

CABINET

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 1st October, 2018 at 11.00 am

Present: Councillor Jason Zadrozny in the Chair;

Councillors Christian Chapman, Tom Hollis,
Helen-Ann Smith and John Wilmott.

Apologies for Absence: Councillors Robert Sears-Piccavey.

Officers Present: Craig Bonar, Lynn Cain, Carol Cooper-Smith,
Ruth Dennis, Katherine Green, Peter Hudson,
Robert Mitchell and Paul Parkinson.

In Attendance: County Councillor David Martin and Councillor
Cheryl Butler.

CA.35 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

No declarations of interest were made.

CA.36 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 10th September, 2018 be received and approved as a correct record.

CA.37 Play Strategy for the Rural Area/Green Space Projects

Cabinet considered an overview of the Council's proposed green space and play area investment in the Rural areas and its submission through the Council's Capital Gateway Process.

County Councillor David Martin was in attendance and spoke briefly about his concern that the rural areas had been neglected over previous years regarding adequate play area investment, notwithstanding the fact that the residents in the rural areas were subject to an additional Council Tax precept through the Parish Council. He welcomed the proposals and advised that he had managed to facilitate a further injection of LIS funding for the Friezeland Recreation Ground gym equipment scheme.

Members considered the alternative option of declining to secure the funding

and deliver the projects as identified.

RESOLVED that

- a) the proposed Play Area Schemes for the Rurals, as included in the report, to be considered and evaluated via the Council's Capital Gateway Process, be noted;
- b) it be noted that subject to evaluation via the Process criteria, there is currently an estimated net funding shortfall of £117,375 for the proposed schemes which would, in the absence of alternative funding being identified, need to be funded from Prudential Borrowing;
- c) the grant offers from Nottinghamshire County Council's Local Improvement Scheme for a total of £78,000 for schemes at Roundhills Recreation Ground, Sutton Lawn and Kingsway Park, Kirkby, as secured by local groups and supported by Councillor Rachel Madden and County Councillor Samantha Deakin, be accepted and approved;
- d) the additional injection of Local Improvement Scheme funding for the scheme at Friezeland Recreation Ground, as secured by County Councillor David Martin, be welcomed and noted.

Reason:

The report provides an update to Cabinet on Key Projects within the Council's Corporate Plan and brings together a long term programme of investment for our communities to enjoy the District's Parks and Open Spaces. The importance of the investment is demonstrated by Cabinet's commitment to mainstream funding through the Capital Programme as part of a four-year investment plan.

Successful grant allocation from Nottinghamshire County Council's Local Improvement Scheme will allow for the schemes at Roundhills Recreation Ground, Sutton Lawn and Kingsway Park, Kirkby to be progressed.

(During consideration of this item, Councillor Tom Hollis entered the meeting at 11.07 a.m.)

CA.38 Local Government Reorganisation

Cabinet were advised of the background, implications and response to date from the Council to Nottinghamshire County Council's motion to develop a formal case for Local Government Reorganisation, specifically a Unitary Council.

Members considered the alternative options of supporting the County Council's Local Government Reorganisation proposals or awaiting the outcome of the Business Case being prepared by the County Council before formally indicating the Council's position.

RESOLVED

that Council be recommended to formally support the Cabinet's position in opposing Nottinghamshire County Council's proposals for a Local Government

Reorganisation including a Unitary Council for Nottinghamshire.

Reason:

To reinforce the Council's opposition to Nottinghamshire County Council's proposal for Local Government Reorganisation including a Unitary Council for Nottinghamshire.

CA.39 Ashfield Local Development Scheme 2018

Cabinet was requested to approve the Ashfield Local Development Scheme 2018 which set out the Council's programme for the production of the new Ashfield Local Plan.

Cabinet Members acknowledged that with regard to the Section 106 and Community Infrastructure Levy, the Council were intent on ensuring that the new Local Plan would optimise the use of either the Levy or Section 106 requirements as part of the planning application process for the benefit of the Ashfield area and its residents wherever possible.

Due to the fact that legislation required the Council (as the local planning authority) to revise their Local Development Scheme (at such time as they consider appropriate) without any undue delay, Members had no alternative options to consider.

RESOLVED

that the Ashfield Local Development Scheme, as appended to the report, be approved and brought into effect from 1st October, 2018.

Reason:

To adhere to the legal requirement to maintain an up to date Local Development Scheme under the Planning and Compulsory Purchase Act 2004.

CA.40 Proposed Conservation Area for Hucknall - Public Consultation

Approval was sought from Cabinet to carry out a 6-week public consultation exercise on a proposed conservation area for Hucknall town centre.

