

BOSTON BOROUGH COUNCIL

NOTICE OF DECISIONS TAKEN BY CABINET ON 23 JUNE 2021

DATE OF PUBLICATION: FRIDAY, 25 JUNE 2021

DEADLINE FOR CALL-IN: FRIDAY, 2 JULY 2021

NOTES:

A COPY OF THE CABINET AGENDA HAS BEEN PREVIOUSLY CIRCULATED TO ALL MEMBERS OF THE COUNCIL. IF YOU REQUIRE ANY FURTHER INFORMATION ON ANY ISSUE PLEASE CONTACT, IN THE FIRST INSTANCE, THE PORTFOLIO HOLDER OR OFFICER NAMED IN THE RIGHT HAND COLUMN.

MEETING OF THE CABINET

23 June 2021

Present:

Councillor Paul Skinner, in the Chair

Councillors Tracey Abbott, Richard Austin BEM, Martin Griggs, Jonathan Noble and Nigel Welton

Officers –

Chief Executive, Assistant Director - Housing & Wellbeing, Assistant Director - Towns Fund, Transformation & Governance Manager, Senior Democratic Services Officer and Democratic Services Apprentice

1 MINUTES

The minutes of the meeting held on 12 May 2021 were agreed as a correct record and signed by the Chairman, subject to an insertion to make it clear that one Member was strongly against consideration of the Community Governance Review (Minute No. 160 refers).

2 APOLOGIES

There were apologies for absence from the Deputy Chief Executive (Place) & Monitoring Officer.

3 DECLARATIONS OF INTERESTS

No declarations were made.

4 QUESTIONS FROM MEMBERS OF THE PUBLIC

There was a question from a member of the public, Mr Darron Abbott, for the Leader:

“Please could you let me know how I apply for exemption from being issued penalty notices for fly tipping or littering by Boston Borough Council or any of it’s associated agencies.”

Response from the Leader: “Thank you for your question. There is no exemption process from being issued penalty notices for fly tipping or littering; the Council adopts a proportionate approach to enforcement.”

Mr Abbott’s supplementary question was: “The answer seems to confirm that some of the residents of Boston are more equal than others by this I mean it appears it depends who you are, so if you are an employee of the Council or a friend of an officer you do not get fined, but if you are X (91) of X road and you leave a sleeping bag next to a recycle bin you do is that correct, isn’t that discrimination?”

Response from the Leader: “From my perspective there is no discrimination and, to my knowledge, everything is dealt with in a fair and proportionate manner. I believe there were some labels spilt out and I believe an apology has been issued.”

5 RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY (STANDING ITEM)*

Recommendations from Scrutiny were contained within the reports on the agenda.

6 RECOMMENDATIONS FROM THE BOSTON TOWN AREA COMMITTEE (BTAC) (STANDING ITEM)

There were no recommendations from BTAC for this meeting.

7 WELCOME BACK FUND - DELEGATION OF SPEND

<p>DECISION</p> <ol style="list-style-type: none"> 1. That the Welcome Back Fund activity, as outlined in Appendix A and agreed as eligible by MHCLG, be agreed. 2. That authority to spend the funding of £62,811, in accordance with the proposed activities, be delegated to the Assistant Director of Economic Growth in consultation with the Portfolio Holder - Economic Development and Planning. 	<p>Portfolio Holders and Officer</p> <p>NW/LR</p>
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REASON FOR DECISION

The Deputy Leader presented a report, regarding the result of the Council’s bid from the Government’s “Welcome Back Fund” and a request for delegated authority for its spend.

Councils across England were receiving a share £56m of this European Regional Development Funding (ERDF) to support the return to high streets safely and help build

back better from the pandemic. This funding built on the £50m Reopening High Street Safely Fund (RHSSF) allocated to authorities in 2020 and formed part of wider support the Government was providing to communities and businesses.

The fund would allow local authorities in England to put in place additional measures to create and promote a safe environment for local trade and tourism, particularly in high streets as their economies reopened. The fund supported plans to respond to the significant impacts of Covid19 on local economies.

