

CABINET

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

on Monday, 29th January, 2024 at 10.00 am

Present: Councillor Jason Zadrozny in the Chair;

Councillors Samantha Deakin, Tom Hollis,
Christopher Huskinson, Rachel Madden,
Andy Meakin, Matthew Relf, Helen-Ann Smith
and John Wilmott.

Apology for Absence: Councillor Vicki Heslop.

Officers Present: Rose Arbon, John Bennett, Craig Bonar,
Lynn Cain, Sarah Daniel, Ruth Dennis,
Louise Ellis, Theresa Hodgkinson, Peter Hudson,
Paul Parkinson, Abbie Smith, Antonio Taylor and
Shane Wright.

In Attendance: Councillor Julie Gregory.

CA.39 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

CA.40 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 6 November 2023, be received and approved as a correct record.

CA.41 Corporate Plan Delivery

Cabinet was updated regarding initial progress against delivery of the new Corporate Plan 2023-2027 including the April to September 2023 performance position against the associated Corporate Performance Scorecard.

As the report was presented for information only, there were no alternative options for Members to consider.

RESOLVED that

- a) the levels of delivery achieved against the Corporate Plan Priorities, as outlined in the report, be received and noted;

- b) the levels of performance achieved against the Corporate Scorecard as of September 2023, as presented, be also noted.

Reason:

To ensure Members are aware of the Council's ambitions for the next four years, as clearly identified in the revised set of updated Corporate Priorities as presented in the new Corporate Plan.

CA.42 Programme Monitoring Report: Major Projects and Funding

Cabinet Members were updated regarding major projects, progress against funded programmes and bids for external funding.

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

RESOLVED

that progress be noted against all the Council's major projects and funding programmes, as presented.

Reason:

To ensure Cabinet is kept updated on progress with major projects, funding programmes and submission of funding bids.

CA.43 Community Safety Partnership - Strategic Plan

Cabinet were asked to consider and endorse the content of the refreshed Community Safety Plan and recommend to Council for approval.

Members considered the alternative option of declining to endorse the new Plan, but this was not recommended as it would result in priorities relevant to Ashfield not being appropriately addressed and delivered and it would not meet current statutory requirements.

RESOLVED that

- a) the positive work undertaken by the Community Safety Partnership over the past three years be noted and the new Community Safety Plan for 2024-2027, as presented by approved;
- b) the proposed priorities in the Community Safety Plan, be agreed;
- c) the Executive Director for Place, in consultation with the Executive Lead Member for Community Safety and Crime Reduction and the Ashfield Community Safety Partnership, be requested to prepare an action plan to implement the Plan's priorities;
- d) the new Community Safety Plan for 2024-2027 and the accompanying action plan, be recommended to Council for approval by 31 May 2024.

Reasons:

1. The refreshed Plan builds on the previous Community Safety Plan containing refreshed priorities and how they need to be developed to meet current demands.
2. The new Plan has been formulated using an evidence-based process to agree the new priorities, drawing on analysis of partnership crime and community safety data and the outcomes of a public consultation to capture the views of key stakeholders and residents across Ashfield.

CA.44 Corporate Risk Quarter 2 Position 2023/2024

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

As the report was presented for information only, there were no alternative options for Members to consider.

RESOLVED

that the current significant items on the Corporate Risk Register, as presented, be received and noted.

Reason:

To prioritise and manage the mitigation of Risk in order that the Council can achieve its objectives.

CA.45 East Midlands Combined County Authority (EMCCA) Update

Cabinet Members were provided with an overview of the developing East Midlands Combined County Authority (EMCCA).

As the report was presented for information only, there were no alternative options for Members to consider.

RESOLVED

that the following be received and noted:

- a) progress regarding the establishment of the EMCCA;
- b) the EMCCA governance arrangements, investment plans and priority focus;
- c) the potential impacts for Ashfield as aligned to the Corporate Plan.

Reason:

To ensure that Cabinet are kept informed of the development of the EMCCA and its proposed focus.

