

## **REPORT OF CABINET**

**(Meeting held on 7 February 2018)**

### **1. REQUEST FOR LEASE OF LAND FOR MILFORD PLAY AREA (MINUTE 61)**

The Cabinet has approved a request from Milford on Sea Parish Council to lease 2 areas of land adjacent to the Needles Eye Café on Milford sea front to allow the enhancement of the play area. The Parish Council had undertaken a public consultation on the proposals and their initial proposals had been modified to take account of the representations received and also the concerns of planning officers.

The Cabinet has also approved the request by Parish Council for the release of £66,034 from the monies held by the District Council in Section 106 contributions, towards the overall cost of implementing this project.

### **2. COMMUNITY GRANT AWARDS 2018 (MINUTE 62)**

The Cabinet has agreed the payments that will be made under the Council's Community Grants Scheme for 2018. Each application had been considered, in detail, by the Community Grants Task and Finish Group, established by the Community Overview and Scrutiny Panel using the revised criteria adopted by the Council in 2017 (Cabinet minute 56, 1 February 2017 refers). Their recommendations had been adopted by the Community Overview and Scrutiny Panel.

The approved grants total £218,020. Further details on each application can be found in Appendix 1 to Report Item 4 to the Cabinet, with a summary of the proposed payments set out in paragraph 5.1 of the report.

The Cabinet also agreed that there should be a comprehensive review of the community grants process and eligibility criteria in advance of the 2018 application deadline, in the light of the increasing number of applications being received and the large sums requested by some organisations. The Community Grants Task and Finish Group will be asked to undertake this review. The Cabinet considered that it is important that community grants are directed towards organisations that are benefitting communities widely across the District.

### **3. MEMBERS ALLOWANCES 2018/19 - 2022/23 - REPORT OF THE INDEPENDENT REMUNERATION PANEL (MINUTE 63)**

The Cabinet is recommending the adoption of the recommendations of the Independent Review Panel which undertook a review of members' allowances to cover the period 2018/19 - 2022/23. The Panel's report and recommendations were attached as Appendix 1 to Report Item 5 to the Cabinet. The Panel concluded that the current scheme has stood the test of time and that only minor changes were needed. A small increase of £25 is recommended in the ICT element of the Basic Allowance, and also an increase in the allowance for the Chairman of the Planning Committee, resetting it at 35% of the Leader's Special Responsibility Allowance. There are also minor changes to the Dependant Carers' Allowances and clarification of the circumstances in which travel allowances will be paid.

The Panel recommends that the current annual indexation of allowances to the annual cost of living salary percentage increase for local government staff should continue.

In answer to questions Members were advised that the Independent Remuneration Panel had been advised of the impending increase in the number of members of the Cabinet from 6 to 8 and had taken this into account in their recommendations.

**RECOMMENDED:**

***That the current scheme of allowances be continued subject to the following modifications from 1 April 2018:***

- (i) that the ICT element of the Basic Allowance be increased by £25 per annum to £415 per annum;***
- (ii) that the Special Responsibility Allowance for the Chairman of the Planning Committee be reset to 35% of the Leader's Special Responsibility Allowance;***
- (iii) that a Co-optees' Allowance of £55.36 be paid for meetings up to 4 hours in length and £110.72 for meetings over 4 hours in length;***
- (iv) that the current maximum hourly rate claimable for the childcare element of Dependants' Carers' Allowance be fixed at the current living wage of £8.45, with the cap on the number of hours that a member may claim aggregated to 52 hours per month;***
- (v) that the hourly rate for which elderly or dependant relative element of the Dependant Relatives' allowance is claimable be set at the Hampshire County Council rate for Home Care Help, currently £10.32 per hour;***
- (vi) that Part 3 and Appendix 3 of the Members' Allowances Scheme, relating to travel allowances, be clarified, as set out in the recommendation of the Independent Remuneration Panel;***
- (vii) that the Basic Allowance (including ICT allowance), Special Responsibility Allowances and Co-optees' Allowance be indexed to the annual percentage increase for local government staff at scale point 28, to be applied from the same year that applies to staff;***
- (viii) that travel allowance mileage rates be indexed to the HMRC approved mileage rates for motor vehicles, motor cycles and bicycles;***
- (ix) that the childcare element of Dependants' Carers' Allowance be indexed to the "living wage" hourly rate (outside of London) as defined by the Living Wage Foundation; and***
- (x) that the elderly and other dependant relatives element of the Dependants' Carers' Allowance be indexed to the median hourly rate charged for Home Help by Hampshire County Council.***

**4. HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL EXPENDITURE PROGRAMME 2018/19 (MINUTE 64)**

The Cabinet is recommending approval of the Housing Revenue Account budget and housing public sector capital expenditure programme for 2018/19. The proposed budget has been considered by the Tenant Involvement Group and their comments, in support of the proposals, are set out in paragraph 10 of Report Item 6 to the Cabinet. The Housing Revenue Account budget is attached as Appendix 1 to the Report.