The Council's plans for the fund allocation of £62,811 were submitted to the Ministry for Housing, Communities and Local Government (MHCLG) on 28 May following consultation with Councillors through a Reserved Member Evening and with a range of stakeholders. On 21 June, the Council received confirmation that MHCLG's Welcome Back project team had reviewed the proposals and considered them eligible, as shown in Appendix C. The Council could now deliver the interventions set out in Appendix A: Welcome Back Fund activity.

The report requested approval to delegate authority to the Assistant Director of Economic Growth, in consultation with the Portfolio Holder - Economic Development and Planning to spend the fund allocation in line with the proposed activities.

In response to questions, the Assistant Director - Towns Fund confirmed that the funding was the remainder of the ERDF funding stream and had been allocated specifically to support the reopening of the high street following the impact of the COVID-19 pandemic.

The details of proposed activity, set out in Appendix A, related to the project proposals approved by MHCLG and the Council had to ensure that expenditure was made in line with those proposals in order to be able to drawdown the funding.

The Leader thanked the team for their dedicated efforts in such a short time frame and achieving an extremely successful result. The process was prescriptive and great care was taken when making applications because expenditure had to be in line with the approval.

The Deputy Leader brought Members' attention to the indicative spend of the contracts within the table of proposed activity. Now that approval had been received, detailed expenditure would be worked out and sent to MHCLG for approval as the process went along.

Members commended the officers for the success of the bid and welcomed the approved funding. One commented that, although relatively modest projects, they would make a noticeable difference.

A Member asked officers to urge MHCLG to provide additional funding to help with problems compounded by the lockdown, such as fly tipping, and to extend the offer of free car parking, in order to encourage business back into the high street.

The Deputy Leader confirmed that officers lobbied central government robustly and would continue to do so. They always ensured that they submitted high quality applications for every funding stream available.

With respect to a suggestion to use social media, particularly one-minute videos, to communicate clearly with the eastern European communities, reference was made to

existing community leaders' meetings and the proposal for communications and public information activity, which would include exploration of various platforms to reach wider audiences both within and outside of the borough.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

To do nothing would result in the funding not benefiting Boston's communities and businesses. The reputation of Boston Borough Council not delivering the proposals as submitted would be detrimental to our relationship with the Ministry for Housing, Communities and Local Government.

Any delay to the financial profile and timeline indicated in our proposal would have a negative impact on the effectiveness of the projects and may impact on the drawdown of the fund allocation to Boston Borough Council.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

8 ROUGH SLEEPING SERVICES - FUTURE SERVICE DELIVERY

DECISION	Portfolio Holders and Officer
That the proposed in-house delivery from 1 July 2021 of MHCLG-funded Rough Sleeping Services, as set out in section 7 of the report, be approved.	MG/MH

REASON FOR DECISION

The Portfolio Holder for Housing & Communities presented a report regarding the future service delivery of Rough Sleeping Services.

Within its Rough Sleeping Strategy, the Government had committed to halve rough sleeping by 2022 and end it by 2027. As part of this, the Ministry of Housing, Communities and Local Government (MHCLG) launched a funding programme known as the Rough Sleeping Initiative (RSI) in 2018 to support local areas to provide vital services for those living on the streets. Through this programme, local authorities had been required to apply for funding on

an annual basis, with a commitment to reduce rough sleeping in their local area.

The Council had received funding from the RSI programme on an annual basis since 2019. There had been a marked reduction in rough sleeping across the borough and some notable success in bringing 'Everyone In' during the Covid 19 pandemic. Services were currently funded to 30 June 2021, with delivery of outreach services led by a voluntary sector partner.

Further funding had been secured by the Council to deliver rough sleeping services for the period 1 July 2021 to 30 March 2022. In consideration of the timing of the funding, staff capacity and parameters of the Council's contract procedure rules, it was proposed that outreach and resettlement services were delivered through a Council-led delivery model from 1 July 2021.

Maintaining existing arrangements would mean the Council would not be compliant with its contract procedure rules. However, if the Council carried out a full tender process, the timescales involved would lead to a gap in service delivery. The service provided much-needed support for vulnerable individuals in the borough and it was crucial to provide continuity of service.