(Prior to speaking on this item, Councillor Matthew Relf declared a Non-Registrable interest regarding this matter. His interest arose from the fact that he had indicated his intention to stand as a candidate in the EMCCA Mayoral Election taking place in May 2024. His interest was such that he stayed in the room and took part in the ensuing discussion.)

CA.46 Select Review: No Mow May Campaign

The Vice Chairman of the Principal Select Committee, Councillor Julie Gregory, presented Cabinet with four recommendations formulated by the Principal Select Committee, following a review of recent No Mow May campaigns the Council had partaken in.

Members considered the alternative option of declining to approve the recommendations as presented.

RESOLVED that

- a) the Council's commitment to partaking in future No Mow May campaigns, be reaffirmed;
- b) the use of maze cutting and wildflower planting to appropriate green spaces, designated as part of future No Mow May campaigns, be expanded;
- c) it be agreed that a communication campaign is rolled out ahead and alongside future No Mow May campaigns to raise public awareness of No Mow May, including the areas taking part as well as the origins and benefits of the campaign;
- d) the Council commits to ensuring the ongoing maintenance of play parks, sports pitches, and road junctions that could otherwise become dangerous if not maintained during any future No Mow May campaigns.

Reason:

No Mow May was added to the Select Work Programme in June 2023 by the Principal Select Committee and following a review of the topic, Cabinet were presented with the agreed recommendations for consideration.

CA.47 Ashfield Local Development Scheme

Cabinet was asked to reaffirm its commitment to the revised Ashfield Local Development Scheme, which sets out the Council's programme for the production of the Ashfield Local Plan (2023 – 2040).

Due to legislative requirements requiring the Council to revise their Local Development Scheme timetable as required, there were no alternative options for Members to consider.

RESOLVED

that Cabinet reaffirms its commitment to the Revised Ashfield Local Development Scheme, as shown at Appendix 1 to the report, and to the delivery of the Local Development Scheme timetable as previously approved by Cabinet on 6 November 2023.

Reason:

To adhere to the approved LDS timetable and the legal requirement to maintain an up-to-date Local Development Scheme under the provisions of the Planning and Compulsory Purchase Act 2004.

The meeting adjourned at 11.26am and reconvened at 11.42am.

CA.48 Disposal of Unviable Garage and Plot Sites

Cabinet was advised of the process undertaken to review the viability and future use potential of Council owned garage and plot sites, and to consider disposal of those sites considered unviable and not suitable for the purpose of affordable housing development. Members were also informed that the sites on Forest Street, Annesley and Meadow Close, Kirkby were being withdrawn from the report at this present time, pending further investigations as required.

Members considered the alternative option of continuing to use all sites for plot/garage purposes, but this was not recommended as a number of sites required significant investment, with little likelihood of expenditure being recovered through rental income and low demand at the locations.

RESOLVED that

- a) the process followed by officers to review the viability and future use of Council owned Housing Revenue Account garage and plot sites, be noted;
- b) delegated authority be granted to the Executive Director of Transformation, in conjunction with the Executive Director of Governance, to dispose of the sites at Ashgate, Sutton in Ashfield and Lancaster Drive, Hucknall, having been assessed as being economically unviable in current use and unsuitable for the purpose of affordable housing development (with disposal being in accordance with the Council's Disposals Policy and on the basis of achieving best value wherever possible);
- c) delegated authority be granted to the Service Manager for Commercial Development to finalise the detail of the transaction(s) with the Assistant Director for Legal.

Reasons:

1. The Council has a large number of garage and plot sites under the ownership of the Housing Revenue Account and some are in disrepair with little or no demand from local residents. Where demand is low and the site requires significant investment, it is not economically viable for the Council to retain the site and consideration needs to be given to its future use.
2. Changing use will also help tackle issues of anti-social behaviour that have become evident on some of the sites.

CA.49 Housing Strategy 2024-26

Cabinet was presented with the Housing Strategy 2024-2026 for consideration and approval.

Members considered the alternative option of declining to develop a Housing Strategy, but this was not recommended as the Strategy provided the context and framework for the sub-strategies to sit within, and clearly demonstrated how the Housing and Homes corporate priority would be achieved.

RESOLVED

that the Housing Strategy 2024-2026, as appended to the report, be approved.

