

# Cabinet

Wednesday, 13 July 2016

**Attendees:** Councillor Tina Bourne (Portfolio Holder for Housing and Public Protection), Councillor Mark Cory (Portfolio Holder for Resources), Councillor Annie Feltham (Portfolio Holder for Business, Leisure and Opportunities (and Deputy to the Leader of the Council)), Councillor Dominic Graham (Portfolio Holder for Waste and Sustainability), Councillor Michael Lilley (Portfolio Holder for Safer Communities and Licensing), Councillor Beverley Oxford (Portfolio Holder for Customers), Councillor Paul Smith (Chairman and Portfolio Holder for Strategy), Councillor Tim Young (Portfolio Holder for Culture and Regeneration ( and Deputy Leader of the Council))

**Substitutes:** No substitutes were recorded at the meeting

Also in attendance: Councillors Barlow, J. Scott-Boutell, L. Scott Boutell, G. Oxford and Willetts

## Publication and Call in Arrangements

Date Published 14 July 2016

Date when decisions may be implemented (unless 'called in') 5pm 21 July 2016

NB All decisions except urgent decisions and those recommended to Council may be subject to the Call-in Procedure. Requests for the scrutiny of relevant decisions by the Scrutiny Panel must be signed by at least ONE Councillor AND FOUR other Councillors to countersign the call-in form OR to indicate support by e-mail. All such requests must be delivered to the Proper Officer by no later than 5pm on Thursday 21 July 2016.

## 89 Minutes

*RESOLVED* that the minutes of the meetings held on 25 May 2016 and 8 June 2016 be approved as a correct record, subject to the deletion of Councillor Frame from the list of attendees at the meeting on 8 June 2016.

## 90 Have Your Say!

Councillor J. Scott-Boutell addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) about the proposed closure of the Lexden Heath Delivery Office on London Road, Stanway. This was an important facility in Stanway and its employees played an important role in the community. It was scheduled for closure in

September and employees would be transferred to the facility at Eastgates. In addition postal collections would also need to be made from Eastgates, which was a considerable distance away and had inadequate parking. This would contribute further to congestion. A petition had been raised against the closure which had already raised 500 signatures and she called on the administration to monitor the position.

Councillor Paul Smith, Leader of the Council and Portfolio Holder for Strategy, and Councillor Tim Young, Portfolio Holder for Culture and Regeneration, indicated that they supported the campaign against the closure.

Lee Parker addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1) to explain problems he had experienced in securing appropriate accommodation for his family. In particular he was distressed that he had been deemed to have made his family intentionally homeless, which was not an accurate reflection of events, and believed that Colchester Borough Homes was not fulfilling its duty to house his family. The difficulties families in his position faced were exacerbated by the fact that private landlords were unwilling to take on tenants on housing benefit.

Councillor Tina Bourne, Portfolio Holder for Housing and Public Protection, responded. Whilst it would not be appropriate to comment in detail on Mr Parker's individual circumstances given a pending court hearing, every effort had been made to support his family and they had also had independent advice from housing charities such as Shelter. Whilst the Council did have a number of large properties, these were currently all occupied. The Council could not build new housing due to changes in government policy and the Council was exploring other options which would increase the housing stock available through the private sector.

Miss Autumn Parker addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(1). Following the EU Referendum campaign in which there had not been a platform for teenagers to give their views, she had developed a campaign called TeenSpeech. The principles of the campaign were:-

- Compulsory and unbiased political education in secondary schools across the UK.
- With adequate education, the voting age could be lowered to 16.
- Under 18s should be taken into consideration and have a voice when there is an important vote/referendum/political situation.
- Children should be taught essential life skills that include but not limited to: financial management, interest rates, credit cards, mortgages, pay day loans and the impact they may have; consumer rights, employment law, domestic skills, family dynamics and other important things that are not currently taught to prepare for adult life.
- Compulsory first aid training should be in secondary schools, including refresher sessions annually.
- There should be better understanding and inclusion of teenage mental health

problems. Also recognising and looking to solving the current issues and shortfalls within the NHS.

They had been invited to the Houses of Parliament by Angela Rayner, MP, Shadow Secretary for Education, Women & Equalities to explain more about the campaign.

