

# **BOSTON BOROUGH COUNCIL**

## **NOTICE OF DECISIONS TAKEN BY CABINET ON 19 FEBRUARY 2020**

**DATE OF PUBLICATION: FRIDAY, 21 FEBRUARY 2020**

**DEADLINE FOR CALL-IN: FRIDAY, 28 FEBRUARY 2020**

### **NOTES:**

**MINUTE 61, BEING A STARRED MINUTE, WILL BE REFERRED TO THE MEETING OF FULL COUNCIL ON 2 MARCH 2020.**

**A COPY OF THE CABINET AGENDA HAS BEEN PREVIOUSLY CIRCULATED TO ALL MEMBERS OF THE COUNCIL. IF YOU REQUIRE ANY FURTHER INFORMATION ON ANY ISSUE PLEASE CONTACT, IN THE FIRST INSTANCE, THE PORTFOLIO HOLDER OR OFFICER NAMED IN THE RIGHT HAND COLUMN.**

### **MEETING OF THE CABINET**

19 February 2020

#### Present:

Councillor Paul Skinner, in the Chair

Councillors Nigel Welton, David Brown, Martin Griggs,

Martin Howard MSc. PCGM, Cert Ed, Chelcei Sharman, Yvonne Stevens

#### Officers –

Chief Executive, Deputy Chief Executive (Monitoring Officer), Interim Solicitor, Chief Finance Officer and S151 Officer, Head of Environmental Operations, Environmental Health Officer, Head of Place and Space, Accountancy Manager (Revenues and Systems) and Democratic Services Manager

#### Also Attending:

Councillor Alison Austin

### **53 MINUTES**

The minutes of the meeting of the Cabinet held on 22 January 2020 were received and signed by the Chairman.

### **54 APOLOGIES**

No apologies for absence were received.

### **55 DECLARATIONS OF INTERESTS**

No declarations of interest were made.

**56 QUESTIONS FROM MEMBERS OF THE PUBLIC**

A question had been submitted by a member of the public but the questioner was not present to ask the question.

**57 \*RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY (STANDING ITEM)\***

The report on Consultation of Boston Borough Council’s Draft Air Quality Action Plan had been considered by the Environment and Performance Committee on 7 January 2020 and the recommendations supported.

The Corporate and Community Committee had considered the draft Safeguarding Policy and Procedure Manual 2020-2023 at its meeting on 16 January 2020 and recommended to Cabinet for approval as amended.

The report on Budget Setting and Medium Term Financial Strategy had been considered by the Overview and Scrutiny - Corporate and Community Committee at its meeting on 6 February 2020 and it was agreed to recommend to Cabinet that consideration be given to an increase in the Borough Council’s precept by closer to the maximum this year to help meet the challenges of 2021/22 and protect as many of the services that the public rely on and expect the council to deliver.

**58 RECOMMENDATIONS FROM THE BOSTON TOWN AREA COMMITTEE (BTAC) (STANDING ITEM)**

There were no recommendations from the Boston Town Area Committee.

**59 CONSULTATION OF BOSTON BOROUGH COUNCIL'S DRAFT AIR QUALITY ACTION PLAN**

<b>DECISION</b>	<b>Portfolio Holder and Officer</b>
1. That the draft Air Quality Action Plan as set out in Appendix A be approved for consultation in accordance with the consultation plan set out in Appendix B.	Cllr Stevens
2. That monitoring reports on the effectiveness of the Air Quality Action Plan be submitted to Cabinet on an on-going six monthly frequency.	ND

REASON FOR DECISION

Councillor Yvonne Stevens introduced a report by the Head of Regulatory Services outlining a draft Air Quality Action Plan for Boston’s two Air Quality Management Areas which set out a range of options to improve air quality over the period 2019-2024.

