

**CABINET
11TH FEBRUARY 2021**

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

Councillor Hadji-Nikolaou
Councillor Seaton
T. Edwardes

Chief Executive
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 Financial Services
Head of Landlord Services
Organisational Development Manager
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.

80. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

81. LEADER'S ANNOUNCEMENTS

No announcements were made.

82. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 14th January 2021 were confirmed as a correct record.

83. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

84. **BUDGET SCRUTINY PANEL**

Considered, a report of the Head of Strategic Support to consider the recommendations of the Budget Scrutiny Panel following its scrutiny of the Council's draft budget for 2021/22 (item 6 on the agenda filed with these minutes).

Councillor Hadji-Nikolaou, Chair of the Budget Scrutiny Panel, presented the recommendations of the Panel.

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

The Budget Scrutiny Panel was thanked for its work in respect of the matter.

RESOLVED

1. that in respect of Panel Recommendation 1, in order to better reflect true asset performance, reports are submitted to the Audit Committee and/or Scrutiny Commission on a quarterly basis, after the quarter days where rent payments are made;
2. that in respect of Panel Recommendation 2, the suggestion has been noted;
3. that in respect of Panel Recommendation 3, the comment has been noted;
4. that in respect of Panel Recommendation 4, the comment has been noted;
5. that in respect of Panel Recommendation 5, Scrutiny Commission consider maintaining a record of savings made directly as a result of scrutiny work;
6. that in respect of Panel Recommendation 6, the marketing strategy, service plan and communications strategy are prepared before the new financial year and to support the hard launch of the new service;
7. that in respect of Panel Recommendation 7, additional detail will be provided where appropriate;
8. that in respect of Panel Recommendation 8, the issue of continuity in the Budget Scrutiny Panel membership is considered by the Scrutiny Commission.

Reason

- 1-8. To acknowledge the work undertaken by and the views of the Budget Scrutiny Panel and to ensure implementation of scrutiny recommendations where agreed by the Cabinet.

85. 2021-22 GENERAL FUND AND HRA REVENUE BUDGETS AND COUNCIL TAX AND MTFS 2021-24

Considered, a report of the Head of Financial Services setting out the 2021-22 General Fund and HRA Revenue Budgets and Council Tax and Medium-Term Financial Strategy (MTFS) 2021-24, for recommendation to Council (item 7 on the agenda filed with these minutes).

The Strategic Director; Environmental and Corporate Services and the Head of Financial Services assisted with consideration of the report.

RESOLVED that Council be recommended:

1. to approve the Original General Fund Revenue Budget for 2021/22 at £17,919,418 as set out in Appendix A1 to the report;
2. to set a base Council Tax at £131.08 at Band D, an increase of £4.45 on the 2020/21 rate as set out in Appendix A2 to the report;
3. to set the Loughborough Special Levy at £77.98, a 1.99% increase on 2020/21 rate, as set out in Appendix A3 to the report and to approve the following savings and pressures:
 - Loughborough Community Grant - £13.5k ongoing saving;
 - Biggin Street toilet amalgamation with Town Centre toilet - £4.6k ongoing saving;
 - Management of Open Spaces Contract - £1.3k ongoing saving (apportionment);
 - Street Trading consent license - Loss of income £10.8k one off pressure;
 - Carillion - Loss of income £3k one off pressure;
4. to approve the Original HRA Budget for 2021/22 as set out in Appendix A5 to the report;
5. to amend the HRA weekly rents in line with the Ministry of Housing, Communities and Local Government (MHCLG) guidance;
6. to amend the non-HRA dwelling properties in line with the Ministry of Housing, Communities and Local Government (MHCLG) guidance;
7. to approve the HRA service charges in accordance with the MHCLG Guidance;
8. to approve that the shop rents retain their current rents in accordance with an assessment by the Valuation Office;
9. to approve that garage rents retain their current rents in accordance with an assessment by the Valuation Office;
10. to approve that the Leasehold Management and Administration charge increases to £131.94 per annum Leasehold flats, and £130.45 for Leasehold shops;

11. that the Lifeline weekly charge is increased in line with MHCLG Guidance;
12. to determine that the basic amount of Council Tax for 2021/22 is not excessive according to the principles set out by the Secretary of State;
13. to give delegated authority to the S151 Officer, in conjunction with the Cabinet Lead Member for Finance, to amend this report for Council in line with the final settlement and updated NNDR figures;
14. to note the Medium-Term Financial Strategy 2021-24 as set out at Appendix B to the report.