Housing rents will be reduced by 1% to an average of £99.03 per week for 2018/19. This is in accordance with Government requirements, and the reduced income has been taken into account in the overall budget.

It is proposed that the service charges for hostels and older persons' accommodation will not be increased as current charges comply with the requirement to ensure that relevant costs are fully recovered from the users of the service.

Similarly, garage rents will remain unchanged at £10 per week (plus VAT for non-Housing Revenue Account tenants), as it has been concluded that this is the optimum charge for achieving the best income from this source.

The Cabinet has approved the 5 year programme of planned maintenance and improvement works, budgeted at £7.472 million, which is set out in Appendix 2 to Report Item 6 to the Cabinet. This will continue to meet the requirements of the "December Homes Standard".

A summary of income and expenditure for the Housing Revenue Account is set out in sections 3 and 4 of Report Item 6 to the Cabinet. The Budget will continue to be operated on a break even basis, maintaining a reserve balance of £1 million, with any additional funds being transferred to the Acquisitions and Development reserve.

A summary of the Capital Programme for 2018/19 is set out in section 6 of the report. Of particular note is that the proposed capital programme for 2018/19 reflects the Housing Buy Back and Development Strategy which was approved by the Cabinet in November 2016, and is £3.262 million more than the original programme for 2017/18.

There has been a significant loss of properties through the "Right to Buy" scheme, but the new build and acquisitions programme is delivering new properties, with 19 new properties in 2017/18 and significant progress being made towards construction on 2 sites that will deliver 52 units in 2018/19.

**RECOMMENDED:**

- (a) That the Housing Revenue Account budget, as set out in Appendix 1 to Report Item 6 to the Cabinet, be agreed;**
- (b) That from 02 April 2018, a reduction in rents of 1% from the 2017/18 rent level be agreed, in accordance with Government requirements;**
- (b) That no change be made to the service charge for hostel accommodation;**
- (d) That no change be made to the service charge for older persons' accommodation;**
- (e) That no change be made to the rent for garages; and**
- (f) That a 2018/19 Housing Capital Programme of £18.552m be agreed, as set out in paragraph 6.1 of Report Item 6 to the Cabinet.**

## **5. MEDIUM TERM FINANCIAL PLAN - SETTING THE BUDGET FOR 2018/19 (MINUTE 65)**

The Cabinet is recommending approval of the Medium Term Financial Plan, the General Fund revenue and capital budgets for 2018/19 and the level of Band D Council Tax.

Since the Cabinet last considered the Medium Term Financial Plan in December 2017 there have been a number of developments, including a pay award offer of 2%, together with the introduction of a new minimum pay point of £8.50. Available resources have also increased, with additional New Homes Bonus and an increase in the Council Tax Base. The summary of available resources is attached as Appendix 1 to Report Item 7 to the Cabinet, with the revised budget requirements summarised in Appendix 2.

It is intended that there will be a limited use of reserves, principally for the second year of the 3 year ICT "Protect and Maintain Service Delivery" project; and also for the payment of one-off "construction grants", as recommended by the Community Overview and Scrutiny Panel as part of the Community Grants approvals (see item 2 above).

The General Fund net budget requirement, as set out in Appendices 4a and 4b to Report Item 7 to the Cabinet, is £17.243 million, an increase of £656,000 over the 2017/18 budget. Net savings and improved income totalling £1.377 million will absorb the expected pay and price increases of £1.130 million and make an important contribution towards offsetting the reductions in Government funding.

The proposed central support service business unit budgets are set out in Appendix 4c to Report Item 7 to the Cabinet. These costs are distributed across a number of portfolio areas.

The proposed Band D Council Tax is £168.36, an increase of £5 (3.06%) from 2017/18.

The proposed General Fund Capital Programme, totalling £7.673 million, is set out in Appendix 5 to Report Item 7 to the Cabinet. This includes 2 major projects to be funded from reserves and capital receipts. The first of these is the development of a depot on Council-owned land at Hardley Industrial Estate to replace Claymeadow Depot, Totton which currently does not operate satisfactorily. Budgetary provision is being included this year for the initial feasibility and preparatory work, leading to the preparation of a business case. The other significant project is investment to promote "Smarter Working". This will be a 3 year programme of investment and the current budget is indicative only, and only for the initial feasibility and preparatory work leading to the development of a business case.