Therefore, it was recommended that the proposed in-house delivery of MHCLG funded Rough Sleeping Services be approved from 1 July 2021, as set out in section 7 of the report. This would ensure continued delivery of services for vulnerable people and a continued focus on reducing and preventing rough sleeping across the borough and at the same time ensuring continued compliance with the Council's contract procedure rules.

In response to questions, the Portfolio Holder explained that the Council's contract with the current service provider, P3, had been extended once already and could not be extended a second time; the Council would, instead, have to carry out a full tender process, which would result in a gap in service. Providing the service in-house avoided the need for a tender process. The Council's core grant funding arrangement with Centre Point Outreach was a separate matter.

Members stressed the need for continuity of this crucial service and commended the success it had achieved.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

1. Maintain existing arrangements: this option is not recommended as it would not enable the Council to be compliant with its contract procedure rules.
2. Carry out a full tender process: this option is not recommended as the timescales involved would lead to a gap in service delivery – this would be a risk.
3. Not deliver rough sleeping services in Boston Borough: this option is not recommended as it would negatively impact on much needed support for vulnerable individuals in the Borough and would lead to an increase in rough sleeping in the Borough. Funding has been secured to deliver rough sleeping services across the Borough.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

9 EMPOWERING HEALTHY COMMUNITIES - COUNCILLOR GRANTS SCHEME

<p>DECISION</p> <ol style="list-style-type: none">1. That the proposed Councillor Grants Scheme, to be delivered as part of the Empowering Healthy Communities Programme, be approved.2. That authority be delegated to the Assistant Director, Housing and Wellbeing (in consultation with the Portfolio Holder for Housing & Communities) to arrange for implementation and delivery of the scheme from 1st July 2021.3. That a progress report be provided to Cabinet in six months' time (December 2021) to show impact and outcomes achieved through the grants scheme.	<p>Portfolio Holders and Officer</p> <p>MG/MH</p>
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REASON FOR DECISION

The Portfolio Holder for Housing presented a report regarding the delivery of a Councillor Grants Scheme, as part of the Empowering Healthy Communities (Community Champions) Programme, funded by the Ministry of Housing, Communities and Local Government (MHCLG).

Funding of £1000 would be available to each Ward Member and £1000 would be available to each Parish Council. The scheme would be open to receive applications from eligible groups between 1 July 2021 and 31 January 2022.

The scheme provided a positive opportunity for Councillors to invest in and support their local communities and aligned with the Corporate Strategy with respect to *Priority 1: People* and *Priority 2: Future Prosperity, Regeneration and Inclusive Growth*.

The funding allocation could be spent to support local community groups upon application, provided spend was in line with the Community Champions Fund grant conditions.

The grant conditions formed the criteria within the proposed Councillor Grants Scheme policy. A Councillor Grants Scheme and associated policy, guidance and application documents had been developed. The policy and scheme guidance clearly set out the criteria and process for applicants and Members. Guidance and support would be provided by the Empowering Healthy Communities Programme Coordinator to Members to help validate applications and ensure that funded projects were within the parameters of the grant conditions. The policy, information guide and associated documents appeared within the Appendices with the report.

Should the scheme be approved, it would be launched on 1 July and would be open for applications until 31 January 2022. A communications plan would be developed and the scheme would be launched to raise awareness. In addition, Members and Parish Councils would be invited to attend a briefing ahead of the scheme launch.

The Portfolio Holder commended the hard work of officers in successfully securing the funding within short timescales and welcomed the onus placed on Members by the scheme.

It was noted that, although informal groups were ineligible to apply for funding from the scheme, an eligible group could act as an accountable body for an informal group wishing to undertake projects with community benefit. Crucially, grants would be paid just two weeks after approval. Members would liaise with groups in order to ensure scheme deadlines were met.

Members commended the scheme, which would empower communities, support hard-working volunteers and enhance Ward Members' engagement within their communities.

The Portfolio Holder agreed that Members should promote the scheme. It would also be publicised through the usual media channels. A Member asked that Parish Councils be reminded about the scheme and its criteria and timescales on a regular basis due to their infrequent meetings.

