

## CABINET

THURSDAY, 30 JUNE 2016

PRESENT: Councillors Simon Dudley (Chairman), David Coppinger (Vice Chairman) Phillip Bicknell, Carwyn Cox, Derek Wilson, Natasha Airey, MJ Saunders, Samantha Rayner and Jack Rankin

Principal Members also in attendance: Lisa Targowska

Also in attendance: Councillors Malcolm Alexander, Stuart Carroll, Malcolm Beer, Lynne Jones and Leo Walters.

Officers: Alison Alexander, Russell O'Keefe, Simon Fletcher, David Scott, Karen Shepherd, Anna Trott, Louisa Dean and Richard Bunn

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bateson and Hill.

### DECLARATIONS OF INTEREST

Councillor Coppinger declared a Disclosable Pecuniary Interest in the item Holyport College – Safe Routes to School (Petition) as one of the options passed in front of his house. He left the room for the duration of the discussion and voting on the item.

Councillor Bicknell declared an interest in the item Holyport College – Safe Routes to School (Petition) as his son was Director of Sport at the school. He left the room for the duration of the discussion and voting on the item.

Councillor Dudley declared an interest in the item Holyport College – Safe Routes to School (Petition) as he was a Founder and Chair of Governors at the school and a Bray Parish Councillor; his wife was also a founder and Governor of the school. He left the room for the duration of the discussion and voting on the item.

Councillor D. Wilson declared an interest in the item Holyport College – Safe Routes to School (Petition) as he was a Holyport Parish Councillor. He remained in the room for the duration of the discussion and voting on the item.

Councillor D. Wilson declared an interest in the item Key Worker Housing in the Royal Borough as he was a council appointed representative on Housing Solutions. He remained in the room for the duration of the discussion and voting on the item.

Councillor S. Rayner declared a Disclosable Pecuniary Interest in the urgent Part II item 'Heathrow Expansion – Legal Challenge'. She left the room for the duration of the discussion and voting on the item.

Councillor Walters declared an interest in the item Holyport College – Safe Routes to School (Petition) as he was a Bray Parish Councillor. He remained in the room for the duration of the discussion and voting on the item.

## MINUTES

### **RESOLVED UNANIMOUSLY: That:**

- i) **The Part I minutes of the meeting held on 26 May be approved.**
- ii) **The minutes of the Cabinet Participatory Budget Sub Committee held on 13 June 2016 be noted.**
- iii) **The Part I minutes of the Cabinet Regeneration Sub Committee held on 13 June 2016 be noted.**

## APPOINTMENTS

The Chairman announced the appointment of Councillor David Hilton as Deputy Lead Member for Ascot Regeneration.

## FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes that had been made to the plan since the last meeting. In addition it was noted that an urgent Part II item had been added to the agenda in relation to 'Heathrow Expansion – Legal Agreement' with the agreement of the Chairman of the Highways, Transport & Environment Overview and Scrutiny Panel.

## CABINET MEMBERS' REPORTS

### ORDER OF BUSINESS

**RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be amended.**

#### D) KEY WORKER HOUSING IN THE ROYAL BOROUGH

Cabinet considered proposals for providing more housing opportunities for key professional groups who took up employment in the Royal Borough.

Cabinet was addressed by Heidi Swidenbank from Cox Green Academy, who commented that key worker housing was essential if schools were to recruit and retain the highest quality staff. In the current climate it was extremely difficult to recruit, with schools often having to re-advertise because of few or low quality applicants. The housing market in the area was equivalent to London where teachers could access inner London weighting and key worker housing. Ms Swidenbank had a great staff, some of whom were looking for promotion. Of her senior leadership team, three staff members were looking to relocate because of the cost of living.

Cabinet was addressed by Richard Pilgrim, who commented that when he started his career at Charters 32 years previously, properties owned by Berkshire County Council were readily available at affordable rents. There was no such priority today despite the recent crisis. Advertising costs annually ran into the tens of thousands, yet often no enquiries were received. This had previously been in specific subjects but was now across the board. Private schools in the area often offered accommodation as part of the package, which added to the problem for local schools. Unprecedented funding pressures meant newly qualified teachers (NQT) were needed. Good and outstanding

schools offered promotion opportunities but NQTs could not afford the cost of living. A strategy was needed to stop the downward spiral.

