



CABINET



15th NOVEMBER 2023

NOTICE OF DECISIONS

Publication Date of this Notice: - Thursday, 16th November 2023.

Deadline Date for Call-in of any decision: - 8.45 a.m. Thursday, 23rd November 2023 up to that deadline the Chief Executive shall call-in a decision for scrutiny (except for matters of urgent business and decisions for Council) if so, requested by the Chairman or any three Members of the Scrutiny Committee. If there is no call-in the decision will come into force on that deadline.

PART I

(Business taken in public)

Agenda Item 2 (Minute No. 46) - Members' Interests:

Cllr Fuller declared a non-pecuniary interest under Minute 53 Item 9 LTA funding Offer to Improve Tennis Courts at King George V Recreation Ground – Request for Council Contribution, by reason of his membership of Hadleigh Park Lawn Tennis Club, Benfleet.

Agenda Item 3 (Minute No. 47) - Minutes

The Minutes of the Cabinet meeting held on 18th October 2023, were approved and signed as a correct record.

Agenda Item 4 (Minute No. 48) – CIL Governance Arrangement

Cabinet considered a report setting out for agreement the governance arrangements for spending Community Infrastructure Levy (CIL) receipts in future years.

The Scrutiny Committee had been tasked by Council to review the proposed governance arrangements and agree the recommendations presented to Cabinet. The recommendations from the Committee had been incorporated into the arrangements before Cabinet. These included greater Member engagement with the Scrutiny Committee having two opportunities to input into the spending plan before presentation to Cabinet for sign-off each Autumn; and wider engagement with community organisations serving the elderly and young people, and groups engaged in more niche activities in developing the spending plan.

Resolved:

1. To agree the Governance Arrangements for the spending of CIL receipts as set out in Appendix 1 of this report.
2. To authorise the establishment of the CIL Technical Advisory Group, for the purpose of providing a technical steer on the CIL Spending Plan.
3. To note that initial engagement with infrastructure providers will occur at the beginning of 2024 to inform the CIL Spending Plan for 2025/26 – 2028/29.

Agenda Item 5 (Minute No. 49) - Budget and Policy Framework for 2024/25

Cabinet considered the report setting out the proposed Budget and Policy Framework for 2024/25 taking account of the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

Resolved:

To approve the proposed Budget and Policy Framework for 2024/25.

Agenda Item 6 (Minute No. 50) - Council Tax Reduction Scheme & Exceptional Hardship Fund Scheme 2024/25

Cabinet considered a report providing an update on the 2023/24 Council Tax Reduction (CTR) and Exceptional Hardship Fund (EHF) schemes and recommending the proposed CTR and EHF schemes for 2024/25.

Resolved:

1. To note the performance and spend information relating to the 2023/24 CTR scheme (at Appendix's A, B, and C).
2. To agree to make no changes to the CTR or EHF schemes for 2024/25 and recommend to Full Council approval for adoption from 1 April 2024.

Agenda Item 7 (Minute No. 51) - Financial Update

Cabinet considered the report providing Cabinet with the 2023/24 forecast outturn position in respect of the General Fund (GF) and Housing Revenue Account (HRA) as at the second quarter stage. These were detailed at paragraphs 5,6,7 and 8 of the report.

Cabinet was asked to approve a capital scheme of £81k to fund the cost to replace the pool hoists at the Council's leisure Centres at Runnymede and Waterside Farm.

(Under this item Councillor Mountford provided an update on the successful Fireworks event that took place on Saturday, 4th November which had made a small profit of £210 in contrast to previous events.)

Resolved:

1. To note the GF Revenue 2023/24 forecast outturn position as at the second quarter stage, an underspend of £812k.
2. To note the GF Capital 2023/24 forecast outturn position as at the second quarter stage, an underspend of £395k.
3. To note the HRA Revenue 2023/24 forecast outturn position as at the second quarter stage, an overspend of £232k.
4. To note the HRA Capital 2023/24 forecast outturn position as at the second quarter stage, a balanced position.
5. To agree a new capital scheme for £81k in relation to pool hoists, with payments approval in the 2024/25 budget, as detailed in paragraphs 6.4 to 6.6.

Agenda Item 8 (Minute No. 52) - Authority to Represent the Council

Cabinet was asked to authorise a member of the Council's Law Team employed by the Council to represent the Borough Council in proceedings before the Magistrates' Court and County Court.

Resolved:

That the following member of the Law team is authorised to appear before the Magistrates' Court and County Courts to represent the Borough Council in legal proceedings pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984: -

- Hannah Blainey – Trainee Solicitor

Agenda Item 9 (Minute No. 53) - LTA funding Offer to Improve Tennis Courts at King George V Recreation Ground – Request for Council Contribution

Cabinet considered a report on a request by the Lawn Tennis Association (LTA) for the Council to make a financial contribution to cover a shortfall in grant to meet the increased cost of refurbishing the tennis courts at King George V Recreation Ground so that the project can proceed. (Cabinet had accepted grant funding from the LTA of £79k at the Cabinet meeting held on 20.9.2023.)

Resolved:

To approve a draw down from reserves so that the Council can make the necessary contribution of £15,277.42 towards the cost of refurbishing the tennis courts at King George V Recreation Ground.

Agenda Item 10 (Minute No. 54) - Amendment to Fixed Penalty Notice Fine Levels for Fly Tipping, Littering, Graffiti etc.

Cabinet considered the report on amendments to the level of Fixed Penalty fines the Council can set for Fly Tipping; Waste Disposal Duty of Care; Littering and Graffiti and Fly Posting and agreed the level of penalty fine to be applied.

Resolved:

To approve the following Fixed Penalty Notice fines :

1. The fixed penalty notice fine served for the offence of Fly Tipping under section 33ZA(9)(a) of the Environmental Protection Act 1990 be raised from the current level of £400 to £1000, reducing to £600 if paid within 10 days.
2. The fixed penalty notice fine served for the offence of Waste Disposal Duty of Care 34ZA(8) of the Environmental Protection Act 1990 be raised from the current level of £300 to £600, reducing to £400 if paid within 10 days.
3. The fixed penalty notice fine served for the offence of Littering under section 88(6A)(a) of the Environmental Protection Act 1990 be raised from the current level of £150 to £500, reducing to £200 if paid within 10 days. 2
4. The fixed penalty notice fine served for the offence of Graffiti and Fly Posting under section 43A(1)(a) of the Anti-Social Behaviour Act 2003 be raised from the current level of £100 to £500, reducing to £200 if paid within 10 days.

Agenda Item 11 (Minute No. 55) - Disabled Facilities Grants Policy Amendment

Cabinet considered the report seeking the approval of Cabinet to amend the current Council Disabled Facility Grant (DFG) policy, to include the introduction of a 'fast track' process making use of discretionary powers provided to the Council under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to allow

cases to be processed with the maximum efficiency, for the benefit of Castle Point residents requiring disabled adaptations to their homes.

Resolved:

To approve the amended Disabled Facilities Grant Policy v2.3 (November 2023) attached in Appendix 1.

Agenda Item 12 (Minute No. 56) - Matters to be referred from/to the Standing Committees

There were no matters.

Agenda Item 13 (Minute No. 57) - Matters to be referred from/to Policy & Scrutiny Committees

The Scrutiny Committee had considered the CIL Governance arrangements dealt with under Minute 48 Item 4.

CONSULTATION

There were no matters.

Angela Hutchings
Chief Executive