

CABINET - 7 February 2019

MINUTES

Present: Councillors: R Sleight OBE, I Courts, T Diccico, K Grinsell, R Hulland, K Meeson, T Richards OBE, A Rolf, J Tildesley, J Burn and G Slater

Officers: Nick Page, Paul Johnson, Deborah Merry, Andrew Kinsey, Anne Brereton, Jenny Wood, Sally Hodges, Louise Rees, Ruth Tennant, Jo Robinson, Sam Gilbert, Perry Wardle, Sangeeta Leahy, Linda Wilson and Jane Game

1. APOLOGIES

No apologies were received.

2. DECLARATION OF INTEREST

Cllr Courts and Richards reminded Members that they represented the Council on the North Solihull Regeneration Board, and Councillor Courts chaired the GBSLEP Social Fund (ESF).

3. QUESTIONS AND DEPUTATIONS

The Chief Executive advised Members that two requests to address Cabinet had been received in relation to item 11 Draft Extra Care Housing Strategy 2018/2023. The requests were from Donna Savage and Robert Gardner who were representing clients in the Borough.

Both speakers referenced issues they believed to exist with the status of the draft strategy, it being in their view a supplementary planning document and the methodology used to support the draft strategy were considered unsound. Reference was also made to the consultation process being flawed.

4. MINUTES

The minutes of the meeting held 17 January 2019 were submitted for information only.

RESOLVED:

That the minutes of the meeting held on 17 January 2019 be received for information only.

5. RETAIL RELIEF SCHEME 2019-20 & 2020-21

Cabinet was provided with the details of the National Non-Domestic Rates Retail Relief scheme announced by Government as part of the Budget on 29 October 2018 and invited to approve the scheme.

Members were advised that the Government had announced as part of the Budget a number of measures to support businesses and to help high streets and town centres to evolve. One of the measures announced was a Retail Relief scheme to provide a discount for occupied retail properties with a rateable value of less than £51,000 in

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each of the years 2019-20 and 2020-21. The value of the discount would be one third of the bill with the discount awarded after mandatory reliefs and other discretionary reliefs had been applied. Appendix A to the report detailed the scheme 2019-20 and 2020-21.

RESOLVED:

That the Council's Retail Relief Scheme for 2019-20 & 2020-21 attached at Appendix A to the report be approved.

6. EMPTY PROPERTY PREMIUM POLICY

The Cabinet was informed of the proposed increases in the council tax premium charged for long-term empty properties with effect from 1 April 2019, and to inform Cabinet of the proposed Council Tax Charges on Empty Properties Policy from April 2019.

Members were reminded that following a change in legislation, Full Council in December 2012 agreed to implement an additional 50% empty property premium with regard to council tax where a domestic property had been unoccupied and unfurnished for 2 years or more. The legislation had been further amended to allow billing authorities to further increase by a defined percentage the amount of empty property premium payable for long-term empty properties within their area.

The report went on to detail the current policy, the proposed changes, exceptions to the empty property premium and the waiving the premium where deemed appropriate.

Members very much welcomed the report and sought clarification as to whether unoccupied but furnished properties could be included in the scheme. The Head of Income and Awards advised that the Regulations were very prescriptive and the property had to be unoccupied and unfurnished. With regard to the assessment used to determine financial hardship, the Head of Income and Awards advised that a robust financial assessment would be carried out and issues such as length of ownership and what steps had been taken to bring the property back into use would be factored in as well.

RESOLVED that Full Council on 28 February be RECOMMENDED to:

- (i) approve an increase in the amount of council tax premium charged for long-term empty properties with effect from 1 April 2019; and
- (ii) approve the Council's Council Tax Charges on Empty Properties Policy from April 2019.

7. HOUSING REVENUE ACCOUNT ESTIMATES AND RENT INCREASES 2019/20

The Cabinet was invited to consider the:

- Housing Revenue Account (HRA) budget estimates for 2019/20;
- Management Fee payable to Solihull Community Housing (SCH); and
- Proposed changes in dwelling and garage rents and leaseholder management fees 2019/20.

In introducing the report the Assistant Director of Finance and Property Services took Members through the report which included details on:

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- HRA Estimates 2019/20
- April 2019 rent decreases
- Investment in Housing Stock/Housing Capital Programme
- Solihull Community Management Fee
- 2019/20 HRA Reserves
- Garage Rents
- Other Miscellaneous Charges
- Leaseholder Management Fees

Members noted that a grant was available to help SCH fulfil its statutory duties in relation to homelessness, but questioned whether this was sufficient to meet demand. Officers advised that the grant fell outside the Housing Revenue Account, and an Officer within the Council managed the grant. SCH had made a number of successful applications for grant monies, in support of the work they were doing regarding homelessness.

