

CABINET

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

on Monday, 9th July, 2018 at 2.00 pm

Present: Councillor Jason Zadrozny in the Chair;

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

Apologies for Absence: Craig Bonar and Carol Cooper-Smith.

Officers Present: Richard Crossland, Ruth Dennis,
Theresa Hodgkinson, Peter Hudson,
Robert Mitchell, Paul Parkinson and
Julie Robinson.

In Attendance: Councillors Christine Quinn-Wilcox and
Sam Wilson.

CA.15 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

There were no declarations of interest.

CA.16 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 14th June, 2018 be received and approved as a correct record.

CA.17 Leisure Transformation Programme - Selston High School

The report was presented to update Members on the Leisure Transformation Programme and in particular, the proposal from Selston High School which would see operation of the community leisure services transfer to the school.

The Chairman welcomed to the meeting Paul Halcro, the Headteacher from Selston High School and Councillors Christine Quinn-Wilcox and Sam Wilson who were in attendance to participate in the discussions.

Mr. Halcro informed the Committee that he was keen to progress the Leisure Transformation Programme as this would be an extremely positive step working in partnership to improve and develop the leisure services for the whole community

Councillors Christine Quinn-Wilcox and Sam Wilson commented that they were both supportive of this programme. Councillor Wilson added that he would like an assurance that the Two Counties Trust would liaise with the Parish Council to dispel any concerns that members of the public may have.

The Assistant Director, Place and Communities assured Councillor Wilson that the Council would be working closely with the High School and the Two Counties Trust to develop this programme. Furthermore, she would be happy to attend any Parish Council or community meetings to update members of the public accordingly.

Members also considered the alternative option to maintain the current arrangements for operation of the site. However, maintaining the current operation would not allow the Authority to achieve the aims of the Corporate Plan through the development of shared assets and asset rationalisation as recommended in the Leisure Facilities Strategy.

RESOLVED that

- a) subject to there being a mutual agreement, approval be given to the transfer of the operational management of Selston Leisure Centre and associated notices to The Two Counties Trust (TTCT), to enable them to continue with the leisure provision at the School;
- b) delegated authority be granted to the Interim Director - Place and Communities, in consultation with the Leader of the Council, to negotiate a mutually agreeable notice period and finalise the relevant notices;
- c) approval be given to notice being served on the current provider Sports and Leisure Management (SLM).

Reason:

To implement the recommendations within the Leisure Transformation Programme and recognise the importance of working in partnership with community/sporting facilities to ensure that they are affordable, accessible and fit for purpose in creating sustainable communities.

CA.18 Combatting Modern Slavery - Policy and Statement

Members were asked to consider the proposed Modern Slavery and Human Trafficking Policy Statement and Transparency Statement, including the associated commitments to practical action.

Members also considered the alternative option not to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement, or approve a different version. However, the documents have been prepared in order to set out the current and ongoing action the Council intends 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, appended to the report, be approved.

Reasons:

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

It is a legislative requirement for all organisations with an annual turnover of £36 million to have a Modern Slavery Transparency Statement.

CA.19 Place Enhancement

The report was presented to update Members on the delivery of the key projects, programmes and initiatives within the Place Leadership Agenda and consider the allocation of Section 106 monies for Sutton Town Centre improvements.

Members also considered the alternative option to do nothing which is not recommended as the insight work carried out to date in conjunction with stakeholders has allowed the Council to increase understanding of the District by creating the Ashfield Story and future requirements.

RESOLVED that

- a) the report be received and noted and the further development of the Ashfield Place Leadership programme, as outlined in the report, be approved;
- b) the allocation of £34,000 Section 106 monies to Sutton Town Centre improvements, as previously agreed at the Cabinet meeting on 14th June 2018, be noted;
- c) the grant offer from WREN of £50,000, to progress the Lime Tree Recreation Ground Scheme in Hucknall, be noted.

Reasons:

The Council's Corporate Plan has made a commitment to the Place and Economic theme to:-

- Enhance the identity and brand for Ashfield;
- Raise the profile of Ashfield as a place where people would wish to visit.

CA.20 Housing in Multiple Occupation (HMO) Licensing Changes

Members were advised of the changes to the mandatory licensing of Homes in Multiple Occupation (HMO's) under the provisions of the Housing Act 2004 and asked to consider setting a new licence fee and allocation of resources to deliver the Council's statutory obligations.

The Council is legally obliged to implement the new HMO regulations and therefore there were no alternative options to consider.

Members also considered the alternative option to leave the licence fee unchanged. However, this was not considered viable as the income would not cover the costs associated with administering the licensing process.

RESOLVED that

- a) the changes to the HMO regulations under part 2 of the Housing Act 2004, as outlined in the report, be noted;
- b) the proposed new fee structure for the mandatory licensing of HMO's, as set out in the table in Section 4 of the report, be approved;
- c) approval be given to the allocation of additional staffing resources to implement and administer the new HMO regulations, as outlined in the report with the cost of such being met through the proposed revised licence fee.

