

**CABINET
HELD ON 2 MARCH 2021
(FROM 5.30 PM – 6.02 PM)**

PRESENT: Councillor Richard Cooper in the Chair. Councillors Mike Chambers, Phil Ireland, Stan Lumley, Tim Myatt, Andy Paraskos and Graham Swift.

Late Arrivals: None

Early Departures: None

128/20 – **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:**
There were no apologies for absence.

(5.33 pm)

129/20 – **DECLARATIONS OF INTEREST:** There were no declarations of interest made at the meeting.

(5.34 pm)

130/20 – **MINUTES:** The Minutes of the meeting of the Cabinet held on 3 February 2021 were unanimously approved as a correct record.

(5.35 pm)

131/20 – **EXEMPT INFORMATION:** The report considered at Minute 133/20 was considered to be exempt under paragraph 3 of Schedule 12a to the Local Government Act. Discussion on the item took place in open session.

(5.36 pm)

MATTERS DETERMINED BY CABINET

132/20 – **COUNCIL TAX REDUCTION SCHEME:** The Revenues, Welfare and Customer Services Manager submitted a written report which detailed the annual review of the Local Council Tax Reduction (CTR) Scheme, which was attached at Appendix A to the report. CTR provided support for low-income households and was currently based on a means test. The scheme was split between those of pension age and those of working age; the rules for pension age claimants were set by the government, however the rules for working age households were set by the billing authority. The HBC local scheme was aligned with Housing Benefit processes.

The introduction of Universal Credit in 2016 had added an additional level of complexity to CTR claims. The national Move to Universal Credit pilot was running in Harrogate and was expected to be completed in September 2024. A full review and consultation of the Universal Credit and local CTR Scheme had been proposed for 2020/21 to allow roll out of a new scheme for the 2021/22 financial year. The review had not taken place as planned due to the Coronavirus pandemic as resources within Welfare Services which had been prioritised on the additional work involved in

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our response, this had included increased CTR applications and the Test and Trace Support payment scheme. Work had been undertaken this year in order to review procedures and improve the speed of processing new CTR applications and had resulted in new claims being processed within 21 days, for the first time within 3 years, this ensured claimants received support as soon as possible.

The proposed amendments to the Local CTR Scheme for 2021/22 included the uprating of personal allowances and premiums; uprating of non-dependant deductions and uprating of income disregards. Currently the scheme awarded just over £8.4 million in council tax reduction to nearly 8000 households in the district.

RESOLVED (UNANIMOUSLY):

That Harrogate Borough Council maintains the Local Council Tax Reduction Scheme in its current format for 2021/22 with the reflection of legislative changes that have come into effect since the 2020/21 scheme review.

Reason for making decision:

The current scheme provided financial assistance for low-income households in the district and supports the Council's aims under its Welfare Strategy.

Legislation required the Council Tax Reduction policy to be approved on an annual basis by 11 March preceding the start of the financial year the policy applies to.

Alternative options considered and rejected:

To make no changes to the scheme. This was not a viable option as the Council must reflect national legislative changes in the local scheme.

Any change made under local discretion would mean disruption in service provision and add complexity to welfare support provision. Changing the scheme would mean reducing support for the most financially vulnerable placing increased pressure on low-income households in the district.

(5.36 pm – 5.39 pm)

(D)

133/20 – MICROSOFT LICENSING UPLIFT REPORT: FORWARD PLAN

REF 23ICT20: The ICT Project Manager submitted a written report which sought approval from Cabinet to award a contract to Phoenix Software Limited (our incumbent partner), HBC's Microsoft Licenses partner, via the Kent County Supplies (KCS) framework agreement. The agreement was for Managed ICT Services Reference Y18018 to implement a programme of work and to commit the required resources which would facilitate the expansion of Microsoft Teams by uplifting our current Microsoft 365 E3 licence to E5. Appendix A to the report contained a Multi-factor authentication (MFA) proposal; Appendix B demonstrated how Microsoft Teams could be expanded and opened for external (partner) access and collaboration and document sharing; Appendix C contained a migration to 365

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applications plan and Appendix D showed both the current and potential future state of data flows, and outlined some of the potential benefits such as Business Continuity and Disaster Recovery opportunities.

