

CABINET

**Minutes of the meeting held on 9 December 2015 in the Shrewsbury Room,
Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND
12.30 - 1.40 pm**

Responsible Officer: Jane Palmer
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Present

Councillors Steve Charmley (Deputy Leader) - in the Chair, Tim Barker, Karen Calder, Lee Chapman, Ann Hartley, Simon Jones, Malcolm Price and Claire Wild

78 Apologies for Absence

78.1 Apologies for absence were received from Councillors D Turner and A Mosley.

79 Disclosable Pecuniary Interests

79.1 None were declared.

80 Minutes

80.1 RESOLVED:

That the Minutes of the Cabinet meetings held on 14 and 28 October 2015 be approved as a correct record and signed by the Deputy Leader [in the Chair].

81 Public Questions

81.1 Mr Deniz Gulduren had submitted a question regarding the Council's intentions to financially support the Shropshire members of Youth Parliament, the youth representation over the next 24 months. A written reply was tabled at the meeting and a copy of the full question and response is attached to the signed Minutes.

81.2 Responding to a supplementary question, the Portfolio Holder for Children's Services explained that the Council planned to involve young people in the Big Conversation through School Councils and focus groups; she stressed that the opinion and input of everyone would be greatly valued.

81.3 Mr Bernard Wills had submitted a question regarding the primary aim of future swimming provision. A written reply was tabled at the meeting and a copy of the full question and response is attached to the signed Minutes.

81.4 By way of a supplementary question, Mr Wills queried whether the primary aim of the future provision was to reduce participation levels. He stated that the Quarry

Swimming and Fitness Forum had issued a report. In response, the Portfolio Holder for Business, ip&e and Commissioning [North], stated that all feedback to the ongoing consultation was welcomed and would be taken into account and form part of the full analysis of responses.

82 Matters Referred from Scrutiny/Council

82.1 There were no matters referred from Scrutiny or Council.

83 Reports of Scrutiny Committees

83.1 a) Enterprise and Growth Scrutiny Committee: Final report of the Student Accommodation Task and Finish Group

83.2 The Chairman of the Task and Finish Group, Councillor D Carroll, presented its final report and findings. A Member drew attention to the growing anxiety in some parts of Shrewsbury and stressed the need to gather evidence and data at an early stage in order to avoid future problems. He cited Worcester and Chester as examples where student accommodation had not had a positive impact on the locality.

83.3 The Portfolio Holder for Regulatory Services, Housing and Commissioning [Central] stressed that a University was greatly supported and potential problems needed to be dealt with straight away as part of the process. He stressed that, without sufficient evidence, an Article 4 Directive on the town centre would be challenged. He agreed that the establishment of an HMO database was an excellent idea and commended the Task and Finish Group on its excellent work illustrating the role of scrutiny in policy formulation.

83.4 The Portfolio Holder for University Centre and Shrewsbury BID commented that Shrewsbury should not be compared with either Chester or Worcester. She added that the current planned student levels in Shrewsbury would not have the same impact. The Chairman of the Task and Finish Group commended the Group's recommendations and considered them to represent a proportionate response to the concerns of local people.

83.5 RESOLVED:

That the recommendations of the Student Accommodation Task and Finish Group be supported.

83.6 In the absence of the Portfolio Holder for Finance, Resources, Support and I.T., the Portfolio Holder for Performance stated that the feedback from Scrutiny Committees would be considered as part of the consideration of the Financial Strategy 2016/17 to 2020/21.

84 Financial Strategy 2016/2017 to 2020/2021

- 84.1 The Portfolio Holder for Performance presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed Minutes – on the next stage in developing a sustainable financial strategy for the Council.
- 84.2 Referring to paragraph 9 of the report, he stated that the development of a sustainable business model would be considered in more detail at the Cabinet meeting in January 2016. He made particular reference to the feedback received from the Scrutiny Committees [agenda item 5] and the summary of feedback from each of the Scrutiny Committees.
- 84.3 A Member commented on the use of ‘one off’ resources throughout the paper. The Head of Finance, Governance and Assurance (Section 151 Officer) stressed that this illustrated the changing face of local government finance and assured Members that one off resources were used wisely in order to facilitate smooth transitions and there was never any assumption that they would always be available. The Chief Executive added that this was new territory and not all savings would be achievable by redesigning services. Members understood that Adult Social Care was the most significant cost to the Council.
- 84.4 Referring to paragraph 9.6 of the report, the Portfolio Holder for Adult Services and Commissioning [South] commented that the ‘Star Chamber’ events that had taken place to review savings proposals and options for future delivery had been valuable and challenging. He stressed the need for the Council to look at demographic increases and to respond to the resultant pressures.
- 84.5 **RESOLVED:**
- i) That the revised savings for 2016/17 be approved as set out in Appendix 3;
 - ii) That the savings to be managed on a one off basis in 2016/17 be noted;
 - iii) That a precept of 2% for Adult Social Care from 1 April 2016 be recommended to Council in February 2016;
 - iv) That an increase in Council Tax of 1.99% be recommended to Council in February 2016; and
 - v) That a permanent virement of £1.382m from Corporate Budget to Adult Services in 2015/16 be recommended to Council on 17 December 2015.

