

CABINET

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

on Monday, 17th February, 2025 at 10.00 am

Present: Councillor Jason Zadrozny in the Chair;

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

Apology for Absence: Councillor Matthew Relf.

Officers Present: John Bennett, Craig Bonar, Lynn Cain,
Sarah Curtiss, Ruth Dennis, Charles Edwards,
Tammy Fox, Theresa Hodgkinson,
Peter Holland, Shane Wright and Sara Wood.

CA.42 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

Councillor Jason Zadrozny declared a Disclosable Pecuniary Interest in respect of Agenda Item 14 (Ashfield Local Plan 2023 to 2040: Additional Sites and Public Consultation). Councillor Zadrozny advised that he would be leaving the room and handing over the Chair to Councillor Helen-Ann Smith for the duration of the item.

CA.43 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 20 January 2025, be received and approved as a correct record.

CA.44 Infrastructure Grants April 2025 - March 2028

Cabinet received an update regarding work completed by infrastructure organisations in receipt of a grant from Ashfield District Council in the first six months of the 2024/25 financial year. Members were also asked to consider future funding arrangements from April 2025 onwards.

Representatives from all four organisations in receipt of funding were in attendance at the meeting and took the opportunity to address Cabinet and give an overview of their work supporting residents and communities within Ashfield.

Members also considered the alternative option of declining to allocate future funding, but this was not recommended as it would have a negative impact on the groups previously supported by the Council and the service users of those organisations.

RESOLVED

that approval be given to continue to fund four infrastructure organisations, offering a 3 year funding arrangement, with a 5% increase year on year.

Reason:

The recommendation recognises the value the Council places on the work of the infrastructure grants in supporting residents and communities within Ashfield. The 3-year offer provides financial security to the organisations, enabling them to better plan for the delivery of the services.

CA.45 2024/25 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme

Cabinet received a summary of the Council's forecast financial outturn position to 31 March 2025 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 2024/25, be received and noted;
- b) Council be recommended to approve the amendments and the addition of new schemes to the Capital Programme 2024/25 to 2028/29 and the funding of the Capital Programme as set out in Section 6 and Appendix 3 of the report;
- c) the monitoring of Prudential and Treasury Management indicators for 2024/25, as detailed in Appendix 4, be also received and noted.

Reason:

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

CA.46 Housing Revenue Account Medium Term Forecast 2024/25 – 2028/29

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.47 Housing Rent Setting 2025/26

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 2025/26.

(At this point in the proceedings Councillor Vicki Heslop declared a Non-Registrable interest in respect of this item as a Council tenant. Advice was given that a general dispensation existed to enable Councillor Heslop to remain in the meeting and take part in the discussion and voting thereon.)

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 2.7% for all Council house rents for 2025/26;
- b) a garage and plot average rent increase of 2.7% for 2025/26;
- c) a weekly amenity charge increase of 2.7% (rounded to the nearest pence) for all relevant council house properties for 2025/26;
- d) an increase to the service charges of 2.7% to the sheltered schemes and general needs blocks of flats where applicable (Service Charge A);
- e) an increase for water charges at Brook Street Court of 6.5% for 2025/26;
- f) an increase for service charges for the properties at Merlin Park of Retail Price Index (RPI) at December 2024 for 2025/26 (Service Charge B).

Reasons:

1. To set a 2.7% rent increase in line with the Department for Levelling Up, Housing and Communities policy statement on rents for social housing updated 3rd April 2024.
2. To set an increase of 2.7% 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 2.7% 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 2.7% to sheltered schemes and general needs blocks of 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 2024 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.

CA.48 Annual Budget and Council Tax 2025/26 and Medium Term Financial Strategy Update

Cabinet was presented with the Council's Annual Budget, the Council Tax proposals for 2025/26 and a Medium Term Financial Strategy (MTFS) update.

Members considered the alternative option of applying an increase to Council Tax for the 2025/26 financial year, but this was not recommended as the Council recognised the adverse impact of cost of living pressures on many residents and its desire to be as supportive to Ashfield's residents as possible.

RESOLVED

that Cabinet recommends the following to Council:

- a) approval of a freeze (no annual increase) in the level of the District's own Council Tax for 2025/26, setting the Band D equivalent at £207.13;
- b) approval of the proposed changes to Fees and Charges, (Appendix 1), which have been factored into the proposed 2025/26 budgets;
- c) approval of the proposed 2025/26 Revenue (General Fund) and HRA Budgets as summarised in this report (Sections 4 and 5);
- d) that it notes the proposed Capital Programme and associated borrowing 2024/25 to 2028/29 as set out in the report (Section 6), which have also been presented for approval within the report: *2024/25 Forecast Outturn for General Fund, HRA and Capital Programme as at December 2024* (summarised in the report for completeness because of their impact on revenue budgets);
- e) approval of the 2024/25 Revised HRA and Capital Budgets as set out in the report (Sections 5 and 6);

