

## CABINET

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

on Monday, 20th February, 2017 at 6.30 pm

**Present:** Councillor Cheryl Butler in the Chair;

Councillors Jim Aspinall, Tim Brown, Don Davis,  
Jackie James, Keir Morrison and  
Nicolle Ndiweni.

**Officers Present:** Craig Bonar, Edd deCoverly, Ruth Dennis,  
David Greenwood, Mike Joy, Alan Maher,  
Robert Mitchell, Paul Parkinson and  
Carys Turner-Jones.

**In Attendance:** Councillors Amanda Brown, Helen-Ann Smith  
and Jason Zadrozny.

### **CA.70 Declarations of Disclosable Pecuniary and Non-Disclosable Pecuniary / Other Interests**

There were no Declarations of Interest.

### **CA.71 Minutes**

The minutes of the meeting held on Thursday 19 January 2017 were approved as a true record.

### **CA.72 Scrutiny Review of Home-Made Kerb Sets (Cemeteries)**

Members were informed that Scrutiny Panel 'A' had carried out a review of home-made 'kerb sets', or boundary markers and other decorations placed on and around grave plots in the Council's cemeteries. There had been an increase in the number of grave plots with home-made Kerb Sets and decorations in recent years. The Panel wanted to assess what the impact of this increase had been on the day-to-day maintenance of the cemeteries and in particular, what health and safety risks it had caused.

The report to Cabinet explained the key findings from the review and its recommendations. These included two minority recommendations made by Cllrs Tony Brewer and Helen-Ann Smith. Cabinet heard from Cllrs Amanda Brown, the Chair of the Panel and Cllr Helen Ann Smith. Cabinet discussed the report. Members felt that Scrutiny Panel 'A' had carried out an excellent piece of work and had raised many important issues. It was agreed that these

issues would need to be carefully assessed, in order to determine the most appropriate response to them.

#### RESOLVED

- a) That Cabinet notes the recommendations of Scrutiny Panel 'A'.
- b) That a further report be submitted to Cabinet setting out a proposed response to these recommendations.

#### Reasons

To help alleviate some of the current issues relating to health and safety, general maintenance and consistency of rules for all.

### **CA.73 Scrutiny Review of Fuel Poverty and Affordable Warmth**

Members then heard about the review which the Overview & Scrutiny Committee had carried out into Fuel Poverty and Affordable Warmth in the District. The Committee wanted to assess the impact of Fuel Poverty on the District and especially on the health and wellbeing of vulnerable people. It also wanted to find out whether existing policies and strategies had helped to alleviate Fuel Poverty and promote Affordable Warmth.

The report to Cabinet explained the key findings from the review and its recommendations. In particular, Members of the Committee had been very disappointed to hear that the Government had changed its policy on the introduction of so-called 'Smart Meters'. These meters measure exactly how much energy people use and how much they are paying for each unit of energy. However, instead of requiring that all homes have a Smart Meter installed by 2020, the Government only now requires that the energy companies should offer householders one.

Cabinet shared the Overview & Scrutiny Committee's disappointment at this change in policy. There was a consensus that it would greatly reduce the take-up of Smart Meters, including the take-up by people in fuel poverty who might benefit greatly by having one. In line with the Committee's recommendations, Cabinet agreed that the Leader of the Council should write to Ministers and urge them to once again make the installation of Smart Meters for all customers a mandatory requirement on energy supply companies.

#### RESOLVED

- a) That Cabinet agrees the recommendations of the Overview & Scrutiny Committee on Affordable Warmth and Fuel Poverty as set out in the report;
- b) That Cabinet agrees that the necessary action required to implement these recommendations be taken by officers;
- c) That Cabinet notes that the Overview & Scrutiny Committee will revisit the issue on Fuel Poverty and Affordable Warmth in six months' time.

#### Reasons

Reducing Fuel Poverty and improving Affordable Warmth forms part of the Council's corporate priorities and key activities in relation to health and well-being, housing and place and communities.

### **CA.74 Regulation of Investigatory Powers Act 2000 (RIPA) Update**

Cabinet was asked to consider and approve amendments to the Council's Regulation of Investigatory Powers Act (RIPA) policy. It was explained that these amendments were required to help ensure that the Policy remained in line with current legislation and guidance.

Members discussed the report and the amendments. They heard that the amendments incorporate various changes recommended by the Office of the Surveillance Commissioners (OSC). Cabinet also noted that the Council had not used its powers under RIPA to authorise any covert surveillance during the last twelve months.

#### RESOLVED

- a) That Cabinet approves and accepts the proposed amendments to the Regulation of Investigatory Powers Act 2000 (RIPA) Policy;
- b) That Cabinet delegates responsibility to the Assistant Chief Executive (Governance) for all minor amendments to the Policy;
- c) That Cabinet notes that the Council has not authorised any covert surveillance pursuant to the RIPA powers in the past 12 months.

#### Reasons

The RIPA Policy should be reviewed regularly to ensure that it remains fit for purpose. The amendments to the policy comply with that requirement.