85 Treasury Management Update - Quarter 2 2015/2016

- 85.1 The Portfolio Holder for Performance presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed Minutes – which outlined the treasury management activities of the Council in the last quarter.

85.2 **RESOLVED:**

That the position as detailed in the report be accepted.

86 Treasury Strategy 2015/2016 - Mid Year Review

86.1 The Portfolio Holder for Performance presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed Minutes – on the mid-year review of the Council's Treasury Strategy and paid tribute to the work of the Council's internal treasury team.

86.2 RESOLVED:

- i) That the position detailed in the report be accepted; and
- ii) That it be noted that any capital schemes brought forward that would impact on the current Strategy would need to be approved by Council.

87 Setting the Council Tax Taxbase for 2016/17

87.1 The Portfolio Holder for Performance presented a report by the Head of Finance, Governance and Assurance (Section 151 Officer) – copy attached to the signed Minutes – on the Council Tax taxbase for the area.

87.2 Referring to paragraph 2.3 of the report, a Member commented on the Council's decision to withhold Council Tax Support Grant funding from the Parish and Town Councils; the Portfolio Holder stated that he would be happy to talk to Parish and Town Councils but did not consider there was any reason to change the position. The Council Leader elect was present at the meeting and stated that he had every sympathy with Parish and Town Councils but was unaware of any difficulties being suffered by them because of this decision; he added that difficult and hard decisions were having to be made in the current climate.

87.3 RESOLVED:

- i) That in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amount calculated by Shropshire Council as its Council Tax taxbase for the year 2016/17, as detailed in Appendix A, totalling 104,912.48 Band D equivalents, be approved.
- ii) That the continuation of the Council's current localised Council Tax Support (CTS) scheme in 2016/17 be noted. The scheme is attached at Appendix B.
- iii) That the exclusion of 10,986.82 Band D equivalents from the taxbase as a result of localised Council Tax Support be noted.
- iv) That the continuation of the discretionary Council Tax discount policy of 0% be noted in respect of second homes (other than those that retain a 50% discount through regulation as a result of job related protection) and note the inclusion of 672.72 Band D equivalents in the Council Tax taxbase as a result of this discount policy.
- v) That continuation be noted of the discretionary Council Tax discount policy of 50% for up to 12 months in respect of vacant dwellings undergoing

major repair, i.e. Former Class A exempt properties, and the resulting exclusion of 106.39 Band D equivalents from the Council Tax taxbase.

- vi) That continuation be noted of the discretionary Council Tax discount policy in respect of vacant dwellings, i.e. Former Class C exempt properties, of 100% for one month, i.e. effectively reinstating the exemption, and then a 25% discount for the remaining five months and the resulting exclusion of 195.11 and 264.36 Band D equivalents respectively from the Council Tax taxbase.
- vii) That continuation of the “six week rule” be noted in respect of vacant dwellings, i.e. former Class C exempt properties.
- viii) That continuation be noted of the discretionary power to levy a Council Tax premium of 50% in relation to dwellings which have been empty for more than two years and the resulting inclusion of 228.94 Band D equivalents in the Council Tax taxbase.
- ix) That a collection rate for the year 2016/17 of 98.5% be approved.

88 Delegation of Functions to Birmingham City Council for the Purposes of Illegal Money Lending Enforcement

88.1 The Portfolio Holder for Regulatory Services, Housing and Commissioning [Central] presented a report by the Director of Commissioning – copy attached to the signed Minutes – seeking approval for the Council to authorise Birmingham City Council to investigate illegal money lending activities and to institute proceedings against illegal money lenders operating within the Shropshire Council area.

