

CABINET

TUESDAY, 5 SEPTEMBER 2023

Present: Councillor Milan Radulovic MBE Chair

Councillors: G Marshall (Vice-Chair)
R E Bofinger
C Carr
H J Faccio
H E Skinner
P A Smith

Apologies for absence were received from Councillors S A Bagshaw, J W McGrath and V C Smith.

40. **DECLARATIONS OF INTEREST**

Councillors M Radulovic MBE and G Marshall declared other registerable interests in agenda item 11.1 as they were Members on the Beeston Town Centre Board, minute number 51.1 refers.

41. **MINUTES**

The minutes of the meeting held on 25 July 2023 were confirmed and signed as a correct record.

42. **SCRUTINY REVIEWS**

Members were informed of the matters proposed for and undergoing scrutiny.

43. **ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT**

43.1 **REVIEW OF THE PLANNING ENFORCEMENT PLAN DATED OCTOBER 2019**

Due to members of the public being present, items 7.1 and 7.2 were moved forward on the agenda.

The Policy Overview Working Group considered the report prior to its submission to Cabinet, the purpose of the report was to give formal endorsement amendments to the Planning Enforcement Plan, which was originally adopted in October 2019.

In reference to Part 6 of the Planning Enforcement Plan sections 6.1 and 6.4 refer to anonymous complaints. Previously, the Council had accepted anonymous enforcement complaints on a case-by-case basis. However, such complaints often lack specific detail, and if the complainant was unwilling to identify themselves or provide contact details, the Council was then unable to request any additional information from the complainant or to provide them with updates on the complaint. Additionally, there

could be difficulties later in the process if the complainant was required to provide evidence, for example for court proceedings.

For these reasons, anonymous complaints were usually given a low priority in terms of investigation unless they involved works to a listed building, conservation area or involved a matter which may be a public safety issue.

It was proposed that moving forward, the Planning Enforcement Plan be amended so that anonymous complaints were no longer accepted, with the exceptions of works to a listed building, conservation area or where they involved a matter which may have been a public safety issue. Alternatively, complainants who declined to provide their full details would be encouraged to refer their complaint to their local Ward Member or Parish/Town Council who may then raise the concerns on their behalf. This provided a mechanism for members of the public to complain about enforcement matters, and retain their anonymity.

It was agreed that the words 'endeavour to' be removed from section 9.1 in order to strengthen the Council's commitment to the process, remove the words 'limited resources' from section 10.1 and replace with 'prioritise in accordance with the seriousness of the alleged breach', and to add a bracket into 8.1 to cross-reference that 8.4 contains information about retaining anonymity throughout the complaint.

RESOLVED the amendments to the Planning Enforcement Plan, be approved.

Reason

The amendments will ensure that complaints are treated equally through the process.

43.2 GREATER NOTTINGHAM STRATEGIC PLAN: STRATEGIC DISTRIBUTION AND LOGISTICS PREFERRED APPROACH CONSULTATION

Members were informed that as part of the review of their respective Part 1 Local Plans (Core Strategies) Broxtowe Borough, Gedling Borough, Nottingham City and Rushcliffe Councils were preparing the Greater Nottingham Strategic Plan.

In January 2023, the Councils undertook a Preferred Approach consultation (Regulation 18) focusing on the Strategic Plan's Vision, Strategy and the approach to housing and employment need.

The Councils were now seeking approval to undertake an additional consultation for a period of six weeks focusing on a Preferred Approach to strategic distribution and logistics. In Broxtowe, an allocation for distribution and logistics was proposed at the Former Bennerley Coal Disposal Point. In Rushcliffe, it was proposed that part of the Ratcliffe on Soar Power Station site should be allocated.

It was stated that a sustainability project would be considered to provide balance and protection to a vulnerable area.

RESOLVED that:

- 1. The Greater Nottingham Strategic Plan: Strategic Distribution and Logistics Preferred Approach be approved, in so far as it relates to Broxtowe**

Borough, for public consultation, subject to the additional wording of access to the Former Bennerley Coal Disposal Point be only from the A610; and

- 2. Authority is delegated to the Head of Planning and Economic Development to approve any minor changes (e.g. presentational, typographical and grammatical) required to the Preferred Approach document and the evidence base prior to consultation.**

Reason

The responses received would then be considered as part of preparing the final draft of the Strategic Plan.

44. RESIDENT ENGAGEMENT

Members were informed that for many years the Council had operated a community engagement system called Community Action Teams (CATs). Originally there was one in each ward in the Borough, and a number of dedicated officers within the Community Development team supported community engagement work. Capital budgets were available and improvement plans were developed for implementation in areas to respond to ideas put forward by the public. Police representatives or Community Support Officers would regularly attend the meetings.

