

CABINET

TUESDAY, 19 JULY 2022

Present: Councillor M Radulovic MBE, Chair

Councillors: S J Carr
S A Bagshaw
T Hallam
R D MacRae
G Marshall
J W McGrath
E Williamson

Apologies for absence were received from Councillors B C Carr and H E Skinner

23 **DECLARATIONS OF INTEREST**

Councillor R D MacRae declared a non-pecuniary interest in item 5.5 as he supported Hope Community group, minute number 26.5 refers. Councillor S J Carr declared a non-pecuniary interest in item 5.5 as he funded Hope Community group as a Nottinghamshire County Councillor, minute number 26.5 refers. Councillors M Radulovic MBE, S J Carr and G Marshall declared non-pecuniary interests in item 14.2 as they were Members on the Beeston Town Centre Board, minute number 36.2 refers. Councillor S J Carr declared a non-pecuniary interest in item 5.6 as Councillor B C Carr was a Trustee on the Board at the Citizens Advice Broxtowe Minute number 26.6 refers.

24 **MINUTES**

The minutes of the meeting held on 21 June 2022 were confirmed and signed as a correct record.

25 **SCRUTINY REVIEWS**

An update was provided on the work being carried out by the Overview and Scrutiny Committee. Progress was being made on the chosen topics of Housing Repairs, Agile working, and Telephone Answering and Customer Services.

26 **RESOURCES AND PERSONNEL POLICY**

26.1 **CORPORATE PLAN PROGRESS 2021/22 OUTCOMES**

Cabinet was informed of the progress made in implementing the corporate plan targets for 2021/22, summarising achievements and highlighting targets for year 3, the current year.

RESOLVED that the targets for year 3 2022/23 be approved.

Reason

The Council's performance management framework closely aligns performance and financial management. The Business Plans are linked to the five corporate priority areas. The progress made with the Corporate Plan was therefore closely aligned to the Council's Medium Term Financial Strategy and the annual revenue capital budget setting process.

26.2 STATEMENT OF ACCOUNTS UPDATE AND OUTTURN POSITION 2021/22

Cabinet was updated on the revenue and capital outturn position for 2021/22 and updated on progress with the preparation of the draft annual statement of accounts for 2021/22.

There had been an underspend on the General Fund revenue account when compared to the revised estimates, that had resulted in a net General Fund Reserve Balance of £552,428. The General Fund Reserve, as at 31 March 2022, was £7.4 million. The underspending on the HRA when compared to the revised estimates had reduced the anticipated deficit on the HRA working Balance which amounted to £4.9 million as at 31 March 2022.

RESOLVED that:

- 1. The accounts summary for the financial year ended 31 March 2022, subject to audit, be approved.**
- 2. The revenue carry-forward requests outlined in section 1.4 of appendix 1 and section 2.2 of appendix 2 be approved and included as supplementary revenue estimates in the 2022/23 budget.**
- 3. The capital carry-forward requests outlined in appendix 3b be approved and included as supplementary capital estimates in the 2022/23 budget.**

Reason

To be accountable for all activities and actions and to ensure that the Council conforms to all financial regulations. This summarises the Council's finances at the end of each financial year.

26.3 HOUSING DELIVERY PLAN- CAPITAL PROGRAMME NEW BUILD SCHEME - REVISIONS TO THE BUDGET 2022/23 & 2023/24

Cabinet was asked to approve revisions to the 2022/23 and 2023/24 Capital programme specifically relating to the new build programme and increased scheme costs. The programme for the new build housing scheme had been revised based on the changes to the timetables associated with the schemes and due to the rapid increase in construction costs over the last 12 months. The agenda item was moved into exempt items to discuss the appendix and recommendation together.

26.4 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS ANNUAL REPORT FOR THE YEAR ENDED 31 MARCH 2022

Cabinet noted the Treasury Management and Prudential Indicators Annual Report for the year ended 31 March 2022.

Members were informed that overall debt was kept under review in order to match the level of borrowing with the financing requirements for assets, based on analysis for the Council's balance sheet with the aim of maintaining the Council's borrowing at the most efficient level in line with the prudential framework for capital finance.

Reason

Treasury Management activities have to conform to the Local Government Act 2003, the Local Authorities (Capital, Finance and Accounting) (England) Regulations 2003 (SI 2003/3146) which specifies that the Council is required to have regards to the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice

26.5 GRANTS TO VOLUNTARY AND COMMUNITY ORGANISATIONS, CHARITABLE BODIES AND INDIVIDUALS INVOLVED IN SPORTS, THE ARTS, AND DISABILITY MATTERS 2022/23

Cabinet considered a request for grant aid in accordance with the provisions of the Council's grant Aid Policy.

