

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.30 P.M. ON TUESDAY, 10 JANUARY 2017

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing Management & Performance)
Councillor Shiria Khatun	(Deputy Mayor and Cabinet Member for Community Safety)
Councillor Rachael Saunders	Deputy Mayor and Cabinet Member for Education & Children's Services
Councillor Asma Begum	(Cabinet Member for Culture)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Ayas Miah	(Cabinet Member for Environment)

Other Councillors Present:

Councillor Ohid Ahmed
Councillor Marc Francis
Councillor John Pierce
Councillor Andrew Wood
Councillor Shah Alam

Apologies:

Councillor Rachel Blake	(Cabinet Member for Strategic Development)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)
Councillor Amy Whitelock Gibbs	Cabinet Member for Health & Adult Services

Officers Present:

Claire Belgard	(Interim Divisional Director, Youth Services)
Zena Cooke	(Corporate Director, Resources)
Aman Dalvi	(Corporate Director, Place)
Afazul Hoque	(Interim Service Manager, Strategy, Policy & Performance)
Shazia Hussain	(Divisional Director for Customer Access)
Paul Leeson	(Finance Manager, Development & Renewal)
Chris Lovitt	Associate Director of Public Health
Ronke Martins-Taylor	(Interim Divisional Director, Youth Services)
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Denise Radley	(Corporate Director, Health, Adults & Community)
Peter Robbins	Head of Mayor's office

David Tolley	(Head of Environmental Health and Trading Standards)
Will Tuckley	(Chief Executive)
Graham White	(Interim Corporate Director, Governance)
Steve Hill	(Head of Grants & Benefits Service)
David Knight	(Senior Democratic Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Joshua Peck (Cabinet Member for Work and Economic Development)
- Councillor Rachel Blake (Cabinet Member for Strategic Development)
- Councillor Amy Whitelock Gibbs (Cabinet Member for Health and Adult Services)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Ayas Miah declared an interest in Agenda Item 5.12 (Individual Executive Mayoral Decisions) as his father held an interest in a shop on Ben Johnson Road. Whilst this was not a Pecuniary Interest, for the avoidance of doubt he would leave the room for the duration of that item.

3. UNRESTRICTED MINUTES

RESOLVED

1. That the Minutes of the Cabinet meeting held on Tuesday 6 December 2016 be approved and signed by the Mayor as a correct record of proceedings.

4. OVERVIEW & SCRUTINY COMMITTEE

4.1 Chair's Advice of Key Issues or Questions

Pre-Decision Scrutiny Questions, and responses, were tabled in respect of Agenda Item 5.2 (General Fund Revenue and Capital Budget and Medium Term Financial Plan 2017/18 to 2019/20) and Item 5.4 (Local Council Tax Reduction Scheme 2017/81). The questions were considered when each item was taken.

Councillor John Pierce, Chair of the Overview and Scrutiny Committee (OSC), then addressed Cabinet to update them on the meeting of the OSC the previous week.

He reported that:

1. Councillors had considered and reviewed the Council's mid-year progress implementing the Strategic Plan and an update on performance of strategic measures at the six month stage.

2. The Mayor had provided context and background to the report and alerted the committee to the development of the updated and refreshed Strategic Plan that will be approved by Cabinet along with the budget at its meeting in February 2017.
3. The Mayor had indicated that the Strategic Plan would be aligned with the Outcome Based Budgeting approach and the rolling 3 year Medium Term Financial Plan and would impact on the nature of the performance management arrangements and form of the future monitoring reports. There will be a clear link between resource allocation and specific metrics designed to measure outcome achievement and contribution to the council's key strategic priorities.
4. The Councillors had noted the range improving performance activity in a number of key service and priority areas, however expressed concern at the continuing performance level regarding sickness absence management and requested further information in relation to the Waste Management contract and Special Educational Need provision, funding and performance.
5. Pre decision scrutiny – Local Council Tax reduction scheme 2017/18
6. The Committee had reviewed the basis for and associated consultation evidence which has been used to inform the development of the Local Council Tax reduction scheme for 2017/18. Information was provided on the historical and statutory basis for the scheme and the proposed strategic approach for 2017/18. In addition the requirement for the final scheme to be approved at the Full Council meeting on 18 January 2017.
7. Councillors had raised a number of strategic approach and practical and detailed implementation questions and queries in relation to the proposed approach for 2017/18, a number of which were answered during the debate. Questions requiring further clarification are included later in this briefing.
8. The Committee had supported in principle the suggested approach, particularly the current direction of travel and the commitment to continuing support for those households that qualify for 100 % reduction in Council tax liability.