Cabinet was addressed by Liz Clark, who commented the problem had existed for a number of years but was now at crisis point. She was the longest serving headteacher in the borough at 17 years. In previous times headteachers would have received a significant number of applications and therefore would have been able to shortlist. Now headteachers could no longer be confident of expecting applications with any certainty. Affordable housing was one barrier to recruitment. She referred to one Maidenhead school that had 3 NQTs. Two still lived at home with their parents and wanted to move out but could not afford rental costs; one wanted to buy locally but was aware a deposit of £60,000 was needed. At the same school there were two youngish members of the senior leadership team who had been trained as part of succession planning, but may need to move elsewhere because of the cost of living. Another Maidenhead school said the risk of no key worker housing was long commutes, which were not possible given the workloads. In addition, pension changes and national criticism of the profession were issues. The least that could be done would be to offer key worker housing.

The Chairman thanked all school staff in the Royal Borough for the work they did to give Royal Borough children the best opportunities going forward.

The Chairman explained that the council could not change the housing market but through its own portfolio of properties it could help to build a borough for everyone. The council was investing heavily in the bricks and mortar of schools but there was also a need for strong leadership and teaching staff. Key worker housing was part of the solution. Via the council's trading company, RBWM Property Company Ltd, a number of properties would be converted using existing social housing S106 funds to be offered as key worker housing at affordable rents. The initial suggested level was 80% of market rates. A further £500,000 would be used to provide DIYSO in conjunction with Housing Solutions. The Chairman also highlighted that the Borough Local Plan would include an affordable housing target of 30% for new developments in the borough. The proposal for key worker housing would lead to a reduction in yield, therefore the council was effectively putting council tax payer money in to support key workers.

The Chairman acknowledged the comments from the Overview and Scrutiny Panels and confirmed that all questions raised would be responded to directly, with the responses placed in the public domain.

The Lead Member for Adult Services and Health commented that as a Chair of Governors at a borough school, he was aware of the issues raised by the public speakers. He was also aware of the need for key worker housing for newly qualified social workers, both in children's and adult services.

The Lead Member for Highways and Transport commented on one school that had arranged a flat share for two NQTs, to enable them to afford to live in the borough.

The Lead Member for Planning fully endorsed the report, in particular the wider definition of a key worker. He also welcomed the fact that planning officers were included in the definition. He highlighted that the Housing Solutions DIYSO scheme operated across the whole of the borough.

The Lead Member for Finance commented that he was acutely aware of the problems as a Governor himself. Schools often found that no applicants came forward, with the main reason being the cost of living. The borough needed to be a proactive facilitator of the lower end of the housing market. As Lead Member he was aware of the financial implications: By virtue of the proposed policy the council would receive a direct reduction in yield from 3.2% to 0.7% less. This equated to a subsidy of £130,000 per annum.

Councillor Walters highlighted that the Planning and Housing Overview and Scrutiny Panel had endorsed the report, with some comments in relation to prioritisation.

The Lead Member for Children's Services commented that the report showed how the council was supporting other organisations in the borough that also put residents first, including teachers and the emergency services.

Councillor Mrs Jones stated that she fully supported the proposal, however she highlighted that the figure of 80% may or may not be achievable on key worker salaries. The level needed to be set appropriately to ensure the scheme succeeded. It would also be important to ensure those running the schemes had the skills and expertise to ensure success. The Chairman commented that the figure of 80% was indicative and would be looked at carefully. He referred to a meeting he was due to have the following week with Housing Solutions, who had much experience of the issues.

Councillor Beer commented that given the nearest prison was in Reading he did not feel prison workers should be included in the definition.

It was noted that the first recommendation should refer to point 2.5 (rather than 1.5) and should be amended accordingly.

**RESOLVED UNANIMOUSLY: That Cabinet:**

- i) Approve the revised definition of key worker, see point 2.5, and further consultation with partners, including local schools.**
- ii) Delegate authority to the Managing Director/Strategic Director Adult, Children and Health Services, the Leader of the Council and the Lead Member for Finance to transfer the properties designated for affordable housing to RBWM Property Company Limited, following refurbishment, see point 2.10.**
- iii) Approve the plans from RBWM Property Company Limited for delivering key worker housing by 31 March 2017, see point 2.10.**
- iv) Note that the £500k agreed for investment in existing Do It Yourself Shared Ownership schemes will be invested with Housing Solutions Limited to focus on key worker housing, see point 2.14.**
- v) Approve one-off funding of £10K to Housing Solutions Limited to deliver a new shared ownership scheme specifically for key workers, see point 2.15.**

**vi) Authorise officers to work with housing associations and the Homes and Communities Agency to deliver a variety of shared ownership schemes in the Royal Borough, with a particular focus on key workers.**

A) WRAYSBURY RAILWAY BRIDGE - INSTALLATION OF A FOOTPATH

Cabinet considered the recommended design option to install a footpath over the Wraysbury railway bridge and the detailed cost estimate and proposes that the approved capital programme (2016/17) be increased by £135,000 to deliver the project.

