with the Portfolio Holder for Finance to agree amendments to the

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Framework Agreement as appropriate; and

- c) That subject to due diligence and assessment of the legal and financial implications of the proposal, delegated authority be given to the Executive Director, Commercialisation as Section 151 Officer and the Executive Director, Strategy and Governance as Monitoring Officer to sign agreed final documents, as appropriate, on behalf of the Council.

(Other option considered:

- *To note the report and not approve the recommendations.*

Reasons for decision:

- *To increase flexibility and availability of capital financing for future projects.)*

(The Environmental Services Manager, the Community Representative for Parish Councillors and the Press left the meeting following consideration of the above item.)

19. ANY OTHER ITEMS WHICH THE LEADER DECIDES ARE URGENT.

There were no urgent items.

20. EXCLUSION OF PRESS AND PUBLIC

DECISION:

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of part 1 of Schedule 12A of the Act.

21. ICT SERVICE AND INFRASTRUCTURE (EXEMPT PARAGRAPH 3)

Consideration was given to the joint report of the Portfolio Holder Governance and Customer and the Executive Director Strategy and Governance which sought a decision on the future approach regarding the ICT service and the development of the associated technical infrastructure in order to support Council services, (relevant to all Corporate Priorities).

Councillors discussed issues around these proposals, and considered the various options that had been proposed. It was agreed that investment in ICT was essential now and in the future.

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DECISION:

- a) That the recommendations of the Actica report be noted, for consideration around future ICT provision; and
- b) That subject to the agreement by full Council on the capital budget, the building of a new technical infrastructure in order to deliver improvements to IT services, security and disaster recovery, agile working, improved network access and to facilitate greater freedom to change the ICT delivery model in the future be agreed.

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RECOMMENDATION TO COUNCIL:

- c) That the Council approves a capital budget of £523,000 to fund infrastructure improvements, a device refresh programme, and enhanced network connection to Breckland Council as part of an improved disaster recovery plan, and to enable Council-wide transformation benefits.

(Other options considered:

- *Do nothing.*
- *Implement a new shared ICT infrastructure and move to an insourced, shared ICT service.*
- *Implement a new shared ICT infrastructure and move to an insourced service with separate place based teams.*

Reasons for decision:

- *To provide a phased approach which would create a shared infrastructure allowing South Holland's current IT supply contract to continue, Breckland Council to realise some of the operational benefits of an internal service and allowing South Holland the space to consider future strategic direction.)*

**22. TRANSFORMATION – DIGITAL PAYMENT PHASE 2
(DISTRICT PROVISION) (EXEMPT PARAGRAPH 3)**

Consideration was given to the joint report of the Portfolio Holder for Strategy, Governance and Transformation and the Shared Executive Manager for People and Public Protection which detailed Digital Payment Phase 2 (District Provision), part of the Authority's Transformation programme.

The proposals within the report detailed how the Authority would expand the ability to make payments for Council services across the district, by use of Pay Point, Post Office and digital solutions. This proposal would enable residents and businesses greater flexibility in the way that they payed, and aligned with the Corporate Priority of providing the right service at the right time and in the right way.

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Members commented that there were some areas of the District that were not covered by these additional payment solutions however it was acknowledged that the locations secured to date still provided thirty more locations for payment than were currently available. Ward members were encouraged to identify payment locations within their wards to broaden the offer available to the public.

DECISION:

- a) That facilities to make payment for Council services via Pay Point, Post Offices and digital provision be provided;
- b) That the Priory Road cash desk remain open to facilitate the Transformation programme, until the Authority was required to accommodate its third party partners or organisations, or by Autumn 2017; and
- c) That floor walkers are used to assist residents and businesses within the Council reception area, to enable a smooth transition.

(Other options considered:

- *To do nothing.*

Reasons for decision:

- *To enable communities to have access to sites closer to their homes and businesses to pay for Council services, and to encourage local residents to use these outlets for additional services by supporting the place to develop and thrive locally;*
- *To facilitate the Authority's Transformation programme and to potentially accommodate third party partners or organisations;*
- *Through floor walkers, to provide customers with advice on a greater choice of payment options for Council facilities.)*

(The meeting ended at 11.35 am)

(End of minutes)

These minutes are published on Friday 11 November 2016. 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 21 November 2016 (i.e. after the expiry of five 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

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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 7 December 2016.