

CABINET

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,
on Tuesday, 27th September, 2022 at 10.00 am**

Present: Councillor Jason Zadrozny in the Chair;

Councillors Samantha Deakin, David Hennigan,
Sarah Madigan, David Martin, Matthew Relf,
Helen-Ann Smith and John Wilmott.

Apologies for Absence: Councillors Tom Hollis and Rachel Madden.

Officers Present: Craig Bonar, Lynn Cain, Ruth Dennis,
Robert Docherty, Theresa Hodgkinson,
Peter Hudson, Paul Parkinson,
Chris Stephenson, Scott Tilley and
Shane Wright.

In Attendance: Councillor Warren Nuttall.

CA.20 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

CA.21 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 19 July 2022, be received and approved as a correct record.

CA.22 The Housing Ombudsman Complaint Handling Code

Cabinet was provided with an overview of the Housing Ombudsman's new Complaint Handling Code and the requirements for the Council to ensure full compliance.

Members considered the alternative option of declining to approve the Council's self-assessment as presented.

RESOLVED that

- a) the requirements within the Housing Ombudsman Complaint Handling Code, as presented, be received and acknowledged;
- b) the self-assessment to be published on the Council's website by 30 September 2022, be approved.

Reasons:

Compliance with the Complaint Handling Code forms part of the statutory membership obligations set out in the Housing Ombudsman Scheme. Landlords must comply with the requirements of the Code or offer an explanation to the Ombudsman, as to why they do not. Compliance with the Code needs to be demonstrated by 30 September 2022, by means of the publishing of a completed self-assessment on the Council's website.

(During consideration of this item, Councillor Sarah Madigan declared a Non-Registrable interest as a result of her currently holding a Council tenancy. Her interest was such that she remained in the meeting and took part in the discussion and voting thereon.)

CA.23 Emerging Local Plan Review

Cabinet considered the options in relation to the Emerging Local Plan and acknowledged the recommendation from the Local Plan Development Panel meeting held on 23 September 2022 to facilitate and move forward with Option C.

Members considered the alternative option of declining to accept the Panel's recommendation to move forward with Option C and to select another option accordingly.

RESOLVED

that having considered all the options and the recommendation from the recent Local Plan Development Panel meeting, Option C be approved as a way forward for progressing the Council's Emerging Local Plan.

Reason:

To determine and approve the best approach for progressing the Emerging Local Plan for the District.

(Prior to the next item of business and in accordance with Procedure Rule 4 [Order of Business], the Chairman advised that he would be considering agenda item 6 [Funding Update] later on in the agenda as the Executive Lead Member for Community Safety and Crime Reduction was running late for the meeting. Cabinet Members concurred with this course of action.)

CA.24 Future Human Resources and Payroll Service

Cabinet was updated in respect of the shared Human Resource (HR) service with an outline regarding the assessment of the options available for future delivery models and a recommendation for the extension of the shared HR service involving a new Service Level Agreement to deliver improved service benefits.

During the discussion it was requested that the Leader of the Council be also consulted as part of the proposed delegation granting authority for agreeing the new Service Level Agreement.

Members considered alternative options of providing HR and Payroll Services through a new in-house service or a selected third party.

RESOLVED that

- a) the preferred option that Mansfield District Council (MDC) continue to provide the shared HR service beyond 1st December 2023, be approved;
- b) subject to a) above, the continuation of the Shared HR Service be subject to a satisfactory new 5-year Service Level Agreement that ensures a level of services and flexibility that meets ADC's projected requirements;
- c) also subject to a) above, if MDC is unable to continue to provide the shared HR service or a suitable Service Level Agreement is not achievable, the options of provision of HR & Payroll services via an in-house delivery model or provision by a third party will be revisited and a further report will be presented to Cabinet for it to agree the preferred alternative delivery model;
- d) the indicative financial implications of the options presented, including the recommended option, be received and noted;
- e) delegated authority be granted to the Head of Paid Service in consultation with the Leader of the Council, the Executive Lead Member for Finance, Revenues and Benefits, Director for Legal and Governance and the Corporate Finance Manager, to agree the new Service Level Agreement including any major changes to the transitional and budgetary funding requirements and final service delivery arrangements.

Reason:

Having further assessed the current position in relation to the delivery of HR and Payroll services, continuation of the shared HR Service provides the most advantageous delivery model in terms of value for money, albeit with some service improvements to be included in the new SLA.

The meeting adjourned at 11.00am and reconvened at 11.05am.

(Councillor Helen-Ann Smith entered the meeting at 11.05am.)

CA.25 Funding Update

Members were updated on the Council's funding applications and programmes and were requested to consider and approve an adjustment to the capital programme for the Future High Streets Fund projects and to add the Safer Streets and UK Shared Prosperity funding (UKSPF) to the capital programme and revenue budgets.

Cabinet was also asked to consider an additional recommendation for delegated authority to enable future DLUHC funding awards schemes and their associated funding be immediately added to the Capital Programme to avoid project delays.

Members considered the alternative option of declining to approve the adjustments to the capital programme and revenue budgets but this was not recommended, as these actions would ensure delivery of the projects as intended.