Pre decision scrutiny – Fees and Charges 2017/18

9. The Cabinet Member for Resources introduced this item and gave an overview of the strategic approach to fees and charges income for the coming year and the varied nature of the range of statutory and discretionary fees and charges levied by the council. Councillors asked a number of questions relating to the detailed nature of specific charges, including the historic basis for adult education charges and contractual relationship with the Skills Funding Agency (SFA).

Budget Scrutiny

10. He had introduced this agenda item highlighting the proposed approach to Budget Scrutiny this year and the key drivers for this approach including the scale of funding and service changes, the

introduction of the Outcome Based Budgeting approach and the Transformation programme.

11. This initial session for the committee had taken a strategic approach looking at the overall budget package, key drivers for change and the proposed approach to transformation. This included review and consideration of the Mayor's strategic approach and the links between the proposed budget, Medium Term Financial Plan, Treasury Management approach and the refreshed strategic plan.
12. The Committee had also reviewed the nature of the financial resources funding the budget including council tax and business rates, reserves policy, schools funding, Capital and HRA budgets and the robustness of the approach to risk.
13. There had also been a review of the range of budget pressures and proposed growth allocations along with an overview of the extensive range of savings proposals. The next part of the budget scrutiny process will be an informal workshop at 18.00 on 16 January 2017 at the Town Hall, which will be more focused on the in-depth review and scrutiny of a small number of key elements of the proposed budget.
14. The suggested focus and lens for the scrutiny work would be on the following priority areas:
 - Enabling Growth in the Borough and
 - Prevention and proactive initiatives.

In addition that the approach for the in depth reviews should be in determining: Firstly that the proposed outcomes are clear and appropriate and that the evidence base and rationale is robust, and to consider areas of significant risk and the robustness of the mitigation measures.

4.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee

Nil items.

5. UNRESTRICTED REPORTS FOR CONSIDERATION

5.1 Mayor's Foreword to the Council's Budget Report

The meeting received and noted the Mayor's Foreword to the Council's Budget Report.

5.2 General Fund Revenue and Capital Budget and Medium Term Financial Plan 2017/18 to 2019/20

Councillor David Edgar, Cabinet Member for Resources introduced this report that set out proposals which will form part of the draft Medium Term Financial Plan (MTFP) covering the three year period from 2017/18 to 2019/20. It also focusses on the 2017/18 budget setting process and brings together many of the component elements of that budget.

It was noted that the Mayor in Cabinet is recommended to propose a draft budget for consultation with the Overview and Scrutiny Committee in accordance with the Budget and Policy Framework. Then a further report will then be submitted to the next Cabinet meeting in February detailing feedback from Overview and Scrutiny committee; inviting The Mayor in Cabinet to recommend a Budget Requirement and Council Tax for 2017/18 to Full Council.

The **Mayor agreed** the recommendations as set out in the report:

RESOLVED

1. To agree the draft General Fund Revenue Funding Requirement of £338.896m subject to any changes arising from the Final Local Government Finance Settlement;
2. To agree Band D Council Tax at £966.80 for 2017/18 to be referred to Full Council for consideration; and
3. To note the following matters:
General Fund Revenue Budget for 2017/18 and Medium Term Financial Plan 2017/18 to 2019/20

The initial budget proposal and Council Tax for 2017/18 together with the Medium Term Financial Plan set out in **Appendix 1a**.