Reasons

1. So that the necessary finance is approved to carry out services in 2021/22.
2. So that the Council Tax can be set in accordance with legal and statutory requirements.
3. So that a Loughborough Special Levy can be set in accordance with legal and statutory requirements.
4. To ensure sufficient funding for the Housing Revenue Account in 2021/22.
5. To comply with social housing rents guidance.
6. To be consistent with the other council house stock.
7. To ensure the correct alignment of costs and service charges for tenants in accordance with best practice.
8. So that shop rents follow the assessment and guidance provided by the Valuation Office.
9. To increase the rent generated for garages in line with the guidance from the Valuation Office.
10. So that there is sufficient recovery of the costs associated with operating the leasehold flat and shop services.
11. So that there is sufficient recovery of the costs associated with operating the Lifeline service.
12. To comply with the requirements of the Local Government Finance Act 1992.
13. To update the budget report in line with final settlement figures once these are received.

14. To inform members of the future financial outlook for the Council.

86. CAPITAL STRATEGY, TREASURY MANAGEMENT STRATEGY STATEMENT, MINIMUM REVENUE PROVISION POLICY AND ANNUAL INVESTMENT STRATEGY 2021-22

Considered, a report of the Head of Financial Services setting out the Capital Strategy, Treasury Management Strategy Statement, Minimum Revenue Provision Policy and Annual Investment Strategy for 2021-22, for recommendation to Council (item 8 on the agenda filed with these minutes).

The Strategic Director; Environmental and Corporate Services and the Head of Financial Services assisted with consideration of the report. Reference was made to consideration of the report by the Audit Committee at its meeting on 9th February 2021, in particular that (i) a minor correction would need to be made to the Treasury Management Strategy Statement prior to submission to Council and (ii) an additional recommendation was made to this Cabinet meeting as a result of a concern expressed by the Committee as follows:

Correction:

Agenda page 124, 2nd paragraph, wording "*which is subject to approval by Council 9 November 2020*" be corrected to read "*which was approved by Council 9 November 2020*".

Additional recommendation:

4. That the Audit Committee's concern about the removal of the measurement criteria relating to future investment in Commercial Property be noted.

Reason

4. To ensure Cabinet is aware of the removal of these criteria, and that if they are reinstated at any point in the future a formal approval process will be required, which should involve the Audit Committee.

RESOLVED

1. that the Capital Strategy, as set out at Appendix A of the report, be approved and **recommended to Council**;
2. that the Treasury Management Strategy Statement, Annual Investment Strategy and Minimum Revenue Provision Policy, as shown at Appendix B of the report and corrected above, be approved and **recommended to Council**;
3. that the Prudential and Treasury Indicators, also set out in Appendix B of the report, be approved and **recommended to Council**.
4. that the Audit Committee's concern about the removal of the measurement criteria relating to future investment in Commercial Property be noted.

Reasons

1. To enable the Council to comply with the statutory code of practice issued by CIPFA: 'The Prudential Code for Capital Finance in Local Authorities, 2017 Edition'.
2. To ensure that the Council's governance and management procedures for Treasury Management reflect best practice and comply with the CIPFA Treasury Management in the Public Services Code of Practice, Guidance Notes and Treasury Management Policy Statement.
3. To ensure 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.
4. To ensure Cabinet is aware of the removal of these criteria, and that if they are reinstated at any point in the future a formal approval process will be required, which should involve the Audit Committee.

