

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

4th September, 2019

A meeting of the Cabinet was held at the Town Hall, Nuneaton on Wednesday, 4th September, 2019.

Present

Councillor J.A Jackson	(Finance and Civic Affairs (Leader))
Councillor I.K Lloyd	(Arts and Leisure)
Councillor J. Sheppard	(Central Services and Refuse)
Councillor C.M Watkins	(Housing and Communities)

PART I – PUBLIC BUSINESS

CB24 **Apologies**

Councillor N.J.P. Phillips.
(Portfolio Holder of Planning, Development and Health (Deputy Leader))

CB25 **Declarations Of Interest**

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes.

CB26 **Minutes**

RESOLVED that the minutes of the Cabinet meeting held on the 24th July, 2019 be approved and signed by the Chair.

CB27 **Local Development Scheme Update**

The Director – Planning and Public Protection submitted a report to Cabinet for approval on the updated Local Development Scheme (LDS)

RESOLVED that

- a) the timescales identified within the revised LDS are noted; and
- b) the LDS be approved and published on the Council's website.

Speakers

Councillor K. Evans
Councillor K. Wilson

Options

- 1. To agree the recommendations.
- 2. To amend the LDS prior to approval/publication on the Council's website.

Reasons

To enable the Council to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the associated Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).

CB28 Homeless Reduction Act 2017 – One Year On

The Director – Housing, Communities and Economic Development submitted a report to Cabinet to update members on the impact of the implementation of the Homelessness Reduction Act 2017, which commenced in April 2018, one year on, in Nuneaton and Bedworth.

RESOLVED that

- a) the content of the report be noted; and
- b) a further update be brought to Cabinet in July 2020, in order to keep members informed on progress and achievements in reducing homelessness in the Borough.

Speakers

None

Options

To note and approve the recommendations

Reasons

It is important the members be appraised of the ongoing impact to the Council on the implementation of new legislation.

CB29 Annual Treasury Management Report 2018/19

The Executive Director – Resources submitted a report to Cabinet of the results of the Council's Treasury Management Activities for 2018/19 as required by the Prudential Code.

RESOLVED that it be recommended to Council that:

- a) the actual 2018/29 Treasury and Prudential Indicators detailed in the report and summarised in Appendix 1 of the report be approved; and
- b) the Annual Treasury Management Report for 2018/19 be noted.

Speakers

Councillor K. Wilson

Options

None

Reasons

It is a requirement of the CIPFA Prudential Code for the Treasury Outturn to be reported to Council annually following a review by the Cabinet.

CB30 General Fund and Housing Revenue Account Quarterly Budget Monitoring Report – Q1 2019/20 Update

The Executive Director – Resources submitted a report to Cabinet detailing the forecast outturn position for 2019/20 as the end of June 2019 for the General Fund and Housing Revenue Account budgets and updated capital programmes for the year.

RESOLVED that

- a) the forecast outturn position for 2019/20 for the General Fund and Housing Revenue Account be noted with regard to the key variances;
- b) the viraments for the Housing Revenue Account as detailed at Appendix C of the report be approved; and
- c) delegated authority be given to the Executive Directors to carry our procurement exercises in accordance with the Council's Contract Procedure Rules in order to deliver the Capital Programme for both the Housing Revenue Account and the General Fund.

Speakers

Councillor K. Evans

Options

To accept the report or request further information on the forecast outturn position.

Reasons

The Council must achieve a balanced budget each year.

CB31 Procurement of Electricity

The Executive Director – Operations and Executive Director – Resources submitted a report to Cabinet to seek approval for the Nuneaton and Bedworth Borough Council to remain in a service agreement with the Eastern Shires Purchasing Organisation (ESPO) as agents for the procurement of electricity when our current arrangements with them expire at the end of September 2020.

RESOLVED that the continuation of the service agreement with Eastern Shires Purchasing Organisation (ESPO) as agents for the procurement of electricity be approved when our current arrangements with them expire at the end of September 2020, for the period 1st October 2020 to 30th September 2024.

Speakers

None

Options

- 1) Approve the recommendations
- 2) Do not approve the recommendation and seek an alternative procurement agent for electricity

Reasons

In order to allow the Council to benefit from the economies of scale applicable to a consortia purchasing arrangement that will provide the Council with fixed prices for each financial year commencing.

CB32 Procurement of Gas

The Executive Director – Operations and Executive Director – Resources submitted a report to Cabinet to seek approval for the Nuneaton and Bedworth Borough Council to renew its service agreement with the Eastern Shires Purchasing Organisation (ESPO) as agents for the procurement of gas until 31st March 2023.

