

Extract of Executive Board Minutes Relevant to the Corporate Policy and Performance Board

EXECUTIVE BOARD MEETING HELD ON 15th October 2020

RESOURCES PORTFOLIO

EXB28 DETERMINATION OF COUNCIL TAX BASE 2021/22

The Board considered a report of the Operational Director – Finance, on the requirement for the Council to determine the Tax Base for its area and the Tax Base for each of the Parishes.

The Board was advised that the Tax Base was the measure used for calculating Council Tax and was used by both the billing authority (the Council) and the major precepting authorities (Cheshire Fire Authority, Cheshire Police and Crime Commissioner and the Liverpool City Region Combined Authority), in the calculation of their Council Tax requirements. It was arrived at in accordance with a prescribed formula which represented the estimated full year number of chargeable dwellings in the Borough expressed in terms of the equivalent Band 'D' dwellings.

Taking account of all the relevant information and applying a 96% collection rate, the calculation for 2021/22 gave a base figure of 35,154 for the Borough as a whole. The Council Tax Base figure for each of the Parishes was noted.

RESOLVED: That Council be recommended to:

- 1) set the Council Tax Base at 35,154 for the Borough and that the Cheshire Fire Authority, the Cheshire Police and Crime Commissioner, Liverpool City Region Combined Authority and the Environment Agency be so notified; and
- 2) set the Council Tax Base for each of the Parishes as follows:

Operational
Director - Finance

| Parish | Tax Base |
|---------------|-----------------|
| Hale | 655 |

| | |
|---------------|-------|
| Halebank | 520 |
| Daresbury | 179 |
| Moore | 323 |
| Preston Brook | 257 |
| Sandymoor | 1,316 |

EXB29 ADDITIONAL HACKNEY CARRIAGE STANDS NEAR RUNCORN STATION

The Executive Board received a report from the Strategic Director – Enterprise, Community and Resources, recommending that they approve the creation of two additional Hackney Carriage stands near Runcorn Station as part of the Runcorn Station Quarter Project.

Members were referred to Appendices one and two, which showed the location of the proposed northerly and southerly stands in Shaw Street, Runcorn. It was noted that these proposed stands would replace the current private rank at Runcorn Station; would be public ranks; and shall be open 24 hours per day. Further, the proposals were recommended by the Regulatory Committee at its meeting on 2 September 2020 and had been the subject of a consultation exercise with the Taxi consultative Group and with the Council’s Highways Section.

RESOLVED: That the Board

- 1) approves the proposals relating to the creation of two additional Hackney Carriage stands near Runcorn Station;
- 2) authorises the Operational Director – Legal and Democratic Services, to fulfil all procedural requirements in accordance with Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 and to make the taxi stands Order accordingly, unless there were any objections received; and
- 3) agrees that in the event of any objections being received, the matter be brought back to the Executive Board.

Strategic Director
- Enterprise,
Community and
Resources

EXB30 POLICY CHANGES RELATING TO TAXI LICENCING CONDITIONS

The Board received a report from the Strategic Director – Enterprise, Community and Resources, which

made a recommendation from Regulatory Committee to adopt, as Council policy in respect of the Council's taxi and private hire jurisdiction, the *Assessment of Previous Convictions* provisions in the Statutory Taxi and Private Hire Vehicle Standards (July 2020); and to revoke all existing *Relevance of Convictions* policies.

It was reported that in February 2019 the Department for Transport issued a consultation draft version of a document entitled *Taxi and Private Hire Licensing: Protecting Users*. The final version of the document was issued in July 2020 and was entitled *Statutory Taxi and Private Hire Standards*.

It was noted that the 2020 Standards had been issued under Section 177 of the Policing and Crime Act 2017, so the Council was required to have regard to the document when exercising its taxi and private hire licensing functions. Members were referred to Appendix A – an annex within the document titled *Assessment of Previous Convictions*. They were advised that Regulatory Committee had been applying the *Assessment of Previous Convictions* on a case by case basis since February 2019 and it was now considered appropriate to formalise this and create a formal policy, which would then supersede the existing policy.

The Board noted that the new *Assessment of Previous Convictions* appeared to be clearer than the previous policy and placed passenger safety as a priority, whilst enabled past offenders to sufficiently evidence that they had been successfully rehabilitated so they might obtain or retain a licence.

RESOLVED: That

- 1) the *Assessment of Previous Convictions* provisions in the Statutory Taxi and Private Hire Vehicle Standards (July 2020) be adopted as Council policy in respect of Taxi and Private Hire jurisdiction; and
- 2) all existing *Relevance of Convictions* policies be revoked.

