

# CABINET

TUESDAY, 7 JANUARY 2025

Present: Councillor G Marshall, (Vice-Chair in the chair)

Councillors: P J Bales  
G Bunn  
C Carr  
T A Cullen  
H J Faccio  
J W McGrath  
H E Skinner  
V C Smith

85 APOLOGIES

An apology for absence was received from Councillor M Radulovic MBE.

86 DECLARATIONS OF INTEREST

Councillor J W McGrath declared an other-registerable interest in item 5 as he is a member of Stapleford Town Council, minute number 89 refers.

87 MINUTES

The minutes of the meeting held on 3 December 2024 were confirmed and signed as a correct record.

88 MINUTES OF THE UKSPF ADVISORY PANEL 25 OCTOBER 2024

Members noted the minutes of the UKSPF Advisory Panel meeting held on 25 October 2024.

89 URGENCY POWERS TO AWARD WORKS TO TALBOT LANDSCAPES FOR THE CONSTRUCTION OF A CRICKET PITCH NEAR STAPLEFORD AND TROWELL

Cabinet noted that, after satisfying due diligence checks and consulting partners on the Stapleford Town Deal Board, Talbot Landscapes had been awarded a JCT contract to the value of £268,425.80. The Urgency Powers in the Council constitution allow for such an award to be made on two grounds, the first being that the contract which Talbot Landscapes had been awarded provided a net gain to the flood prevention in the area. The site of new cricket pitch currently has a flow rate into the Boundary Brook of 51.8 litres and so the designs incorporate measures to slow this down to flow into a retention basin which will restrict the flow rate into the brook to 4.6 litres a second. An early start on these works would be advantageous.

The second ground was that the original procurement strategy failed to deliver an appropriate contractor and a retendering exercise could put several months onto a process that was already behind schedule. A cricket pitch takes a considerable period to settle and there is a danger that if the works do not commence early in 2025 the project would run beyond the Town Deal funding deadline of 31 March 2026.

## 90 SCRUTINY REVIEWS

Cabinet noted the matters proposed for and undergoing scrutiny.

## 91 EQUALITY, INCLUSIVITY AND DIVERSITY AT THE COUNCIL'S PARKS

Members considered the report that was submitted by the Overview and Scrutiny Committee and thanked the Committee for the work it had undertaken during the review in addition to the officers who had assisted in compiling the report.

**RESOLVED that the following be approved:**

1. **That all entrances to parks are audited, to allow wheelchair/mobility access where possible.**
2. **Where a play park is fenced around, to ensure the access gate for a wheelchair is close to any accessible/inclusive play equipment or to consider the surface for the travel to the equipment.**
3. **Where possible, that every play park in the Borough has access to a minimum of one piece of accessible/inclusive play equipment.**
4. **To introduce further sensory play panels to the parks with some possibly away from climbing frames in quiet areas.**
5. **When replacing play equipment that a double slide be provided instead of a single slide option.**
6. **Exploring options to provide sensory gardens in parks and, where appropriate, to provide a sensory experience for all users to touch, smell, hear and see. To consider utilising parks already established with garden areas in the first instance.**
7. **To provide signage across all parks for users to establish areas of rewilding, butterfly and bee planting, sensory and park areas.**
8. **To consider the toilet options in large multi-use parks that are not near town centre facilities.**
9. **To consider accessibility/inclusive benches as standard across all parks in the Borough and investigate the triangular benches with back supports as the standard park bench.**
10. **The results from the Parks Survey are made available to the Overview and Scrutiny Committee.**

### Reason

This will assist the Council in meeting the aims of its Corporate Priorities.

## 92 RESOURCES AND PERSONNEL POLICY

### 92.1 BUDGET CONSULTATION 2025/26

Cabinet noted the results of the 2025/26 budget consultation exercise that took place during October and November 2024. Local people had been asked for their preferred approach to balancing the Council's budget and to provide an indication as to which service they thought should have their funding increased, decreased, or remain the same. A total of 1,290 responded to the survey. This was a slight decrease from the previous year.

### 92.2 REPORT ON REGULATION OF INVESTIGATING POWERS ACT 2000 POLICY

Cabinet considered a report which sought approval for a Regulation of Investigatory Powers Act 2000 (RIPA) Policy and noted the outcome of the Investigatory Powers Commissioners Office inspection and that there had been no use of the RIPA powers in the last 12 months.

**RESOLVED that the Policy for ensuring compliance with RIPA is appropriate and shall remain as currently drafted.**

#### Reason

If the Council does not adopt a revised RIPA Policy and there is no common reference point, there is a risk that covert surveillance is inconsistently applied across different service areas. This might increase the risk of legal challenge and reduce the fairness and effectiveness of the Council's approach to covert surveillance. The adoption of a policy is considered to be best working practice and will also assist the Council to demonstrate that it has regard to the relevant legislation and Codes of Practice.