Budget Consultation

The outcome of consultation with business ratepayers, residents and other stakeholders as reported to The Mayor in Cabinet in December 2016 and attached for ease of reference at **Appendix 10**.

Funding

The funding available for 2017/18 and the indications and forecasts for future years set out in **Section 3.4**.

Growth and Inflation

The risks identified from potential growth and inflation commitments arising in 2017/18 and future years together with new initiatives identified as Mayoral Priority Growth as set out in **Section 3.5** and in **Appendix 3**.

Savings

New proposed saving items to be delivered in 2017 - 2020 as set out in **Section 3.6** and **Appendix 4** of the report.

Financial Risks: Reserves and Contingencies

The strategic budget risks and opportunities as set out in **Section 3.7** and the assessment of risk at **Appendix 6**.

Reserves and Balances

The proposed approach to the strategic use of reserves set out in **Section 3.8** and the projected movement in Reserves in **Appendix 7**.

Dedicated Schools Grant

The position for the Dedicated Schools Grant as set out in **Section 3.9**.

Housing Revenue Account

The position for the Housing Revenue Account as set out in **Section 3.10** and **Appendix 8**.

Capital Programme

The capital programme to 2019/20; including the proposed revisions to the current programme, as set out in **Section 3.11** and detailed in **Appendix 9** (a – c) in advance of the proposed refresh of the council's capital programme following consideration of revised Capital and Investment strategies in 2017.

To adopt a capital estimate for new schemes detailed in **Appendix 9b**.

5.3 Council Tax Base 2017/18

Councillor David Edgar, Cabinet Member for Resources introduced this report that set out the calculation of the Council Tax Base for 2017/18 as is required by statute.

The Mayor agreed the recommendations as set out in the report.

RESOLVED

1. To approve in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, that the amount calculated by the London Borough of Tower Hamlets as its Council Tax Base for the year 2017/18 shall be 88,784.

5.4 Local Council Tax Reduction Scheme 2017/18

Councillor David Edgar, Cabinet Member for Resources introduced this report and it was noted that on 20th January, 2016 Full Council had considered the report from Cabinet on the Local Council Tax Reduction Scheme 2016/17.

The recommendations as set out in the report were put to the vote and were agreed.

The decisions made by Full Council were as follows:

1. That the continuation of the current Local Council Tax Reduction Scheme for 2016/17 be approved which will retain the same level of support to all working age Council Tax payers on a low income as set out in the report to Cabinet on 5 January 2016;
2. That it be agreed that the extension of the scheme is for one year only, to be reviewed alongside the impact of the Government's proposed welfare reform changes and an options review for the future of LCTRS during 2016.

This report outlines the schemes that have been considered and consulted upon, the implications of each scheme and the feedback from the consultation. For each financial year, the Council is required to consider whether to revise its scheme or to replace it with a different scheme. Any revision or replacement must be made by 31 January in the financial year preceding that for which the scheme is to take effect. As a result of discussions on this report the Mayor indicated that he wished to make the following amendments to the report:

Delete from **Section 3.17**

- Removing the allowances for the work related activity premium in the Employment Support Allowance (ESA) and for recipient of the family premium for new claims with effect from 1 April 2017. (Allowances for both are included in the current scheme).
- Limit to a maximum of 2 the allowances for children included in the assessment of new claims from 1 April 2017. (There is currently no limit to the number of children included in a claim).

Delete from **Section 3.27**

- Individual element/option 4 All non-dependants income is taken into account as part of household income.

Accordingly the recommendations were amended and then agreed.

Pre-Decision Scrutiny Questions and responses were noted.

The **Mayor agreed** the recommendations as set out in the report.