Hope Nottingham was a project that operated from Hope House at the Boundary Road Community Centre, Beeston. The project had over 300 regular users, with approximately 800 individuals benefitting from the service each year. For 2022/23, Hope Nottingham had requested a grant of over £12,000 towards the general cost of operating the project. The current cost of living crisis has had a direct impact on demand for the services as the reason for the increase in the grant request.

The award was in line with the Grant Aid Policy as the organisation was based in Broxtowe, benefitted Broxtowe residents and was complimentary to the services provided by the Council and targeted the needs of disadvantaged sections of the Community.

RESOLVED that the grant request for Hope Nottingham of £12,000 be approved.

Reason

Consideration for not awarding the grant would be a negative impact for the users and individuals relying on the service. The grant supported the priority of supporting people to live well.

26.6 CITIZEN'S ADVICE BROXTOWE-GRANT AID 2022/23

Cabinet considered 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 2021/22 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:

- 1. Noted the outturn report from Citizens Advice Bureau.**
- 2. The second 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.

26.7 GRANT AID REQUESTS FROM PARISH AND TOWN COUNCILS

Cabinet considered requests for grant assistance with the protocol for the consideration of grant aid to Parish and Town Councils.

Awsorth Parish Council had requested £500 towards the cost of the local Queen's Platinum Jubilee Celebrations. A resubmission from Nuthall Parish Council for funding up to £2,590 towards the purchase of two new defibrillators to be installed outside Horsendale and Mornington areas of the Parish and a resubmission from Kimberley town Council for three grants requests including, Christmas light-switch on, electrical connection for a defibrillator and improved disabled access Stag Recreation Ground.

Members debated the grant requests and felt some of the requests could come from Parish Councils own reserves. There was a need, going forward not to make a precedent on universal items. It was suggested that other funding opportunities may be available with the provision of defibrillators from The Football Association and information should be provided.

RESOLVED that a number of grants requests are approved accordingly.

- 1. Awsorth – £500**
- 2. Nuthall Parish – £2,590**
- 3. Kimberley Town Council – £6,700 (for the Christmas Light Switch on).**

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.

26.8 PEER REVIEW

Cabinet welcomed the Council's intention of seeking an LGA peer review in 2022. It had been more than seven years since Broxtowe had a peer challenge. A peer challenge was a sector-led improvement offer to Local Authorities managed through the Local Government Association. The purpose of the review was to generate external perspectives and insights to inform a future improvement journey.

RESOLVED that an LGA peer review be commissioned during late November/early December 2022.

Reason

A Corporate Peer challenge offered a tried and tested method of improvement and provided Councils with a robust and effective improvement tool. They also provided a critical friend and practitioner perspective as part of the process.

26.9 HOUSING DELIVERY MANAGER POST TO DELIVER THE HOUSING DELIVERY PLAN

Members considered the request for the approval of a new post to oversee delivery of the 2019 Housing Delivery Plan.

The intention was, that once the Housing Delivery Plan was established, the new build programme would be delivered by a permanent Broxtowe employee. Currently the role was being undertaken by the Interim Housing Delivery Manager. The Housing Delivery Plan aimed to deliver a minimum of 230 new homes between 2020 and 2030. The programme required a permanent Housing Delivery Manager to drive forward and manage the programme.

RESOLVED that a new post of Housing Delivery Manager be established and approved accordingly.

Reason

Without the post The Council would not be able to progress the current programme of new build schemes and would not be able to identify new opportunities going forward. Without the post the delivery of the adopted housing delivery programme would be adversely affected.

27 HOUSING

27.1 INCOME MANAGEMENT POLICIES

Members considered the updated Income Management Policies. The Financial Inclusion Policy was to support tenants and applicants to have access to affordable financial products and services that meet their needs. The Income Collection Policy supported how the Council managed and collected rent for properties and garages. The Rent Setting Policy outlined how the Council would calculate rent for the housing stock that it owned and managed within the Housing Revenue Account.

All three policies were written in 2019 and required reviewing. There had been no significant changes in the Council's approach to Income Management.

RESOLVED that the updated policies be approved.

Reason

The policies ensured the Council was meeting the statutory framework for income collection and recovery of Council rent. Having clearly defined policies ensured consistency and ensured that no tenant or resident was treated unfairly or more fairly than others.