Strategic Director
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EXB31 POLICY CHANGES RELATING TO THE RESTRICTION ON HACKNEY CARRIAGE VEHICLE NUMBERS IN THE BOROUGH

The Board received a report from the Strategic Director – Enterprise, Community and Resources, in which the Council’s Regulatory Committee recommended that Executive Board adopts a Council Policy on the limit of the number of Hackney Carriage Vehicles licenced within the Borough.

The Board heard that this Policy was considered by the Regulatory Committee at its meeting on 2 September 2020, following a refusal by the Committee to issue an individual with additional licences, which resulted in the individual appealing the decision at the Crown Court. The Court had ordered that an ‘unmet demand survey’ be carried out (attached at Appendix 1) and that the application be re-heard. It was noted that the survey demonstrated that the Committee was correct in concluding that there was no significant unmet demand in the Borough.

The Board was advised that following this, it was now appropriate for the Council’s Policy on limiting the number of Hackney Carriage Vehicles be re-considered, as recommended by the Regulatory Committee (minute number REG 13 refers), which recommends that the limit should remain at 267 vehicles.

RESOLVED: That the Policy change as recommended by Regulatory Committee (minute number REG 13 refers) that the Council maintains its current Policy of limiting the number of Hackney Carriage Vehicles licensed in the Borough to 267 be approved and adopted as Council Policy.

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Resources

EXB32 POLICY FOR MANAGING RENTAL ARREARS FOR COUNCIL OWNED PROPERTY

The Executive Board considered a report from the Strategic Director – Enterprise, Community and Resources, which set out a policy and options for how the Council manages rent arrears on its property (land and buildings).

It was reported that Covid-19 had presented significant challenges for the Council as a Landlord, but the Council also acknowledged the impact that the Pandemic has had on its tenants. Upon lockdown the Council adopted a pragmatic approach to the management of rents and immediately introduced a 3 month rental holiday for the vast majority of its tenants, including market traders. This ended in June 2020 and Members were advised that the Council

continued to face challenges in respect of the payment of rents – an estimated 73% of tenants were paying in full, 23% were in arrears. Further, despite the Council’s best efforts in assisting tenants as described, some had unfortunately gone out of business.

It was understood that the effects of Covid-19 would have a long lasting negative effect on the Borough’s economy affecting the income of most of the Council’s tenants and in turn, the income of the Council. The Board was asked to consider a number of options that were aimed at enabling the Council to formulate a longer term policy on how it manages its income generating property portfolio.

The five options were presented to the Board as outlined in paragraph 3.7 of the report and the preferred option agreed was number 5.

RESOLVED: That the Board approved option 5, as outlined in section 3.7 of the report.

Strategic Director
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Resources

EXB33 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) Whether members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972, because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information,

members of the press and public be excluded from the meeting during consideration of the following item of business, in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

**COMMUNITY & SPORT, HEALTH & WELLBEING,
PHYSICAL ENVIRONMENT AND RESOURCES
PORTFOLIOS**

**EXB34 PROPOSED LEISURE CENTRE, MOOR LANE, WIDNES -
UPDATE REPORT**

The Board considered a report from the Strategic Director – Enterprise, Economy and Resources which provided an update on work undertaken on the Pre-Construction Delivery Plan, for the new leisure centre on the Moor Lane site.

RESOLVED: That

- 1) the report is noted;
- 2) the Council pause the project until it had clarity on vacant possession of Moor Lane site;
- 3) once vacant possession was guaranteed, proceed to construction of the new leisure centre; and
- 4) the solar farm option be considered.

Strategic Director
- Enterprise,
Community and
Resources

EXECUTIVE BOARD MEETING HELD ON 19TH NOVEMBER 2020

RESOURCES PORTFOLIO

**EXB44 2020/21 REVENUE SPENDING AS AT 30 SEPTEMBER
2020**

The Board received a report from the Operational Director – Finance, advising of the Council's overall revenue net spending position as at 30 September 2020, together with a forecast outturn position.

Appendix 1 presented a summary of spending

against the operational revenue budget up to 30 September 2020 and Appendix 2 provided detailed figures for each individual Department. It was reported that in overall terms the outturn forecast for the year showed that net spend would be over the approved budget by £4.752m. In comparison to the forecasted overspend of £6.951m reported at the end of June 2020, this represented a significantly improved position, but was still of great concern. Appendix 3 presented the Capital Programme as at 30 September 2020, with a number of revisions, as listed in the report.

The report also provided the Board with details of the financial impacts of Covid-19 and the Government funding made available to the Council to date. It was reported that there was a forecast shortfall in Government funding of £10.924m, this was summarised in Table A, paragraph 3.16 of the report.