Reason:

Housing and Homes is a priority area with the Council's Corporate Plan 2023-27 and the Housing Strategy 2024-2026 sets out how the Council will meet its corporate objective of ensuring the population of Ashfield are living in, or can access, homes that are affordable, warm and within a safe community that promotes the health and wellbeing of residents.

CA.50 Homeless and Rough Sleeping Prevention Strategy 2024-29

Cabinet was presented with the Homelessness and Rough Sleeping Review 2024 and the Homelessness and Rough Sleeping Prevention Strategy for 2024-2029.

Due to the requirements of the Homelessness Act 2002 for all housing authorities to have in place a Homelessness Strategy based on a review of all forms of homelessness in their District to be renewed at least every 5 years, Members did not have any alternative options to consider.

RESOLVED that

- a) the Homelessness and Rough Sleeping Review 2024, as presented, be approved;
- b) the Homelessness and Rough Sleeping Prevention Strategy 2024-2029, as appended to the report, be approved.

Reason:

Under Sections 1-4 of the Homelessness Act 2002, all housing authorities must have in place a Homelessness Strategy based on a review of all forms of homelessness in their District, renewed at least every 5 years.

CA.51 2023/24 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at October 2023

Cabinet received a summary of the Council's forecast financial outturn position to 31 March 2024 compared to the latest approved budgets for the General Fund, Housing Revenue Account (HRA) and the Capital Programme.

Due to the requirement 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 2023/24, be noted;
- b) the budget adjustments outlined in Section 3.1, Table 3 and the reserve movements outlined in Section 3.2, Table 4 of the report, be approved;
- c) Council be recommended to approve the amendments and the addition of new schemes to the Capital Programme 2023/24 to 2027/28 and the funding of the Capital Programme as set out in Section 7 and Appendix 3 of the report;
- d) the monitoring of Prudential and Treasury Management indicators for 2023/24, as detailed in Appendix 4 to the report, be noted.

Reason:

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

CA.52 Social Housing Regulation Update

Cabinet Members were provided with an update on the current position regarding social housing consumer regulation and received assurance regarding the direction of travel for regulatory compliance, following the Social Housing (Regulation) Act receiving royal assent.

Due to the Social Housing (Regulation) Act 2023 now being active legislation, dictating how council housing is regulated by the Regulator of Social Housing (RSH), Members did not have any alternative options to consider.

RESOLVED that

- a) the following be received and noted;
 - the implementation of the Social Housing (Regulation) Act
 - progress against the appended action plan
 - the Council's current position with the collection of the Tenant Satisfaction Measures, which is the Council's first social housing regulatory task
 - overall responsibility for compliance with the Council's social housing regulatory requirements;
- b) it be determined that the appended information provides sufficient assurance that the Council's performance of social housing functions is compliant with the requirements of the Regulator of Social Housing.

Reasons:

1. To update elected Members on how Ashfield District Council meets the social housing regulatory regime for its council housing provision and complies with the expectations of the Regulator of Social Housing
2. To keep elected Members informed of our progress towards meeting the statutory and regulatory requirements.
3. To update elected Members with the progress of the development of the Social Housing (Regulation) Act.
4. To promote that Cabinet is ultimately responsible for ensuring regulatory compliance of the Council's social housing activities, in the eyes of the Regulator.

CA.53 Housing Revenue Account Medium Term Forecast 2023/24 - 2027/28

Cabinet received an update in respect of the Council's forecast financial position of the Housing Revenue Account (HRA) for the next five years.

As the report presented was for information only, there were no alternative options for Members to consider.

RESOLVED

that the impact of the five-year financial forecast and the inherent financial risks in respect of the Council's Housing Revenue Account, as presented, be received and noted.

Reason:

To provide Cabinet with an up-to-date medium term financial forecast for the HRA.

CA.54 Housing Rent Setting 2024/25

Cabinet was requested to approve the proposed Housing Revenue Account (HRA) rent level and other HRA accommodation related charges for Council tenants for the financial year 2024/25.

Members considered the alternative option of declining to approve the rent level and other accommodation related charges as detailed in the report.

