

CABINET

TUESDAY, 25 JULY 2023

Present: Councillor M Radulovic MBE, Chair

Councillors: G Marshall
R E Bofinger
C Carr
H J Faccio
H E Skinner
P A Smith
V C Smith

24. APOLOGIES

Apologies for absence were received from Councillors S A Bagshaw and J W McGrath.

25. DECLARATIONS OF INTEREST

Councillor H J Faccio declared a non-registerable interest in item 13.1, minute number 37.1 refers.

Councillor M Radulovic MBE declared a non-registerable interest in item 14.1, minute number 38.1 refers.

26. MINUTES

The minutes of the meeting held on 4 July 2023 were confirmed as a correct record.

27. BEESTON STATION - ENABLING ACCESS FOR ALL

Due to members of the public being present specifically for the item, the Chair brought forward consideration of the topic from 8.3 on the agenda.

Cabinet was informed that Network Rail were undertaking design works to install lifts at Beeston Station to make the Station accessible for all. Land identified for permanent land acquisition is held by Broxtowe Borough Council in leasehold ownership. The long lease of one peppercorn to Broxtowe Borough Council. The lease expiry date is 1 August 2117. Any sale would be subject to the Council's Land Disposal Policy, Scheme of Delegation and an independent valuation report.

RESOLVED that:

- 1. The transfer of land to Network Rail be approved.**
- 2. Network Rail be contacted to request that the design be more aesthetically pleasing.**

Reason

To enable the works Network Rail would need to permanently acquire a parcel of land extending 165 sq m from Broxtowe Borough Council.

28. SCRUTINY REVIEWS

The work programme for Scrutiny Reviews was noted.

29. REFERENCES

29.1. LOCAL JOINT CONSULTATIVE COMMITTEE

29 June 2023

Leave Scheme

Cabinet considered the recommendations made to it by the Local Joint Consultative Committee.

RESOLVED that the Leave Scheme Policy, as amended, be approved.

Reason

To ensure that employees are living out the GREAT values in particular, transparency, to ensure integrity and professional competence.

29.2. LOCAL JOINT CONSULTATIVE COMMITTEE

29 June 2023

Long Term Sickness Absence

Cabinet considered the recommendations made to it by the Local Joint Consultative Committee. This included a recommendation following a discussion around the lack of facilities for employees and Councillors with disabilities, there was particular reference to the emptying of stoma bags, wheelchair access and Kimberley Depot.

RESOLVED that a Working Group of five Members and five employees to survey the accessibility of the Council's work spaces be formed to report back to the 16 November meeting of the Joint Committee.

Reason

To ensure that employees are living out the GREAT values in particular, transparency, to ensure integrity and professional competence.

30. LEISURE AND HEALTH

30.1. CULTURAL STRATEGY

Members considered the Cultural Strategy which outlined the Council's approach to cultural activity in the Borough over the next three years. In November 2022, the Cultural Services Team was brought back in-house following several years as part of

LLeisure Ltd. Now sitting alongside, the Communications Team, there were new opportunities to promote cultural activity and the many positive outcomes on quality life, which included economic growth, education, crime and anti-social behaviour and physical and mental wellbeing.

It was queried whether external assistance would be called on to boost visitors to the D H Lawrence Museum. Officers responded that the subject would be considered during a scrutiny review, however, visitor numbers had increased recently and there were good links between the Council, the University of Nottingham and the D H Lawrence Society. Members were further informed of the D H Lawrence Children's writing completion which had received worldwide entrants.

RESOLVED that the Cultural Strategy 2023-26 be approved.

Reason

The Cultural Strategy provides valuable framework from which events to stakeholders can be delivered across the Borough.

30.2. FOOD SAFETY SERVICE PLAN 2023/24

The Food Standards Agency Framework Agreement sets out what the Food Standards Agency expects from local authorities in their delivery of official controls on food law. It includes the requirement to prepare a statutory Food Service Plan and prescribes in detail which areas of the service should be covered by the Plan.

