



## CABINET



**15 FEBRUARY 2023**

### NOTICE OF DECISIONS

**Publication Date of this Notice:** - Thursday, 16th February 2023.

**Deadline Date for Call-in of any decision:** - 8.45 a.m. Thursday, 23rd February 2023 up to that deadline the Interim Chief Executive shall call-in a decision for scrutiny (except for matters of urgent business and decisions for Council) if so, requested by the Chairman or any three Members of the Scrutiny Committee. If there is no call-in the decision will come into force on that deadline.

#### **PART I**

##### **(Business taken in public)**

##### **Agenda Item 2 (Minute No. 78) - Members' Interests:**

Councillor Palmer declared an interest under Minute 81 Extension of Public Spaces Protection Order due to his involvement with Canvey Baywatch.

##### **Agenda Item 3 (Minute No. 79) - Minutes**

The Minutes of the Cabinet meeting held on 18.1.2022 were approved as a correct record.

##### **Agenda Item 4 (Minute No. 80) - Forward Plan**

To comply with regulations under the Localism Act 2011, Cabinet noted the Forward plan circulated with the agenda .

**Resolved:** To note the Forward Plan

##### **Agenda Item 5 (Minute No. 81) – Extension of the Public Spaces Protection Order – (Castle Point Borough Council) 2020 – Dogs to be kept on leads on Canvey Island Seafront Beaches and seaward side walkway between 1<sup>st</sup> April to 30<sup>th</sup> September inclusive**

Cabinet was asked to consider the report seeking approval to extend, with reductions to the current area covered and the prohibited times, the Public Spaces Protection Order – (Castle Point Borough Council) 2020 – Dogs to be kept on leads on Canvey Island Seafront Beaches and seaward side walkway between 1<sup>st</sup> April to 30<sup>th</sup> September inclusive for a further three years. The outcome of public consultation had been taken into account in the variation to reduce the hours and area of operation of the order.

##### **Resolved:**

1. To note the responses to the consultations and endorses the extension of the Public Spaces Protection Order (with amendments) for a further three years;

2. To endorse the reduction in the time during which dogs must be kept on a lead in the designated area from 24 hours per day to 10am to 6pm each day between 1 April and 30 September; and
3. To endorse the reduction in the area covered by the Order from the area between The Point and Thorney Bay, to the area between the Town Council managed tidal pool and Thorney Bay.

**Agenda Item 6 (Minute No. 82) – National Planning Policy Framework – response to consultation on revised draft**

Cabinet considered a report on the Council's response to the draft revised National Planning Policy Framework published by the Government on 22nd December 2022. The consultation period expires on the 3rd March 2023.

**Resolved:**

1. To comment on the draft response to the Consultation on the draft revised National Planning Policy Framework.
2. To authorise the Head of Place and Policy in consultation with the Leader of the Council and the Cabinet Member for Strategic Planning to make amendments to the draft response for submission.

**Agenda Item 7 (Minute No. 83) – Housing Revenue Account (HRA) – 2023/24 Rent Levels, Revenue Budget and Capital Plan for 2023/24 and 2022/23 Revised**

Cabinet considered a report presenting to Cabinet for consideration and agreement proposed rent levels for Council dwellings and garages for 2023/24, HRA Revenue budget for 2022/23 (revised) and 2023/24 and HRA Capital Plan for 2022/23 (revised) and 2023/24.

**Resolved:**

1. A rent increase of 7% for all social rent HRA dwellings be agreed, resulting in an average increase of £6.61 per week.
2. A rent increase of 7% for all affordable rent HRA dwellings be agreed, resulting in an average increase of £12.94 per week.
3. Following a £1 rent increase being applied to garages in 2022/23 to increase garage rents in 2023/24 by £1.68 excluding VAT.
4. To approve the HRA revenue budget for revised estimate 2022/23 and estimate 2023/24, as set out in Annexe A.
5. To approve the HRA capital plan for revised estimate 2022/23 and estimate 2023/24, as set out in Annexe B.

### **Agenda Item 8 (Minute No. 84) – The Highway Ranger Service**

Cabinet considered a report bringing to Cabinet's attention the decision by Essex County Council (ECC) to cease funding the Highway Ranger Service from 1 April 2023 and seeking approval for the Council to fund the service for the financial year 2023/24.

