

CABINET

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,
on Monday, 20th September, 2021 at 1.00 pm**

Present: Councillor Jason Zadrozny in the Chair;

Councillors Samantha Deakin, Tom Hollis,
Rachel Madden, David Martin, Matthew Relf,
Helen-Ann Smith, Daniel Williamson and
John Wilmott.

Apology for Absence: Councillor Kier Barsby.

Officers Present: Craig Bonar, Lynn Cain, Paul Crawford,
Ruth Dennis, Katherine Green,
Theresa Hodgkinson, Peter Hudson,
Paul Parkinson, Antonio Taylor and
Shane Wright.

In Attendance: Councillors Will Bostock and Dale Grounds.

CA.18 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

CA.19 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 19 July 2021, be
received and approved as a correct record.

CA.20 Covid-19 Recovery Scrutiny Panel - Verbal Update

The Vice Chairman of the COVID-19 Recovery Scrutiny Panel gave an update
to Cabinet regarding the work undertaken at the last meeting of the Panel.

Following discussions by Panel Members regarding the proposed Covid-19
commemorative benches, the Panel had unanimously agreed to a couple of
recommendations for submission to Cabinet and these were read out
accordingly.

Having considered the update, Cabinet Members agreed that it would be a
nice gesture for the Chairman of the Council to visit the children at Holgate
Primary and Nursery School in Hucknall to thank them personally for their
commemorative bench design ideas.

RESOLVED that

- a) approval be given to identify funding for four commemorative benches to be located in suitable locations in Kirkby, Sutton, Hucknall, and the Rurals, as a tribute to the tireless efforts of key workers during the COVID-19 pandemic;
- b) following initial design suggestions by the COVID-19 Recovery Scrutiny Panel, further design work regarding the commemorative benches be commenced in line with identified funding.
- c) the Chairman of the Council undertake a visit to the Holgate Primary and Nursery School in Hucknall to award certificates and personally thank the children involved in the preliminary design of the proposed Covid-19 commemorative benches.

(Prior to consideration of the next report and in accordance with Council Procedure Rule 4 (Order of Business), the Chairman advised that he would be moving agenda item 7 (Revised Aids and Adaptations Policy) to the next item of business on the agenda. Committee Members concurred with this course of action.)

CA.21 Revised Aids and Adaptations Policy

Cabinet was advised as to the Council's approach to assisting residents who require an aid or adaptation to their home to help them retain independence and to seek approval for the revised Aids and Adaptations Policy.

Members considered the alternative option of declining to approve the revised policy but this was not recommended, as part of the Council's commitment to partnership working was to establish a common, countywide approach to adapting private properties.

RESOLVED that

- a) the revised Aids and Adaptations Policy, as attached at Appendix A, be approved;
- b) the new maximum grant level of £50,000 be applied to new and existing cases where work is yet to start on site.

Reason:

The Council is keen to ensure that residents are given the assistance they need to remain independent in their home for as long as practically possible. Further understanding shows that not only does this protect the wellbeing and dignity of residents, it also reduces demand on other public sector services, such as hospitals, nursing and residential care.

CA.22 Public Space Protection Order 2021 Extension and Variation

Cabinet was presented with the outcome of the Public Spaces Protection Order (PSPO) consultation and were invited to recommend to Council that the PSPO be extended for a further 3 years and be varied to include specified additional prohibitions.

Members considered the alternative option of declining to extend (and vary) the existing PSPO which would cease on 30 September 2021, but this was not recommended as officers would no longer be able to take action in addressing dog fouling, dog control, alcohol related street drinking, urinating in public places or be able to move people on whilst addressing localised problems.

RESOLVED that

- a) the consultation exercise, undertaken on the proposed 3 year extension and variation of the Public Spaces Protection Order including acknowledgement of the consultation responses as outlined in this report which largely supports the proposed Order, be received and noted;
- b) Council be recommended to approve the extension, variation and associated budget for the existing Public Spaces Protection Order as set out in the draft order to commence on 1st October 2021.

