

313

CABINET

12 December 2016 at 5.00 pm

Present : Councillors Mrs Brown (Chairman) Wensley (Vice-Chairman), Bence, Bower, Chapman, and Wotherspoon.

Councillors Charles, Edwards and Mrs Oakley were also in attendance for either all or part of the meeting.

356. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Dendle.

357. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interest of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

There were no Declarations of Interest made.

358. MINUTES

The Minutes of the Cabinet meeting held on 14 November 2016 were approved by the Cabinet as a correct record and signed by the Chairman.

Cabinet – 12.12.16

359. ACTIVITIES FOR OLDER PEOPLE CONTRACT

The Cabinet received a report from the Leisure & Voluntary Sector Manager on the Council's Activities for Older People Contract. This report provided Members with an update on the tendering of Arun's Day Activities for older people with West Sussex County Council and Age UK's progress in providing activities for older people when the lease on the Tamarisk Centre expires.

Members were reminded that West Sussex County Council had proposed that Arun District Council consider including its Activity centres for older people in a commissioning exercise which would help residents to live active and healthy independent lives. West Sussex County Council would also review the level of funding it distributed to each of the District and Borough Councils for this purpose. As Arun had the highest forecasted growth in elderly populations across the County the new contract would provide a joined up approach for Arun's older residents.

It was noted that it had been recently learned that the contract would be delayed until April 2018. Members were informed that, unfortunately, the West Sussex County Council, Cabinet Member Adult Social Care and Health (Peter Catchpole) was unable to attend this evenings meeting and the officer responsible for the contract had also sent their apologies. It was advised that, despite this setback, officers still felt that tendering Arun's activities with West Sussex County Council would provide the best outcome for the community and it was proposed that Arun extends its contract with Age UK for a further year to maintain the continuity of this service.

Members' attention was drawn to the provision made for the service when the lease on the Tamarisk expires in March 2017. It was noted that Age UK were proposing to leave the Centre after their normal Christmas closure and start in the New Year at new venues in the community as detailed in the report.

Members' attention was also drawn to the excellent partnership work Age UK had carried out this year, particularly in seeking out alternative venues. In working with West Sussex County Council Age UK had agreement to operate from a purpose built activity centre, the Laurels in Angmering for three days a week and St Mary's church hall in Littlehampton. Both of these venues would offer hot food. In addition, Age UK would provide activity sessions from Chilgrove House in Wick.

Members were made aware that Diane Henderson, the Chief Executive of Age UK; West Sussex had kept the members of the Tamarisk Centre aware of the pending changes.

Cabinet was asked to support Age UK in the transfer to its new venues. Between January and the end of March 2017 it was proposed that Officers identify up to £4K from existing budgets for any exceptional operating costs.

In considering the report, Cabinet welcomed the proposals and were pleased that services for older people would extend outside the Littlehampton area to cover the whole of Arun. Members commended the work of Age UK and looked forward to activities for older people in Arun continuing in a positive way.

The Cabinet confirmed its decision as per Decision Notice C/035/121216, a copy of which is attached to the signed copy of the Minutes.

360. REVIEW OF FUNDING FOR COMMUNITY AND VOLUNTARY SECTOR SUPPORT

Cabinet received a report from the Leisure & Voluntary Sector Manager that informed Members of the work undertaken By Voluntary Action Arun and Chichester (VAAC).

It was advised that this report reflected the findings of the Overview Select Committee at the meeting held on 22 November 2016. At this meeting, the Overview Select Committee was asked to consider the future funding of VAAC, particularly in relation to Arun's 2020 Vision. The committee had listened to a detailed presentation from VAAC and had a comprehensive question and answer session followed by a debate. It was noted that the Overview Select Committee had voted to recommend a 20% reduction from 2017 in line with a similar reduction made by West Sussex County Council.

The Leisure & Voluntary Sector Manager explained that, in view of the Overview Select Committee's decision the recommendation to Cabinet was to reduce the funding to VAAC by 20% from April 2017.

In discussing the report, Cabinet supported the views of the Overview Select Committee. Comment was made that VAAC had been unable to provide the Council with details on how the organisation's effectiveness was measured despite repeated requests. Members agreed that it was important for an organisation to demonstrate accountability when in receipt of large sums of public money. It was noted that VAAC had use of accommodation at Bersted Green Community Centre which appeared to be an underutilised resource. The Leisure & Voluntary Sector Manager stated that he would make VAAC aware of this opportunity. It was pointed out that if funding to VAAC was reduced by 20% they would still be in receipt of a considerable amount of money with £48,760 awarded per annum for years 2017/18 and 2018/19.