The Plan describes how the Service is discharged and details the numbers, types and priority ratings of the Borough's food premises, the frequencies of planned interventions, sampling programmes, health promotion activities, reactive work, including responding to food complaints, food hazard warnings and investigating cases of infectious disease. As well as containing data from the last financial year, the Plan contains information on proposals for undertaking duties in 2023-2024.

It was stated that the Service had received criticism following COVID but the figures showed that the Service was now on track and delivering results.

RESOLVED that the Food Service Plan 2023-24 be approved.

Reason

Failure to have an agreed plan in place is contrary to the Food Law Code of Practice (England) (amended March 2021) requirements and can be a point of failure if the Council receives an audit by the Food Standards Agency

30.3. CHRISTMAS LIGHTS 2023

In 2022, Cabinet approved that £10,000 each be provided to Eastwood, Kimberley and Stapleford Town Councils so that the Town Councils could supply Christmas lighting in their own areas. It was also agreed that Broxtowe Borough Council would source and provide a tree for the Town Councils, from the £10,000 budget. The approval for the funding runs for three years.

Members were informed that discussions had been held with all three Town Councils and Eastwood and Kimberley Town Councils would like to receive the full £10,000 as they will source their own Christmas trees. Kimberley had expressed an interest in this arrangement being of a longer term nature as they feel it is beneficial to the area.

Christmas decorations in Beeston are also funded by a grant of £10,000 from the Council. The Council's Cultural Services Team usually managed the Christmas light switch on festivities in Beeston, Eastwood and Stapleford. Kimberley normally organised their own switch on festivities. No changes were proposed to these arrangements.

Stapleford Town Council had yet to give a definite answer as to their preference. The matter was scheduled to be discussed at their 24 July meeting and feedback would have been given to the Council after that meeting, however, the item was not included on the agenda. Therefore, approval for Stapleford's funding would be brought before Cabinet at a later date.

RESOLVED that the proposal of providing £10,000 each to Eastwood and Kimberley Town Councils, so that they can provide their own Christmas tree, festive lighting and organise their switch on festivities be approved.

Reason

The Council's priorities were Housing, Business Growth, Environment, Health and Community Safety. The priorities and objectives for Health was People in Broxtowe enjoy longer, active and healthy lives. The events programme supported active and healthy lifestyles in every area of Broxtowe.

31. ENVIRONMENT AND CLIMATE CHANGE

31.1. AIR QUALITY STATUS REPORT 2023

Each year, DEFRA requires all local authorities in England produce an Annual Status Report (ASR) in respect of air quality. The production of an ASR is intended to aid local transparency, increase accessibility of air quality to the wider public audience and encourage buy-in to delivering air quality improvement measures by those best placed to assist. The format of the report is specified by DEFRA. The annual bias corrections used in the report are not usually available until at least the end of April each year, and the required information from Nottinghamshire County Council is not available until June.

The Air Quality Action Plan relevant to Broxtowe's direct actions is now included into the Natural Environment Strand of the Climate Change and Green Futures Strategy and updated there accordingly. Broxtowe's ASRs are approved by the Portfolio Holder for Environment and Climate Change and the Director of Public Health before submission.

RESOLVED that the Air Quality Status Report and the updated Action Plan be approved.

Reason

The actions outlined in the Air Quality Status Report, support and reinforce the programme of activities identified in the Climate Change and Green Futures Strategy and delivery programme. These actions have already contributed to favourable environmental outcomes, such as the improvement of air quality, the reduction of carbon emissions and a contribution towards mitigating the worst impacts of climate change. Moreover, future actions resulting from Local Air Quality Management in Broxtowe Borough will continue to deliver beneficial results in the future.

32. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

32.1. INFRASTRUCTURE FUNDING STATEMENT

Cabinet noted the Infrastructure Funding Statement which provided information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Broxtowe, and the subsequent use of those contributions by Broxtowe Borough Council.

