



CABINET

This meeting will be recorded and the sound recording subsequently made available via the Council's website.

Please also note 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. The use of any images or sound recordings is not under the Council's control.

To: Councillors Bailey, Barkley (Vice-Chair), Bokor, Harper-Davies, Mercer, Morgan (Chair), Poland, Rattray, Rollings and Smidowicz (for attention)

All other members of the Council
(for information)

You are requested to attend the informal meeting of the Cabinet to be held in Virtual Meeting - Zoom on Monday, 10th May 2021 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

23rd April 2021

AGENDA

1. APOLOGIES
2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS
3. LEADER'S ANNOUNCEMENTS
4. MINUTES OF PREVIOUS MEETING 3 - 5

To approve the minutes of the previous meeting.

5. QUESTIONS UNDER CABINET PROCEDURE 10.7

The deadline for questions is noon on Thursday, 29th April 2021.

6. PROCUREMENT OF SUPPLIES AND SERVICES FOR INSTALLATION, REPAIR AND MAINTENANCE OF COMMUNAL DOORS AND ENTRY SYSTEMS 6 - 8

A report of the Head of Landlord Services.

Key Decision

7. PROCUREMENT OF CONTRACTOR FOR HEATING AND HOT WATER SYSTEM SERVICING 9 - 11

A report of the Head of Landlord Services.

Key Decision

8. INSURANCE ARRANGEMENTS 2021/22 12 - 14

A report of the Strategic Director; Environmental and Corporate Services.

Key Decision

9. EXEMPT INFORMATION

It is recommended that members of the public be excluded from the meeting during the consideration of the following item on the grounds that it will involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10. ASSET MAINTENANCE CONTRACT - AUTHORITY TO AWARD

An exempt report of the Strategic Director; Commercial Development, Assets and Leisure circulated to members.

Notification was given on 15th April 2021 that the public could potentially be excluded during this item since exempt or confidential information could be considered. No representations regarding considering this item in exempt session have been received.

Key Decision

CABINET 8TH APRIL 2021

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

Councillor Seaton

Strategic Director; Environmental and Corporate
Services

Head of Strategic Support

Strategic Director; Community, Planning and
Housing

Strategic Director; Commercial Development,
Assets and Leisure

Head of Planning and Regeneration

Democratic Services Manager

Democratic Services Officer (LS)

APOLOGIES: None

The Leader stated that this meeting would be livestreamed and recorded and the 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.

103. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

104. LEADER'S ANNOUNCEMENTS

The Leader made the following announcement:

Virtual Meetings/Livestreaming

"We have spent the last 12 months using virtual meetings/livestreaming. There remain a few council meetings still to be held before the deadline of 6th May 2021 when the official permission to do so expires. Most committees and full Council have found virtual meetings to be a positive experience and there have probably been more people able to access and watch the meetings than previously. It would be a great shame to no longer have the option of virtual meetings moving forward. The outcome of the current court case, understood to be supported by the Secretary of State, may provide more freedom in the future. Otherwise, this may be the last Cabinet meeting

held in the current format. The more known on the matter over the next few weeks the better”.

105. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 11th March 2021 were confirmed as a correct record.

106. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

107. LOCAL DEVELOPMENT SCHEME

Considered, a report of the Head of Planning and Regeneration seeking approval of the revised Local Development Scheme so that the programme for the preparation of planning documents for Charnwood was agreed (item 6 on the agenda filed with these minutes).

Councillor Seaton, Chair of the Scrutiny Commission, presented a report setting out the Commission’s pre-decision scrutiny of the matter and recommendation (copy filed with these minutes). The Scrutiny Commission was thanked for its pre-decision scrutiny of the matter.

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

RESOLVED

1. that the revised programme for the preparation of local development documents, as set out in the Local Development Scheme attached to the report of the Head of Planning and Regeneration, be approved;
2. that the Local Development Scheme comes into effect and is published on 16th April 2021;
3. that authority is delegated to the Head of Planning and Regeneration in consultation with the Cabinet Lead Member for Planning to make any minor typographical/graphical amendments to the Local Development Scheme prior to its publication;
4. that the report of the Scrutiny Commission be noted.

Reasons

1. To ensure that the Local Development Scheme provides a realistic programme for the preparation of development plan documents.
2. To meet the requirements of Section 15 of the Planning and Compulsory Purchase Act (2004), as amended by the Localism Act 2011 and the Town and Country Planning (Local Development) (England) Regulations 2004 (as

amended by the Town and Country Planning (Local Development) (England) (amendment) Regulations 2008, 2009 and 2012.

3. To enable the timely publication of the revised Local Development Scheme.
4. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

108. REVIEW OF CONSTITUTION

Considered, a report of the Monitoring Officer setting out proposed amendments to the Council's Constitution following the annual review, for recommendation to Council (item 7 on the agenda filed with these minutes).

The Democratic Services Manager assisted with consideration of the report. In response to questions, she confirmed that:

- (i) terms or wording taken from the national model constitution written in 2000 upon which the Council's Constitution was based but which were not suited/appropriate to Charnwood would be looked at as part of next year's review;
- (ii) reference agenda page 44, paragraph 33, delegation to Head of Service in respect of complaints regarding high hedges. Exceptions there listed would instead be determined by Plans Committee. A note would be included to make that clear as part of next year's review.