Members considered the alternative option of declining to carry out public consultation and/or not proceeding with the adoption of a new conservation area for Hucknall town centre. This would mean the public would have no say in whether a conservation area should be designated and would result in no additional protection for the built heritage of Hucknall.

RESOLVED

approval be given to carry out a 6-week public consultation exercise on a proposed conservation area for Hucknall town centre.

Reasons:

Ashfield District Council has a legal duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review conservation

within the District from time to time. Public consultation demonstrates that the Council undertakes this duty and allows the public to engage and comment on Council proposals to designate a new conservation area.

Hucknall's town centre has a good blend of built environment, retail, heritage and the feel of a market town. The new investment and development work carried out by both Ashfield District Council and Nottinghamshire County Council in Hucknall town centre, provides an opportunity for the Council to consult on a conservation area in order to promote the unique features of the town centre and its immediate environs.

CA.41 34 Chatsworth Street, Sutton in Ashfield - Transfer from the General Fund to the HRA

Cabinet's authority was sought to appropriate 34 Chatsworth Street, Sutton in Ashfield from being an asset held within the General Fund into the Housing Revenue Account (HRA) and to enable it to be added to the Council's social housing stock.

Following introduction of the agenda item, Councillor Tom Hollis declared a Non Pecuniary/Other Interest in the matter due to his ownership of a property on Chatsworth Street. However, his interest was such that he stayed in the room and took part in the discussion and voting thereon.

Members considered the alternative option of declining to appropriate the property into the HRA and sell the property instead which would provide a capital receipt but would not increase social housing within the area.

RESOLVED

that the appropriation of the Council's asset, 34 Chatsworth Street, Sutton in Ashfield from the General Fund into the Housing Revenue Account and its addition back into the Council's social housing stock, be approved.

Reason:

To enable 34 Chatsworth Street, Sutton in Ashfield to be used for social housing.

CA.42 Section 100A Local Government Act 1972: Exclusion of the Press and Public

RESOLVED

that in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12(A) of the Act and in respect of which the Proper Officer considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(During exclusion of the press and public, Councillor Helen-Ann Smith left the room at 11.40 a.m. and returned to the meeting at 11.41 a.m.)

CA.43 Commercial Property Disposal or Lease Renewal (Exempt by virtue of paragraphs 3 and 5)

Cabinet were requested to consider two options for either disposing of or renewing a lease for a commercial property owned by the Authority.

Members considered the alternative option of declining to implement either option and therefore risking income insecurity beyond August 2021.

RESOLVED that

- a) delegated authority be granted to the Chief Executive, in consultation with the Leader of the Council, to carry out the functions of the Executive in relation to the Code of Procedures Relating to the Disposal of Land and Buildings for the purpose of the potential disposal of the property as outlined in the report;
- b) to approve the sale and lease options set out in the Heads of Terms;
- c) delegated authority be also granted to the Estates Manager and the Service Manager for Commercial Development, to continue negotiations and finalise the transaction as appropriate;
- d) if the property is sold, to approve the return of the capital sum previously invested to the commercial property investment fund for reinvestment and invest the surplus capital in another of the Council's corporate priorities;
- e) the Director of Legal and Governance be authorised to complete the legal transactions as necessary.

Reason:

To alleviate any possible pressure on the Medium Term Financial Strategy (MTFS) in current challenging financial circumstances.

(During consideration of this item, Councillor Helen-Ann Smith left the room at 11.44 a.m. and returned to the meeting at 11.45 a.m.)

CA.44 Partnership Agreement - Chesterfield Borough Council (Exempt by virtue of Paragraph 3)

Cabinet were asked to provide the necessary delegated authority to move the call handing element of Ashfield's First for Support service to Chesterfield Borough Council.

Members considered the following alternative options:-

1. Continuing to maintain the service within Ashfield;
2. Undertaking a full tendering process for future service provision;
3. Ceasing the service and signposting customers to alternative providers.

RESOLVED

that delegated authority be granted to the Director of Housing and Assets in conjunction with the Council's HR Team and Legal Services, to work with Chesterfield Borough Council to establish a partnership agreement whereby Housing's First for Support call monitoring functions are handled by their Careline Service.

Reason:

To ensure a sustainable and high quality service is provided to Ashfield's First for Support customers via a seamless and timely redirection of call traffic by means of an agreement.

(During consideration of this item, Councillor Helen-Ann Smith left the room at 11.46 a.m. and returned to the meeting at 11.47 a.m.)

The meeting closed at 11.52 am

Chairman.