RESOLVED that

- a) Nuneaton and Bedworth Borough Council continues its service agreement with the Eastern Shires Purchasing Organisation (ESPO) as agents for the procurement of gas until 31st March 2023; and
- b) due to the need for Borough Council to confirm at the earliest opportunity that it wishes to continue its service agreement with ESPO as agents for the procurement of gas, this decision be marked “not for call in” by virtue of its urgency.

Speakers

None

Options

- 1) Approve the recommendations
- 2) Do not approve the recommendations and seek an alternative procurement agent for gas

Reasons

In order to allow the Council to benefit from the economies of scale applicable to a consortia purchasing arrangement that will provide the Council with fixed prices for each financial year commencing.

CB33 Recommendations From Overview And Scrutiny Panels

Internal Overview and Scrutiny Panel (IOSP)

Monitoring delivery of the Borough Plan and consideration of the data around the land supply targets

At a meeting of the IOSP on 9th May 2019 the panel were asked to consider the information in the above report relating to the monitoring on the Local Plan and

land supply targets. After examining the information presented the panel approved the following recommendations to Cabinet for consideration;

- 1) That a yearly monitoring report, including details of spend of Section 106 monies and biodiversity net gain within and external to the sites, be provided to the Panel;
- 2) Training be provided to all members on habitat biodiversity; and
- 3) A recommendation be made that Cabinet look corporately to increase tree planting schemes within the Borough.

RESOLVED that

- a) a yearly monitoring report, including details of spend of Section 106 monies and biodiversity net gain within and external to the sites, be provided to the Panel;
- b) training be provided to all members on habitat biodiversity; and
- c) a corporate exploration to increase tree planting schemes within the Borough be approved.

Speakers:

Councillor K. Evans

Councillor K. Wilson

Councillor A. Llewellyn-Nash

CB34 **Temporary Accommodation Provision**

The Director – Housing, Communities & Economic Development presented a proposal to Cabinet to enter into a contract for the provision of temporary accommodation in the Private Rented Sector.

Since the implementation of the Homelessness Reduction Act 2017 the Council has experienced a significant increase in those presented as homeless and, those that are entitled to be temporarily accommodated.

Whilst the Council is undertaking a number of initiatives to deliver additional affordable homes for rent within the Borough, demand is outstripping supply. Opportunities have been identified in the Private Rented Sector, therefore the report proposes that the Council enter into a contract with a Social Enterprise called Cornerstone Partnership to deliver the much needed accommodation.

Cornerstone Partnership specifically aims at delivering housing solutions for some of the most vulnerable in our society.

RESOLVED that

- a) the establishment of the Contract be approved as detailed at section 4 of the report; and
- b) the report be marked not for call in due to the timescales involved to put in place the contract and realise the provision of accommodation.

Speakers

None

Options

- 1) To accept the recommendations
- 2) To reject the recommendations and identify other avenues for exploration.

Reasons

The Council, as a Statutory Housing Authority is legally required to provide suitable temporary accommodation for homeless households. This proposal allows the Council to increase appropriate homelessness provision whilst reducing the financial burden upon the General Fund.

CB35 Town Centre Regeneration – Procurement of a Development Partnership

The Executive Director – Resources and the Executive Director – Operations submitted a report to Cabinet following the announcement on the 26th August that the Council has been shortlisted for the expanded Future High Streets Fund. The report sought Cabinet's approval to carry out a procurement exercise to engage a suitable development partner for the conversion of the Co-op building in Nuneaton Town Centre. This is in order to support the Council's business case for the Future High Street Fund.

Councillor J. Jackson declared an interest by way of being a member of the Transforming Nuneaton Board.

RESOLVED that

- a) a procurement process be undertaken in order to engage with a suitable development partner for the regeneration of the Co-op building with the potential to expand this to other sites of the Transforming Nuneaton Masterplan;
- b) income and expenditure budgets of £150,000 be created within the Finance and Civic Affairs portfolio to enable the Future High street Fund business case development grant that is to be awarded to the Borough Council to be spent in the most appropriate way to ensure a comprehensive business case is prepared within the timescales; and
- c) the report be marked not for call in due to the Government's timescales involved in developing and submitting a business case for the Future High Street Fund.
- d) thanks be expressed to the very hard working officers who were involved in producing our successful bid

Speakers

Councillor K. Wilson

Options

- 1) To accept the recommendations

- 2) To reject the recommendations and ask for further information, bearing in mind the timescales

Reasons

To enable the Council to develop a full capital business case to meet the Governments criteria and timescales set out in the Future High Streets Fund guidance.

