

CABINET

Minutes of the meeting held on 10 November 2016 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllr. Lowe (Vice Chairman)

Cllrs. Firth, Dickins, Hogarth, Piper and Scholey

Cllrs. Dr. Canet, Eyre, McGarvey and Pett were also present.

37. Minutes

Resolved: That the minutes of the meeting of Cabinet held on 13 October 2016, be approved and signed as a correct record.

38. Declarations of interest

There were no additional declarations of interest.

39. Questions from Members

There were none.

40. Matters referred from Council, Audit Committee, Scrutiny Committee or Cabinet Advisory Committees

a) Audit Committee Minutes - 27 September 2016

Members considered Minutes 21(c) and 22 (b) from the meeting of the Audit Committee held on 27 September 2016. The Chief Finance Officer explained the reasons for bringing this report to Cabinet.

There is a statutory requirement to value pension fund liabilities in two different ways as they are for different purposes. This is recognised each year during the annual accounts process.

The Audit, Risk and Anti-Fraud Manager has been absent for a significant part of the last few months and managers at both Sevenoaks and Dartford are working closely with the Internal Audit Team to ensure that they receive full support and that both councils continue to have an adequate and effective Internal Audit service. The Audit Committee Chairman has been kept informed of the situation.

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Resolved: That

- a) the significant variation between the audited and actuarial assessments of the pension fund liabilities, be noted; and
- b) the absence of the Audit, Risk & Anti-Fraud Manager at 3 consecutive meetings of the Audit Committee could hamper the work of the Committee, be noted.

41. Council Tax Reduction Scheme 2017/18

The Head of Revenues and Benefits presented the report which set out options for the Council Tax Reduction Scheme (CTRS), the results of the resident consultation and the equality impact assessment. Members were asked to consider the information set out and make recommendations for the CTRS to be adopted for 2017/18 to be implemented with effect from 1 April 2017.

Through the Local Government Finance Act 2012 the Government abolished council tax benefit and placed a requirement on local authorities to have their own Council Tax Reduction Scheme (CTRS) from 1 April 2013. Each financial year the Council was required to confirm or revise its existing CTRS.

Due to timescales it had not been possible for the Finance Advisory Committee to consider the report before Cabinet, but all Members of the Advisory Committee had been invited to attend the meeting.

The Head of Revenues and Benefits set out the options agreed for consultation by Cabinet on 14 July 2016. He explained that the Council had made every effort to promote the consultation through personalised letters, social media and a video, all of which generated 164 replies.

Full details of the responses were set out between pages 19 and 54 and between pages 55 and 60 in the report under consideration, with the latter being Kent County Council's response.

The Head of Revenues and Benefits explained that all responses had been carefully considered but KCC's response was particularly important to note because of their provision of an annual payment of £125,000 to help mitigate the impact of the Council's scheme being less generous than the fully subsidised Council Tax Benefit scheme abolished in 2013. He stated that in addition, whilst they support cost reduction options, they also support the concept of an Exceptional Hardship Scheme which they and the major preceptors agree should be subsidised through the Collection Fund. He asked Cabinet to take into consideration the consultation responses and the Equality Impact Assessment detailed between pages 71 and 82 of the report and to consider and agree the recommendations made on pages 9 and 10.

Members were requested to note that following the consultation it was proposed that the assumed level of earnings for self-employed claimants would be introduced after two years of trading, not one year as in the original proposal.

Public Sector Equality Duty

Members noted Appendix D to the report detailing the consideration which had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Council that

- a) the outcome of the public consultation and the consultation with Kent County Council as set out at Appendix A and B to the report be considered and noted;
- b) the potential impacts of the proposed changes on working age claimants with the protected characteristics of disability, age and sex, as set out in the Equality Impact Assessment at Appendix D to the report, be noted;
- c) the following amendments to the current CTRS be adopted and take effect from 1 April 2017:
 - i. the maximum level of support for working-age claimants be reduced from 81.5% to 80%;
 - ii. the Family Premium be removed for all new working-age claimants;
 - iii. the backdating provision be reduced from six months to one month;
 - iv. as a result of concerns raised through consultation, a minimum level of income be introduced for self-employed earners after two years of trading (rather than one year as initially proposed);
 - v. the period for which a person can be absent from Great Britain and still receive Council Tax Reduction is reduced from thirteen weeks to four weeks;
 - vi. foreign nationals with limited immigration status (Persons from Abroad) are excluded from receiving Council Tax Reduction; and
 - vii. a scheme to help claimants suffering exceptional financial hardship is introduced.
- d) subject to Government making the relevant amendments to the Housing Benefit regulations, the following amendments to the current CTRS be adopted and take effect from 1 April 2017:
 - i. the Work Related Activity Component is removed from the calculation of Council Tax Reduction for new claims from working-age claimants who are in receipt of Employment and Support Allowance; and
 - ii. the dependent child addition used in the calculation of Council Tax Reduction is limited to a maximum of two children.

