

## CABINET

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

on Thursday, 14th June, 2018 at 10.00 am

**Present:** Councillor Jason Zadrozny in the Chair;

Councillors Tom Hollis, Robert Sears-Piccavey,  
Helen-Ann Smith and John Wilmott.

**Apology for Absence:** Councillors Christian Chapman.

**Officers Present:** Craig Bonar, Carol Cooper-Smith,  
Richard Crossland, Ruth Dennis,  
Joanne Froggatt, Sharon Lynch, Robert Mitchell,  
Paul Parkinson and Julie Robinson.

### **CA.1 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

There were no declarations of interest.

### **CA.2 Minutes**

RESOLVED

that the minutes of the meeting of the Cabinet held on 15<sup>th</sup> March, 2018 be received and approved as a correct record.

### **CA.3 Corporate Scorecard - Year End 2017/18 Position**

Members were asked to consider the year-end 2017/18 outturn for the corporate performance scorecard which is aligned with the Corporate Priorities.

As the report relates to the delivery of the Corporate Plan priorities there were no alternative options to consider.

RESOLVED

that Cabinet notes the levels of performance achieved against the Corporate Scorecard at year-end 2017/18, in order to facilitate delivery of the Corporate Plan and improved performance of the organisation.

Reasons:

In March 2016 Cabinet agreed the use of a balanced scorecard methodology to enhance the organisation's performance framework and ability to understand how successfully the Corporate Priorities are being delivered, the approach providing a more rounded view on performance with a greater emphasis on customer satisfaction and quality.

The Corporate Scorecard has previously been agreed by Cabinet. The new administration has identified specific priorities for action and a fuller consideration of the Corporate Plan and Corporate Scorecard will be enacted post the District Elections in 2019.

Performance outturn for the Corporate Scorecard will be monitored and managed at CLT, Cabinet and Scrutiny.

#### **CA.4 Corporate Risk - Year End 2017/18 Position**

Members were asked to review the Corporate Risk Register and the analysis of movement in risk and mitigating actions in respect of those risks and also consider the updated Corporate Risk Strategy.

In considering the report Cabinet discussed the need to mitigate against any Planning Appeals exceeding the 10% threshold which could result in Government intervention.

Furthermore, the Leader informed the Cabinet that County Council Leaders for Nottinghamshire, Derbyshire and Leicestershire are pushing ahead for Local Government Reorganisation. A meeting has been convened for 9 July, 2018 at Bassetlaw District Council to enable Council Leaders and Chief Executives to discuss this significant issue.

(Councillor Jason Zadrozny left the room at 10.12 a.m. during consideration of this item and returned at 10.14 a.m. Councillor Tom Hollis took the Chair for this duration.)

As the report relates to the delivery of the Corporate Plan priorities there were no alternative options to consider.

RESOLVED that

a) Cabinet endorse the current significant items on the Risk Register and also agree that the following issues be included:-

- Mitigation against Planning Appeals exceeding the 10% threshold which could result in Government intervention;
- Recognition of potential risk in the event of Local Government Reorganisation;

b) the Corporate Risk Strategy, as appended to the report, be approved.

Reason:

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

Updates to the Corporate Risk Strategy were considered appropriate in order to facilitate greater understanding of risk maturity and improved organisational performance against the Alarm national performance model for risk management in public services, as suggested by Internal Audit. This is also highlighted as an improvement action in the Annual Governance Statement.

## **CA.5 General Fund, HRA and Capital Out-turn 2017/18**

Members were asked to consider the report which sets out details of income and expenditure incurred in 2017/18 in respect of the General Fund, Housing Revenue Account (HRA) and the Capital Programme, and how this compares to budget and provides an explanation of significant variances.

Members also considered the following alternative options:-

1. The financial outturn is as reported within the 2017/18 draft statement of accounts therefore there are no further options to consider .
2. Not approving the funding carry-forwards would prevent some projects from progressing or require them to be financed from the General Fund underspend balance which was not recommended.
3. Not approving the use of £172k of the General Fund underspend to meet 2018/19 additional service review costs would probably jeopardise the delivery of a balanced revenue outturn for 2018/19.

