

CABINET

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

on Tuesday, 21st June, 2022 at 10.00 am

Present: Councillor Jason Zadrozny in the Chair;

Councillors David Hennigan, Tom Hollis,
Rachel Madden, Sarah Madigan, David Martin,
Matthew Relf and John Wilmott.

Apologies for Absence: Councillors Samantha Deakin and Helen-Ann Smith.

Officers Present: Lynn Cain and Ruth Dennis.

In Attendance: Councillor Christian Chapman and Councillor
Daniel Williamson.

CA.1 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

CA.2 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 29 March 2022 be received and approved as a correct record.

(Prior to consideration of the items of business and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that he would be considering agenda items 9 and 10 (Scrutiny Review: Climate Change Mitigation and Climate Change Strategy) as the first two items of business and then moving agenda item 8 (Social Housing White Paper) to the last item of business. Cabinet Members concurred with this course of action.)

CA.3 Scrutiny Review: Climate Change Mitigation

The Chairman of Scrutiny Panel B, Councillor Christian Chapman, presented the report and a set of recommendations for Cabinet Members to consider regarding outcomes from the scrutiny review of Climate Change Mitigation.

Members considered the alternative option of declining to agree the recommendations as submitted by Scrutiny Panel B.

RESOLVED that

- a) Cabinet supports the approval of a proposed target of net-zero by 2030 for the Council's Scope 1 and 2 emissions, as recommended in the Climate Change Strategy report;
- b) Cabinet also supports the approval of proposals to minimise Scope 3 emissions by 2050, as recommended in the Climate Change Strategy report;
- c) approval of the Climate Change Strategy, Climate Change Action Plan, and Carbon Management Plan, as recommended in the Climate Change Strategy report, be supported and welcomed;
- d) the Council continues to ensure an increase in the number of electric charging points available to the Council and the wider public;
- e) the Council continues its commitment towards the expansion of a greener transport fleet;
- f) the Council continue to invest appropriately in renewable technology opportunities;
- g) low carbon and sustainable procurement across the Council, be promoted;
- h) Cabinet continues to support tree planting schemes throughout Ashfield;
- i) Cabinet continues to support and promote energy saving initiatives to Ashfield residents;
- j) in addition to the Green Rewards Scheme, the Council will continue to consider other targeted recognition initiatives aimed at communities, educational institutions, and businesses to increase innovation, action, and awareness in Ashfield;
- k) work be undertaken with schools and community groups to improve knowledge and understanding of climate change mitigation;
- l) the Council explores the possibility of establishing wildlife friendly verges across the District as part of the Council's commitment to supporting nature and wildlife;
- m) the Council continues to ensure that local businesses and communities are involved in implementing the key objectives set out within the Climate Change Strategy
- n) it be agreed that Scrutiny Panel B receives an update on implementation and progress of the Climate Change Strategy and associated initiatives, on a bi-annual basis.

Reason:

Climate Change Mitigation was added to the scrutiny work programme by the Overview and Scrutiny Committee in July 2020, having originally been set up as a separate scrutiny commission at Council. Members of Scrutiny Panel B

have conducted a full review of the topic and formulated the recommendations presented for consideration.

CA.4 Climate Change Strategy

Cabinet considered an overview of proposed actions to help combat climate change including details of documents produced to establish the Council's CO2 emissions data (carbon footprint) and identify opportunities for reducing emissions along with setting carbon neutral targets for the Council.

Members considered the alternative option of choosing to do nothing or set lesser targets, however this was not considered a reasonable option given global climate reduction targets and the Government's pledge to meet its target of Net Zero emissions by 2050 and a 78% reduction by 2035.

RESOLVED

that the following be approved:

- a) a proposed target of net-zero by 2030 for the Council's Scope 1 and 2 emissions
- b) proposals to minimise Scope 3 emissions by 2050, as outlined in the report;
- c) proposals for the Council to work with the wider community to reduce Ashfield's overall carbon footprint with the aim of reaching net zero by 2050, in line with national targets;
- d) the following documents as presented:
 - Climate Change Strategy
 - Carbon Management Plan;
- e) publication on the Council's website of the Carbon Management Plan and Climate Change Strategy.