RESOLVED

that approval be given to the following:

- a) an average rent increase of 7.7% for all Council house rents for 2024/25;
- b) a garage and plot average rent increase of 7.7% for 2024/25;
- c) a weekly amenity charge increase of 7.7% (rounded to the nearest pence) for all relevant Council house properties for 2024/25;

- d) an increase to the service charges of 7.7% to 9 sheltered schemes and 21 blocks of general needs flats;
- e) an increase for water charges at Brook Street Court of 7.2% for 2024/25;
- f) an increase for service charges for the properties at Merlin Park of Retail Price Index (RPI) at December 2023 for 2024/25;
- g) the introduction of Phase 2 Service Charges at £3.46 or £1.50 per week (dependent on the block), to be collected in line with the rent collection (addresses specified in Appendix 1) or annually for leaseholders (21 leaseholders to be affected) effective as soon as practically possible for Sheltered Schemes, General Needs Flats and Flats above shops (Council Owned Stock).

Reasons:

1. To set a 7.7% rent increase in line with the Department for Levelling Up, Housing and Communities policy statement on rents for social housing updated 14th December 2022.
2. To set an increase of 7.7% on garage rents to continue covering the increasing costs of maintenance and rental collection for the Council garage sites, consistent with the approach in previous years.
3. To increase the amenity charge in line with the rent increase of 7.7% to continue covering the costs of providing the services which do not fall within the provision of the rent charge.
4. To set an increase to the service charges of 7.7% to 9 sheltered schemes and 21 blocks of general needs flats to continue to cover the increased costs of providing the services to these schemes.
5. To set an increase to the service charge for water at Brook Street Court to cover the increase in prices from the utility company to the Council for providing water at Brook Street Court.
6. To set an increase of December 2023 RPI for the service fee for the properties at Merlin Park estate, Hucknall, in line with the legal agreement between the Council and the Housing Development Company.
7. To introduce a service charge to recover some of the costs of managing, maintaining, and providing specific services in addition to the basic rent and management costs (leaseholders) at the addresses specified in Appendix 1, which meets the requirements of the Regulator of Social Housing as set out in the "Neighbourhood Standard" and the Rent Regulations.

CA.55 Regulation of Investigatory Powers Act 2000 (RIPA) - Update

Cabinet received an update on the use of the Council's Regulation of Investigatory Powers Act (RIPA) Policy during the past 3 years.

As the report presented was for information purposes only, there were no alternative options for Members to consider.

RESOLVED

that the following be noted and adopted accordingly:

- a) that the Council has not authorised any Directed Surveillance in the past 3 years pursuant to the RIPA powers;
- b) the minor amendments to the Policy ;
- c) that the necessary RIPA training was undertaken in Autumn 2022 following the Investigatory Powers Commissioner's Office (IPCO) inspection in March 2022;
- d) progress made in respect of the action plan put in place following the IPCO inspection in March 2022.

Reasons:

1. An update report was last presented to Cabinet in December 2022 and the current Code of Practice and Council Policy requires that Members are updated on RIPA authorisations on an annual basis.
2. The Policy should also be reviewed regularly to ensure it remains up to date and fit for purpose. The Policy was reviewed and amended in December 2022 following the Investigatory Powers Commissioner's Office (IPCO) inspection in March 2022, to reflect legislative changes and recommendations following the inspection since the Policy was last adopted.

CA.56 Proposed Fees and Charges 2024/25

Each year the Council reviews its Fees and Charges as part of setting its Annual Budget and Cabinet was requested to consider and approve the proposed Fees & Charges booklet for 2024/25, as appended to the report.

Members considered the alternative options for varying the fees and charges, as presented to them in the report, where applicable.

RESOLVED

that the Fees & Charges for 2024/25 (as shown at Appendix 1), with all applicable increases taking effect as soon as practically possible after 1 April 2024, be approved.

Reason:

Additional income generated will help towards meeting the inflationary costs of service provision, as well as contributing towards the Council's saving targets and continuing to support the financing of a range of services to Ashfield residents and businesses. In addition, an annual review of Fees and Charges is part of sound financial management practice and a requirement of the Council's Financial Regulations.

The meeting closed at 12.14 pm

Chairman.