



OVERVIEW AND SCRUTINY COMMITTEE

29 January 2019

SUPPLEMENTARY AGENDA

PART 1

3. PART I DECISIONS OF THE EXECUTIVE

To consider the Part 1 Decisions of the Executive taken on 23 January 2019.

*Notice of Decisions attached.

**This report had not been circulated five clear days before the meeting (nor was it available for public inspection at that time). The Chair will therefore be required to formally accept the business as urgent given the short period of time left before the end of the call-in period on 1 February 2019.*

PLEASE BRING YOUR PREVIOUSLY CIRCULATED EXECUTIVE AGENDA AND RPEORTS TO THE MEETING

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NOTICE OF DECISIONS

Meeting:	Executive	
Date:	Wednesday, 23 January 2019	
Place:	Shimkent Room, Daneshill House, Danestrete	
Members Present:	Councillors:	Sharon Taylor OBE CC (Chair), Mrs Joan Lloyd (Vice-Chair), Rob Broom, John Gardner, Richard Henry and Jeannette Thomas.

**THE DEADLINE FOR CALL-IN OF ANY OF THE DECISIONS BELOW IS FRIDAY, 1 FEBRUARY 2019.
SUBJECT TO THERE BEING NO CALL-IN THE ATTACHED DECISIONS MAY BE IMPLEMENTED WITH EFFECT FROM
4 FEBRUARY 2019.**

1	APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST	I Gourlay x2703
	Apologies for absence were received from Councillors Jackie Hollywell and Ralph Raynor.	
2	MINUTES - 12 DECEMBER 2018	I Gourlay x2703
	<p>It was RESOLVED that the Minutes of the Executive meeting held on 12 December 2018 be approved as a correct record for signature by the Chair.</p> <p>In respect of Minute 6 – Corporate Performance for Quarter Two 2018/19, the Leader reminded officers that Executive Members had yet to be provided with details of the extent of the usage of Agency staff by the Stevenage Direct Services Business Unit.</p>	
3	MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE AND SELECT COMMITTEES	I Gourlay x2703
	In relation to the Environment & Economy Select Committee’s consideration of the Indoor Market Scrutiny Review at its meeting held on 3 December 2018, the Strategic Director (TP) undertook to arrange for a copy of the Spacemakers Indoor Market report to be sent to all Members of the Executive.	

	<p>It was RESOLVED that the Minutes of the following meetings of the Overview & Scrutiny Committee and Select Committees be noted –</p> <p>Overview & Scrutiny Committee – 26 November 2018 Environment & Economy Select Committee – 3 December 2018 Overview & Scrutiny Committee – 13 December 2018</p>	
4	<p>FINAL HOUSING REVENUE ACCOUNT (HRA) AND RENT SETTING REPORT 2019/20</p>	C Fletcher x2933
	<p>In view of 2019/20 being a 53 week rent year, the Leader requested officers to write to the Secretary of State for Work & Pensions, with a copy to the Shadow Secretary of State, expressing the Council's concern that the Department of Work & Pensions (DWP) will only support 52 weeks of rent through Universal Credit, particularly in view of the significant number of claimants in Stevenage; and stressing that this matter should be resolved on a national basis, rather than by individual local authorities.</p> <p>The Leader was pleased that £150,000 had been included in the 2019/20 HRA budget to help tackle damp and mould issues in Council homes. It was confirmed that the Community Select Committee's review of damp and mould had included a specific recommendation concerning the need for appropriate resources to be allocated to address this matter. The Strategic Director (MP) undertook to feed this comment back to the Chair and Members of the Community Select Committee.</p> <p>In respect of the chart set out in Paragraph 4.3.10 of the report, the Assistant Director (Finance & Estates) was requested to clarify to the Overview & Scrutiny Committee and Council that the figures contained in the chart were cumulative.</p> <p>It was RESOLVED:</p> <ol style="list-style-type: none"> 1. That Council be recommended to approve that HRA dwelling rents not subject to the 1% rent reduction (currently Low Start Shared Ownership LSSOs) be increased, week commencing 1 April 2019, by 3.4% i.e. £3.86 per week which has been calculated using the existing rent formula, CPI +1% in line with the Rent and Service Charge Policy approved at the 	

January 2018 Council.

2. That Council be recommended to note that HRA dwelling rents, (other than those outlined in 1. above) are subject to the 1% rent reduction from week commencing 1 April 2019 or £0.96 and £1.60 per week for social and affordable rents respectively, as outlined in the Government's Welfare Reform and Work Act 2016.
3. That Council be recommended to approve the 2019/20 HRA budget, as set out in Appendix A to the report.
4. That Council be recommended to approve the revised 2018/19 HRA budget, as set out in Appendix A to the report.
5. That Council be recommended to approve the HRA Fees and Charges, as outlined in Appendix C to the report.
6. That Council be recommended to approve the 2019/20 service charges.
7. That Council be recommended to approve the minimum level of reserves for 2019/20, as shown in Appendix D to the report.
8. That the contingency sum of £250,000 within which the Executive can approve supplementary estimates, be approved for 2019/20 (unchanged from 2018/19).
9. That Council notes the comments from the Overview and Scrutiny Committee, as set out in the report.
10. That, in view of 2019/20 being a 53 week rent year, officers be requested to write to the Secretary of State for Work & Pensions, with a copy to the Shadow Secretary of State, expressing the Council's concern that the Department of Work & Pensions (DWP) will only support 52 weeks of rent through Universal Credit, particularly in view of the significant number of claimants in Stevenage; and stressing that this matter should be resolved on a national basis, rather than by individual local authorities.

