

## CABINET

### Virtual Meeting held on Tuesday, 15th September, 2020 at 6.00 pm

**Present:** Councillor Jason Zadrozny in the Chair;

Councillors Samantha Deakin, Tom Hollis,  
Rachel Madden, David Martin, Matthew Relf, Helen-  
Ann Smith, Daniel Williamson and John Wilmott.

**Apologies for Absence:** Councillor Kier Barsby.  
Pete Hudson.

**Officers Present:** Craig Bonar, Bev Bull, Lynn Cain, Carol Cooper-Smith,  
Ruth Dennis, Katherine Green, Theresa Hodgkinson,  
Mike Joy and Paul Parkinson.

**In Attendance:** Councillors Jim Blagden and David Hennigan.

#### **CA.21 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

No declarations of interest were made.

#### **CA.22 Minutes**

RESOLVED

that the minutes of the meeting of the Cabinet held on 21 July 2020 be  
received and approved as a correct record.

#### **CA.23 COVID-19 Response and Recovery Scrutiny Panel - Verbal Update**

The Chairman and Vice Chairman of the COVID-19 Response and Recovery  
Panel gave an update to Cabinet regarding the work undertaken at the first  
two meetings of the Panel.

##### Key Worker Memorial

The Panel were very keen to see the installation of a suitable memorial to  
commemorate the bravery and excellent work carried out by all key workers  
and volunteers during the Covid-19 outbreak. It was unlikely that S106  
funding would be available to purchase and install the memorial but officers  
were still considering the possibility of funding through public realm  
contributions.

### Panel Meeting – 30 July 2020

This was an introductory meeting setting out the terms of reference for the Panel and an overview of what the Council had done so far. Members of the Panel also agreed that they would set a Workplan, outlining specific areas of interest for the year.

Ruth Dennis, Director of Legal and Governance and the Council's Strategic Lead for its COVID-19 response was in attendance and talked through the work undertaken by the Council thus far in response to the outbreak.

Congratulations were placed on record for the amazing work undertaken by employees during the lockdown period, including the facilitation of over £18 million pounds of grant monies to assist local businesses. The Panel also acknowledged the resilience and care that had been shown by Ashfield's residents and all the NHS heroes that had gone above and beyond to keep the public safe.

To conclude, Members agreed to consider in more detail the suggestions for a memorial to commemorate and honour the unstinting commitment and bravery shown by all key workers and volunteers during the pandemic. This was an area that the Panel were extremely keen to progress.

### Panel Meeting – 3 September 2020

At the second meeting, all of the Council's Corporate Leadership Team were in attendance to provide both an overview of the work undertaken in their respective Directorates and allow Members to put forward any questions. The meeting was opened up to questions from the public, of which approximately 10 were received, all of which were answered at the meeting.

Areas for concern were raised by Panel Members to be considered in further detail and explored with officers. These were:

- what further support could be offered to small businesses;
- what support could be offered to charitable organisations and Churches;
- homelessness and rent arrears and the real possibility of it escalating;
- potential impact of a second wave.

### Letter of Thanks

The Panel requested that a formal letter of thanks to be sent to all foodbanks and community groups.

### Next Panel Meeting

At the next meeting of the Panel, it was agreed to invite representatives from businesses across the District to attend the virtual meeting and put forward their views and comments on the Council's response and recovery plans.

### Local Government Reorganisation

Panel Members were intending to consider local government reorganisation at its next meeting, in line with the Panel's terms of reference.

A meeting was also due to be held the next day at Nottinghamshire County Council to agree to request the Secretary of State to invite the Council to apply for unitary status. It was also intended to submit a motion to the next Council meeting at Ashfield on 1 October 2020 to state the Council's opposition to this request for unitary status.

#### **CA.24 Modern Day Slavery - Annual Update**

Cabinet were requested to reaffirm the Council's commitment to tackling Modern Slavery and approve the refreshed Modern Slavery and Human Trafficking Policy Statement and Transparency Statement for 2020/21.

Members considered the alternative option of declining to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement but this was not recommended. The documents had been prepared in order to set out the current and ongoing action the Council intended to take to demonstrate its commitment to tackling this issue in a clear and concise way.

#### **RESOLVED**

that the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement for 2020/21, as appended to the report, be approved.

#### **Reason:**

To meet the Council's legal, moral and safeguarding obligations and to take a proactive approach in tackling this type of crime.

It is a legislative requirement on commercial organisations with an annual turnover of £36 million, to have a Modern Slavery Transparency Statement. The Council's annual turnover is above this threshold. Whilst the Act does not state that Local Authorities specifically are included in those organisations legally required to publish a statement, the Council has elected to do so as a matter of good practice and social responsibility.