RESOLVED:

- (i) That an average rent decrease (excluding service charges) of 1.0% (£0.70 per week on a 50-week basis) to £82.33 from 1 April 2019 for HRA stock be approved;
- (ii) That an average rent decrease of 1% (£0.91 per week on a 50-week basis) to £107.38 from 1 April 2019 for SMBC Affordable Homes be approved;
- (iii) That an average rent decrease of 1% for Saxon Court (£1.00 per week on a 50-week basis) to £98.89 from 1 April 2019 be approved;
- (iv) That a rent decrease of 1% from 1 April 2019 for HRA shared ownership properties be approved;
- (v) That the different rent increases for SCH Part Ownership properties and SCH owned Affordable Homes be noted;
- (vi) That the £0.17 per week increase in garage rents from 1 April 2019 be approved;
- (vii) That the increase in Leaseholder Management Fees from £151 to £155 per annum be approved;
- (viii) That the Housing Revenue Account budget for 2019/20 including the SCH Management Fee as set out in the HRA Medium Term Financial Strategy Appendix A to the report be approved;
- (ix) That the three year budget savings set out in Appendix C to the report be approved; and
- (x) That the fees and charges approved by the SCH Board on 10 December 2018 set out in Appendix D to the report be noted.

8. REVENUE AND CAPITAL FINANCIAL MONITORING REPORT FOR THE PERIOD UP TO 31ST DECEMBER 2018 (PERIOD 9)

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Full Cabinet was informed of the financial position as at 31st December 2018 (Period 9) against Revenue and Capital budgets and the latest Red, Amber, Green (RAG) ratings for the delivery of the current Medium Term Financial Strategy (MTFS) savings 2018/19 to 2020/21, as detailed in Appendix A to the report. The report also summarised the reports to the individual Cabinet portfolio meetings during February and March 2019.

In introducing the report the Director of Resources and Deputy Chief Executive advised Members that with regard to the revenue budget – forecast out-turn position there was a forecast favourable variance for Core Council of (£0.372 million), and an adverse variance of £1.356 million for the Dedicated Schools Grant (DSG), to arrive at an overall adverse variance of £0.984 million. This was summarised by Cabinet Portfolio in Appendix A (Table 2) of the report which highlighted the key variances. The Core Council revenue budget forecast consisted of a favourable variance of (£0.372 million) for the Resources and Delivering Value portfolio.

The Director highlighted the work that had been undertaken regarding the constant review of the Children, Education and Skills portfolio as detailed in the report, including the development of financial recovery plans. The report also detailed that longer term options would also need to be considered given the scale of underlying demand.

In relation to the Capital Budget – forecast out – turn position, the Director reported that the Capital Programme budget was currently £49.938 million for 2018/19 (excluding the HRA capital programme). Actual expenditure to the end of September was £16.525 million. There was a forecast favourable variance of (£13.711 million), however (£11.877 million) of that was approved for rephasing into future years as part of the Corporate Capital Programme reported to Full Cabinet in January.

The Director reported on the MTF Strategy RAG status savings 2018/19 to 2020/21 and the reserves/contingency forecast.

RESOLVED:

That the current financial position be noted and that no further actions were required to address budget variances at this time.

9. BUDGET FRAMEWORK 2019/20 – 2021/22

Cabinet was provided with an update on the budget position for 2019/20 and subsequent years and invited to make recommendations on the budget for Full Council on 28 February 2019. An update on the Medium Term Financial Strategy and Efficiency Plan (MTFS) and the Capital Strategy, was also provided and Cabinet was asked to agree any amendments for approval by Full Council.

The Cabinet received a technical report from the Director of Resources and Deputy Chief Executive which provided the context for of a number of the recommendations set out in his report. Cabinet also received a report tabled at the meeting from the Leader of the Council which set out the proposed budget and council tax recommendation 2019/20.

Both reports drew on the work undertaken by the Budget Strategy Group, and the Leaders report also drew on issues raised by Scrutiny Boards, when they had scrutinised the budget proposals. Circulated at the meeting was a draft minute from

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the Resources and Delivering Value Scrutiny Board meeting held on 6 February 2019, which the Leader had considered.

