

EXECUTIVE DECISION RECORD

LEADER: COUNCILLOR MORGAN

ITEM CAPITAL PLAN AMENDMENT REPORT

The Decision

That the Leader approves the following:

1. that the current Capital Plan for 2021/22 - 2022/23, as amended by the changes shown in Appendix 1 to the report of the Head of Financial Services, in the budgeted sum of £59,343,800 be approved;
2. that the Disabled Facilities Grants (DFG) scheme be increased by £68.6k, in line with the Disabled Facilities Grants received from the Ministry of Housing, Communities and Local Government, the total DGF Capital budget being £2,116,900 in 2021/22;
3. that the Outwoods Country Park – Visitor Centre and Cafe scheme be reduced by £50k, the reason being the external funding will not be received towards this scheme;
4. that a virement be made of £3k from the Replacement Hardware Programme Capital Budget to Planned Buildings Improvements for the purchase of docking stations;
5. that additional decisions, taken by Officers, in relation to new S106 schemes added to the Capital Programme also included in Appendix 1 to the report be noted;
6. that amendments to the Capital Programme since 10th December 2020 Minute 64 be noted.

Reasons

1. To enable the current Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.
2. To confirm that the Disabled Facilities Grants scheme be increased which is funded by an external grant.
3. To confirm that the Outwoods Country Park – Visitor Centre and Café scheme be decreased by the external funded amount.
4. To enable the capital scheme budget to be available in 2021/22.
5. To note the new Capital Schemes as part of S106 Agreements implemented by Officers for Third Parties.

6. To note amendments to the Capital Programme since Cabinet 10th December 2020 minute 64.

Other Options Considered and Rejected

None

Conflicts of Interest Declared by the Decision-Maker


None

Dispensations

None

Implementation of Decision

Unless called in under Scrutiny Committee Procedure Rule 11.7, this decision will come into effect at noon on the fifth working day after it is published.

Approved: 

Date: 17.09.21 ...

Leader of the Council

Date of Publication: 20.09.21

REPORT

Purpose of Report

To recommend to the Leader the decision set out above.

Background

The background is set out in the report submitted to informal Cabinet on 16 September 2021 and the minutes of that meeting (see Cabinet Minute 29 2021/22), attached as an appendix.

Policy Justification and Previous Decisions

As set out in the report submitted to informal Cabinet on 16 September 2021.

A Leader's Decision dated 30th July 2021 delegated all Executive functions and decision making to the Leader for a period of three months in accordance with Section 9E of the Local Government Act 2000.

Section 10.9 of Chapter 10 of the Council's Constitution requires that, where executive decisions are the responsibility of an individual member of the Cabinet, details of the decision (including any report) be published after the decision has been taken, as required by law.

Implementation Timetable including Future Decisions and Scrutiny

The report submitted to informal Cabinet on 16 September 2021 on this matter was available for pre-decision scrutiny by the Scrutiny Commission on 13 September 2021.

Unless called in under Scrutiny Committee Procedure Rule 11.7, this decision will come into effect at noon on the fifth working day after it is published.

Report Implications

The following implications have been identified for this report.

Financial Implications

As set out in the report submitted to informal Cabinet on 16 September 2021.

Risk Management

As set out in the report submitted to informal Cabinet on 16 September 2021.

Appendices:

1. Report to Informal Cabinet 16 September 2021
2. Minutes of Informal Cabinet 16 September 2021 (Minute 29)

Key Decision: Yes

Background Papers: None

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CABINET – 16TH SEPTEMBER 2021**Report of the Head of Finance Services
Lead Member: Cllr Tom Barkley****Part A****ITEM 11 CAPITAL PLAN AMENDMENT REPORT****Purpose of the Report**

This report requests Cabinet to consider and approve changes to the 2021-2023 Capital Plan and its financing.

Recommendations

1. That the current Capital Plan for 2021/22-2022/23, as amended by the changes shown in Appendix 1, in the budgeted sum of £59,343,800 be approved.
2. That the Disabled Facilities Grants (DFG) scheme be increased by £68.6k, in line with the Disabled Facilities Grants received from the Ministry of Housing, Communities and Local Government. The total DGF Capital budget being £2,116,900 in 2021/22.
3. To reduce the Outwoods Country Park – Visitor Centre and Cafe scheme by £50k the reason being the external funding will not be received towards this scheme.
4. A virement of £3k from the Replacement Hardware Programme Capital Budget to Planned Buildings Improvements for the purchase of docking stations.
5. To note additional decisions, taken by Officers, in relation to new S106 schemes added to the Capital programme also included in Appendix 1.
6. To note amendments to the Capital Programme since 10th December 2020 minute 64.

Reasons

1. To enable the current Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.
2. To confirm that the Disabled Facilities Grants scheme be increased which is funded by an external grant.
3. To confirm that the Outwoods Country Park – Visitor Centre and Café scheme be decreased by the external funded amount.
4. To enable the capital scheme budget to be available in 2021/22.

5. To note the new Capital Schemes as part of S106 Agreements implemented by Officer for 3rd Parties.
6. To note amendments to the Capital Programme since Cabinet 10th December 2020 minute 64.