Cabinet – 12.12.16

The Cabinet then confirmed its decision as per Decision Notice C/036/121216, a copy of which is attached to the signed copy of the Minutes.

361. BUDGETARY MONITORING REPORT TO 30 SEPTEMBER 2016

The Financial Services Manager presented the Budget Monitoring Report outlining the Capital Housing Revenue and General Fund Revenue budget performance to the end of October 2016.

The following key points were noted:

- The variances on budget showed a £879k underspend against current budget profile to the end of October 2016. It was noted that there were a significant number of supplementary estimates that would erode this balance. This variation did not take into account the Section 106 monies that may be received by the end of the year.
- Expenditure for Bed and Breakfast had been fluctuating and a significant overspend was anticipated for the year. A report would be prepared for the Cabinet meeting on 16 January 2017 providing further details on the situation and requesting funding for the remainder of the year with an increase in the 2017/18 Budget. Members were informed that the situation would be closely monitored by the Housing department.
- There had been a favourable variation against profiled Budget on rent allowances but caution was advised as this was a demand led service.
- The Car Parking income had exceeded the profiled Budget by £41K and Planning and Building Control's income was also buoyant.
- It was reported that the Government's proposals for charging higher rents to higher income tenants had been dropped and this was welcomed as good news.

In discussing the report, Cabinet commended the work of the Housing Fraud Officer who had saved the Council significant sums of money and most importantly had returned council property to legitimate use. The Cabinet Member for Housing praised the work being carried out by officers to bring the Housing Revenue Account in line with the budget. It was pointed out that there had been no overspend on Voids, general repairs and it was anticipated that there would be no overspend on reactive repairs.

The Chairman referred Members to the report's recommendations which were agreed.

The Cabinet then confirmed its decision as per Decision Notice C/037/121216, a copy of which is attached to the signed copy of the Minutes.

362. PUBLIC SPACE PROTECTION ORDER (PSPO) – CONSIDERATION OF THE FINDINGS OF A CONSULTATION EXERCISE AND CONSIDERATION OF THE INTRODUCTION OF A PSPO IN ARUN

In the absence of the Head of Neighbourhoods, the Resources Director & Deputy Chief Executive presented the report on Public Space Protection Order (PSPO) which detailed the findings of a consultation exercise on the consideration of the introduction of a PSPO in Arun.

It was reported that there had been concern from residents regarding the presence and effect of the Street Community populations in both Littlehampton and Bognor Regis town centres. Representations had also been received from members of the public and organisations regarding the negative impacts of exercising dogs not under the control of owners in an area of Ferring.

Members were referred to the report's appendix C which summarised responses to the draft proposals that would be included in a PSPO. The majority of responses 1182 (88%) received were related to the proposed dog control measures. These responses were largely against the introduction of dog control measures in Ferring. Members were advised that Officers consider that there was scope for the community to deal with this issue itself without moving to including this in a PSPO.

The issue of street drinking in either of the proposed PSPO designated areas had received fewer responses at 333 (12%). It was proposed that the existing Designated Public Places Orders (DPPO) in Eastern and Western areas of the District (referred to in appendix A of the report) would transfer into a PSPO. This would maintain current controls to remove alcohol in specific circumstances and also proposed the addition of dispersal powers for authorised officers.

It was explained that a number of organisations could enforce the PSPO including the Police and accredited local authority officers. Members were informed that Town and Parish Councils had been reluctant to commit to resourcing officers who would be accredited via the Sussex Police Community Safety Accreditation Scheme. Members' attention was then drawn to Statutory Guidance supporting the PSPO legislation. This stated that 'enforcement should be the responsibility of a wider group' and therefore Cabinet noted that the Police could not be seen as the primary enforcement resource if a PSPO was introduced. It was noted that the Council's Anti-Social Behaviour Caseworkers could be authorised to enforce the proposed measures relating to anti-social behaviour. There was also potential for the Business Wardens currently operating in Littlehampton and Bognor Regis to be authorised for enforcement. Members noted that their future funding was unclear as these wardens were part of a two year pilot scheme funded by the Home Office and the Co-operative.