Reason:

Part 2 of the Housing Act 2004 includes a statutory requirement to licence larger HMO's. The regulations have recently been revised resulting in a greater number of properties needing to be licenced.

CA.21 Civil Penalties

Members were asked to consider the introduction of an Ashfield Civil Penalties Policy. The Housing and Planning Act 2016, enacted on 6th April, 2017, introduced Civil Penalties as an alternative to prosecution for certain offences under the Housing Act 2004.

In view of the fact that this was a request to formally make use of a new statutory addition in current legislation there were no other options to consider.

RESOLVED

that the Private Sector Housing Civil Penalties Policy, as appended to the report, be approved and implemented with immediate effect.

Reasons:

A Private Sector Housing Civil Penalties Policy is required to enable the Council to make use of its new powers (under the Housing and Planning Act 2016) to impose civil penalties as an alternative to prosecution.

Approval of the Policy will enable the Council to use the income that it receives from civil penalties (and the rent repayment orders that are likely to be made following the successful imposition of a civil penalty) to fund the appointment of additional staff to tackle criminal, rogue and irresponsible landlords.

The policy will also provide an affective further tool for enforcement in areas where there is no selective and/or additional licensing (or where such licensing schemes come to their prescribed end date).

CA.22 Housing Strategy Action Plan Update

Members were asked to note the progress made against the Housing Strategy 2016-20 Action Plan for 2016-18 and consider the Action Plan for 2018-20.

Members also considered the alternative option of not approving the Action Plan for 2018-20.

RESOLVED that

- a) the progress made against the Housing Strategy 2016-20 Action Plan for 2016-18, as outlined in the report, be noted;
- b) the key policy issues, local priorities and outcomes of the Action Plan for 2018-20, as detailed in the report, be approved.

Reasons:

The Housing Strategy 2016-20 covers a 4 year period and is delivered through two action plans covering the period 2016-18 and 2018-20. As such, the first action plan has now come to an end and a second action plan is required for the remaining life of the strategy.

The Action Plan 2018-20 continues to build on the achievements of the first action plan and continues to focus on the 6 priority areas identified in the strategy.

CA.23 Make a Stand Campaign

The report was presented to update Members on the details of the Make a Stand campaign that has recently been launched by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance.

There were no alternative options to consider as Ashfield District Council is already committed to tackling domestic abuse and by committing to this campaign the work currently being carried out will be enhanced.

RESOLVED that

- a) approval be given to Ashfield District Council making a commitment to the Make a Stand Campaign to take action to support the victims of domestic abuse in the District and developing an action plan to deliver the campaign commitments;
- b) approval be given to Councillor Helen-Ann Smith and Carol Cooper-Smith, Interim Director of Place and Communities, taking up the roles of Prevention of Domestic Violence Champions.

Reasons:

Ashfield District Council has already made a commitment to tackling domestic abuse in the district through the Corporate Plan and the priorities of the Housing Strategy 2016-20, by providing refuge accommodation and support to residents experiencing domestic abuse. Committing to the Make a Stand campaign will demonstrate ongoing support and enhances the work being done to tackle domestic abuse.

As a landlord of over 6,500 homes and service provider to around 55,000 households, Ashfield District Council has a key role to play in ensuring tenants and residents are able to live safely and securely in their homes.

**CA.24 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 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 12A of the Act and in respect of which the Proper Officer considers the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**CA.25 Lease Terms - Southwell Lane Kirkby in Ashfield
(Exempt by virtue of paragraph 3)**

Members were asked to consider the reauthorisation of the surrender and re-grant of three ground leases.

Members also considered the alternative option to retain the existing leases.

RESOLVED that approval be given to the reauthorisation of the Cabinet decision of 11th June, 2015 as detailed below:-

- a) to surrender by way of Deed the three existing leases between Ashfield District Council and the tenant, on the terms as set out in the report;
- b) to re-grant leases of the three sites to the tenant on renegotiated terms to include the Council's standard terms along with:-

deferral of the rent reviews due every 21 years on the sites for the first 5 years of the new lease term, subject to an additional rental payment during the remaining 16 years before the next rent review. The tenant will continue to pay the Council the current rent during this deferred period;

- c) delegated authority be granted to the Director of Business and Transformation and the Director of Legal and Governance, to agree any updates or variations on the current lease terms and for the Director of Legal and Governance to complete the necessary transactions.

Reasons:

The tenant has now expanded the business on the three Council owned sites in Kirkby-in-Ashfield with the associated investment and employment into the District. In addition, following the initial 5 year deferral, the Council will receive additional rent over the next 21years.

The meeting closed at 3.20 p.m.

Chairman.