Policy Justification and Previous Decisions

The Capital Plan is an integral element of all policies. The revised three-year Capital Plan was approved by Council on 9th November 2020. The Capital Outturn report including slippage was approved by Cabinet on the 1st July 2021 minute 14.

Implementation Timetable including Future Decisions and Scrutiny

This report will be available for scrutiny by the Scrutiny Commission on 13th September 2021.

Report Implications

The following implications have been identified for this report.

Financial Implications

The financial implications are covered in the body of this report.

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 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.

<i>Risk Identified</i>	<i>Likelihood</i>	<i>Impact</i>	<i>Overall Risk</i>	<i>Risk Management Actions Planned</i>
Insufficient funding	Remote (1)	Major (4)	Low (4)	The funding of the Capital Plan is regularly monitored and serious funding shortfalls would be brought to the attention of Cabinet with suggested solutions
Expenditure associated with commercial property, Town Deal projects, regeneration or forward funding of the Enterprise Zone	Unlikely (2)	Serious (3)	Moderate (6)	All such expenditure will require fulfillment of additional governance processes prior to approval

<i>Risk Identified</i>	<i>Likelihood</i>	<i>Impact</i>	<i>Overall Risk</i>	<i>Risk Management Actions Planned</i>
General risks associated with capital expenditure	Unlikely (2)	Serious (3)	Moderate (6)	The Capital Plan is controlled through regular monitoring via the Senior Leadership Team with periodic reports presented to Cabinet.

Key Decision: Yes

Background Papers: None

Officer to Contact: Lesley Tansey
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Part B

Background – Capital Plan

1. The Capital plan amendment report provides a breakdown of the new/amended schemes for 2021/22 budgets, and detailed budgets are set out in Appendix 1 for 2021/22 to 2022/23.
2. The net effects of these changes on the 2021/22 Capital Plan are as follows:

2021/22 Capital Plan	£
Approved 2021/22 Capital Plan	21,438,900
Net new/amended schemes	27,732,300
Amended 2021/22 Capital Plan	49,171,200

Funded by:	£
General Fund:	
Grants, S106 Contributions and Revenue	4,585,600
Contributions from Capital Plan Reserve	549,900
Contributions from Capital Receipts	5,165,800
Internal or External Borrowing	29,250,000
Total General Fund	39,551,300
HRA:	
MRA or equivalent	8,314,500
Contributions from Capital Receipts	1,305,400
Total HRA	9,619,900
Total Funding for 2021/22	49,171,200

3. A full list of the decisions and amendments are listed in Appendix 1. A detailed explanation for the major changes are given in the table below.
- 4.

New/Amended Schemes	£
Members Grants – Members Choice	(£13,000)
To reduce the scheme due to reduction of grants being given out.	
Wymeswold Parish Council – tarmac court with multi-use goal ends at the Washdyke – S106	£22,800
Contribution towards the provision of youth/adult recreation facilities, fully funded by S106 monies already received by the authority.	

Leicestershire Police – Drone Equipment and Forensic Hub Upgrade – S106	£58,600
Contribution towards provision of vehicles, CCTV equipment, fully funded by S106 monies already received by the authority.	
The Outwoods Country Park – Visitor Centre and Cafe	(£50,000)
To reduce the scheme because external funding is no longer available.	
Disabled Facilities Grant (DFG)	£68,600
To increase the DFG budget in line with the DFG grant received in 2021/22.	
Planned Building Improvements	£3,000
Virement from Replacement Hardware Programme for the purchase of 20 docking stations as part of the refurbishment of office accommodation.	

5. The Capital Plan is fully funded as per the table in paragraph 2 of this report.

Appendices

Appendix 1 – Details of Capital Plan Amendments

Appendix 2 – Capital Plan 2021/22-2022/23

CAPITAL PLAN 2021-2023**Appendix 1**

	2021/22	2022/23
	£	£
Capital Plan Amendment Report - 10th December 2020 - Minute 64	21,438,900	10,192,600
<u>Cabinet 11th February 2021 - Minute 85</u>		
Members Grants - Members Choice - reduction of grants	(13,000)	
<u>Delegated Decision (DD045 2021) - 18th March 2021</u>		
Wymeswold Parish Council - tarmac court with multi-use goal ends at the Washdyke	22,800	
<u>Delegated Decision (DD056 2021) - 25th March 2021</u>		
Leicestershire Police - Drone Equipment and Forensic Hub Upgrade	58,600	
<u>Email - M Bradford 29/4/21</u>		
The Outwoods Country Park - Visitor Centre and Café	(50,000)	
External funding not materialised		
Disabled Facilities Grants - Block Sum - increased BCF funding received	68,600	
<u>Delegated Decision (DD099 2020) - 8th July 2020</u>		
Shepshed POS Enhancement - additional S106 contribution	4,100	
Shepshed Public Open Space Enhancements - budget was included in the above scheme	(54,100)	
<u>Email - A Khan 22/6/21</u>		
Replacement Hardware Programme - Block Sum	(3,000)	
Planned Building Improvements	3,000	
<u>Cabinet 1st July 2021 - Minute 14 - Capital Plan Outturn Report</u>		
Carry forwards/Slippage from 2020/21	27,675,300	
Town Deal and Regeneration	350,000	
Loughborough University Science & Enterprise Park	(350,000)	
<u>Cabinet 1st July 2021 - Minute 18 - Nanpantan Cemetery</u>		
Loughborough Cemetery - New Burial Provision	281,300	
Green Spaces Programme	(77,900)	
Delivery of Open Space Strategy	(40,000)	(20,000)
Park Road Access Resurfacing	(23,400)	
Lodge Farm - Multi Use Games Area	(80,000)	
Community Tree Planting Programme	(40,000)	
Update Report - Total	49,171,200	10,172,600
Total of 3 Year Capital Plan (2021/22 to 2023/24)		59,343,800