Henry Perez, Lead Petitioner, addressed Cabinet. Mr Perez explained that on 23 February 2016 he and his fellow lead petitioner had addressed the Cabinet regarding the proposal for safety at Wraysbury Railway Station Bridge and had been delighted when the Cabinet unanimously agreed to it and stated that they would get the project costed. The lead petitioners had not been sure if they needed to attend and address Cabinet again, however they were, like the residents, passionate about the proposal and felt it only right that they should attend and assist the Cabinet with some background facts regarding the proposal.

In December 2014 a Facebook site namely Wraysbury Speed Watch had been set up with the objective being to enhance road safety in the village. Members were invited to identify areas in the village that gave them concerns about road safety. Wraysbury Railway Station Bridge topped their list.

It had been quickly discovered that for over 20 years residents had expressed safety concerns regarding access over the bridge. During this period the population had increased and in the same period the number of passengers using the station had increased from 36,575 in 2003/4 to a staggering 112,004 in 2014/15.

Four meetings had been set up with Network Rail, South West Trains and RBWM. Councillor Margaret Lenton, Chair of Wraysbury Parish Council and Borough Councillor John Lenton were invited to attend the meetings. In addition to some £600,000 spent on redevelopment at the station by South West Trains, RBWM came up with the proposal under discussion.

In December 2015 a petition ran for one month which stated, 'To provide immediate funding to enable work to commence at the earliest opportunity, within this financial year on the agreed road safety proposal for the bridge'. The petition was signed by some 2,800 persons including all the councillors on both Horton and Wraysbury Parish Councils.

On 1st February 2016 year the Highways, Transport and Environment Overview and Scrutiny Panel strongly recommended funding from this year's budget. On 11 February 2016 the Budget Committee gave warm words of support from the then Lead Member of Finance, then again Mr Perez addressed Cabinet on 23 February 2016.

The proposal had now been costed and was approximately £50,000 over the estimated costs. A contractor has been chosen and work could commence in October 2016 and be completed in November 2016. Earlier in the week Mr Perez had addressed the Highways Overview and Scrutiny Panel and once again they had unanimously agreed to the proposal. The timescale fitted ideally to the current needs of everyone that used the bridge as it was considered that not only did it fall short on current good practice guidelines in respect of access for people with disabilities, but that it contravened the Highway Code's guidelines for pedestrians and was therefore

unsafe and not fit for purpose for pedestrian traffic making it a big health and safety issue.

Mr Perez quoted a resident, Harriet Comes: 'I often have to run across with my two year old in his pushchair as fast as I can. If it is dark I shine my phone torch so that drivers have more chance of seeing me and I keep glancing backwards as I make a dash for the safety of the pavement at the other end.'

Mr Perez asked that Cabinet would again give favourable consideration to the proposal so that he could convey good news to the residents who have patiently waited over 20 years.

The Lead Member thanked the Lead Petitioners who had spent much time on the issue. He highlighted that the cost had increased to £135,000, but the safety of the community was the priority. He commented that the council was in the main moving to fixed price works. He highlighted the support given by the Highways, Transport & Environment Overview and Scrutiny Panel.

Councillor Beer commented that he had raised concerns at the O&S meeting about the long drop by the fence. Mr Perez confirmed that Councillor Beer had raised the concern but the Head of Highways had assured the Panel that the contractor was reputable and would not leave any dangerous problems. The Lead Member commented that he was confident the officers had the issue in hand but he would be happy to discuss the issue with Councillor Beer outside of the meeting if necessary.

**RESOLVED UNANIMOUSLY: That Cabinet:**

- i. Approves the scheme set out in Appendix A to install a new footway over the bridge at Wraysbury Station be approved for implementation;**
- ii. Approves an increase to the capital programme (2016/17) of £135,000 to deliver this project.**

**B) HOLYPORT COLLEGE - SAFE ROUTE TO SCHOOL (PETITION)**

The Chairman nominated the Lead Member for Environmental Services to Chair the item.

