

# CABINET

TUESDAY, 23 JULY 2024

Present: Councillor M Radulovic MBE, Chair

Councillors: G Marshall (Vice-Chair)  
P J Bales  
G Bunn  
C Carr  
T A Cullen  
H J Faccio  
J W McGrath  
H E Skinner  
V C Smith

## 22 APOLOGIES

There were no apologies for absence.

## 23 DECLARATIONS OF INTEREST

Councillor M Radulovic MBE declared a non-registerable interest in item 11.6 due to the close proximity of his residence to the site, minute number 32.6 refers.

## 24 RESOURCES AND PERSONNEL POLICY

### 24.1 COMPLAINTS REPORT 2023/24

Members were provided with a summary of complaints made against the Council and noted a report which outlined the performance of the Council in dealing with complaints, at stage one by the service areas, at stage two by the Complaints and Compliments Officer and at stage three when complaints are referred to the Local Government Ombudsman or Housing Ombudsman.

### 24.2 PERFORMANCE MANAGEMENT REVIEW OF BUSINESS PLANS - OUTTURN REPORT 2023/24

Cabinet noted a report which outlined progress against outcome targets linked to Corporate Plan priorities and received an update as to the latest financial performance as measured against the budget. Areas of concern were highlighted, and it was stated that there were ambitious targets within the report.

### 24.3 STATEMENT OF ACCOUNTS UPDATE AND OUTTURN POSITION 2023/24

Cabinet was updated on the revenue and capital outturn position for 2023/24, and provided with an update on progress with the preparation of the draft annual statement of accounts for 2023/24.

The accounts for 2023/24 had been finalised, subject to audit, and showed an underspending on the General Fund revenue account of £1.826m and an underspending on the Housing Revenue Account (HRA) of £417k when compared to the revised estimates. There was praise for the officers who had prepared the report and it was highlighted that despite the excellent figures these were difficult times for local government finances.

**RESOLVED that the:**

- 1. Accounts summary for the financial year ended 31 March 2024, subject to audit, be approved.**
- 2. Revenue budget 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 2024/25 budget.**
- 3. Capital budget carry forward requests outlined in appendix 3b be approved and included as supplementary capital estimates in the 2024/25 budget.**

Reason

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

### 24.4 TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS ANNUAL REPORT FOR THE YEAR ENDED 31 MARCH 2024

Cabinet noted the Treasury Management and Prudential Indicators Annual Report for the year ended 31 March 2024. The report met the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council was required to comply with both Codes through regulations issued under the Local Government Act 2003. It was requested that information on ethical investments be included in future reports.

### 24.5 GRANTS TO VOLUNTARY AND COMMUNITY ORGANISATIONS, CHARITABLE BODIES AND INDIVIDUALS INVOLVED IN SPORTS, THE ARTS AND DISABILITY MATTERS 2024/25

Cabinet considered requests for grant aid in accordance with the provisions of the Council's Grant Aid Policy. It was suggested that the Policy be reviewed in order to consider options for grant aid.

**RESOLVED that the grants be made as follows:**

	£
<b>New Stapleford Community Association</b>	<b>4,000</b>
<b>Stapleford Community Group</b>	<b>10,700</b>
<b>Broxtowe Women's Project</b>	<b>13,000</b>

<b>Hope Nottingham</b>	<b>12,000</b>
<b>The Helpful Bureau</b>	<b>17,000</b>
<b>St Mary's Eastwood Bell Ringers</b>	<b>2,000</b>

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.

24.6 CITIZENS ADVICE BROXTOWE -GRANT AID 2024-27

Cabinet considered a grant application from Citizens Advice Broxtowe following the expiration of a previous commitment of a three-year grant funding settlement form 2021/22 in accordance with the provisions of the Council's Grant Aid Policy. The three-year funding was again agreed and the settlement is seen to provide some much needed stability for Citizens Advice Broxtowe and provide a platform to gain additional funds from other sources.

**RESOLVED that £73,750 be awarded to Citizens Advice Broxtowe.**

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.

25 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

25.1 LOW CARBON SUPPLEMENTARY PLANNING DOCUMENT

The Low Carbon Supplementary Planning Document is a joint publication between Broxtowe and Nottingham City Council and provides detailed guidance on reducing carbon emissions in new developments, supporting policies in the Aligned Core Strategy and Broxtowe Part 2 Local Plan.

The document outlines strategies for energy efficiency, use of renewable energy, and sustainable construction, aligning with both councils' climate emergency declarations and carbon reduction goals. The production of a Supplementary Planning Document is also one of the strategic aims within the Climate Change and Green Futures Strategy (2023-2027).