CAPITAL PLAN 2021/22

Appendix 2

Scheme Details	2021/22				2022/23		External Funding	
	Original Plan £	Current Budget £	Actual Spend 31/7/21 £	Balance £	Original Plan £	Current Budget £	2021/22 £	2022/23 £
SUMMARY OF CAPITAL PLAN								
<i>Live Schemes</i>								
Environmental and Corporate Services	720,000	2,213,800	167,346	2,046,454	390,000	326,200	131,200	31,200
Commercial Development, Asset and Leisure	650,000	343,000	9,797	333,203	500,000	325,000	0	0
Community, Planning and Housing - General Fund	1,224,000	2,667,200	149,524	2,501,613	1,224,000	1,244,000	2,116,900	1,058,000
Community, Planning and Housing - HRA	7,381,500	9,619,900	509,768	9,110,132	7,723,800	7,723,800	0	0
Sub-total Live Schemes	9,975,500	14,843,900	836,435	13,991,402	9,837,800	9,619,000	2,248,100	1,089,200
<i>Committed Schemes</i>								
Environmental and Corporate Services	0	15,000,000	2,000,000	13,000,000	0	0	0	0
Commercial Development, Asset and Leisure	0	15,145,400	(2,881)	15,148,281	0	0	545,400	0
Community, Planning and Housing - General Fund	1,000,000	3,203,000	647,012	2,555,988	500,000	500,000	0	0
Community, Planning and Housing - HRA	0	0	0	0	0	0	0	0
Sub-total Committed Schemes	1,000,000	33,348,400	2,644,131	30,704,269	500,000	500,000	545,400	0
<i>Third Party Schemes</i>								
Environmental and Corporate Services	82,800	199,600	23,364	176,236	113,000	53,600	199,600	53,600
Commercial Development, Asset and Leisure	0	0	0	0	0	0	0	0
Community, Planning and Housing - General Fund	0	779,300	74,929	704,371	0	0	779,300	0
Community, Planning and Housing - HRA	0	0	0	0	0	0	0	0
Sub-total Third Party Schemes	82,800	978,900	98,293	880,607	113,000	53,600	978,900	53,600
GF Total	3,676,800	39,551,300	3,069,091	36,466,146	2,727,000	2,448,800	3,772,400	1,142,800
HRA Total	7,381,500	9,619,900	509,768	9,110,132	7,723,800	7,723,800	0	0
Grand Total	11,058,300	49,171,200	3,578,859	45,576,278	10,450,800	10,172,600	3,772,400	1,142,800
Environmental and Corporate Services								
<i>Live Schemes</i>								
MB Z739 Green Spaces Programme	0	0	205	(205)	0	0	0	0
MB Z784 Loughborough Cemetery - New Burial Provision	0	1,170,200	31,367	1,138,833	0	0	0	0
MB Z753 The Outwoods Country Park - Septic tank system replacement	0	0	233	(233)	0	0	0	0
MB Z754 The Outwoods Country Park - Visitor Centre and Café	0	64,200	74,285	(10,085)	0	0	0	0
MB Z790 Environmental Services - Fleet Purchase	0	0	(15,744)	15,744	0	0	0	0
MB Z831 Loughborough Playground Improvement Plan	50,000	50,000	0	50,000	50,000	50,000	0	0
MB Z828 Queens Park - Improvements to Childrens Play Provision & Adult Recreation Provision	100,000	100,000	0	100,000	105,000	105,000	0	0
MB Z802 Allotment Improvements	0	10,000	0	10,000	0	0	0	0
MB Z803 Loughborough in Bloom - Biodiversity Improvements	0	0	0	0	0	0	0	0
MB Z804 Charmwood Water - Access Improvements	0	0	0	0	0	0	0	0
MB Z824 Shephed POS Enhancement	100,000	104,100	0	104,100	0	0	54,100	0
MB Moat Road - Multi Use Games Area & Play Improvements	40,000	0	0	0	0	0	0	0
MB Z805 Queens Park Aviary Improvements	0	20,000	0	20,000	0	0	0	0
MB Z806 Playing Pitch Strategy Action Plan	100,000	51,900	(5,866)	57,766	140,000	40,000	0	0
MB Z484 Closed Churchyard Wall	25,000	25,000	0	25,000	0	25,000	0	0
MB Z829 Lodge Farm - Multi Use Games Area	80,000	0	0	0	0	0	0	0
MB Lodge Farm Public Open Space Enhancements	0	0	0	0	0	31,200	0	31,200
MB Z807 Parish Green Masterplan	70,000	0	0	0	0	0	0	0

