



**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, Baines, Barkley (Deputy Leader), Bokor, Harper-Davies, Mercer, Morgan (Leader), Poland, Rattray and Rollings (for attention)

All other members of the Council  
(for information)

You are requested to attend the meeting of the Cabinet to be held in Committee Room 1, at the Council Offices, Southfields, Loughborough on Thursday, 13th April 2023 at 6.00 pm for the following business.

Chief Executive

Southfields  
Loughborough

30th March 2023

**AGENDA**

1. APOLOGIES
2. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

For information, disclosable pecuniary interests and registrable interests relate to entries that are included, or should be included, on a councillor's register of interests. Non-registrable interests relate to any other matters.

3. LEADER'S ANNOUNCEMENTS

4. MINUTES OF PREVIOUS MEETING

4 - 10

To approve the minutes of the previous meeting.

5. QUESTIONS UNDER CABINET PROCEDURE 10.7

The deadline for questions is noon on Thursday, 30th March 2023.

6. PURCHASE OF ADDITIONAL REFUSE VEHICLES

11 - 13

A report of the Head of Contracts, Leisure, Waste and Environment.

7. EXEMPT INFORMATION

It is recommended that members of the public be excluded from the meeting during the consideration of the following items on the grounds that they 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.

8. EXTENSION OF ENVIRONMENTAL SERVICES CONTRACT

An exempt report of the Head of Contracts, Leisure, Waste and Environment, circulated to councillors.

*Notification was given on 15th March 2023 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*

9. EXTENSION OF MANAGEMENT OF OPEN SPACES CONTRACT

An exempt report of the Head of Contracts, Leisure, Waste and Environment, circulated to councillors.

*Notification was given on 15th March 2023 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*

10. SHEPSHED PUBLIC REALM PROJECT: MARKET PLACE

An exempt report of the Head of Planning and Growth, circulated to councillors.

*Notification was given on 15th March 2023 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 9TH MARCH 2023

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

Councillor Seaton

Chief Executive  
Director Finance, Governance and Contracts  
Head of Governance and Human Resources  
Director Housing and Wellbeing  
Head of Contracts, Leisure, Waste and  
Environment  
Head of Planning and Growth  
Head of Transformation, Strategy and  
Performance  
Transformation and Improvement Manager  
Democratic Services Officer (LS)

APOLOGIES: Councillor Rollings

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.

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

No disclosures were made.

63. LEADER'S ANNOUNCEMENTS

No announcements were made.

64. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 9th February 2023 were confirmed as a correct record and signed.

Further to the issue of use of body worn cameras by Council street wardens raised at the last meeting (minute 60), the subsequent responses provided and following further investigation of the matter, outlined, the Chief Executive agreed to check whether continual recording by cameras would be a breach of relevant legislation and to

subsequently ensure compliance/that street wardens were aware of the position. Response on that to be sent to all members of the Cabinet.

65. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

66. ADOPTION OF THE LEICESTERSHIRE RESOURCES AND WASTE STRATEGY 2022-2050

Considered, a report of the Head of Contracts, Leisure, Waste and Environment seeking approval and adoption of the Leicestershire Resources and Waste Strategy 2022-2050 (item 6 on the agenda filed with these minutes).

The Head of Contracts, Leisure, Waste and Environment assisted with consideration of the report. Regarding the performance comparison he had undertaken for Leicestershire authorities for the last complete year, he noted that members of the Cabinet would be interested to receive that information.

**RESOLVED**

1. that the Leicestershire Resources and Waste Strategy and Action Plan (Appendices A and B to the report) be adopted;
2. endorse the continuation of the waste partnership and request that the partnership is developed and enhanced to ensure appropriate political, strategic, and operational engagement;
3. request that the partnership explores collaborative opportunities which have the potential to deliver environmental improvements, whilst helping to reduce costs across the waste-system, such that cost shunting is avoided and mutual benefits are shared across all partners.

Reasons

1. The Strategy provides a policy framework to enable a sustainable system of waste management to be implemented.
2. To ensure that the relevant authorities in Leicestershire have effective collaborative working arrangements at all levels.
3. To ensure that resources are used effectively across all partners within the partnership.

67. HOUSING REVENUE ACCOUNT (HRA) ASSET MANAGEMENT STRATEGY

Considered, a report of the Director Housing and Wellbeing to consider the Housing Revenue Account (HRA) Asset Management Strategy 2023-2028 (item 7 on the agenda files with these minutes).

The Director Housing and Wellbeing assisted with consideration of the report.

## **RESOLVED**

1. that the Housing Revenue Account Asset Management Strategy 2023-2028 at Appendix 1 to the report be approved;
2. that delegated authority be given to the Director Housing and Wellbeing to make minor amendments to the Housing Revenue Account Asset Management Strategy 2023-2028 in consultation with the Lead Member for Public Housing.

