

**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 17 SEPTEMBER 2014 at 7.00pm**

Present: Councillor H Rolfe – Leader (Leader)
Councillor S Barker – Deputy Leader and Executive Member for Environmental Services
Councillor R Chambers – Executive Member for Finance
Councillor J Cheetham – Executive Member for Aviation
Councillor V Ranger – Executive Member for Communities and Partnerships
Councillor J Redfern – Executive Member for Housing
Councillor A Walters – Executive Member for Community Safety

Also present: Councillors A Dean, E Godwin, M Lemon and J Salmon.

Officers in attendance: J Mitchell (Chief Executive), R Dobson (Principal Democratic Services Officer), S Ellis (Revenues Manager), (R Harborough (Director of Public Services), A Knight (Acting Assistant Director – Finance), C Oliva (Solicitor), M Tokley (Principal Accountant) and A Webb (Director of Finance and Corporate Services).

CA26

APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

The Leader said the petition which was to have presented to the Cabinet this evening would now be brought to the next meeting.

Apologies for absence were received from Councillors Howell, Redfern and Wells.

Councillor S Barker declared an interest in relation to the items on Local Council Tax Support and Council Tax Discount policy, as a member of Essex County Council.

CA27

MINUTES OF THE MEETING HELD ON 31 JULY 2014

The minutes of the meeting held on 31 July 2014 were received and signed by the Leader as a correct record.

CA28

MATTERS ARISING

- i) **Minute CA5 – 2013/14 Outturn**
Councillor S Barker said she had now written to Councillor Dean regarding a question about whether there was a link between a missed performance indicator on missed bin collection and staff sickness absence.

LOCAL COUNCIL TAX SUPPORT

Councillor Chambers presented a report on the transition from Council Tax Benefit to Local Council Tax Support (LCTS) and the financial outcomes of the first year of the scheme.

Councillor Chambers highlighted the main points of the report. The financial outcomes of the first year of the scheme had been better than expected due to a steady reduction in the total number of people claiming LCTS over the year. As a result, the Council was not required to provide any subsidy to ensure a cost neutral position for the main preceptors, County, Police and the Fire Service.

This was the second year of the LCTS scheme, and indications were that the scheme operating as expected with no significant issues arising. Councillor Chambers drew members' attention to the figures for 30 cases of exceptional hardship, which had required £9,292 of additional financial support. He said LCTS customers had paid over 92% of their Council Tax bills, which had been significantly more than anticipated.

Councillor Chambers said for the LCTS in 2013/14 the Council had committed funding of £212,000 in order to cover costs to the major preceptors, to preserve the costs neutrality position. However, this budgeted funding had not been used as the cost of the scheme in 2013/14 had been covered by government funding.

The 2014/15 LCTS scheme had been changed in only one respect, following consultation in December 2013, to increase the minimum amount paid by LCTS recipients from 8.5% to 12.5%. The exceptional hardship budget was increased from £10,000 to £15,000.

If further changes to the LCTS were required for 2015/16, consultation would have to take place by no later than 31 January 2015.

Councillor Chambers referred to the details set out in the report and said that in conclusion there was no demonstrable need to consider an increase in the figure of 12.5%. He said there was therefore not a strong case for further revisions to the scheme to be considered and he proposed the recommendation that Cabinet endorse the position that there should be no adjustments to the LCTS for 2015/16.

Councillor Dean joined the meeting at this point.

Members discussed the report. In reply to a question from the Leader, Councillor Chambers said the number of recipients of LCTS had reduced as the scheme had encouraged a number of people back into work.

Councillor Dean said as the £212,000 committed funding had not been used, the unused budget should be passed on to council tax payers.

Councillor Chambers said the government funding of £96,000 in the first year was to meet transition costs; the total number of recipients had reduced and a hardship fund had been budgeted for, as a prudent measure. As the £212,000 had not been needed, the sum would be returned to reserves to provide for future needs.

Councillor Dean said he wished to address this point to the Director of Finance and Corporate Services. Councillor Chambers said that as portfolio holder, the reply to this point was properly given by him, not officers.