#### **Resolved:**

1. To note Essex County Council's decision to cease funding the Highway Ranger Service from 1 April 2023;
2. To approve the use of £80k from reserves to fund the Community Ranger Service for the financial year 2023/24; and
3. The Council continues to lobby ECC to reinstate the funding for the Highway Ranger Service for 2024/5 and subsequent years.

### **Agenda Item 9 (Minute No. 85) – Policy Framework and Budget Setting for 2023/24**

Cabinet considered the report (including the accompanying document forming part of the report) submitting proposals and recommendations for the Council's Policy Framework and Budget Setting for 2023/24. The Cabinet was requested to make appropriate recommendations to be considered at the Council meeting to be held later that evening.

#### **Resolved:**

#### **Implementation of Council policies and related spending plans**

1. That Cabinet approves the continued funding of priority projects and other items of discretionary expenditure, as set out in table 2.4.
2. That Cabinet note the changes from the previously published budget as set out in table 2.5.
3. That Cabinet note the key items causing the changes in table 2.5, as summarised in table 2.6.
4. That subject to recommendations 1 to 3 above, the revenue spending plans for 2022/23 (revised) and 2023/24, set out in section 2, tables 2.1 (summary) and 2.2 (net services expenditure) of the accompanying report, are approved.

#### **Capital spending plans and prudential indicators**

5. That the capital spending plan described in section 8 of the accompanying report (tables 8.2 and 8.3) is approved in respect of 2022/23 (revised) and 2023/24.
6. That as required by section 3 of the Local Government Act 2003, and the Prudential Code for Capital Finance in Local Authorities (the Prudential Code), the following Prudential Indicators are approved as set out in the appropriate sections of the accompanying report:

Prudential Indicator - Reference to sections 8, 9 and 10 of accompanying report	
Capital expenditure	Tables 8.2 and 8.3

Capital financing requirement (CFR)	Table 8.4
Authorised limit for external debt	Table 8.5
Operational boundary for external debt	Table 8.6
Ratio of financing costs to new revenue stream	Table 8.7 (a & b)
Gross external borrowing does not exceed CFR	Section 8 – para 55
Maturity structure of fixed rate borrowing - upper and lower limits	Table 9.2
Upper limits of fixed and variable interest rate exposures	Table 9.3
Maximum period and counterparty limits for specified and non-specified investments	Table 10.2 & 10.3

7. That the Statement of Minimum Revenue Provision for 2023/24, as stated in paragraphs 57 to 62 of section 8 of the accompanying report is approved.
8. That no new capital proposals are allowed until:
  - the proposal has been evaluated in accordance with relevant evaluation criteria;
  - the Cabinet has confirmed affordability and compliance with the Prudential Code for Capital Finance in Local Authorities;
  - the Cabinet has considered and approved details of the proposal.
9. That, as stated in paragraph 69 of section 8 of the accompanying report, and as required by the Prudential Code, the statement of the Chief Financial (s151) Officer in respect of the affordability, deliverability and appropriateness of risk management arrangements with respect to the Capital Strategy is noted.
10. That the policies and strategies supporting the budget framework and contained within the accompanying report are approved.

#### **Statutory report of the Strategic Director (Resources)**

11. That as required by section 25 of the Local Government Act 2003, the report of the Strategic Director (Resources) set out in section 12 of the accompanying report in respect of robustness of the estimates is noted.
12. That as required by section 25 of the Local Government Act 2003, the report of the Strategic Director (Resources) set out in section 6 of the accompanying report in respect of the adequacy of proposed financial reserves is noted.

Statutory calculations in respect of the budget requirement & Council Tax as required by the Local Government Finance Act 1992, as amended (“the Act”)

13. That as set out in section 3 of the accompanying report it is noted that acting under delegated authority and in consultation with the Cabinet Member responsible for Finance, the Strategic Director (Resources) has calculated:

- A tax base for the Borough of Castle Point of **31,258** being the amount T required by section 31B of the Act; and
- A tax base for Canvey Island to which a Town Council precept applies as **12,049**.