RESOLVED that

- a) progress of the Future High Streets Fund and Towns Fund projects, as presented, be received and noted;
- b) subject to approval from the Department for Levelling Up, Housing and Communities (DLUHC), Council be recommended to approve an amendment of the Capital Programme values for the two Future High Streets Fund schemes as outlined in the report;
- c) subject also to approval from the DLUHC in relation to the Investment Plan, Council be recommended to accept the UKSPF funding of £3.192m noting the indicative revenue/capital split and to grant approval for the Corporate Finance Manager, with DLUHC approval, to vary the revenue/capital split for the purpose of updating the Capital Programme;
- d) the funding update / progress for the Levelling Up and UK Shared Prosperity funding (UKSPF) funding be noted and acceptance of any funding secured from the Levelling Up Fund bids, be approved;
- e) in relation to Safer Streets 4 Funding, Council be recommended to approve the addition of £81k to the Capital Programme and to allow for the Corporate Finance Manager and the Executive Lead Member for Community Safety and Crime Reduction to have the potential to increase the Safer Streets Capital Scheme funding to enable funding to be switched from the revenue allocation to deliver further capital elements should the need arise (this would only be actioned following agreement with the funding provider for the use of the funding and would reduce the amount added to the revenue budget in 2022/23);
- f) in relation to Hucknall Safer Streets Initiative funding, approval be given to accept the funding of £63,333 from the Office of the Police and Crime Commissioner (OPCC) to undertake the works as set out in the report;
- g) Council be recommended that on DLUHC approval of all future Towns Fund business cases, delegated authority be given to the Executive Lead Member for Finance, Revenues and Benefits and the Corporate Finance Manager to immediately add the schemes and their associated funding to the Capital Programme to avoid project delays, noting that full due diligence will be undertaken prior to progression through the various RIBA stages of each of the projects.

Reasons:

To ensure that Cabinet is kept updated on progress with funding programmes and that spend and projects within the programmes are delivered within the set timeframes ensuring compliance with Constitutional requirements regarding revenue and capital funding approvals.

CA.26 2022/23 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at July 2022

Cabinet received a summary of the Council's forecast financial outturn position to 31 March 2023 compared to the latest approved budgets for the General Fund, Housing Revenue Account (HRA) and the Capital Programme.

Due to current requirements for the Council's financial position to be reported to those charged with governance, there were no alternative options for Members to consider.

RESOLVED that

- a) the current forecast outturn for the General Fund, Housing Revenue Account (HRA) and Capital Programme for 2022/23, be received and noted;
- b) the budget adjustments outlined in section 3.1, Table 3 and the reserve movements outlined in Section 3.2 Table 4, be approved;
- c) the proposed revised communal heating charges payable from 1 November 2022/23 outlined in Section 6, Table 5, be approved;
- d) Council be recommended to approve the amendments and the addition of new schemes to the Capital Programme 2022/23 to 2026/27 and the funding of the Capital Programme as set out in Section 7 and Appendix 3 of the report.

Reason:

To remain in accordance with the Council's Financial Regulations to report to those charged with Governance the financial position.

(Following consideration of this item, Councillor Sarah Madigan left the meeting at 12.15pm.)

CA.27 Leisure Transformation Programme - Update

Cabinet received a progress update on the implementation of the Leisure Transformation Programme and were requested to consider an additional recommendation to enable future projects/schemes to be delivered in a timelier manner.

Members considered the alternative options of not supporting the internal transfer of £0.5m from the Kirkby Leisure Centre budget to the Hucknall second swimming pool budget and declining to grant delegated authority to facilitate future funding schemes. Neither option was recommended as the Hucknall Leisure Centre project was due to overspend its budget allowance and delays in adding schemes to the Capital Programme would culminate in future project delays.

RESOLVED that

- a) the content of the report be received and noted;
- b) the realignment of £0.5m from the Kirkby Leisure Centre capital project code to the Hucknall second swimming pool capital project code, to support the project through to completion, be approved.

Reason:

To ensure that Cabinet is updated on progress with delivery of the leisure transformation programme and to enable the Council to facilitate future projects in a timelier manner.

CA.28 Be Healthy, Be Happy Annual Report 2021/22

Cabinet considered the progress made in year one of the Be Healthy, Be Happy Strategy 2021–25 by partners within the Ashfield Health and Wellbeing Partnership.

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

RESOLVED

that the progress made on the work undertaken by the Ashfield Health and Wellbeing Partnership, be acknowledged and welcomed.

Reason:

To inform Members in relation to progress of a number of key projects agreed by the Ashfield Health and Wellbeing Partnership and worked collectively upon during Year 1.

CA.29 Annual Corporate Health and Safety Report 2021/22

Cabinet was presented with the Council's Annual Corporate Health and Safety Report for 2021/22.

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

RESOLVED

that the Annual Corporate Health and Safety Report for 2021/22, as presented at Appendix 1, be received and noted.

Reason:

To ensure Cabinet are informed on health and safety performance across the Council, to provide assurance that the Council's statutory health and safety obligations are being met and to provide an understanding that the health and safety risks created by the Council's services and operations are being managed effectively, as required by law.

The meeting closed at 12.40 pm

Chairman.