

**CABINET
13TH OCTOBER 2022**

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

Councillor Brookes
Councillor Seaton

Chief Executive
Director Finance, Governance and Contracts
Democratic Services Manager
Director Commercial and Economic Development
Head of Regulatory and Community Safety
Democratic Services Officer (LS)

APOLOGIES: Councillor Mercer

Councillors Bokor and Poland attended this meeting virtually, see notes at end of minutes.

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.

23. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

No disclosures were made.

24. LEADER'S ANNOUNCEMENTS

No announcements were made.

25. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 7th July 2022 were confirmed as a correct record and signed.

26. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

27. DIGITAL TRANSFORMATION SCRUTINY PANEL

Considered, a report of the Head of Governance and Human Resources to consider the recommendations and observations of the Digital Transformation Scrutiny Panel (item 6 on the agenda filed with these minutes).

Councillor Brookes, Chair of the Digital Transformation Scrutiny Panel, presented the recommendations and observations of the Panel. In concluding the item, he wished for the record to thank officers for both their time and outstanding work in this area.

The Digital Transformation Scrutiny Panel was thanked for its scrutiny of the matter.

RESOLVED

1. that, in respect of Panel recommendation 1, members are invited to be involved in the testing and feedback stage of the development and implementation of the new website;
2. that, in respect of Panel recommendation 2, members are offered and encouraged to participate in the Digital Champions initiative to enable the further development of their digital skills further as required allowing greater support to residents;
3. that, in respect of Panel recommendation 3, members be offered further digital skills training to increase awareness and confidence in the use and services available on line to the Council's customers;
4. that four observations of the Panel set out in the report be noted.

Reason

- 1-4. To acknowledge the work undertaken by and the views of the Digital Transformation Scrutiny Panel and to ensure implementation of scrutiny recommendations where agreed by the Cabinet.

Councillors Bokor and Poland, attending virtually, confirmed that they would have voted in favour of the above decision had they been physically present at the meeting and able to do so.

28. SOLAR FEASIBILITY FUNDING UPDATE

Considered, a report of the Director Commercial and Economic Development seeking approval for the budget initially agreed for Solar Feasibility to be expanded in its scope to include feasibility work for any measure to reduce or offset carbon (item 7 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 Director Commercial and Economic Development assisted with consideration of the report.

The view was expressed that it would be useful for all members to be kept updated on the Council's progress regarding carbon reduction.

RESOLVED

1. that wider use of the £150,000 budget allocated for solar feasibility studies to undertake wider carbon reduction/offsetting feasibility studies be approved;
2. that authority for the same be delegated to the Director Commercial and Economic Development to commission work;
3. that the report of the Scrutiny Commission be noted.

Reasons

1. To understand the Council's options and ability to significantly reduce carbon emissions in the move to net zero.
2. To allow for the timely completion of studies such that any following phases of a project can be planned and submitted for scrutiny and approval.
3. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

Councillors Bokor and Poland, attending virtually, confirmed that they would have voted in favour of the above decision had they been physically present at the meeting and able to do so.

29. COST OF LIVING - SUPPORT TO COMMUNITIES AND BUSINESSES

Considered, a report of the Chief Executive outlining the support the Council had put in place regarding the cost of living crisis and requesting financial resources to provide enhanced support to residents and businesses, together with a supplementary report of the Chief Executive setting out Council's consideration on 5th September 2022 of a Position Statement regarding the cost of living which had been referred to the Cabinet (item 8 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 Chief Executive and the Director Finance, Governance and Contracts assisted with consideration of the report and supplementary report.

The view was expressed that the generic wording on Council Tax reminder letters was quite harsh and that consideration should be given as to whether that could be softened, being mindful of the current financial climate. This might also apply to other

payment reminder letters sent out by the Council. Also suggested, that a debt advice leaflet be included with such letters. In response, the Chief Executive would look into the suggestions, highlighting that a balance was needed between ensuring that the wording did not cause distress, but was sufficiently firm to ensure payments were collected and legal process was met. The Council would seek to provide support where possible and the importance of early engagement by all sides was noted.

It was suggested that the Council could partner with additional campaigns to add to its support of local businesses throughout Charnwood. The Chief Executive would discuss this with Councillor Rattray following the meeting.

RESOLVED

1. that the release of £180,000 from the Reinvestment Reserve for internal and voluntary sector use to assist communities with the cost of living crisis be approved;
2. that delegated authority is given to the Chief Executive for the distribution of these funds. The submitted report set out an indicative spend plan;
3. that any funds unspent at 31 March 2023 are returned to the Reinvestment Reserve;
4. that it be noted that the Cabinet confirmed the above to be an appropriate response to the Position Statement referred to it by Council;
5. that the report of the Scrutiny Commission be noted.

Reasons

1. To provide support to communities and businesses with the cost of living crisis through a range of mechanisms.
2. There is a project team led by the Chief Executive and comprising of officers from across the Council who will develop a comprehensive spend plan outlining where the support will be allocated.
3. To ensure that financial resources are not unnecessarily earmarked and hence unavailable for alternate uses.
4. To acknowledge the Position Statement, its referral from Council and the response to it.
5. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

Councillors Bokor and Poland, attending virtually, confirmed that they would have voted in favour of the above decision had they been physically present at the meeting and able to do so.

30. CHARNWOOD DOG CONTROL PUBLIC SPACES PROTECTION ORDER 2023

Considered, a report of the Head of Regulatory and Community Safety seeking approval of the Notice of Intention and upon expiry of the 28-day notice period to approve the Public Spaces Protection Order (Charnwood Borough Council) Control of Dogs 2023 under the provisions of the Anti-Social Behaviour Crime and Policing Act 2014 (item 9 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). In response to a question, she confirmed that the Commission had considered Option 1 in recommendation 1 to be the most appropriate course of action.

