

POLICY COMMITTEE MEETING MINUTES - 18 NOVEMBER 2019

Present: Councillor Brock (Chair);
Councillors Page (Vice-Chair), Duveen, Emberson, Ennis, Hoskin, James, Jones, Pearce, Robinson, Rowland, Skeats, Stevens, Terry and White

RESOLVED ITEMS

42. EXCLUSION OF THE PRESS AND PUBLIC

Resolved -

That pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of item 43 below as it was likely that there would be a disclosure of exempt information as defined in the relevant paragraphs specified in Part 1 of Schedule 12A to that Act.

43. POTENTIAL PROPERTY ACQUISITION

The Director of Economic Growth and Neighbourhood Services submitted a report informing the Committee of the Ministry of Justice's proposed disposal of the Reading Gaol site, and seeking authority to submit a bid to purchase the site.

It was agreed at the meeting to include the Chairman of the Audit & Governance Committee and the Leader of the main Opposition Group as consultees on the final terms of the proposed bid.

Resolved -

- (1) That the Executive Director of Economic Growth and Neighbourhood Services be authorised to make a conditional bid for the Reading Gaol site, taking into account the proposed conditions set out in paragraph 5.4 of the report;
- (2) That the final terms of the bid be concluded in consultation with the Leader, Deputy Leader, the Lead Councillor for Culture, Heritage and Recreation, the Chairman of the Audit & Governance Committee, the Leader of the main Opposition Group and the Council's Assistant Directors for Finance and Legal and Democratic Services.

44. CHAIR'S ANNOUNCEMENTS

The Chair made the following announcement regarding the decision taken in closed session:

'Following discussion in the closed session of tonight's Policy Committee meeting, I can confirm that the Council intends to submit a bid to purchase the Reading Prison site.'

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The disposal of the gaol site represents a once in a generation opportunity and the Council's purchase would be the only certain mechanism to secure public access to the site and secure a cultural offer for Reading.

The full details of the bid must remain confidential given the commercial and competitive nature of the bidding process; however, the Council's bid would be conditional on securing significant external public funds in order to manage the risk of taking ownership of this historic property.'

45. DECLARATIONS OF INTEREST

Councillor Ennis declared an interest in Item 53 on the grounds that he was a Director of Homes for Reading.

46. MINUTES

The Minutes of the meeting held on 26 September 2019 were agreed as a correct record and signed by the Chair.

47. PETITIONS AND QUESTIONS

Anne Taplin presented a petition requesting the Council to continue to guarantee Swimming Concessions for retired people. Councillor Hoskin responded to the petition.

Questions on the following matters were submitted by members of the public:

	<u>Questioner</u>	<u>Subject</u>	<u>Reply</u>
1.	Richard Stainthorp	OFSTED Framework	Cllr Pearce
2.	Richard Stainthorp	OFSTED Ratings	Cllr Pearce

Questions on the following matters were submitted by Councillors:

	<u>Questioner</u>	<u>Subject</u>	<u>Reply</u>
1.	Cllr White	Increase in fly tipping blighting Reading roads	Cllr James
2.	Cllr White	Reading residents living in Fuel Poverty	Cllr Page

(The full text of the petition, questions and responses was made available on the Reading Borough Council website).

48. COMMUNITY SAFETY PARTNERSHIP PLAN

The Director of Economic Growth and Neighbourhood Services submitted a report summarising the Community Safety Plan for Reading, 2019-22 as agreed by the Community Safety Partnership (CSP) on the 25th April 2019. The Community Safety Plan

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2019-22 was attached to the report at Appendix 1 and an Equality Impact Assessment was attached at Appendix 2.

The report noted that the CSP was required to carry out a strategic assessment of crime for its area, and that this had been carried out towards the end of 2018. Priorities had been identified by an assessment against Threat, Harm and Risk to individuals and to Reading as whole. The assessment had identified the following priorities, which had been agreed by the CSP at their meeting in April 2019:

- Exploitation - incorporating both Adult Exploitation and Modern Slavery;
- Violent Crime and Serious Anti-Social Behaviour - incorporating increasing violence against the person, knife possession and high level anti-social behaviour that had a significant impact on communities;
- Class A Drugs - incorporating drug visibility, drug dealing activity from within and outside Reading, and drug related anti-social behaviour.