28 ENVIRONMENT AND CLIMATE CHANGE

28.1 AIR QUALITY STATUS REPORT 2022

Cabinet was updated with the latest Air Quality Status report that had been submitted to the Department of Food Environment and Rural Affairs.

Each year, DEFRA required all local authorities in England to produce an Annual Status Report in respect of air quality. Some of the positive aspects contained in the report included the 2021 nitrogen dioxide results shown that the air quality levels were below the objective of 40µg/m³ for all of the monitoring locations throughout the Borough. There was an increased number of diffusion tubes measuring nitrogen dioxide to 45 and the Council recently purchased a real time monitor to monitor PM_{2.5}, PM₁₀ and NO₂ in the Trowell AQMA. This data will be reported in the 2023 ASR.

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

Reason

The production of the Annual Status Report was intended to aid local transparency, increased accessibility of air quality to the wider public audience and encourage buy-in to deliver air quality improvement measures. The report was in line with the Council's priorities of Protecting the environment for the future, supporting people to live well and providing a safe place for everyone.

29 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

29.1 ECONOMIC GROWTH & REGENERATION PLAN-GOOD GROWTH FOR BROXTOWE

Members considered the process of completing the Council's Economic Growth and Regeneration Plan 2022 to 2027.

The current Economic Development Strategy was expiring and had limited reference to the post COVID-19 economic struggle businesses and people were facing today. The Governments Levelling up Agenda along with programmes such as the Towns Deal, Shared Prosperity Fund and Devolution Deal and some aspects of the Dev-Co were not fully understood and not explicit enough to understand their significance to local economic growth. The Council's bids made reference to a Framework Document for Economic Growth.

RESOLVED that the core principles of the strategy and process to finalise it in order to support bids and guide the Council's work in this crucial period for economic development and regeneration be approved.

Reason

A Framework Document would support future bids and plans and supports Business Growth Corporate priority by investing in our towns and our people.

29.2 GREATER NOTTINGHAM STRATEGIC PLAN MEMORANDUM OF UNDERSTANDING -RESOURCING

Cabinet considered the agreement to a Memorandum of Understanding on the resourcing of the Greater Nottingham Strategic Plan.

The Council had agreed in principle to work with Gedling Borough, Nottingham City and Rushcliffe Borough Council on the Greater Nottingham Strategic Plan. A recommendation was made to provide greater certainty that the appropriate resources was in place to help expedite preparation of the Strategic Plan as this was a statutory requirement. It also helped recognise the strategic importance to the Authorities.

The benefits, through joint working included sharing skills and expertise, saving money and planning together for sustainable growth on a strategic scale.

RESOLVED that the Memorandum of Understanding is approved accordingly.

Reason

It was a statutory requirement for local planning authorities to prepare a development plan and this duty would have to be discharged by some other mean if not co-operating in this way.

29.3 HOUSES IN MULTIPLE OCCUPATION (HMOS) SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Members were advised of the responses received to the consultation on the drafts Houses in Multiple Occupation Supplementary Planning Document and considered the recommended changes to the document based on these responses.

An Article 4 Direction came into force on 26 March 2022 covering parts of Beeston Rylands and Beeston. As a result of the Article 4 Direction planning permission was required for a change of use from a Class C3 dwelling house to a class C4 House in Multiple Occupation.

Discussions ensued around the Article 4 and impact on residents wanting to protect their area. Policy cannot be set on speculation it had to be evidence based.

RESOLVED that the changes put forward are made and the SPD is adopted.

Reason

Supplementary Planning Documents were introduced as part of the reforms to the planning system through the planning and compulsory Purchase Act 2004. The SPD aimed to provide guidance for applications to convert, use, or develop properties for multiple occupation. It would be used by those making applications to inform them about the Council's requirements and standards for HMOs and Planning Officers to aid their assessment of the applications received.

29.4 CHETWYND: THE TOTON AND CHILWELL NEIGHBOURHOOD PLAN: BROXTOWE BOROUGH COUNCIL REGULATION 16 CONSULTATION RESPONSE

Members considered the approval of representations in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) by Broxtowe Borough Council in respect of the Chetwynd: The Toton and Chilwell Neighbourhood Plan, in order that these can be considered by the Independent Examiner during the Independent Examination of the Neighbourhood Plan.

RESOLVED that the submission of representations, as drafted, to be made in accordance with Regulation 16 of the Neighbourhood Planning (general) Regulations 2012 (as amended) by Broxtowe Borough Council in respect of the Chetwynd: The Toton and Chilwell Neighbourhood Plan be approved.

