

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 8 MARCH 2016

Present: Councillor R Blunt (Chairman)

Councillors R D Bayliss, T Gillard, T J Pendleton, N J Rushton and A V Smith MBE

In Attendance: Councillors J Clarke, D Everitt, T Eynon, D Harrison, G Hault, R Johnson, J Legrys, S McKendrick and S Sheahan

Officers: Mr S Bambrick, Mrs C Hammond, Mr A Hunkin, Mr G Jones, Mr P Padaniya and Miss E Warhurst

86. APOLOGIES FOR ABSENCE

There were no apologies for absence.

87. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor N J Rushton declared a pecuniary and non pecuniary interest in item 15 – Proposal to acquire brownfield site for development of car parking, as an owner of car parking facilities in Ashby de la Zouch and that he would leave the meeting and take no part in the consideration and voting thereon.

88. PUBLIC QUESTION AND ANSWER SESSION

There were no questions received.

89. MINUTES

Consideration was given to the minutes of the meeting held on 9 February 2016.

By affirmation of the meeting it was

RESOLVED THAT:

The minutes of the meeting held on 9 February 2016 be approved and signed by the Chairman as a correct record.

90. PROPOSED COUNCIL DELIVERY PLAN 2016/17

The Leader presented the report to Members.

He informed Members that Local Authorities were no longer required to have a delivery plan, but the Council had chosen to develop a plan as it would help to focus on the challenges ahead. He advised Members that a 5th priority, Building Confidence in Coalville was to be introduced for 2016/17 and it had been placed at the top as it was the administrations aim to achieve wins for both businesses and people in Coalville. He drew Members' attention to the layout of the plan highlighting that the document outlined each priority and how it would be achieved through outcomes and actions.

Councillor T Gillard stated that it was an excellent report and that the plan set out to residents exactly what the Council intended to do.

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Councillor T J Pendleton stated that he was happy to see the inclusion of the wellbeing of the people in the district and the identifying potential locations for Gypsy and Traveller sites, adding that it was a difficult job to find the sites when needed.

It was moved by Councillor R Blunt, seconded by Councillor T Gillard and

RESOLVED THAT:

1. The proposed Council Delivery Plan for 2016/17 be received and noted.
2. The Plan's content is endorsed and recommended to Council for approval on 22 March 2016 and
3. The Chief Executive, in consultation with the Leader of the Council, to make any final amendments to the plan prior to Council on 22 March 2016.

Reason for decision: To endorse the Council's Delivery Plan for 2016/17 prior to Council's consideration.

91. GOVERNMENT CONSULTATION ON CHANGES TO NEW HOMES BONUS

The Corporate Portfolio Holder presented the report to Members.

He advised Members that it was proposed to reduce the number of years for which New Homes Bonus (NHB) payments were made from six to four, along with a phased approach to the proposal and the consideration of reforming the NHB incentive. He informed Members that the planning reforms should be kept separate to the changes to the payments.

Councillor R Blunt stated that this was the right approach and that even if administrations were the same party as the government, each had different agendas and NHB was important for local funding and getting new houses built

Councillor T J Pendleton highlighted that the changes were expected and that previous governments had considered finishing the scheme, adding that local authorities should take the opportunity to input into the consultation exercise.

It was moved by Councillor N J Rushton, seconded by Councillor R Blunt and

RESOLVED THAT:

1. That the Council responds to the NHB consultation paper in line with the principles and comments set out in the report (section 5).
2. Authority be delegated to the interim Director of Resources to respond to the consultation paper in line with the principles and comments set out in the report.

Reason for decision: To ensure the Council is able to participate in the NHB consultation exercise – NHB being an important funding stream for the Council.

92. CHANGES TO DISCRETIONARY HOUSING PAYMENTS (DHPS)

The Corporate Portfolio Holder presented the report to Members.

He advised Members that the payments were to provide extra help to tenants who received housing benefits, but needed extra financial help and that the Council decided how long the payment should be made. He informed Members that for the current year the funding that was received from Government was supplemented by the Housing Revenue Account and from the General Fund. Option two in the report was the proposed option to be approved.