CAPITAL PLAN 2021/22

Appendix 2

Scheme Details	2021/22				2022/23		External Funding	
	Original Plan £	Current Budget £	Actual Spend 31/7/21 £	Balance £	Original Plan £	Current Budget £	2021/22 £	2022/23 £
MB Z808 Park Road Access Resurfacing	0	0	663	(663)	0	0	0	0
MB Z809 Delivery of Open Space Strategy	20,000	0	0	0	20,000	0	0	0
MB Z791 Shelthorpe Golf Course - Fencing	0	77,100	0	77,100	0	0	77,100	0
MB Z792 Community Tree Planting Programme	25,000	30,000	0	30,000	0	0	0	0
AK Z085 Replacement Hardware Programme - Block Sum	45,000	39,600	16,877	22,723	45,000	45,000	0	0
AK Z354 Infrastructure Development - Block Sum	30,000	36,000	(2,178)	38,178	30,000	30,000	0	0
Hybrid Council Meeting - Camera and audio equipment - Virtual								
AK Z822 Meetings	0	10,000	0	10,000	0	0	0	0
KB Z423 Call Secure System - PCI Compliance	0	4,900	(4,475)	9,375	0	0	0	0
KB Z812 Server Redesign	0	70,000	0	70,000	0	0	0	0
KB Z813 Cloud Implementation	0	177,900	10,741	167,159	0	0	0	0
KB Z814 Meeting Rooms - presentation screens	0	10,000	2,454	7,546	0	0	0	0
KB Z816 Northgate - Single Use System	0	100,300	37,260	63,040	0	0	0	0
AW Z811 Legal Case Management System	0	0	0	0	0	0	0	0
LT Z810 Unit4 Agresso Upgrade	35,000	32,800	0	32,800	0	0	0	0
AK Z793 ITrent Upgrade & New Flexi Time System	0	8,700	15,788	(7,088)	0	0	0	0
HG Z823 Performance Management System	0	21,100	5,736	15,364	0	0	0	0
Sub-total Live Schemes	720,000	2,213,800	167,346	2,046,454	390,000	326,200	131,200	31,200
Committed Schemes								
SJ Z818 Enterprise Zone	0	15,000,000	2,000,000	13,000,000	0	0	0	0
Sub-total Committed Schemes	0	15,000,000	2,000,000	13,000,000	0	0	0	0
Third Party Schemes								
JT Z697 Bell Foundry Pocket Park - Phase 1 & 2	0	30,300	555	29,745	0	0	30,300	0
JT Z494 Public Art Provision - Loughborough & Shepshed	0	0	0	0	0	0	0	0
MB Allendale Road - Public Open Space Improvements	82,800	0	0	0	0	0	0	0
MB Farnham Road Public Open Space Improvements	0	0	0	0	113,000	0	0	0
MB Z699 Shelthorpe Public Open Space Enhancements	0	113,200	0	113,200	0	0	113,200	0
MB Z830 Holt Drive PA Enhancements	0	11,000	0	11,000	0	0	11,000	0
MB Radmoor Road Public Open Space Enhancements	0	0	0	0	0	53,600	0	53,600
MB Shepshed Public Open Space Enhancements	0	0	0	0	0	0	0	0
MB Z778 Syston Community Garden	0	22,300	0	22,300	0	0	22,300	0
Wymeswold Parish Council - tarmac court with multi-use goal ends at the Washdyke	0	22,800	22,809	(9)	0	0	22,800	0
Sub-total Third Party Schemes	82,800	199,600	23,364	176,236	113,000	53,600	199,600	53,600
Environmental and Corporate Services - Total	802,800	17,413,400	2,190,710	15,222,690	503,000	379,800	330,800	84,800
Commercial Development, Asset and Leisure								
Live Schemes								
SW Z801 Lighting strategy to support the Masterplan lane strategy - feasibility study	0	10,000	0	10,000	0	0	0	0
NB Z748 Loughborough Festive Lights and Street Dressing	0	4,800	0	4,800	0	0	0	0
SW Z757 Town Hall Roof Upgrade	0	17,300	55	17,245	0	0	0	0
Loughborough Town Hall - Lower Level Elevation Repairs & Feasibility Study								
SW Z797	0	7,900	5,905	1,995	0	0	0	0
SW Z798 Town Hall - Victorial Room - Air Handling	0	50,000	0	50,000	0	0	0	0
SW Z799 Town Hall - additional seating	150,000	0	0	0	0	225,000	0	0
IB Z310 Planned Building Improvements	500,000	128,000	4,123	123,877	500,000	100,000	0	0
IB Z821 Granby Street Culvert Repairs	0	75,000	0	75,000	0	0	0	0

