

MINUTES OF CABINET MEETING HELD 18 JANUARY 2016

PRESENT:

Cabinet Members: Councillor Holdich (Chair), Councillor Coles, Councillor Elsey, Councillor Fitzgerald, Councillor Hiller, Councillor Lamb, Councillor North and Councillor Serluca

Cabinet Advisors: Councillor Casey and Councillor Stokes

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Maqbool and Councillor Seaton. Councillor Stokes was in attendance, on a voluntary basis, in place of Councillor Maqbool.

Cabinet wished for congratulations to be noted to Councillor Maqbool who had recently given birth to a baby boy.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE CABINET MEETING HELD ON 7 DECEMBER 2015

The minutes of the meeting held on 7 December 2015 were agreed as a true and accurate record.

4. PETITIONS PRESENTED TO CABINET

Councillor Peach presented a petition on behalf of local residents which objected to the double yellow lines in Century Square. The recently added lines had been placed in unnecessary places and were causing major car parking problems in the area.

STRATEGIC DECISIONS

5. ADULT SOCIAL CARE CHARGING POLICY REVIEW

Cabinet received a report which was submitted following a consultation on proposals for Adult Social Care charging; a referral from the Scrutiny Commission for Health Issues and a referral from the Corporate Management Team meeting held on 11 November 2015.

The purpose of the report was to provide information for consideration on a number of proposed changes to the Council's Adult Social Care Charging Policy; for Cabinet to receive responses and comments from the public consultation; to receive responses, comments and recommendations from the Scrutiny Commission for Health Issues and to seek Cabinet's approval of the recommended changes to the charging policy and for the method of implementation of these changes.

The Deputy Leader and Cabinet Member for Integrated Adult Social Care and Health introduced the report highlighting the main issues contained within. In response to

concerns raised with regards the proposed increase in charges, he confirmed that the proposals would not affect those individuals who could not afford to pay.

The Council's Financial Systems Manager added further points of clarification and drew Cabinet's attention to an addendum document which had been circulated prior to the meeting which detailed recommendations from the Scrutiny Commission for Health Issues, these being:

- i. That option one in respect of the charging policy proposals, 'Agree to the changes and apply these from the earliest available opportunity as part of the routine financial assessment process,' is the preferred approach; and*
- ii. That income generated from the Adult Social Care Charging Policy be ring-fenced for re-investment in adult social care services.*

Cabinet debated the report and in summary, key points raised and responses to questions included:

- Assurance could be given that each resident would only pay what they could afford as the personal financial and care need circumstances of each individual who received care services, and received a financial assessment, were taken into consideration;
- The process of assessment was outlined and it was confirmed that each one was carried out on an individual basis, with no mass assessments undertaken;
- Care charges represented about 16% of the total adult social care budget and in respect of financial implications to the Council, it was advised that in the year 2016/17 additional charges could generate an estimated additional £260k;
- If agreed by Cabinet, the changes would become part of the Council's policy and would be a permanent change to the way the Council calculated how much individuals would have to pay towards their care. The Policy reflected current guidance and should there be any future changes to this guidance, the Policy would be reviewed accordingly; and
- The report highlighted comparator and benchmarking information which detailed how other Councils were approaching the issue. The majority of Councils were facing the same challenges as Peterborough and the opportunity for charging had been taken up in order to maximise revenue.

Cabinet considered the report and **NOTED:**

1. The proposed changes to the Adult Social Care charging policy and the recommended option, this being option 4.7(a), as set out in the Cabinet report;
2. The responses and feedback received from the public consultation on the charging proposals;
3. The comments and recommendations of the Scrutiny Commission for Health Issues on the charging proposals, these being that:
 - i. option 4.7(a) in respect of the charging policy proposals was the preferred approach; and
 - ii. that income generated from the Adult Social Care Charging Policy should be ring-fenced for re-investment in adult social care services.