### Reasons

1. To set out a strategy for the management of HRA assets to provide high quality homes and communal areas.
2. To enable minor amendments to be made in response to internal and external changes in context which have a bearing on the strategy.

## 68. HOUSING CAPITAL PROGRAMME

Considered, a report of the Director Housing and Wellbeing to consider the housing capital programme for 2023-2024 (item 8 on the agenda files with these minutes).

The Director Housing and Wellbeing assisted with consideration of the report.

## **RESOLVED**

1. that virements and slippage on the following schemes exceeding £250,000 **be recommended to Council** for approval:
  - Z375 Garages
  - Z763 Kitchens
  - Z764 Bathrooms
  - Z765 Electrical upgrades
  - Z766 Window replacement
  - Z769 Roofing Works & Insulation;
2. that the remaining virements and slippage on other schemes within the proposed housing capital programme budget for 2023-2024 amounting to £11,693,700 detailed at Appendix 1 to the report be approved and the Capital Plan be amended to reflect this.

### Reason

- 1.& 2. To improve the Council's housing stock, in line with the Charnwood and Decent Homes Standards.

## 69. LOCAL DEVELOPMENT SCHEME

Considered, a report of the Head of Planning and Growth seeking approval of the revised Local Development Scheme (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).

The Head of Planning and Growth 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 be approved;
2. that the Local Development Scheme comes into effect and is published by Friday 30 March 2023; and
3. that authority is delegated to the Head of Planning and Growth in consultation with the Lead Cabinet 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.

## 70. CORPORATE DELIVERY PLAN 2023-24

Considered, a report of the Chief Executive proposing the Council's Corporate Delivery Plan for 2023-24 (item 10 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, the Head of Transformation, Strategy and Performance and the Transformation and Improvement Manager assisted with consideration of the report. Noted, an error at top of agenda page 196, duplication and possible omission, this could be corrected under requested delegated authority to make amendments.

In particular, the Cabinet discussed the current position with the Discover Charnwood website and the plans to progress and improve content on that, with suggestions made at this meeting being noted by officers.

## **RESOLVED**

1. that the 2023-24 Corporate Delivery Plan, appended to the report, be approved;
2. that delegated authority be given to the Chief Executive, in consultation with the Leader, to make amendments to the Corporate Delivery Plan.
3. that the report of the Scrutiny Commission be noted.

### Reasons

1. To identify the Council's key activities and performance indicators for 2023-24 that support the objectives set out in the Corporate Strategy (2020-2024).
2. To allow minor corrections and amendments to be made in a timely manner prior to publication and throughout the 2023-24 Corporate Delivery Plan.
3. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

## 71. EZ FORWARD FUNDING REQUEST - CHARNWOOD CAMPUS BUILDING B28E

Considered, a report of the Director Finance, Governance and Contracts requesting approval for forward funding in respect of the Charnwood Campus site, to enable the refurbishment of Building 28E (item 11 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 valuable scrutiny of this matter and previous items.

The Director Finance, Governance and Contracts assisted with consideration of the report.

## **RESOLVED**

1. approve a conditional grant to the Leicester & Leicestershire Economic Partnership for an amount of up to £5.0m, to be recovered through retention of business rates generated within the Enterprise Zone;



2. give delegated authority to the Director Finance, Governance and Contracts, in conjunction with the Chief Executive and Lead Member for Finance, to finalise details of the grant agreement and other agreements associated with this transaction.
3. that the report of the Scrutiny Commission be noted.

#### Reasons

1. To facilitate the development of the Charnwood Campus site within the Enterprise Zone.
2. To facilitate efficient and timely completion of the legal arrangements.
3. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

#### 72. STRATEGIC RISK REGISTER 2023/24

Considered, a report of the Head of Transformation, Strategy and Performance proposing an updated Strategic Risk Register (item 12 on the agenda filed with these minutes).

The Head of Transformation, Strategy and Performance assisted with consideration of the report.

#### **RESOLVED**

1. that the draft Strategic Risk Register for 2023/24 as set out in the Appendix to the report is adopted, and that the Audit Committee monitor progress against those risks on the register by receiving quarterly monitoring reports;
2. that authority is delegated to the Chief Executive to make amendments to the Strategic Risk Register where required, in consultation with the relevant risk owner and Lead Member.

#### Reasons

1. To ensure that the most significant risks to the Council achieving its objectives are identified and actively managed.
2. To ensure that the Strategic Risk Register is kept up to date and relevant.

#### 73. BUSINESS RATES WRITE-OFF

Considered, a report of the Director Customer Experience seeking approval to write off irrecoverable debts in line with Financial Procedure Rules (item 13 on the agenda filed with these minutes).

The Director Finance, Governance and Contracts assisted with consideration of the report. Noted, a suggestion that, in addition to listing directors of the company concerned in the report for the public record and as a possible deterrent, it would be useful to also list shareholders and to use full names including any known middle names.