32.2. S106 AGREEMENT (PLANNING OBLIGATIONS) MONITORING PROCESS

Members noted a report which demonstrated how opportunities for s106 Agreements were effectively identified, existing s106 Agreements were recorded and monitored, and the utilisation of funds available through s106 Agreements were in accordance with the relevant agreement(s) and required time limit.

Planning obligations assisted in mitigating the impact of unacceptable development to make it acceptable in planning terms. This could be via a planning agreement entered into under section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the local planning authority, or via a unilateral undertaking entered into by a person with an interest in the land without the local planning authority.

33. ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT, AND RESOURCES AND PERSONNEL POLICY

33.1. HRA BUDGETS 2023/24

Members considered proposals for variations to the approved Capital Programme 2023/24 relating to the Housing Revenue Account (HRA) relating primarily to health and safety and compliance issues.

Each year the Council sets a three-year rolling Capital Programme for the General Fund and HRA. A review of progress made in quarter 1 of the 2023/24 HRA capital budgets identified a number of important health and safety and compliance works that were not currently covered within the approved budgets. The current HRA capital budgets were insufficient to meet the expenditure required to comply with health and safety compliance and standards. It was noted that, in relation to electrical compliance, the Council was making faster progress than legislation, as the Council's Electrical Compliance standards exceed statutory obligations as properties have electrical inspections every five years rather than the legislative requirement of 10 years.

The additional proposed compliance work included essential fire door replacements (both HRA tenants and leaseholders), work arising from fire risk assessment, electrical works, asbestos remedial works and concrete surveys.

It was proposed that an additional net capital budget of £1,205,900 be approved made to complete these essential works. In order to partly mitigate the increase in the capital budget, it was proposed that budget allocations from two existing schemes that were underspent be used. The net budget increase would be funded from increased prudential borrowing.

RESOLVED that the proposed variations to the Capital Programme 2023/24, as presented, be approved. The additional capital cost of £1,205,900 to be being funded by prudential borrowing and the associated costs being factored into future years HRA budgets.

Reason

The Council, as a landlord, has many legal obligations it must satisfy to ensure the health, safety and welfare of its tenants and leaseholders. It must also adhere to the regulatory standards as set out by the Regulator, particularly the Home Standard.

34. RESOURCES AND PERSONNEL POLICY

34.1. EQUALITY AND DIVERSITY ANNUAL REPORT 2022/23

The Council's Equality and Diversity Policy provides the framework for the Council's approach to the wide-ranging equality and diversity agenda. While incorporating the Council's legal responsibilities as a public body within the meaning of the Equality Act 2010, it also outlines the Council's aims and aspirations for achieving cohesive and inclusive communities and ensuring equal access to services.

It was suggested that in future the report title features the word 'inclusivity' and that a Care Experience Strategy be developed.

RESOLVED that the proposed Equalities Objectives for 2023/24 set out in appendix 2 of the report, and action plan in appendix 4 of the report be approved.

Reason

Under the Equality Act, public bodies are required to publish equality objectives that will help them further the aims of the general duty. Equality objectives must be specific and measurable and are intended to help focus attention on the priority equality issues within an organisation and help deliver improvements in policy making, service delivery and employment.

34.2. JOB EVALUATION-RESOURCES FACTOR THRESHOLD INCREASE

Cabinet considered a recommendation to update the thresholds for the Resources factor within the Council's Job Evaluation scheme.

Members were informed that a post would score under the Resources factor based on the responsibility and safekeeping of Cash, Stocks/Materials, Plant/Equipment, System Ownership and Buildings. The level scored for Cash, Stocks/Materials and Plant/Equipment is based on financial value. The panel had noticed that the thresholds for each level under the Resources factor haven't increased over the years.

RESOLVED that the Resources factor threshold increase in Table 2 of the report be approved.

Reason

This will ensure the scoring for each post remains accurate by increasing the threshold for each level in line with inflation. The threshold for each level in these categories had not increased since Job Evaluation was implemented.

