

BOSTON BOROUGH COUNCIL

NOTICE OF DECISIONS TAKEN BY CABINET ON 22 JANUARY 2020

DATE OF PUBLICATION: FRIDAY, 24 JANUARY 2020

DEADLINE FOR CALL-IN: FRIDAY, 31 JANUARY 2020

NOTES:

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

22 January 2020

Present:

In the Chair Councillor Nigel Welton
Councillors David Brown, Martin Griggs, Martin Howard MSc. PCGM, Cert Ed,
Paul Skinner and Yvonne Stevens

Observing:

Councillors Alison Austin; Paul Goodale and Brian Rush.

Officers:

Chief Executive, Deputy Chief Executive (Monitoring Officer), Chief Finance Officer and S151 Officer, Solicitor - Interim Deputy Monitoring Officer and Head of Service, Head of Environmental Operations, Head of Regulatory Services, Head of Place and Space, and Democratic Services Officer

44 MINUTES

The minutes of the meeting of the Cabinet held on 4 December 2019 were received and signed by the Chairman.

45 APOLOGIES

Apologies for absence were tabled by Councillor Chelcei Sharman

46 DECLARATIONS OF INTERESTS

No declarations of interest were tabled

47 QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were tabled

48 RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY (STANDING ITEM)*

The report on the Proposed Extension of the Public Spaces Protection Order Relating to the Control of Dogs had been considered by the Environment and Performance Committee on 7 January and the recommendations supported.

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

There were no recommendations from the Boston Town Area Committee.

50 PROPOSED EXTENSION OF THE PUBLIC SPACES PROTECTION ORDER RELATING TO DOG CONTROLS

DECISION That a three year extension to the Public Spaces Protection Order relating to the control of dogs be agreed.	Portfolio Holder and Officer Cllr Stevens CA / JM
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REASON FOR DECISION

Councillor Yvonne Stevens introduced a report by the Head of Environmental Operations seeking approval for the extension of the Public Spaces Protection Order (PSPO) for dog controls introduced in February 2017 under the Anti-Social Behaviour Crime and Policing Act 1014.

The report stated that since the introduction of the PSPO there had been a significant decrease in anti-social behaviour relating to irresponsible dog ownership which was believed to be attributable to the current proactive order. This was evidenced by the number of complaints relating to dog fouling reducing from 160 in the year prior to the PSPO Order to 45 complaints received from January to December 2019.

Under the PSPO Order 280 people had been approached by enforcement officers to confirm they had the means to clean up after their dogs, only four were unable to do so and were issued with Fixed Penalty Notices and as were three other persons who failed to clear up after their dog.

Although it was not a requirement to conduct consultation to extend the Order it had been thought prudent to do so. Therefore a consultation exercise was undertaken in the Market Place between October and December 2019 where a total of 203 surveys were completed which showed overwhelming support for the continuation of the PSPO.

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

Cabinet comment supported the renewal of the PSPO and the need for the legislation to enable enforcement of issues.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

None.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

51 REFERRAL FROM FULL COUNCIL – CALL-IN OF REPLACEMENT DOMESTIC WHEELED BIN CHARGES

DECISION That, having considered debate held at full Council, it be agreed that if a replacement green or blue domestic wheeled bin is required through no fault of the resident, it will be replaced free of charge.	Portfolio Holder and Officer Cllr Stevens CA
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REASON FOR DECISION

Councillor Yvonne Stevens introduced a report relating to a Call In of a Cabinet decision in respect of replacement domestic wheeled bin charges which full Council had referred back to Cabinet for further consideration.

The report stated that at its meeting held on the 23 October 2019, Cabinet received a report by the Head of Environmental Operations which included reference to Replacement Domestic Wheeled Bin Charges which had been tabled at the previous meeting of the Environment and Performance Committee on the 24 September 2019.

A recommendation had been referred to Cabinet that all charges for replacement green and blue wheeled bins should be abolished.

After debate Cabinet resolved not to accept the recommendation. That decision was subsequently subject to the Call In Procedure and a meeting of the Environment and Performance Committee was convened to consider the Call in on 14 November 2019 when it was agreed to refer the decision to full Council for debate.

The issue of concern which had resulted in the call in was residents being charged for replacement blue and green bins in all circumstances, other than if damaged by the Council's Refuse Operatives or vehicles. The scrutiny committee Members felt that the only reason for charges being made should be in cases of intentional damage and vandalism.

Full Council considered the Call-in at its meeting on 16 December 2019 and agreed that the decision should be referred back to Cabinet for further consideration taking into account the comments from Council.

During debate at Full Council Members had agreed that if a replacement bin was required through no fault of the resident then it should be replaced free of charge. The draft minute of Council was attached as an appendix to the report.

Having debated the issues and taken into account concerns raised by full Council, Cabinet concurred with the Council and agreed that if a replacement green or blue domestic wheeled bin was required through no fault of the resident, it would be replaced free of charge.

Cabinet comment noted gratitude for the original Call-In of this item to Scrutiny and on to Full Council. Calling-in the item had enabled Cabinet members to reflect on the matter and identify a compromise that will satisfy all sides in the debate.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

To confirm Cabinet's previous decision.

RECORD OF ANY CONFLICT OF INTEREST

None.

52 DRAFT BUDGET SETTING REPORT AND MEDIUM TERM FINANCIAL STRATEGY (MTFS) 2020/21 - 2024/25

<p>DECISION</p> <p>That the draft budget and associated documents be approved for consultation, specifically:</p> <ul style="list-style-type: none">• The budget setting report and associated policies and strategies 2020/21 – 2024/25, and• The Borough Council Tax for a Band D property in 2020/21 is set at £192.96.	<p>Portfolio Holder and Officer</p> <p>Cllr Howard</p> <p>PJ</p>
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REASON FOR DECISION

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, which would be published for public consultation prior to a final report being submitted to the Cabinet, and Council for formal approval, in February and March 2020.

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.

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.

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;
- Projected budget gap of £1.3m 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 £850,000 for 2021/22 which 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;
- Boston Town Area Committee was due to meet on 22 January to consider the requirements for the 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 would be published on the Council's website for consultation with all stakeholders, including the local business community. In addition Members would be consulted through various forums including the Corporate and Community Committee, and Audit and Governance Committee on the governance aspects of the budget preparation. Following the consultation process comments received would be taken into account in preparing and recommending the proposed budget for Cabinet to review on 19 February and for formal approval to Council on 2 March 2020.

Cabinet comment noted that whilst recognising a 'no-increase' in Council Tax would be preferable, the reality was that with other partners increasing their rates, including the local Drainage Boards, an increase was unavoidable. The Council had to continue to provide a responsible level of services and also retain most of its crucial services, for those who needed them the most. Further impacts would also arise from the business rate regime review and from ongoing issues with Universal Credit

Prior to concluding the item that Chairman tabled his thanks to all the officers and members involved in the production of the Budget report, which he acknowledged demanded significant time on everyone's part in advance of the meeting.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

None.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

The Meeting ended at 10.20 am

Signed by the Chief Executive



DATE: 23 January 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.