Reason:

To reduce the Council's and District's CO2e emissions (carbon footprint) and therefore help to combat the effects of Climate Change such as rising global temperatures, extreme weather causing floods, droughts, forest fires etc.

CA.5 Corporate Plan, Strategic Direction Refresh and Year End Position 2021/22

Cabinet was requested to consider the year-end 2021/22 update for the Corporate Performance Scorecard and were presented with the proposed refresh of the Corporate Plan and Strategic Direction for approval.

Members considered the alternative option of considering and adopting different key priorities and themes within the review of the Corporate Plan and Strategic Direction.

RESOLVED that

- a) having reviewed the levels of performance and delivery achieved against the Corporate Plan and Corporate Scorecard, as at year-end 2021/22, progress be received and noted;
- b) the Corporate Plan Refresh and revised Strategic Direction, as presented, be approved;
- c) the Chief Executive be authorised, in consultation with the Leader, to review and revise the Corporate and Place Scorecards, aligned to the Corporate Plan.

Reason:

The Council's ambitions for the period 2019 – 2023 are clearly identified in a set of revised and updated Corporate Priorities which are presented in our Corporate Plan. These were developed by Cabinet in 2019 and have since been reviewed and updated, with consideration of the impact of the pandemic and our intended recovery activity.

CA.6 Local Government Association Recovery & Renewal Panel - Key Reflections

Cabinet was presented with the findings from the Local Government Association (LGA) Recovery and Renewal Panel review which focused on the Council's current approach and potential future direction of travel in seeking to best support its residents and businesses post the Covid 19 Pandemic.

Members considered the alternative option of declining to acknowledge the Panel's Key Reflections and/or not integrate these into the Council's strategic and operational leadership planning but this was not recommended.

RESOLVED that

- a) the Local Government Association Recovery and Renewal Panel Key Reflections, as presented, be received, noted and reported to the next meeting of the Council;
- b) the proposed Next Steps, as outlined in the report, be endorsed.

Reason:

In order to endorse the LGA Recovery and Renewal Panel's findings and to take full advantage of the insight provided by the work undertaken by the LGA with the Council.

CA.7 Regulation of Investigatory Powers Act 2000 and Investigatory Powers Commissioner's Office Inspection Update

Cabinet was updated on the use of the Council's Regulation of Investigatory Powers Act (RIPA) policy during the past 12 months and were provided with an update following an inspection by the Investigatory Powers Commissioner's Officer regarding the Council's arrangements for complying with the legislation.

As failure to approve the recommendations would put the Council at risk of challenge for breach of policy and ignore a specific recommendation from the Inspector, there were no alternative options for Members to consider.

RESOLVED that

- a) it be noted that the Council has not applied for an authorisation to carry out Directed Surveillance in the past 12 months pursuant to the RIPA powers;
- b) the outcome of the Investigatory Powers Commissioner's Office (IPCO) inspection on 9 March 2022, in particular that the Council has demonstrated a good level of compliance, be received and noted;
- c) the action plan attached at Appendix 1, be approved.

Reason:

The current Code of Practice and Council Policy requires that Members are updated on RIPA authorisations on an annual basis. This report complies with that requirement and an observation of the Inspector.

CA.8 Teversal Community Centre and Recreation Ground (Teversal Grange) (Charity Number 522310)

Cabinet received an up-to-date position in respect of the Teversal Community Centre and Recreation Ground (Teversal Grange) (Charity Number 522310) and various decisions in principle were sought regarding potential future options for the site to secure its long term sustainability.

Members considered the alternative option of declining to agree to the transfer of the land on the North Side of Fackley Road, Teversal being 1.97 acres and the associated agreements to finalise the arrangement, but this would jeopardise the long-term future of the site and the ability of any organisation taking the site over from the Council being able to effectively use the facilities to their full potential.

