

**CABINET
15TH NOVEMBER 2018**

PRESENT: The Leader (Councillor Morgan)
The Deputy Leader (Councillor Barkley)
Councillors Bokor, Mercer, Rollings, Smidowicz,
Taylor and Vardy

Councillor Seaton

Chief Executive
Strategic Director of Corporate Services
Head of Strategic Support
Head of Planning and Regeneration
Head of Cleansing and Open Spaces
Democratic Services Officer (LS)

APOLOGIES: Councillors Harper-Davies and Poland

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.

46. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosure was made:

In respect of item 6 on the agenda (Five Year Housing Supply Scrutiny Panel), Councillor Taylor stated that she had been the original Chair of that Panel (prior to her appointment to Cabinet).

47. LEADER'S ANNOUNCEMENTS

No formal announcements had been published prior to the meeting, but the Leader wished to thank all officers and councillors who had been involved with the Remembrance Services on Sunday. Many people had commented what an extraordinary day of remembrance it had been and the work involved in ensuring that success was very much appreciated.

48. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 18th October 2018 were confirmed as a correct record and signed.

49. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

50. AGENDA VARIANCE

RESOLVED that the order of the agenda be varied to consider items 6 and 7 at the end of the meeting.

Reason

Due to unforeseen circumstances, Councillor Seaton's arrival at the meeting had been delayed. Councillor Seaton would be presenting items 6 and 7 to the Cabinet and considering those items later in the meeting would enable her to do so.

51. MEDIUM TERM FINANCIAL STRATEGY 2019-2022

Considered a report of the Strategic Director of Corporate Services to consider a Medium Term Financial Strategy (MTFS) 2019-2022, for recommendation to Council (item 8 on the agenda filed with these minutes).

The Strategic Director of Corporate Services assisted with consideration of the report. He asked the Cabinet to note an error in the Strategy which would be corrected prior to submission to Council. The correction would be as follows:

Table 18: Impact on Revenue Reserves. The following figures to be listed on the line titled "Working Balances": 2019/20 £3,893k; 2020/21 £3,367k; 2021/22 £3,440k.

RESOLVED that it be recommended to Council that the Medium Term Financial Strategy 2019-2022, attached as an Appendix to the report of the Strategic Director of Corporate Services and including the above correction, be approved.

Reason

To identify the financial issues affecting the Council and the Borough in the medium term in order to provide a base for priorities to be set and to inform the Council's budget setting process.

52. TREASURY MANAGEMENT UPDATE - MID-YEAR REVIEW FOR THE 6 MONTHS ENDED 30TH SEPTEMBER 2018

Considered a report of the Head of Finance and Property Services to consider a review of the Treasury Management Strategy and the Annual Investment Strategy, plus the various Prudential Borrowing and Treasury Indicators for the first six months of 2018/19, for recommendation to Council (item 9 on the agenda filed with these minutes).

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

RESOLVED that it be recommended to Council to note the mid-year review of the Treasury Management Strategy Statement, Prudential Borrowing and Treasury Indicators plus the Annual Investment Strategy, as shown in Part B of the report of the Head of Finance and Property Services.

Reason

To ensure that the Council's governance and management procedures for Treasury Management reflect best practice and comply with the Revised CIPFA Treasury Management in the Public Services Code of Practice, Guidance Notes and Treasury Management Policy Statement, that funding of capital expenditure is taken within the totality of the Council's financial position and that borrowing and investment is only carried out with proper regard to the Prudential Code for Capital Finance in Local Authorities.

53. FIVE YEAR HOUSING SUPPLY SCRUTINY PANEL

Considered a report of the Head of Strategic Support presenting the findings and recommendations of the Five Year Housing Supply Scrutiny Panel along with officer advice in response (item 6 on the agenda filed with these minutes).

Councillor Seaton, as Chair of the Panel, presented the findings and recommendations of the Panel. The Head of Planning and Regeneration presented the officer advice and recommendations in response.

The Head of Strategic Support assisted with consideration of the report.

Following consideration of the report, the Leader thanked Councillor Seaton and the Panel for the work undertaken in respect of the matter.