**RESOLVED:**

- 1. That the publication of the draft Low Carbon Supplementary Planning Document for a period of public consultation be approved.**
- 2. To delegate authority to the Head of Planning and Economic Development to approve any minor changes (e.g. presentational, typographical and grammatical) prior to public consultation commencing.**

Reason

The power currently exists to adopt Supplementary Planning Documents to provide more detail and guidance in relation to Local Plan Policies. The Council therefore has

the power to release these documents for consultation in accordance with the relevant statutory procedure.

## 26 HOUSING

### 26.1 SPEECH CALL UNITS AND LIFELINE SERVICE UPDATE

Cabinet was informed that in November 2023 a report was submitted which regarded the Speech Call Units in the Council's Independent Living schemes and the Lifeline Service, which provides similar equipment to private tenants and home owners. Cabinet approved a project to investigate alternatives to the current arrangements for both services. A review had begun, which has involved a number of meetings and site visits with the current supplier. The review has also considered the requirements for the digital switchover of telephone lines from analogue to digital, and the importance of ensuring that the equipment met future requirements.

#### **RESOLVED to:**

- 1. Continue with the current arrangements for Speech Call Units within Council owned properties.**
- 2. The installation of Lifeline Digital at nine schemes, with the capital contribution of £120,000 being added to the Capital Programme in 2024/25 and funded from prudential borrowing, be approved.**
- 3. Consider extending the Lifeline Service to include a visiting service.**

#### Reason

This will improve the service offer to customers and increase the income to the General Fund.

### 26.2 MANAGEMENT OF COMMUNAL AREAS POLICY

The Communal Areas Policy outlines the approach that the Council takes to manage enclosed communal areas and the areas that immediately surround blocks of flats. It applies to tenants and leaseholders, in both General Housing in Independent Living.

**RESOLVED that the updated Management of Communal Areas Policy be approved.**

#### Reason

A clear Policy is necessary, so that all areas are managed in a consistent way and so residents can be clear on what is allowed, and the approach that the Council will take to monitor areas and address any issues.

## 27 ENVIRONMENT AND CLIMATE CHANGE

### 27.1 ANNUAL AIR QUALITY STATUS REPORT 2024

Each year, DEFRA requires all local authorities in England to produce an Annual Status Report 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 Air Quality Action Plan relevant to Broxtowe's direct actions is now included into the Air Quality Strand of the Climate Change and Green Futures Action Plan 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. Cabinet will be advised of the feedback received from DEFRA later in the year.

**RESOLVED that the Air Quality Status Report 2024 and the Updated Action Plan, be approved.**

Reason

Part IV of the Environment Act 1995 sets out statutory provisions on air quality. Section 82 provides that Councils shall review the air quality within their area. Section 83 requires Councils to designate Air Quality Management Areas (AQMAs) where air quality objectives are not being achieved, or are not likely to be achieved (i.e. where pollution levels exceed the air quality objectives) as set Cabinet 25 July 2023 out in the Air Quality (England) Regulations 2000.

28 COMMUNITY SAFETY

28.1 ANNUAL FOOD SAFETY SERVICE PLAN 2024/25

Cabinet was informed that 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.

**RESOLVED that the Annual Food Safety Service Plan 2024/25 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. The plan is subject to amendment and review in accordance with good practice, guidance and legal controls.

28.2 MODERN SLAVERY STATEMENT 2024

The Cabinet considered a report which sought approval for the annually reviewed and updated Modern Slavery Statement and for its inclusion on the website and the Home Office's published Modern Slavery statements. The Statement had been recommended to Cabinet by the Policy Overview Working Group.

**RESOLVED that the Modern Slavery and Human Trafficking Statement 2024 be approved.**

### Reason

It is considered that Broxtowe Borough Council should be keen to raise awareness of slavery and human trafficking and as a large scale local employer and provider of services, should make its position of zero tolerance in respect of slavery and trafficking clear and unequivocal.

## 28.3 REVISED ASB CASE REVIEW POLICY

Cabinet was informed that the Community Trigger was introduced in the Anti-Social Behaviour Crime and Policing Act 2014. However, government guidance was issued in 2023 changing the name of the process to ASB Case Review. The purpose of the ASB Case Review is to give victims and communities the right to request a review of their case where no action has been taken by agencies to resolve the issue. It is the local authority's responsibility to manage the ASB Case Review process but requests can be made in respect of cases managed by relevant bodies, including the police and social landlords. Members were informed that the typos in the document would be corrected before publication.