### **CA.75 The Council's Capital Strategy**

The report to Cabinet proposed a revised Capital Strategy. This was intended to reflect the Council's current priorities and the need for investment to help support and benefit its Medium Term financial strategy (MTFS). Under the revised Capital Strategy, there would be a greater focus on investing in commercial and residential assets to help generate ongoing income. This income could then be used to help support the Council's services.

Members welcomed the suggested approach. They felt that it would help the Council to offset the large scale reductions in support from central government and so protect services to the public.

#### RESOLVED

- a) That Cabinet agrees the principles of the new Capital Strategy;
- b) Cabinet notes that the revised policy of Minimum Revenue Provision will be formally considered as part of the Treasury Management Strategy at

the Cabinet's meeting in March 2017;

- c) Cabinet notes that a further report will be submitted to its March 2017 meeting, detailing the matrix which will be used to select appropriate potential investment properties and the proposed governance arrangements to enable such purchases.

#### Reasons

In order to use the Council's resources to enhance infrastructure which is used to provide services, and providing funding for those services to be continued.

### **CA.76 Capital Programme 2016/17 - 2019/20**

Members were next asked to consider a revised Capital Programme that would be based on the new Capital Strategy. Total General Fund capital expenditure, it was explained, would increase by £152k over the life of the programme. Similarly, funding for Area Committee schemes would increase by £94k to be met from Section 106 grants (or the money which developers provide to fund projects that benefit the community as a condition of approved planning applications) and other external sources. Capital expenditure on the Housing Revenue Account would decrease by £2.3M. This reduction reflected changes that had been made to the profile and mix of Decent Homes Schemes, which meant that less capital expenditure was now required.

Cabinet discussed the revised Capital Programme and how specific projects would be funded. Members were reminded that the Council had put in place a Corporate Project Management Framework to help choose and take forward projects. Cabinet emphasised just how important it was that this framework be followed.

#### RESOLVED

- a) That Cabinet endorses the revised Capital Programme and recommends it to Council for approval;
- b) That Cabinet agrees that all Capital Projects, including the Section 106 and grant funded projects should follow the Council's Corporate Project Management Framework;
- c) Cabinet notes that projects will be assessed for their contribution to the Corporate Plan and impact on the Council's budget, with those that contribute positively to the Council's priorities and impact positively on its Medium Term Financial Strategy (MTFS) given priority.

#### Reasons

To allow capital investment for the period 2016/17 to 2019/20

### **CA.77 General Fund Revenue Budget 2016/17 and 2017/18**

The report to Cabinet set out the revised General Fund estimates for 2016/17 and the proposed estimates for 2017/18. Members were reminded that the Council faced major financial challenges as a result of the ongoing reductions

in central government funding that had already taken place and which were expected to continue. These challenges had become even more difficult since the Provisional Local Government Financial Settlement had been published, towards the end of 2016. As a consequence, the Council faced a £1M budget shortfall for 2017/18.

The report explained that this shortfall would be met by generating income through new commercial activities, such as the introduction of a trade waste recycling scheme. There would also have to be a package of service efficiency savings. One of these savings would involve a restructure of the Council's Corporate Leadership Team, which was expected to save at least £100k.

Cabinet discussed the report. There was a consensus that the Council would have to work in new ways if it was to continue to achieve its corporate goals and objectives. Members recognised that difficult decisions would have to be made and that these were likely to become even more difficult in the future.

## RESOLVED

- a) That Cabinet endorses the General Fund Revenue Estimates for 2016/17 (Revised) and 2017/18 and recommends them to Council for approval;
- b) That Cabinet agrees that the Local Council Tax Support Scheme continues in its current form for 2017/18;
- c) That Cabinet agrees that £30k be allocated from the Corporate Improvement Fund for investment in the new bins required for the Trade Waste Recycling project;
- d) That Cabinet agrees that the Council seeks sponsorship to reduce the overall cost of providing Christmas trees, lights and events;
- e) That Cabinet agrees that the bespoke Equality Advice Service from Mansfield District Council ceases to be provided as part of the Human Resources (HR) Shared Service and that formal notice be given to Mansfield District Council, in accordance with the Service Level Agreement, to cease provision from the Shared HR Service;
- f) That Cabinet agrees that the Council use agency workers (rather than fixed term contracts) to provide staffing for seasonal environmental work;
- g) That Cabinet agrees in principle, pending a more detailed report, to a reduction in the size of the Council's Corporate Leadership Team, with a target saving of £100k.

## Reasons

In order to set a balanced budget for 2017/18 which reduces the net cost of the Council's General Fund Revenue services in line with future predictions of reductions in resources.

**CA.78 Housing Revenue Account (HRA) Budgets (Revised 2016/17 and 2017/18)**

Cabinet then considered a report setting out the revised Housing Revenue Account (HRA) estimate for 2016/17 and the Housing Revenue Accounts for 2017/18. As part of this, Members heard that ongoing savings of £300k were initially expected following the closure of Ashfield Homes Limited. However, they were informed that this ongoing saving had increased and was now closer to £400k. Members welcomed this. They also welcomed the additional one off saving of approximately £500k that had been achieved as a result of the closure, which had been transferred into the Housing Revenue Account.