#### **CA.25 Hucknall Infill Sites - Affordable Housing Development**

Members considered an opportunity to develop a small number of Council owned sites within Hucknall for the purpose of affordable housing and were asked to approve the development proposals for the following:

#### **Sites**

1. Barbara Square garage site, Barbara Square, Hucknall
2. Hawthorne Avenue garage plot site, Hawthorne Avenue, Hucknall
3. Chestnut Grove garage plot site, Chestnut Grove, Hucknall
4. Chatsworth Drive garage site, Chatsworth Drive, Hucknall.

Members considered alternative options of keeping the garages sites as they are or selling the sites for the purpose of affordable housing development. Neither were recommended as the sites are currently under-utilised and could be re-purposed for much needed affordable housing, although the viability of selling the sites as a development opportunity to outside parties was very low given the likely capital receipt.

RESOLVED

that the following be approved, subject to Planning consent and confirmation of Homes England funding:

- a) a declaration that the 4 garage plot sites on Barbara Square, Hawthorne Avenue, Chatsworth Drive and Chestnut Grove are no longer required for this purpose and to their future use be as sites for family housing let on an affordable rent basis;
- b) to recommend that Council approves the use of Housing Revenue Account reserves to fund the site clearances and the development of circa 15 new Council Homes on the 4 named sites and if approved, for the project to be added to the Capital Programme;
- c) delegated authority being granted to the Director of Housing and Assets, in conjunction with the Portfolio Holder for Housing, Director of Legal and Governance and the Chief Financial Officer, to negotiate and formalise fees, scheme costs, specification, delivery and any other aspects of the proposed development;
- d) delegated authority being granted to the Director of Housing and Assets, in conjunction with the Portfolio Holder for Housing, Director of Legal and Governance and the Chief Financial Officer, to procure and appoint a contractor to develop the four sites as a single package;
- e) delegated authority being granted to the Director of Housing and Assets to contract, on behalf of the Council, with Homes England, for the purpose of receiving subsidy to ensure that the developments are viable and fall within the Council's 30 year business plan model.

Reason:

To enable a project that will increase Ashfield District Council's housing stock in order to meet a significant demand for affordable rented properties within the District.

**CA.26 2020/21 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at July 2020**

Members received a report summarising the Council's forecast financial outturn position to 31 March 2021, compared to the latest approved budgets for the General Fund, Housing Revenue Account (HRA) and the Capital Programme and were also requested to approve and recommend to Council some changes and additions to the Capital Programme over the period 2020/21 to 2024/25.

Members considered the alternative option of declining to approve the proposed changes and additions to the Capital Programme.

RESOLVED that

- a) the current forecast outturn for the General Fund, Housing Revenue Account (HRA) and Capital Programme 2020/21, as presented, be received and noted;
- b) Council be recommended to approve the amendments and the addition of new schemes to the Capital Programme 2020/21 to 2024/25 and the funding of the Capital Programme as set out in Section 5 and Appendix 2 of the report.

Reason:

In accordance with the Council's Financial Regulations to report to those charged with Governance the financial position and the Capital Programme for 2020/21 to 2024/25, thus ensuring that the programme meets the corporate priorities and is recommended to Council for approval.

### **CA.27 Treasury Management - Annual Report 2019/20**

Cabinet was presented with the Council's Treasury Management - Annual Report for 2019/20.

As the item was for information only, Members did not have any alternative options to consider.

RESOLVED

that the Treasury Management performance including the compliant prudential indicators, as outlined in the report, be noted.

Reasons:

1. In accordance with the requirements of the Council's Financial Regulations (C.31), the Audit Committee is responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies.
2. In accordance with the requirements of the Council's Financial Regulations (C.30), Cabinet will receive an annual Treasury Management Performance Report.
3. In accordance with the CIPFA Code of Practice for Treasury Management in Public Services (the "CIPFA TM Code"), Members should approve the annual report for Treasury Management activity in 2019/20 which forms part of this document.
4. Under CIPFA's Prudential Code for Capital Finance in Local Authorities, Members have a statutory duty to adopt a set of annual indicators relating to capital expenditure and Treasury Management.

### **CA.28 Leisure Transformation Programme**

Cabinet were updated in terms of the progress regarding the Leisure Transformation Programme including the procurement of a new Operating Contractor and the due diligence progress towards the development of the

new Leisure Centre in Kirkby which will replace the Festival Hall. Approval was also sought to enter into a suitable build contract following the completion of the ongoing tender process.

Due to confirmation from the Government that council leisure centres could reopen (from August 2020 onwards), a phased approach was adopted in relation to the pandemic i.e. social distancing and limited availability of activities. To ensure ongoing support to leisure centres during the next few months, Cabinet were requested to delegate authority to the Director of Place and Communities to support operations until the new contract commenced in April 2021.