CAPITAL PLAN 2021/22

Appendix 2

Scheme Details	2021/22				2022/23		External Funding	
	Original Plan £	Current Budget £	Actual Spend 31/7/21 £	Balance £	Original Plan £	Current Budget £	2021/22 £	2022/23 £
JR Z825 Loughborough Police Station Centre - Front Enquiry Desk	0	236,700	16,298	220,402	0	0	236,700	0
JR Z827 Leicestershire Police - Drone Equipment and Forensic Hub Upgrade	0	58,600	58,631	(31)	0	0	58,600	0
Sub-total Third Party Schemes	0	779,300	74,929	704,371	0	0	779,300	0
Community, Planning and Housing - General Fund - Total	2,224,000	6,649,500	871,465	5,761,972	1,724,000	1,744,000	3,709,400	1,058,000
Community, Planning and Housing - HRA								
Live Schemes								
PO Z761 Major Adaptations	450,000	580,000	(58,592)	638,592	450,000	450,000	0	0
PO Z301 Minor Adaptations	50,000	50,000	1,641	48,359	50,000	50,000	0	0
PO Z302 Stairlifts	80,000	80,000	31,289	48,711	80,000	80,000	0	0
PO Z762 Major Voids	280,000	280,000	0	280,000	280,000	280,000	0	0
Compliance								
PO Z434 Asbestos Removal	150,000	150,000	127,730	22,270	150,000	150,000	0	0
PO Z771 Communal Area Improvements	200,000	200,000	19,403	180,597	200,000	200,000	0	0
PO Z742 Communal Area Electrical Upgrades	200,000	200,000	0	200,000	200,000	200,000	0	0
PO Z772 Smoke/CO & Heat Detection	30,000	30,000	10,762	19,238	30,000	30,000	0	0
PO Z773 Fire Safety Works	100,000	100,000	72,020	27,980	100,000	100,000	0	0
PO Z401 Fire Safety	0	0	100	(100)	0	0	0	0
PO Z374 CO Monitors	0	0	0	0	0	0	0	0
Stock Maximisation								
PO Z375 Garages	25,000	25,000	0	25,000	25,000	25,000	0	0
Decent Homes								
PO Z763 Kitchens	580,500	805,500	(24,153)	829,653	588,500	588,500	0	0
PO Z764 Bathrooms	787,800	787,800	50,310	737,490	1,186,600	1,186,600	0	0
PO Z765 Electrical Upgrades	290,000	290,000	67	289,933	290,000	290,000	0	0
PO Z766 Window Replacement	195,000	195,000	0	195,000	40,000	40,000	0	0
PO Z767 Heating	331,200	331,200	1,699	329,501	411,700	411,700	0	0
PO Z743 Sheltered Housing Improvements	200,000	200,000	0	200,000	200,000	200,000	0	0
PO Z768 Door Replacement	300,000	360,000	(106,565)	466,565	300,000	300,000	0	0
PO Z769 Roofing Works & Insulation	650,000	710,000	(166,919)	876,919	650,000	650,000	0	0
PO Z770 Major Structural Works	250,000	250,000	(12,361)	262,361	250,000	250,000	0	0
PO Z369 Major Structural Works	0	0	5,836	(5,836)	0	0	0	0
General Capital Works								
PO Z776 Estate and External Works	205,000	205,000	(151,423)	356,423	205,000	205,000	0	0
PO Z857 Housing Capital Technical Costs	312,000	312,000	0	312,000	312,000	312,000	0	0
PO Z378 Door Entry Systems	200,000	200,000	4,531	195,469	200,000	200,000	0	0
AS Z760 Acquisition of Affordable Housing to meet housing need	1,500,000	3,263,400	704,393	2,559,007	1,500,000	1,500,000	0	0
AS Z788 Barkby Road, Queniborough - acquisition of 27 dwellings	0	0	0	0	0	0	0	0
PO Z775 Mobility Scooter Storage	15,000	15,000	0	15,000	15,000	15,000	0	0
PO Z470 Job Management System	0	0	0	0	0	0	0	0
Sub-total Live Schemes	7,381,500	9,619,900	509,768	9,110,132	7,723,800	7,723,800	0	0
Community, Planning and Housing - HRA - Total	7,381,500	9,619,900	509,768	9,110,132	7,723,800	7,723,800	0	0

**INFORMAL CABINET
16TH SEPTEMBER 2021**

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

Councillor Seaton

Chief Executive
Strategic Director; Environmental and Corporate
Services
Head of Strategic Support
Strategic Director; Commercial Development,
Assets and Leisure
Head of Landlord Services
Head of Regulatory Services
Head of Planning and Regeneration
Head of Leisure and Culture
Head of Financial Services
Head of Customer Experience
Group Leader Plans, Policies and Place Making
Democratic Services Officer (EB)
Democratic Services Officer (LS)

APOLOGIES: Councillor Rollings

The Leader stated that this **informal** 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.

20. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

Councillors Bokor, Morgan and Rattray declared interests in respect of item 10 on the agenda (Loughborough BID Ballot) as Directors of Loughborough BID. They would leave the meeting during consideration of the item.

21. LEADER'S ANNOUNCEMENTS

No announcements were made.

22. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 1st July 2021 would be submitted to the next formal meeting of the Cabinet for confirmation as a correct record.