RESOLVED that

a) Cabinet note the following:-

- the 2017/18 revenue outturn for the General Fund, the HRA Outturn and the Capital Programme, as outlined in the report;
- the carry-forward of unutilised project funding in 2017/18 from earmarked reserves for Phase 2 of the Transport Review (£15k) from the Asset Renewal Reserve and completion of the Stock Condition Survey (£13k) from the HRA Eco Funding Reserve;
- the allocation of earmarked reserves for Sutton in Ashfield Town Centre improvements to street furniture (£34k) from the Section 106 Funding specifically earmarked for this purpose;
- the transfer of £50k of the General Fund underspend to the Asset Repair and Renewal Reserve to help meet costs arising from the Stock Condition Survey and other urgent works as identified;

b) approval be given to the carry-forward of £54k earmarked funding in the District Planning Enquiry to meet costs of the Local Plan which, due to delays in 2017/18, will now be incurred in 2018/19

c) the following be agreed and recommended to Council for approval:-

- the allocation of up to a maximum of £443k of earmarked funding, initially from the Revenue Technology Investment Reserve, to fund the Finance System upgrade and the replacement Income System (year 1 costs);
- the use of £172k of the £342k 2017/18 General Fund underspend, to meet additional Service review costs in 2018/19;
- the carry-forward of £2.001m of the 2017/18 Capital Programme underspend into 2018/19, due to slippage to the Programme.

Reasons:

To report the Council's financial outturn for 2017/18 and to comply with the Council's Financial Regulations.

## **CA.6 Council's Treasury Management and Borrowing Activities**

Members were asked to consider the position of the Council with regard to Treasury Management and Borrowing Activities.

In view of the statutory requirements placed upon the Council, there were no alternative options to consider.

RESOLVED

that Cabinet endorses the performance in 2017/18 against the prudential indicators, as outlined in the report.

Reason:

To meet the requirements of the Council's Financial Regulations (C.29).

## **CA.7 Council's Insurance Requirements**

Members were asked to consider the report highlighting the latest position with regards to insurance funds and premiums paid.

As the Council has to have adequate insurance cover to mitigate against potential future risk there were no alternative options to consider.

RESOLVED

that the annual report on insurance, as detailed in the report, be noted.

Reason:

To meet the requirements of the Council's Financial Regulations (C.37).

## **CA.8 Public Spaces Protection Order - Consultation**

Members were asked to consider authorising the necessary consultation and notification processes for the extension and variation of an existing Public Spaces Protection Order (PSPO) which is due to expire on 30 September, 2018 and for the variation of an existing car cruising PSPO which came into effect on 4 May, 2018 (subject to sufficient evidence being gathered).

Members also considered the following alternative options:-

1. To not approve the necessary consultation and notification to extend and vary the existing PSPO before it ceases on 30 September, 2018.
2. That the Council does not gather any evidence to vary the existing car cruising PSPO.

RESOLVED that

- a) delegated authority be granted to the Interim Director of Place and Communities to carry out the necessary consultation and notification of the proposed extension and variation of the existing PSPO prior to its expiration on 30 September, 2018;

- b) approval be given to an evidence gathering exercise being undertaken in respect of car cruising activities in areas of the District not covered by the existing PSPO. On the basis that sufficient evidence is gathered, the Interim Director of Place and Communities be authorised to carry out the necessary consultation and notification for the variation of the existing PSPO;
- c) any responses arising from the recommendations as outlined in (a) and (b) above, shall be considered by the Interim Director of Place and Communities and reported to Council as appropriate.

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 1 October, 2015 relating to a number of dog related issues, alcohol and urinating will therefore expire on 30 September, 2018 unless the PSPO is extended. Extending the PSPO ensures that the Council and Police can take suitable action including Fixed Penalty Notices for these types of issues. In addition, evidence has been gathered to support appropriate variation of the PSPO, as detailed within the main body of the report.
2. In line with Section 59, Anti-Social Behaviour, Crime and Policing Act 2014 there must be evidence to support the need for a PSPO including variation. The report submitted to Cabinet on 30 November 2017 identified and evidenced the issue of car cruising taking place at Junction 27 of the M1 and immediate vicinity. If evidence becomes available, particularly if there is displacement of car cruising to other areas of the district, the Interim Director of Place and Communities will be in a position to expedite the process and carry out the necessary consultation and notification before reporting back to Full Council (as appropriate).

## **CA.9 Digital and Service Transformation Programme**

Members were asked to consider the intended Corporate Digital and Service Transformation Programme together with indicative costs, benefits and timelines.

Members also considered the alternative option not to proceed with the Corporate Digital and Service Transformation Programme. However, doing nothing is not considered to be a viable option as the organisation is already incurring significant additional costs to replace out of date systems.