The report stated that the Council had declared two Air Quality Management Areas namely

Haven Bridge Road AQMA (2001) and Bargate Bridge AQMA (2005) due to air quality in those locations failing to meet the UK air quality objective for nitrogen dioxide. This primarily arose from high useage of private vehicles for making short journeys within Boston. The declaration of an AQMA placed a statutory obligation on the local authority to produce an Air Quality Action Plan (AQAP).

An AQAP had previously been developed and updated periodically, but was now considered out dated, which had been highlighted by the Department for the Environment, Food and Rural Affairs (DEFRA) following submission of the Council's latest status report. This had resulted in a new plan being developed which was attached at Appendix A of the report.

The Action Plan set out how the Council would look to make positive improvements in air quality. A number of the actions relied on engagement with partner organisations, particularly Lincolnshire County Council Highways, and Public Health, who had been part of the Officer Steering Group which developed the draft policy.

Lincolnshire County Council had incorporated a number of air quality related objectives within the Boston Transport Strategy 2016-2036 which looked not only at road infrastructure, but also at promoting a modal shift away from private vehicles for short journeys within Boston.

The draft plan would be subject to a consultation exercise with statutory consultees, partner organisations and the wider community in accordance with the provisions of schedule 11 of the Environment Act 1995. A consultation action place was attached at Appendix B of the report, which set out the process for consultation. The results of the consultation would be collated and presented to Members for consideration of whether any amendments were required to the draft plan, prior to submission to DEFRA for final approval.

The report had been considered by the Environment and Performance Committee at its meeting on 7 January 2020 and the recommendations supported.

Members commented that the high levels of pollution highlighted in the report reinforced the need to take action to improve air quality, particularly as part of the Council's commitment to the climate change agenda.

A suggestion was made to lobby appropriate stakeholders to encourage freight travelling to the dock to go by rail rather than by road in an effort to reduce emissions on the Haven Bridge. It was noted that Lincolnshire County Council were promoting greater rail freight use, however there were concerns regarding the necessity for the level crossing closure on the A16 which would cause greater traffic congestion.

It was proposed that the Air Quality Action Plan be the subject of six monthly monitoring reports to Cabinet to assess its effectiveness.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

None.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

**60 BOSTON BOROUGH COUNCIL DRAFT SAFEGUARDING POLICY AND PROCEDURE MANUAL 2020 - 2023**

<b>DECISION</b>  <b>That the Safeguarding Policy and Procedure Manual as set out at Appendix 1, be adopted.</b>	<b>Portfolio Holder and Officer</b>  <b>Cllr Griggs</b>  <b>AF</b>
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REASON FOR DECISION

Councillor Martin Griggs introduced a report by the Head of Regulatory Services in respect of a draft Safeguarding Policy and Procedures document.

The report stated that the Council had a range of statutory duties to carry out in relation to safeguarding children, adults at risk and communities. The existing Safeguarding Policy had reached the end of its life and had been subject to a collective review undertaken by all Lincolnshire District authorities in consultation with Lincolnshire County Council and other stakeholders. Adopting a single framework approach across Lincolnshire would support further consistency and aid working together. A copy of the draft Policy and Procedure Manual was attached as an appendix to the report.

The purpose of the draft Policy was to deliver a robust policy framework and to provide staff, elected members, volunteers, key contractors, consultants and directly commissioned providers acting on behalf of the Council with a 'practical safeguarding guide' to ensure everyone played a full part in safeguarding and promoting the wellbeing of individuals and communities at all times. The policy covered nine themes all of which related to 'safeguarding' in the widest sense.

Safeguarding responsibilities included:-

- Having effective safeguarding policies and procedures in place;
- Knowing how to identify concerns;
- Having a properly trained, knowledgeable and capable workforce;
- Referring concerns to partner agencies;
- Working closely with partners such as the police, social services, health agencies and

- other local authorities;
- Undertaking and participating in regular audit and scrutiny to test effectiveness.