Members considered the alternative options of deciding whether to continue supporting the procurement of a new Leisure Operating Contractor, the potential operation of the leisure centres in-house and to cease continuation of providing a new leisure centre within Kirkby. None of these options were recommended.

RESOLVED that

- a) the progress in appointing a new Leisure Operating Contractor for the period of April 2021 onwards for a duration of 10 years with a Council retained ability to extend for a further 5 years, be noted;
- b) delegated authority be granted to the Director of Place and Communities in conjunction with the Corporate Finance Manager, the Leader and the Deputy Leader (Inward focus) to enter the Council into contract with the successful tenderer for the construction of the new Kirkby Leisure Centre;
- c) delegated authority be also granted to the Director of Place and Communities in conjunction with the Corporate Finance Manager, the Leader and the Deputy Leader (Inward focus) to enter the Council into contract with the successful tender for the enabling works package of initial capital works onsite;
- d) the Council continues to work with the current leisure operator SLM and delegated authority be granted to the Director of Place and Communities, in conjunction with the Corporate Finance Manager (and Section 151 Officer), the Leader and Deputy Leader (Inward Focus), to support ongoing operations until the new contract commences in April 2021.

Reasons:

1. Council officers continue to progress with the procurement of the leisure operating contractor and the current programme will see them appointed in good time to achieve contract start in April 2021. The procurement of this is being completed in conjunction with the development of the new leisure centre at Kirkby in Ashfield.
2. The Leisure Centre development at Kirkby has already achieved Planning Permission and has concluded design to RIBA 4 stage. The works are currently out to tender and it is anticipated that works will commence in Q3 of the 2020/21 financial year.

3. Previous reports for the development of the leisure centre have enabled officers to progress with the appointment of the design team and to commence the procurement process. The report requests further approvals to appoint the successful tenderer to construct and complete the new leisure centre development.
4. The timing of the tender return (17th September) and then completion of the necessary due diligence will fall between applicable governance meetings at the Council and delegated authority to the Director of Place and Communities, Corporate Finance Manager, the Portfolio Holder and the Leader and Deputy Leader (Inward Focus), is sought to ensure continuing momentum with this development.

#### **CA.29 Digital Services and Transformation Programme Update**

Cabinet were presented with an update on the key areas of progress of the Corporate Digital and Service Transformation (DST) programme.

As the item was for information only, Members did not have any alternative options to consider.

RESOLVED

that the progress of the current Digital and Service Transformation programme including the work to support residents through the Covid pandemic, be received and noted.

Reason:

Digital transformation is focussed on changing the way the Council delivers services to provide an enhanced customer service in a more efficient and effective way. The expectation for digital service accessibility has been accentuated by the COVID 19 pandemic, which has required the Council to quickly implement improved means of enabling effective and accessible access for customers through self-serve and on-line rather than through face-to-face and telephone.

#### **CA.30 Big Ashfield Spring Clean 2020 Performance Report**

Cabinet were updated as to the success of the Big Ashfield Spring Clean, Bag It and Skip into Summer campaigns for 2020.

As the item was for information only, Members did not have any alternative options to consider.

RESOLVED

that the report detailing performance of the Big Ashfield Spring Clean, Bag it and Skip into Summer campaigns 2020, as presented, be received and noted.

Reasons:

1. The Council delivered its first Big Ashfield Spring Clean in 2018; and due to the success of the campaign, which was well received by residents, an annual campaign was included in the refreshed Corporate Plan.

2. Lessons learned from the first two campaigns enabled a new and refreshed approach which continued the collections of additional waste from all properties in Ashfield, and a supplementary free bulky waste collection service for the duration of the campaign.
3. Community action and targeted enforcement underpinned the campaign to drive forward plans to create sustainable change in the way waste is managed in Ashfield.

**CA.31 Section 100A Local Government Act 1072: 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 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.

**CA.32 Amendment to Contract Terms - Housing Project, Davies Avenue (exempt by virtue of paragraph 3)**

Cabinet were requested to amend the terms of a proposed contract to purchase land as outlined in the report.

Members considered the alternative option of declining to make any changes to the proposed contract terms as presented.

RESOLVED that

- a) the Director of Housing and Assets be authorised to sign, on behalf of the Council, a purchase contract with East Midlands Housing Group (EMH) to enable the re-purchase of land at Davies Avenue on the terms outlined in the report;
- b) a proviso be included that should the land remain undeveloped, or the development remain only partially completed, the Council commission an independent valuer to ascertain a purchase price proportionate to the value agreed for the completed contract, including an agreed price for the land.

Reason:

To facilitate the proposed housing project at Davies Avenue as previously agreed by Cabinet.

The meeting closed at 7.55 pm

Chairman.