Cabinet considered a review into possible safe routes to school for children that lived within a mile of Holyport College.

Cabinet was addressed by James Blunden, a pupil at the school, on behalf of the Lead Petitioner. Mr Blunden explained that when he first attended the school he had cycled but following concerns about safety he had stopped and now took the bus for the one mile journey. He was delighted that the council had supported the petition. The college had links to Wraysbury Primary and journeys between the two could now be taken on foot. Half the school population were boarders who felt trapped; they would now be able to walk into the village. He understood the complexities of the issue including lighting and path width and a spell of disruption for residents, but safety should be paramount.

Cabinet was addressed by Kate Sheehan. Ms Sheehan commented that she was a fan of walking to school as it provided so many wellbeing benefits. When the plan had been made to build a school on the site, many people including the parish council and

borough planning staff had raised the issue of a safe route. They had been told by the founders that this was not a problem as a free school bus would be available.

Ms Sheehan stated that the report did not cover all the potential options:

- The school could approach the Department for Education to request an additional grant for a safe route not specified at the time of build
- Go back to the original transport plan which stated that free buses would be provided for all pupils in all years, which would negate the need for a footpath
- Would the sponsor of the school be willing to fund the works?
- The PTA could look at fundraising for the facility.

If the above were not possible (and point 2 would need clear indication as to why it was not possible), Ms Sheehan suggested the following needed to be looked at:

- A full transport survey of the proposed junction improvements including vehicle movements once the school was full to see if the S106 funds would be needed
- If the S106 agreement was rewritten, there would be no cost to the borough in time, money or legal fees
- If in future any junction improvements were required, these would be fully funded by the school
- Holyport College be added to the list of schools requiring safe routes and prioritised according to need
- To enable an informed decision about benefits versus costs it would be useful for residents to have the number of pupils who could use the route, as the report suggested the number would be limited, and to ensure the borough was not setting precedent

Ms Sheehan stated that all she wanted was transparency and fairness on the use of limited resources.

The Deputy Lead Member for Streetcare and Windsor presented the report. He explained that the petition had been debated at Full Council, where the need to create and maintain a safe route had been recognised. A number of options had been considered; there was no magic bullet. Each route had been considered in terms of deliverability, affordability and likely usage. The proposal for a 400m walkway on the A330 was not ideal but it was proposed that it should now be consulted upon. A contribution of £83,000 would come from the school.

Councillor Jones stated that the safety of residents was paramount but she was extremely concerned that the original planning application had not highlighted the issue nor had it been covered in the travel plan.

Councillor Walters stated that from the beginning he had been supportive of the siting of the college. At an early stage the inaccessibility of the site had been recognised for walking or cycling. The approval for the planning application had said that it was on the basis that no pupil or staff would need to walk or cycle to the school. The college had therefore fully committed to the travel plan. After the school had been built a small group of parents had suggested pupils should be able to walk or cycle to the school. Officers had looked at the options in November and concluded that the number of children living within walking distance was low and safety concerns were likely to remain. Councillor Walters commented that in his opinion he could not imagine a more dangerous scenario than the proposal for a path on the eastern side of the A330. The

footpath would be narrow and unlit. He asked the Strategic Director for Operations and Customer Services whether the proposal was a safe route.

The Strategic Director explained that the width of the proposed path (1.5m) would not meet the normal standard required for new developments. He quoted the highways engineer: 'The new footpath is not unsafe. It is not ideal and did not meet the standards expected of a new footway built as part of a development however it was consistent with other lengths of footway in the area and in some rural locations across the borough. The petitioners suggest that even if it was not ideal it was preferable.'

The Lead Member for Planning commented that he knew the area well as a parish councillor and, as a governor, wanted children to walk to school. The proposal would also alleviate traffic problems. He commented that the proposal for a new footpath around the village green would disrupt the oak tree and was unnecessary as there was plenty of space. He supported all the other options. The Strategic Director confirmed the village green area was not being proposed.

Councillor Beer commented that the travel plan had stated a minimum of 8 minibuses by 2018; he asked how many were currently in operation? He highlighted that the S106 funds were for junction improvements if traffic movements continued to increase. He did not believe cabinet was in a position to accept the change to the S106 agreement.

The Strategic Director agreed to provide the number of minibuses to Councillor Beer outside the meeting. In relation to the S106 agreement, planning colleagues had confirmed that such agreements were negotiated at the time of the application using the information available to the local authority and its consultees. It was negotiated on the basis of what was needed to mitigate the impact of the development, but if it was later agreed that this mitigation was not required or an alternative was demonstrated to be better then this could be agreed by the two parties to the agreement.