Reason

The Council had a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 sets out the Council's responsibilities as designating a forum, designating the area of the Neighbourhood Development Plan, advising or assisting communities in the preparation of a

neighbourhood plan, checking a submitted plan met the legal requirements, arrangement of the independent examination of the plan, determining whether the neighbourhood plan met the basic conditions and other legal requirements.

30 COMMUNITY SAFETY

30.1 PROPOSAL FOR HACKNEY CARRIAGE FARES INCREASE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Cabinet considered a proposal to increase hackney carriage fares from August 8 2022. Members, at the Council meeting on 13 July 2022 were asked to amend the Constitution in order to transfer the functions of the LG(MP)A 1976 in relation to hackney carriage and private hire licensing. The report had initially been considered at the Licensing and Appeals Committee on 14 June 2022. However, in accordance with legislation it had now been submitted to Cabinet for approval.

The current fees were last increased in 1 May 2019 and was felt by members of the taxi trade the current fares were not in line with current increases including rising fuel costs.

RESOLVED that:

- 1. Option D was approved accordingly.**
- 2. To advertise any proposed increase in hackney carriage fare rates as detailed.**

Reason

A total of 146 hackney carriage/private hire drivers were consulted between 3 and 21 May. The current rise in fuel costs and vehicle maintenance was not sustainable for the taxi driver. The amendments to hackney/carriage fares must be carried out in accordance with the statutory requirements set out in Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 as set out in the report.

31 LEISURE AND HEALTH

31.1 EVENTS AND MUSEUMS SERVICE REVIEW

Cabinet was updated on the feasibility review on transferring the events and museums services back in-house from LLeisure Limited.

Currently events were organised by the Councils employees across a number of Council departments and teams including Civic services, communities, environment, housing, economic development and others. It was a possibility that bringing LLeisure's events and museums team within the Council's structure would make communication and co-ordination of all events more co-ordinated and resilient. The events and museums aspects of work within LLeisure were costly and loss making and detracted from the financial success of LLeisure.

RESOLVED that a feasibility review is carried out on the costs, benefits, and risks of transferring the events and museums service back in-house, to be reported back to the September Cabinet.

Reason

The review would assess the financial implications for the company and the Council. It would identify risks and benefits of the transfer in-house.

32 CABINET WORK PROGRAMME

Cabinet resolved that the work programme, with the added items of the Feasibility Study for the Events and Museums Service Review and Proposals for the Provision of a Repairs Helpdesk and Software Purchase be brought back to the September Cabinet meeting, including key decisions, be approved.

RESOLVED that the work programme, as amended, including key decisions, be approved.

33 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 and 3 of the Schedule 12A of the Act.

34 HOUSING

34.1 AIDS AND ADAPTATIONS CASE

RESOLVED that the aids and aids and adaptations work as outlined in the appendices of the report be approved

35 RESOURCES AND PERSONNEL POLICY

35.1 IRRECOVERABLE ARREARS

RESOLVED that the arrears in excess of £1,200 on national non-domestic rates, council tax, rents, housing/council tax benefit overpayment and sundry debtors as set out in the report be written off and to note the exercise of the Deputy Chief Executive's delegated authority under financial regulation 5.9 with the exemption of numbers 1.1, 1.2 and 1.7 within the report which were removed for further investigation.

(Councillor S J Carr left the meeting before the commencement of the item or voting thereon.)

35.2 REQUEST FOR APPROVAL OF BUDGET TO PURCHASE EPC'S FOR HOUSING STOCK

RESOLVED that the provision be made in the budget for 22/23 for £100,000 to obtain EPC data for the Council's housing stock be approved.

35.3 HOUSING DELIVERY PLAN- CAPITAL PROGRAMME NEW BUILD SCHEME - REVISIONS TO THE BUDGET 2022/23 & 2023/24 APPENDIX

RESOLVED that:

1. The revised budgets for the 2022/23 and 2023/24 HRA new build schemes as set out in the Appendix, be agreed.
2. The increase in overall scheme costs as set out in the Appendix, be agreed.
3. That the list be amended as it was considered that not all items represented value for money.

36 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

36.1 PROPOSALS FOR THE PROVISION OF A REPAIRS HELPDESK AND SOFTWARE PURCHASE

This Item was withdrawn until the next Cabinet meeting in September 2022.

36.2 REQUEST FOR APPROVAL OF INCREASED BUDGET FOR REFURBISHMENT OF THE ARGOS BLOCK, THE SQUARE, BEESTON

RESOLVED that the increase of £100,000 for the refurbishment of the Argos Block scheme in the Capital Programme 2022/23 be approved, to be financed from prudential borrowing.