23. QUESTIONS UNDER CABINET PROCEDURE 10.7

Mr M. Hunt – Study of Houses in Multiple Occupation

- “1. In December the Council published A study of Housing in Multiple Occupation (HMO) in Charnwood by Professor Darren Smith and Dr Andreas Culora of Loughborough University costing over £20,000 over three years, so why was this charged to the Loughborough Special Expenses when it clearly relates to the Borough as a whole and contributes to the Evidence Base of the Draft Borough Local Plan and the Borough Housing Needs Assessment?
2. Given that the first aim of the Study was “the creation of a comprehensive database identifying HMO in the Borough which can be updated as new information becomes available”, which are the contributing data sources to that database?
3. As the Study states “the database (HiMOG) provides an opportunity and baseline to annually update of the identification of HMOs and to identify the total number of bed spaces within each dwelling (i.e. total occupancy counts for each dwelling)”, is it in active use and if so why has the database never been updated?
4. Would the Council include this contract in a forthcoming internal audit?”

The following response had been published prior to the meeting:

1. *The study was commissioned in response to a recommendation from the Council’s Budget Scrutiny Panel following calls from Loughborough ward councillors to have a better understanding of HMO saturation in Loughborough in light of emerging research from Loughborough University into HMO geographies. As part of the budget setting process for the 2015/16 financial year, funding for the costs of the study was agreed by the Cabinet and Council (minute references Cabinet 84.4 2014/15 and Council 78.1.15 2014/15) in the form of a contribution towards the cost of a PhD thesis.*

While the study considered the impacts of HMOs across the whole Borough, the HiMOG database is only used in relation to planning decisions in Loughborough where an Article 4 Direction is in place. Similarly, Policy H7 in the Pre-submission Draft Local Plan only applies the threshold approach that makes use of the database to Loughborough.

The budget reports, including the allocation of this expenditure to the Loughborough Special Expenses, were prepared by the Council’s Head of Finance and Property Services and agreed by the Council’s Section 151 Officer who is responsible for the proper financial management of the Council.

2. *The HiMOG database was created in 2018 from the following datasets:*

- *HMO Licences*

- *Planning Register*
- *Student registration data*
- *Electoral Register*
- *Council Tax exemptions*
- *Information provided by local residents.*

3. *The HIMOG database is in active use and is updated.*

4. *Following the end of the project, and the handing over of the HIMOG database to the Council in 2018, there has been no contractual arrangement between the Council and Professor Smith.*

24. TENANCY POLICY 2021-2025

Considered, a report of the Head of Landlord Services setting out an updated Tenancy Policy for the period 2021-2025 (item 6 on the agenda filed with these minutes).

At the request of T. Edwardes, Chair of the Housing Management Advisory Board, the Head of Landlord Services presented verbally the views of the Board, as follows:

“The Housing Management Advisory Board considered the Tenancy Policy at its meeting on 12th May 2021. The Board heard that the policy promoted the targeted use of fixed-term tenancies to prevent anti-social behaviour, whereby prospective tenants with a history of serious ASB would be offered a fixed-term tenancy of 2 years commencing after the 12-month introductory tenancy period. If there was serious ASB then the Council could decide not to issue a new tenancy at the end of the 2-year fixed term.

The Board also heard that fixed term tenancies would be used to support the best use of housing stock, with high demand four bedroom and above and wheelchair accessible properties being offered on a 10-year fixed term tenancy in addition to the introductory tenancy period.

The Board was provided with assurances that throughout the period of fixed term tenancy, advice and support would be offered to tenants on the conduct of the tenancy and re-housing options as appropriate, that household vulnerability would be considered when making a decision not to renew a tenancy at the same address, and that each case would be considered on its own merits.

The Board was generally supportive of the policy, which was noted”.

The Head of Landlord Services assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the Tenancy Policy 2021-2025, attached at Appendix 1 to the report of the Head of Landlord Services, be approved;
2. that delegated authority be given to the Head of Landlord Services, in consultation with the Cabinet Lead Member for Public Housing and the Head of

Strategic and Private Sector Housing, to make minor amendments to the Tenancy Policy 2021-2025;

3. that the views of the Housing Management Advisory Board be noted.

Reasons

1. To update the Council's policy on its approach to (amongst other things) the type of tenancies it will grant, where tenancies are granted for a fixed term, the length of those terms, and the circumstances in which it will grant tenancies of a particular type.
2. To enable minor changes to the policy to be made to support the effective management of tenancies in a way that is consistent with the Council's Scheme of Delegation.
3. To acknowledge the work undertaken by and the views of the Housing Management Advisory Board.

25. DRAFT NEW TENANCY AGREEMENT FOR COUNCIL HOMES

Considered, a report of the Head of Landlord Services setting out a draft updated Tenancy Agreement for introductory and secure tenants prior to notification of variation to the existing tenancy agreement being issued to the Council's tenants as part of a legally required consultation process (item 7 on the agenda filed with these minutes).

At the request of T. Edwardes, Chair of the Housing Management Advisory Board, the Head of Landlord Services presented verbally the views of the Board, as follows:

"The Board heard that it was good practice for landlords to update their tenancy agreement on a periodic basis to reflect current legislation, and to support a robust approach to tenancy management. This was a key document that defined the relationship between the Council and its tenants, and after full consideration the Board recommended a number of amendments, which the Chair of the Board was pleased to say had been incorporated into the final draft.