RESOLVED

1. To note the feedback from the consultation on the options for the Local Council Tax Reduction scheme;
2. Having considered the options to revise the current Local Council Tax Reduction scheme as set out in paragraphs 3.17 and 3.27 of the report; and

3. Agreed the Local Council Tax Reduction scheme to be recommended to Full Council.

5.5 Fees and Charges 2017/18

Councillor David Edgar, Cabinet Member for Resources introduced this report that detailed the proposed changes to fees and charges across all directorates for the financial year 2017/18. As a result of discussions on the report the Committee noted the key principles that guided the Council's approach to charging for services with regard to Fairness; Rationale & Prioritisation; Stability & Predictability.

According the recommendations were amended and then agreed.

The **Mayor agreed** the recommendations as set out in the report.

RESOLVED

1. To approve the revised fees and charges for **Adults' Services** as set out in **Appendix 1** to the report with effect from 1st April 2017.
2. To approve the revised fees and charges for **Children's Services** as set out in **Appendix 2** to the report with effect from 1st April 2017.
3. To approve the revised fees and charges for **Communities, Localities and Culture** as set out in **Appendix 3** to the report with effect from 1st April 2017.
4. To approve the revised fees and charges for **Development & Renewal** as set out in **Appendix 4** to the report with effect from 1st April 2017.
5. To approve the revised Nationality Checking Service fees for **Law, Probity and Governance** as set out in **Appendix 5** to the report with effect from 10th January 2017.
6. To approve the revised fees and charges for **Law, Probity and Governance** as set out in **Appendix 5** to the report with effect from 1st April 2017.
7. To approve the revised fees and charges for **Resources** as set out in **Appendix 6** to the report with effect from 1st April 2017.
8. Noted the revised **Statutory** fees and charges as set out in **Appendix 7** to the report with effect from 1st April 2017.

5.6 Housing Revenue Account First Budget and Rent Setting Report - 2017/18 - Lettings Plan Band 3 Quota

A report was received and noted a report that provided information with regard to the 2016 Welfare Reform and Work Act including the requirement that rents on social housing properties must be reduced by 1% a year for four years from 2016/17. In line with this legislation, the report set out the rent reduction that will be applied to the Authority's rents in 2017/18. The report also sought Cabinet approval of the level of the 2017/18 service charge increase for the year ahead in order for the Council to comply with its statutory duty to notify tenants.

It was also noted that the Housing and Planning Act 2016 includes the requirement for high income local authority households to be charged an increased level of rent (up to market rent). However, it was noted that the Government has since confirmed that this policy will be voluntary for local authorities. Whilst the Council must prepare proposals in January and February each year relating to income from rents and other charges, and expenditure in relation to management and maintenance of its housing stock. A decision being required with regard to rents and service charges in January in order that statutory notice can be given to tenants prior to 1st April implementation.

Finally, concerning Lettings it was noted that the Mayor in Cabinet had agreed changes to the Allocation Scheme and the Lettings Plan for 2016/17 and 2017/18 when the Amendments to the Allocations Scheme and Lettings Plan report had been presented to Cabinet on 1st November, 2016. However, Members had deferred the recommendation made to amend the quota for Band 3 lets from 10% of one, two and three bed properties to 5% of one bed and studios per annum for consideration at the January Cabinet meeting.

Pre-Decision Scrutiny Questions and responses were noted. The **Mayor agreed** the recommendations as set out in the report.

RESOLVED

Housing Revenue Account

1. To note that, under section 23 of the Welfare Reform and Work Act the Authority must implement a rent reduction of 1% for four years starting in 2016/17, and consequently to agree an average weekly rent reduction of 1% to take effect from the first rent week of April 2017.
2. To agree that the average weekly tenanted service charge will increase by 2% from the first rent week in April 2017.
3. To note that section 80 of the Housing and Planning Act 2016 requires local authorities to charge high income social tenants an increased level of rent, (up to market rent levels). However the government has now confirmed that this scheme (Pay to Stay) will now be voluntary for local authorities.

4. To note the risks to the HRA as set out in section 6, and note that the HRA budget will be presented to Cabinet in February 2017 along with updated medium-term financial projections.