Finance and Legal Services had been consulted in preparation of the report and paragraph 6.2 set out the financial implications of the proposals

RESOLVED (UNANIMOUSLY):

That (1) a 3 year contract be awarded to Phoenix Software Limited (Phoenix) via the Kent County Supplies (KCS) framework agreement for Managed ICT Services Reference Y18018. Our E3 licence be upgraded to E5 which includes several security enhancements and capabilities;

(2) multi-factor authentication (MFA) be implemented (**Appendix A**) as a prerequisite for the items below;

(3) Teams be expanded and opened for external (partner) access and collaboration and document sharing (**Appendix B**);

(4) migration to 365 applications takes place to replace the current on premise versions of the Office application suite (**Appendix C**);

(5) migration commence to SharePoint Online as part of the previous elements; and

(6) these separate project elements be considered an integral part of the whole programme, noting that the omission of any one element potentially risks the outcome of the whole.

Reason for making decision:

Our aims were -

To increase efficiencies by enabling the council to quickly benefit from new enterprise software features, enhanced mobile integration and, collaborative ways of working.

To reduce service incompatibilities which decrease the effectiveness of our Organisation.

To maintain or, through additional services, increase the integrity and security of our data to the latest standards and so reduce the risk of data loss and, comply with Government Requirements. Further details of which were outlined in the report.

Alternative options considered and rejected:

All other options had been considered and rejected.

(5.39 pm – 5.40 pm)

(D)

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134/20 – STRAY CYCLE ROUTES AND BYELAW AMENDMENT:

FORWARD PLAN REF - 19PSEG20: The Executive Officer – Economy and Transport submitted a written report which provided feedback on the outcome of the public consultation undertaken in relation to the proposals to exchange Stray land and to amend the Stray Byelaws to permit cycling on the Otley Road Cycle route. The report sought Cabinet approval to submit the proposals with regards the exchange of the land to the Duchy of Lancaster.

The Executive Officer – Economy and Transport began by giving a summary of the wider context of the proposed byelaw amendment. She explained that NYCC was leading on a National Productivity Investment Fund (NPIF) funded scheme that would improve sustainable transport infrastructure in the West of Harrogate, including a new off-road cycle route along Otley Road. The proposed cycle route intended to use some existing verges and footpaths between Cold Bath Road and Beech Grove, which were designated as Stray land. At the meeting of the 15 July 2020 the General Purposes Committee had given permission to consult the public on the proposed byelaw changes and on the 20 July 2020 Cabinet approved a consultation on the proposed exchange of land options. The subsequent consultation was carried out for twelve weeks between 17 August 2020 and the 9 November 2020. A copy of the online questionnaire was attached at Appendix A to the report, the questionnaire sought the public's views on the exchange of land and amendment of Byelaws that were required in order to enable NYCC to use the Stray land for the creation of the proposed off-road cycle route. The public were also made aware that the Stray Byelaws would be updated to be consistent with the model byelaws at the request of the Ministry of Housing Communities and Local Government. The proposed new byelaws could be found in appendix C to the report. General Purposes had considered the report and associated consultation at its meeting on the 28 January 2021.

The report stated that there had been 443 responses to the consultation, 417 of these responses were from residents and the majority of the respondents agreed to exchange of the Stray land (56% agree, 39% disagree and 5% neither agree nor disagree) and that option 1 (exchange of land for Wetherby Road Land next to the War memorial) was the preferred location. The results also showed the majority of the respondents agreed to amending the Stray Byelaws to permit cycling on the proposed cycle route on Otley Road (59% agree compared to 38% disagree and 3% neither agree or disagree). Responses to the consultation had been grouped into themes as detailed in paragraph 5.11 of the report. A detailed response to each of the themes was outlined in appendices B1, 2 and 3 to the report.

RESOLVED (UNANIMOUSLY):

That the exchange land proposals be submitted to the Duchy of Lancaster.