The Leader asked at what point government support would cease. Councillor Chambers said it was expected that the council's LCTS would have to reduce by 30%, and that it was better to phase in the reduction over a number of years. Council staff were being proactive and last year customers had paid over 92% of their council tax bills.

Councillor Barker said it would be useful to have information about the proportion of pensioners and working age recipients of the scheme shown in the report. She endorsed the recommendations.

RESOLVED to endorse the position that there would be no adjustments to the Council's Local Council Tax Support Scheme for 2015/16.

CA30

FLOODING DUE TO ADVERSE WEATHER – COUNCIL TAX DISCOUNT POLICY

Councillor Chambers presented a report recommending that the Council adopt a Council Tax Adverse Weather Flood Relief policy, to provide a discount of 100% backdated to the date of the flooding this summer in Saffron Walden and Thaxted.

The policy would enable the Council to grant locally determined council tax discounts on properties affected by flooding and to enable the discount to be applied from 1 July 2014 for residents of the district who were flooded overnight on 27/28 July. Councillor Chambers said it was reasonable to have such a policy where households had been forced to decamp.

Councillor Barker said she supported the recommendation, but there could be other reasons than flooding which caused people to have to vacate their houses. The Council should look sympathetically at other potential cases such as where a main sewer burst, and as it stood the proposed policy did not include those situations.

Councillor Chambers said he would look into this proposal.

In reply to a question about costs, the Director of Finance and Corporate Services said that for the average Band D property the cost of the discount would amount to £350, so the cost would be £4,000.

RESOLVED

- 1 to approve the Flooding due to Adverse Weather Council Tax Discount policy
- 2 that the policy start date be backdated to 1 July 2014.

CA31

DEVOLUTION OF PUBLIC CONVENIENCE AT HILL STREET, SAFFRON WALDEN TO SAFFRON WALDEN TOWN COUNCIL

Councillor Chambers presented a report recommending that the Hill Street public convenience be transferred to Saffron Walden Town Council with a five year grant to assist with the upkeep. Councillor Chambers said discussions had taken place with the Town Council over several years. The proposal was in accordance with the Council's Strategic Solutions workstream in its Medium Term Financial Strategy, as it would devolve services which were more appropriately administered at a Town or Parish level

In reply to a question by the Leader regarding design costs, Councillor Chambers said the design would be chosen within a budget.

RESOLVED

- 1 That the freehold of the piece of land as shown in Appendix One to the report be transferred to Saffron Walden Town Council at no cost at the earliest possible date following the refurbishment of the facility
- 2 That the Council agree to pay to Saffron Walden Town Council a five year grant, to assist with the upkeep of the public convenience, as set out in paragraph 13 of this report.

CA32

CONTRIBUTION TO PROVISION OF NEW TOILET FACILITIES AT STANSTED

Councillor Chambers presented a report recommending that the Council provide a grant to Stansted Parish Council in the sum of £30,000 towards the provision of new toilet facilities at the new Crafton Green Community Centre.

This proposal would enable the Council to support the provision of toilet facilities at the redeveloped Crafton Green site, following termination of a "Supaloo" contract in 2009, following which a community toilet scheme had been in existence. The contribution to the provision of facilities at the redeveloped Crafton Green Community Centre was within the terms of the discussions held in 2009 between the Parish and District Council.

The Leader said he endorsed the position reflected in the earlier discussions. This proposal was consistent with their expectation.

Councillor Dean suggested the Council could in addition to the capital grant make a contribution to running costs of the public convenience, and could continue the community toilet scheme.

The Leader said in discussions with Stansted Parish Council about the redevelopment of facilities at Crafton Green these options had not been requested.

RESOLVED

- 1 that the sum of £30,000 be given to Stansted Parish Council as a contribution towards the provision of toilets at the new Crafton Green Community Centre
- 2 the £30,000 cost identified above be funded from the New Homes Bonus Contingency Reserve.