- f) approval that the precept figures from Nottinghamshire County Council, Nottinghamshire Fire and Rescue Authority, Nottinghamshire Police and Crime Commissioner and the two Parish Councils within the District be incorporated, when known, into the Council Tax recommendation to Council on 3rd March 2025;
- g) that it notes the estimated financial challenge in the Medium-Term Financial Strategy (MTFS) for 2026/2027 to 2027/28 and the planned approach to address the challenge (Section 7);
- h) approval of the proposed use of reserves as set out in the report (Table 6 (General Fund) and Table 8 (HRA));
- i) that it notes and accepts the comments and advice of the Corporate Resources Director (Section 151 Officer), provided in compliance with Section 25 of the Local Government Act 2003, as to the robustness of the estimates included in the 2025/26 Budget and the adequacy of the reserves for which this budget provides (Section 8).

Reason:

In accordance with the Local Government Finance Act 1992 the Council must set its annual budget by 10th March in the preceding financial year.

CA.49 Capital Strategy 2025/26

Cabinet considered the Council's proposed Capital Strategy prepared in accordance with the Chartered Institute Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities.

As it is a requirement of the CIPFA Prudential Code for all Local Authorities to have a Capital Strategy and a requirement of DLUHC Statutory Guidance on Local Government Investments to have an Investment Strategy covering non treasury management investments, Members did not have any alternative options to consider.

RESOLVED that

- a) the contents of the Capital Strategy (CS) for 2025/26 including the Annexes 1-3, as presented, be received and noted;
- b) Council be recommended to approve the following:
 - Capital Strategy
 - Commercial Property Investment Strategy
 - Commercial Property Indicators;
- c) it be duly noted that the Capital Strategy was considered and supported by the Audit Committee on 30 January 2025.

Reasons:

1. It is a requirement of the CIPFA Prudential Code for all Local Authorities to have a Capital Strategy approved by Council.

2. DLUHC Statutory Guidance on Local Government Investments require that the Council has an Investment Strategy that covers non-treasury management investments and includes quantitative indicators approved by Council.

CA.50 Treasury Management Strategy 2025/26

Members were requested to consider the Council's Treasury Management Strategy for the financial year 2025/26 comprising the following:-

Treasury Management Policy
Treasury Management Strategy Statement (TMSS)
Borrowing Strategy
Annual Investment Strategy
Minimum Revenue Provision Policy
Prudential Indicators and Treasury Management Indicators
Treasury Management Practices: Risk Management.

As it is a requirement of the CIPFA Treasury Management Code for all Local Authorities to have a Treasury Management Strategy (TMS) and a requirement of DLUHC Statutory Guidance on Local Government Investments to have an Investment Strategy, Members had no alternative options to consider.

RESOLVED that

- a) the contents of the Treasury Management Strategy (TMS) for 2025/26, including the changes to the Annual Investment Strategy, as presented, be received and noted;
- b) Council be recommended to approve the Treasury Management Policy Statement incorporating the:
 - Treasury Management Strategy Statement (TMSS)
 - Borrowing Strategy
 - Annual Investment Strategy
 - Minimum Revenue Provision (MRP) Policy
 - Prudential Indicators and Treasury Management Indicators including the Liability Benchmark indicator
 - Treasury Management Practices: Risk Management which includes the Environmental, Social and Governance (ESG) update.
- c) it be noted that the Treasury Management Strategy was considered and is supported by the Audit Committee at its meeting on 30 January 2025.

Reason:

In accordance with Financial Regulation C.31. Cabinet is responsible for providing effective scrutiny of the Treasury Management Strategy and Policies and recommending the same to Council for approval.

CA.51 Aids and Adaptations Policy

Cabinet was advised about the increasing difficulty in delivering large scale property adaptations to private properties within the current spending limit. Approval was sought to allow some flexibility to exceed the limit to meet the needs of local residents as required.

Members considered the alternative options of leaving the wording within the Aids and Adaptations Policy (Part A) unchanged or agreeing to increase the discretionary top up of the Disabled Facilities Grant from £20,000 to an alternative specific figure.

RESOLVED

that the following change of wording to section 5.1 of the Council's Aids and Adaptations Policy (Part A), be approved as follows:

Current Wording

Sec 5.1 - Although the maximum amount of grant available for a mandatory DFG is currently £30,000, the Authority has agreed through this policy to potentially provide up to an additional £20,000 as a discretionary top-up...

Approved Change of Wording

Sec 5.1 - Although the maximum amount of grant available for a mandatory DFG is currently £30,000, the Authority has agreed through this policy to potentially provide up to an additional £20,000 as a discretionary top-up. The expectation is that the combined mandatory grant and discretionary top up, totalling a maximum of £50,000, will be sufficient to meet the needs of most residents. In exceptional circumstances, the Executive Director can approve works above this figure. In doing so there must be clear evidence that the works are essential to the needs of the residents, that all attempts have been made to reduce costs and that all other options have been considered...