RESOLVED: That

- 1) all spending continues to be limited to only absolutely essential items;
- 2) departments seek to implement those approved budget savings proposals which currently remain to be actioned;
- 3) Strategic Directors take urgent action to identify areas where spending could be reduced or suspended for the remainder of the current financial year; and
- 4) Council be requested to approve the revisions to the Capital Programme, as set out in paragraph 3.19.

Operational
Director - Finance

EXB45 MEDIUM TERM FINANCIAL STRATEGY - KEY DECISION

The Board considered a report from the Operational Director – Finance, which presented the Medium Term Financial Strategy (MTFS) for the period 2021/22 to 2023/24, which took into account the potential impact of Covid-19 on the Council's finances.

The MTFS sets out a three year projection of the Council's resources and spending and was based on information that was currently available. It was noted that the impact of the Covid-19 Pandemic had resulted in delays

to planned changes to Local Government finance in 2021/22. Further, there was limited financial information available for 2021/22, with the Public Sector Spending Review being the first indicator of funding resources – this would be published at the end of November 2020, covering the one financial year only.

The Board was advised that the delay and uncertainty regarding 2021/2022 financial resources meant the financial information included within the MTFS was based on a large number of assumptions and best estimates. The financial forecast would be updated as and when further information was known. Appendix 1 therefore detailed the MTFS from 2021/22 – 2023/24 using a prudent estimate of the financial conditions over the course of the next three years. Appendix 2 presented the Reserves and Balances Strategy.

Reason for the Decision

To seek approval for the Council's Medium Term Financial Strategy for 2021/22 to 2023/24.

Alternative Options Considered and Rejected

The alternative option of not maintaining a Medium Term Financial Strategy had been considered. However, this would not follow good financial management practice, as the Medium Term Financial Strategy was a key element in informing the Council's financial planning and budget setting process.

Implementation Date

The Medium Term Financial Strategy 2021/22 will be implemented from 1 April 2021.

RESOLVED: That

- 1) the Medium Term Financial Strategy be approved;
- 2) the 2021/22 base budget be prepared on the basis of the underlying assumptions set out in the Strategy;
- 3) the Reserves and Balances Strategy be approved;
and

Operational
Director - Finance

- 4) the award of Council Tax Support for 2021/22 remains at the 2020/21 level of 21.55%.

EXB46 TREASURY MANAGEMENT ANNUAL REPORT 2019-20 AND HALF YEAR REPORT 2020-21

The Board considered a report from the Operational Director – Finance, which presented the Treasury Management Annual Report 2019/20 and Half Year Report 2020/21.

These reports updated Members on the activities undertaken on the money market, as required by the Treasury Management Policy.

The report provided supporting information on the economic outlook, interest rate forecast, short term borrowing rates, longer term borrowing rates, borrowing and investments, budget monitoring, new long term borrowing, policy guidelines and treasury management indicators. It was noted that no debt rescheduling had been undertaken during the quarter.

RESOLVED: That the report be noted.

EXB47 COUNCIL TAX SECTION 13A DISCOUNT POLICY STATEMENT

The Board considered a report from the Strategic Director – Enterprise, Community and Resources, which requested approval to amend the Council Tax Section 13A Discount Policy Statement, to reduce to nil the Empty Homes Premium levied on certain residential dwellings which were being renovated to bring back in to use.

This would apply to properties that had been unoccupied and unfurnished for over two years and required significant works to render them habitable.

RESOLVED: That the amendment to the Council Tax Section 13A Discount Policy Statement to reduce to nil the amount of Empty Homes Premium payable on certain residential dwellings which are being renovated to being back in to use, be approved as follows:

- 1) From 1 April 2020, reduce to nil the amount of Empty Homes Premium payable on a residential dwelling

Strategic Director
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which has recently been purchased or inherited and where the property was previously unoccupied and unfurnished between two and five years, for a period of three months; and

- 2) From 1 April 2020, reduce to nil the amount of Empty Homes Premium payable on a residential dwelling which has recently been purchased or inherited and where the property was previously unoccupied and unfurnished for over five years, for a period of six months.

EXB48 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) Whether members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972, because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business, in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 2 and 3 of Schedule 12A of the Local Government Act 1972.

RESOURCES PORTFOLIO

EXB49 REPORT TO EXECUTIVE BOARD AND RESOLUTION TO USE COMPULSORY PURCHASE (CPO) POWERS. PROPOSED LEISURE SITE, MOOR LANE, WIDNES

The Executive Board considered a report from the Strategic Director – Enterprise, Community and Resources, which sought approval to exercise the Council’s powers of compulsory purchase to enable delivery of the proposed Leisure Site, Moor Lane, Widnes with vacant possession.

The report outlined the steps required for this process in legal terms and the status of negotiations with third party interests.

RESOLVED: That the recommendations set out in paragraphs 2.1 to 2.5.3 of the report be approved.

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