RESOLVED that

- a) the detailed update, as outlined within the report, be received and noted;
- b) in respect of land, described as on the North Side of Fackley Road, Teversal being 1.97 acres, (shown as "D" on Appendix 2), approval be given to:
 - authorise the Director of Legal and Governance and the Service Manager, Commercial Development in consultation with the Executive Lead Member for Finance, Revenues and Benefits to negotiate and agree terms with the Coal Authority regarding the removal of restrictions; and
 - dispose in principle to Teversal Sports and Recreation Trust in the event all outstanding issues are resolved and CISWO and Charity Commission approvals are obtained for the transfer of the Trust held land to the Teversal Sports and Recreation Trust authorising the Director of Legal and Governance and the Service Manager,

Commercial Development in consultation with the Executive Lead Member for Finance, Revenues and Benefits to negotiate and agree terms and finalise the disposal;

- c) delegated authority be granted to the Director of Legal and Governance and the Service Manager, Commercial Development to secure public access rights to the Council's retained land as part of any potential future land transfer to the Teversal Sports and Recreation Trust;
- d) a recommendation be made to Council that, in principle, in the event that the Teversal Sports and Recreation Trust were to take over the Teversal Grange site, the outstanding debt owed to the Council by the Trust of approximately £174k is written off to allow the new Trust to take over debt free;
- e) an agreement be made to gift the portacabin to the Cricket Club in the event that the Teversal Sports and Recreation Trust were to take over the Teversal Grange site.

Reasons:

1. To comply with the Scheme (Constitution) of the Teversal Community Centre and Recreation Ground, the Council's Constitution and charities legislation overall.
2. The Trustee must act in the best interests of the long-term future of the Trust.
3. To enable the potential transfer of the Trust to proceed further in order to secure the long term, sustainable future of the site as a community facility.

(Following consideration of this item, the Chairman, Councillor Jason Zadrozny, left the meeting at 11.25am and Councillor Tom Hollis took the Chair.)

CA.9 Funding Update and Land Acquisition

Cabinet was provided with an update regarding a number of government funding streams and was asked to delegate authority to enable officers to seek and submit any further funding bids for the Planetarium and Science Discovery Centre project, as part of the Towns Fund Programme, as appropriate.

Members considered the alternative option of declining to note the update, support submission of the UKSPF, Levelling Up Fund and Safer Streets bids or approve the land acquisition for the two Towns Fund projects in Kirkby in Ashfield.

RESOLVED that

- a) the update regarding the Towns Fund and Future High Streets programmes, as presented, be received and noted;

- b) authorisation be given for the acquisition of land required for the North Kirkby and West Kirkby Gateway Towns Fund projects and delegated authority be granted to the Executive Lead Member for Finance, Revenues and Benefits and the Director for Resources and Business Transformation to finalise the negotiations and agree Heads of Terms with the landlord, and to the Director for Legal and Governance to complete the legal transactions;
- c) delegated authority be granted to the Executive Lead Member for Regeneration and Corporate Transformation and the Director for Place and Communities to submit a bid for the allocated funding from the UK Shared Prosperity Fund (UKSPF);
- d) it be confirmed that the Discover Ashfield Board will fulfil the role of Local Partnership Group to develop and implement an Investment Plan in conjunction with the Ashfield Skills Partnership for the UKSPF;
- e) delegated authority be granted to the Executive Lead Member for Regeneration and Corporate Transformation and the Director for Place and Communities to submit a bid for funding for Hucknall to the Levelling Up Fund;
- f) the submission of a bid to the Home Office for Safer Streets 4 be noted and delegated authority be granted to the Deputy Leader and Executive Lead Member for Community Safety and Crime Reduction and the Director for Place and Communities (subject to a successful outcome), to accept the funding and deliver the programme;
- g) with regard to the Planetarium and Science Discovery Centre project, as part of the Towns Fund Programme, delegated authority be granted to the Executive Lead Member for Regeneration and Corporate Transformation and the Director for Place and Communities to submit any further bids for funding from available funding streams, as appropriate.

Reason:

To ensure that Cabinet is kept updated on progress with delivery of the Towns Fund and Future High Streets programmes, support submissions to the UKSPF, Levelling Up Fund and Safer Streets bids to Government and to enable the Council to acquire land to deliver two of the Towns Fund projects in Kirkby.