Reasons for decision:

The use of Stray land and the amendment of Stray Byelaws would enable the North Yorkshire County Council (NYCC) led National Productivity Investment Fund (NPIF) scheme to be completed in full and facilitate a new cycleway on Otley Road.

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Sustainable transport was a key priority for this Council and this project supported the promotion of sustainable transport on a key route joining the town centre with the West of Harrogate, including schools, business parks, leisure facilities and residential areas.

The scheme supported the Council's ambitions to see a reduction in congestion in Harrogate, improve air quality, contributing to reductions in carbon emissions whilst also promoting an active and healthy lifestyle.

Alternative option considered and rejected:

Not to submit the amended Byelaws to the Secretary of State (MHCLG) for approval and not to submit the exchange land proposals to the Duchy of Lancaster. This was recommended for rejection as it would mean the cycleway for Otley Road, which the government was providing funding towards, could not be completed and the benefits associated with the project would not be achieved.

(5.40 pm – 5.47 pm)

(D)

135/20 – THE PREFERRED SITE FOR A NEW LEISURE FACILITY IN THE EAST OF THE DISTRICT: FORWARD PLAN REF: 14CTS20:

The Executive Officer – Strategic Property and Major Projects submitted a written report which sought to update Cabinet on the outcome of a period of Public Consultation for the preferred site for a new Leisure Facility in the East of the District and recommend to Cabinet the preferred site to take forward through the design and development phase for the creation of a New Leisure Facility. Subject to approval of the preferred site, design work for this site would be developed to RIBA stage 4 at which point Cabinet would receive a report detailing the costs and business case for the scheme prior to a decision whether to proceed with construction.

On 2 December 2020 Cabinet approved the existing Leisure Centre site (although not necessarily the same footprint as the existing building) as the preferred site for the new Facility. Cabinet also approved a public consultation process regarding the preferred location and asked to receive a future report recommending the preferred location taking into account the results of the consultation. The public consultation was undertaken from the 4 December 2020 to 18 January 2021 and 471 responses were received, 98% of which were Knaresborough residents. 81% of respondents agreed that the current Knaresborough pool site be the location for the new leisure centre. The full analysis of responses could be found in appendix 1 to the report.

RESOLVED (UNANIMOUSLY):

That following a technical site options appraisal, reported to Cabinet in December 2020, and a period of public consultation, the existing Leisure Centre site (although not necessarily the same footprint as the existing building) be approved as the preferred location for the new facility for the East of the District.

Reasons for decision:

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There was a need to achieve best value for the services the Council provided, to reduce net operating cost wherever possible, whilst at the same time maintaining and where possible improving service for residents.

The June 2020 Leisure Review report recognised the significant investment in the new facility for Ripon and the need to refurbish and remodel the Harrogate Hydro venue to meet current and future user expectations.

The Local Plan highlighted the need for a new facility in the East of the District to meet future demand. The 2020 report recognised that the current venues in this area were 30 and 150 years old, had significant operational and unplanned maintenance issues and would not meet the current and future expectations of their users.

The location of the new facility for the East of the District needed to be confirmed in order for design development to progress.

Alternative option considered and rejected:

To deliver a new facility on an alternative site to the existing facility.

This was rejected; an independent site options appraisal was carried out that considered locational, physical, access, planning, and legal factors. This recommended that the existing site should be the preferred location for a new leisure facility in the East of the District.

Following a period of public consultation 81% (381) of people who responded agreed with the current Knaresborough Pool site as the location for the new leisure centre site.

(5.48 pm – 5.53 pm)

(D)

136/20 – **KEY DECISIONS - FINANCIAL THRESHOLDS:** The Democratic Services Manager submitted a written report in relation to the annual review of the financial thresholds for key decisions. The current thresholds were listed in paragraph 5.2 of the report and Cabinet was asked to decide on financial thresholds for key decisions for the year to 31 March 2022.

RESOLVED (UNANIMOUSLY):

That the current financial thresholds for key decisions as detailed in paragraph 5.2 of the report, remain unchanged for the year to 31 March 2022.