Councillor R Adams submitted the following question to the meeting

“Given the fact that proposed changes to Discretionary Housing Payments will affect the most vulnerable and often disabled people in our District would the Portfolio Holder:

1. Agree that Discretionary Housing Payments are an essential lifeline for those desperate enough to claim them and that payment should continue for as long as they are needed to prevent further difficulties.
2. Agree that a drop from 100% of the benefit to 50% in the second 6 months even with notice is still going to give some people difficulties and that a more graduated decrease would give people more time to adjust, plan and manage any unexpected changes that might come their way during the transition.
3. Consider an alternative option based upon a sliding scale of 100% for the first 6 months, 75% for the next 3 months and 50% for the final 3 months in all cases.”

The following response was provided:

“Discretionary Housing Payments are exactly what they say – discretionary. They are used to provide extra help to claimants who are already in receipt of Housing Benefit, who need further assistance with housing costs.

We need to be mindful of the annual funding available and I would draw your attention to the number of claimants increasing as working-age benefits are frozen for four years from April 2016. The Government has recognised this pressure and nationally increased funding from £125m to £160m; and this Council will see its funding increase from £103,700 to £115,000. But even allowing for that and an additional sum from the Housing Revenue Account of £10,500, it is estimated that there will be an overspend in the region of £33,500 if we continue with 100% discretionary payments for the whole year. So we are recommending that we pay 100% for 6 months and then reduce to 50%. This is likely to give a break-even position.

This Council welcomes support mechanisms such as Discretionary Housing Payments that allows us to support the most vulnerable tenants, but we also want tenants to take responsibility for their future by obtaining employment to reduce dependency on benefits, or moving to different accommodation. I would also point out that the proposed option has a safety net for officers to award 100% grant to Council tenants for the full 12 months if that is deemed necessary.

I have considered the alternative option based on the sliding scale of 100%, then 75% and finally 50% - but this is likely to require the Council to meet a shortfall through the General Fund – and I cannot commend that as good practice.

Councillor R Adams stated that he was extremely disappointed with the response and advised that many residents would suffer as an effect

Councillor R D Bayliss stated that option two would allow tenants to make adjustments to their circumstances with a lead in time and highlighted that there were legal cases that had been won at appeal following challenges to payments and that it was proposed that officer discretion be applied to similar cases within the district.

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Councillor R Blunt thanked Councillor R Adams for putting forward his question, but felt that it was wrong that the payments were supplemented from the General Fund.

Councillor N J Rushton agreed with Councillor R Blunt adding that it was not fair that an additional £30,000 was paid for by all the tax payers.

It was moved by Councillor N J Rushton, seconded by Councillor R D Bayliss and

RESOLVED THAT:

1. The financial implications of the two options in relation to DHP be noted; and
2. Option 2 of delivering DHP to tenants be approved.

Reason for decision: To Allocate DHP to claimants of Housing Benefit who need further financial assistance with Housing costs.

93. CRITERIA FOR IDENTIFYING LOCAL HERITAGE ASSETS: DRAFT FOR CONSULTATION

The Regeneration and Planning Portfolio Holder presented the report to Members.

He informed Members that approval was sought to publish the local heritage assets identification criteria for public consultation which would give local heritage assets similar planning protection to the national list. He advised that it was planned to rollout the programme across the district as follows:

Coalville – to support the Building Confidence in Coalville project – hopefully completed by April 2017.

Northern Parishes – hopefully completed by April 2018.

Ashby, Measham and Moria – hopefully completed by April 2019.

He highlighted that the Council was not asking for assets to be put forward at the present time, those listed would be prepared following the consultation.

Councillor R Blunt stated that he was pleased that the programme was starting in Coalville and that it was interesting how people looked differently at buildings that were on the national list. He informed Members that the authority had a full time officer to work in the programme which many local authorities did not and therefore he felt that the programme would not be delivered if this was the case for North West Leicestershire.

Councillor R D Bayliss stated that although he had slight misgivings on telling people what they could do with their buildings he felt that there were many landmarks in the District that deserved protection.