The Chief Executive described the scheme as an excellent opportunity for Members to become involved with the community groups in their ward and pointed out that many voluntary groups were active in raising funding themselves and that match funding would maximise the benefits of the scheme. The Portfolio Holder added that it was not a requirement for groups to have match funding, though Members could request it.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

Not to deliver a Councillor Grants Scheme: this option is not recommended. Funding has been received to enable delivery of the scheme, which presents a positive opportunity for Councillors to invest in and support local groups in their communities.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

10 TRANSFER OF INTERNAL AUDIT SERVICE

DECISION	Portfolio Holders and Officer
That the transfer of the internal audit function from Lincoln City Council to Lincolnshire County Council be approved.	JN/AS

REASON FOR DECISION

The Portfolio Holder for Finance presented a report, which sought approval of the transfer of the Council's internal audit function, currently undertaken through Lincoln City Council, to Lincolnshire County Council (LCC) in order to achieve a greater level of resilience and consistency in approach across the Strategic Alliance and ensure ongoing conformity with the professional standards.

The requirement for an internal audit service was set within the Accounts and Audit Regulations 2015. The Service was currently provided through a contractual arrangement for around 140 days of cover with Lincoln City Council. However, there were concerns around resilience and, now that there was a shared working arrangement with East Lindsey District Council, through both the Alliance and a shared back office provider, there was a real benefit in aligning the internal audit function.

Transferring this service to Lincolnshire County Council would achieve a consistent and streamlined approach across the Alliance. Whilst there were no specific issues highlighted with the current service provision, there was an increasing need for specialist audit capacity specifically around areas such as fraud and ICT, and with a relatively small team, it was difficult to develop the required range of expertise.

More generally, a shared approach would allow the following benefits to be secured:

- Streamlined service with single set of personnel for both Councils within the Alliance and PSPS
- Combining all oversight work for both Councils into one principal officer thereby merging liaison meetings, management team and committee attendance and reports
- Combined audit reviews providing assurance across the Alliance potentially reducing the

number of days on each audit as there would be one audit report and closure process rather than two

- Allow shared intelligence and highlight inconsistent practices
- A reduced day rate allowing annual savings of around £3,000
- Reduced impact on PSPS as not having two sets of auditors reviewing the same systems
- Access to other expertise from the Assurance Lincs offer (Risk, Fraud, Health and Safety and Audit specialisms)
- Increased resilience provided by a larger team to mitigate against sickness, loss of key staff etc.

The provisional date for the transfer of the internal audit service, subject to necessary approvals and agreed contractual terms, was 1 July 2021. Whilst it was not currently proposed to make any changes to the level of audit days, this would be reviewed during the year as the risk environment changed and efficiencies could be achieved.

The Leader commended the move and LCC's internal audit function for its reputation for thoroughness.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

The current service provided by the County Council for East Lindsey District Council could transfer to Lincoln City Council. However, there is not the same level of capacity at the City Council to provide the additional resilience.

The service could be provided by private sector organisations. There is, though, a lower level of expertise for Local Authority functions in the private sector and previous soft market testing has shown that the cost would be significantly higher.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

11 APPOINTMENTS TO EXTERNAL ORGANISATIONS 2021/22

<p>DECISION</p> <p>That the following appointments to the external organisations be confirmed, such appointments to hold good only whilst the appointees remain Members of the Borough Council, until the next Annual Meeting of the Council, or until the appointment of their successors:</p> <p>Local Community Framework Investment Panel (Empower Community Foundation/Lincolnshire housing Partnership) – Councillor Paul Skinner</p> <p>PATROL (Parking and Traffic Regulations outside London) – Councillor Jonathan Noble</p> <p>Tritton Knoll Local Liaison Committee – Councillor Michael Cooper</p>	<p>Portfolio Holders and Officer</p> <p>LB</p>
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<p><u>REASON FOR DECISION</u></p> <p>Under the Constitution, those appointments to outside bodies connected with functions that were the responsibility of the executive (Cabinet) were to be determined by Cabinet rather than full Council.</p> <p>The Leader presented a report, which sought approval for to make appointments to the external organisations as indicated in Appendix A as follows:</p>			
Organisation	Period of Appointment	Previous Appointees	Nominees
Local Community Framework Investment Panel (Empower Community Foundation/Lincolnshire housing Partnership)	Civic Year	P. Skinner	P. Skinner
PATROL (Parking and Traffic Regulations outside London)	Civic Year	-	Noble
Tritton Knoll Local Liaison Committee	Civic Year	Cooper	Cooper

