

COUNCIL MEETING – 17 APRIL 2018

REPORT OF THE RESOURCES COMMITTEE

21 March 2018

Present: Councillor Griffiths (Chairman), and Councillors Partridge-Underwood, (Vice-Chairman), Allebone, Carr, Emerson, Francis, Graves, Hallam, Henley, G Lawman, Scarborough, Simmons and Ward.

Also present: Mrs L Elliott (Managing Director), Mrs B Gamble (Director), Miss J Thomas (Director/Monitoring Officer), Mrs V Jessop, Mrs S Knowles and Mr A Piper (Assistant Directors), Mr R Watson (Senior Revenue Officer) and Mrs C A Mundy (Democratic Services Officer).

(Councillor Walia attended as an observer.)

1. APOLOGIES

Apologies were received from Councillors L Lawman and Morrall.

2. DECLARATIONS OF INTEREST

RESOLVED to note that in accordance with the Localism Act 2011, the council's code of conduct and the council's constitution, there were no declarations made.

3. CONFIRMATION OF THE MINUTES OF THE RESOURCES COMMITTEE MEETING HELD ON 7 FEBRUARY 2018

The minutes of the resources committee held on 7 February 2018 were received.

RESOLVED that the minutes of the resources committee held on 7 February 2018, be confirmed and signed.

4. FINANCIAL MONITORING AND POSITION STATEMENT FOR 2017-18

The annexed circulated report of the section 151 officer was received in relation to the monitoring position for revenue expenditure as at 31 January 2018.

Analysis of the spending position and re-profiling of expenditure indicated that the overall increase in the budgeted level of reserves was £896k, giving a revised use of general reserves of £1.967m. This was an increase of £190k from the previously reported position.

This was partly due to the forecast of £100k planning income not being achieved on current activity levels. If this situation were to improve the use of reserves would be reduced.

RESOLVED that the revenue monitoring position be noted.

5. CAPITAL PROGRAMME MONITORING

The annexed circulated report of the section 151 officer was received in relation to the capital programme monitoring information to 31 January 2018.

The total capital budget for 2017-18, as reported to resources committee in November 2017, was £6.635m. Updates and amendments to the budget were detailed in the report, along with further re-profiling which had resulted in a revised capital budget for 2017-18 of £3.731m.

Appended to the report were the following:

- Appendix 1: Capital monitoring report up to 31 January 2018;
- Appendix 2: Summary of capital resources;
- Appendix 3: S106 spent contributions to February 2018;
- Appendix 4: S106 committed and to be allocated funds February 2018;
- Appendix 5: Urgent action request – Waendel Leisure Centre boilers.

The report also detailed the temporary accommodation mitigation fund and gave an update on section 106 monies held.

Members commented that the amount in the capital programme of £3.5m was unlikely to be spent in the current financial year; they noted that the figures provided were to end of January 2018 and asked if an update could be provided on actual expenditure.

The assistant director clarified that the anticipated expenditure would be between £2m and £2.5m at the end of March 2018.

Some members considered that this was an under-achievement by service areas and unacceptable, and that projects needed to be progressed much quicker. The assistant director provided explanations for the delay to projects, some of which were outside the council's control.

A request was made that information relating to section 106 agreements be expanded to show the ten year expiry date. The assistant director confirmed that this could be provided.

Concern was also expressed about the urgent action taken for the replacement of two boilers at the Waendel Leisure Centre at a cost of £80,000 to the capital programme. Members expressed their dismay that the boilers, which were only 10 years old, could not be repaired. They asked if there was any redress with the contractors. The managing director replied that checks would be made but it was thought that the contractors were no longer trading; a numbers of lessons had been learnt from the failings of the leisure centre, particularly that quality was of more importance than cutting costs by using equipment which was near obsolete.

RESOLVED that:

- (i) the projected outturn and anticipated variances, as at 31 January 2018, be noted;
- (ii) the external funding be noted;
- (iii) the scheme re-profiling in the agreed capital programme, as outlined in the report, be noted;
- (iv) the section 106 funding identified be allocated to the projects listed;
- (v) the urgent action request, approved under delegated powers, be noted.