**RESOLVED** that the following debt be written off:

£103,927.50 owed by Loco Mexicano Ltd.

Reason

The normal enforcement/recovery and tracing of these debts have been exhausted and write off is now the only alternative. The Council's financial procedures require write-off any debt over £100,000 be approved by Cabinet.

NOTES:

1. Councillor Seaton attended this meeting virtually. She was not taking decisions.
2. The following officers listed as present attended this meeting virtually: The Head of Governance and Human Resources, the Head of Planning and Growth, the Head of Transformation, Strategy and Performance, the Transformation and Improvement Manager. The remaining officers listed as present attended in person.
3. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 17th March 2023 unless called in under Scrutiny Committee Procedure Rule 11.7. Decisions in the form of recommendations to Council are not subject to call in.
4. 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. 17th March 2023.
5. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.

## CABINET - 13TH APRIL 2023

### Report of the Head of Contracts (Leisure, Waste and Environment) Lead Member: Councillor Harper-Davies

#### Part A

#### PURCHASE OF ADDITIONAL REFUSE VEHICLES

##### Purpose of Report

This report considers the purchase of two refuse collection vehicles.

##### Recommendations

1. That it be recommended to Council that £440k is added to the Council's Capital Programme for the purchase of two new Refuse Collection Vehicles (RCV's), and that the vehicles are financed through capital plan receipts, thus avoiding interest payments and Minimal Revenue Provision (MRP).
2. That the Director of Finance, Governance and Contracts be given delegated authority to procure the two RCV's, if Council approve the addition to the Capital Programme.

##### Reasons

1. To ensure that the capital is available for the purchase of the required vehicles.
2. To enable the additional vehicles to be purchased in the most effective manner, using a suitable procurement process.

##### Policy Justification and Previous Decisions

The Charnwood Corporate Strategy states that we will improve and develop our outstanding waste and recycling service to make it more efficient, more resilient and better for the environment.

The additional vehicles are required to maintain an acceptable level of service whilst accommodating the housing growth within the borough.

##### Implementation Timetable including Future Decisions and Scrutiny

Should Council agree recommendations 1 above, the Director of Finance, Governance and Contracts along with Head of Contracts (Leisure, Waste and Environment) will explore the optimum way for purchasing the required fleet.

##### Report Implications

The following implications have been identified for this report.

### *Financial Implications*

This report recommends the purchase of two refuse collection vehicles at a total estimated cost of £440k. The expenditure to be funded from capital plan receipts, avoiding interest and the need for minimum revenue provision (MRP).

### *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   |
|---|------------|-----------------|--------------|---|
| Increasing costs of RCV's due to high inflation | Likely (3) | Significant (2) | 6            | Vehicles to be ordered asap. The use of purchasing frameworks to be considered as these are often cheaper than a direct purchase. |
| Availability of RCV's and long lead in times    | Likely (3) | Significant (2) | 6            | Vehicles to be order as soon as possible.   |

### *Sustainability*

The vehicles purchased will be diesel powered and will add to our carbon emissions. The purchase of low carbon alternatives is not viable now due to the high cost of the vehicles, lack of low carbon charging/fuel infrastructure of the current depot and concerns about the suitability of the vehicles currently available in a geographically large borough.

The Council is investigating the possibility of decarbonising the fleet of vehicles by 2030, which could see the new vehicles being brought out of service before being fully depreciated. This will be factored into any future business case for introducing low carbon alternatives.

Key Decision: No

Background Papers: None

Officer(s) to contact: Matthew Bradford  
Head of Contracts (Leisure, Waste and Environment)  
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## Part B

### Background

1. There is a need for two additional vehicles in order to complete the collection rounds for residual waste and recycling.
2. The need for additional resources is largely down to the housing growth within the borough. In Charnwood, the population size has increased by 10.7%, from around 166,100 in 2011 to 183,900 in 2021. This is higher than the overall increase for England (6.6%) (ONS Census 2021). The contract with Serco started in 2009 with 67,846 properties on the Council Tax register. The number of properties is now 78,139. This represents an increase of 15% over the period.
3. In addition to the above, there is a change to the tipping location for residual waste from April 2023. The tipping locations prior to April 2023 were conveniently located close to our main centres of population (Loughborough and Syston). The new tipping location is the Newhurst Incinerator near Shepshed. Although this is still convenient, and within the borough boundary, it does incur additional mileage and time, and this has been costed into the extension proposals.
4. The contract price does increase incrementally with household growth; however, this mechanism is not expected to cover the additional finance required to cover for additional vehicle purchase and their operation.
5. Purchasing the vehicles in this way is more cost effective than leasing for the period of the contract extension. At the end of the extended contract period, the vehicles will be made available to the service provider. Serco could not reasonably be expected to purchase the vehicles, given the short period remaining on the contract.