The Community Safety Plan attached to the report set out an analysis of these three priorities as well as a summary of the CSP structure, funding and other areas of work.

Resolved -

That the Community Safety Plan 2019 - 2022, as attached to the report at Appendix 1, be agreed.

49. LOCAL COUNCIL TAX SUPPORT SCHEME: PROPOSED CHANGES

The Director of Resources submitted a report setting out three proposed amendments to the local Council Tax Support Scheme for the 2020/21 financial year. An equality impact assessment for the proposals was attached to the report at Appendix 1.

The report summarised the current scheme and the proposed options for changes. The first proposal was to change the current arrangements where Tax Support was cancelled when customers transitioned to Universal Credit, with customers invited to make a new claim. In the light of experience it was now proposed to leave the Tax Support claim open and use the existing information to calculate the amount of support. The second proposal was to clarify how excess Tax Support was dealt with, following a Local Government Ombudsman request to all Local Authorities. It was proposed to reduce Tax Support where a mistake or error by either the Local Authority or Department of Work and Pensions (DWP) had occurred, and increase the Council Tax liability by an equivalent amount. The reductions would be deemed 'official error reductions' and the increased liability considered recoverable, unless the customer could not reasonably have known they were being overpaid, in which case Discretionary Tax Support would be awarded to offset the loss, without the need for a further written application. The third proposed change was for Severe Disability Premium transitional payments from DWP for people who were receiving Universal Credit to be fully disregarded from both the income and applicable amount used to calculate Council Tax Support.

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The report explained that the options outlined would reduce administrative processes for both customers and staff and provide clarity about the treatment of excess Council Tax Support. A statutory consultation was required, and it was proposed to consult for a period of six weeks, and then implement the amended scheme for the next two financial years, unless there were significant changes in the housing benefit scheme during that time.

Resolved -

- (1) That the following proposals be approved for consultation, with a view to implementation from 1 April 2020:**
 - To remove the requirement to re-apply for Council Tax Support following the migration to Universal Credit;
 - To disregard Severe Disability Transitional payments in the calculation; and
 - To provide greater clarity on the treatment of excess Council Tax Support;
- (2) That, subject to the above amendments, the Council Tax Support Scheme for the 2020/21 and 2021/22 financial years be agreed, unless there were significant changes in the Housing Benefit Scheme that would warrant the same changes needing to be reflected in the Council Tax Support Scheme or other unexpected financial implications arose.**

50. LIQUID FUEL PROCUREMENT

The Director of Economic Growth and Neighbourhood Services submitted a report seeking approval to enter into new contracts for fuel supplies.

The report noted that the Council currently spent in the region of £510k per year on liquid fuel supplies to support the corporate fleet for the provision of services. The majority of fuel was procured through a framework agreement managed by Crown Commercial Services (CCS) reducing risk and ensuring lowest price, through aggregating purchasing with other CCS customers. The report sought permission to enter into a new framework agreement with CCS in November 2019 to ensure best possible cost and supply was retained.

The report explained that the proposed arrangements were for a flexible contract which enabled the Council to reduce the amount of fuel procured, as it began a programme to replace fuel powered vehicles with electric vehicles and to cease the use of oil to fuel heating in buildings. The contract would not commit the Council to purchasing a minimum amount of fuel.

Resolved -

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- (1) That the Executive Director of Economic Growth and Neighbourhood Services, in consultation with the Assistant Director of Procurement & Contracts, be authorised to enter into the recommended fuel supply contracts for diesel petrol and gas oil for the period November 2019 to 31 March 2022, through the Crown Commercial Services framework R3081 Liquid Fuels;
- (2) That the development of targets and policies to reduce the use of fossil fuels for powering vehicles and buildings in the Council's operations be endorsed.

51. REGULATION OF INVESTIGATORY POWERS ACT 2000

The Assistant Director of Legal and Democratic Services submitted a report updating the Committee on the use of the Regulation of Investigatory Powers Act 2000 (RIPA) during the 2018/2019 financial year.