6. RESERVES POLICY 2018-19

The annexed circulated report of the section 151 officer was received to outline the current position with both revenue reserves and capital reserves, and to review the reserves policy for the governance of the balances.

As at 1 April 2017 the council held £3.9m of general fund revenue reserves along with £3.2m of earmarked revenue reserves. This made a total of approximately £7.2m of revenue reserves and £17.6m of capital reserves.

It was expected that such balances would be utilised in the current financial year and were estimated, at 31 March, to be £5.2m of revenue reserves and £15.7m of capital reserves.

It was anticipated that the revenue budget in 2017-18 would be reliant on the use of approximately £2m of reserves to maintain a balanced position. In future years this would rise to approximately £2.7m per annum with the current rate of expenditure; this would result in the reserves falling below the minimum level of £1.75m by 2019-20.

Capital funding was estimated to be £15.7m at the end of 2017-18, with the minimum level of reserves set at £5m. This allowed for £10.7m of capital expenditure plus the addition of approximately £0.25m ongoing capital receipts each year, and potential to release some assets to increase these receipts by a further net £10m.

The Local Government Finance Act 1992 requires local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. There is no specified minimum level of reserves but the section 151 officer is required to report formally on the adequacy of proposed reserves when setting a budget. All reserves should be reviewed periodically in order to ensure they are adequate, relevant and set at the right level to guard against known liabilities.

Appended to the report were the following:

- Appendix 1: Current level of revenue reserves as at 31 March 2017 and predicted year end reserves for 31 March 2018;
- Appendix 2: Financial reserves and balances policy.

RESOLVED that the current reserves position be noted.

R1 RECOMMENDED that the reserves policy, as appended to the report, be approved.

7. CAPITAL STRATEGY FOR THE MEDIUM TERM

The annexed circulated report of the section 151 officer was received in relation to the capital strategy for the medium term, along with the agreed capital schemes for the coming year.

The capital strategy for the medium term (March 2018) and the capital programme 2018-19 onwards as agreed in February 2018, were appended to the report.

Members discussed the capital programme and commented that a number of items, detailed in appendix two, had been on the list for over two years, without progression. They sought clarification that these schemes were achievable and deliverable.

The managing director clarified that a large number of the schemes were currently being worked on and it was anticipated that they would be delivered in the next year; these included the work on the shop front scheme, the Castle Theatre, temporary accommodation mitigation fund, homelessness initiative, renovation grants, disabled facilities grant and compulsory purchase. Some of these projects formed part of the main priorities for the coming year.

Some members remained concerned that the schemes would not be completed and suggested that phasing be introduced into the programme. They considered that if schemes were not coming to fruition, thought should be given to buying-in additional resources to make sure that these projects were completed as soon as possible.

R2 RECOMMENDED that the capital strategy be agreed.

8. PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT STRATEGY 2018-19

The annexed circulated report of the section 151 officer was received in relation to the Prudential Indicators and Treasury Management Strategy 2018-19.

Appended to the report was the treasury management strategy statement including minimum revenue provision policy statement and annual investment strategy.

Members discussed the option to borrow funds and agreed that this should be considered if there was a strong business case to do so.

R3 RECOMMENDED that:

- (i) approval be given to the treasury management strategy statement;
- (ii) approval be given to increase the Lloyds Bank total investment limit to £7m;
- (iii) approval be given to borrowing being considered as a source of financing for certain capital schemes, based on a strong business case for investment and revenue returns to cover the costs.

9. ASSET MANAGEMENT POLICY AND STRATEGY 2018-28

The annexed circulated report of the managing director was received in relation to the refreshed Asset Management Policy and Strategy for 2018-28 as appended to the report.

The policy and strategy was the council's overarching plan for the prudent stewardship of its property assets, geared to the achievement of key outcomes in the corporate plan. This would be reviewed and updated periodically and reported to members.