And **RESOLVED**:

4. To approve the proposed changes to the charging policy, as set out in option 4.7(a) within the report to Cabinet, to take effect from the earliest available opportunity as part of the routine financial assessment.
5. In approving the policy Cabinet **NOTED** the recommendation from the Scrutiny Commission for Health Issues 'that income generated from the Adult Social Care Charging Policy be ring-fenced for re-investment in adult social care services' and confirmed that this was the case.

REASONS FOR THE DECISION

The proposed changes to the charging policy and the preferred method of implementation would ensure that the Council's Adult Social Care Charging policy:

- Met statutory requirements;
- Maximised income from charges, and in so doing generated additional revenue that would assist the Council in setting a balanced budget, and would help to maintain and extend adult social care services against a background of increasing demand and financial constraints; and
- Continued to charge people in a fair, consistent and equitable way.

ALTERNATIVE OPTIONS CONSIDERED

Alternative charging policy options were outlined within the report to Cabinet. These being (original lettering used):

- b) Agree to the changes but phase these in over a three year period, limiting the increase that would apply to each individual to a third of the total increase figure (i.e. the full impact of the increase would only be felt in the third year – 2017/18);
- c) Agree to implement only some of the proposed changes, and operate a more generous version of the charging policy; and
- d) Leave the charging policy unchanged, and continue to operate a more generous version of the charging policy.

These options were considered and rejected because they would not generate the estimated additional income from care charges that the recommended option would.

The challenging financial climate and increasing cost pressures that the Council faced made it imperative that all revenue sources were maximised where this could be done fairly and legitimately.

6. TREATMENT OF WAR DISABLEMENT PENSION – ADULT SOCIAL CARE CHARGING

Cabinet received a report which was submitted following a motion moved by Councillor John Fox, the Council's Armed Forces Community Champion, to Full Council on 14 October 2015, which has its origins in the Royal British Legions 'Insult to Injury' campaign.

The purpose of the report was to seek approval from Cabinet for a proposed change to the Council's Adult Social Care Charging Policy in response to Councillor Fox's motion.

Veterans injured after 6 April 2005 received income compensation through the Armed Forces Compensation Scheme, which was fully disregarded in the financial assessment calculation. However, veterans injured prior to 5 April 2005 received a War Disablement Pension, which was subject to a £10 disregard, with the remainder of the income taken into account in the financial assessment. War Disablement Pension

income above this £10 level therefore increased the person's care charge, and reduced the Council's contribution towards a person's care costs.

The Deputy Leader and Cabinet Member for Integrated Adult Social Care and Health introduced the report highlighting the main issues contained within.

Following additional comments from the Council's Financial Systems Manager and the Social Inclusion Manager, Cabinet debated the report and in summary, key points raised and responses to questions included:

- The financial impact of the proposals would amount to a negligible loss of revenue of approximately £1.8k. A cost pressure would be created in subsequent years, although amounts would remain comparatively low, in the region of £5.5k per annum;
- There were only small numbers of individuals affected in the city, hence the low cost pressures;
- The motion and proposals represented a commitment to the Armed Forces Covenant that had been signed three years ago;
- The latest information available highlighted that only around 12% of local authorities had opted to implement such proposals; and
- It was commented that the Forces Covenant had been extremely successful and a future report on the funds it had attracted could be considered.

Councillor John Fox was present and thanked Cabinet for the positive response to the motion.

Cabinet considered the report and motion as moved by Councillor John Fox and unanimously supported by Council at the meeting held on 14 October 2015, and **RESOLVED:**

1. To approve that the Adult Social Care Charging Policy be amended to fully disregard the war disablement pension in the social care financial assessment, effective from February 2016, in accordance with the motion moved by Councillor Fox; and
2. To support the Local Government Association's call for additional funding to be provided by Central Government to ensure that such a policy change is financially sustainable.