CA33

APPRENTICESHIPS

Councillor Chambers presented a report seeking funding to commence a new round of apprenticeship recruitment. This was a good news story for the Council, and he thanked Councillor Barker for her instrumental role in bringing this scheme about. He said for many young people university was not an option, and apprenticeships were often overlooked, so he was delighted that this scheme was working so successfully. He detailed the outcomes for the current apprentices, three of whom were now in full time employment with the Council.

Councillor Lemon said this was an excellent scheme, making good use of the new homes bonus money. He asked whether the number of apprenticeships could be increased over the years.

Councillor Chambers said this would be his aim if he remained portfolio holder. There were many places in Uttlesford where it was difficult to fill vacancies, and this scheme provided local young people with work experience.

Councillor Dean asked how the new apprentice posts would be advertised, and why funding was to come from the new homes bonus, and not from the strategic initiatives fund.

The Director of Finance and Corporate Services said advertising would be done through an apprenticeship agency. This scheme did not meet the five criteria for the strategic initiatives fund, so the costs were being met from the new homes bonus.

Councillor Cheetham said she was delighted to support this scheme and hoped that encouragement would be given to the Council's partners to do the same.

The Leader agreed businesses would be encouraged to take up such schemes.

RESOLVED

- 1 to approve a further tranche of apprenticeships as set out in the report
- 2 the sum of £40,000 be allocated from the New Homes Bonus Contingency Reserve to fund the apprenticeships.

CA34 **MUSEUM ACCREDITATION POLICIES**

Councillor Ranger presented a report seeking approval of policies relating to Saffron Walden Museum, as part of its Arts Council England accreditation process. There were two new policies, the Care and Conservation Policy and the Environmental Sustainability Policy. The Collections Development Policy had been reformatted to meet new Arts Council England requirements, but was otherwise unchanged. The remaining policies were revised versions of those which had previously been in force. Councillor Ranger asked Cabinet to approve the policies and accompanying equalities impact documents.

RESOLVED to

- a. Approve the Collections Development Policy
- b. Approve the Customer Care Policy
- c. Approve the Documentation Policy and Plan
- d. Approve the Environmental Sustainability Policy
- e. Approve the Learning Policy
- f. Approve the Care and Conservation Policy and Plan

CA35 **SAFFRON WALDEN PIG MARKET CHARITY, FAIRCROFT ROAD CAR PARK**

Councillor Barker presented a report outlining the situation regarding a right of way over land owned by the Saffron Walden Pig Market Charity, of which the Council was Trustee. The land in question was the site of the Faircroft Road Car Park, part of which was owned by the charity, and part of which was owned by the Council in its local authority capacity. Since the car park was built in 1987, the original right of way had been obstructed and a different access route had since then been in use.

The report requested Cabinet approval for the grant of a new right of way, in order to reflect in the appropriate documentation and at the Land Registry the extinguishment of the original right of way which since the car park at Fairycroft Road was built has been obstructed, and to reflect the revised access route which had been used since then. Councillor Barker proposed the recommendation and said this was a pragmatic solution.

Councillor Rolfe said that as Trustee, the Council had to act in the best interests of the Charity.

The Solicitor said that it was in the best interests of the Charity to regularise the right of way as recorded at the Land Registry.

Councillor Dean asked why this report was not being taken in Part II as an exempt item, when other reports involving third party commercial interests had been exempt.

The Solicitor said this information was in the public domain because the information was available at the Land Registry, which was open to anyone to examine.

RESOLVED that the Council as Trustee of the Saffron Walden Pig Market Charity grant a new right of way to owners of 23A Hill Street, on the basis that the existing right granted in 1971 is extinguished.

CA36

ASSETS OF COMMUNITY VALUE

Councillor Barker presented a report on behalf of herself and Councillor Ranger which recommended that The Old School House, Takeley should not be listed as an asset of community value, in accordance with Section 87 of the Localism Act 2011. Councillor Barker said the building did not meet the criteria for inclusion on the list of Assets of Community Value. The reasons, as set out in the report, were that it was not currently in a use which furthered the social wellbeing or interests of the local community, and the property had not in the recent past been in such use.