Reason for Decision: As contained in report and 10. To press the DWP for a national resolution of the 53 week rent year issue for 2019/20.

Other Options considered: As contained in report.

5	COUNCIL TAX BASE 2019/20	C Fletcher x2933
	<p>In response to a request from the Leader, the Assistant Director (Finance & Estates) undertook to provide her with details of the methodology used for assessing new/increased numbers of taxable properties in the Council Tax Base calculation. She also agreed to include details of the growth in taxable properties in future Council Tax Base reports.</p> <p>It was RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by Stevenage Borough Council for the year 2019/20 shall be 27,816.7 equivalent “Band D” properties reduced to 27,329.9 equivalent “Band D” properties after making allowances for a 98.25% collection rate. 2. That the 2019/20 Council Tax Base be approved, including the Council Tax Support Scheme (CTS) for 2019/20 recommended in the Draft General Fund and Council Tax Setting 2019/2020 report to this committee. <p><i>Reason for Decision: As contained in report.</i> <i>Other Options considered: As contained in report.</i></p>	
6	DRAFT GENERAL FUND AND COUNCIL TAX SETTING 2019/20	C Fletcher x2933
	<p>The following comments were made by Members:</p> <ul style="list-style-type: none"> • Paragraph 4.3 – Service Pressures – Officers were requested to closely monitor the level of spend on the IT Pressures identified; • Paragraph 4.14.4 – A 2.99% Council Tax increase on a Band D property for 2019/20 represented less than 2pence per week, rather than the 2pence per day quoted in the report; 	

- Unless controlled by statute, the Portfolio Holders for Resources and Housing, Health & Older People should give consideration to an increase in fees/charges for Houses in Multiple Occupation (HMO) licences;
- Commercial Investments – the Leader highlighted that the Council had made only one commercial investment throughout the past year. She asked officers to investigate the possibility of expanding the boundaries for future commercial investments; and
- Co-operative Neighbourhood Management Programme – a report be submitted to the March meeting of the Executive, highlighting amongst other points the projects that were included in the programme, together with a breakdown of the funding (capital and revenue) , including expenditure so far and what was proposed going forward.

It was **RESOLVED**:

1. That the 2018/19 revised net expenditure on the General Fund of £10,119,580 be approved.
2. That a draft General Fund Budget for 2019/20 of £9,075,590 be proposed for consultation purposes, with a contribution from balances of £95,345 and a Band D Council Tax of £210.57 (assuming a 2.99% increase).
3. That the updated position on the General Fund Medium Term Financial Strategy (MTFS), as shown at Appendix A and the Risk Assessments of General Fund Balances, as shown at Appendix B to the report, be approved.
4. That a minimum level of General Fund reserves of £2,681,537, in line with the 2019/20 risk assessment of balances, as shown at Appendix B to the report, be approved.
5. That the contingency sum of £400,000 within which the Executive can approve supplementary estimates, be approved for 2019/20 (unchanged from 2018/19).
6. That the 2019/20 proposed Fees and Charges increase of £219,790 (Appendix C to the report) be included in the draft budget.

7. That the 2019/20 proposed Financial Security Options of £798,552 (Appendix D to the report and including fees and charges detailed in Appendix C) be included in the draft budget for consideration by the Overview & Scrutiny Committee.
8. That the approval of the level of business rates (NNDR1) for 2019/20 be delegated to the Assistant Director (Finance and Estates), following consultation with the Resources Portfolio Holder (Paragraph 4.6.9 of the report refers).
9. That 2019/20 business rate gains totalling £400,000 above the baseline assessment be ring fenced for town centre regeneration (SG1), Paragraph 4.6.5 of the report refers.
10. That 2019/20 business rate gains totalling £352,600 above the baseline assessment be used to increase General Fund balances for 2019/20, Paragraph 4.6.5 of the report refers.
11. That 2019/20 business rate gains totalling £275,000 above the baseline assessment be transferred to the NDR allocated reserve for 2019/20, Paragraph 4.6.8 of the report refers.
12. That a ICT allocated reserve be created, as set out in Paragraph 4.3.4 of the report.
13. That the 2019/20 Council Tax Support scheme be approved, as set out in Section 4.8 of the report.
14. That the decisions taken on recommendations 2 – 13 above be referred to the Overview and Scrutiny Committee for consideration, in accordance with the Budget and Policy Framework rules in the Council's Constitution.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