Reason for making decision:

To comply with the Local Authorities (Executive Arrangements) (Access to information) (England) Regulation 2000 as amended.

Alternative options considered and rejected:

None

(5.54 pm – 5.55 pm)

(D)

137/20 – FURTHER USE OF COVID-19 HARDSHIP FUNDING 2020/21: The Revenues, Welfare and Customer Services Manager (RWCSM) submitted a written report which updated Cabinet on the current Covid-19 Hardship funding position. The report also sought approval for further uses of the remaining Hardship Funding allocated by Central Government in response to the COVID-19 pandemic.

The RWCSM advised that as part of its response to COVID-19, the Government announced in the Budget on 11 March 2020 that it would provide Local Authorities in England with £500 million of new grant funding to support economically vulnerable people and households in their local area. The Government awarded Harrogate Borough Council hardship funding of £863,157 and provided guidance outlining the underpinning principles for use of the fund. They expected the majority of the funding to be used to provide additional support to help with Council Tax payments for working age claimants of Council Tax Reduction (CTR). The award of hardship payments of up to £150 for working age CTR claimants through this financial year was agreed by Cabinet on 1 July 2020 and at the end of January 56.3% of the fund had been allocated. It was estimated that total spend would be £512,622 this year leaving remaining unspent funding at end of 31 March 2021 of approximately £350,535. Any unspent monies had to be returned to Government, in order to avoid returning these monies to Government. In line with delegated authority the Director of Corporate Affairs in consultation with the Cabinet Member (REED) and the Head of Finance had agreed to increase the CTR hardship funding level by £75.00 from £150 to £225 across all existing and new cases during 2020/21. Work was ongoing to administer this increase and it was estimated that the cost of this increase would be approximately £235,500 and would provide further financial support to over 4,000 households. The report set out the proposed uses for remaining hardship funding for approval.

The report would also be considered by the Cabinet Member for Resources Enterprise and Economic Development on 3 March 2021, where the Cabinet Member would be requested to agree proposals to use £10,000 of the remaining money to cover retrospective adjustments to CTR hardship payment awards and £75,000 to provide additional Council Tax Support to customers who were in receipt of a Discretionary Housing Payment (DHP), as detailed in Paragraphs 5.8 to 5.14.

Cabinet were asked to consider approving £10,000 to fund top-up to Discretionary Housing Payment scheme. The total estimated amount of funding required to meet all the proposals set out in this report was £330,500. This would leave approximately £20,000 remaining and this report sought the view of the Cabinet for any further use of the remaining balance.

RESOLVED (UNANIMOUSLY):

That (1) the current Hardship spend and funding position be noted;

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(2) the Hardship Funding be used to top-up the funding for Discretionary Housing Payment scheme to enable the continuation of support through to 31 March 2021;

(3) consideration be given to adding any remaining balance to the Local Fund and if that is not possible to increase the amounts to be made available to the existing schemes; and

(4) authority be delegated to the Section 151 Officer, or Deputy in his absence, to approve the final amounts required for each agreed use of the funding above, and to approve any further use of the Hardship funding to ensure funding is spent by 31 March 2021.

Reasons for making decision:

The decisions would allow the Council to use the Hardship funding in line with Government guidance and to provide continued financial support to economically vulnerable residents.

The delegation of authority to the Section 151 Officer to agree further use if there was remaining hardship funding and to agree the final levels of funding between the agreed uses in this report will ensure the remaining funding was fully spent by 31 March 2021 ensuring financial support to economically vulnerable customers is maximised.

Alternative options considered and rejected:

Not to proceed with the recommendations in this report would mean the opportunity to provide financial support from Central Government funding to those residents in our district who were economically vulnerable would be missed. This was not recommended.

Not to delegate authority to the Section 151 Officer to approve further use of the remaining hardship funding and to agree the final levels between each agreed use would mean we may not act quickly to support economically vulnerable residents resulting in unspent hardship funding. This was not recommended as any unspent funding had to be returned to Central Government. This was not recommended as it would prevent financial support reaching our economically vulnerable residents.

(5.56 pm – 6.01 pm)

(D)