

CABINET

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

on Monday, 25th November, 2019 at 10.00 am

Present: Councillor Jason Zadrozny in the Chair;

Councillors Kier Barsby, Melanie Darrington,
Samantha Deakin, David Martin, Matthew Relf,
Daniel Williamson and John Wilmott.

Apologies for Absence: Councillors Tom Hollis and Helen-Ann Smith.

Officers Present: Craig Bonar, Lynn Cain, Carol Cooper-Smith,
Sarah Daniel, Katherine Green,
Theresa Hodgkinson, Peter Hudson and Emma
Lindley.

CA.30 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests

No declarations of interest were made.

CA.31 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 7th October, 2019 be received and approved as a correct record.

CA.32 Revision of Parking Order

Cabinet were requested to consider the proposals detailed in the report regarding changes to the Council's parking provision and charges and to undertake the process to revise the Council's Parking Order.

Members were asked to note some changes to the Parking Schedule appended to the report, as follows:-

Page 42: Festival Hall, Kirkby - maximum stay should state '12 hours' instead of '4 hours';

Page 43: Ellis Street, Kirkby – maximum stay should state '2 hours' instead of '12 hours';

Page 45: New Street, Sutton - maximum stay should state '12 hours' instead of '4 hours'.

Members considered the alternative option of retaining the current car parking provision but declined this course of action due to previous Cabinet resolutions to amend free parking provision and car parking charges within the District.

RESOLVED that

- a) the proposals detailed in the report regarding changes to parking provision and charges (including the amendments to the schedule as outlined at the meeting and the proposals agreed at the February 2019 Cabinet meeting), be approved;
- b) approval be given to commence the legal process for varying the existing Ashfield District Council Civil Enforcement Off Street Parking Order;
- c) the publication of the Ashfield District Council Civil Enforcement Off Street Parking Places Variation (No 2) Order 2019, be approved;
- d) delegated authority be granted to the Director of Place and Communities, in consultation with the relevant Portfolio Holder, to enact the proposed future changes to the order as and when required and to make any minor amendments to the order, plans and other documents as required.

Reason:

To ensure that the Parking Order is up to date to reflect changes in parking provision and to provide flexibility for future changes which may be required.

CA.33 Leisure Transformation - Procurement of the New Leisure Centre Operator Contract

Cabinet were asked to note the framework for the procurement of a new Leisure Operator Contract for April 2021 onwards, as outlined in the report.

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

RESOLVED

that the report be received and noted.

Reason:

To ensure Cabinet Members are kept updated in relation to the procurement of a new Leisure Operator Contract, commencing April 2021.

CA.34 Domestic Abuse Policies

Approval was sought from Cabinet Members for the implementation of two Council policies regarding domestic abuse.

Members considered the alternative option of declining to review, update and consolidate the three policies (developed between 2014 and 2017), but acknowledged the importance of regularly updating the policies taking into account a number of identified updates aimed at enhancing the Council's

efforts to tackle domestic abuse committed against residents and employees.

RESOLVED

that the Housing & Assets Domestic Abuse Policy and the Employee Domestic Violence & Abuse Policy, as presented to Cabinet, be approved.

Reasons:

In July 2018, Cabinet approved Council making a commitment to the Make a Stand campaign, which had been developed by the Chartered Institute of Housing in partnership with Women's Aid and the Domestic Abuse Housing Alliance. It was created to encourage social housing providers to make a commitment to support people experiencing domestic abuse.

A requirement of committing to the campaign was to ensure that two policies were put in place:

1. A policy to support residents affected by domestic abuse;
2. A HR policy supporting members of staff who might be experiencing domestic abuse.

CA.35 Town Centres Funding

Cabinet were asked to note the progress of the Future High Streets Fund (FHSF) bid and to approve the submission of a bid to the second stage of the Fund including an update on the Towns Funding for Kirkby in Ashfield and Sutton in Ashfield.

Members considered the alternative option of declining to progress a bid to the second stage of the Future High Streets Fund but acknowledged that funding opportunities for town centres were limited and the Council had been awarded a revenue grant of £95k to support preparation of the bid.