The Lead Member for Finance highlighted that Members were being asked to agree to a consultation on the proposed option. If the positions put forward during the discussion were valid, they would presumably be highlighted by the consultation. However if the consultation showed support, it would be rational to support the proposal.

The Strategic Director confirmed that the increase in traffic movements was not actively being investigated at the moment. If volumes increased in future, it would need to be considered. Any funding required in future would need to come from the annual highways programme budget.

The Managing Director confirmed that a written response would be sent to Ms Sheehan and the answers made publically available on the borough website.

**RESOLVED UNANIMOUSLY: That:**

- i. The new footway link along Ascot Road (between Holyport Green and Holyport College) forms the basis of consultation on the recommended scheme detail with residents, Members; Bray Parish Council and Holyport College**
- ii. Subject to the outcome of the consultation, the new footway link be delivered at the earliest opportunity**



- iii. **The approved capital programme 2016/17 be increased by £140,000 to deliver this project (Note: a contribution secured from Holyport College of £83,000 is available to part fund the scheme)**

***(Councillors Bicknell, Coppinger and Dudley left the room for the duration of the discussion and voting on the item)***

C) HIGHWAYS AND TRANSPORT CAPITAL WORKS 2016-17 PROGRAMME

Cabinet considered approval of the detailed schemes which made up the individual works programmes of the Highways and Transport Capital Works: 2016-17 Programme.

The Lead Member highlighted that the report detailed the proposed schemes for 2016/17, and indicative schemes for the following two years. Officers graded roads around the borough to ensure they were fixed on a regular basis. Feedback had been received from ward councillors and officers would deal with the issues raised.

Councillor Walters left the meeting at 9.00pm.

The Lead Member also highlighted that the proposal was to keep the same contractors for the summer period, to undertake as much as possible before while the weather was good.

**RESOLVED UNANIMOUSLY: That Cabinet:**

- i. **Delegate authority to the Director of Operations & Customer Services to implement the programme of work set out in Appendix A;**
- ii. **Delegate authority to the Director of Operations & Customer Services in consultation with the Lead Member for Highways & Transport to agree minor amendments to the approved schemes within approved budgets, and implement reserve or substitute schemes should this become necessary;**
- iii. **authorise a waiver to Contract Rules to permit the use of existing contractors to progress these works until a replacement highways contract is awarded.**
- iv. **Approve the indicative programmes for 2017-18 and 2018-19 as set out in Appendix B.**

E) APPOINTMENTS TO OUTSIDE AND ASSOCIATED BODIES

Cabinet considered the appointment of representatives to serve the Council on a number of associated and outside bodies.

The Lead Member for Adult Services and Health presented the report. He highlighted that in addition to core council business, Members were representatives on a number of external bodies. He highlighted the Spoor, Merry, Rixman organisation that distributed up to £500,000 per year to assist borough children in their education.

The Lead Member for Planning requested that for the Joint Strategic Planning Committee it be noted that he was the voting member, with Councillor Walters as the observer.

Councillor Beer commented that Old Windsor Day Centre was now leased to East Berkshire Age Concern and managed on an independent basis. The Democratic Services Manager was asked to check if any community involvement was required.

**RTESOLVED UNANIMOUSLY: That:**

- a) **Representatives are appointed to serve on the organisations listed in the schedule, see Appendix 1.**
- b) **The Democratic Services Manager, in consultation with the Leader of the Council and Leader of the Opposition Group, be authorised to fill any ad hoc vacancies that might arise through the year from nominations received.**
- c) **The annual reports for 2015/16 of associated and outside bodies representatives are noted, Appendix 2.**

F) APPOINTMENT OF TRUSTEES TO THE WINDSOR ROYAL FREE AND INDUSTRIAL SCHOOLS TRUST

Cabinet considered the appointment of two councillors as Trustees to the Windsor Royal Free and Industrial Schools Trust to act with the other trustees.

The Lead Member explained that Trevelyan had received its order to convert to Academy status in January 2016. As part of this process the borough would lease the land to the academy for a 125 year period. The land in question was in three ownerships; the Crown Estate, the borough and a dormant trust between the Church of England and council.

The report proposed to properly constitute the trust with the sole purpose of registering the land and then transferring it to the school.