In relation to Lettings

5. To agree to amend the quota for Band 3 lets from 10% of one, two and three bed properties to 5% of one bed / studios and two beds per annum.

5.7 Six Month Strategic Performance Monitoring report

A report was received and noted that provided a summary of the Council's mid-year progress implementing the Strategic Plan and update on performance of strategic measures at the six month stage. It was noted that the Council's Performance Management and Accountability Framework sets out the process for monitoring the Strategic Plan and performance measures which are reported regularly to the corporate management team and Cabinet. The report promotes openness, transparency and accountability by enabling Tower Hamlets' residents to track progress of activities that matter most to them and their communities.

According the **Mayor agreed** the recommendations as set out in the report.

RESOLVED

1. To note the progress in delivering the Strategic Plan at the 6 month stage, including those activities that are flagged as delayed and overdue (appendix 1 to the report); and
2. To note the performance of the Strategic Measures at the 6 month stage, including those measures where the minimum expectation has been missed (appendix 2 to the report); and
3. To note those activities and measures require improvement and will be referred to the Council's Performance Review Group (PRG) and scrutiny where appropriate.

5.8 Youth Services Review

A report was presented that sets out a proposal to transform the Council's youth service with a bold ambition that a transformed youth service will become the recognised leader in providing diverse communities, across Tower Hamlets, with inspiring, positive activities and programmes for young people to use, so that, as they transition into adulthood, they are able to realise their full potential and create better futures. The youth service believes that:

- The safety of young people is its first priority;
- Every young person has worth, value and potential; and
- The diversity of youth contributes to its success.

It was noted that Cabinet was being asked to agree the proposal to commence a restructure of the youth service, from January 2017. The restructure will see the creation of a new, partly internally delivered and partly externally commissioned, youth service which will improve user participation and service outcomes, by empowering the workforce to take responsibility for service delivery and, at the same time, resolving longstanding issues associated with service values and culture. The restructure will maintain the level of delivery provided through the current interim model; and it will also provide a new vision and direction for the youth service which will form the basis of a three year strategic and operational plan. As a result of consideration of this report and representations made by the Trade Unions and 'A' Team Arts regarding the impact of the proposals on the Youth Service. For example the concerns of 'A' Teams Arts should they no longer receive funding.

According the **Mayor** indicated that 'A' Team Arts would continue to be supported and:

RESOLVED

1. To approve Option 1 of the Youth Service Review, subject to the decision of the Council's budget proposals; and
2. To note that the Mayor's announcement that 'A' Team Arts would continue to be supported.

5.9 Contractual arrangements for commercial and community events

A report was noted that set out the recommended contract approaches for two separate contracts relating to the management and delivery of commercial and community events.

It was noted that the current Victoria Park Commercial Events Concession Contract has been in operation since 2014. The report outlined the management arrangements and how these arrangements link into and support the Council's Medium Term Financial Strategy (MTFS). Furthermore, it identified additional management and Executive oversight measures introduced to further mitigate impacts on local residents for the 2016 event season. The existing contract it was noted will expire at the end of 2017 and the report recommended that a new commercial event concession contract is developed and procured to enable the Council to continue investment in parks, open spaces and community events as central government grant reduces further over the coming years.

Separately, the report outlined the contract approach for a new contract for Production and Event Management Services for London Borough of Tower Hamlets Events. The Council it was noted delivers a variety of free to access community events of different scales and complexities. Events including the annual fireworks show in Victoria Park and the Boishakhi Mela. The existing contract for event management and production services it was noted had

reached its value limit and a new contract is required to continue the delivery of community events.

According to the **Mayor agreed** the recommendations as set out in the report.