7	DRAFT CAPITAL STRATEGY 2018/19 - 2023/24	C Fletcher x2933
<p>Members made the following comments:</p> <ul style="list-style-type: none"> • Paragraph 4.3.10 – Capital Assets – Officers were requested to carefully consider the status of sites for sale, and press on with the disposal of appropriate sites in order to obtain receipts to assist in the funding of the Capital Programme; • The final Capital Strategy should stress the level of risk and potential impact on the Capital Programme of the funding situation regarding the Bus Station re-location scheme; and • Further investigation should take place in respect of the possible revenue income opportunities for the Council of the Bus Station re-location scheme going forward. <p>It was RESOLVED:</p> <ol style="list-style-type: none"> 1. That the revised General Fund and HRA 2018/19 Capital Programme, as detailed in Appendix B and Appendix C to the report, be approved. 2. That the draft 2019/20 General Fund Capital Programme, as detailed in Appendix B to the report, be approved for consideration by the Overview and Scrutiny Committee. 3. That the draft 2019/20 HRA Capital Programme, as detailed in Appendix C to the report, be approved for consideration by the Overview and Scrutiny Committee. 4. That the updated forecast of resources, as summarised in Appendix B (General Fund) and Appendix C (HRA) to the report, be approved. 5. That the Council’s investment strategy for non-treasury assets (Section 3.2) be approved for consideration by the Overview and Scrutiny Committee. 		

6. That the approach to resourcing the General Fund Capital Programme, as outlined in the report, be approved.
7. That the actions required to ensure the General Fund Programme is funded, as outlined in Paragraph 4.3.10 of the report, be noted.
8. That the approach to funding the cost of the bus station prior to the release of GD3 monies, as outlined in Section 4.4 of the report, be supported.
9. That the growth bids identified for inclusion in the Capital Strategy (Appendix A to the report) be approved.
10. That the return of Right to Buy one for one receipts, as outlined in Section 4.10 of the report, be noted.
11. That the 2019/20 de-minimis expenditure limit (Section 4.11 of the report) be approved for consideration by the Overview and Scrutiny Committee.
12. That the 2018/19 contingency allowance (Section 4.8 of the report) be approved for consideration by the Overview and Scrutiny Committee.
13. That the work undertaken by the Leader's Financial Services Group (LFSG) on behalf of the Executive in reviewing and challenging the General Fund Capital Strategy be noted.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

8

POTENTIAL IMPACT OF THE UK'S WITHDRAWAL FROM THE EUROPEAN UNION

R Protheroe
x2938

The Executive commended the report authors on an excellent and very thorough report.

The Assistant Director (Corporate Services & Transformation) updated the Executive on emerging national and regional issues in respect of preparations for Brexit.

It was **RESOLVED**:

1. That the complex and uncertain situation created by the EU Exit, and the mitigations being prepared by officers to ensure vital services continue to work effectively in the event of a no deal EU withdrawal, be noted.
2. That the Local Strategic Partnership (Stevenage Together) be requested to prepare to re-establish the economic taskforce, to consider the potential impact of the EU withdrawal on local residents and businesses and to develop an appropriate response.
3. That officers report back to Executive Portfolio Holders once there is more certainty about the EU withdrawal on additional mitigation or actions required.

Reason for Decision: As contained in report.

Other Options considered: As contained in report.

9

URGENT PART I BUSINESS

Stevenage Local Plan

The Chief Executive reminded the Executive that he and the Leader had met the Special Advisor to the Secretary of State for Housing, Communities & Local Government in London in December 2018 regarding the Holding Direction placed on the Stevenage Local Plan. This meeting took place following a commitment by the Secretary of State to make a decision on the Holding Direction by no later than 13 November 2018. As no decision was taken, the Council sought urgent meetings with the Secretary of State to resolve the issue.

The Executive was informed that representatives from the Ministry of Housing, Communities & Local Government (MHCLG) had visited Stevenage on 22 January 2019 and had met the Chief Executive, the Leader, Strategic Director (TP), the Chair of Stevenage First and the Leader of Hertfordshire County Council in respect of the matter.

The Chief Executive advised that the MHCLG representatives had been conducted on a tour of various sites in the town centre, with the Council and Stevenage First representatives answering questions related to the Holding Direction. This was followed by a roundtable meeting at which the Council and Stevenage First representatives highlighted the necessity for an approved Stevenage Local Plan in order to provide the necessary housing growth, enhance the town's retail offer and employment opportunities, together with associated infrastructure improvements. The need for the release of the Growth Deal 3 monies to assist in this process was also highlighted to the MHCLG representatives.

The Chief Executive stated that the MHCLG representatives would report back to the Secretary of State after their visit. However, it was made clear to them that if no positive decision was made to remove the Holding Direction on the Local Plan by 28 January 2019 then the Council would have no choice other than to commence legal processes to challenge the continuation of the Holding Direction, which had been in effect since November 2017.

10

EXCLUSION OF PRESS AND PUBLIC

It was **RESOLVED:**

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in Paragraphs 1 to 7 of Schedule 12A of the Act, as amended by SI 2006 No. 88.
2. That having considered the reasons for the following items being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

11	PART II MINUTES - EXECUTIVE - 12 DECEMBER 2018	I Gourlay x2703
	It was RESOLVED that the Part II Minutes of the meeting of the Executive held on 12 December 2018 be approved for signature by the Chair.	
12	URGENT PART II BUSINESS	
	None.	

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