**RESOLVED that the new ASB Case Review Policy be approved.**

### Reason

The case review is a process which allows members of the public to ask their local agencies to review responses to incidents of anti-social behaviour. The Trigger was introduced through the Anti-Social Behaviour, Crime and Policing Act 2014 to help ensure that agencies are working together to resolve incidents of anti-social behaviour that are affecting resident's quality of life. This is achieved by appropriately sharing information between agencies, reviewing the actions that have been taken and using available resources to try and reach a solution or make recommendations that will hopefully prevent the situation from reoccurring.

## 29 CABINET WORK PROGRAMME

Cabinet considered the Work Programme, including potential key decisions that would help to achieve the Council's key priorities and associated documents.

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

### Reason

The items included in the Work Programme will help to achieve the Council's key priorities and associated objectives.

## 30 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 Schedule 12A of the Act.**

31 RESOURCES AND PERSONNEL POLICY

31.1 IRRECOVERABLE ARREARS

**RESOLVED** that the arrears in excess of £7,500 on national non-domestic rates, council tax, rents, housing and 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 Procedure Rule 5.9.

Reason

This will assist with the Council's aim to deliver cost effectiveness.

32 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

32.1 LAND PURCHASE FOR EXTENSION TO KIMBERLEY CEMETERY

**RESOLVED** that the purchase of 0.48 acres of land forming part of Kimberley Cemetery be approved. The appropriate capital budget will be added to the Capital Programme in 2024/25 and funded by prudential borrowing.

Reason

This review was in accordance with the Council's corporate values of continuous improvement and delivering value for money.

32.2 PURCHASE OF CIVICA PROPERTY MANAGEMENT SOFTWARE

**RESOLVED** that the purchase of Civica Property Management Software be approved, with the capital cost of the purchase being met from prudential borrowing in 2024/25 and the ongoing revenue costs, being met from General Fund Reserve balances.

Reason

This in accordance with the Council's corporate values of continuous improvement and delivering value for money.

32.3 LEGAL AGREEMENT FOR THE CONSTRUCTION OF INDUSTRIAL UNITS

**RESOLVED** that:

1. The Deputy Chief Executive and Section 151 Officer in consultation with the Chief Executive, Leader of the Council and Deputy Leader of the Council be authorised to sign a Heads of Terms (summary of terms shown in the end of section 3) and subsequent contracts binding the Council into a development project managed by the relevant company offering terms.
2. The Deputy Chief Executive and Section 151 Officer in consultation with the Chief Executive, Leader of the Council and Deputy Leader of the Council be authorised to sign a Heads of Terms (summary terms shown in the table at the end of section 3) and subsequent contracts binding the Council into a land purchase with the alternate/ additional company offering terms, in

order to develop a site capable of providing small and micro industrial units.

3. **The terms of the agreement(s) be reported back to Cabinet to provide assurance that the build strategy is affordable within the LUF envelope.**

Reason

This will allow the Council to continue to adhere to the governance arrangements for the delivery of this levelling up programme that align with the Council's existing governance arrangements to ensure good governance and transparent decision making.

32.4 OPPORTUNITY TO PURCHASE ONE BLOCK OF 18 FLATS FOR FURTHER APPROVAL

**RESOLVED that the purchase of 18 modernised dwellings, as detailed in the report, be approved. The estimated total scheme cost is included in the Capital Programme in 2024/25 and funded from a mixture of Homes England capital grant, housing capital receipts and prudential borrowing.**

Reason

Pursuant to Section 9 of the Housing Act 1985 the Council may provide housing accommodation by acquiring houses. Section 24 of the Housing Act 1985 Act provides that the Council acting as a housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.

32.5 REQUEST TO PURCHASE THREE HOUSES IN KIMBERLEY

**RESOLVED that the purchase, as detailed in the report, be approved.**

Reason

Pursuant to Section 9 of the Housing Act 1985 the Council may provide housing accommodation by acquiring houses. Section 24 of the Housing Act 1985 Act provides that the Council acting as a housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.

32.6 OPPORTUNITY TO PURCHASE EIGHT NEW FLATS IN EASTWOOD

**RESOLVED that the purchase as detailed in the report be approved.**

Reason

Pursuant to Section 9 of the Housing Act 1985 the Council may provide housing accommodation by acquiring houses. Section 24 of the Housing Act 1985 Act provides that the Council acting as a housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.

(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.)



33 URGENCY POWERS

Members noted the use of the Chief Executive's Urgency Powers.