It formed part of a suite of key policies and strategies that govern the use of the council's resources, which include the capital strategy, reserves strategy, and treasury management strategy, as well as the medium term financial plan and annual budget.

Members commented on the wording of the policy which the managing director confirmed she would update.

R4 RECOMMENDED that the Asset Management Policy and Strategy 2018-28 be approved.

10. WORLD WAR I CENTENARY

The annexed circulated report of the managing director was received in relation to a request for funding to commemorate Major Edward (Mick) Mannock VC, DSO and Two Bars, MC and Bar, and to mark the end of World War I.

A working group had been established to investigate opportunities and explore projects to commemorate Major Edward (Mick) Mannock. Information had also been sought from local groups and organisations on how they intended to commemorate the end of WWI locally. A timetable of these events would be published.

It had previously been agreed by resources committee to transfer the land, on which the 378 Mannock Squadron Air Training Corps Centre was built, to the East Midlands Reserve Forces and Cadets Association with the occasion being marked with a presentation by the Mayor.

It had been agreed to hold a presentation event on 26 July 2018 at the centre followed by a 'Mick Mannock Afternoon Tea' reception. It was also proposed to place a plaque in Swanspool Gardens.

A budget of £1,000 was sought to cover the costs of the afternoon tea and the purchase of the plaque.

RESOLVED that approval be given to the sum of £1,000 being made available to commemorate Major Edward (Mick) Mannock, and the end of World War I.

11. HOUSING OPTIONS SERVICE DELIVERY

The annexed circulated report of the assistant director was received in relation to the future delivery of homelessness and allocations services.

Homelessness and allocations functions were provided by the council's housing options service; this service was experiencing an increased level of homeless applications resulting in increased pressures both on its staff and financially.

The report detailed that the use of temporary accommodation had increased by 18%; however, it was the increase in the length of stays in temporary accommodation that was having the biggest impact on the council's resources. The overall cost of temporary accommodation was £381,899 in 2016/17 and, in comparison, the projected outturn for 2017/18 was £1,125,128.

The report detailed the review of the service which had been undertaken in 2017. This highlighted that modern effective working practices were required with a need to transform the service, which the council is legally bound to deliver. Consideration needed to be given to finding solutions to reduce and mitigate homeless pressures, demands and costs, over the longer term, and to find housing solutions to manage such pressure for the future.

Appended to the report were the following:

- Appendix 1: Options appraisal;
- Appendix 2: Procurement timetable for a potential joint procurement;
- Appendix 3: County homelessness comparison report compiled from government homelessness P1E statistical returns;
- Appendix 4: Housing service structure chart.

The report detailed the options available for the future of the homelessness and allocations service, as follows:

- Procurement (plus potential to jointly procure with another council);
- Shared service;
- Continue to retain services in house.

Officers recommended that the procurement option be explored with another local housing authority, if achievable, or in a sole procurement capacity.

Members discussed the options at length, expressing concern that changes to current arrangements may not improve the service or make savings. In the view of several members the remedy lay in providing additional accommodation rather than changing the way the service was provided.

The assistant director explained that the case work of the front-line service, particularly in regard to homeless applications, had dramatically increased and the service was finding this increase difficult to deal with. The team had been dealing with the day to day applications and this had resulted in less time being available for preventative and strategic work such as enabling and securing homes.

It was acknowledged that a procurement exercise may not provide a cheaper option, but it could provide best value, with more capacity, resilience and choice on offer. It would also mean that the service could be provided by a larger housing team with more professional resources on which to draw. This would support the front line service. She also clarified that employees had been informed of the proposal and report to this committee, so were aware of the potential for a transfer to another organisation.

Some members expressed the view that they were unable to make a decision on the information that they had before them.

A question was asked about the capital funding of £725,000, approved in December 2017, for the mitigation of homelessness. A request was made for an update on the use of this funding as they had expected to receive an update.