Reasons:

1. In line with Section 60, Anti-Social Behaviour, Crime and Policing Act 2014, a PSPO may not have effect for a period of more than 3 years unless extended. The existing PSPO enacted on 1 October 2018, relating to a number of dog-related issues, alcohol and urinating would expire on 30 September 2021 unless the PSPO was formally extended following due process.
2. Evidence had been gathered to support the continued need for the order and public consultation largely supported the Order. Extending the PSPO ensured that the Council and Police could take suitable action including issuing Fixed Penalty Notices for these types of issues.

CA.23 Ashfield District Council - CCTV Policy

Cabinet reviewed the Council's new Closed-Circuit Television (CCTV) and Surveillance Policy which supported the control and management of CCTV, Body Worn Video (BWV) and Noise Monitoring Equipment used by the Council.

Members considered the alternative option of declining to approve the policy but acknowledged that this would lead to the Council not fulfilling its legal obligations in relation to CCTV, surveillance and associated codes of practice.

RESOLVED that

- a) the work that has been undertaken and which is ongoing to ensure lawful compliance and good governance in the operation and use of the Council's surveillance systems, be received and noted;

- b) the Council's Policy and associated governance arrangements for CCTV and surveillance equipment, be approved;
- c) a one-off budget of £4,000 to replace signage for CCTV across the District, be authorised.

Reason:

To authorise the policy and associated documentation to ensure that the Council is exercising its duties and functions in accordance with the law and associated codes of practice set out by the Surveillance Camera Commissioner.

CA.24 2021/22 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at July 2021

Cabinet was presented with a summary of the Council's forecast financial outturn position to 31 March 2022 compared to the latest approved budgets for the General Fund, Housing Revenue Account (HRA) and the Capital Programme and asked to approve the adjustments/amendments as indicated.

Members were requested to consider a change to the original recommendations to allow the £700k budget increase for the Depot Roof to be funded by Capital Receipts rather than borrowing (resulting in the full value of the roof being funded from Capital Receipts at £950k).

Members considered the alternative option of declining to approve the budget adjustments and the amendments to the Capital Programme, as presented.

RESOLVED that

- a) the current forecast outturn for the General Fund, Housing Revenue Account (HRA) and Capital Programme for 2021/22, be received and noted;
- b) the budget adjustments outlined in Section 3.1, Table 3 of the report, be approved;
- c) Council be recommended to approve the amendments and the addition of new schemes to the Capital Programme 2021/22 to 2025/26 and the funding of the Capital Programme, as set out in Section 7 and Appendix 3 of the report, subject to an amendment to the original recommendation to allow the £700k budget increase for the Depot Roof to be funded by Capital Receipts rather than borrowing (resulting in the full value of the roof being funded from Capital Receipts at £950k).

Reason:

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

CA.25 Leisure Transformation Programme: Hucknall Leisure Centre Costings

Cabinet was updated on the design development of the Hucknall Swimming Pool extension which forms part of the overall £22.5m investment in leisure services across the District, whilst seeking approval to commence procurement of the Capital Works elements of the project and receive the necessary delegations.

Members considered the alternative option of declining to approve commencement of the procurement stage for the Hucknall Swimming Pool extension project, but this was not recommended.

RESOLVED that

- a) the design development completed to date regarding the second swimming pool facility at Hucknall Leisure Centre, be received and noted;
- b) approval be given to the commencement of the procurement stage of the project via an open tender procedure supported by Nottingham City Council Procurement Unit;
- c) delegation authority to award the capital works build contract, be granted to the Chief Executive Officer, in conjunction with the Corporate Finance Manager (and Section 151 Officer) and the Portfolio Holder for Leisure, Health and Wellbeing, subject to the project remaining within the Capital Programme approved budget;
- d) approval be given for Everyone Active to complete the Wet Leisure Village transformation at Hucknall Leisure Centre as part of the overall development.

Reason:

The development of a second swimming pool facility at Hucknall Leisure Centre is a key deliverable of the Leisure Transformation Programme which the Council is currently delivering. The Council is also progressing with the design development of the second swimming pool facility at Hucknall and has been working with Everyone Active as the leisure services provider throughout.

