

CABINET DECISION NOTICE

Wednesday 6 September 2017



The following decision(s) were taken by Cabinet at its meeting held on **Wednesday 6 September 2017** :-

1. AYLESBURY GARDEN TOWN - GOVERNANCE ARRANGEMENTS

(a) Decision(s)

- (1) That, subject to the final documents making reference to the fact that the District comprises two Parliamentary Constituencies and therefore has two Local Members of Parliament, and reference to surrounding parish Councils as well as the Town Council, approval be given to the governance arrangements for the Aylesbury Garden Town project as set out in the Cabinet report and accompanying Appendix and that the Leader of the Council be appointed as AVDC's representative on the Board.
- (2) That the Director with responsibility for Community Fulfilment, after consultation with the Leader of the Council be authorised to finalise the governance arrangements/documents taking into account the above and any other matters considered necessary and/or appropriate having regard to the aspirations of the project.

(b) Reason(s) for Decision(s)

To ensure that the Authority has the appropriate level of governance in place to actively manage and contribute to the project.

(c) Alternative Options Considered

None as such. No other governance arrangements were considered suitable within the context of the specific focus required.

(d) Relevant Scrutiny Committee

Environment and Living.

(e) Conflicts of Interest / Dispensation(s)

None.

2. HOUSING AND PLANNING ACT 2016

(a) Decision(s)

- (1) That the provisions of the Housing and Planning Act 2016 ('the Act') and the introduction of civil penalty charges for certain offences under the Housing Act 2004 be endorsed.
- (2) That the power to apply for a banning order against certain persons convicted of a banning order offence to prohibit them from letting property for a specified period of time be endorsed.
- (3) That the power to apply for a Rent Repayment Order for certain offences to seek recovery of rent paid by Universal Credit be agreed.
- (4) That delegated authority be given to the Group Manager, Regulatory Services to delegate officers to enforce the provisions of the Act.
- (5) That the Principal Enforcement Officer, (Private Sector Housing) be authorised to prepare and agree a penalty fee structure in respect of the penalty charges in line with the Act and Statutory Guidance for relevant offences specified under Act after consultation with the Group Manager, Regulatory Services and the relevant Cabinet Member.
- (6) That a fee structure be adopted to set penalty charges for certain specified offences under the Housing and Planning Act in accordance with statutory guidance.

(b) Reason(s) for Decision(s)

To reflect the fact that a number of the provisions of the Act will come into force on 1 October, 2017.

(c) Alternative Options Considered

None.

(d) Relevant Scrutiny Committee

Environment and Living.

(e) Conflicts of Interest / Dispensation(s)

None.

3. CORPORATE HEALTH AND SAFETY POLICY / STRATEGY

(a) Decision(s)

That Council be recommended to:

- (1) Approve the updated Health and Safety Policy and Strategy for its implementation.
- (2) Authorise the Director with responsibility for finance, after consultation as necessary with the Corporate Health and Safety Board and/or Cabinet Member for Environment and Waste to make any changes to reflect, as appropriate the comments expressed by the Finance and Services Scrutiny Committee, and in particular to reflect:-

- Changes in legislation and Statutory Requirements.
- Changes in British Standards.
- The introduction of 'new machinery or technology'.
- Changes in nominated responsible persons.
- Changes in the responsibilities of nominated persons.
- Changes in management policy and/or procedures.

(b) Reason(s) for Decision(s)

It is essential for the Council to have a comprehensive approach to health and safety and that this is properly embedded within the organisation. The existing Policy/Strategy have not been reviewed for a while and the latest refresh takes account of changes in legislation and the transformational changes that have taken place within the organisation.

(c) Alternative Options Considered

Not to undertake a refresh of the existing Policy/Strategy but this would not be acceptable and an abrogation of the Council's responsibilities.

(d) Relevant Scrutiny Committee

This is a policy framework issue and will be the subject of a report to full Council. As such the above recommendations are not subject to call-in.

The Finance and Services Scrutiny Committee had however also considered this matter and the Chairman of that Committee attended the Cabinet meeting to elaborate upon his Committee's deliberations. The Committee had made a number of comments and the Chairman reported these to Cabinet.

The Cabinet Member for Environment and Waste gave an assurance, that where relevant and appropriate the Committee's views would be reflected in the finalised documents prior to publication

(e) Conflicts of Interest / Dispensation(s)

None.

4. HOUSING BENEFITS - RISK BASED VERIFICATION POLICY

(a) Decision(s)

(1) That the process of Risk Based Verification (RBV) for verifying housing benefit and council tax reduction claims, as outlined in the Cabinet report, be approved and adopted.

(2) That RBV be implemented in accordance with the policy described in the Cabinet report.

(b) Reason(s) for Decision(s)

To facilitate the introduction of a more efficient policy for dealing with the evidence requirements associated with the assessment of housing benefit and council tax reduction claims.

(c) Alternative Options Considered

None.

(d) Relevant Scrutiny Committee

Finance and Services. That Committee had received a similar report at its meeting on 5 September, 2017. The Chairman of that Committee attended Cabinet and reported that the Committee was fully supportive of the proposal.

(e) Conflicts of Interest / Dispensation(s)

None.

5. TREASURY MANAGEMENT 2016-17 YEAR END AND 2017-18 MID YEAR REVIEW

(a) Decision(s)

(1) That the performance against the Treasury Management Action Plan for 2016/17 be noted.