RESOLVED

1. that, in respect of Panel Recommendation 1, the Council's Business Plan be amended to include the five year housing supply figure as one of the Council's Key Performance Indicators (KPIs), with effect from the 2019/20 Business Plan, and that quarterly direction of travel indicators be made available to councillors as required;
2. that, in respect of Panel Recommendation 2, the Council's Business Plan be amended to include the various deadlines by which planning applications of different types should be determined as KPIs, with effect from the 2019/20 Business Plan;
3. that Panel Recommendation 3 be noted and that, once the Council had had the opportunity to consider the draft report by Sir Oliver Letwin setting out his review of land supply and housing delivery, the Cabinet Lead Member for Planning, Inward Investment and Tourism Strategy, in consultation with the Chair of the Five Year Housing Supply Scrutiny Panel, writes to the Government with any further recommendations of this Council to that report;

4. that, in respect of Panel Recommendation 4, the Cabinet Lead Member for Planning, Inward Investment and Tourism Strategy, in conjunction with relevant officers, continuously reviews the processes for dealing with section 106 agreements, reserved matters applications and pre-commencement conditions, to identify any areas for improvement and to bring any issues to the attention of the Cabinet as appropriate;
5. that, in respect of Panel Recommendation 5, the current review of the Core Strategy be completed in accordance with the timetable set out in the Local Development Scheme agreed by the Cabinet most recently on 15th March 2018.

Reasons

1. To ensure the figures are reported and monitored corporately and by the Performance Scrutiny Panel on a regular basis and to ensure that councillors are informed of the general direction of travel with the Five Year Housing Supply on a quarterly basis. Discussion at this meeting suggested that the latter information might usefully be made available to the Performance Scrutiny Panel, the Plans Committee and at quarterly planning training for councillors.
2. To ensure the figures are reported and monitored corporately and by the Performance Scrutiny Panel on a regular basis
3. The Cabinet acknowledged the Panel's wish to reinforce the need for enforcement sanctions for non-completion of developments through writing to the Government, but considered it appropriate and useful to consider the content of the Letwin report before doing so.
4. The Cabinet acknowledged the Panel's wish for a best practice review of these processes and the reasons for that, but considered continuous review by the Cabinet Lead Member to be more appropriate and useful, particularly as a comprehensive best practice review had been undertaken in 2015.
5. To ensure that it remains the most relevant for the residents of Charnwood and that the review is completed in a timely manner.

54. MANAGEMENT OF PUBLIC OPEN SPACE - RECOMMENDATIONS OF SCRUTINY MANAGEMENT BOARD

Considered a report of the Head of Strategic Support presenting the recommendations of the Board following its consideration of the recommendations of the Policy Scrutiny Group relating to the management of open spaces (which arose during the Group's consideration of the Open Spaces Strategy) along with officer advice in response (item 7 on the agenda filed with these minutes).

Councillor Seaton, as Chair of the Policy Scrutiny Group, presented the recommendations of the Board. The Head of Cleansing and Open Spaces presented the officer advice and recommendations in response.

The Head of Strategic Support assisted with consideration of the report.

Following consideration of the report, the Leader thanked Councillor Seaton and the Policy Scrutiny Group for its recommendations in respect of the matter. The Cabinet also considered whether the issue should be monitored in the future and the best way of doing so, concluding, following advice from the Chief Executive, that scrutiny could do so via the usual mechanisms.

RESOLVED

1. that, in respect of Board Recommendation 1, it be noted that the fact that developers could choose not to offer open spaces for adoption by the Council, and the increasing use of management companies to manage open space on developments as an alternative to adoption by the Council, were of concern to the Policy Scrutiny Group;
2. that, in respect of Board Recommendation 2, it be noted that the Policy Scrutiny Group had identified the following particular issues with the operation of the management company model in addition to its general concerns:
 - the service charges that were levied by management companies could be significant for local residents affected by them;
 - there could be a lack of transparency in the way in which service charges were increased;
 - there was no consideration of ability to pay when service charges were levied;
 - there was evidence that maintenance work was of low quality in some cases;
3. that, in respect of Board Recommendation 3, at the next quarterly meeting of the Leader/Chief Executive/local Members of Parliament, the Leader raises again, on behalf of the Cabinet and the Policy Scrutiny Group, the issues identified above, to include sharing the report considered by the Cabinet at this meeting.

Reasons

- 1.&2. To note areas of concern which the Board wished to draw to the Cabinet's attention.
3. To support the Policy Scrutiny Group's wish that Cabinet seek to influence Government policy so that a change in the law could be considered to require developers to offer areas of open space to local authorities for adoption, while noting that issues around the management company model had been raised at a previous quarterly meeting between the Leader, Chief Executive and local Members of Parliament.

NOTES:

1. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on 23rd November 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 21st January 2019 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on 23rd November 2018.
3. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.