RESOLVED

1. To agree the procurement and subsequent awarding of a new Production and Event Management Services for London Borough of Tower Hamlets Events contract (for a period of two (2) years with an option to extend by one (1) year and a further one (1) year) based on the parameters set out in paragraphs 3.48 to 3.51 of the report;
2. To authorise the Divisional Director – Legal Services after consultation with the Corporate Director, Place to execute and enter into all necessary agreements (For the avoidance of doubt, functions delegated by reference to job titles or posts includes an officer appointed to a named post on an acting, interim or temporary basis and functions delegated by reference to job titles or posts which have changed will continue in force and shall be exercised by officers whose duties include or most closely correspond to the duties of the post originally referred to);
3. To agree that the contract be entered onto the contract forward plan;

In relation to the Victoria Park Commercial Events Concession Contract (contract reference CLC5194):

4. To note the improved contract management and Cabinet oversight arrangements put in place for the current Victoria Park Commercial Events Concession Contract in advance of the 2016 event season;
5. To agree the procurement and subsequent awarding of a new Victoria Park Commercial Events Concession Contract (to take effect on 1st January 2018 for a period of four (4) years with an option to extend by one year) based on the parameters set out in paragraphs 3.43 to 3.47 of this report;
6. To agree that robust continuous improvement requirements are built into the new contract in order to provide continued focus on minimising the impact of events on local residents;
7. To authorise the Service Head – Legal Services after consultation with the Corporate Director, Place to execute and enter into all necessary agreements (For the avoidance of doubt, functions delegated by reference to job titles or posts includes an officer appointed to a named post on an acting, interim or temporary basis and functions delegated by reference to job titles or posts which have changed will continue in force and shall be exercised by

officers whose duties include or most closely correspond to the duties of the post originally referred to);

8. To agree that the contract be entered onto the contract forward plan;

In relation to the Tower Hamlets parks and open spaces estate:

9. To agree that officers continue to develop opportunities for commercial events activity outside the concession at all sites capable of accommodating the required infrastructure;
10. To agree that officers continue to develop opportunities for smaller scale income generating activity across the wider Tower Hamlets parks and open space portfolio.

5.10 1 to 1 Right to Buy Receipts Usage - Purchase of additional homes out of borough

A report was received and noted that sought approval in principle for a number of proposals to provide temporary accommodation by the Council to meet the needs of homeless households. This included the:

1. Accelerated acquisition of new housing stock in the East London corridor and beyond to provide greater choice for people willing to move beyond Tower Hamlets borough boundaries;
2. Utilisation of the Council surplus properties as appropriate for temporary accommodation use for up to ten years; and
3. Investigation of the use of off-site manufactured units for temporary accommodation.

It was noted that internal modelling had been undertaken assessing the implications of purchasing two bedroom flats out of borough. The capital acquisition costs it was noted are estimated at approximately £300,000 per unit, equating to £30 million for the proposed 100 units. Financing the maximum 30% of these costs from retained Right to Buy capital receipts (£9 million) will mean that capital resources of £21 million will be required. The modelling it was noted assumes that the Council will borrow these resources within the General Fund, although alternative capital resources could be used if available.

It was also noted that there are proposals that 100 properties are purchased and that a target of total revenue savings of £500,000 had been included at this stage. External valuers, Roughton International Limited (RIL), were commissioned to investigate this proposal, including study of an exemplar borough. Allowing for the time that will be required to acquire suitable properties, it is proposed that the saving is profiled as £200,000 in 2017-18 and £300,000 in 2018-19. Whilst an additional capital estimate of £2.25m is proposed to deliver a further programme of 50 units that utilise surplus council properties for temporary accommodation for up to ten years. These properties

will be funded from both the Housing Revenue Account and the General Fund as appropriate.

According the **Mayor agreed** the recommendations as set out in the report.