CB36 **Exclusion Of Public And Press**

RESOLVED that under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 3 of Schedule 12A to the Act.

PART II - EXEMPT ITEM

CB37 **Sub Regional Recycling Facility**

The Executive Director – Operations and Executive Director – Resources submitted a report to Cabinet seeking approval for Nuneaton and Bedworth Borough Council to continue as a “Partner Council” in a project to deliver a Local Authority owned and operated Material Recycling Facility (MRF) within the Coventry, Solihull & Warwickshire Area.

RESOLVED that

- a) the Borough Council continues to be a Partner Council in the new Local Authority owned and operated Sub Regional Material Recycling Facility as outlined in the report and set out in more detail in the final draft version of “Joint Working Agreement 2” attached at Appendix 1 of the report;
- b) a total revenue contribution of £275,000 be approved for feasibility works, of which approximately £138,000 is anticipated to be required in 2019/20 and will be funded from earmarked reserves;
- c) a capital loan of up to £3.3m and the purchase of up to £96,000 of shares in the Local Authority owned MRF operating company be approved to allow the new MRF to be built and become operational;
- d) it be recommended to Council that the Borough Council’s capital programme and treasury management strategy be appropriately amended, as set out in Appendices 4a and 4b of the report, to allow a capital loan of up to £3.3m to be made up to £96,000 of shares in the Local Authority owned MRF operating company to be purchased to allow the new MRF to be built and become operational; and
- e) in order to allow the formal joint procurement process for the construction and operation of the Sub Regional MRF to commence as soon as possible the report be marked “not for call in”.

Speakers

Councillor K. Wilson

Options

1. To accept the recommendations.
2. To reject all recommendations

Reasons

Being a partner Council in the proposed new Local Authority owned and operated Sub Regional MRF will allow the Borough Council to make substantial annual operational savings on a statutory service; realise an income from loan interest payable and dividend payments from shares held and be able to be part of the governing body of the proposed facility.

Chair

PUBLICATION DATE: 16th September, 2019

DECISIONS COME INTO FORCE: 24th September, 2019

Cabinet – Schedule of Declarations of Interests 2019/20

Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
J.A Jackson	Any matter relating to the employment policies and procedures of Nuneaton & Bedworth Borough Council or any matter relating to the contractual arrangements with Sport & Leisure Management Ltd.		Dispensation to speak and vote on matters that do not relate specifically to her husband's contract of employment.
		Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak and vote
		Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Coventry, Warwickshire & Hinckley and Bosworth Joint Committee • District Leaders • Local Government Association • Local Enterprise Partnership • West Midlands Combined Authority 	
I. Lloyd	Employee of Jaguar Land Rover	Non Executive Director with Nuneaton and Bedworth Community Enterprises Limited.	Dispensation to speak and vote
		Representative on the following Outside Bodies: <ul style="list-style-type: none"> • Nuneaton & Bedworth Sports Forum 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Camp Hill Urban Village and Pride in Camp Hill • Poor's Piece Charity • Committee of Management of Hartshill & Nuneaton Recreation Group 	
	N. Phillips	Employee of DWP	<p>Member of:</p> <ul style="list-style-type: none"> • A5 Sterling Group (Council Representative) • Nuneaton Labour CLP • The Fabian Society • The George Eliot Society • The PCS Union • Nuneaton Credit Union <p>Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited.</p>	NABCEL – to speak and vote on any matter where the Council or Cabinet is asked to approve any funding arrangement; grant; or other legal instrument with the company but this dispensation shall not apply where any Non-Executive Director benefits from the arrangements in a personal capacity.
	J. Sheppard		<p>Partnership member of the Hill Top and Caldwell Big Local.</p> <p>Director of Wembrook Community Centre.</p> <p>Member of the Management Committee at the Mental Health Drop in.</p> <p>Champion for Safeguarding (Children & Adults)</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Local Government Superannuation Scheme Consultative Board • Warwickshire Direct Partnership 	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Warwickshire Waste Partnership • West Midland Employers • Nuneaton Neighbour Watch Committee 	
	C.M Watkins	Landlord of a privately rented property	<p>Representative on the following outside bodies:</p> <ul style="list-style-type: none"> • Nuneaton and Bedworth Home Improvement Agency. • Nuneaton and Bedworth Safer and Stronger Communities Partnership. • Safer Warwickshire Partnership Board. • Warwickshire Housing Support Partnership. • Warwickshire Police and Crime Panel. 	