It was moved by T J Pendleton, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The draft Identification Criteria, as attached, for public consultation be endorsed; and
2. The adoption of the Identification Criteria be delegated to the Portfolio Holder and Director of Services.

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Reason for decision: Adoption of the identification criteria would:

- (a) Support the aims of the Council Delivery Plan relating to sustainable development, a fair and timely planning and development service and people feeling proud of their homes and communities;
- (b) Support the council in fulfilling its duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the designation and review of conservation areas;
- (c) Support the council in fulfilling the advice of the National Planning Policy Framework relating to the compilation of Local Lists.

94. DISABLED FACILITY GRANTS AND LIGHTBULB PROJECT

The Community Services Portfolio Holder presented the report to Members.

She advised Members that the report was to seek approval for the continuation of the project and to develop and incorporate the remaining authorities in Leicestershire. She stated that she was pleased with the progress and the performance of the project so far.

Councillor T J Pendleton stated that once action had been requested by an occupational therapist the authority had to carry out the work and he was pleased to see that the completion times were reducing.

Councillor R D Bayliss stated that the project ran in parallel to the aids and adaptations service and with lists of requirements getting longer he felt that anything the Council could do to prolong a tenant's time in their own home then so much the better.

Councillor R Blunt stated that the first time he saw the list of adaptations that were required for a tenant it was frightening with no money available. However he felt that the authority was now in a much better position.

It was moved by Councillor A V Smith, seconded by Councillor T J Pendleton and

RESOLVED THAT:

1. The extension of the administration of Disabled Facility Grants in the Lightbulb Project with Blaby District Council be agreed until 31 March 2017
2. Any further changes or extensions to the delivery of Disabled Facilities Grants be delegated to the Director of Services in conjunction with the Portfolio Holder.

Reason for decision: To ensure Cabinet are aware of the ongoing service delivery of Disabled Facility Grants through the Lightbulb project

95. CONTRACT FOR DOG WARDEN AND STRAY DOG KENNELING

The Community Services Portfolio Holder presented the report to Members.

She highlighted to Members that the Council had a statutory function to deal with stray dogs and currently the function was carried out in partnership with a contractor, however the contract would end on 31 March 2016. She advised Members that in 10 months a total of 72 stray dogs had been detained and from that 37 of the dogs had been returned to their owners and 30 had been rehomed or taken in by a charity. She informed Members that 2 tender bids had been received and that the successful bid was received from the current contractor.

It was moved by Councillor A V Smith, seconded by Councillor T Gillard and

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RESOLVED THAT:

The award of the contract for Dog Warden and Stray Dog Kennelling be delegated to the Head of Legal and Support Services in consultation with the Community Services Portfolio Holder.

Reason for decision: To ensure the Council discharges its statutory function under the Environmental Protection Act 1990 to appoint a dog warden and deal with stray dogs in its area

96. 2015/16 QUARTER 3 PERFORMANCE MANAGEMENT REPORT

The Leader presented the report to Members.

He highlighted the following details to Members:-

- The mobile working pilot has been completed and was to be rolled out to other officers of the Housing Management Team, which would hopefully result in a more efficient service for their tenants.
- 138 properties had been let. That was a significant increase compared to the first two quarters.
- Planning fee income received to the end of December was £1,228,616 which was greater than had been projected.
- The Environmental Health Services had once again been highly valued by customers with 16 of 17 businesses describing the relationship as being good and 100% of people surveyed felt confident that they could rely on the advice received from the officers.
- The financial position remained healthy.
- Sickness rates had increased in the quarter with a rise in long term sick, however the HR team had been supporting managers to resolve the issues.
- All Waste Services employees had received manual handling training to help reduce work-related injuries.

Councillor A V Smith advised Members that fitness membership was just under 3,000 putting the service £26,000 ahead of budget and that the development of the new NHS Health and Wellbeing Centre was progressing with a go live date of May 2016. She informed Members that Environmental Health were on track to complete 100% of high and medium risk inspections.