There is a need to review the operation and support of CAT meetings. The Community Development team is over committed in time and capacity so if CATs were to continue, more resource would be necessary to maintain this system. Resident engagement is more important than it has ever been. However, it was considered the current system was no longer considered fit for purpose in its existing form.

RESOLVED that:

- 1. Each Councillor be allocated a budget of £200 to support community engagement by Councillors in the form of local surgeries. Using this option Councillors could if they wish continue with their CAT meetings and use the money for room hire or to pay a small amount to a minute taker.**
- 2. The Overview and Scrutiny Committee be requested to review the new process in six months.**

Reason

This will assist with the Council's corporate value of having a strong, caring focus on the needs of all communities.

Options Considered and Rejected

1. Maintain the current system of CATs and request that the Chief Executive bring forward a report on the additional resources required to support this.
2. Decide that there is no longer a need for CATs in the light of changing ways of engaging residents.

45. ADDITIONAL HONARARY FREEMAN AND ALDERMEN CEREMONY

The 170 (Infrastructure Support) Engineer Group was given the status of Freeman of the Borough in 2009. Since then, the Group had exercised its freedom by holding regular Freedom Parades in the Borough's four towns. The regiment had recently been reorganised as the 'Royal Engineer Group' and the new title was in need of recognition.

As a ceremony would be required, it was an opportunity to open nominations to other individuals who may be deserving of the title of Freeman or Alderman so that they may also be duly recognised for their contribution to the community, subject to the usual selection processes.

It was also intended that the Council made use of the relevant legislation to include the titles of both Freeman/Alderman and Freewoman/Alderwoman.

RESOLVED that the official admittance to the office of Honorary Freeman/Alderman of the Borough take place at a special meeting of the Council to be held on 24 January 2024 be approved. The total cost of £13,200 would be partially met from existing budgets with the additional budget of £6,200 required for this purpose to be funded from the General Fund Revenue Contingency in 2023/24.

Reason

The regiment's Freeman status will need to be ceremonially awarded under the new title to enable Freedom of Entry Parades to continue.

46. WORKFORCE PROFILE 2022/23

Cabinet noted the Workforce Profile which is an annual report produced by the Payroll & Job Evaluation service, covering areas such as recruitment, the workforce, employment issues and health and safety. It provides an opportunity for comparison with previous years to see how the Council was progressing.

It was stated that there had been a marked increase in RIDDOR figures and Members requested an internal investigation and a report to be submitted to LJCC. It was further stated that the gender pay gap, although improving, was still too high and there was no room for complacency.

47. HOUSING

47.1 DAMP AND MOULD UPDATE

Cabinet noted the progress of the Damp and Mould Action Plan and was informed that this involved work by Housing Repairs, Capital Works and Private Sector Housing.

In addition to the actions previously agreed the Housing Ombudsman had raised an expectation on landlords to publish a self-assessment of the 26 recommendations for landlords outlined in its report 'Spotlight on Damp and Mould, it's not Lifestyle'. No deadline had been given for this to be completed.

RESOLVED that the new actions of the Damp and Mould Action Plan be approved.

Reason

The Landlord and Tenant Act 1985 as amended by the Housing (Fitness for Human Habitation) Act requires a property is fit for human habitation at the beginning of the tenancy and for the duration of the tenancy; and where a landlord fails to do so; the tenant has the right to take action in the courts for against the Council breach of contract on the grounds that the property is unfit for human habitation. To address this duty, the council needs to have a planned maintenance programme with periodic inspections and an effective responsive repairs service. The Council's obligations as landlord to repair and maintain Council properties are set out in the tenancy agreement. In addition, section 11 of the Landlord Tenant Act 1985 sets out statutory obligations to ensure that the structure of homes is repaired and the repairs are carried out within a reasonable time.

49. CABINET WORK PROGRAMME

RESOLVED that the Cabinet Work Programme be approved.

50. 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.

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

51.1 BEESTON SQUARE ARGOS BLOCK

RESOLVED that, in line with the disposal policy, the 'Argos' block is classified as a surplus asset and commercial negotiations commence.

51.2. CONSULTANTS FOR THE PROCUREMENT AND PROJECT MANAGEMENT OF THE REPLACEMENT CREMATORS AT BRAMCOTE CREMATORIUM

RESOLVED that an exemption to the Council's Contract Procedure Rules to allow a contract to the value of up to £159,765 via a direct award, as detailed within the report be approved.