Councillor Cheetham said she was concerned and very unhappy that the assessment of the building indicated it did not meet the criteria. The building was a facility which the Parish Council was keen to try and keep. She understood it was not recommended to be included as a community asset on the grounds that it had not been used for the community very recently. The request to include the building had been submitted first in October 2012, but for technical reasons had not been able to be considered until November 2013. The building had been declared unsafe by the County Council, although this decision might be challenged by the Parish Council. There was a great need for youth facilities in Takeley and she hoped a way forward could be found. The building had been used as a youth centre and for a play group in 2007/8.

The Solicitor said the test was laid down in the Act, and that the phrase “the recent past” had to be taken in common usage. Therefore six years was not considered “recent”.

Councillor Dean said he sympathised with the view expressed by Councillor Cheetham. He thought 2007 seemed “recent”, and asked whether the assessment could be challenged.

The Chief Executive said the decision to vacate the building because it was unsafe had been taken before the legislation was made. The building had been unusable for five to six years, which was a long time. Its use by Stop Stansted Expansion was not community use, but office use. If the Council were to put the building on the list of assets of community value, the owner would appeal.

Councillor Barker declared an interest as a member of Essex County Council. Councillor Cheetham declared an interest as the ward member for Takeley and The Canfields.

Councillor Barker said she would speak to the new Cabinet member at Essex County Council to see if another way forward could be found.

The Leader agreed that discussions would take place between the Parish and County Councils, to explore other means of investigating the potential use of the property for community use.

RESOLVED

- 1 to agree not to include the Old School House, Takeley in the Assets of Community Value list
- 2 to facilitate discussions between the Parish and County Councils to explore community use of the property through mechanisms other than listing as an Asset of Community Value.

CA37

2014/15 BUDGET MONITORING

Councillor Chambers presented a report detailing financial performance relating to the General Fund, Housing Revenue Account, Capital Programme and Treasury Management.

Councillor Chambers explained that this report set out actual expenditure and income from April 2014 to July 2014 and forecast expenditure and income for the end of the 2014/15 financial year. He drew Cabinet’s attention to the inclusion in the report of the items considered earlier in the meeting, which had been approved, that is, the transfer of the Saffron Walden public conveniences, and the Apprenticeships item.

Councillor Chambers referred to the key adverse variances within service budgets in the General Fund, and to the fact that any positive variance within the Housing Revenue Account would be used to fund new projects.

Councillor Ranger asked a question about the reason for increased income from imported green beans.

The Director of Public Services said imports of green beans to the UK had following the closure of Manston Airport in Kent been transferred to Stansted Airport, and the fees related to inspection costs payable to this authority.

The Leader said this was a good opportunity for the Council, and further opportunities should be investigated with MAG.

Councillor Barker noted that waste income was subject to market volatility and would be very different to what it had been.

In response to a Member query about semaphore works, it was explained that the reference should be to the Semaphore Tower at the Castle in Saffron Walden.

The Leader asked that officers prepare a report on provision of temporary accommodation to enable consideration of whether enough temporary accommodation was available.

Councillor Godwin asked why the waste costs were rising, and whether this was something which was affecting all local authorities.

The Director of Public Services said that a discussion of the specific details would require the meeting to move to Part II. In general terms, the position for the contractor had become unsustainable, and the situation would be further considered following the board meeting of the contractor shortly due to take place.

RESOLVED to note the report on 2014/15 budget monitoring.

CA38

CABINET WORKING GROUPS

The Leader said he intended to make replacement appointments to certain Cabinet working groups and outside bodies, and to provide for a new lead member appointment.

RESOLVED to

1 approve working group appointments as follows:

In place of Cllr K Mackman:

Local Plan Working Group – Cllr L Wells

Stansted Airport Advisory Panel – Cllr E Oliver

Waste Strategy Panel – Cllr G Barker

In place of Cllr D Sadler:

Housing Board – Cllr J Rose

2 to approve an outside body appointment as follows:

Stansted Airport Consultative Committee – Cllr E Oliver

To note that for the **Strategic Aviation Special Interest Group**
Cllr E Oliver to substitute for Cllr J Cheetham

3 To appoint as **Lead Member for Economic Development**
Cllr J Rose.

The meeting ended at 8.05pm.