RESOLVED that it **be recommended to Council** that the changes to the Constitution set out in Appendix 1 to the report of the Monitoring Officer be made, to be effective from 1st May 2021.

Reason

To ensure the Constitution is kept up to date and fulfils its intended purposes.

NOTES:

1. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 16th April 2021 unless called in under Scrutiny Committee Procedure Rule 11.7. Decisions in the form of recommendations to Council are not subject to call in.
2. No reference may be made to these minutes at the next available Ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on Friday, 16th April 2021.
3. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.

LEADER DECISION - 10TH MAY 2021

Report of the Head of Landlord Services

Lead Member: Councillor James Poland (for informal Cabinet meeting)

Part A

ITEM 6 PROCUREMENT OF SUPPLIES AND SERVICES FOR THE
INSTALLATION, REPAIR, AND MAINTENANCE OF COMMUNAL
DOORS AND ENTRY SYSTEMS

Purpose of Report

To seek approval from Cabinet to procure, through a framework, supplies and services sufficient to meet the Council's requirements for the installation, repair, and maintenance of communal doors and entry systems at properties within the Housing Revenue Account.

The Contract value is estimated at over £500,000, therefore under the Council's Contract Procurement Rules, this distinct report to Cabinet is necessary.

Recommendation

That the Head of Landlord Services be authorised to commence a procurement exercise, identify a suitable framework, and subsequently award a contract for the installation, repair, and maintenance of communal doors and entry systems for a period of up to four years.

Reason

To meet the Council's requirements for the installation, repair, and maintenance of communal doors and entry systems at properties with the Housing Revenue Account, and to award a contract in a way that is consistent with the Council's procurement rules.

Policy Justification and Previous Decisions

The services delivered under the contract will support compliance with the Homes and Communities Agency Home Standard (2012), which, in summary, states that the Council must:

- ensure a prudent, planned approach to repairs and maintenance of communal areas.

On March 11 2021 Cabinet resolved (minute 97) that the proposed Housing Capital Programme for 2021-2022 be approved. The programme included a sum of £200,000 for the installation of communal door entry systems.

Implementation Timetable including Future Decisions and Scrutiny

Subject to call in, it is expected that procurement will commence in May 2021 and the new service will commence in August 2021.

Report Implications

The following implications have been identified for this report.

Financial Implications

The new contract will run for a maximum period of four years. The estimated contract value per year is £200k (capital) and £53k (revenue). The spend under the current arrangement is fully funded in the 2021/22 budget.

Crime and Disorder

Maintaining door entry systems and therefore the level of security at communal blocks of accommodation will positively contribute towards the achievement of the Council's responsibilities under Section 17 of the Crime and Disorder Act (1998) to undertake reasonable action to improve community safety in the borough.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failure to follow the Council's Procedures leading to a breach of procurement legislation and not obtaining best value.	2 Unlikely	3 Significant	6 Moderate	Procurement advice to be obtained from Nottingham City Council. Procurement via framework provides a route which is compliant with the Council's procedures and legislation.

Key Decision: Yes

Background Papers: None

Officer to contact: Peter Oliver
Head of Landlord Services
01509 634 666
Peter.oliver@charnwood.gov.uk

Part B

Background

1. To keep its tenants safe the Council has a programme installing new, upgrading old, and maintaining and repairing existing door entry systems.
2. The arrangement with F Bamford Engineering Ltd is due to come to an end. It is therefore necessary for the Council to put in place arrangements to award a new contract.
3. Procurement via framework has the following advantages:
 - Compliance with procurement legislation - framework providers go out to the market, conducting legally compliant procurement processes on behalf of their members.
 - Economies of scale - through the framework buying power.
 - Speed - a contract can be put in place within an appropriate timescale
 - Contract management support - the Council will benefit from the framework's established contract and supply chain management processes.

Process

2. The Council will identify and approach a suitable framework provider. Depending on the framework rules a direct award to an appropriate supplier may be made, or alternatively a further mini-competition may be undertaken to refine pricing and / or quality statements.
3. Subject to call in, it is envisaged that the procurement exercise will commence in May 2021 and the new contract will start in August 2021.

LEADER DECISION - 10TH MAY 2021

Report of the Head of Landlord Services

Lead Member: Councillor James Poland (for informal Cabinet meeting)

Part A

ITEM 7 PROCUREMENT OF CONTRACTOR FOR HEATING AND HOT WATER SYSTEM SERVICING

Purpose of Report

To seek approval from Cabinet to procure, through a framework, supplies and services sufficient to meet the Council's requirements for heating and hot water servicing for properties within the Housing Revenue Account

The Contract value is estimated at over £500,000, therefore under the Council's Contract Procurement Rules, this distinct report to Cabinet is necessary.

Recommendation

That the Head of Landlord Services be authorised to commence a procurement exercise, identify a suitable framework, and subsequently award a contract for heating and hot water servicing for a period of up to four years.