A range of prudential indicators need to be approved each year and these are set out in Appendix 6 to Report Item 7 to the Cabinet.

It is proposed to increase the fees and charges for the Stillwater Park by 3.9%, in line with RPI inflation in September.

**RECOMMENDED:**

- (a) That is be agreed that there is a General Fund Net Budget Requirement in 2018/19 of £17,243,480 as set out in Appendix 4 to Report Item 7 to the Cabinet, including the use of reserves to finance the ICT “Protect and Maintain Frontline Services” projects, and one-off construction grants as set out in Appendix 3 to Report Item 7 to the Cabinet;**
- (b) That the site licence fees and service charges at Stillwater Park be increased by 3.9% in line with RPI inflation;**
- (c) That the Band D Council Tax for 2018/19 shall be £168.36;**
- (d) That the General Fund Capital Programme for 2018/19 of £7.673m, as set out in Appendix 5 to Report Item 7 to the Cabinet be approved; and**
- (e) That each of the prudential indicators, the Limits for 2018/19 to 2020/21 and the Minimum Revenue Provision Policy Statement, as set out in Appendix 6 to Report Item 7 to the Cabinet be approved and adopted.**

**6. FUTURE FOREST RECREATION MANAGEMENT STRATEGY PARTNERSHIP CONSULTATION (MINUTE 66)**

The Cabinet has received the findings of a “call for views” consultation led by the National Park Authority on the review of their Recreation Management Strategy 2010-2030. As one of the organisations with a remit for managing recreation in the National Park, this Council is one of the 6 statutory organisations represented on the Recreation Management Strategy Steering Group, together with the Forestry Commission, Verderers of the New Forest, Natural England, the County Council and the National Park Authority. The analysis of the responses received is set out in the Findings Report which is attached as Appendix 1 to Report Item 7 to the Cabinet, while the proposed “Next Steps” report is attached as Appendix 2. The next stage in the process is to develop a new suite of actions focussed on protecting the special landscapes of the Forest and managing recreation for local people and visitors. This will involve careful liaison between the key stakeholders, with the resulting actions being the subject of further consultation during the coming summer.

The Cabinet has confirmed that this Council will continue its commitment to partnership working to help draft the new actions for the update to the Recreation Management Strategy 2010-2030. In future the Portfolio Holder for Leisure and Wellbeing will attend meetings of the Strategy Steering Group, in addition to the officers, to carry forwards this Council’s commitment to playing its part in the process.

**7. ELECTORAL REVIEW OF THE DISTRICT COUNCIL (MINUTE 67)**

In support of a recommendation from the Corporate Overview and Scrutiny Panel the Cabinet is recommending that an approach is made to the Local Government Boundary Commission for England to review the Council’s electoral arrangements with the aim of reducing the number of members on the Council to approximately 48.

Following consideration of this issue in 2013/14 the Council decided not to pursue a review. The issue has however been revisited, following a question asked by Cllr J Ward of the Leader of the Council. A Task and Finish Group was accordingly

appointed in September 2016 and has explored various options. None of the criteria which would impose a duty on the Local Government Boundary Commission for England to undertake a review apply in this District and, if changes are thought appropriate, an approach to the Commission to undertake a review will be necessary.

The Task and Finish Group looked at a number of factors, including the number of electors per member in this authority and in comparable authorities; both now and projected to 2023. The Task and Finish Group's analysis of the arguments in favour and against a reduction in membership are set out in detail in section 3 of Report Item 9 to the Cabinet.

**RECOMMENDED:**

***That the Local Government Boundary Commission for England be requested to undertake a review of the electoral arrangements in the New Forest District with a view to reducing the number of members on the Council from 60 to approximately 48.***

**8. HOMELESSNESS REDUCTION ACT (MINUTE 68)**

Members have been briefed on the key changes to this Council's responsibilities that will be introduced by the Homelessness Reduction Act 2017.