The draft Safeguarding Policy and Procedure Manual had been considered by the Corporate and Community Committee at its meeting on 16 January 2020. The committee suggested amendments which had been incorporated into the draft policy, with the exception of splitting the chapter on Hate and Mate Crime into two separate chapters as it was felt there was an overlap in those areas and greater clarity was provided by retaining within a single chapter.

It was agreed that the reasons for the decision not to incorporate the Hate and Mate Crime into a single chapter as recommended be communicated to the Chairman of the Corporate and Community Committee.

Cabinet welcomed the policy and procedure manual as it provided a single point of reference across district council boundaries and Lincolnshire County. The importance of safeguarding could not be underestimated and it was the responsibility of all Members, staff, contractors etc. to be aware of their obligations in this regard.

It was confirmed that it was a statutory duty to deliver training on the new policy and this would be provided to Members and all staff.

#### OTHER OPTIONS OR ALTERNATIVES CONSIDERED

To produce a standalone policy.

#### RECORD OF ANY CONFLICT OF INTEREST

None.

#### RECORD OF ANY DISPENSATION GRANTED

None.

<p><b>DECISION</b></p> <p>That the proposed budget and associated documents be recommended to full Council for approval, specifically:</p> <ul style="list-style-type: none"> <li>• The budget setting report and associated policies and strategies 2020/21 – 2024/25.</li> <li>• The Borough Council Tax for a Band D property in 2020/21 is set at £192.96.</li> <li>• An increase in Council Tax premium on Long Term Empty Properties to apply the full extent of the provisions of the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018:             <ul style="list-style-type: none"> <li>○ An additional 50% Council Tax premium on Long Term Empty properties from 1 April 2020;</li> <li>○ An additional 100% Council Tax premium on Long Term empty properties longer than 5 years, from 1 April 2020;</li> <li>○ An additional 100% Council Tax premium on Long Term Empty properties longer than 10 years, from 1 April 2021.</li> </ul> </li> </ul> <p>The only exceptions to apply to the premium will be in respect of those empty properties that are already exempt under Council Tax legislation.</p> <ul style="list-style-type: none"> <li>• That the Council removes the current 10% second home discount from April 2020, increasing the Council Tax to 100% charge.</li> </ul>	<p><b>Portfolio Holder and Officer</b></p> <p><b>Cllr Howard</b></p> <p><b>PJ</b></p>
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<p><u><b>REASON FOR DECISION</b></u></p> <p>Councillor Martin Howard introduced a report by the Chief Finance Officer which outlined the 2020/2021 revenue and capital position for the General Fund and the proposals for the setting of discretionary fees and charges, for referral to full Council.</p> <p>The Local Government Act 2003 introduced a requirement for the Chief Financial Officer to report on the robustness of the budget. The estimates had been prepared in a prudent manner, although it was highlighted that there were a number of elements outside of the Council’s control. These had been identified within the report and would be mitigated through the budget monitoring and risk management processes of the Council.</p>
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The financial regime from 2021/22, following the election of a new Government, the conclusion of the 2020 Spending Review, the proposed Fairer Funding review and introduction of further localisation of business rates, would determine the Council's future financial landscape and constraints/opportunities in future years.

Difficulties facing the economy and the impact on the viability of town centres nationally presented potentially significant risks to future funding levels, which would require careful management and planning. The challenge of delivering balanced budgets remained a key issue and the recent refresh of the Transformation Programme provided a clear framework within which resources would be aligned to continue to deliver valued services to the community. The Council's risk management processes were robust and alongside the annual budget the quarterly performance monitoring processes provided updates in the impacts being experienced as the situation became clearer.

In developing the Council's budget proposals for 2020/21, it had managed inflationary pressures on operational costs and pressures on some areas of income collection. Areas where net budget reductions had been delivered to produce a balanced budget included service modernisation initiatives in street cleansing, community safety and finance; increasing garden waste fees; amending council tax levels for long-term empty properties and a review of bad debt provisions.

The Council continued to develop its response to the 'commercial agenda' and the role of innovation and development of services to deliver new/increased income an example being the Commercial Waste Service which had delivered income growth and provided learning across all service areas to drive further commercialisation opportunities.