Cabinet – 12.12.16

In discussing the report, Members noted that if Cabinet gave approval to proceed with the introduction of a PSPO in Arun, Full Council would need to give approval at the 11 January 2017 meeting for implementation of the agreed PSPO proposals on 1 April 2017.

A concern was raised that if PSPO enforcement was not properly maintained then any order could prove to be worthless. The reluctance of Town and Parish Councils to put forward enforcement officers for training was understood but it was also recognised that Arun District Council had a very limited officer resource available. It was agreed that the Council's Anti-Social Behaviour Policy, that concentrated on early intervention and intelligence led targeted work, was cost effective. As a 24 hour response service was not possible, the Council worked in a measured and targeted way with partners to achieve results.

Cabinet welcomed this co-ordinated approach and praised the work of the Anti-Social Behaviour Team.

In concluding the discussion, Cabinet sent their best wishes to the Head of Neighbourhoods and wished him a speedy recovery.

As recommended in the report, the Cabinet,

RECOMMEND TO FULL COUNCIL – That

the following proposed PSPO prohibitions for each designated area in the Arun District are as follows:

(1) Tackling and reducing anti-social behaviour

a) Transfer the existing Designated Public Place Orders in Eastern and Western areas of the District (geographical areas outlined in Appendix A) to a PSPO, thereby enabling current controls to remove alcohol to be maintained.

b) To have a discretionary power to move on, any persons congregating who are engaged in anti-social behaviour or who authorised officers reasonably believe may be likely to cause public nuisance within the areas shown in Appendix A.

(2) Dogs on leads in Ferring

Not to introduce dog controls in the Ferring area at this present time.

The Cabinet then confirmed its decision as per Decision Notice C/038/121216, a copy of which is attached to the signed copy of the Minutes.

363. CORPORATE PLAN 2013-2017 – QUARTER 2 PERFORMANCE OUTTURN REPORT FOR THE PERIOD 1 APRIL 2016 TO 30 SEPTEMBER 2016

Cabinet received the report on the Council's Corporate Plan 2013-2017 performance for the period 1 April 2016 to 30 September 2016.

The following key points were noted:

- Overachieving Indicators were highlighted as; PER025 Total Rateable Value for the Arun District, DCN007 Percentage reoffenders following anti-social behaviour intervention.
- CSB001 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events was also pointed out as overachieving. The Benefits Team was commended for this performance as the department had processed claims within 5 working days exceeding the target of 8 working days. This was recognised as exceptionally good given that the team had processed 2 thousand more claims than at the same period the previous year.
- It was noted that CSH030 Number of new Council homes built or purchased had not achieved target. However works were underway with 9 properties at Barnham and the contract had been let for Housing at Wick and Glenlogie. The Council was also in the process of acquiring 2 ex right to buy properties and a shared ownership property.

Cabinet were pleased to note the Quarter 2, Corporate Plan performance.

The Cabinet then confirmed its decision as per Decision Notice C/039/121216, a copy of which is attached to the signed copy of the Minutes.

364. SERVICE DELIVERY PLAN 2013-2017 – QUARTER 2 PERFORMANCE OUTTURN REPORT FOR THE PERIOD 1 APRIL 2016 TO 30 SEPTEMBER 2016

Cabinet received the report on the Council's Service Delivery Plan 2013-2017 performance for the period 1 April 2016 to 30 September 2016.

The following key points were noted:

- CSH025 Number of properties to be brought back into use by legitimate tenants was overachieving. 11 Council properties had been brought back into use against a target of 10, a good performance at this half year stage.

Cabinet – 12.12.16

- CSR002 Percentage of non-domestic rates collected was overachieving but collection was slightly down (0.78%) on the same period last year. This reduction had been noted across West Sussex due to the cancellation of the Government Retail Relief Scheme. The Corporate Management Team (CMT) would monitor the progress of this performance indicator. CMT would also monitor PEP009 Average number of days to determine application major (Planning) as this performance had not achieved against target having been impacted by a reduction in staffing and the complexities of the applications.
- CSC001 Working days lost due to sickness absence was not achieving with a performance of 9.34 days against a target of 7 days. Some of the measures introduced to encourage healthier lifestyles included offering staff an annual flu jab and free membership to Freedom Leisure.

In discussing this performance Cabinet were particularly pleased to note the favourable performance of CSH025 - Number of properties to be brought back into use. Members were pleased that this had helped families in real need receive the benefits of having a home and the work of this team was congratulated.

