

CABINET

TUESDAY, 5 NOVEMBER 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
H E Skinner
V C Smith

59 APOLOGIES

An apology for absence was received from Councillor J W McGrath.

60 DECLARATIONS OF INTEREST

There were no declarations of interest.

61 MINUTES

The minutes of the meeting held on 1 October 2024 were confirmed and signed as a correct record.

62 APPOINTMENT OF DEPUTY PORTFOLIO HOLDERS

At the Council meeting held on 9 October 2024, it was agreed that the Constitution be amended to allow for the appointment of Deputy Portfolio Holders.

RESOLVED Councillor G Bunn be appointed as the Deputy Portfolio Holder for Economic Development and Asset Management.

63 SCRUTINY REVIEWS

Cabinet noted the matters proposed for and undergoing scrutiny.

64 CHIEF EXECUTIVE URGENCY POWERS

Cabinet noted the exercise of the Chief Executive's Urgency Powers for the approval of budget for the procurement of the Firewall replacement, which was directly awarded to NG Security UK and fully contained within the existing capital budget.

65 REFERENCES

65.1 FUTURE OF EM DEVCO LTD

In February 2019, the Government approved funding for a two-year programme to explore the business case for a locally led development delivery vehicle for the East Midlands and asked the Midlands Engine to lead the work. Between 2019 and 2021, Broxtowe Borough Council was involved in this regional conversation facilitated by Midlands Engine. It culminated in a case being made for a new type of development corporation that would require legislative change. This was to provide for the creation of what was known as a Locally Led Urban Development Corporation (LLUDC). This work led to the creation of EM DevCo Ltd by five authorities, including this Council, in May 2021, as a company limited by guarantee. The Company was to operate as an interim vehicle prior, paving the way for the proposed new type of statutory development corporation.

The five member local authorities of EM DevCo also included Nottinghamshire County Council, Leicestershire County Council, North West Leicestershire District Council and Rushcliffe Borough Council. The governance arrangements for the company were designed to mirror those of originally envisaged for the LLUDC model.

When the five councils established EM DevCo it was agreed that Nottinghamshire County Council would host the company and each council approved funding contributions to EM DevCo. Broxtowe Borough Council agreed a contribution of £500,000 spread equally over three financial years from 2021/22 to 2022/23 and was financed from General Fund reserves. The final contribution of £166,000 was made in 2023/24.

Members stated that the East Midlands received less finance than any other part of the country for infrastructure into economic growth. Furthermore, the region has had more industrial decline than any other over the last four decades. It was important to make the case for industrial investment in the area.

RESOLVED that Cabinet:

- 1. Supports the necessary steps being taken by the Board of Directors to bring forward the voluntary dissolution of EM DevCo Limited.**
- 2. Delegates authority to the Chief Executive and the Leader of the Council, to consent and sign the resolutions to enable to dissolution of the EM Dev Co Limited.**

Reason

EM Dev Co is solvent, and the Board is satisfied that it is in the best interests of the Company that it is dissolved given the natural conclusion of its activities and the creation of EMCCA.

65.2 QUARTERLY COMPLAINT REPORT

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 and Social Care Ombudsman or the Housing Ombudsman.

It was stated that the report should be used for positive outcomes with performance indicators used to ensure that recommendations had been dispensed and lessons learned from complaints received by the Council.

65.3 CAPITAL PROGRAMME – BUDGET VARIATIONS 2024/25

Cabinet was informed that a number of capital schemes required re-profiling of the budgets to more accurately reflect delivery expectations in the current financial year. In all cases the capital financing would not be adversely affected, with schemes either being funded by capital grants or through previously agreed prudential borrowing which would now be moved back into later periods to match spends.

These schemes included the Disabled Facilities Grants, Housing Capital Works, elements of the Housing Delivery Programme and Economic Regeneration Projects (including Kimberley Means Business and UK Shared Prosperity Fund).

RESOLVED that the capital budget variations for 2024/25, as set out in the appendix to the report, be approved.

Reason

The variations would more accurately reflect delivery expectations in the current financial year.

65.4 MEDIUM TERM FINANCIAL STRATEGY 2024/25 TO 2028/29 AND BUSINESS STRATEGY 2025/26

Cabinet was updated on the Council's Medium Term Financial Strategy and the progress with the delivery of the Business Strategy. There were a number of significant issues concerning local government finance that would have a major impact upon the financial position of the Council. They included the current and ongoing economic impact of inflation on pay and prices, uncertainty on the outcome of the financial settlement from central government, and the delayed Fair Funding Review that intended to review the level of business rates retention.

RESOLVED that the updated Medium Term Financial Strategy and the Business Strategy 2025/26 be approved.

Reason

To be accountable for all activities and actions and to ensure that the Council conforms to all financial regulations. The Medium Term Financial Strategy was the Council's key financial planning document.

66 ECONOMIC DEVELOPMENT AND ASSET MANAGEMENT

66.1 AFFORDABLE HOUSING UNIT CHARGE

Cabinet was informed that there was a high housing need for affordable housing in all areas of the Borough. It was therefore important that the Council increased the number of affordable units built to help meet this demand. For housing developments over ten units, there was a requirement to provide a proportion of affordable housing. This proportional requirement varies across the Borough, based on housing market areas, but in-line with planning policy developers had to provide affordable housing, either on site or as an off-site payment.

