

**CABINET
13TH SEPTEMBER 2018**

PRESENT: The Leader (Councillor Morgan)
The Deputy Leader (Councillor Barkley)
Councillors Bokor, Harper-Davies, Mercer,
Poland, Rollings, Smidowicz and Taylor

Councillor Capleton

Chief Executive
Strategic Director of Corporate Services
Strategic Director of Neighbourhoods and
Community Wellbeing
Head of Strategic Support
Democratic Services Manager
Head of Finance and Property Services
Head of Planning and Regeneration
Head of Cleansing and Open Spaces
Head of Landlord Services
Procurement Manager
Neighbourhoods and Partnerships Manager
Democratic Services Officer (LS)

APOLOGIES: Councillor Vardy

The Leader stated that this meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

24. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- (i) Councillor Barkley – a personal interest in item 8 on the agenda (Charnwood Grants) in respect of the grant proposed to be awarded to Syston Friendship Group.
- (ii) Councillor Smidowicz – a personal interest in item 8 on the agenda (Charnwood Grants) in respect of the grant proposed to be awarded to Nanpantan Ward Residents Group.
- (iii) Councillor Bokor – a personal interest in item 8 on the agenda (Charnwood Grants) in respect of the grant proposed to be awarded to Wymeswold Memorial Hall.

25. LEADER'S ANNOUNCEMENTS

The Leader made the following announcement:

Member Champion Roles

“Member Champions are Councillors who act as an advocate or spokesperson for a specific area of the Council’s business and activities.

The main responsibility for each champion is to raise the profile of the issue they are championing, and encourage communication and positive action over the issue they represent.

Role profiles for Councillors were introduced by Charnwood Borough Council in 2010 and all Member Champions have a role profile setting out their respective duties. Councillors appointed as Member Champions are not remunerated.

I am pleased to confirm the following Member Champion roles are in place:

- Armed Forces – Councillor Fryer
- Older Persons – Councillor Gerrard
- Community Cohesion - Councillor Parton.”

26. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 16th August 2018 were confirmed as a correct record and signed.

27. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

28. PURCHASE OF STORE MATERIALS FOR HOUSING REPAIRS THROUGH A FRAMEWORK CONTRACT

Considered a report of the Head of Landlord Services to consider procuring a supplier through a framework for the supply of store materials for the Council’s directly employed repairs service, for three years with the option to extend for a further one year (item 6 on the agenda filed with these minutes).

The Head of Landlord Services assisted with consideration of the report.

RESOLVED that the Head of Landlord Services be authorised to commence a procurement exercise, identify a suitable framework, and subsequently award a contract for the supply of store materials for the housing repairs service, for a period of up to four years.

Reason

- a) The current contract is due to end in June 2019. This decision will enable a new supplier to be procured and a contract awarded in a way that is consistent with the Council's procurement rules.
- b) To benefit from economies of scale provided by using a framework provider's buying power.
- c) To mitigate the risks associated with OJEU procurement by using a framework provider.

29. ENVIRONMENTAL SERVICES CONTRACT - OPTIONS FOR THE DELIVERY FROM JUNE 2020

Considered a report of the Strategic Director of Neighbourhoods and Community Wellbeing to consider two aspects of the Environmental Services contract: the options available to the Council for future delivery from June 2020 and the options around the ownership of the fleet required for the provision of this contract (item 7 on the agenda filed with these minutes).

The report included exempt appendices as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, circulated to members. Members of the Cabinet did not wish to refer to the information contained in those appendices in their discussion at this meeting. Therefore, it was not necessary to exclude the public for any part of the consideration of this item.

Councillor Capleton, Chair of the Overview Scrutiny Group, presented a report detailing the Group's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes).

The Head of Cleansing and Open Spaces assisted with consideration of the report.

RESOLVED

1. that the extension of the existing Environmental Services contract with Serco Plc from 29th June 2020 until 31st March 2024 be agreed;
2. that the contract be varied to remove the obligation on the contractor to provide the fleet, for the extension period stated in resolution 1. above;
3. that authority be delegated to the Director of Neighbourhoods and Community Wellbeing in consultation with the Lead Member for Performance of Major Contracts to complete the final period of extension and agreement;
4. that the procurement and purchase of required fleet for the delivery of the Environmental Services contract, using option 3 (Part B, paragraph 3.3 of the report of the Strategic Director of Neighbourhoods and Community Wellbeing), be agreed;

5. that, subject to legal, financial and operational compliance and appropriate due diligence checks, the Strategic Director of Neighbourhoods and Community Wellbeing be given delegated authority to purchase the fleet required for the delivery of the Environmental Services contract;
6. that the report of the Overview Scrutiny Group be noted.