The Chief Executive praised the Executive Assistant's work in covering performance over the last year and Cabinet and the Chief Executive thanked her for her efforts.

The Cabinet then confirmed its decision as per Decision Notice C/040/121216, a copy of which is attached to the signed copy of the Minutes.

365. MANAGEMENT RESTRUCTURE – REQUEST FOR SUPPLEMENTARY ESTIMATE

The Chief Executive presented his report on the Management Restructure that requested a supplementary estimate to cover the costs of redundancy from the management restructuring of the Senior Management Team being taken forward as part of the Council's 2020 Vision.

Following a brief discussion Cabinet were in agreement with the report's recommendations and as recommended in the report, the Cabinet

RECOMMEND TO FULL COUNCIL – That

- (1) a supplementary estimate of up to £410k (which equates to a Band D equivalent of £7.09) for the cost of necessary redundancies be agreed, and;

- (2) it be noted the Council will achieve an ongoing saving against the current budgeted cost of its senior management.

The Cabinet then confirmed its decision as per Decision Notice C/041/121216, a copy of which is attached to the signed copy of the Minutes.

366. SAFER ARUN PARTNERSHIP MINUTES (SAP) – 10 OCTOBER 2016

Cabinet received and noted the Minutes of the meeting of the Safer Arun Partnership held on 10 October 2016.

367. OVERVIEW SELECT COMMITTEE – 22 NOVEMBER 2016

The Cabinet received the minutes of the Overview Select Committee held on 22 November 2016.

Members were referred to the first recommendation at Minute 329 – Local Council Tax Reduction Scheme.

Following consideration of the Minutes, the Cabinet

RECOMMEND TO FULL COUNCIL – That

- (1) the following Options be included in the Local Council Tax Support Scheme from April 2017:

- Option 1 - Require all working age applicants to pay at least £3.70 per week
- Option 2 - Remove the Family Premium for all new working age applicants
- Option 3 - Reduce backdating to one month
- Option 4 - Reduce the period a person can be absent from Great Britain and still receive Council Tax Reduction to 4 weeks.
- Option 5 - Remove the element of a Work Related Activity Component in the calculation for new Employment Support Allowance (ESA) applicants
- Option 7 - Remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carer's Element) to look after them; and

- (2) Defer the inclusion of Option 6 [Limiting the number of dependent children within the calculation to a maximum of two] for consideration in the 2018 scheme; and

Cabinet – 12.12.16

- (3) Council seek to obtain agreement from West Sussex County Council to cover the additional cost of the Scheme's administration.

The Cabinet then confirmed its decision as per Decision Notice C/042/121216, a copy of which is attached to the signed copy of the Minutes.

In turning to the recommendation at Minute 330, Voluntary Action Arun & Chichester it was confirmed that this matter had been considered earlier in the meeting at Minute 360. Decision notice C/036/121216 refers.

367. EXEMPT INFORMATION

The Cabinet,

RESOLVED

That under Section 100a (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure or exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

368. REVIEW OF COMMUNITY SAFETY (Exempt – Paragraphs 1 and 2 – Information Relating to any Individual and Information which is Likely to Reveal the Identity of an Individual)

The Cabinet received a report from the Resources Director & Deputy Chief Executive on the Review of Community Safety and Anti-Social Behaviour Team as part of the Council's Vision 2020 process.

It was explained that the review had been carried out to consider the impact and possible benefits of the Council focusing its resources on its minimum statutory community safety responsibilities. Members were referred to a range of options set out in the report together with their implications.

It was pointed out that the Arun District continued to experience the highest levels of reported Anti-Social Behaviour (ASB) in West Sussex. Early intervention had proved cost effective and savings in the ASB early intervention work had been considered as part of this wider review.

As a key partner in tackling ASB, Sussex Police has been consulted on this review and the response from the District Commander for Arun and Chichester was outlined.

Cabinet was then referred to Appendix B of the report, which set out the review's saving proposals, and were asked to consider the report's recommendations.

The Cabinet then confirmed its decision as per Decision Notice C/043/121216, a copy of which is attached to the signed copy of the Minutes.

369. COMPLIMENTS OF THE SEASON

In closing the meeting, the Chairman wished Members and Officers a very happy Christmas.

(The meeting concluded at 6pm)