The Board was supportive of the draft new tenancy agreement, both noting and commending it to Cabinet."

The Board was thanked for its work in considering this and the previous item.

The Head of Landlord Services assisted with consideration of the report. In response to a question, he confirmed a typo on agenda page 44, first sentence of paragraph entitled *Crime and Disorder* should read "The draft new Tenancy Agreement contains terms which will enhance the Council's ability to take enforcement action to tackle anti-social behaviour (ASB), hate incidents, and domestic abuse".

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the draft Tenancy Agreement, attached at Appendix 1 to the report of the Head of Landlord Services, be approved for consultation in accordance with Section 103 of the Housing Act 1985;
2. that following consultation, the draft Tenancy Agreement be updated with regard to the tenant response;
3. that subject to there being no significant amendments to the draft Tenancy Agreement, the Head of Landlord Services be given delegated authority, in consultation with the Cabinet Lead Member for Public Housing, to implement the updated Tenancy Agreement;
4. that the views of the Housing Management Advisory Board be noted.

Reasons

1. To obtain Cabinet approval of the content of the draft Tenancy Agreement before a legally required consultation process commences.
2. To have regard to feedback received from tenants.
3. To implement, efficiently, an updated Tenancy Agreement which clearly sets out the rights and responsibilities of the Council as a landlord, and those of its tenants.
4. To acknowledge the work undertaken by and the views of the Housing Management Advisory Board.

26. CORPORATE ANTI-SOCIAL BEHAVIOUR AND HATE INCIDENT POLICY 2021-2025

Considered, a report of the Head of Landlord Services, the Head of Neighbourhood Services and the Head of Regulatory Services setting out a new Corporate Anti-Social Behaviour and Hate Incident Policy for the period 2021-2025 (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 Head of Landlord Services and the Head of Regulatory Services assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the Corporate Anti-Social Behaviour and Hate Incident Policy 2021-2025, attached at Appendix 1 to the report of the Head of Landlord Services, the Head of Neighbourhood Services and the Head of Regulatory Services, be approved;

2. that delegated authority be given to the Head of Landlord Services, in consultation with the Head of Neighbourhood Services, the Head of Regulatory Services and the relevant Cabinet Lead Members, to make minor amendments to the Corporate Anti-Social Behaviour and Hate Incident Policy 2021-2025;
3. that the report of the Scrutiny Commission be noted.

Reasons

1. To set out a corporate policy on the Council's approach to managing anti-social behaviour (ASB) and hate incidents.
2. To enable minor changes to be made to support the effective management of ASB.
3. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

27. CARBON NEUTRAL PLAN

Considered, a report of the Head of Planning and Regeneration setting out the Charnwood 2030 Carbon Neutral Plan and a short-term action plan (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 Regeneration and the Group Leader Plans Policies and Place Making assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the Charnwood Carbon Neutral Plan, contained in Appendix A to the report of the Head of Planning and Regeneration, be approved;
2. that the short-term action plan for the next three years, set out in Part B of the report of the Head of Planning and Regeneration, be approved;
3. that the Head of Planning and Regeneration, in consultation with the Cabinet Lead Member for Transformation, be given delegated authority to review and update the Carbon Neutral Plan through the Carbon Neutral Project Board.
4. that the report of the Scrutiny Commission be noted.

Reasons

1. To set out the overall direction and plan of the Council in relation to its climate change commitment to be carbon neutral by 2030.

2. To enable projects for reducing the Council's carbon footprint to be progressed.
3. To enable the plan to be kept up to date and amendments to be made as necessary to reflect changing circumstances, opportunities, and Council priorities.
4. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

Having declared interests, Councillors Bokor, Morgan and Rattray left the meeting prior to the consideration of the following item.

28. LOUGHBOROUGH BID BALLOT

This item was chaired by Councillor Barkley.

Considered, a report of the Head of Leisure and Culture setting out the Loughborough Business Improvement District (BID) Renewal Proposal (item 10 on the agenda filed with these minutes).

The Head of Leisure and Culture assisted with consideration of the report.

RESOLVED that the following **be recommended to the Deputy Leader** for his decision:

1. that the BID Renewal Proposal be endorsed;
2. that the supporting information to support the BID Renewal Proposal including the BID Business plan be noted.

Reasons

1. To ensure the Cabinet is aware of the proposal and has no objection to it.
2. To enable the ballot to proceed within legal requirements.

Councillors Bokor, Morgan and Rattray returned to the meeting.

29. CAPITAL PLAN AMENDMENT REPORT

Considered, a report of the Head of Financial Services setting out proposed changes to the 2021-2023 Capital Plan and its financing (item 11 on the agenda filed with these minutes).

The Head of Financial Services assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the current Capital Plan for 2021/22 - 2022/23, as amended by the changes shown in Appendix 1 to the report of the Head of Financial Services, in the budgeted sum of £59,343,800 be approved;
2. that the Disabled Facilities Grants (DFG) scheme be increased by £68.6k, in line with the Disabled Facilities Grants received from the Ministry of Housing, Communities and Local Government, the total DGF Capital budget being £2,116,900 in 2021/22;
3. that the Outwoods Country Park – Visitor Centre and Cafe scheme be reduced by £50k, the reason being the external funding will not be received towards this scheme;
4. that a virement be made of £3k from the Replacement Hardware Programme Capital Budget to Planned Buildings Improvements for the purchase of docking stations;
5. that additional decisions, taken by Officers, in relation to new S106 schemes added to the Capital Programme also included in Appendix 1 to the report be noted;
6. that amendments to the Capital Programme since 10th December 2020 Minute 64 be noted.