When an off-site payment was sought and agreed, the cost per unit is currently £45,000. This had been the case for approximately ten years and was no longer fit for purpose. The off-site contributions were used to fund additional affordable housing units on alternative sites. The provision of on-site affordable housing and an off-site contribution should be comparable in cost to the developer. Currently, should a developer make an off-site contribution this was a significantly cheaper option than providing on-site provision. It was therefore proposed that this amount be increased to £85,000. The increased cost will support the Council to deliver the developments identified in the Council's Housing Delivery Plan.

RESOLVED that the new affordable housing amount of £85,000 per unit be approved.

Reason

The increased cost will support the Council to deliver the developments identified in the Council's Housing Delivery Plan.

66.2 ENERGY COMPANY OBLIGATION (ECO4) DELIVERY

The Energy Company Obligation (ECO4) and the Great British Insulation Scheme (GBIS) are government energy-efficiency schemes in Great Britain, designed to tackle fuel poverty and help reduce carbon emissions. Both schemes run in their current form until March 2026.

ECO4 and GBIS were obligations placed on energy companies to deliver energy efficiency measures to domestic premises. The schemes were not grant based. It was the responsibility of the energy companies to determine which retrofit projects they chose to fund, the level of funding they provided and the installers that they chose to work with. The funding was therefore paid directly from the energy company to the installer and not to the Council or resident. The Council's role with the ECO4 and GBIS schemes is to check and issue declarations for eligibility of applicants. This report related to the delivery of ECO4 and GBIS to the private sector (owner occupiers and private renters).

It was considered that the Council would be better placed to achieve its aims if the current contract were to be terminated and the following approach be adopted. For information, under the terms of the contract, termination can be invoked with three months' written notice.

RESOLVED that the existing contract be terminated and implementation of the proposed approach detailed in the appendix to the report, be approved.

Reason

The number of applications that the Council will receive is not yet known, but as an example if the Council received five per month, this would result in revenue income of £3,000 over the course of a year. Other local authorities have taken a similar approach and are charging installers for the checking of applications and issuing declarations. The Agreement with the existing supplier, also had a £50 charge per application written into the contract.

67 HOUSING

67.1 DAMP AND MOULD INVESTIGATIONS IN PRIVATE RENTED PROPERTY

In light of the tragic case of Awaab Ishak, and in response to requests from the Secretary of State, the Council had completed a review of its response to the issue of damp and mould in private rented properties. A review had already been undertaken in relation to the Council's duties as a landlord and a Policy to deal with damp and mould within the Council's properties was approved by Cabinet in December 2023.

RESOLVED that the Damp and Mould in Private Rented Property Investigation Policy and associated procedure be approved.

Reason

In its capacity as regulator of housing standards the Council has statutory duties and powers for keeping private sector properties in a reasonable state of repair and free from hazards, which are also applicable to damp and mould. This Policy addresses how the Council will deal with such properties.

68 ENVIRONMENT AND CLIMATE CHANGE

68.1 PARKS STANDARD (PRIDE IN PARKS)

Cabinet noted progress of the Pride in Parks programme to date and the results of the 2024 parks consultation. It was stated that it was pleasing to see how well parks were appreciated. Officers were asked to consider the effects of anti-social behaviour and vandalism in parks to ensure that residents are getting the services that they need.

68.2 HOUSEHOLD ENERGY SURVEY

Members considered the Household Energy Survey, the aim of which was to support decarbonisation efforts and identify cost-effective retrofit investment to maximise carbon emission reductions. On consideration, Members requested that the questionnaire be amended to include single households in question 14, a section to provide information on which energy provider is being used, and to discover whether there would be any GDPR issues in relation to the sharing of information.

RESOLVED that the Household Energy Survey, as amended, be approved.

Reason

This will to help produce a roadmap that will support decarbonisation efforts and will identify cost-effective retrofit investment to maximise carbon emission reductions. This is a key area of focus as 32% of the Borough's emissions comes from heating and lighting homes.

68.3 HYDROTREATED VEGETABLE OIL UPDATE

Members noted and update on Hydrotreated Vegetable Oil (HVO) and were informed that the oil could be used across the Council's compatible fleet, which is 85 out of the Council's current 93 vehicles. The transition would result in a 91% reduction in Council fleet emissions. In March 2024, the transition to HVO was completed and it was anticipated that this will contribute to a 31.5% reduction in the Council's own operation carbon footprint.

Transitioning to nearly full fleet utilisation of HVO has significantly reduced the Council's Carbon footprint, demonstrating commitment to the Council's carbon neutral target. Although HVO was more expensive than diesel its price was on a declining trend. The sensitivity of fuel prices remained a concern and the Environment team actively monitored these fluctuations to ensure that budgetary constraints are balanced against carbon savings.

69 CABINET WORK PROGRAMME

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

Reason

This will assist with all of the Council's Corporate Priorities.