## 93 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

### 93.1 BIODIVERSITY NET GAIN MONITORING FEES

Members considered a report which stated that Mandatory Biodiversity Net Gain (BNG) commenced in February 2024, with any development larger than one dwelling legally required to contribute. This meant there was a requirement for any developer to show an enhancement of 10% BNG on their respective development, and this had to be in place for 30-years. The main reason behind this was that BNG had significantly diminished and this approach would attempt to redress that balance. In some instances, this issue could be covered through a planning condition, but for the majority of cases this matter will be outlined within an accompanying S106 agreement agreed alongside any planning permission. The developer will be required to provide the Local Planning Authority with a copy of its site monitoring reports at agreed intervals throughout the 30-year period.

Members agreed that following benchmarking of other authorities that the charging schedule that was originally included in the report should be increased, while further consideration would be given to the wording of the banding sizes.

**RESOLVED that:**

1. **The charging schedule for the Biodiversity Net Gain monitoring fees be approved as follows:  
Very small Sites – £2,500  
Small Sites – £5,000  
Medium Sites – £7,500  
Large Sites – £10,000  
Very Large Sites – £20,000**
2. **Delegation be given to the Head of Planning and Economic Development, in consultation with the Chair, to determine the appropriate banding sizes and wording.**

Reason

This is in accordance with several of the Council's Corporate Aims but especially the priority of Environment – protect the environment for the future.

93.2 EASTWOOD COMMUNITY SERVICE DELIVERY OFFICE FOR THE CEDARS PROJECT

The report considered by Cabinet contained a proposal to carry out refurbishment work on a high street property in Eastwood at 47 Nottingham Road, using Shared Prosperity Funding and East Midlands Combined Council Authority funds in order to create a multi-agency working and common service delivery hub for NHS, DWP, Council employees and other public and voluntary service partners.

**RESOLVED that, subject to the conditions set out in paragraph 3 of the report, the Council agrees to lease and refurbish 47 Nottingham Road, Eastwood to create the Eastwood CEDARS Office for a pilot period of two years.**

Reason

Eastwood is an area which suffers from significant pockets of ill health, lower skills, higher unemployment and poor access to health and DWP services. Residents currently have to go to Heanor to access DWP services.

94 ENVIRONMENT AND CLIMATE CHANGE

94.1 FOOD WASTE AND SIMPLER RECYCLING

Members received an update on progress regards food waste collections, particularly around options for trade waste implementation which was due by 31 March 2025. Consideration was also given to Simpler Recycling initiatives.

**RESOLVED that the fees and charges for Trade waste food collections be approved.**

Reason

This is in accordance with the Council's Corporate Priority of Environment – Protect the environment for the future.

95 CABINET WORK PROGRAMME

Members were informed that the Senior Officer Pay Review would be added to the agenda for the meeting to be held on 4 February 2025.

**RESOLVED that the Work Programme, including key decisions, be approved.**

Reason

This is in accordance with all of the Council's Corporate Priorities.

96 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act.**

97 MAJOR AIDS AND ADAPTATIONS - DISABLED FACILITIES GRANT

**RESOLVED that the request for the additional funding for the adaptations, be approved.**

Reason

This is in accordance with the Council's Corporate Priorities for Housing – 'a good quality home for everyone' and responding to housing need by facilitating adaptations to the homes of disabled people in the private sector.

98 AFFORDABLE HOUSING CONTRACT

**RESOLVED to proceed with the purchase of 51 properties from the provider as detailed in the report, subject to consultation between the Chief Executive, Deputy Chief Executive, the Interim Housing Delivery Manager, the Portfolio Holder for Housing and the Deputy Leader around the use of a bond.**

Reason

This is in accordance with the Council's Corporate Priorities for Housing – 'a good quality home for everyone'.

99 OPPORTUNITY TO PROVIDE TWO NEW HOUSES

**RESOLVED that the purchase of the Pamela Cottage site, be approved. The estimated total scheme cost will be added to the Capital Programme in 2025/26 and funded from capital grants, eligible receipts and prudential borrowing. Homes England have been asked to part-fund the acquisition and construction of the scheme.**

Reason

This is in accordance with the Council's Corporate Priorities for Housing – 'a good quality home for everyone'.

100 OPPORTUNITY TO PROVIDE TWO NEW FLATS TO RENT

**RESOLVED that Planning consent be sought to demolish the existing building at the Farm Cottage site and replace it with a structure of almost identical appearance and size. This structure will contain two flats for Social Rent, constructed to Broxtowe Borough Council's specification.**

Reason

This is in accordance with the Council's Corporate Priorities for Housing – 'a good quality home for everyone'.