Councillor T J Pendleton highlighted that the Council had a pro-active approach to supporting staff on long term sick and acted quickly to get effective care where needed. He informed Members that he was delighted with the performance of the Planning team as they were achieving targets above national level and turning applications around in 8 weeks.

Councillor R Blunt thanked Councillor T J Pendleton on the work that had been carried out to turn the performance targets around for the service and running at a higher than expected level.

Councillor R D Bayliss highlighted that the average re-let times were not satisfactory however he was able to report that performance was now improving, and he was

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monitoring the situation closely. He also informed Members that the status of the percentage rent arrears performance indicator should be green as the actual percentage was below the target, and in this case a lower figure was a better outcome.

Councillor T Gillard stated that the business focus team were working well to support the businesses in the district.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The Quarter 3 Performance Report (October – December 2015) be welcomed.

Reason for decision: The report is provided for members to effectively monitor the organisation's performance.

97. FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE OFFS

The Corporate Portfolio Holder presented the report to Members.

He informed Members that there were two Non Domestic Rate debts that required approval to write off that the Council was unable to reclaim.

It was moved by Councillor N J Rushton, seconded by Councillor T J Pendleton and

RESOLVED THAT:

1. The write offs over £10,000 detailed in this report be approved.
2. The amounts written off under delegated powers be noted.

Reason for decision: To comply with proper accounting practices.

98. EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Reason for decision: To enable the consideration of exempt information.

99. HRA SHELTERED HOUSING REVIEW - QUEENSWAY HOUSE, WESTGATE AND WOULD'S COURT

The Housing Portfolio Holder presented the report to Members.

He updated Members on the current status of the already decommissioned sheltered blocks, and advised that Queensway House was now in a state that was beyond economical repair, there was low demand from applicants, and as such approval was

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sought to decommission it. He advised Members that the remaining residents had been rehoused within Measham and many had remained neighbours at their new homes.

Councillor A V Smith stated that it was a very good report and that she was pleased that the residents could remain neighbours.

Councillor R Blunt stated that the Council should have buildings that were fit for purpose and it was clear that this was not the case with Queensway House, and there were not enough residents for it to be sustainable. He expressed that he was pleased that many of the residents were able to remain neighbours at their new homes.

It was moved by Councillor R D Bayliss, seconded by Councillor A V Smith and

RESOLVED THAT:

1. The contents of the report be noted; and
2. The formal decommissioning of Queensway House, Measham as a sheltered housing scheme be approved.

Reason for decision: The Queensway House scheme needs to be formally decommissioned to enable the next stage of the review of the future use of the site.

Having declared a pecuniary interest in item 15 Councillor N J Rushton left the meeting and took no part in the consideration and voting thereon.

100. PROPOSAL TO ACQUIRE BROWNFIELD SITE FOR DEVELOPMENT OF CAR PARKING

The Community Services Portfolio Holder presented the report to Members.

She advised Members that the Council had been made aware that the site was to be sold and that with its location it had been decided that it would make an ideal car park. She stated that a quick completion was being sought, that if acquired it would provide 60 extra places and that it was projected to have an 11 – 13 year payback.

Councillor R Blunt stated that it was a windfall site and the owners wanted a quick sale. He advised Members that there were not many well placed sites with the room available and that it was anticipated that the car parking strategy would say that there was not enough parking places in the area.

Councillor R D Bayliss stated that he endorsed the report as the site was well placed for visitors and commercial owners and anticipated the outcome of the survey.

Councillor T J Pendleton stated that it was prudent purchase as the site was price locked.

It was moved by Councillor A V Smith, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The contents of the report be noted; and
2. The proposal to acquire the Brownfield site for the development of car parking be approved; and

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3. Authority be delegated to the Director of Services in consultation with the Leader, to negotiate and complete the acquisition, subject to a cash ceiling sum as agreed by Members
4. Responsibility be delegated, subject to the acquisition of the Brownfield site, to the Director of Services to develop the site as a car park; and
5. The overall expenditure on the acquisition and development of the site should not exceed the sum as stated in the report be agreed.

Reason for decision: To provide delegated authority to the Director of Services to negotiate the acquisition of the site to develop into a new car park.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.52 pm