Reasons

1. To enable the current Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.
2. To confirm that the Disabled Facilities Grants scheme be increased which is funded by an external grant.
3. To confirm that the Outwoods Country Park – Visitor Centre and Café scheme be decreased by the external funded amount.
4. To enable the capital scheme budget to be available in 2021/22.
5. To note the new Capital Schemes as part of S106 Agreements implemented by Officers for Third Parties.
6. To note amendments to the Capital Programme since Cabinet 10th December 2020 minute 64.

30. ROTHLEY CENTRE S106 REFURBISHMENT

Considered, a report of the Strategic Director; Commercial Development, Assets and Leisure setting out a project to deliver refurbishment of Rothley Centre, a community asset within Rothley Parish, using a Section 106 contribution received from a developer and specifically allocated to this area (item 12 on the agenda filed with these minutes).

The Strategic Director; Commercial Development, Assets and Leisure assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the spend of the S106 fund included in the 2021-22 Capital Plan to the Rothley Centre Project amounting to £367,600.00 be approved;
2. that the inclusion of the Rothley Centre Project into the Charnwood Borough Council Annual Procurement Plan 2021-22 be approved;
3. that authority is delegated to the Strategic Asset Manager, in consultation with the Strategic Director; Commercial Development, Assets and Leisure and the Section 151 Officer, to carry out the procurement and management of works.

Reasons

1. To ensure the timely spend of a S106 contribution intended to benefit the residents and users of the facility.
2. To ensure the scope of works procured meets the requirements of tenant (Rothley Parish Council) and delivers a sustainable community asset for the long-term benefit of the residents and visitors to the area.
3. To ensure the project is delivered in a timely and efficient manner.

31. FEASIBILITY WORK FOR NEW COUNCIL OFFICES

Considered, a report of the Strategic Director; Commercial Development, Assets and Leisure setting out a proposal to begin the exploratory works required to construct a new Council office (item 13 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 this matter and items earlier in the meeting.

The Strategic Director; Commercial Development, Assets and Leisure assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the recommendation of Southfield Extension Car Park as a potential site for new Council offices be accepted and that approval be granted to undertake exploratory works to determine construction feasibility with a budget of up to £150,000 funded from Capital Plan Reserve;

2. that authority for the same be delegated to the Strategic Director; Commercial Development, Assets and Leisure, in consultation with the Statutory Officers, the Leader and the Deputy Leader, to undertake the works.
3. that the report of the Scrutiny Commission be noted.

Reasons

1. To understand the site's suitability for building and to determine if there are any specific conditions that should either be factored into design or scope of works.
2. To allow for the timely completion of the works such that the next phases of the project can be planned and submitted for scrutiny and approval.
3. To acknowledge the work undertaken by and the views of the Scrutiny Commission.

32. AMENDMENTS TO ANNUAL PROCUREMENT PLAN

Considered, a report of the Strategic Director; Commercial Development, Assets and Leisure setting out proposed amendments to the Annual Procurement Plan 2021/22 (item 14 on the agenda filed with these minutes).

The Strategic Director; Commercial Development, Assets and Leisure assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

1. that the contracts, over £25,000 and up to £75,000 as listed in Appendix A to the report, be let in accordance with Contract Procedure Rules;
2. that the contracts, over £75,001 and up to £500,000 as listed in Appendix B to the report, be let in accordance with Contract Procedure Rules.

Reason

- 1.& 2. To allow contracts of the Council to be let in accordance with Contract Procedure Rules.

33. CUSTOMER SERVICES STRATEGY 2022-25

Considered, a report of the Head of Customer Experience setting out an updated Customer Service Strategy for the period 2022-2025, for recommendation to Council (item 15 on the agenda filed with these minutes).

The Head of Customer Experience assisted with consideration of the report.

RESOLVED that the following **be recommended to the Leader** for his decision:

that it **be recommended to Council** that the Customer Services Strategy 2022-2025, as set out in the Appendix to the report of the Head of Customer Experience, be approved.

Reason

To identify the priorities against which the Council will seek to maintain and enhance its Customer Service capabilities over the period 2022-2025.

NOTE:

This meeting was informal for the purpose of recommending decisions to the Leader or Deputy Leader.

A Leader's Decision dated 30th July 2021 delegated all Executive functions and decision making to the Leader for a period of three months in accordance with Section 9E of the Local Government Act 2000.

A Leader's Decision dated 16th September 2021 delegated all Executive functions and decision making to the Deputy Leader until 30th September 2021 in accordance with Section 9E of the Local Government Act 2000 in circumstances where the Leader in considering a matter may under the provisions of the Code of Conduct have a 'personal interest which might lead to bias', in the Leader's absence or other situations where the Leader is unable to make a decision.