87. STRATEGIC RISK REGISTER 2021/22

Considered, a report of the Strategic Director; Environmental and Corporate Services setting out an updated Strategic Risk Register (item 9 on the agenda filed with these minutes).

The Strategic Director; Environmental and Corporate Services and the Organisational Development Manager assisted with consideration of the report.

RESOLVED

1. that the draft Strategic Risk Register for 2021/22 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 the draft COVID-19 Risk Register as set out in the Appendix to the report is adopted, and that the Audit Committee monitor progress by receiving quarterly monitoring reports;
3. that authority is delegated to the Strategic Director; Environmental and Corporate Services to make amendments to the risk register where required, in consultation with the relevant risk owner and Cabinet 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 most significant risks to the Council regarding the response to COVID-19 are identified and actively managed.
3. To ensure that the Strategic Risk Register is kept up to date and relevant.

88. RIPA (REGULATION OF INVESTIGATORY POWERS ACT) POLICY

Considered, a report of the Head of Strategic Support setting out a Regulation of Investigatory Powers Act (RIPA) Policy and a summary of the use of RIPA during 2020 (item 10 on the agenda filed with these minutes).

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

RESOLVED

1. that it be noted that there has been no use of RIPA by the Council during the calendar year 2020;
2. that the Audit Committee be requested to continue its responsibility for receiving a quarterly report on the use of RIPA, and to report to Cabinet any concerns arising from those reports that may indicate that the use of RIPA is not consistent with the Policy or that the Policy may not be fit for purpose;
3. that the RIPA Policy Statement 2021, attached as an appendix to the report, be approved.

Reasons

1. To ensure compliance with the requirements of the Home Office's current 'Code of Practice – Covert Surveillance and Property Interference' relating to the involvement of elected Members in approving the RIPA policy and reviewing the Council's use of RIPA on at least an annual basis.
2. To ensure compliance with the requirements of the Home Office's latest 'Code of Practice – Covert Surveillance and Property Interference' relating to elected Members considering reports on the use of RIPA on at least a quarterly basis to ensure that it is being used consistently with the policy and the policy remains fit for purpose.
3. To ensure that the Council's RIPA Policy Statement remains up to date and consistent with the relevant legislation and codes of practice.

89. URGENT DECISIONS TAKEN

Considered, a report of the Chief Executive setting out an action taken by the Chief Executive and/or Strategic Directors and Heads of Service 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 by the Chief Executive and/or Strategic Directors and Heads of Service 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.

90. EXEMPT INFORMATION

RESOLVED that members of the public be excluded from the meeting during the consideration of the following item on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 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.

The Democratic Services Manager confirmed that the meeting was no longer being livestreamed.

91. FUTURE ARRANGEMENTS FOR THE DELIVERY OF PLANNED WORKS, VOIDS AND ASSOCIATED WORKS

Considered, an exempt report of the Head of Landlord Services regarding future arrangements for the delivery of planned works, voids and associated works (item 13 on the agenda filed with these minutes).

Councillor Seaton, Chair of the Scrutiny Commission, presented an exempt 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.

T. Edwardes, Chair of the Housing Management Advisory Board, presented verbally the views of the Board, summarised in the exempt minute (Cabinet Minute 91E 2020/21). The Board was thanked for its work in considering the matter.

The Strategic Director; Community, Planning and Housing and the Head of Landlord Services assisted with consideration of the report.

RESOLVED

1. that decisions be made as detailed in the exempt minute (Cabinet Minute 91E 2020/21);
2. that the exempt report of the Scrutiny Commission and the verbal report of the Chair of the Housing Management Advisory Board be noted.

Reasons

1. As set out in the exempt minute (Cabinet Minute 91E 2020/21).

2. To acknowledge the work undertaken by and the views of the Scrutiny Commission and the Housing Management Advisory Board.

NOTES:

1. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 19th February 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, 19th February 2021.
3. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.