The Scrutiny Commission was thanked for its pre-decision scrutiny of this item and items earlier in the meeting.

The Head of Regulatory and Community Safety assisted with consideration of the report.

RESOLVED

1. that the following option be included in the Notice of Intention for Stonebow Washlands, Loughborough:

Option 1 - to maintain the existing restriction of dogs on leads by direction on the playing fields (yellow zone on the map shown in Appendix C to the report);

2. that the Notice of Intention, attached at Appendix A to the report, be approved and issued once the schedule of areas is amended to reflect the Cabinet decision in resolution 1 above;
3. that if there are no objections the draft Public Spaces Protection Order ('PSPO'), attached at Appendix B to the report, be approved as drafted after the expiry of the 28 days' notice period;
4. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to amend and make the Order if there are only minor alterations required;
5. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to make revisions and amendments to the Order in response to future requests for additional dog controls (for requests which cover no more than one ward);
6. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to extend the Order if there are no major changes required to the Order at the renewal time (January 2026);

7. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to authorise staff at Parish/Town Councils or other organisations, as deemed appropriate, to issue fixed penalty notices for dog control offences;
8. that the report of the Scrutiny Commission be noted.

Reasons

1. To enable Cabinet to decide on the preferred option whether to maintain or extend the current restrictions after considering the evidence, as detailed in the background papers, put forward during the consultation period and specifically regarding Stonebow Washlands, Loughborough.
2. To inform the public about the content of the proposed PSPO and give a formal opportunity for them to raise comments.
3. To vary and extend the PSPO under the provisions of the Anti-Social Behaviour Crime and Policing Act 2014, to address anti-social behaviour issues relating to dog control and to ensure the law-abiding majority can use and enjoy public spaces.
- 4&5. To enable relevant revisions to the PSPO subject to evidence of dog control issues in an area (revisions impacting on more than one ward will require Cabinet approval).
6. To enable renewal of the PSPO if there are no major changes required.
7. To assist Town/Parish Councils and other suitable organisations in the ability to offer an enhanced enforcement service in addition to the provision from the Council.
8. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

Councillors Bokor and Poland, attending virtually, confirmed that they would have voted in favour of the above decision had they been physically present at the meeting and able to do so.

31. BRADGATE PARK DOG CONTROL PUBLIC SPACES PROTECTION ORDER 2023

Considered, a report of the Head of Regulatory and Community Safety seeking approval of the Notice of Intention and upon expiry of the 28-day notice period to approve the Public Spaces Protection Order (Bradgate Park and Swithland Wood) Control of Dogs 2023 under the provisions of the Anti-Social Behaviour Crime and Policing Act 2014 (item 10 on the agenda filed with these minutes).

The Head of Regulatory and Community Safety assisted with consideration of the report.

RESOLVED

1. that the Notice of Intention, attached at Appendix A to the report, be approved and issued;
2. that, if there are no objections, the draft Public Spaces Protection Order ('PSPO'), attached at Appendix B to the report, be made as drafted after the expiry of the 28 days' notice period;
3. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to amend and make the Order if there are only minor alterations required;
4. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to make revisions and amendments to the Order in response to future requests for additional dog controls at Bradgate Park Estate and that the Constitution be amended accordingly;
5. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to renew the Order if there are no major changes required to the Order at the renewal time (January 2026) and that the Constitution be amended accordingly;
6. that the Head of Regulatory and Community Safety, in consultation with the Lead Member for Business Support, be given delegated authority to authorise staff employed by Bradgate Park Estate to issue fixed penalty notices for dog control offences.

Reasons

1. To inform the public about the principles of the proposed PSPO and give a formal opportunity for them to raise objections and make comments.
- 2.&3. To make the PSPO under the provisions of the Anti-Social Behaviour Crime and Policing Act 2014, to address anti-social behaviour issues relating to dog control.
4. To enable relevant revisions of the PSPO subject to evidence of dog control issues.
5. To enable renewal of the PSPO if there are no major changes required.
6. To authorise officers of Bradgate Park Estate so they can provide dog control enforcement across Bradgate Park and Swithland Wood.

Councillors Bokor and Poland, attending virtually, confirmed that they would have voted in favour of the above decision had they been physically present at the meeting and able to do so.

32. URGENT DECISION TAKEN - COUNCIL TAX ENERGY REBATE SCHEME

Considered, a report of the Chief Executive setting out an action taken by the Head of Customer Services under urgency provisions (item 11 on the agenda filed with these minutes).

The Democratic Services Manager assisted with consideration of the report.

RESOLVED that the action taken be the Head of Customer Services under urgency provisions, as set out in the report, be noted.

Reason

To ensure that the action has been reported to the Cabinet in accordance with the requirements of the Council's Constitution.

Councillors Bokor and Poland, attending virtually, confirmed that they would have voted in favour of the above decision had they been physically present at the meeting and able to do so.

NOTES:

1. Councillors Bokor and Poland attended this meeting virtually. Decisions were taken only by Cabinet members physically present at the meeting.
2. Councillor Seaton attended this meeting virtually. She was not taking decisions.
3. The following officers listed as present attended this meeting virtually: Chief Executive, Director Commercial and Economic Development, Democratic Services Manager. The remaining officers listed as present attended in person.
4. The Democratic Services Manager attended this meeting in her role as Deputy Monitoring Officer.
5. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 21st October 2022 unless called in under Scrutiny Committee Procedure Rule 11.7. Decisions in the form of recommendations to Council are not subject to call in.
6. 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, 21st October 2022.
7. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.