In summary the principle issues which were detailed in the reports, and considered by the Budget Strategy Group included:

- Pressures and mitigating actions from the current year to 2021/22;
- Updates to the medium term financial strategy (MTFS);
- Detailed savings proposals for 2021/22;
- Amendments to previously approved savings proposals for 2019/20 and 2020/21 relating to the Adult Social Care and Health and Managed Growth and Communities portfolios.

On commenting on the proposals the Leader raised the following points:-

- The proposals put forward presented a balanced budget which recognised portfolio savings to support the ongoing funding pressures in certain areas such as Adults and Children's Services;
- There was a need to invest more in those services areas where demand was high and difficult to predict, to ensure the needs of the Borough could be met long term;
- The proposals also recognised the need to invest in and support the public realm;
- The Leader referenced the importance of having a healthy growth strategy and the need for business to contribute more through business rates, which were set by the Government and not the Council. However, he cautioned that businesses could also appeal against business rate evaluations;
- In relation to the issues raised by Scrutiny the Leader had considered the concerns of the Stronger Communities and Neighbourhood Services Scrutiny Board regarding the proposals to increase car parking charges in Shirley town centre. He also noted that the Resources and Delivering Value Scrutiny Board shared these concerns;
- The Leader was recommending therefore that car parking in Shirley would remain free for the first hour and would then be brought into line with Knowle thereafter. The parking charges in Knowle would be amended to include a free first hour;
- The Leader thanked the Budget Strategy Group for their hard work, and the contributions made by Members at the Budget seminar, the Scrutiny Boards and Officers for their contributions.

The Director of Resources and Deputy Chief Executive advised Members that he had taken the findings of CIPFA's financial resilience index into account, together with the MTFS itself and the information provided through the budget and scrutiny process, in reaching his conclusion under section 25 of the Local Government Finance Act 2003 that he was satisfied with the robustness of the revenue estimates and the adequacy of the proposed financial reserves.

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Members very much welcomed the reports and the approach taken, which recognised saving targets needed to be realistic, that additional spending needed to be justified and reasonable steps needed to be taken to support those service areas facing continuing pressures in demand. Those Cabinet Members benefiting from the extra spending thanked the Leader for recognising the importance of putting people first.

RESOLVED:

- (i) That full Council on 28 February 2019 be **Recommended** to agree a budget for 2019/20 of £147.620 million, including the forecast balances on the Budget Strategy Reserve set out in paragraph 3.8 of the Leader's report;
- (ii) That full Council on 28 February 2019 be **Recommended** to approve the Medium Term Financial Strategy and Efficiency Plan 2019/20 – 2021/22, as updated in the Leaders report, and the Corporate Capital Strategy, incorporating the Council's strategy on the flexible use of capital receipts;
- (iii) That full Council on 28 February 2019 be **Recommended** to approve an increase in the level of the general council tax in 2019/20 of 1.90%;
- (iv) That full Council on 28 February 2019 be **Recommended** to approve an increase in council tax for adult social care in 2019/20 of 1.00%;
- (v) That full Council on 28 February 2019 be **Recommended** to approve Solihull's element of the council tax in 2019/20 at £1,358.04 (£1,259.73 for general council tax and £98.31 for adult social care);
- (vi) That the contribution of £315,000 from the LAA Reward Grant reserve to a Troubled Families reserve, as outlined at paragraph 3.8 of the report of the Director of Resources and Deputy Chief Executive be approved;
- (vii) That the creation in 2018/19 of a new Children's Services reserve of £1.566 million, made up of £927,000 from the LAA Reward Grant reserve and £639,000 of business rates windfall income, as outlined at paragraphs 3.8 and 3.22 of the report of the Director of Resources and Deputy Chief Executive be approved;
- (viii) That a contribution of £350,000 from the Budget Strategy Reserve in 2018/19 to fund pressures on unaccompanied asylum seeking children (£250,000) and youth remand (£100,000) services, as outlined at paragraph 3.9 of the report of the Director of Resources and Deputy Chief Executive be approved;
- (ix) That the equal apportionment of the £1.487 million one-off social care grant receivable in 2019/20 between adult social care and children's services, with £743,430 to be allocated to the Adult Social Care and Health portfolio and £743,430 to the Children's Services, Education and Skills portfolio be approved and delegated the authority for determining how each portfolio's allocation should be spent be granted to the cabinet members for those portfolios and the Director for Adult Care and Support and the Director of Children's Services and Skills;

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- (x) That the allocation of the Brexit preparation funding to the Cabinet Member for Resources and Delivering Value, as outlined in paragraph 3.27 of the report of the Director of Resources and Deputy Chief Executive be approved;
- (xi) That the government capital allocations for 2019/20, detailed in the table in paragraph 3.1 of the Corporate Capital Strategy, passported to individual cabinet portfolios for project allocation be noted;
- (xii) That full Council on 28 February 2019 be **Recommended** to approve the fees and charges proposed within each portfolio;
- (xiii) That the prudential borrowing requirements for the period of the MTFS, as set out at paragraph 3.32 of the report of the Director of Resources and Deputy Chief Executive be approved; and
- (xiv) That the requirement for a recorded vote on the level of council tax at the Full Council meeting on 28 February, be noted.

10. SOLIHULL CLEAN AIR STRATEGY 2019-2024

The Cabinet was:

- provided with an update on the process undertaken to develop Solihull's first Clean Air Strategy;
- invited to endorse the Solihull Clean Air Strategy 2019 – 2024; and
- invited to approve the governance and scrutiny processes to oversee delivery of the Strategy.

Members were advised that Solihull Clean Air Strategy set out the case for action and outlined the measures that would be taken over the next five years within the Borough of Solihull in order to improve air quality and reduce population exposure to the pollutants known to be the most harmful to human health.

The Solihull Clean Air Strategy focused on actions to reduce the primary air pollutants particulate matter (PM) and nitrogen dioxide (NO₂) which were both major components of urban air pollution. The Solihull Clean Air Strategy focused on short, medium and long term actions led by Solihull Council to improve air quality across the Borough.

The strategy acknowledged that air quality would also be influenced by the wider national and regional strategic context. The themes identified for action within the strategy were those deemed to have the greatest impact on improving air quality within Solihull - Education; Planning; Transport; Environment; Public Messaging & Procurement.

In order to be effective, the Solihull Clean Air Strategy and associated action plan would be reliant on an integrated approach which encompassed behavioural, strategic and infrastructure changes. These would be considered within the wider context of the West Midlands Combined Authority and the Birmingham & Solihull Sustainability and Transformation Partnership.

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Members very much welcomed and supported the strategy and Officers advised that measurable targets would be detailed in the action plan, and monitored and scrutinised by the theme leads.

RESOLVED:

- (i) that the Solihull clean air strategy 2019-2024 be approved;
- (ii) that a formal launch of the Solihull clean air strategy 2019 – 2024 in February 2019 be approved;
- (iii) That it be agreed to delegate authority for decision making to ensure delivery of the Solihull Clean Air Strategy, and the accountability sits with the Cabinet Member for Environment and Housing; and
- (iv) That it be agreed that the delivery against the action plan be monitored and reviewed by the Economic Development & Managed Growth Scrutiny Board on an annual basis.

11. DRAFT EXTRA CARE HOUSING STRATEGY 2018-2023

Cabinet was presented with the final draft of the Extra Care Housing Strategy 2018-2023 for approval.

Cabinet agreed to defer this item to allow Officers to provide further clarification on the issues raised via the deputations received at the meeting.

12. KINGSHURST VILLAGE CENTRE REGENERATION

Cabinet approval was sought for the draft Planning Brief for Kingshurst Village Centre and the carrying out of a public consultation process on the draft Planning Brief.

Members were advised that three different connectivity options had been considered as detailed in Section 7 of the Planning Brief and each option was based on a different approach to creating a main thoroughfare within the village centre which had been identified as a key design issue.

The proposed consultation on the draft Planning Brief would include consideration of each of the options and the degree to which they met the key objectives. The consultation work was essential for the purposes of informing the decisions that Cabinet would be required to make in future in respect of the proposed redevelopment of the Village Centre.

The rationale behind the proposal was set out in the Planning Brief alongside environmental improvements, there was a case that redevelopment should rationalise and consolidate the commercial offer of the Centre to ensure that it was viable in the market. As seen at other centres, it was considered there was unlikely to be the need for the current quantum of retail floor space.

An important complementary element of the proposed scheme was the creation of better quality housing to meet local needs and deliver the housing requirement of the Local Plan. High quality residential development would support businesses and local services.

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The provision of local health services would be retained to create a sustainable hub and there would be an opportunity to expand these services. There was also an opportunity to improve the provision of existing community uses to better meet local needs and create a more sustainable centre accessible by public transport.

Members in supporting the proposal requested that the appropriate parish councils be consulted, and Officers confirmed that affordable housing was included in the proposals.