Reason

To meet statutory requirements for the maintenance of heating and hot water systems at properties with the Housing Revenue Account, and to award a contract in a way that is consistent with the Council's procurement rules.

Policy Justification and Previous Decisions

The services delivered under the contract will support compliance with the Homes and Communities Agency Home Standard (2012), which, in summary, states that the Council must:

- ensure that tenants' homes meet the standard set out in the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard.
- meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.
- ensure a prudent, planned approach to repairs and maintenance of homes and communal areas.

Implementation Timetable including Future Decisions and Scrutiny

The existing contract for heating and hot water servicing concludes in October 2021.

Subject to call in, it is expected that procurement will commence in May 2021 and the new service will commence in November 2021.

Report Implications

The following implications have been identified for this report.

Financial Implications

The new contract will run for a maximum period of four years. The estimated contract value is £635,000 per year. The spend under the current Contract is fully funded in the 2021/22 budget, and similar levels of expenditure for future years have been assumed in the Housing Revenue Account Business Plan.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failure to follow the Council's Procedures leading to a breach of procurement legislation and not obtaining best value.	2 Unlikely	3 Significant	6 Moderate	Procurement advice to be obtained from Nottingham City Council. Procurement via framework provides a route which is compliant with the Council's procedures and legislation.

Key Decision: Yes

Background Papers: None

Officer to contact: Peter Oliver
Head of Landlord Services
01509 634 666
Peter.oliver@charnwood.gov.uk

Part B

Background

1. The Council has a statutory and moral obligation to keep its tenants safe, to provide the means for the heating of water and spaces in tenants homes, and to service heating equipment on an annual basis
2. The existing Contract with Sure Group Ltd comes to an end in October 2021. It is therefore necessary for the Council to put in place arrangements to award a new contract.
3. Procurement via framework has the following advantages:
 - Compliance with procurement legislation - framework providers go out to the market, conducting legally compliant procurement processes on behalf of their members.
 - Economies of scale - through the framework buying power.
 - Speed - a contract can be put in place within an appropriate timescale
 - Contract management support - the Council will benefit from the framework's established contract and supply chain management processes.

Process

4. The Council will identify and approach a suitable framework provider. Depending on the framework rules a direct award to an appropriate supplier may be made, or alternatively a further mini-competition may be undertaken to refine pricing and / or quality statements.
5. Subject to call in, it is envisaged that the procurement exercise will commence in May 2021 and the new contract will start in November 2021.

LEADER DECISION - 10TH MAY 2021

Report of the Strategic Director of Environmental & Corporate Services

Lead Member: Councillor Smidowicz (for informal Cabinet meeting)

Part A

ITEM 8 INSURANCE ARRANGEMENTS

Purpose of Report

To seek approval to extend the Council's current long term agreement for insurance for a further final year.

Recommendation

That the Council extends its existing long term agreement (LTA) for insurance for a further final year (ie. from 1st June 2021 to 31st May 2022), and that delegated authority be given to the Strategic Director of Environmental & Corporate Services to finalise and agree the detailed terms of the extension.

Reason

To ensure that the Council has appropriate insurance cover in place.

Policy Justification and Previous Decisions

At its meeting on 15th February 2018 Cabinet agreed (minute reference 95) that the Council should become a founder member of the Local Government Mutual (LGM), and agreed to note that a further report with a business case for utilising the LGM would come back to Cabinet when the Council's current long term agreement for insurance cover comes to an end.

As the LGM were unable to provide cover for 2020/21, Cabinet agreed to extend the LTA for the current insurance cover for a further year (ie. June 2020 to May 2021) at their meeting on 7th May 2020. There is an option to extend the LTA for one further final year (ie. June 2021 to May 2022).

Implementation Timetable including Future Decisions and Scrutiny

Insurance cover will be arranged to come into effect from 1st June 2021.

Report Implications

The following implications have been identified for this report.

Financial Implications

There is an existing budget for Insurance Premiums, which amounts to £601,400 for 2021/22, plus £9,500 budget for Insurance Excess.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
The costs of extending the LTA may exceed the available budget.	Unlikely (2)	Significant (2)	Low (4)	Insurance costs are to some extent outside the Council's direct control (ie. General insurance market factors), however officers aim to work with our brokers to keep costs to a minimum.

Key Decision: Yes

Background Papers: None

Officer to contact: Adrian Ward
Head of Strategic Support
(01509) 634573
adrian.ward@charnwood.gov.uk

Part B

Background

1. The Council had been working with the Local Government Mutual (LGM) to provide an alternative option for insurance cover for 2021/22. However, the LGM have confirmed that they are again unable to provide cover.
2. Given this, there is a need to extend the current LTA for a further final year.
3. The renewal process is already underway, and it will be possible to agree renewal terms in advance of the renewal date of 1st June 2021.
4. This is the final year for which the LTA can be extended, and therefore if the LGM are again unable to provide cover for 2022/23 it will be necessary to undertake a procurement process. A further Cabinet report will be required to approve such a process as the total contract value will be in excess of £500,000.