REASONS FOR THE DECISION

The proposed changes to the charging policy would ensure that the Council's approach to the treatment of military compensation:

- Recognised the sacrifice of those injured in service;
- Was equitable, fair, and consistent with the treatment of other forms of compensation;
- Rectified a widely-perceived anomaly;
- Was within the Council's discretion, and
- Had a negligible/low financial impact.

ALTERNATIVE OPTIONS CONSIDERED

The alternative options considered were:

- a) To leave the charging policy unchanged in respect of its treatment of War Disability Pension.

This option was rejected since there was a widely held view that there was an anomaly in the treatment of military compensation that required rectifying, and the will of the Council had been clearly expressed that such a rectification should be considered locally.

- b) To reduce care charges even further for those injured in military service.

This option was also rejected since this would cause a further loss of revenue to the Council at a time of extreme financial pressure. Also, the recommended option was in accord with the campaigning stance of the Royal British Legion, and the views of the Local Government Association.

7. REVIEW OF THE FOURTH LOCAL TRANSPORT PLAN

Cabinet received a report which was submitted following the Sustainable Growth and Environment Capital Scrutiny Committee, held on 6 January 2016, and as part of the democratic process leading to the proposed adoption of the fourth Local Transport Plan (2016-2021), including the review of the Long Term Transport Strategy (2011-2026) at Full Council in January 2016.

The purpose of the report was for Cabinet to consider the fourth Local Transport Plan (2016-2021), including the review of the Long Term Transport Strategy (2011-2026), and to make any recommendations for changes where appropriate and to consider recommendations arising from the Sustainable Growth and Environment Capital Scrutiny Committee, these being:

- i. Air quality is monitored in the fourth Local Transport Plan in a manner that is easy to understand and would allow Peterborough to be compared to other cities; and*
- ii. The long term aspiration to support the addition of further stations along the Stamford and Spalding train lines be included within the Fourth Local Transport Plan and the Council will pursue these aspirations with the relevant rail authorities.*

The report further requested that Cabinet recommend that Full Council consider and adopt the Local Transport Plan 2016 to 2021 (LTP4) including the Long Term Transport Strategy 2011 to 2026 (LTTS).

The Cabinet Member for Growth, Planning, Housing and Economic Development introduced the report highlighting the main points contained within. The Plan was produced every five years and set out how existing and future transport issues would be tackled. The Plan would continue to support the city's growth agenda, it was deliverable, and it set out what the Council could realistically achieve given its finances. The Plan would also help to bring in more grant funding from the Local Enterprise Partnership and the Government in future.

Following additional comments from the Council's Head of Peterborough Highway Services, the Principal Transport Planning Officer and the Principal Passenger Transport Contracts and Planning Officer, Cabinet debated the report and in summary, key points raised and responses to questions included:

- Throughout the Plan there were many policies and information which supported walking and cycling, both via infrastructure improvements and 'Smarter Choices' which actively encouraged people to walk and cycle;
- Work was undertaken with all schools across the city in relation to road safety, with a range of safety measures being offered to each school. Work was also undertaken with parents and pupils to encourage safe walking and cycling. Capital money was spent on a yearly basis to make school journeys safer;

- Motorcyclists were key and vulnerable road users and there was a dedicated policy contained within the Plan which focused on this group;
- Armadillos, a form of speed hump, had been put in place elsewhere in the country, but the Council was still under deliberation as to whether they would be suitable for the city of Peterborough. The Council was aware of the concerns raised by motorcycle groups and the issue was under consideration;
- Motorcycles being permitted to utilise bus lanes would be taken on board as a future consideration. Peterborough did not have a large number of bus lanes, and each lane would need to be looked at on a case by case basis;
- The Plan would encourage growth over forthcoming years owing to it feeding into a number of council wide documents including the emerging Local P
- Rural area transport was taken into account, there was a dedicated Rural Strategy and a dedicated section for rural residents within each policy;
- The recommendations from the Scrutiny Committee had been taken on board, however it was suggested that the recommendation relating to the addition of further stations along the Stamford and Spalding train lines should have a caveat that this goal should not come at the cost of existing aspirations;
- The Plan contributed to people's health by ensuring fast journey times, as a key factor in air pollution was stationary traffic. Work would be undertaken to improve traffic movement further, and electric and ultra-low emission vehicles would be promoted along with the promotion of walking and cycling; and
- The Council did support some bus services, but it did not operate any itself. Bus operation was a commercial business and bus operators were encouraged to consider servicing rural areas, along with infill urban areas.