Reasons

1. To ensure continuation of services to Charnwood residents in the most efficient and effective manner when the current arrangements expire on 28th June 2020.
 - 2&3. To ensure maximised efficiency and effectiveness of the contract and to ensure business continuity.
 4. To enable the Council to make financial efficiencies in relation to fleet management arrangements and enhance its flexibility and resilience in the ongoing delivery of this contract in the following years.
 5. To ensure maximised efficiency and effectiveness of the fleet purchase.
 6. To acknowledge the work undertaken by and the views of the Overview Scrutiny Group.
30. CHARNWOOD GRANTS - ROUND TWO 2018/19 - COMMUNITY FACILITIES AND COMMUNITY DEVELOPMENT AND ENGAGEMENT GRANT APPLICATIONS

Considered a report of the Head of Neighbourhood Services to consider applications received for funding in round two of the Community Facilities and Community Development and Engagement Grants schemes for 2018/19 (item 8 on the agenda filed with these minutes).

The Neighbourhoods and Partnerships Manager assisted with consideration of the report.

RESOLVED

1. that the following Community Development and Engagement Grants be awarded:
 - £2,280 to Charnwood Stroke Club towards running costs;
 - £2,500 to The Leslie Edwards Trust towards communication skills for hearing impaired people;
 - £2,000 to Sileby Community Library towards IT elements only;
 - £350 to Nanpantan Ward Residents Group towards room-hire and the printing of newsletters (to be funded through the Loughborough Community Grants scheme);
 - £7,500 to The Baca Charity towards general running costs (£3,750 to be funded through Community Development and Engagement Grant scheme,

- and £3,750 to be funded through the Loughborough Community Grants scheme);
 - £8,350 to Peter Le Marchant Trust towards a young people's participation and development project;
 - £1,000 to Wymeswold Memorial Hall towards the 'Wymeswold Remembers' project;
 - £2,000 to Syston Friendship Group towards running costs;
2. that the Head of Neighbourhood Services be given delegated authority to finalise the terms and conditions of the awarded Community Facilities and Community Development and Engagement Grants.

Reasons

1. To provide financial support to organisations which meet the criteria of the Community Development and Engagement Grants and Environmental schemes in terms of community and organisational need and to use funding provided through the Loughborough Grants scheme to support projects in Loughborough.
2. To enable the grants awarded to be finalised and appropriate information to be supplied to the Council about the outcomes of the project.

31. ADDITIONS TO ANNUAL PROCUREMENT PLAN 2018/19

Considered a report of the Head of Finance and Property Services to consider additions to the Council's Annual Procurement Plan 2018/19 (item 9 on the agenda filed with these minutes).

The Procurement Manager assisted with consideration of the report.

RESOLVED

1. that the contracts, over £25,000 and up to £75,000, listed in Appendix A to the report of the Head of Finance and Property Services, be let in accordance with Contract Procedure Rules;
2. that the contracts, over £75,001 and up to £500,000, listed in Appendix B to the report of the Head of Finance and Property Services, be let in accordance with Contract Procedure Rules.

Reason

- 1&2. To allow contracts of the Council to be let in accordance with contract procedure rules.

32. CAPITAL PLAN AMENDMENT REPORT

Considered a report of the Head of Finance and Property Services to consider and approve changes to the 2018/19 - 2020/21 Capital Plan and its financing (item 10 in the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

RESOLVED

1. that the current Capital Plan for 2018/19 - 2020/21, as amended by the changes shown in Appendix 1 to the report of the Head of Finance and Property Services, in the sum of £30,817,700, be approved;
2. **that it be recommended to Council** that the Acquisition of Affordable Housing to meet housing need HRA scheme be increased by the sum of £941k, be added to the Capital Plan in 2019/20 and that it proceeds.

Reasons

1. To enable the Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.
2. To confirm that the Acquisition of Affordable Housing to meet housing need HRA scheme should be increased to the sum of £941k, and that the cost be funded 30% from retained 141 capital receipts and 70% from HRA Reserves.

33. PROSPECTIVE PILOT SCHEME PARTICIPATION - 75% BUSINESS RATES RETENTION

Considered a report of the Strategic Director of Corporate Services to consider the Council's participation in a pilot scheme in which a substantial element of government funding would be received by retaining 75% of business rates collected (item 11 on the agenda filed with these minutes).

Councillor Capleton, Chair of the Overview Scrutiny Group, presented a report detailing the Group's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes).

The Strategic Director of Corporate Services assisted with consideration of the report. He explained that the shape of the bid would differ from that detailed in the report and that an amended recommendation 1 would be proposed to the Cabinet to reflect that.