There are a number of key changes compared to the current situation. The main ones that affect this Council are:

- The time period for which the local authority is responsible for responding to impending homelessness will be increased from 28 days to 56 days;
- The scope of the advice that must be provided to prevent homelessness is increased and must address the varying needs of enquirers;
- Once a person has established their eligibility for assistance, in accordance with the Asylum and Immigration Act 1996, all individuals, regardless of personal circumstances or priority need, will be entitled to a formal assessment of their case;
- In the light of the formal assessment the Council must try to agree a personalised housing plan with the individual, setting out the steps that both the individual and the Council should be required to take in order to have and retain suitable accommodation. These steps must be kept under regular review;
- The duty on the Council to prevent homelessness will be extended to all applicants, regardless of priority need and intentionality in causing homelessness. The reasonable steps that the Council must take to assist them must take into account the formal assessment of their case;
- Once someone has become homeless the Council must take reasonable steps to help them, based on a formal assessment of their case. This will now be irrespective of their priority need or intentionality in causing homelessness;
- If this initial relief duty does not resolve the homelessness and the Council's duty has not been discharged the application must be assessed under the full homelessness duty as it currently exists, with priority need and intentionality in causing homelessness taken into account;
- The time period for which the Council will be responsible for providing temporary accommodation for applicants that are in priority need but intentionally homeless will be greater;
- The duty to protect the property of homeless applicants will be extended to all eligible applicants, regardless of priority need;

- Applicants under the homelessness legislation will no longer need to demonstrate a local connection to qualify for an assessment, personalised housing plan or the duty to prevent homelessness. Applicants under the main housing duty will still be able to be referred to an authority where they have a local connection.
- Other public bodies, to be specified by Regulation, are expected to be able to refer individuals who they think may be homeless or threatened with homelessness. Effective partnership arrangements must be established to allow this to happen effectively.

The Act also imposes requirements on applicants under the legislation to ensure that they co-operate fully with the process.

The new processes will impose significant new burdens on this Council in respect of each application, and it is also expected there will be a significant increase in the number of applications for assistance. Additional employees are required to meet the challenges ahead.

The duty to provide temporary accommodation will also increase.

A significant amount of work is currently underway through the Council's Homelessness Team to respond to the challenges of the new legislation, as set out in paragraph 7.9 of Report Item 10 to the Cabinet. The budgetary implications, including the setting aside of £150,000 to meet the additional resource implications, are set out in section 8 of the report. Part of the additional cost will be met from additional government funding.

The Housing Portfolio Holder will be working closely with the Leisure and Wellbeing Portfolio Holder to develop essential relationships with partner organisations to meet the challenges presented by the new legislation, and in particular to address some of the underlying mental health issues that may be contributing to homelessness and street sleeping.

All members welcomed the opportunity to work on a cross-party basis to address the wider challenges presented by homelessness in the District, working to identify innovative approaches such as those that had been recognised as best practice in other areas. Further information on the Government's Gold Standard Programme for managing homelessness, will be brought to a future meeting of the Cabinet at the earliest opportunity.

## **9. RESPONSE TO LOCAL GOVERNMENT ASSOCIATION PEER REVIEW (MINUTE 69)**

The Cabinet has been updated on the actions being taken to respond to the recommendations of the Local Government Association Peer Review Group following their visit to this Council in October 2017. The current situation with respect to the Review Group's 8 recommendations is summarised in section 3 of Report Item 12 to the Cabinet.

The Cabinet has also approved the Corporate Framework that is attached as Appendix 1 to the report, which articulates how the Council's priorities are going to be delivered and identifies the strategies that will help support that delivery. In future, reports on performance will be aligned to the new Corporate Framework.

## **10. CONTRACT STANDING ORDERS (MINUTE 70)**

The Cabinet considers that the Standing Orders for contracts need to be revised to reflect current procurement processes. In addition, it is proposed to increase contract threshold values, for example to allow Service Managers to let contracts up to £15,000 (currently £5,000); and also the threshold requiring contracts to be openly advertised from £25,000 to £50,000. This will allow contracts below £50,000 to be made available to suppliers in the local economy, while allowing open advertising to widen competition should that be required. The proposed changes to threshold values are summarised in Annex A to the revised Contracts for Standing Orders. All contracts over £25,000 value will be overseen by the procurement team to vet the supplier selection process and ensure best value and service considerations are in place.

It is proposed that there should be greater clarity under the “Gateway Review” process to ensure that all procurement projects over the value of £25,000 are properly defined and project managed; there is effective communication about the project; roles and responsibilities are identified and assigned; and the opportunities and risks are identified.

### **RECOMMENDED:**

- (a) That the revised Contract Standing Orders, as attached as Appendix 1 to Report Item 13 to the Cabinet, be approved;***
- (b) That the Service Manager (Legal) in consultation with the Executive Head of Governance and Regulation be delegated authority to make minor changes to Contract Standing Orders; and***
- (c) That the scheme of delegation of powers to officers be updated to reflect the changes in the revised Contract Standing Orders.***

**COUNCILLOR B RICKMAN  
CHAIRMAN**