In order to deliver its statutory budgetary duty from 2020/21 and develop proposals for a financially secure medium term, the Council would update its Corporate Plan during 2020/21 and continue to seek innovative opportunities to achieve the anticipated budget reductions necessary to deliver balanced budgets each year without adversely affecting service delivery and compromising its priorities. Reports would be presented for deliberation and approval as projects were developed, using the Transformation Programme as the basis to progress from.

It was noted that the government's final settlement to councils was still subject to ratification by Parliament. No changes were expected from the figures published in the draft budget but any adjustments would be included in the report to full Council.

The following key proposals contained within the budget report were noted by Cabinet as part of the introduction: -

- A rise in Council Tax of 2.05% with Band D council tax being £192.96;
- A balanced budget for 2020/21 after the one year provisional settlement from Government, incorporating on-going savings from the Transformation Programme of £466,000 and increased fees received from planning applications which was being reinvested in the planning service;
- Projected budget gap of £1.4m by 2024/25 representing a significant challenge for the Council in maintaining service provision to the most vulnerable;
- Government's plan to further localise business rates from 2021 would mean the Council's resources being likely to come solely from council tax, business rates and

fees and charges. Whilst this may appear a positive step to self-determinism it also had significant risks and numerous uncertainties remained within the detail of the proposals;

- In 2020/21 the Council would continue to be part of a business rates pool across Lincolnshire;
- Savings target of over £925,000 for 2021/22, an increase from the figure published in the draft budget papers following receipt of new information, including a reduction in replacement bin income and actual Internal Drainage Board levies being formally confirmed. The target would require considerable focus during the year in terms of bringing forward projects in the Transformation Programme and assessing the impact of future funding proposals as they became available;
- Rural Services Delivery Grant had been extended for one year so for 2020/21 the Council would continue to receive support;
- New Homes Bonus tapering down from 2020 to nil in 2023/24;
- 1.94% increase in the Boston Town Area Committee Special Expense Account for 2020/21;
- A sustainable and affordable capital programme had been formulated and the revenue consequences built into the revenue budget;
- The capital programme showed a diminishing programme in future years as resources became scarcer. The programme included spending to renew the refuse fleet in 202/21.

The draft budget had been published on the Council's website for consultation with all stakeholders, including the local business community. In addition Members had been consulted through various forums including the Corporate and Community Committee, and Audit and Governance Committee on the governance aspects of the budget preparation.

Comments received through the Member forums included the need to ensure that Internal Drainage Boards funding and its impact on district council budgets was included in representation regarding the future funding regime.

During debate at the Corporate and Community Committee two main views were put forward; that the Council should consider increasing council tax as much as possible to safeguard council services and reassure members that the challenge of future savings targets could be met; and that the increase should be as low as possible due to the impact on low income families who were already struggling to pay increasing bills. The final recommendation from the Committee was that the council tax level should be increased as much as possible.

The scrutiny committee was thanked for its detailed consideration of the issues, however it was felt that as the County Council and Police were proposing to increase their council tax levels to the maximum permitted by Government, it was appropriate to temper the Borough Council's increase for the coming year. The budget as proposed presented a balanced position for 2020/2021.

In response to questions regarding a significant increase in the pension contribution rate from 2020/21 to 2024/25 the Chief Finance Officer confirmed that this was a result of the revised forecast following a recent three yearly actuarial review.

The recommendations in respect of increased council tax premiums for empty properties were welcomed as they would act as a driver to encourage property owners to put their



properties back into use.

Cabinet thanked the Portfolio Holder and Officers for a thorough and comprehensive budget report.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

None.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

The Meeting ended at 10.45 am

Signed by the Chief Executive



21 February 2020

**These decisions will come into force (and may then be implemented) on the expiry of five clear working days after the date of this notice UNLESS the decisions are subjected to the Call-In procedure or are starred minutes requiring Full Council approval.**