88.2 RESOLVED:

- i) That Cabinet agrees that with effect from the 1 April 2016 to 31 March 2021 the discharge of its function of the enforcement of Part III of the Consumer Credit Act 1974 and the enabling provisions within the Financial Services Act 2012 in respect of matters concerned with the Financial Services and Markets Act 2000 be carried out in Shropshire by Birmingham City Council and delegates the power of prosecution to Birmingham City Council for any matters associated with or discovered during an investigation by the illegal money lending team pursuant to Section 101 of the Local Government Act 1972, Regulation 7 of the Local Authority (Arrangements for Discharge of Functions) (England) Regulations 2000 and Section 13 and 19 of the Local Government Act 2000.
- ii) That Cabinet agrees the ‘Protocol for Illegal Money Lending Team Investigations’ as set out in Appendix A and delegates to the Senior Commissioner for Business Support and Regulatory Services, in consultation with the Portfolio Holder for Regulatory Services, Housing and Commissioning (Central), the authority to enter into this Protocol

with Birmingham City Council on behalf of Shropshire Council and to make and approve any necessary amendments to the Protocol, excluding any amendment to extend the term, if required.

89 Shropshire Council Adult Social Care - Local Account 2014-15

- 89.1 The Portfolio Holder for Adult Services and Commissioning (South] presented a report by the Director of Adult Services – copy attached to the signed Minutes – on the Local Account for Shropshire 2014-15 that was both a retrospective view of the achievements of 2014-15 and also set out the aspirations, challenges and direction of travel for 2015-16. He drew attention to the magazine style layout of 'Making it Real in Shropshire' and stated that this should be more user friendly to those who may wish to view its contents.
- 89.2 With reference to page 27 of the document, a Member queried whether the 62.6% proportion of social care users satisfied with their care should be considered to be satisfactory. The Portfolio Holder commented that this percentage was a result of users' responses to an annual survey and the aim was always to make improvements to improve customer satisfaction.

89.3 RESOLVED:

That the Adult Social Care Local Account 2014/15 be noted and approved.

90 Shropshire Schools Funding Formula

- 90.1 The Portfolio Holder for Children's Services presented a report by the Director of Children's Services – copy attached to the signed Minutes – on the Shropshire Schools funding formula for 2016-17 and stressed the importance of working with the Shropshire Schools Forum on this issue. She stated that the Council needed to continue to be forward thinking in its provision of schools throughout the county whilst taking falling school rolls into consideration and the ongoing sustainability of smaller schools.
- 90.2 **RESOLVED:**

That the recommendation of the Shropshire Schools Forum on the funding formula for Shropshire schools for the financial year 2016-17 be accepted.

91 Quarter 2 Performance Report 2015/2016

- 91.1 The Portfolio Holder for Performance presented a report by the Performance Manager – copy attached to the signed Minutes – on the Council's performance against its key outcomes for Quarter 2 of 2015-16.
- 91.2 In answer to a Member's comments on the Big Conversation and its future ability to inform the Council, the Chief Executive stated that it would not relate solely to the

Financial Strategy but would allow the Council to engage with the community on a whole range of issues.

91.3 RESOLVED:

That the key underlying and emerging issues in the report and appendices be noted.

92 Shropshire Small Business Loan Scheme

92.1 The Portfolio Holder for Business, ip&e and Commissioning (North) presented a report by the Director of Commissioning – copy attached to the signed Minutes – outlining the assessment of economic benefits and impact of the Council's Shropshire Small Business Loan Fund, based on the Economic Impact Tool developed by Coventry University.

92.2 A Member spoke in support of the scheme and stated that any help that could be offered to small businesses should be welcomed.

92.3 RESOLVED:

- i) That in-principle agreement be given to ring-fence all loan repayments and any de-committed Shropshire match funds relating to the loan scheme for future use as a fund operated on a similar basis to the ERDF loan scheme to sustain support to businesses;
- ii) That delegated authority be granted to the Head of Economic Growth and Prosperity in consultation with the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North) to agree and complete all formalities to facilitate the procurement process; and
- iii) That Councillor Gwilym Butler joins the Impetus Board as a Director representing Shropshire Council.

93 Exclusion of Press and Public

93.1 RESOLVED:

That in accordance with the provisions of Schedule 12A of the Local Government Act 1972, Section 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations, and Paragraph 10.2 of the Council's Access to Information Rules, the public and press be excluded during consideration of the following item.

94 Exempt Minutes

94.1 RESOLVED:

That the exempt Minutes of the Cabinet meeting held on 28 October 2015 be approved as a correct record and signed by the Deputy Leader (in the Chair).

Signed (Leader)

Date: