

Cabinet

Excerpt of the Minutes of the meeting held on Wednesday 7 December 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillors Day (Leader), Bartlett, Falp, Hales, Matecki, Rhead, and Tracey.

Also Present: Councillors: Boad (Liberal Democrat Group Observer), Davison (Green Group Observer), Cullinan (Labour Group Observer), and Milton (Chair of Overview & Scrutiny Committee).

62. **Declarations of Interest**

There were no declarations of interest made in respect of the Part 1 items.

Part 1

(Items upon which a decision by the Council was required)

64. **Minor Amendments to the Scheme of Delegation**

The Cabinet considered a report from Democratic Services which brought forward changes to the scheme of delegation and also reported an urgent decision taken by the Chief Executive under delegated authority.

The report provided a number of recommendations which were considered reasonable to either confirm current working practices or make efficient use of Council resources.

When reviewing the decision of the Cabinet on 9 September 2021 to establish the Leamington Transformation Board it was identified that the decisions, below, were not sufficiently clear.

"(6) the Composition of Councillors who will serve on the Transformation Board, as set out in paragraph 3.15 in the report, in consultation with WCC and LTC, be determined by the Cabinet.

(7) the remit of the Transformation Board, as set out in paragraph 3.16 and 3.17 in the report (subject to discussions with WCC and LTC) and that authority be delegated to a designated Cabinet member to take decisions on this remit".

The Transformation Board remit was agreed by all parties in April 2022, however, it was not intended to be a decision-making body. The remit of the Transformation Board, while in spirit was the same as that set out in the report, was more detailed and there were points that had not been considered by the Cabinet.

The appointment of its Independent Chair was a formal decision, especially as they would be receiving payment from Warwick District Council. Therefore, the final decision on this and the remit needed to be formally taken within the Council. The proposed delegations at Appendix 2 to the report in relationship to the Leamington Transformation Board formalised this approach. The Chief Executive sought agreement of Group Leaders to use his emergency powers to confirm the appointment. The

Cabinet was also aware the Leamington Transformation Board would need to have its terms of reference amended to reflect that the final decision on the Independent Chair would need to be taken by WDC but based on the recommendation of the Board.

The proposed delegations were Executive functions which could only be delegated by Cabinet to officers. However, only Council had the authority to update the Constitution to reflect the changes, hence the wording for recommendation (3).

Officers had been reflecting on experiences in working with other Councils and believed that there were some cases where Section 106 agreements did not need to come before Planning Committee. An example was variations to S106 agreements already approved by Committee or where the application would otherwise be determined by officers.

In relation to variations to s106 agreements, there was currently no delegated authority for the Head of Service to vary s106 agreements. Sometimes these variations could be very minor in nature e.g., in October, a variation to amend a definition had to go to Planning Committee. It was proposed to delegate such changes to the Head of Place, Arts and Economy in consultation with the Chairman of the Planning Committee and relevant Ward Councillor(s).

Another issue had arisen in the case of s106 agreements required in connection with delegated planning decisions. The scheme of delegation did not currently cover this, which led to the odd situation of the Head of Place, Arts and Economy having delegated power to determine planning applications but not enter into connected s106 agreements.

Following the Planning Committee meeting of 9 November, officers had also reflected on the current delegation in respect of Council Planning applications that reads "Applications submitted by Warwick District Council or Warwickshire County Council, other than for approval of routine minor developments". Officers were of the view that this should be amended to be more specific in relation to Warwick District Council to include reference to Milverton Homes (or any partnership it was in). While officers considered this would happen anyway, they felt it was appropriate to remove any ambiguity.

If Cabinet and Council were minded to support these delegations, as set out in Appendix 1 to the report, it would also bring changes to the responsibility of functions for the Planning Committee. This would see the removal of delegation (vi) as it was covered by (i) due to the revisions to officer delegation DS(70).

In reviewing the delegations in respect of Planning Committee, officers also took time to consider those in respect of matters that came to Licensing Panels. Councillors involved in those Panels were aware that the final wording of their decision was often formulated after the meeting. Therefore, officers felt it was appropriate to have a delegation in place to confirm this arrangement.

Secondly, in this area, there was potential for decisions of a Panel to be challenged. At times, this could be over a minor point and mitigate the

need for an appeal to be heard. This proposal allowed for these changes to be made, after appropriate consultation and for transparency to be reported back to the Licensing & Regulatory Committee.

Section 33A of the Planning and Compulsory Purchase Act required Local Planning Authorities "to engage constructively, actively and on an ongoing basis" with other local authorities and with prescribed bodies in respect of their plan-making activities. This Duty to Co-operate requirement was expanded on in the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG). The Duty to Co-operate was a legal test that needed to be satisfied as part of the local plan examination process for a local plan to be found, sound and adopted.

Importantly, the Duty to Co-operate was not a duty to agree per se, but the LPA needed to demonstrate that they had engaged constructively in respect of progress to addressing strategic cross-boundary matters. In particular, joint working should have helped to determine where additional infrastructure was necessary, and whether development needs that could not be met wholly within a particular plan area could be met elsewhere.

This constructive engagement was demonstrated through the publication of an audit trail showing early and ongoing discussions culminating in the publication of signed Statements of Common Ground (SoCG).

Responsibility for the day-to-day operation of Duty to Co-operate (e.g. content of SoCGs) was undertaken by the Council's planning policy service and fell within the Planning & Place Portfolio. However, formal processes needed to be established to allow for the signing of any SoCGs on behalf of the Council given that the content could have a significant bearing on how WDC prepared its own local planning documents.

This matter was particularly relevant at the moment, given that the Council was in the process of preparing a new Local Plan. The delegation of Executive functions set out in appendix 2 to the report allowed for authority to be delegated to the Head of Place, Arts & Economy in consultation with the Leader and Portfolio Holder for Planning & Place, to sign Statements of Common Ground in respect of plan-making activities.

There was another dimension to this given that the Council was currently preparing a joint Local Plan with Stratford-on-Avon District Council. There would be issues where other authorities would need to engage with both WDC and SDC in respect of Duty to Cooperate issues and SoCGs would need to be agreed. Equally, there would be some issues where authorities would need to engage with one Council through Duty to Cooperate, however that Council would need to consult with the other because the issues related to matters pertaining to the whole South Warwickshire Local Plan area covering both Council areas. An example of this would be in relation to housing and employment land distribution in the Greater Birmingham and Black Country Housing Market Area (HMA). Warwick District Council was not within this HMA and so would not normally be included in any Duty to Cooperate discussions or need to agree any SoCGs. SDC was, however, in that HMA and the implications of any SoCGs could have had an impact on the whole South Warwickshire Local Plan area. It was appropriate and necessary therefore, for SDC to consult with WDC before agreeing any SoCG relating to this HMA.

The requested delegation therefore also proposed that this delegated authority was extended to situations where adjacent authorities consulted with WDC on SoCGs that were of common interest. Furthermore, in an opposite situation where WDC only was asked to sign a SoCG, recommendation (3) proposed that before such a SoCG was signed, WDC would consult with that authority. In practice, this would only happen in respect of SDC and the South Warwickshire Local Plan. (Members were asked to note that SDC was currently putting reciprocal arrangements in place to ensure that WDC was consulted in respect of SoCGs that it was asked to agree, and which impacted on joint planning work.)

Many SoCGs dealt with procedural matter and set out ways of working to address common challenges. Others might have been more significant, the most obvious example being the creation of new Memoranda of Understanding relating to strategic matters such as housing or employment land distribution. Such matters were likely to have strategic implications and should, properly, be agreed formally by the Council. The proposed delegation therefore provided that the delegated powers would not be exercised where, in the judgement of the Leader, Portfolio Holder for Planning & Place and the Head of Place Arts & Economy, the issues arising from the consultation were such that they had important strategic implications for Warwick District.

Banning orders were made under Housing and Planning Act 2016 and came into force in 2018. They were intended to be used on landlords and property agents for those who had been convicted of the most serious housing-related offences. They had the effect of preventing landlords from letting housing or managing property in England.

Local authorities had the power to apply for Banning Orders from the First Tier Tribunal. The Council needed to first serve on the landlord a notice of intention to apply for a Banning Order and offer an opportunity for representations to be made. If they were satisfied, they could then apply to the First Tier Tribunal.

Councils were expected to develop and document their own policy on when to pursue a Banning Order. This was likely to include:

- seriousness of the offence;
- previous convictions/entry on rogue landlord database;
- harm caused to the occupying tenants;
- punishment of the offender;
- deter the offender from repeating the offence; and
- deter others from committing similar offences.

The individual the Council was seeking a Banning Order for, was well known to Private Sector Housing. They had been associated with sub-letting property over several years and their practices caused the Council concern.

The Private Sector Housing team successfully prosecuted them in September, which resulted in a significant fine. They were operating a HMO in Royal Leamington Spa and were convicted of:

- Failing to provide information required under Section 16 of the Local Government Miscellaneous Provisions Act 1976.
- Failing to comply with an Improvement Notice under Section 30 of the Housing Act 2004.
- Failing to licence a House in Multiple Occupation under Section 72 of the Housing Act 2004.
- Failing to comply with The Houses in Multiple Occupation Regulations 2006 under Section 234 of the Housing Act 2004.

The Council served a notice of intention to apply for a Banning Order on 3 October giving until 31 October for representations. No response had been received.

Therefore, following consultation with the Group Leaders, the Chief Executive exercised his delegated authority CE(4) to proceed with an application to the First Tier Tribunal for a Banning Order. Officers considered delegating authority for such cases in future would be an appropriate route as this would enable swifter action to be taken for the most serious of matters. In addition, officers recognised the need to have a Policy in place for such matters and a draft was already being produced as a priority, with a view to it being completed before Christmas 2022. The delegations to approve the Policy were considered reasonable to ensure it was robust and once completed, it would be published on the Council website and Councillors would be notified of this.

The protocol for the operation of the Warwick District Council Proposed Development Review Forum currently prescribed that all meetings should be held in person at the Town Hall, Royal Leamington Spa. Since the protocol was produced, the Council had been able to make use of technology for holding meetings and briefing sessions remotely. Therefore, as the Proposed Development Review Forums would involve external development agents (potentially from across the UK), and see all 44 District Councillors invited, along with relevant Parish/Town Council, CAF and other statutory consultees (as considered appropriate), hosting the meetings online would make them more easily accessible. This was not to say all meetings of the forum would be online, but provided the option if it was considered reasonable.

In terms of alternative options, the proposed recommendations were minor changes to provide more robust decision making within the Council. The Cabinet could reject the proposals if it so wished but this was advised against for the reasons set out above.

Councillor Bartlett proposed the report as laid out.

Recommended to Council that

- (1) the amendments to the scheme of delegation as set out at Appendix 1 to the report, be approved and the Constitution be updated accordingly; and
- (2) the amendments to the Executive functions within the scheme of delegation as set out at

Appendix 2 to the report, be approved and the Constitution be updated to reflect this change.

Resolved that

- (1) the urgent decision of the Chief Executive made under delegation CE(4) to confirm the appointment of Mark Lee as Independent Chair of the Leamington Transformation Board and the application for a Banning Order in respect of a landlord, be noted; and
- (2) the Protocol for the operation of the Warwick District Council Proposed Development Review Forum be amended to enable meetings to take place online in a meeting hosted by Warwick District Council.

(The Portfolio Holders for this item were Councillors Bartlett, Cooke, Day, Falp and Matecki)

Forward Plan Reference 1,337

65. Quarter 2 Budget Report

The Cabinet considered a report from Finance which provided an update on the current financial position as of 30 September 2022, both for the current year 2022/23 at the end of Quarter 2, and for the medium term through the Financial Strategy. Key variances and changes were highlighted to inform Members, with some recommendations also being put forward for their consideration

The Medium-Term Financial Strategy (MTFS) showed that the Council needed to make further decisions to continue addressing the deficit position presented in the report. Decisions made to date had helped offset adverse implications of the current economic environment, which were seeing costs increase and demand for services being impacted. The Financial Strategy reflected initial implications arising from the recent Autumn Statement but was still awaiting critical funding information, typically received as part of the Local Finance Settlement in late December.

Noting the significant risks facing the Council's finances in future years, it was important that officers and Members took all actions to ensure that new efficiency, income generating, or savings schemes were brought forward, as well as delivering on those as agreed as part of the 22/23 budget setting process.

The recommendations and updates would enable the Council to ensure Members and other stakeholders continued to be informed on the most up to date financial position of the Council, both in year and for the medium term. It would enable decisions to be made based upon these positions to ensure that the Council could continue to operate within a balanced budget.

In relation to the General Fund Financial Position as of 30 September, variations had been identified by the Accountancy Team and reviewed in conjunction with the relevant budget managers, and where necessary, narrative provided in the report and below. As of 30 September (end of Q2) there was a favourable variance of £1,292k, with a forecast adverse variance for 2022/23 of £482k. A summary was provided below:

2022-23				
Service (General Fund)	Variation Description	Q1 Variation £'000	Q2 Variation	Forecast Full Year Variation £'000
Employee Costs	Staffing	£385 F	£410 F	£500 F
	Pay Award (funded by Vacancy budget) including member allowances	-	-	-
Neighbourhood & Assets	Delays to PPM works	£315 F	£402 F	-
	Utility Charges – Electricity	-	£54 A	£250 A
	Previous waste contract Income	£111 F	£238 F	£200 F
	Green Waste Permits	£200 F	£486 F	£486 F
Place, Arts & Economy	Arts activity increased	£326 F	£269 F	-
	Leisure Concession	-	£84 F	£200 A
	Planning Income	£189 F	£57 A	-
Housing Services	B&B Accommodation	£100 A	£13 A	-
Customer & Digital Services	Benefits subsidy and payments		£396 A	£396 A
Strategic Leadership	Warwickshire Place Partnership (Health & Wellbeing)	£100 F	-	-
	De-Carbonisation Grant	£20 F	-	-
	Members Allowance	£10 A	£20 A	£40 A
	Contingency Budget	£135 F	£53 F	-
	Crewe Lane LLP Interest	-	-	£62 A
	Removal of EMR	-	£500 F	£500 F
	Budget Savings proposals linked to merger	£128 A	£256 A	£512 A
	Budget saving proposal – digital transformation	£52 A	£104 A	£208 A
	Budget Savings in-year underspend	£125 A	£250 A	£500 A
TOTAL		£1,366 F	£1,292 F	£482 A

Continuing with the Salary Vacancy Factor process established during 2021-22, the table at 1.1.2.2 in the report reflected the underspends on salaries within service areas during periods 1-6 (April-September). These were offset against a pre-determined value agreed at budget setting of expected levels of savings driven by gaps in establishments throughout the year, which was set at 3.6%.

As part of the Vacancy Factor process for Q2, £257,000 (GF) and £90,000 (HRA) was appropriated from staffing budgets.

Both the General Fund and HRA vacancy factors had now been met for the year.

In conjunction to meeting the vacancy factor budgets, as part of the Q1 report it was outlined that budget released would be used to support the pay award once agreed. This had now been agreed, with the pay award amounting to an average 6% increase in staffing costs (circa £900k). Budget released to date takes into consideration the need to back-date the pay award. Any further budget released would then be returned to GF and HRA reserves and be available to use as necessary to meet other emerging challenges and opportunities.

After the Vacancy Factor Adjustment and departmental service reviews had been taken into consideration, General Fund salaries were £420k favourable against budget at the end of Q2. However, following the vacancy factor process and discussions with the relevant managers, some of the remaining underspent budget would be required to backfill where work had fallen behind due to staffing, establishment, and recruitment issues. This could take the form of additional fixed term staffing, agreed overtime and in some instances the use of agency staffing, which could carry a cost premium. These assumptions would continue to be reviewed and challenged into quarter 3, and forecasts updated, as necessary.

The value that the vacancy factor was set at (currently 3.6%) would also continue to be reviewed. Given the high levels of underspend reported in Q1 and Q2, proposals to increase this value were currently being assessed as part of the Budget setting process to increase this provision to better reflect the ongoing staffing challenges within service areas. Within the revised Medium Term Financial Strategy presented in the report, it was assumed that a pay award for 23/24 of similar value to the 22/23 pay award would also be funded through underspends in existing establishments.

The recruitment and retention issues currently being faced by the Council were subject to review, with work ongoing on how this was tackled going forward.

In relation to Neighbourhood & Assets, delays to the commencement of Planned Preventative Maintenance (PPM) programmed works had continued in 2022/23. The Assets team were continuing to face resourcing challenges, driven by high levels of sickness and difficulties in recruiting to the substantive establishment. It was expected that the full allocation of budget would be used to meet the cost of repairs necessary to maintain the corporate stock. However, it was likely that up to a third of the £1.5m programme would have to be slipped into the following financial year and so not present a real saving.

Centralisation work was ongoing between finance and the assets teams to ensure resources were available and to enable programmed works to be more effectively managed, supported by timely, accurate and available information in the Financial Management System. This work was supported by the agreement made as part of recommendation 9 within the

Q1 report and was being incorporated into the budget setting process for 23/24.

As reported in Q1, the number of residents who had signed up to the new green waste collection service had significantly exceeded expectations for 22/23, given that the service launched mid-season in August. Current forecasts were for permit income to exceed £700k (35,000 permits), and this was despite the reduced cost of the permit due to the part year effect of a mid-year introduction.

The overall projection for the service in 22/23 had been forecast at £550k, increased by £486k over the original forecast of £64k, once additional costs that would be incurred in supporting the service had been factored in.

Previously agreed budget proposals forecasted that from 23/24, £1m per annum would be generated from the service. Given the current performance and take up by residents of the service, the forecast from 23/24 had been increased to 40,000 permits, generating income of £1.6m (£1.4m once additional service costs were factored in) at the fee of £40, as agreed through the Fees and Charges report in November.

In relation to Place, Arts & Economy, the Royal Spa Centre had received increased income during the first half of the year driven in part by a number of rescheduled events having now taken place.

Income and Expenditure would continue to be monitored as the peak season was approaching, including the return of the Christmas Pantomime following previous years' cancellations due to COVID-19. Despite a positive first half of the year, the full year forecast remained prudent as there was still uncertainty as to how sites would perform going forward.

The leisure contract continued to outperform forecasts provided by the concession provider as part of the open book process agreed following the revision to the 22/23 contract (An 80/20 split on surpluses in place of the originally agreed 90/10 split). The forecast for the year was still expected to be a significant reduction in income from that agreed as part of the original concession contract given that increases in delivering the services would be most felt in the second half of the year due to continuing rises in costs. The financial strategy had already been adjusted for this as part of the Q1 update.

In relation to Customer & Digital Services, Benefits subsidy and payments were reducing as new claimants transferred over to Universal Credit. The figures were based on the latest mid-year claim submission.

In relation to Strategic Leadership, within the 2022/23 Budget agreed by Council in February there was a Contingency Budget of £200k for any unplanned unavoidable expenditure. To date £147k had been committed from this budget.

Earmarked Reserves which were approved within the Final Accounts 21/22 Report in September were currently being reviewed. As part of initial work completed, £500k could be released, as it was no longer required. The main element of this release related to funding earmarked to support the

Planned Preventative Maintenance (PPM) Programme. However, ongoing delays to the programme and the use of the Corporate Asset Reserve allowed this money to be used to support the base position in year.

In relation to the Housing Revenue Account, variations had been identified by the Accountancy Team in conjunction with the relevant budget managers, giving a favourable variance of £1,028k as of 30 September, with a forecast favourable variance for 2022/23 of £150k. A summary was provided below:

2022/23				
Service	Variation Description	Q1 Variation £'000	Q2 Variation £ '000	Forecast Full Year Variation £ '000
HRA	Staffing (after Vacancy Factor Adjustment)	£78 F	£95 F	£150 F
	Housing Repairs	£950 F	£810 F	-
TOTAL		£1,028 F	£150 F	£150 F

Staffing resources across the Housing Revenue Account had seen similar issues to those impacting the Assets teams. Sickness and recruitment challenges had been present and were likely to continue going forwards in the immediate future. The Q2 value took into consideration the recently agreed pay award, which was why the favourable variation had not grown at similar levels to that seen in Q1 despite many of the staffing challenges remaining.

Continued delays in receiving invoices from contractors for housing repairs, both major and responsive, was leading to the favourable variance YTD. A process was currently in development to ensure order data from the Housing Management System (Active H) appeared in the new Finance Management System (FMS) as orders were raised, ensuring expenditure reporting was more robust and timelier than it was through the existing FMS. Currently expenditure was passed through to the FMS when paid.

This project to bring active orders into the FMS when approved, and the centralisation of all R&M budgets would allow more timely financial management of these budgets. Major and responsive works were ongoing, with the expectation that the full budget allocation for the year would be utilised.

The Medium Term MTFS was last formally reported to Members in September as part of the Q1 Budget Review report. The table at 1.3.1 in the report detailed the profile of revenue savings to be found.

As well as the in-year changes detailed above, there had been key changes to the MTFS for future years made during Q2, as outlined below.

Major contracts would be subject to their own agreed cost profile and inflation levels, which were/would be factored in to the MTFS as appropriate. These were being reviewed as part of the budget setting process in conjunction with the service areas and ensuring the contract

register was up to date and reflected the latest positions.

In addition to the treatment of the agreed pay award as outlined in the report, it had been assumed that any 23/24 pay award would also be able to be accommodated by underspends against the existing establishment driven by the recruitment and retention challenges currently faced. However, from 24/25, it had been assumed that the Council would not be able to rely on high levels of vacancy to offset the cost of recent and future pay awards, and so the impact of this was reflected within the latest MTFS.

This would continue to be reviewed based on the latest information from ongoing pay award discussions. The vacancy factor target would also be reviewed alongside this, to ensure that this was set at a level reflecting the continued establishment gaps.

Given the increased levels of inflation, the cost of delivering many of services was expected to continue rising over the duration of the MTFS. To support the cost of delivering current services, future Fees and Charges levels had been set at 5% in the latest update.

In conjunction with the Fees and Charges as agreed by Members in November, further recurrent income of £360-410k per annum had been included in the MTFS from 24/25.

Within the Q1 Budget Report, utility forecasts were significantly increased based on indicative estimates provided by ESPOs Energy Trading/ Risk Management team.

The Council contracted to buy electricity through ESPO for the period October – September, but for gas, the period was April - March.

Further updates had now been received from ESPO. For context, the rates provided for the current year were below the levels set as part of the current business energy price guarantee levels.

The forecast for electricity had been updated to reflect further expected increases in cost for 24/25, and the forecast for gas had significantly changed from April 2023 when the current contract ended.

In light of the more recent information, the MTFS had been updated with the changes outlined below:

	2022/23	2023/24	2024/25	2025/26	2026/27
	£'000	£'000	£'000	£'000	£'000
Further Increase (Decrease) in Electricity charges	0	-62	272	50	0
Further Increase (Decrease) in Gas charges	0	190	136	0	0

Work was underway to mitigate the impact of these increases, with the Building Management System operator, SERTEC being instructed to carry out an urgent review of our key sites to see if any changes to heating / lighting / cooling etc. could be introduced and if these might cause any loss of amenity at a building. There was limited scope at the Pump Rooms as the art and museum collections required regulated air and temperature to prevent artifact deterioration.

Work was also underway to look at whether there were options to install PIR sensors in any corridors, kitchens, toilets etc. at any locations. The costs were likely to be small in comparison with the energy cost increase and any marginal energy savings were worthwhile.

As part of the Governments Autumn Statement, it was confirmed that the cap on Council Tax had been increased from 2% / £5 (whichever was higher) to 3% / £5. For Warwick District Council, this would equate to an additional 30p per Band D property. Based upon current tax base levels, there would be a £17,700 increase in Council Tax received in 23/24.

However, this had not been included in the MTFS at this stage, as work was ongoing as part of the budget setting process reviewing the tax base for 23/24. Any changes relating to Council Tax would be included as part of the Budget Setting report due to be presented to Members in February.

Taking into account the changes highlighted, the Medium Term Financial Strategy now presented the following deficit position:

	2022/23	2023/24	2024/25	2025/26	2026/27
	£'000	£'000	£'000	£'000	£'000
Deficit-Savings Req(+)/Surplus(-) future years	482	2,558	3,012	2,688	2,545
Change on previous year	0	2,076	454	-324	-143

Recurrent savings of £2.6m needed to be secured to enable the Council to be able to set a balanced budget from 2023/24 onwards. Officers were continuing to review ways of reducing the deficit, including income generation, service efficiency and cost saving schemes, with the expectation that schemes would be factored into the budget setting process and reported to Members in February.

In relation to Capital Variations, the following proposed changes to the Capital Budget had been identified:

- 1) Castle Farm Sports Pitch Drainage - £73k slippage into 2023/24;
- 2) Commonwealth Games Cycle Improvements at Leamington Station - £60k vired from main project in 2022/23;
- 3) Car Park Pay & Display Machines - £12,600 additional budget in 2022/23 funded from repairs and maintenance budget;

- 4) Recycling & Refuse Containers - £6k additional budget in 2022/23 funded from income; and
- 5) Skate Park in St. Nicholas Park - £38.8k slippage into 2023/24.

In relation to Members allowances, the Members Allowances Scheme defined that "[...] shall be increased by the annual local government pay percentage increase as agreed each April (linked to spinal column point 38 of the NJC scheme) to be implemented the following May in that year from the date of the Council Annual Meeting".

This year, the pay award for all scale points was £1,925. Following consultation with the Leadership Coordination Group, it was proposed that 6.6% would be the increase for this year. This was based on the basic allowance and how that equated to salaries for officers. The Independent Remuneration Panel for the Council were consulted on this proposal and raised no objections. This would have had an adverse effect on the budget of over £24,000 before any on costs (national insurance contributions) were included.

In 2022/23, this would be funded through underspends against existing staffing budgets due to the recruitment and retention challenges currently faced by the Council and would be built into future budgets as baseline growth.

The Overview & Scrutiny Committee raised a general concern that subsequent to it becoming responsible for what was much of the remit of the former Finance & Audit Scrutiny Committee, Members had found the volume of items requiring attention had significantly increased. A consensus was that this led to less effective scrutiny and was no longer tenable.

The Chair of the Overview & Scrutiny Committee informed Cabinet of these concerns and requested that officers should be asked to review the situation and provide options for improvement going forward.

The Leader agreed with the concerns raised by the Committee, and he would follow this through with the Chief Executive and Deputy Chief Executive and Monitoring Officer to see what arrangements could be done to support the scrutiny process.

In relation to the Quarter 2 Budget Report, the Overview & Scrutiny Committee thanked officers for their work and noted the report. Concerns were raised about the continuing issues relating to staff recruitment. Whilst these issues meant that the Council's budget position had improved, recruitment had not.

Councillor Hales thanked the Head of Finance and his team. He then proposed the report as laid out.

Recommended to Council that

- (1) the Members basic allowance & special responsibility allowances, along with the allowance for the Chairman and Vice-Chairman of the Council, up rating for 2022/23, be 6.6%;
- Item 9 / Page 13

and

- (2) the ongoing forecast deficit outlined in the MTFS is reviewed further as part of a later report to Cabinet once proposals for tackling the deficit have been developed, be agreed.

Resolved that

- (1) the latest current year financial position for both Quarter 2 (General Fund £1,292k Favourable and Housing Revenue Account £1,208k Favourable) and forecast for the year (General Fund £482k Adverse and Housing Revenue Account £150k Favourable), with the key variations that drive these positions, be noted;
- (2) the impact on the Medium Term Financial Strategy (MTFS) due to changes detailed within the report, and how these changes are expected to be accommodated, be noted; and
- (3) the current capital variations for schemes originally approved in February 2022, be noted.

(The Portfolio Holder for this item was Councillor Hales)
Forward Plan Reference 1,313

74. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraph of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minutes Numbers	Paragraph Numbers	Reason
75, 76 & 77	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Part 1

(Items upon which a decision by the Council was required)

75. **Acquisition of land and buildings, Local Plan H45 Site (Juniper Way, Whitnash)**

The recommendations in the report were approved.

(The Portfolio Holders for this item was Councillor)
Forward Plan Reference 1,335

76. **Country Park Phase 2 Enabling Development**

The item was withdrawn following the publication of the agenda.

Part 2

(Items upon which a decision by the Council was not required)

77. **Confidential Appendices to Item 13 – Asylum Seeker Dispersal Scheme**

The Cabinet noted the confidential appendices.

(The meeting ended at 7:20pm)