RESOLVED that

- a) the proposed Digital and Service Transformation Programme, intended vision and benefits, as outlined in the report, be noted. Furthermore, approval be given for the progression of the programme subject to a more detailed business case being submitted to the Cabinet meeting scheduled for September, 2018 for consideration;

- b) the indicative Digital and Service Transformation Programme schedule, in accordance with priorities for improved customer service and organisational transformation, be approved;
- c) Cabinet notes that the provision of further external support will be determined by the Digital and Service Transformation Board, to facilitate development of the final detailed business case, Customer Access Strategy and future operating model.

Reasons:

Demand for public services and expectations of levels of service are ever increasing. Residents and businesses expect the same levels of access, ease of use and customer service that they see online from large private sector organisations. They expect to be able to access their services from multiple locations and in ways that suit them.

**CA.10 Section 100A Local Government Act 1972;  
Exclusion of Press and Public**

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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 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.11 Housing Digital and Service Transformation Programme  
(Exempt by virtue of Paragraph 3)**

Members were asked to consider the Council's approach to the delivery of frontline Housing Services in terms of mobile technology.

Members also considered a number of alternative options as detailed within the report.

RESOLVED that

- a) approval be given to the purchase and implementation of 4x Housing Management modules, associated licences and mobile devices with immediate effect, to be funded from the Housing IT Reserves;
- b) subject to a more detailed cost benefit analysis being undertaken, an outline approval be granted for the purchase and implementation of a mobile Housing Repairs Solution incorporating a repairs module, associated licences, handheld devices and Dynamic Resource Scheduler;
- c) an Exception to Contract Procedure Rules, in accordance with Rule 17.1 as set out in the report, be approved to enable the Authority to enter into a 5 year contract with the preferred provider in relation to mobile working plans.

Reason:

To enable the Housing Department to work in a more flexible and efficient way, whilst being able to deliver a more effective and enhanced service to customers.

(Councillor Robert Sears-Piccavey left the meeting at 11.25 a.m. and returned at 11.28 p.m. during consideration of the above item. Councillor Tom Hollis left the meeting at 11.30 a.m. following consideration of the above item.)

**CA.12 Corporate Finance System – Upgrade  
(Exempt by virtue of Paragraph 3)**

Members were asked to give consideration to the mandatory upgrade to the Corporate Finance System.

Members also considered a number of alternative options as detailed within the report.

RESOLVED that

- a) in accordance with Financial Regulations the allocation of funding to progress the upgrade of the Corporate Finance System, on the terms as detailed in the report, be agreed and recommended to Council for approval;
- b) approval be given to additional annual licensing and maintenance costs, as detailed in the report, being included in the 2019/20 budget;
- c) an exception to Contract Procedure Rules, in accordance with Rule 17.1 as set out in the report, be approved to enable the Authority to enter into a 5 year contract with the preferred provider in respect of the Corporate Finance System.

Reasons:

To transform the Corporate Finance System utilising modern technology to realise cashable efficiencies and improvements to the service within 18 months of implementation.

**CA.13 Payment and Income Management System  
(Exempt by virtue of Paragraph 3)**

Members were asked to give consideration to the procurement of a new Payment and Income Management System.

Members also considered a number of alternative options as detailed within the report.

RESOLVED that

- a) funding for upfront implementation costs, annual maintenance costs and support to award a contract to the successful Tenderer for the Payment and Income Management, on the terms as detailed in the report, be agreed and recommended to Council for approval;

- b) the procurement exercise, as outlined in the report, be agreed;
- c) delegated authority be granted to the Director of Resources and Business Transformation to extend the contract, on the terms as detailed in the report.

Reasons:

To enable the Council to provide a Payment and Income Management System that is fit for purpose as well as future proofing the Council as the Digital and Service Transformation Programme develops and new ways of working are implemented.

(Councillor Tom Hollis returned to the meeting at 11.33 a.m. during consideration of the above item).

**CA.14 Permission for Commercial Land Sales  
(Exempt by virtue of Paragraph 3)**

Members were asked to consider a number of commercial land sales.

Members also considered a number of alternative options as detailed within the report.

RESOLVED that

- a) approval be given to the sale of the two sites, as outlined in the report;
- b) delegated authority be granted to the Director of Resources and Business Transformation to conclude negotiations in relation to the heads of terms of the sales including the sale price, in conjunction with the Director of Legal and Governance (and Monitoring Officer) and the Portfolio Holder.

Reasons:

To provide the Council with capital receipts and to enable two business ventures to expand.

The meeting closed at 11.38 a.m.

Chairman.