The managing director explained that because service was at capacity and struggling to deal with increasing demand, there was no capacity to look at other more strategic areas – such as the use of the capital funding. The procurement option could improve the service and free some capacity to look at alternative methods of housing provision. Whilst the two issues were linked they were the subject of two separate reports.

A lengthy debate ensued.

Councillor Scarborough proposed an amendment, which was seconded by Councillor Partridge-Underwood as follows:

“The committee agree that officers:

- (i) investigate further the procurement option, as detailed in paragraphs 6.17.1 and 6.18, and other joint working options;
- (ii) provide a further report on the costs and implications for staffing and service delivery, to an additional meeting of the resources committee;
- (iii) provide a further report on capital initiatives.

The chairman put the amendment to the vote; this was declared carried and became the substantive motion, which was agreed.

RESOLVED that:

- (i) approval be given, to officers, to investigate further the procurement option, as detailed in paragraph 6.17.1 and 6.18, and other joint working options;
- (ii) a further report on the costs and implications for staffing and service delivery be provided to an additional meeting of the resources committee;
- (iii) a report on capital initiatives be provided to the next meeting of the resources committee.

12. HOME IMPROVEMENT AGENCY FEES

The annexed circulated report of the director was received in relation to a review of fees paid to Spire Homes (LG Ltd) for care and repair services.

Since 2005, Spire Homes (LG Ltd), Care and Repair (C&R), had provided the care and repair service on behalf of the council to manage the delivery of disabled facilities grants (DFGs). The company had informed the council that it would no longer be able to deliver the service at the current level of fees.

The current level of fees of 8% did not cover the full delivery costs of the service that C&R provided; the fee had not increased since the service level agreement was introduced in 2005. The service was viable with the funding it received through supporting people and other contracts, however, the funding had reduced and was likely to be withdrawn over the longer term, whilst costs had increased due to works not going ahead.

The report detailed the fees charged over the last three years, staffing costs for work completed in relation to the delivery of DFG grants, and the costs of increasing the fees.

The report detailed the following options:

- Option 1: 12% fee increase
- Option 2: 15% fee increase

Officers recommended that members agree the 15% increase to the fee for the year 2018-19 with a full and comprehensive options appraisal for the service delivery being undertaken within the year.

RESOLVED that approval be given to the increase in the fee, for each completed job, to 15% of the net build cost per job, plus VAT; to be met through the disabled facilities capital grant budget.

13. PROPERTY MATTERS

The chairman referred to the impending retirement of Mr Burnett, Principal Property and Facilities Manager; he was thanked for his professionalism and hard work during his time at the council and wished well in his retirement.

The annexed circulated report of the director was received to review progress on the adoption and implementation of the council's current asset management policy; to review the council's position with regard to forming a wholly owned property company for the management of all council property; and to seek approval to test the market in the light of recent interest in the former Drill Hall and 8a High Street.

Appended to the report were the following:

- Appendix A: Options for the future management of property;
- Appendix B: Indicative plan of the Drill Hall site and 8a High Street for potential sale.

The existing contract for the management of the council's property investment portfolio would expire in May 2019, and had already been extended as much as the contract permitted. It had been agreed that officers should re-tender the contract whilst options for the future management were further considered. The appendix detailed five options for the future management of property as follows:

- Option A: Outsource management (status quo);
- Option B: Outsource management (status quo plus);
- Option C: Wholly owned company;
- Option D: Joint venture company;
- Option E: Insource.

The report also detailed the ongoing work of the assistant director and officers in relation to the policy and strategy for the estate, with a further report being brought back to a future meeting of the committee.

With regard to the former Drill Hall and 8A High Street, there had been interest from some external parties seeking to develop the site. The report asked the committee for approval to commence a marketing exercise to establish the level and nature of interest in the property with a view to finding a purchaser willing and able to purchase the site at best consideration, complying with any conditions or restrictions members wished to apply.

