

CABINET
14TH DECEMBER 2017

PRESENT: The Leader (Councillor Morgan)
The Deputy Leader (Councillor Barkley)
Councillors Bokor, Harper-Davies, Mercer,
Page, Smidowicz and Vardy

Councillor Taylor – Chair of the Overview Scrutiny Group

Chief Executive
Monitoring Officer/Head of Strategic Support
Section 151 Officer
Strategic Director of Housing, Planning and Regeneration, and
Regulatory Services
Head of Finance and Property Services
Head of Landlord Services
Head of Planning and Regeneration
Procurement Manager
Senior Planning Officer (RR)
Democratic Services Officer (LS)

APOLOGY: Councillor Poland

Also in attendance were Mrs Edwardes, Chair of Housing Management Advisory Board and Mr Baxter, representing the Council's procurement consultants, both in respect of item 14 on the agenda.

The Leader stated that this meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

62. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

63. LEADER'S ANNOUNCEMENTS

The Leader made the following announcement:

Allington Drive, Birstall

“On Monday, December 11 we were called to support the emergency services following reports of an explosion and a house being damaged in Allington Drive in Birstall.

I would firstly like to express our sincerest condolences to the family of Janet Jasper who was sadly killed in the incident. I would also like to thank the Birstall community, emergency services and council staff, who rallied around to help those affected. There has been a real sense of community spirit from everyone involved, and their support has been invaluable.

We have been in touch with a number of people since Monday to offer support and advice on housing and we will continue to support people in the coming weeks regarding their housing needs.

This was a tragic event which has shocked the community and our thoughts are with everyone involved at this difficult time.”

64. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16th November 2017 were confirmed as a correct record and signed, subject to an amendment to resolution 1 to Minute 53 to read:

1. that further work is undertaken to appraise sites for a new cemetery in the Loughborough area;

65. QUESTIONS UNDER CABINET PROCEDURE 10.7

No questions had been submitted.

66. LEICESTER AND LEICESTERSHIRE STRATEGIC GROWTH PLAN – CONSULTATION DRAFT

Considered a report of the Head of Planning and Regeneration to consider a draft Leicester and Leicestershire Strategic Growth Plan for the period to 2050, for consultation (item 6 on the agenda filed with these minutes).

Councillor Taylor, Chair of the Overview Scrutiny Group, presented a report detailing the Group’s pre-decision scrutiny of the matter and recommendation (copy filed with these minutes).

The Strategic Director of Housing, Planning and Regeneration, and Regulatory Services and the Head of Planning and Regeneration assisted with consideration of the report.

RESOLVED

1. that the process which has been undertaken to develop a Strategic Growth Plan for Leicester and Leicestershire be noted and endorsed;
2. that it be noted that the draft document for consultation has been endorsed by the Members Advisory Group (MAG);
3. that the consultation process and timetable be approved;

4. that a further report be brought back to the Cabinet to consider the consultation responses and approve the final version of the plan.
5. that the report of the Overview Scrutiny Group be noted.

Reasons

1. To demonstrate support for the collaborative working that has taken place across the 7 District/Borough Councils, Leicestershire County Council, Leicester City Council and the Leicester and Leicestershire Enterprise Partnership.
2. To note that MAG has been engaged in and supports the proposed document.
3. To ensure that all partners are in support of the process and that it is consistent across the County, and that all residents and stakeholders have an opportunity to make comments on the proposals.
4. To ensure that there is an opportunity to consider the final version of the plan before it is agreed.
5. To acknowledge the work undertaken by and the views of the Overview Scrutiny Group.

67. BARROW UPON SOAR NEIGHBOURHOOD PLAN

Considered a report of the Head of Planning and Regeneration to consider the Examiner's recommendations and the Strategic Environmental Assessment for the Barrow upon Soar Neighbourhood Plan, and whether to hold a local referendum (item 7 on the agenda filed with these minutes).

The Head of Planning and Regeneration and the Senior Planning Officer assisted with consideration of the report.