RESOLVED

1. that the Council's application to participate in a pilot scheme as part of a Leicestershire-wide proposal allowing 75% Business Rate Retention in 2019/20 in accordance with the principles set out below be approved:
 - All business rates collected would flow into the Leicestershire pool;
 - Participating local authorities would be required to forego certain grants (as set out in Part B of the report of the Strategic Director of Corporate Services);

- Each local authority would be initially funded to a level equivalent to the retained business rates and grants receivable had they not been participants in the scheme including any grants foregone;
 - Funding for the Local Enterprise Partnership that would have been generated through the pre-existing business rate pool arrangements will be maintained;
 - Any surplus generated over and above these initial 'calls' would be allocated in accordance with an agreed protocol which will be collectively agreed by the Leaders of Leicestershire District Councils;
 - Should retained business rates not cover funding requirements then losses would be shared amongst participants in accordance with an agreed formula akin to that applied in respect of the existing business rate pool;
2. that delegated authority be given to the Strategic Director of Corporate Services, in conjunction with the Cabinet Lead Member for Finance and Property Services and the Chief Executive, to agree on behalf of the Council and with other Leicester and Leicestershire local authorities, the detail contained within the Leicestershire-wide application to participate in a 75% business rate retention pilot scheme;
 3. that it be noted that, as the Chair of the Scrutiny Management Board agrees that this decision is both urgent and reasonable and delay caused by the Call-in process would not be in the interests of the Council or the public, the Call-in procedure is suspended in respect of this decision in accordance with Scrutiny Committee Procedure 11.9 of the Council's Constitution;
 4. that the report of the Overview Scrutiny Group be noted.

Reasons

1. To enable the Council to be part of a prospective wider Leicestershire pilot scheme with a view to increasing the funding available to the Council and across Leicestershire.
2. To enable the Council to provide its assent to the Leicester and Leicestershire application submission on a timely basis.
3. The Chair of the Scrutiny Management Board has agreed to the exemption from Call-in because the notice given of this opportunity and the timetable for applications is very tight, such that the effect of any call-in would be to prevent Charnwood participating in the scheme and, given that the application will be on a combined Leicestershire basis, could remove the opportunity for all Leicestershire Authorities to participate.
4. To acknowledge the work undertaken by and the views of the Overview Scrutiny Group.

34. THRUSSINGTON NEIGHBOURHOOD PLAN

Considered a report of the Head of Planning and Regeneration to consider 'making' the Thrussington Neighbourhood Plan as part of the statutory development plan for the Neighbourhood Area (item 12 on the agenda filed with these minutes).

The Head of Planning and Regeneration assisted with consideration of the report.

RESOLVED that the Thrussington Neighbourhood Plan is 'made' part of the statutory development plan for Charnwood, in accordance with the provisions of Section 38(A) (4) of the Planning and Compulsory Purchase Act 2004.

Reason

To fulfil the legal duty to make the Thrussington Neighbourhood Plan part of the development plan for Charnwood.

35. UPDATED TREASURY MANAGEMENT PRACTICES

Considered a report of the Strategic Director of Corporate Services to consider revised Treasury Management practices (item 13 on the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

The Deputy Leader referred to this being the Head of Finance and Property Services final Cabinet meeting as she would shortly be leaving the Council to take up another position. The Cabinet thanked the Head of Finance and Property Services for the excellent work she had undertaken for the Council and wished her well in her new role.

RESOLVED

1. that the revised Treasury Management Practices, attached as an Appendix to the report of the Strategic Director of Corporate Services, be approved;
2. that delegated authority be given to the Section 151 Officer to make future amendments to the Treasury Management Practices document in line with changes agreed in the Treasury Management Strategy which is approved annually by Council.

Reason

- 1&2. To ensure that the Council's Treasury Management Practices reflect best practice and comply with the CIPFA Treasury Management in the Public Services Code of Practice, Guidance Notes and Treasury Management Policy Statement.

36. DRAFT MEDIUM TERM FINANCIAL STRATEGY 2019 - 2022

Considered a report of the Strategic Director of Corporate Services to consider a draft Medium Term Financial Strategy 2019-2022, for the purposes of consultation (item 14 on the agenda filed with these minutes).

The Strategic Director of Corporate Services assisted with consideration of the report.

RESOLVED

1. that the draft Medium Term Financial Strategy, attached as an Appendix to the report of the Strategic Director of Corporate Services, be approved for consultation generally and for the purposes of scrutiny by the Budget Scrutiny Panel;
2. that the draft be amended by the Section 151 Officer, in conjunction with the Cabinet Lead Member for Finance and Property Services, in respect of any typographical, stylistic or grammatical errors.

Reason

- 1.&2. To identify the financial issues affecting the Council and the Borough in the medium term in order to inform the Council's budget setting process and because the Medium Term Financial Strategy needs to come forward to the Cabinet in its final form after consultation.

NOTES:

1. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 21st September 2018 unless called in under Scrutiny Committee Procedure Rule 11.7.
2. No reference may be made to these minutes at the Council meeting on 5th November 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on Friday, 21st September 2018.
3. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.