Reason:

Under the terms of the Aids and Adaptations Policy there is no flexibility to exceed the upper limit, even in exceptional circumstances. There is no facility for Councillors or Senior Officers to approve an out of policy decision. To enable the Council to help those families with exceptional needs, flexibility is necessary to exceed the upper limit of £50,000 for adaptations to private homes, hence the need to revise the wording in the Aids and Adaptations Policy (Part A).

CA.52 Social Housing Regulatory Update

Cabinet received an update regarding the current position of social housing consumer regulation and were provided assurance of the direction of travel for regulatory compliance, in line with the expectations of the Regulator of Social Housing and in preparation for regulatory inspection.

Members considered the alternative option of declining to approve implementation of the appended draft Tenant Engagement Strategy and accompanying plan but this was not recommended.

RESOLVED that

a) the following be received and noted:

- the assessment of the Council's position against the current Consumer Standards;
- progress against the appended action plan;
- the Quarter 3 2024/25 Tenant Satisfaction Measures perception survey results;
- overall responsibility for compliance with the Council's social housing regulatory requirements;

b) implementation of the appended draft Tenant Engagement Strategy and accompanying plan, be approved;

c) Cabinet agrees that the enclosed/appended information be determined as sufficient assurance that the performance of social housing functions is compliant with the requirements of the Regulator of Social Housing.

Reasons:

1. To update Cabinet Members on how the Council meets the requirements of the social housing regulatory regime for its council housing provision and complies with the expectations of the Regulator of Social Housing (RSH).
2. To update Cabinet Members with details of regulatory developments, since the last update.
3. 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 Ashfield Local Development Scheme

Cabinet was presented with the revised Ashfield Local Development Scheme for approval, as shown at Appendix 1 of the report. The Scheme set out the Council's programme for the production of the Ashfield Local Plan (2023 – 2040).

As current legislation requires 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 for Members to consider.

RESOLVED

that the Revised Ashfield Local Development Scheme, as set out at Appendix 1 to the report, be approved to come into effect on 17 February 2025.

Reasons:

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

2. At the Local Plan Development meeting on 5 February 2025, the Local Plan Development Committee recommended to Cabinet that it resolves that the Revised Ashfield Local Development Scheme, as set out at Appendix 1 to the report, comes into effect on 17 February 2025.

CA.54 Ashfield Local Plan 2023 to 2040: Additional Sites and Public Consultation

(Councillor Helen-Ann Smith in the Chair)

Cabinet was requested to consider the recommendations of the Local Plan Development Committee meeting held on 5 February 2025 and any additional potential housing sites for allocation in the Local Plan to address housing supply for the entire Plan period. Members were also asked to authorise the undertaking of a 6-week public consultation on the allocation of additional potential housing sites as agreed.

(In accordance with the Council's Constitution and the Members' Code of Conduct, Councillor Jason Zadrozny previously declared a Disclosable Pecuniary Interest in respect of this matter. The interest was such that he left the meeting and took no part in the discussion or voting thereon.)

Members considered the four alternative options as outlined in the report.

RESOLVED

that having considered all the submitted options and the recommendations from the Local Plan Development Committee at its meeting on 5 February 2025, approval be given to the following:

- a) a recommendation be made to Council to approve the additional potential housing sites for allocation in the submitted Local Plan in order to meet the identified level of need for the entire Plan period, for the purposes of public consultation and submission to the Secretary of State for Housing, Communities and Local Government in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended and the Planning and Compulsory Purchase Act 2004, subject to the removal of site H1Sam, Land north of Fackley Road (Phase 2) Teversal, from the list;
- b) the updating of relevant policy, supporting text and other documents to reflect the inclusion of potential housing additional sites;
- c) to authorise the Assistant Director of Planning to make amendments pre consultation to reflect up to date information on existing proposed site allocations;
- d) a recommendation be made to Council to approve proposals for a 6-week public consultation on additional potential housing sites;

- e) to authorise the Executive Director of Place in consultation with the Executive Lead for Growth, Regeneration and Local Planning to agree minor amendments to policy, supporting text and other relevant documents accordingly, post consultation, prior to submission to the Inspectors and during the examination if required.

Reason:

To address concerns raised by the Inspectors subsequent to the Ashfield Local Plan 2023-2040 initial hearing sessions which took place in November 2024 and to enable the progression of the Examination to deliver a 'sound' Local Plan.

CA.55 Section 100A Local Government Act 1972: Exclusion of the Press and Public

(Councillor Jason Zadrozny in the Chair)

RESOLVED

that in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act and in respect of which the Proper Officer considers the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CA.56 Write offs over £10K (Corporate Sundry Debtors, Overpaid Housing Benefit & National Non-Domestic Rates)

Council was requested to approve the write off of outstanding invoices and National Non-Domestic Rates liability over £10K, where recovery had been exhausted.

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

RESOLVED

that approval be given to write off the amounts identified in Cases 1 to 6, as outlined the report.

Reason:

In accordance with the Corporate Debt Recovery Policy, all recovery actions have now been exhausted.

The meeting closed at 11.30 am

Chairman.