A lengthy debate ensued in relation to the sale of the Drill Hall over whether the site should be sold with the retention of the Drill Hall building, or whether the sale should include potential for its demolition. Some members considered

that the Drill Hall was part of Wellingborough's heritage and that it should remain and be incorporated into any new development. Other members believed that there was no architectural merit in retaining the Drill Hall, which was not listed. It was considered that the stone from the building could be retained and used to create a new façade so that it was in keeping with other buildings in the High Street area. Some members considered that the land should be marketed as a clean site with no buildings remaining. It was agreed that the building located at 8a High Street could be demolished. Discussion also took place about the use of the site as it had been previously designated for mixed-use development.

The vice-chairman reminded members that the director needed clear instructions on how the land was to be marketed. A decision needed to be made over whether to retain any, or all, of the buildings on the site before marketing commenced.

Officers advised the committee that the interested parties had indicated that they could work with the Drill Hall in situ. The council had a duty to obtain best consideration for any disposal of property. Whilst advice from officers was clear that the value of a clean site would be likely to be higher, officers were unable to indicate a likely value for the site with the hall being retained on the land. This was because the potential viability of any proposed development could not be assessed at this stage. In order to obtain best consideration the financial value needed to be considered in conjunction with social and heritage value. Best consideration did not have to be defined solely in numbers, but could also be explained in words. It was confirmed that conditions of sale could be included during the marketing process. It could be made clear that the sale would be with conditions, subject to contract and committee approval.

The chairman put the proposals detailed in the report at 4.1, 4.2 and 4.3 to the vote and these were all carried.

He then put proposal 4.4 to the meeting as follows:

“to instruct the director to market the former Drill Hall and 8a High Street with the intention of finding a purchaser who would be willing, and able, to purchase the site at best consideration, whilst complying with any conditions or restrictions imposed by members.”

On being put to the vote this was carried with one abstention from Councillor Emerson, and three votes against from Councillors Francis, Henley and Scarborough, which they asked to be recorded.

Members further discussed the instructions they wished to give to the director in relation to conditions and reservations in relation to the sale of the site.

Suspension of standing order – majority vote to continue:

At 10pm, and in accordance with clause 4.1.08 of the constitution, the chairman proposed that the meeting continue to conclude the business on the agenda. This was seconded by Councillor Partridge-Underwood and on being put to the vote declared carried.

The debate continued.

The following was proposed by Councillor Scarborough and seconded by Councillor Carr.

“The site be marketed on the basis that as much as possible of the external fabric of the Drill Hall building be retained, and that such sale be the subject of a further report to committee.”

The chairman put the proposal to the vote and this was declared carried.

RESOLVED that:

- (i) the contract for the management of the council’s commercial property, and other non-operational property in the council’s ownership as appropriate, be put out to tender, in consultation with the leader of the council and the leader of the opposition for both the preparation of tender documents and assessment of submissions;
- (ii) the implementation of option B, described in the appendix to the report, as the chosen method for the future management of the council’s property investment portfolio be approved;
- (iii) approval be given to vary the decision, made by council on 21 July 2015, to amend the potential use of the site, at the Drill Hall and 8a High Street, outlined in appendix B, to include residential development;
- (iv) the director be instructed to market the former Drill Hall and 8a High Street, with the intention of finding a purchaser who would be willing, and able, to purchase the site at best consideration, whilst complying with any conditions or restrictions imposed by members;
- (v) the director be instructed to market the site on the basis that as much as possible of the external fabric of the Drill Hall building be retained, and that such sale be the subject of a further report to committee.

14. IRRECOVERABLE COUNCIL TAX, HOUSING BENEFIT OVERPAYMENTS, NON-DOMESTIC RATES AND SUNDRY DEBTS

The annexed circulated report, and exempt appendices, of the section 151 officer was received to request the approval of the write off of irrecoverable debts.

RESOLVED that:

- (i) approval be given to the sum of £15,178.59 of irrecoverable council tax and non-domestic rate balances being written off;

- (ii) It be noted that the sum of £29,167.17 had been written off under the delegated powers of the section 151 officer.

Chairman

The meeting concluded at 10.10pm.