Cabinet noted that under the Welfare Reform and Work Act 2016, the Council was required to reduce the rents of Council properties by 1%. Cabinet was concerned that this would be counter-productive. It would reduce income and so make it more difficult for the Council to build or acquire new homes required to meet the District's housing needs. There was a discussion of the possible ways of acquiring new properties and the specific options that were being explored.

**RESOLVED**

- a) That Cabinet agrees the budgets for the Housing Revenue Account (HRA) for 2016/17 (revised) and 2017/18;
- b) Cabinet notes that due to the Housing and Planning Act, the budget may require an amendment during 2017/18 once an implementation date has been set for requirements of the Act in respect of 'Sale of Higher Value Council Stock';
- c) That Cabinet agrees an average rent decrease of 1% for all Council house rents for 2017/18;
- d) That Cabinet agrees a garage rent increase of 2% for 2017/18;
- e) That Cabinet agrees communal heating charges should remain unchanged at the current rate for 2017/18;
- f) That Cabinet agrees to adopt the policy of moving to formula rent at the point of re-let following vacancy from 3 April 2017;
- g) That Cabinet approves the addition to the core rent of the estate based service charges on new build properties.

**Reasons**

To approve the budgets for the HRA for 2016/17 (revised) and 2017/18 to allow the operation of the service within financial limits;

To set a 1% rent decrease as detailed in Section 23-33 of the Welfare Reform and Work Act 2016.

**CA.79 The Council's Medium Term Financial Strategy 2018/19 to 2022/23**

The report to Cabinet updated the Council's Medium Term Financial Strategy (MTFS). The report explained the reasons why the financial position facing the Council had become more difficult. These included a likely reduction in the amount of New Homes Bonus which it receives. As a consequence, the Council would now face a greater than expected annual budget shortfall throughout the life of the MTFS. Net additional savings of around £3.8M would have to be made, on top of the £1M of savings that had already been identified for 2017/18.

Cabinet discussed the MTFS and how to achieve these savings. There was a consensus that the reductions in central funding that had occurred since 2010 had impacted significantly on the Council and that this impact was likely to become even more significant as more savings have to be made.

RESOLVED

That Cabinet notes the continuing forecast budget 'gaps' over the next five financial years and agrees that a savings target of £1M should be set for 2018/19

Reasons

To address the ongoing gap between the Council's need to spend and its' available funding.

**CA.80 Approval to Accept £375k Local Growth Fund Contribution from D2N2 Local Economic Partnership (LEP) for Idlewells Indoor Market**

Cabinet was informed that the D2N2 Local Economic Partnership had now offered the Council a grant of £375k from the Local Growth Fund towards the cost of redeveloping Idlewells Indoor Market. This grant aid would be made from funds that the LEP had previously allocated to the projects of other organisations, but which they had been unable to spend.

Cabinet discussed the offer of grant aid. It heard that the additional money would help to improve significantly the market redevelopment. There was a consensus that the Council would have to increasingly seek out grants and funds from other bodies in this way if it was to continue to achieve its goals. In this context, Cabinet felt it important that rapid progress should be made in progressing the redevelopment so that the grant was used fully during the current financial year. This would help to improve the Council's case for securing additional grant aid for other projects.

RESOLVED

- a) That Cabinet approves acceptance of the funding contribution of £375k from the D2N2 Local Economic Partnership;
- b) That cabinet authorises the Chief Executive or the Deputy Chief Executive to enter into a Funding Agreement with the Accountable Body, Nottinghamshire County Council;

- c) That Cabinet agrees that the Capital Programme is updated accordingly, with the funding being utilised in 2016/17;
- d) That Cabinet agrees that the required changes to the Capital Programme be recommended to Council for approval.

Reasons

To assist in the redevelopment of Idlewells Indoor Market.

#### **CA.81 Exclusion of Public and Press**

**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 information as defined in Paragraph 3 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.82 Council House Investment**

The report to Cabinet sought approval to purchase 9 new homes to be rented as social housing to tenants in the District. Cabinet discussed the report. There was a consensus that this was an excellent initiative that should be supported.

RESOLVED

- a) That Cabinet endorses the purchase of 9 new homes and associated costs on the terms set out in the report;
- b) That this addition to the Capital Programme be recommended to Council for approval;
- c) That Cabinet authorises officers to proceed with the purchase of the properties along the terms set out in the report.

Reasons

To assist families on the housing register with housing need.

#### **CA.83 Write-off of amounts over £5,000 for Non-Domestic Rates**

Members were informed of cases where no further action could be taken to recover debts owed to the council and which would have to be written off.

RESOLVED

That Cabinet notes and agrees the amounts for write off as set out in the report.

Reasons

To inform Members of the write-off of unrecoverable sums.

The meeting closed at 7.30 pm

Chairman.