In relation to the Town Deals initiative, Members also considered the alternative option of declining to accept the opportunity provided through the Town Deals initiative for Kirkby and Sutton. It was again acknowledged, that funding opportunities for town centres were limited and the Council had been awarded a revenue grant of £162k for each town to support preparation of the Town Investment Plans and business cases.

RESOLVED that

- a) the Council's successful first stage bid to the Future High Streets Fund and the acceptance of £95k revenue funding from the Fund, be noted;
- b) the submission of a bid to the second stage of the Future High Streets Fund be supported;
- c) the acceptance of the £324k revenue funding for the Towns Deal for Kirkby and Sutton (£162k per town), be noted;

- d) delegated authority be granted to the Director of Place and Communities, in consultation with the Portfolio Holder for Place, Planning and Regeneration, to oversee the process for setting up a joint board, producing a Joint Town Investment Plan and submitting a business case to access Town Deal funding for Kirkby and Sutton.

Reason:

The Future High Streets and Town Deal funding present a tremendous opportunity to secure investment for Kirkby and Sutton. Transformative regeneration benefits would be realised for the towns, with areas re-purposed, reducing over-reliance on retail and helping to create a sustainable future for the towns, delivering long term economic and productivity growth.

CA.36 2019/20 Quarter 2 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme and Revised Proposed Capital Programme 2019/20 to 2023/24

Cabinet were requested to note the current forecast outturns and variances on the General Fund, Housing Revenue Account (HRA) and Capital Programme 2019/20 and approve the amendments and new schemes added to the Capital Programme 2019/20 to 2023/24.

Due to the requirements of the Council's Financial Regulations, Members did not have any alternative options to consider.

RESOLVED that

- a) the current forecast outturn on the General Fund, Housing Revenue Account (HRA) and Capital Programme 2019/20 and the reasons for major variances, as set out in Section 1, 3 and 5 of the report, be noted;
- b) the use of £20k of the forecast General Fund underspend to fund additional staff training in relation to new digital processes introduced through the Digital Transformation Programme and access to the £20k of National Lottery match funding available from Citizens Online (Section 1.10 of the report), be approved;
- c) Council be recommended to approve the amendments and addition of new schemes to the Capital Programme 2019/20 to 2023/24 and the funding of the Capital Programme, as set out in Section 6 of the report.

Reasons:

- 1) In accordance with the Council's Financial Regulations to report to those charged with Governance the financial position to 30 September 2019.
- 2) In accordance with the Council's Financial Regulations, the Capital Programme for 2019/20 to 2023/24 is required to be reported to Cabinet to ensure that the programme meets the corporate priorities.
- 3) In accordance with Council's Financial Regulations Cabinet are required to consider and recommend to Council the Capital Programme 2019/20 to 2023/24.

CA.37 Regulation of Investigatory Powers Act 2000 (RIPA) - Update

Cabinet Members received an update on the use of the Council's Regulation of Investigatory Powers Act (RIPA) policy within the past 12 months and asked to approve the amendments needed to the RIPA Policy.

Members considered the alternative option of declining to receive an update, which could put the Authority at risk of challenge for breach of policy. In addition, it was acknowledged that declining to adopt the changes to the policy would go against recent legislative changes and specific recommendations from the IPCO and would mean that any powers utilised under the policy could be subject to challenge.

RESOLVED that

- a) it be noted that the Council has authorised one Directed Surveillance in the past 12 months pursuant to the RIPA powers;
- b) the minor amendments to the Policy following the Investigatory Powers Commissioner's Office (IPCO) inspection in March 2019, as outlined in report, be approved.

Reasons:

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. The Policy should also be reviewed regularly to ensure it remains up to date and fit for purpose.

The Policy has been reviewed and amended following the IPCO inspection in March 2019 to reflect legislative changes and recommendations following the inspection since the policy was last adopted. Proposed amendments to the Policy comply with that requirement.

The meeting closed at 10.48 am

Chairman.