14. That the following amounts be calculated for the year 2023/24 in accordance with sections 31 to 36 of the Act:

Ref	Amount £	Item
(a)	<b>62,149,909</b>	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish (Town) Councils.
(b)	<b>53,067,361</b>	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	<b>9,082,548</b>	being the amount by which the aggregate at 14(a) above exceeds the aggregate at 14(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item <b>R</b> in the formula in Section 31B of the act)
(d)	<b>290.57</b>	being the amount at 14(c) above (item <b>R</b> ), divided by item <b>T</b> (14(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish (Town) precepts).
(e)	<b>274,359</b>	being the aggregate amount of the (Parish (Town) precepts) referred to in Section 34(1) of the Act.
(f)	<b>281.79</b>	being the amount at 14(d) above less the result given by dividing the amount at 14(e) above by item T (14(a) above), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

15. That the Cabinet recommends that Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2023/24 for each part of its area and for each category of dwelling. This information is included within section 13 of the accompanying report.

Castle Point Borough Council Tax 2023/24, including and excluding Town Council precept, for each of the following categories of dwelling:

Council Tax Band	Ratio in 9ths	Canvey Residents Council Tax Including Town Council	Mainland Residents Council Tax Excluding Town Council
A	6	203.04	187.86
B	7	236.88	219.17
C	8	270.72	250.48
D	9	304.56	281.79

E	11	372.24	344.41
F	13	439.92	407.03
G	15	507.60	469.65
H	18	609.12	563.58

16. To note that the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area, as indicated in the table below:

Council Tax for each band							
Band	Castle Point Borough Council	Essex County Council	Essex PFCC - Fire and Rescue Authority	Essex PFCC - Policing and Community Safety	Total excluding Town Council	Canvey Island Town Council	Total including Town Council
	£	£	£	£	£	£	£
A	187.86	966.78	53.52	155.64	1,363.80	15.18	1,378.98
B	219.17	1,127.91	62.44	181.58	1,591.10	17.71	1,608.81
C	250.48	1,289.04	71.36	207.52	1,818.40	20.24	1,838.64
D	281.79	1,450.17	80.28	233.46	2,045.70	22.77	2,068.47
E	344.41	1,772.43	98.12	285.34	2,500.30	27.83	2,528.13
F	407.03	2,094.69	115.96	337.22	2,954.90	32.89	2,987.79
G	469.65	2,416.95	133.80	389.10	3,409.50	37.95	3,447.45
H	563.58	2,900.34	160.56	466.92	4,091.40	45.54	4,136.94

17. To note that, in accordance with the requirements of section 52ZC of the Act the Council has determined whether it's Relevant Basic Amount of Council Tax for 2023/24 is excessive.
18. For 2023/24, the relevant basic amount of Council Tax for Castle Point would be deemed excessive if the authority's relevant basic amount of Council Tax is:
- 3%, or more than 3%, greater than its relevant basic amount of Council Tax for 2022/23; and
  - More than **£5.00** greater than its relevant basic amount of Council Tax for 2022/23.

Ref	Amount £	Item
(a)	273.69	being the Relevant Basic Amount of Council Tax for 2022/23, excluding local precepts.
(b)	3.0%	being the percentage increase above which the Secretary of State has determined the Relevant Basic Amount of Council Tax for 2023/24 would be excessive.
(c)	281.87	being the amount above which the Relevant Basic Amount of Council Tax for 2023/24, excluding local precepts, would be excessive (rounded down to the nearest penny).
(d)	281.79	being the Relevant Basic Amount of Council Tax for 2023/24, excluding local precepts.

(e)	2.96%	being the percentage increase in Council Tax for 2023/24, excluding local precepts.
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The Relevant Basic Amount of Council Tax for 2023/24 is therefore not excessive and the duty to make substitute calculations and hold a referendum does not apply (Chapter 4ZA of Part 1 of the Act).

**Agenda Item 10 (Minute No. 86) - Matters to be referred from / to the Policy & Scrutiny Committees:**

There were none.

**Agenda Item 11 (Minute No. 87) - Matters to be referred from / to the Standing Committees:**

There were none.

**CONSULTATION**

**Agenda Item 5 (Minute No. 81) – Extension of the Public Spaces Protection Order – (Castle Point Borough Council) 2020 – Dogs to be kept on leads on Canvey Island Seafront Beaches and seaward side walkway between 1<sup>st</sup> April to 30<sup>th</sup> September inclusive**

The outcome of public consultation had been reported and had taken into account in the variation to reduce the hours and area of operation of the order.

**Angela Hutchings**  
**Chief Executive**