Members of the Cabinet thanked Autumn for speaking so well and stressed the importance of young people taking an active part in democratic politics. The importance of schools ensuring all young people had a voice was stressed and it was suggested that it would be useful for the campaign to speak to Essex County Council as they had responsibility for education. It would also be useful for her to get involved with the Youth Strategy Group. Councillor Smith, Leader of the Council, invited Autumn to address the meeting of Full Council on 27 July about the campaign

## **91 EU Referendum Impact**

The Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Willetts attended and with the consent of the Chairman addressed the Cabinet. He had not voted in the EU Referendum as he did not consider he had sufficient information. However, the result had been clear, both nationally and in Colchester, and the Council was obliged to follow this. The report did not reflect the optimism that many felt about the outcome of the referendum. There were opportunities for businesses to expand and find wider markets. The ability to control the UK's borders would reduce immigration and the pressure on housing and this issue was not explored in the report. Cabinet needed to look again at the assumptions in the Local Plan as these were unrealistic in the light of the vote to leave the European Union.

In response Councillor Smith, Leader of the Council and Portfolio Holder for Strategy highlighted that 75% of new build housing was sold to those who already lived here and that the EU referendum vote would only impact on immigration from the European Union. He stressed that the Council wanted to continue to build Council housing but was unable to do so, due to the restrictions on borrowing imposed by the Government.

In discussion, members of the Cabinet indicated that there were opportunities arising from the vote to leave the European Union. For instance the fall in the value of the pound may encourage tourism. However, there was considerable uncertainty as a consequence of the outcome of the referendum. For example the University of Essex had strong links with Europe which could possibly be threatened and there was concern about the potential impact on community cohesion. It was important that the Council continued to monitor the position so that any issues that arose were identified at an early

stage.

*RESOLVED* that:-

- (a) Cabinet considered the potential impact, increased risks, possible mitigation of these risks and the business confidence as a result of the outcome of the referendum on the decision to leave the European Union.
- (b) The potential impact on the Borough and the Council of the decision to leave the EU be noted the effects be monitored as they become clearer.

### *REASONS*

It is clear that there will be a number of impacts and increased risks as a result of the outcome of the referendum and the decision to leave the European Union.

While these impacts and risks are still emerging and it will be some time before we know exactly what will happen we need to start considering how we can help a number of our communities, businesses and partners to mitigate potential risks. We also need to consider the potential impact on business confidence in the Borough, together with the Council itself as a business and its funding.

### *ALTERNATIVE OPTIONS*

It is still unclear how the decision will affect business, communities and the Council and the alternative option is to defer any planning, however that could increase our risks further.

## **92 2017-18 Budget Strategy, Medium Term Financial Forecast and Budget Timetable**

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Willetts attended and with the consent of the Chairman addressed the Cabinet. He expressed concern about the underspend of £791,000. This could have been spent on important public services and he called on Cabinet to be firmer in its approach in future. Concern was also expressed about the Medium Term Financial Forecast. He considered that a new approach was needed as the policy of balancing the books through efficiency savings could not be sustained for more than a further two years. He welcomed the reduction in the use of New Homes Bonus into the base budget, but did not believe that Colchester's infrastructure had been improved despite

the levels of New Homes Bonus received.

Councillor Cory, Portfolio Holder for Resources responded. The underspend had been caused by increased levels of income. There had been considerable investment in new projects, particularly through the Borough Investment for All scheme. Residents had been benefitted through investment in the Mercury Theatre, the Big Choice scheme, festivals and increased investment in the Town Walls. The Medium Term Financial Forecast was prudent and reflected the uncertainty caused by the vote to leave the European Union and reduction in government grants. He was confident that the budget gap would be closed over the course of the financial year. A review of the outturn position would be carried out to identify potential underspends or areas of increased income.

Councilor Smith, Leader of the Council and Portfolio Holder for Strategy, stressed that the Council had been received increased income as a consequence of the Council's policy of supporting growth in the borough's economy. The Council continued to protect front line services and maintain reserves at a prudent level.

*RESOLVED* that:-

- (a) The pre-audit outturn position for the financial year 2015/16 be noted.
- (b) The funding from balances for projects set out at paragraph 3.4 of the Assistant Chief Executive's report be released,
- (c) The budget forecast, approach and timetable for the preparation of the 2017/18 budget and updated position in respect of balances be noted.
- (d) The updated Medium Term Financial Forecast as set out at Appendix B of the Assistant Chief Executive's report be noted.
- (e) The latest position in respect of the Capital Programme be noted and the additional funding for the Priory Street car park scheme set out in section 7 of the Assistant Chief Executive's report be noted.