CA.10 Year End Corporate Risk Update

Cabinet was requested to review the Corporate Risk Register, the analysis of movement in risk and any mitigating actions in respect of those risks.

Members considered the alternative option of declining to approve the updated Corporate Risk Strategy.

RESOLVED that

- a) the current significant items on the Corporate Risk Register, as presented, be received and noted;

b) the updated Corporate Risk Strategy, as presented, be approved.

Reasons:

To prioritise and manage the mitigation of Risk in order that the Council can achieve its objectives and to review the Corporate Risk Strategy which has recently been updated following the outcome of audit recommendations summarised within this report.

CA.11 Revised Procurement Strategy

Cabinet was requested to consider and approve the revised Procurement Strategy.

Members considered the alternative option of maintaining the current strategy however this would result in the document being outdated and incomplete and would fail to deliver the Council's current messages in terms of its ambitions and what has changed since the strategy was last published.

RESOLVED that

- a) the revised Procurement Strategy, as appended to the agenda, be approved;
- b) delegated authority be granted to the Director for Resources and Business Transformation, in consultation with both the Council's Monitoring Officer and Executive Lead Member for Finance, Revenues and Benefits, to make any further changes to the Strategy until 2023/24, as required.

Reason:

Approval of the revised Procurement Strategy would deliver a more proactive approach to procurement and a clear focus on social and environmental values, and procurement with local businesses. The Procurement Strategy also demonstrated the Council's commitment to continue to deliver value for money and ensure it retains its commercial focus.

(Following consideration of this item, Councillor Matthew Relf left the meeting at 12.00 noon.)

CA.12 COVID-19 Recovery Scrutiny Panel Conspectus

Cabinet was presented with recommendations formulated by the Panel at its previous meeting held in April 2022 and also received an overview of the progress and achievements attained by the COVID-19 Recovery Scrutiny Panel prior to its cessation as a committee in May 2022.

Members considered the alternative option of declining to approve the Panel's recommendations and to acknowledge the catalogue of work undertaken during the pandemic.

RESOLVED that

- a) the tireless work of the voluntary sector, both during and after the COVID-19 Pandemic, be commended;
- b) the Council continues to build and nurture the relationships forged with partners during the pandemic and to further develop its role as a community leader providing pivotal central support to all parties;
- c) the Communications Team continues to prioritise the Council's relationship with Ashfield's voluntary sector, providing an effective conduit for the dissemination of information and signposting services as required;
- d) the Council continues to support Ashfield residents and offer encouragement and guidance to enable reintegration back into local communities with a particular focus on working with organisations supporting vulnerable groups;
- e) the Council continues to ensure available grant funding is effectively administered to local businesses and organisations to assist with the reinvigoration and support of Ashfield's local economy following the pandemic;
- f) the information contained within this report, including the summary of work and outcomes achieved by the COVID-19 Recovery Scrutiny Panel, be received and noted.

Reason:

The COVID-19 Recovery Scrutiny Panel was established to ensure dedicated and robust arrangements were in place as the Council needed to ensure it performed a leading role in supporting communities, businesses, and employees.

CA.13 Social Housing White Paper

Cabinet Members were provided with a summary update of actions undertaken as a result of the (then) Ministry of Housing, Communities and Local Government (MHCLG) Social Housing White Paper in line with recommendations since the original summary presented to January 2021 Cabinet and the subsequent update presented to December 2021 Cabinet.

As this item was for information only, there were no alternative options for Members to consider.

RESOLVED

that the following be received and noted:

- a) the key implications and priorities for Ashfield District Council arising from the then Ministry of Housing, Communities and Local Government (MHCLG) Social Housing White Paper and the resulting identified actions;

b) some of the draft changes to Social Housing Regulation were published by DLUHC on 29th March 2022 with the Bill being 'introduced' to Parliament on 8th June 2022;

c) progress against the reported action plan.

Reasons:

To update Cabinet on how Ashfield District Council meets the Regulatory regime for Council Housing and complies with the expectation of the Regulator. To keep Elected Members informed of progress towards meeting the statutory requirements.

The meeting closed at 12.24 pm

Chairman.