34.3. GRANT AID REQUESTS FROM PARISH/TOWN COUNCILS

Cabinet considered requests for grant assistance with the protocol for the consideration of grant aid to Parish and Town Councils. Eastwood Town Council has requested up to £820 towards the cost of two youth activity days. Awsworth Parish Council has requested £5,000 as a contribution towards the cost of a climbing wall, improvements to the 'Coopers Pond' area and safety improvements to a car park.

RESOLVED that the grants requests be approved accordingly:

- 1. Eastwood – £820**
- 2. Awsworth – £5,000**

Reason

Consideration was given in respect of awarding grants. As part of the Protocol, Grant Aid would only be given in support of specific projects or services and not as a general grant towards the services provided by a Parish/Town Council. There was no budgetary provision for Capital grants to Parish Councils. The grant aid requests were in line with the current Corporate Plan aims for supporting people to live well and provide a safe place for everyone.

34.4. GRANTS TO VOLUNTARY AND COMMUNITY ORGANISATIONS, CHARITABLE BODIES AND INDIVIDUALS INVOLVED IN SPORTS, THE ARTS AND DISABILITY MATTERS 2023/24

Cabinet considered requests for grant aid in accordance with the provisions of the Council's Grant Aid Policy and noted the award of a grant made through the use of the Chief Executive's urgency powers.

RESOLVED that the grants be made as follows:

	£
Hope Nottingham	12,000
Nottingham Army Cadet Force (Eastwood Detachment)	1,500

Reason

The Council is empowered to make grants to voluntary organisations by virtue of Section 48 Local Government Act 1985 (as well as other Legislation). Having an approved process in accordance with legislation and the Council's Grant Aid Policy would ensure the Council's compliance with its legal duties.

34.5. CAPITAL GRANT AID REQUEST - WATNALL ALLOTMENTS ASSOCIATION

An application for capital funding of £2,000 had been received from the Watnall Allotments Association. This was considered in accordance with the provisions of the Council's grant aid policy.

RESOLVED that £2,000 be awarded from Capital Contingencies 2023/24.

Reason

Allotments are an important natural resource in terms of tackling climate change. They sequester carbon and produce locally grown food.

34.6. CITIZENS ADVICE BROXTOWE-GRANT AID 2023/24

Cabinet noted the outturn position in respect of the Service Level Agreement with Citizens Advice Broxtowe following the commitment of a three-year grant funding settlement from 2022/23 in accordance with the provisions of the Council's Grant Aid Policy. The three-year funding settlement was seen to provide some much needed stability for Citizens Advice Broxtowe and provide a platform to lever in additional funds from other sources.

RESOLVED that the third year of the three-year funding settlement be released.

Reason

The Council was empowered to make grants to voluntary organisations by virtue of Section 48 Local Government Act 1985. The grant supported the Corporate Priorities with providing a safe place for the community and supporting people to live well.

35. CABINET WORK PROGRAMME

RESOLVED that the Cabinet Work Programme be approved.

36. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of the Schedule 12A of the Act.

37. LEISURE AND HEALTH

37.1. LEISURE FACILITIES UPDATE - DUE DILIGENCE REPORTS

RESOLVED that:

- 1. The Deputy Chief Executive progresses further feasibility on a replacement for Bramcote Leisure Centre.**
- 2. A budget to support this work be approved.**

(Having declared a non-registerable interest in the item Councillor H J Faccio left the meeting before discussion or voting thereon.)

38. HOUSING, AND RESOURCES AND PERSONNEL POLICY

38.1. OPPORTUNITY TO PURCHASE ONE BLOCK OF FIVE FLATS

An amendment was proposed by Councillor G Marshall and seconded by Councillor V C Smith, that the price payable be increased by £5,000 due to changes in the vendor's and the Council's evaluation. On being put to the meeting, the amendment was agreed.

RESOLVED that the purchase of five dwellings, as detailed in the report, be approved. The estimated total scheme cost of £649,000 will be added to the Capital Programme in 2023/24 and funded from housing capital receipts.

(Having declared a non-registrable interest, Councillor M Radulovic MBE left the meeting prior to discussion or vote thereon. Councillor G Marshall, Vice Chair, took the Chair for this item.)