### *REASONS*

The Council is required to approve a financial strategy and timetable in respect of the financial year 2017/18, and a Medium Term Financial Forecast (MTFF) for the two subsequent financial years.

### *ALTERNATIVE OPTIONS*

No alternative options were proposed.

### **93 Member Development Group: Annual Report to Cabinet 2015-16**

The Assistant Chief Executive submitted a report a copy of which had been circulated to each Member.

Councillor Cory, Portfolio Holder for Resources, introduced the report and highlighted the work of the Group, particularly the work in preparing for the new Council following the whole Council elections in May 2016. Going forward, the Group would be looking to work with individual Councillors to look at their training needs and the overall training and development needs of the Council. Whilst the budget had been underspent in 2015-16, it was anticipated that there would be a greater level of expenditure this year. He was pleased to report that the Council had successfully passed its interim reassessment for Charter Status for Elected Member Development.

*RESOLVED* that

- (a) The report of the Member Development Group Annual Report 2015-16 on the work of the Group in the 2015-16 municipal year.
- (b) The Cabinet's thanks to Councillors Cory, Harris, Higgins, J. Maclean and G. Oxford be formally recorded.

*REASONS*

The Member Development Group's Terms of Reference include a requirement to report to Cabinet on an annual basis. This provides Cabinet with an opportunity to review the work of the Group.

*ALTERNATIVE OPTIONS*

No alternative options are proposed.

### **94 North Essex Parking Partnership - Lead Authority**

The Head of Operational Services submitted a report a copy of which had been circulated to each Member.

Councillor Lilley, Portfolio Holder for Safer Communities and Licensing, introduced the

report and highlighted the success of the North Essex Parking Partnership (NEPP), with Colchester acting as the lead authority. In particular the work in turning a deficit of £600,000 into a significant surplus was commended. The NEPP was an excellent example of partnership working.

It was highlighted that the Tall Trees scheme mentioned in Appendix 1 of the Head of Operational Services report had not been agreed by the Joint Committee.

*RESOLVED* that:-

- (a) The Council confirms its willingness to act as lead authority for the NEPP if a further four-year extension to the Joint Agreement is offered by ECC. This would extend the agreement until March 2022.
- (b) The Council develops, as lead authority, a separate agreement for off-street NEPP services with its partner authorities.

#### *REASONS*

To ensure that the Council's position on lead authority of the NEPP is clear when the proposed new agreement from ECC is received.

To ensure that the costs of the off-street service are fairly allocated according to usage and need.

#### *ALTERNATIVE OPTIONS*

The Council indicates that it no longer wishes to act as lead authority.

## **95 Request for Delegated Authority in Connection with Health and Fitness Refurbishment at Leisure World, Colchester**

The Head of Operational Services submitted a report a copy of which had been circulated to each Member

Councillor Feltham, Portfolio Holder for Business, Leisure and Opportunities, introduced the report and indicated that delegating authority to appoint the contractor will ensure that an order can be placed with the successful contractor in accordance with the project timetable.

*RESOLVED* that authority to agree and accept the tender for the Health and Fitness refurbishment project at Leisure World Colchester (LWC) be delegated to the Head of

Operational Services in consultation with the Portfolio Holder for Business, Leisure and Opportunities.

#### *REASONS*

The building project to extend and remodel the Health and Fitness facilities at LWC in accordance with the Sport and Leisure Business Case agreed by Cabinet on 14 October 2015 is currently at the design and planning stage. Tenders are expected to be over £500,000 which would normally require a Cabinet decision to proceed.

In order that the project can be completed in accordance with the programme, the works need to commence in November 2016 and so the decision to award the contract to the successful tenderer will need to be made between the Cabinet Meetings planned for 12 October and 30 November.

#### *ALTERNATIVE OPTIONS*

The alternative option is to seek Cabinet approval at its November meeting but this will put the project at least 4 weeks behind schedule and will mean that the targets for generating additional income as outlined within the Business Case could not be met.

## **96 Progress of Responses to the Public**

The Assistant Chief Executive submitted a progress sheet a copy of which had been circulated to each Member.

*RESOLVED* that the contents of the Progress Sheet be noted.

#### *REASONS*

The progress sheet was a mechanism by which the Cabinet could ensure that public statements and questions were responded to appropriately and promptly.

#### *ALTERNATIVE OPTIONS*

No alternative options were presented to the Cabinet.



- This report is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (financial / business affairs of a particular person, including the authority holding information).