(2) That the performance against the Treasury Management Action Plan for 2017/18 be noted also.

(3) That the Council's thanks be extended to the in-house team for the efficient manner in which they had managed the Council's capital funds.

(b) Reason(s) for Decision(s)

The Council's Treasury Management Strategy requires that an annual report be brought to Council after each year end and that a mid-year report for the current year is also brought to Council.

(c) Alternative Options Considered

None.

(d) Relevant Scrutiny Committee

A similar report had been submitted to the Finance and Services Scrutiny Committee on 5 September, 2017 and that Committee had no substantive comments. The report would now be submitted to full Council and as such, this matter is not subject to call-in.

(e) Conflicts of Interest / Dispensation(s)

None.

6. BUSINESS RATES - DISCRETIONARY RELIEF SCHEME 2017

(a) Decision(s)

That, subject to the level of proposed awards being increased from 30% to 35%, the revised discretionary business rates scheme attached as an Appendix to the Cabinet report, amended as might be necessary to reflect local variations as specified in the Cabinet report, be approved as the mechanism for distributing the Revaluation support awarded by Government.

(b) Reason(s) for Decision(s)

The scheme provides a framework within which discretionary relief funding can be distributed in the most appropriate manner.

(c) Alternative Options Considered

None as such. The major preceptors have been involved in the design of the scheme.

(d) Relevant Scrutiny Committee

Finance and Services. That Committee received a similar report at its meeting held on 5 September. The Chairman reported that the Scrutiny Committee was fully supportive of the proposal, including the increase in the percentage rate of awards.

(e) Conflicts of Interest / Dispensation(s)

None.

7. COMMERCIAL PROPERTY INVESTMENT STRATEGY

(a) Decision(s)

That Council be recommended to:-

- (1)** Approve the proposed Commercial Property Strategy described in the Cabinet report, including a capital fund of £100m to be met from borrowing from the Public Works Loans Board, and a revenue budget of £100k from the New Homes Bonus (NHB) Fund, both to be reimbursed, together with the objectives, investment criteria and governance arrangements as set out in Appendix 2 of the Cabinet report (contained in the confidential section of the Cabinet agenda).
- (2)** Approve the necessary changes required to the current approved and operational borrowing limits as set out in the Treasury Management Strategy, in order to accommodate the increased prudential borrowing requirement as set out in the Cabinet report.
- (3)** Authorise the Chief Executive in conjunction with the Director with responsibility for finance, and after consultation with a Panel comprising the Leader and Deputy Leader of the Council, the Cabinet Member for Finance, Compliance and Resources and one Member to be nominated by the opposition groups represented on the Council, to approve expenditure within the overall limit of the Strategy, subject to them being satisfied with the business case and risk assessment.
- (4)** Require the officers to bring annual reports to Cabinet, the Finance and Resources Scrutiny Committee and Council on the progress of the Strategy and also to provide whatever information might appropriately be included in the Quarterly Financial Digest.

(b) Reason(s) for Decision(s)

The Strategy has been developed to support the Council's commercial agenda to generate new income streams to help offset the significant cuts in Government funding and to finance the continued delivery of and investment in services to the

local community.

(c) Alternative Options Considered

Not to introduce such a strategy. However this would not accord with the Council's aim to operate in a commercial manner (subject to the checks and balances referred to in the Cabinet report) and continue to deliver high quality services to the community.

(d) Relevant Scrutiny Committee

This matter is the subject of a report to full Council and as such is not subject to call-in. The issue was however considered by the Finance and Services Scrutiny Committee on 5 September when a presentation on the aims and objectives was given. All Members of the Council were invited to hear the presentation.

The Chairman of the Scrutiny Committee attended Cabinet and elaborated upon his Committee's deliberations. The Committee had undertaken a robust examination of the proposal and the Chairman gave a summary of the questions asked by Committee Members. Overall however, the Committee was fully supportive of the proposal and commended its adoption.

(e) Conflicts of Interest / Dispensation(s)

None.

8. AYLESBURY VALE ESTATES - REVIEW OF PERFORMANCE AGAINST 2016/17 BUSINESS PLAN

(a) Decision(s)

That the report on the performance of Aylesbury Vale Estates against the targets and commitments set out in the business plan for 2016/17 (contained in the confidential part of the Cabinet agenda) be noted.

(b) Reason(s) for Decision(s)

Cabinet and the Economy and Business Development Scrutiny Committee had requested a progress report at their September meetings. A similar report had been submitted to the Scrutiny Committee at its meeting on 4 September. Representatives from the AVE Board attended both the Committee meeting and Cabinet and responded to questions. The Scrutiny Committee had made no substantive comments.

(c) Alternative Options Considered

None.

(d) Relevant Scrutiny Committee

Economy and Business Development. As mentioned above, that Committee received a report at its meeting on 4 September.

(e) Conflicts of Interest / Dispensation(s)

Councillor Mrs Ward declared a personal interest as one of the Council's

representatives on the Board and did not vote on this item.

CALL-IN TIMESCALES

Any requests for call-in must be received by the Democratic Manager by 5pm on Thursday 14 September 2017. The request must be made by the Chairman of the relevant Scrutiny Committee or any 3 Members of that Scrutiny Committee.

Contact Officer: Bill Ashton (01296) 585040