CA.26 Public Open Space and Playing Pitch Strategy Updates

Cabinet was provided with a summary of progress on the action plan of the Public Open Space Strategy 2016 – 2026 and were requested to consider and approve the revised action plan as presented. Members also received an update to the timeframe for the replacement Playing Pitch Strategy.

Members considered the alternative option of declining to approve the action plan update to the Public Open Space Strategy, but this was not recommended as the Strategy required reviewing in order to ensure that it remained fit for purpose and considered sound for negotiating purposes with developers for open space provision and financial contributions.

RESOLVED that

- a) progress on the delivery of the Public Open Space Strategy action plan from 2016 onwards, be received and noted;
- b) the replacement programme for the Playing Pitch Strategy, be also noted;
- c) Council be recommended to approval the mid-point review and update of the Public Open Space Strategy action plan.

Reason:

1. The Public Open Space Strategy was first completed 5 years previously and an update to the action plan was required to ensure that the plan remained fit for purpose and considered sound.
2. To make Cabinet aware of the timeframe for the replacement Playing Pitch Strategy.

(During consideration of this item, Councillor John Wilmott left the meeting at 2.29pm.)

CA.27 Towns Fund and Future High Streets Fund

Cabinet was requested to agree actions to support delivery of the Towns Fund project programme and were updated on progress with the Towns Fund and Future High Streets programmes.

Members considered the alternative option of declining to accept the funding or to delegate authority for approval of business cases, but it was not recommended as this would unnecessarily delay delivery of the agreed programmes.

RESOLVED that

- a) Council be recommended to accept the Early Release Towns Fund Capital Funding, includes the funding within the Capital Programme and delegate allocation of the funds to the Portfolio Holder for Regeneration and Planning and the Corporate Finance Manager (and S151 Officer), in consultation with the Discover Ashfield Board;
- b) delegated approval of the Towns Fund project business cases be also granted to the Portfolio Holder for Regeneration and Planning and the Corporate Finance Manager (and S151 Officer) in consultation with the Discover Ashfield Board;
- c) progress on the Towns Fund and Future High Streets programmes, be received and noted.

Reason:

To support project delivery the Ministry of Housing, Communities and Local Government (MHCLG) will be releasing an early payment of 5% (£3.13m) of the total Heads of Terms offer of £62.6m. The funding will need to be included within the Capital Programme so that the funding can be used to develop the projects and business cases.

CA.28 Ashfield Local Development Scheme 2021

Cabinet was requested to approve the new Ashfield Local Development Scheme (2021) which outlined the Council's programme for the production of the Ashfield Local Plan (2020 – 2038).

Due to legislation requiring the Council (as the local planning authority) to revise the Local Development Scheme at such time as they consider appropriate, there were no alternative options to consider.

RESOLVED

that the Ashfield Local Development Scheme (2021) to come into effect on the 1st October 2021, as set out at Appendix 1, be approved.

Reason:

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

The meeting adjourned at 2.40pm and reconvened at 2.43pm.

CA.29 Draft Ashfield Local Plan (2020 - 2038) Public Consultation (Regulation 18)

Cabinet was asked to consider the Draft Ashfield Local Plan (2020 – 2038) as presented and approval was also sought to undertake public consultation under Regulation 18 of the Town and Country Planning, (Local Planning) (England) Regulations 2012, as amended.

Members considered the alternative option of declining to progress with Regulation 18 public consultation, but this exercise would be required to ensure that the District has an up-to-date Local Plan to enable delivery of sustainable development over the Plan period 2020 – 2038.

RESOLVED that

- a) the Draft Ashfield Local Plan (2020 – 2038) and accompanying evidence base and supporting documents, be received and acknowledged;
- b) public consultation on the Draft Ashfield Local Plan (2020 – 2038) and associated evidence base and supporting documentation for a minimum of 6 weeks in October / November 2021, be approved;
- c) delegated authority be granted to the Assistant Director of Planning and Regulatory Services, in consultation with the Portfolio Holder for Regeneration and Planning, to approve minor amendments to the Draft Local Plan and any accompanying documents in preparing them for the period of public consultation.

Reason:

To ensure that the Council continues to make progress towards the adoption of a replacement Local Plan for the District.

The meeting closed at 3.00 pm

Chairman.