Cabinet considered the report and **NOTED:**

1. The fourth Local Transport Plan (2016-2021), including the review of the Long Term Transport Strategy (2011-2026) together with the minor amendments to the Plan as outlined in the report;
2. The recommendations from the Sustainable Growth and Environment Capital Scrutiny Committee, these being that:
 - i. Air quality was monitored in the fourth Local Transport Plan in a manner that was easy to understand and would allow Peterborough to be compared to other cities; and
 - ii. The long term aspiration to support the addition of further stations along the Stamford and Spalding train lines should be included within the Fourth Local Transport Plan and the Council should pursue these aspirations with the relevant rail authorities.

And **RESOLVED:**

3. To endorse recommendation (i) and (ii) of the Sustainable Growth and Environment Capital Scrutiny Committee for inclusion within the Plan, but in relation to recommendation (ii) these (a) being supported by Cabinet and (b) only where they did not take priority over existing proposals for the rail network.

And **RESOLVED TO RECOMMEND TO COUNCIL:**

4. To consider and adopt the Local Transport Plan 2016 to 2021 (LTP4) including the Long Term Transport Strategy 2011 to 2026 (LTTS) as set out in the report, subject to the following additions:

- i. Air quality be monitored in the fourth Local Transport Plan in a manner that was easy to understand and would allow Peterborough to be compared to other cities; and
- ii. The long term aspiration to support the addition of further stations along the Stamford and Spalding train lines should be included within the Fourth Local Transport Plan and the Council should pursue these aspirations with the relevant rail authorities subject to these (a) being supported by Cabinet and (b) only where they did not take priority over existing proposals for the rail network.

REASONS FOR THE DECISION

It was a statutory requirement that all local transport authorities outside of London produced a five year Local Transport Plan under the Transport Act 2000, as amended by the Local Transport Act 2008. It was also a major policy framework document under Part 3 Section 1 of the Council's Constitution and as such it was required to be submitted to Full Council for adoption. Cabinet was asked to support the submission of the document to Full Council for consideration and adoption in January 2016.

ALTERNATIVE OPTIONS CONSIDERED

The only other option considered was that the Council would not write and publish the fourth Local Transport Plan. This was rejected as the Plan was a statutory document and therefore the Council was required to prepare and publish the Plan. The Plan was also essential to securing external funding for transport.

8. COUNCIL TAX SUPPORT SCHEME

Cabinet received a report which was submitted following consultation on proposals for the Council Tax Support Scheme 2016/17, including discussion at the Joint Budget Scrutiny Committee held on 26 November 2015.

The purpose of the report was for Cabinet to make a recommendation to Council on the Council Tax Support Scheme to be implemented in Peterborough from April 2016, including the introduction of a council tax discretionary hardship policy.

The Cabinet Member for Growth, Planning, Housing and Economic Development introduced the report, on behalf of the Cabinet Member for Resources, highlighting the main points contained within. It was proposed that there be no change to the existing scheme reduction of 30%, but with some minor amendments to housing benefit rules.

The public consultation responses had been mixed and Cabinet was advised that one further response had been circulated prior to the meeting in addition to those contained within the report. The consultation would remain open and a further update would be provided to Council at its meeting due to be held on Wednesday 27 January 2016.