RESOLVED:

- (i) That the draft Planning Brief for Kingshurst Village Centre attached at Appendix 1 to the report be approved;
- (ii) That delegated authority be given to the Director for Managed Growth and Communities, in consultation with the Deputy Leader and Cabinet Portfolio Holder for Managed Growth, to make minor changes as necessary; and
- (iii) That the carrying out a four week public consultation exercise on the draft Planning Brief be approved.

13. UPDATE ON APPLICATIONS TO THE EUROPEAN SOCIAL FUND (ESF) TO DELIVER EMPLOYMENT AND SKILLS ACTIVITY

Members were advised that following Cabinet approval in 2015 and 2016 to apply for European Social Fund (ESF) projects to support people into employment, education or training; Members were provided with an update on the Project Change Request application to the Department for Work and Pensions to extend the GBSLEP European Social Fund (ESF) Technical Assistance project, which was led by Solihull MBC.

Members were reminded that the Solihull MBC-led GBSLEP ESF Technical Assistance Project was a three year project from 1 January 2016 and until 31 December 2018. A Project Change Request had been submitted in April 2018, seeking an increase in the funding and extending the delivery timescale of the ESF Technical Assistance Project. Approval had been granted by the Department of Working Pensions up to December 2021.

'ESF Technical Assistance' provided capacity building, publicity, promotion and specialist advice/support to potential project applicants across GBSLEP. The ESF Technical Assistance team promoted and raised the profile of ESF; built technical capacity in delivery organisations, enhanced project development, implementation and management, provided advice for early development of robust projects. It was delivered by Solihull MBC and five other delivery partners: Birmingham City Council, West Midlands Growth Company Ltd, Birmingham City University, Community Action Wyre Forest, and institute of Social entrepreneurs.

The report also detailed Solihull's role as the Accountable Body and the benefits which had been achieved to date.

RESOLVED:

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- (i) That approval be given to enter into the Agreement with the Department for Work and Pensions for the award of funding, which extends the GBSLEP European Social Fund Technical Assistance project until December 2021, where the Council is the Accountable Body; and
- (ii) That it be agreed to give delegated authority to the Director of Children's Services & Skills to sign any contractual arrangements associated with the above funding in conjunction with the Cabinet Portfolio Holder for Children's Services, Education and Skills.

14. UPDATE ON APPLICATIONS TO FUNDING BODIES THAT SUPPORT THE COUNCIL'S PRIORITIES

Cabinet was informed of the progress of external funding applications and invited to agree the acceptance of external funding to support the delivery of the Council's priorities.

Members were reminded that the report presented was one of a series that sought approval for funding applications and/or accepting funding subsequently offered to the Council. The report detailed the request to funders for a total of £1.53m with £600k match funding, with a project total value of £2.13m.

Details of each project were summarised in the report, and Members were advised that approval of the listed applications would support key priorities in the Council Plan. The report built on the vision articulated in the UK Central Strategic Masterplan in that the latent economic potential in UKC would only be realised through a comprehensive infrastructure and investment programme. The creation and enhancement of green infrastructure was a critical element of the approach.

RESOLVED:

- (i) That the following be noted:-
 - (a) The submission of a Strategic Outline Case (SOC), to the West Midlands Combined Authority (WMCA) relating to A45 Damson Parkway Junction Improvements.
 - (b) The submission of an Expression of Interest to the Greater Birmingham and Solihull Local Enterprise Partnership's (GBSLEP's) Strategic Economic Plan (SEP) Enabling Fund - Expression of Interest for Towns and Local Centres Revenue Funding relating to Shirley Town Centre.
 - (c) The submission of an application to the Ministry of Housing, Communities and Local Government (MHCLG) for an extension to the existing Small Habitats Grant programme.
 - (d) The submission of an Expression of Interest to MHCLG's recently announced Future High Street Fund relating to improvements at Chelmsley Wood Town Centre.
- (ii) That it be agreed to delegate authority to the relevant Director to sign any contractual arrangements associated with the above funding in conjunction with the relevant Cabinet Member.

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15. OUTCOMES AND RECOMMENDATIONS FROM SCRUTINY BOARDS

The Cabinet was invited to consider a recommendation from the Economic Development and Managed Growth Scrutiny Board relating to Shirley Town Centre and Business Improvement District.

RESOLVED:-

In endorsing the recommendations from the Economic Development and Managed Growth Scrutiny Board Cabinet recognised the linkages to the previous report.

16. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED:

That, pursuant to Section 100A (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for the remainder of the business to be transacted, on the grounds that there would be disclosure to them of exempt information in terms of paragraph 3 of Part 1 of Schedule 12A to the said Act.

The meeting ended at 19:55