- e) the Exceptional Hardship Policy as set out at Appendix C to this report be adopted.

42. Environmental Health Partnership - Charging For Food Hygiene Re-Rating Inspections

The Portfolio Holder for Direct & Trading Services presented the report which provided Members with an overview of the Food Standards Agency's (FSA) proposal to introduce a change to the National Food Hygiene Rating scheme. The purpose of the pilot was to trial charging food businesses when they requested a re-rating inspection following an initial food hygiene inspection rating. The charge would be based on cost recovery and would be calculated on the average cost that the Council currently incurred for the provision of the service. The pilot would operate for a period of 3 months and the Food Standards Agency would use the data collected to introduce a National Charging Scheme in 2017. He advised that the Direct & Trading Advisory Committee had considered the same report and had agreed to recommend it to Cabinet.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That

- a) the Environmental Health's team participation in the Food Standards Agency pilot of charging businesses for a food hygiene re-rating inspection, be noted;
- b) the fee for a food hygiene re-rating inspection be set at £200 for the period of the Food Standards Agency pilot; and
- c) if the pilot was successful, and with the support of the Food Standards Agency, charging be continued on a cost recovery basis.

43. Annual Review of Parking Charges 2017 - 18

The Portfolio Holder for Direct & Trading Services presented the report which proposed consultation on revised tariffs in the Council's off-street car parks and in on-street pay and display parking bays. He advised that the Direct & Trading Advisory Committee had considered the same report and had agreed to recommend it to Cabinet.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the proposals for revised parking charges for 2017-18 be agreed for consultation.

44. Christmas Parking 2016

The Portfolio Holder for Direct & Trading Services presented the report which set out proposals for free parking on two Saturdays preceding Christmas and for the cost in terms of lost income to be funded from Supplementary Estimates. Cabinet discussed the proposals and the benefits of the intended free parking.

The Policy & Performance Advisory Committee had considered the same report and had agreed to recommend it to Cabinet.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That

- a) free parking be provided in car parks and on street parking bays for two Saturdays, 10 and 17 December 2016 preceding Christmas; and
- b) it be recommended to Council that the cost in terms of lost income for free Christmas parking be funded from Supplementary Estimates.

45. Public Health (Preventative Services) Devolution

In accordance with Section 100B (4) of the Local Government Act 1972, the Chairman had agreed to accept the papers for this item as an urgent matter. The papers had not been available five clear working days before the meeting due to the finalisation of governance issues and the report needed to be considered by Cabinet in order to meet West Kent timescales.

The Chief Officer Communities and Business presented the report which set out proposed arrangements for an integrated approach towards public health (preventative services) across West Kent between Kent County Council, this Council and Tonbridge & Malling and Tunbridge Wells Borough Councils. The arrangements included using Kent County Council public health preventative service budgets to deliver agreed health outcomes and using District and Borough Councils' existing health-related resources in a way that complemented the agreed outcomes, consistent with the West Kent Health Deal approach.

It enabled District and Borough Councils to play a full role in the co-ordination of and provision of some, local services relating to health improvement, ensuring that services addressed local needs and are co-ordinated with other local delivery. It also enabled District and Borough Councils to play a full role in and be equal partners in the procurement of health improvement services previously procured by Kent County Council, ensuring that the needs of local residents were addressed. The proposals respond to the King's Fund report highlighting the role of district councils in health and to the West Kent Health Deal.

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The Housing & Health Advisory Committee had considered similar report and had agreed to recommend that to Cabinet, however this report superseded the information that had been presented at that meeting.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That

- a) the approach, principles and district council role in the West Kent Public Health Preventative Services devolution model set out in the report, be approved;
- b) a partnership agreement between Kent County Council, Sevenoaks District Council, Tonbridge and Malling and Tunbridge Wells Borough Councils be developed as a basis to work together to deliver the West Kent Public Health Preventative Services devolution model over the three years 2017/18 to 2019/20; and
- c) the principle of the governance arrangements set out in the report be endorsed and the approval of detailed matters (including a partnership agreement) be delegated to the Leader and Portfolio Holder for Housing & Health in consultation with the Chief Officer, Communities & Business.

THE MEETING WAS CONCLUDED AT 7.40 PM

CHAIRMAN

IMPLEMENTATION OF DECISIONS

This notice was published on 11 November 2016. The decisions contained in Minutes 42 and 45 take effect on 21 November 2016. The decisions contained in Minutes 41 and 44 (b) are recommendations to Council. The decisions contained in Minutes 43 and 44 (a) take effect immediately.