<p><u>OTHER OPTIONS OR ALTERNATIVES CONSIDERED</u></p> <p>Not to make appointments to the external organisations appended to this report.</p>

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

12 QUARTER 4 REPORT – PERFORMANCE, RISK AND FINANCE

DECISION	Portfolio Holders and Officer
1. To note the quarterly monitoring information for Q4.	PS/JN AS
2. To agree the draft revenue position for the year ended 31 March 2021, indicating a £704,000 underspend, with the recommendation that this is carried forward into 2021-22 in a ‘COVID Pressure Smoothing Reserve.’	

REASON FOR DECISION

The Portfolio Holder for Finance presented a report, which set out quarterly monitoring information relating to performance, risk and finance for Quarter 4, being the period from 1 January to 31 March 2021.

Performance

Areas of success / improvement were noted as:

- Planning applications and appeals (Cllr Welton)
- Switchboard – abandoned calls (Cllr Welton)
- Benefit and Council Tax Support processing times (Cllr Noble)
- Information requests (Cllr Noble)
- Broadly compliant food businesses (Cllr Stevens)
- Fly tip response times (Cllr Evans)
- Number of affordable homes delivered (Cllr Griggs)
- Number of non-local authority owned empty properties returned into occupation (Cllr Griggs)
- Improved housing standards (Cllr Griggs)

Areas of concern / watching brief were:

- Switchboard waiting time (Cllr Welton) - increase in calls due to Garden Waste and Twin bin roll out
- Business Rates and Council tax collection rates (Cllr Noble)
- Car parking income (Cllr Noble)
- Residual household waste per household (Cllr Evans)
- Market income (Cllr Abbott)

Other items of note:

- Narrative update on climate change work
- One non-RIPA authorisation in Q4, relating to fly tipping

The Portfolio Holder for Finance referred to the collection rates for Council Tax and Business Rates, which, although below target, were still reasonable given the circumstances of the financial impact of the pandemic on residents and businesses.

Another Member commended staff for the collection rates and response times relating to incidents of fly tipping and referred to the efforts of Members and officers in dealing with fly tipping. Members of the public were urged to report any incidents they became aware of. Also highlighted was the significant loss of car parking income and need for the Council to reinstate charges to avoid having to make cuts to other services.

Risk

The Portfolio Holder for Finance reported that the strategic risks had been reviewed in light of the change in management structure in Quarter 2 and would be reviewed in light of the new Corporate Plan in 2021/22.

The two high strategic risks in Quarter 4 remained as *housing* and *budget*. There had been no change to the strategic risk scores in Quarter 4. Full details of risk information were set out in Appendix B.

Finance

The Portfolio Holder for Finance reported as follows.

It was welcome news that the draft position for the year ended 31 March 2021 indicated a £704,000 underspend, with the recommendation to carry this forward into 2021-22 in a 'COVID Pressure Smoothing Reserve'.

The Government had been generous, providing several Covid-19 tranche grants, with more to come, as well as compensation for lost fees and charges. The Council had also received significant amounts to give financial aid to businesses.

The Council's financial position was healthy and the borough would recover well provided there were no further lockdowns.

OTHER OPTIONS OR ALTERNATIVES CONSIDERED

Alternative reporting arrangements.

RECORD OF ANY CONFLICT OF INTEREST

None.

RECORD OF ANY DISPENSATION GRANTED

None.

13 EXCLUSION OF THE PUBLIC AND PRESS

IT WAS RESOLVED that under Section 100 (A) (iv) of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, the public and press be excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Order.

14 QUARTER 4 REPORT - EXEMPT APPENDIX

A confidential minute of this item has been lodged with the Council.

The Meeting ended at 7.30 pm

Signed by the Chief Executive



FRIDAY, 25 JUNE 2021

These decisions will come into force (and may then be implemented) on the expiry of five clear working days after the date of this notice UNLESS the decisions are subjected to the Call-In procedure or are starred minutes requiring Full Council approval.