The report noted that in the discharge of the Council's statutory functions there might be circumstances when it was necessary to use RIPA for the purpose of preventing crime or disorder. To date, the Council had made infrequent use of RIPA and recognised that there were usually less intrusive methods of obtaining information; this approach would continue where possible. Two RIPA authorisations had been granted by the Magistrates Court during 2018/19, for test purchases during the Reading Festival and for test purchases for the sale of alcohol to underage persons. No applications had been refused and no applications had been made for Communications Data or for Covert Human Intelligence Sources.

The Council's RIPA Policy, attached to the report at Appendix A, described the legislation relating to covert law enforcement techniques and the procedures to be followed in using those techniques.

Resolved -

- (1) That the Council's use of covert surveillance powers in the period April 2018 to March 2019 be noted;
- (2) That the Council's policy on the use of the Regulation of Investigatory Powers Act 2000, as set out at Appendix A, be endorsed.

52. BRIGHTER FUTURES FOR CHILDREN CONTRACTS PERFORMANCE REPORT

The Director of Resources submitted a report asking the Committee, in its capacity as sole member for Brighter Futures for Children Limited (BFfC), to note BFfC's retrospective finance and performance as set out in the company's annual report for 2018/19. The following documents were attached to the report:

- Appendix 1 - BFfC Annual Report 2018-2019
- Appendix 2 - Report to the Audit and Risk Committee, Period ended 31 March 2019

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The report noted that delivery of the Council's Children's Services, including Education and Early Help, had been transferred to Brighter Futures for Children Limited, a newly-established, wholly-owned subsidiary company of the Council. BFfC was run by a senior management team reporting to the Company board of directors, which in turn reported to the Council (Policy Committee) as its sole member/owner.

Under the agreed governance arrangements for BFfC, Policy Committee would receive an annual report from BFfC on performance and an annual report on the Company's business plan. Children's Services (excluding Fostering) had been delivered by the Company from 1 December 2018, and the delivery of Fostering had commenced on 1 March 2019. The annual report submitted for review therefore covered only part of the 2018/19 financial year. Policy Committee had approved the BFfC Business Plan for 2019-21 at its meeting on 8 April 2019 (Minute 89 refers), and BFfC were currently drafting their Business Plan for 2020/21 for submission to a future meeting.

The BFfC Annual Report 2018-2019, attached to the report at Appendix 1, showed that the Company's position at the end of 2018/19 was a £167k deficit. The deficit was made up of provision for annual leave carryover of £104k, redundancy costs of £47k and loan interest payment of £16k. The Company also noted in the report that, after making appropriate enquiries, the Board of Directors had a reasonable expectation that the Company had adequate resources to continue to deliver services for the foreseeable future, and therefore continued to adopt the going concern basis in preparing the financial statements. Independent Auditor UHY had signed off the accounts and submitted their report to the Company's Audit and Risk Committee, as attached at Appendix 2 to the report.

Resolved -

That the BFfC retrospective finance and performance report for 2018/19 be noted.

53. HOMES FOR READING - AMENDMENT TO ARTICLES

The Director of Economic Growth and Neighbourhood Services submitted a report asking the Committee, acting as shareholder of Homes for Reading (HfR) to approve amendments to HfR's Articles of Association, to reflect the new and reduced composition of the company's Board of Directors. The proposed Articles of Association were attached to the report at Appendix A with changes marked. The proposed changes were to reduce the quorum for a Board meeting from five to three directors, including an officer director.

Attached to the report at Appendix B was the wording of the Special Resolution to be passed by the Committee and signed by the Chair for filing at Companies House.

Resolved -

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That a Special Resolution be passed by the Committee, acting as the sole member of Homes for Reading, in order to approve the amended Articles of Association as attached to the report at Appendix A.

(Councillor Ennis declared an interest in this item, left the meeting and took no part in the debate or decision. Nature of interest: Councillor Ennis was a Director of Homes for Reading Limited.)

(The meeting started at 6.30 pm and closed at 7.31 pm)