Cabinet considered the report and **NOTED:**

1. The feedback received to date on the consultation and proposed changes to the council tax support scheme, including the additional consultation response as tabled at the meeting;

And **RESOLVED TO RECOMMEND TO COUNCIL:**

2. To approve a Local Council Tax Support Scheme for Peterborough that contains the following components, as set out in the report:

- a) No change to the existing scheme reduction of 30% for all eligible working age claimants;
- b) Aligns the Council tax support scheme to Housing Benefit rules making it less complicated for claimants, namely to:
 - i. Limit backdating of council tax support to one month;
 - ii. Remove family premiums from all new claimants, or existing claimants who would otherwise have had a new entitlement to the premium, with effect from 1 May 2016.

Cabinet further **RESOLVED**:

- 3. To approve the introduction of a council tax discretionary hardship policy with effect from 1 April 2016.

REASONS FOR THE DECISION

The Council was statutorily required to approve a council tax support scheme by 31 January 2016 having had regard for the Council's financial position and feedback from responses to the consultation. As part of the consultation, the Council had consulted on a council tax discretionary hardship policy.

ALTERNATIVE OPTIONS CONSIDERED

The Council was statutorily required to approve a local scheme by 31 January. Cabinet had discussed the current 30% council tax support scheme with the cross party Budget Working Group as part of ongoing budget discussions. Options discussed were:

- i. One option would have been to increase the 30% scheme, however this would have had a negative impact on low income households with claimants having to pay more council tax.
- ii. Another option would have been to reduce the 30% scheme, however, this would have required the Council to find savings of up to £2.4m from elsewhere in the budget.

9. COUNCIL TAX BASE, BUSINESS RATES AND COLLECTION FUND DECLARATION 2016/17

Cabinet received a report which formed part of the preparation for setting the Council's budget. It needed to be considered so that figures for the tax base, the Collection Fund and the amount of business rates to be collected could be used in setting the Council Tax and business rate income and could be notified to other affected authorities.

The Cabinet Member for Growth, Planning, Housing and Economic Development introduced the report, on behalf of the Cabinet Member for Resources, highlighting the main points contained within.

Cabinet considered the report and **RESOLVED**:

- 1. That the calculation of the Council Tax Base for 2016/17 should be set at a level of 54,100.4 Band D equivalent properties based on a council tax support scheme of 30% and delegated authority of final confirmation of the Band D equivalent properties to the Corporate Director: Resources following approval of the council tax support scheme by Council on 27 January.

And **NOTED:**

2. The estimated position on the Collection Fund in respect of Council Tax as at 31 March 2016 being:

Council Tax	£1.816m surplus
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3. The estimated position on the Collection Fund in respect of Business Rates as at 31 March 2016 being:

Business Rates	£0.832m deficit
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Cabinet further **RESOLVED:**

4. To delegate to the Corporate Director Resources authority for approving and returning the final NNDR1 return to the Secretary of State by 31 January 2016, to include any further revision to the business rates position 2015/16 and Business Rate income 2016/17.

REASONS FOR THE DECISION

The Council Tax Base could be set at a higher or lower level. However, this could have the effect of either inflating unnecessarily the amount of Council Tax to be set or setting the tax at a level insufficient to meet the Council's budget requirements. A similar position could arise if the surplus or deficit were set at a higher or lower level.

The calculation and return of the information included in the NNDR1 was a statutory requirement which could be formally delegated to an officer. As with council tax if the amount of business rates estimated to be collected was increased or reduced or the surplus or deficit was set at a higher or lower level then the amount of income available to the council would change with the consequent effect on service provision or council tax levels.

ALTERNATIVE OPTIONS CONSIDERED

The report to Cabinet covered calculations that were all prescribed by regulations with the effect that no other options needed to be considered. Furthermore, alternative tax base calculations had been prepared dependent on the option Council approved on the council tax support scheme for 2016/17.

Chairman
10.00am – 10.47am

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