**RESOLVED UNANIMOUSLY: That Cabinet:**

- i. **Appoints two Royal Borough Councillors as follows to the Windsor Royal Free and Industrial Schools Trust:**
  - a. **Cllr Natasha Airey, Cabinet Member for Children's Services.**
  - b. **Cllr David Evans, Deputy Lead Member, School Improvement.**

G) PROPERTIES FOR HOMELESS RESIDENTS

Cabinet considered the use of two council owned properties by a voluntary organisation to provide services for homeless residents in Maidenhead on a pilot basis. Both properties were currently vacant and were part of the council's commercial property portfolio.

The Chairman commented that homelessness was a problem nationally as well as locally. There were currently a number of individuals camped outside the town hall. The council was not going to use its legal powers to remove them; instead it would work with the individuals on their particular needs.

The report proposed the use of two properties, one as a day centre and one as halfway house accommodation. Refurbishment would cost £100,000 from S106 funds; an additional cost of £50,000 would come from foregone rental income. The Chairman explained that the Overview and Scrutiny Panels had raised a number of questions, these would be responded to in writing and published on the borough website.

The council was working closely with the Brett Foundation; he thanked Sue Brett and all the volunteers for their work.

The Lead Member for Planning commented that both facilities would be in Oldfield ward in reasonable distance of the town centre. Day centre facilities had previously been provided at the Methodist church and a halfway house at Stafferton Lodge, but these had since closed.

The Managing Director confirmed that the halfway house would be open within 2 months. The day centre would require one month for design, two months for planning and a further two months to undertake the work. She also confirmed that it was anticipated that the two individuals outside the town hall would be in assisted into accommodation within 7-10 days.

It was agreed to add the capital cost as a third recommendation.

**RESOLVED UNANIMOUSLY: That Cabinet:**

- i) Approves the use of two Council-owned properties for a day service and emergency housing for homeless residents.**
- ii) Delegates authority to the Managing Director/Strategic Director Adult, Children and Health Services and Strategic Director Corporate and Community Services, in consultation with the Leader of the Council, to apply for all necessary consents and permissions to enable the recommendation i) and to finalise the details of the Service Level Agreement.**
- iii) Approves the capital spend of £100,000 (of S106 funding) for the refurbishment of the two properties.**

H) FINANCIAL UPDATE

Cabinet considered the latest financial update.

The Lead Member thanked the Interim Head of Finance for his work in recent months.

The report stated a modest overspend of £163,000, accompanied by a clear determination by officers to mitigate the overspend in coming months. Reserves were £1m above the required minimum.

The Lead Member highlighted that the highways department had secured additional funding for potholes; the report requested approval to add this to the capital programme.

An additional recommendation was also proposed, to amend the Business Rate Discretionary Relief policy. The purpose was to allow charities or community interest companies to remain in empty retail units for longer periods than the current maximum of six weeks, without affecting future commercial tenant's ability to obtain Retail Re-occupation Relief.

The Lead Member for Children's Services explained that £30,000 of the overspend related to the reduction in a grant for the Youth Offending Team; officers were looking to mitigate the overspend. She highlighted two areas of concern. The first was Home to School Transport, which was experiencing pressures nationally. The full impact would not be known until the start of the school year in September. The council was looking at innovative schemes with other boroughs. The second was agency spend; officers were working to move staff to permanent contracts.

The Lead Member for Adult Services and Health explained that it was difficult to manage his portfolio's budget as there were a number of factors outside the council's control. The overspend was driven in the main by good news, that people were living longer. However the cost of care fell to the council. The definition of 'ordinary residence' also caused problems. The definition was not legally defined but if a council got it wrong it could lead to large costs.

**RESOLVED UNANIMOUSLY: That Cabinet:**

- i) **Notes the report and the projected outturn position.**
- ii) **Approves the addition of £145k Department for Transport (DfT) Pothole action fund budget to the Highways 2016-17 capital programme (see paragraph 4.6).**
- iii) **Agrees to change the Business Rate Discretionary relief Policy by amending the section on Retail Reoccupation Relief as follows:**

**Properties that will benefit from the relief will be occupied hereditaments that:**

- **Were empty for 12 months or more immediately before their reoccupation (except for occupation by a pop up shop ( 6 weeks or less) or by a charity providing work that is valued by the local community as assessed by the Lead Member for Finance and Section 151 officer.)**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion took place on items 8-10 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

The meeting, which began at 7.30 pm, finished at 10.00 pm

CHAIRMAN.....

DATE.....