



CABINET



23rd FEBRUARY 2022

NOTICE OF DECISIONS

Publication Date of this Notice: - Thursday, 24th February 2022.

Deadline Date for Call-in of any decision: - 8.45 a.m. Thursday, 3rd March 2022 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. 65) - Members' Interests:

No declarations were made.

Agenda Item 3 (Minute No. 66) - Minutes

The Minutes of the Cabinet meeting held on 26.1.2022 were approved as a correct record.

Agenda Item 4 (Minute No. 67) - Forward Plan

To comply with regulations under the Localism Act 2011, the Leader presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter of 2022. The Plan is reviewed each month.

Resolved: To note and approve the Forward Plan

Agenda Item 5 (Minute No. 68) – Authority to Represent the Council

Cabinet considered a report seeking authorisation to allow a member of the Council's Law Team employed by the Council to represent the Borough Council in proceedings before the Magistrates' Court and County Court.

Resolved:

That Benjamin Badura – Trainee Solicitor member of the Law team be authorised to appear before the Magistrates' Court and County Courts to represent the Borough Council in legal proceedings pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984

Agenda Item 6 (Minute No. 69) Housing Revenue Account (HRA) – 2022/23 Rent Levels, Revenue Budget and Capital Plan for 2022/23 and 2021/22 Revised

Cabinet received a report presenting for consideration and agreement: Proposed rent levels for Council dwellings and garages for 2022/23; HRA Revenue budget for 2021/22

(revised) and 2022/23 together with the HRA Capital Plan for 2021/22 (revised) and 2022/23.

Resolved:

1. A rent increase of 4.1% for all social rent HRA dwellings be agreed, resulting in an average increase of £3.72 per week.
2. A rent increase of 4.1% for all affordable rent HRA dwellings be agreed, resulting in an average increase of £7.28 per week.
3. Following no annual rent increase being applied to garages in 2021/22 to increase garage rents in 2022/23 by £1 excluding VAT.
4. The HRA revenue budget for revised estimate 2021/22 and estimate 2022/23, as set out in Annexe A, is approved.
5. The HRA capital plan for revised estimate 2021/22 and estimate 2022/23, as set out in Annexe B, is approved.

Agenda Item 7 (Minute No. 70) - Policy Framework and Budget Setting for 2022/23

Cabinet received a report submitting proposals and recommendations for the Council's Policy Framework and Budget Setting for 2022/23. Cabinet was asked to consider these and make appropriate recommendations to Council at the meeting to be held later that evening.

Resolved:

Implementation of Council policies and related spending plans

1. That the Cabinet approves the continued funding of priority projects and other items of discretionary expenditure, as set out in table 3.4.
2. That the Cabinet notes the cost pressures and budget increases (growth) as set out in table 3.5.
3. That the Cabinet note the efficiency savings, cost reductions and additional income summarised in table 3.6.
4. That subject to recommendations 1 to 3 above, the revenue spending plans for 2021/22 (revised) and 2022/23, set out in section 3, tables 3.1 (summary) and 3.2 (net services expenditure) of the accompanying report, are approved.

Capital spending plans and prudential indicators

5. That the capital spending plan described in section 9 of the accompanying report (tables 9.2 and 9.3) is approved in respect of 2021/22 (revised) and 2022/23.
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 9, 10 and 11 of accompanying report	
Capital expenditure	Tables 9.2 and 9.3
Capital financing requirement (CFR)	Table 9.4
Authorised limit for external debt	Table 9.5
Operational boundary for external debt	Table 9.6
Ratio of financing costs to new revenue stream	Table 9.7 (a & b)
Gross external borrowing does not exceed CFR	Section 9 – para 53
Maturity structure of fixed rate borrowing - upper and lower limits	Table 10.2
Upper limits of fixed and variable interest rate exposures	Table 10.3
Maximum period and counterparty limits for specified and non-specified investments	Table 11.2 & 11.3

7. That the Statement of Minimum Revenue Provision for 2022/23, as stated in paragraphs 55 to 60 of section 9 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 9 of the accompanying report, and as required by the Prudential Code, the statement of the Strategic Director (Resources) 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 13 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 7 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 4 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 **31,181** 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 **12,041**.
14. That the following amounts be calculated for the year 2022/23 in accordance with sections 31 to 36 of the Act:

Ref	Amount £	Item
(a)	58,028,189	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)	49,298,244	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	8,797,265	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 R in the formula in Section 31B of the act)
(d)	282.14	being the amount at 14(c) above (item R), divided by item T (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)	263,337	being the aggregate amount of the (Parish (Town) precepts) referred to in Section 34(1) of the Act.
(f)	273.69	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 2022/23 for each part of its area and for each category of dwelling. This information is included within section 14 of the accompanying report:

Castle Point Borough Council Tax 2022/23, including and excluding Town Council precept, for each of the following categories of dwelling:

Council Tax		Canvey Residents Council Tax Including Town Council	Mainland Residents Council Tax Excluding Town Council
Band	Ratio in 9ths		
A	6	197.04	182.46
B	7	229.88	212.87
C	8	262.72	243.28
D	9	295.56	273.69
E	11	361.24	334.51
F	13	426.92	395.33
G	15	492.60	456.15
H	18	591.12	547.38

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	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
Band	£	£	£	£	£	£	£
A	182.46	934.08	50.22	145.68	1,312.44	14.58	1,327.02
B	212.87	1,089.76	58.59	169.96	1,531.18	17.01	1,548.19
C	243.28	1,245.44	66.96	194.24	1,749.92	19.44	1,769.36
D	273.69	1,401.12	75.33	218.52	1,968.66	21.87	1,990.53
E	334.51	1,712.48	92.07	267.08	2,406.14	26.73	2,432.87
F	395.33	2,023.84	108.81	315.64	2,843.62	31.59	2,875.21
G	456.15	2,335.20	125.55	364.20	3,281.10	36.45	3,317.55
H	547.38	2,802.24	150.66	437.04	3,937.32	43.74	3,981.06

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 2022/23 is excessive.

18. For 2022/23, the relevant basic amount of Council Tax for Castle Point would be deemed excessive if the authority's relevant basic amount of Council Tax for 2022/23 is:
- (a) 2%, or more than 2%, greater than its relevant basic amount of Council Tax for 2021/22; and
 - (b) More than **£5.00** greater than its relevant basic amount of Council Tax for 2021/22.

Ref	Amount £	Item
(a)	268.38	being the Relevant Basic Amount of Council Tax for 2021/22, excluding local precepts.
(b)	2.0%	being the percentage increase above which the Secretary of State has determined the Relevant Basic Amount of Council Tax for 2022/23 would be excessive.
(c)	273.75	being the amount above which the Relevant Basic Amount of Council Tax for 2022/23, excluding local precepts, would be excessive (rounded down to the nearest penny).
(d)	273.69	being the Relevant Basic Amount of Council Tax for 2022/23, excluding local precepts.

The Relevant Basic Amount of Council Tax for 2022/23 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 8 (Minute No. 63) - Matters to be referred from / to the Policy & Scrutiny Committees:

There were none

Agenda Item 9(Minute No. 64) - Matters to be referred from / to the Standing Committees:

There were none

CONSULTATION

Item 7 consultation was undertaken as described in the report.

Andrew Grant
Interim Chief Executive