RESOLVED

1. To note the current position with regard to the Council's housing provision and anticipated housing demand as set out in paragraph 3 and Appendix A to the report;
2. To authorise the Corporate Director, Place, to purchase housing stock either within or outside the borough as outlined below, including properties with a purchase value exceeding £250k and to procure services and works to bring the properties up to the required standards for letting where necessary;
3. To authorised the Corporate Director, Place, to procure services and works and to let contracts in the delivery of the new homes in as far as required to fulfil the recommendations detailed below;
4. To agree to adopt a capital estimate of £30million for the purchase of up to a maximum of 100 properties out of borough, subject to these satisfying conditions of affordability, suitability, and good quality management;
5. To agree to allocate £9m retained Right to Buy Receipts to fund 30% of the capital costs and £21m to finance the residual 70% of the capital costs from Council capital resources, including undertaking prudential borrowing within the General Fund as necessary;
6. To authorise the Corporate Director, Place, to utilise surplus Council properties for temporary housing, and to procure services and works for conversion of those units as appropriate;
7. To agree to adopt a capital estimate of £2.25million to create up to 50 units of temporary accommodation from surplus council properties;
8. To authorise the Corporate Director, Place, to investigate the use of Off-Site Manufacturing for temporary accommodation supply.
9. To require the Corporate Director, Place, to consult the Mayor regarding any purchase beyond a 60 minute journey time from the Borough or within any District outside London, other than those immediately bordering another London Borough.
10. To agree to require the Corporate Director, Place to consult the Corporate Director, Resources regarding any purchase that would result in the portfolio average breakeven period exceeding 10 years or the net yield achieving less than 10%.

5.11 Late Night Levy (Post Consultation)

A report was received and noted regarding whether to consider a Late Night Levy (LNL) should be applied to those premises in the Borough that sell alcohol between a nominated period between midnight and 6.00am.

It was noted that Members had previously requested that the Environmental Health and Trading Standards Service should consult on the adoption of the LNL.

The consultation had sought views on the following matters:

- If a levy should be introduced;
- The commencement time that the levy shall be applied between midnight and 6.00am;
- The views of the Mayor's Office for Policing and Crime (MOPAC) for the introduction of a levy and seek agreement that the levy will be allocated within the Community Safety Partnership; and
- To consult on any exemptions or reductions that may be applied to businesses.

Consultation had been carried out by engaging with the public and businesses and variety of other groups, this report considers the consultation responses. In addition, it was noted it was proposed that it be recommended to Full Council In January, 2017 that the levy the commencement period should now be the 1st June 2017 and **not** 1st October, 2017 as original proposed.

According the **Mayor agreed** the recommendations as amended.

RESOLVED to:

1. Recommend to Full Council the adoption of the Late Night Levy
2. Recommend to Full Council that if the decision is to adopt the levy the commencement period should be the 1st June 2017.
3. Recommend to Full Council that the commencement time should be from midnight
4. Recommend to Full Council that the income from the levy, less collection costs, should be allocated through the Community Safety Partnership.
5. Recommend to Full Council that Members of the Best Bar None Scheme receive a 30% reduction from the levy.
6. Recommend to Full Council that the following premises would be exempt from the levy:
 - Premises with overnight accommodation
 - Theatres and Cinemas

- Bingo Halls
- Community Amateur Sports Clubs
- Community premises
- Premises opening past midnight for New Years Eve only

7. Recommend to Full Council that the following licenced premises would not be exempt from the levy, as:

- Country Village Pubs
- Premises in Business Improvement Districts
- Premises that receive a small business rate relief

5.12 List of Individual Executive Mayoral Decisions

The Mayor introduced the report and agreed the recommendation as set out.

RESOLVED

1. To note the list of Individual Executive Mayoral Decisions.

6. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

7. EXCLUSION OF THE PRESS AND PUBLIC

The Mayor **Moved** and it was:

Resolved:

That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

7.1 Contractual arrangements for commercial and community events

This report was considered and resolved in private session.

8. EXEMPT / CONFIDENTIAL MINUTES

Nil items

9. OVERVIEW & SCRUTINY COMMITTEE

9.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

Nil items

9.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

Nil items

10. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil items

The meeting ended at 7.30 p.m.

MAYOR JOHN BIGGS