RESOLVED

1. that the recommendations made within the Examiner's report (and summarised in Appendix A to the report of the Head of Planning and Regeneration) be approved with the exception of policy BuS15;
2. that the following revised wording put forward by the Steering Group be used for policy BuS15:

New housing development of more than ten dwellings will not be supported unless it can be demonstrated that the residual cumulative impact will not make existing traffic conditions worse;

3. that the results of the Strategic Environmental Assessment (SEA) be noted;
4. that the decisions made under resolutions 1-3 above be published and a referendum be held to determine whether there is local support for the neighbourhood plan;
5. that in the event of the referendum resulting in agreement for the neighbourhood plan to be made that authority be delegated to the Head of Planning and Regeneration to formally make the plan part of the statutory development plan for Charnwood, in accordance with the provisions of Section 38(A) (4) of the Planning and Compulsory Purchase Act 2004.

Reasons

1. To confirm the modifications to the plan following the report of the examiner under regulation 18 (1) (c) and (d) of The Neighbourhood Planning (General) Regulations 2012 (as amended).
2. To confirm a modification to the plan in respect of the Examiner's recommendation for policy BuS15 under regulation 18 (1) (b) (c) and (d) and 18 (2) (a) of The Neighbourhood Planning (General) Regulations 2012 (as amended) in support of the appropriate body and the views they have on the content and nature of plan making for their parish.
3. To confirm that the Neighbourhood Plan complies with the Strategic Environmental Assessment and Sustainability Assessment requirements as prescribed by the European Directive 2001/42/EC which were introduced into the planning system by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
4. To enable the appropriate consideration of the plan to be made in accordance with the requirements for a referendum under The Neighbourhood Planning (Referendums) Regulation 2012 (as amended).
5. To enable the Neighbourhood Plan to be used in determining planning applications as part of the Development Plan, and for this to be done in a timely manner under Regulation 20 (a) and (b) of The Neighbourhood Planning (General) Regulation 2012 (as amended).

68. ADDITIONS TO THE ANNUAL PROCUREMENT PLAN 2017/18

Considered a report of the Head of Finance and Property Services to consider additions to the Annual Procurement Plan 2017/18 (item 8 on the agenda filed with these minutes).

The Procurement Manager assisted with consideration of the report.

RESOLVED

1. that the contracts, over £25,000 and up to £75,000, listed in Appendix A to the report of the Head of Finance and Property Services be let in accordance with Contract Procedure Rules;
2. that the contracts, over £75,001 and up to £500,000, listed in Appendix B to the report of the Head of Finance and Property Services be let in accordance with Contract Procedure Rules.

Reason

1 & 2. To allow contracts of the Council to be let in accordance with contract procedure rules.

69. DRAFT GENERAL FUND AND HOUSING REVENUE ACCOUNT BUDGETS 2018/19

Considered a report of the Head of Finance and Property Services to consider the draft General Fund and Housing Revenue Account (HRA) Budgets 2018/19 (item 9 on the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

RESOLVED that the General Fund and HRA Revenue Budgets for 2018/19 as set out in Tables 1 and 4 in the report of the Head of Finance and Property Services, and the Loughborough Special Expense Budget and Levy for 2018/19 as set out in Appendix 2 to that report, be endorsed for consultation.

Reason

To provide the opportunity for consultation on the 2018/19 budgets as well as potential pressures and savings.

70. CAPITAL PLAN AMENDMENT REPORT

Considered a report of the Head of Finance and Property Services to consider changes to the 2017/18 – 2018/19 Capital Plan and its financing (item 10 on the agenda filed with these minutes).

Councillor Taylor, Chair of the Overview Scrutiny Group, presented a report detailing the Group's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report.

RESOLVED

1. that the current Capital Plan for 2017/18 - 2018/19, as amended by the changes shown in Appendix 1 to the report of the Head of Finance and Property Services, in the sum of £19,767.7k, be approved;
2. that the Digital Democracy – Committee Management System scheme to the sum of £15k be added to the Capital Plan in 2017/18;
3. that the Call Secure System scheme to the sum of £40.1k be added to the Capital Plan in 2017/18;
4. that the Choice Based Letting Software scheme to the sum of £35k be added to the Capital Plan in 2017/18;
5. that the Nanpantan Tennis Courts Refurbishment scheme, which is currently in the Capital Plan 2017/18, be increased by the sum of £13.2k.
6. that the report of the Overview Scrutiny Group be noted.

Reasons

1. To enable the Capital Plan to be the basis for capital spending by the Council and so that schemes may proceed.
2. To confirm that the Digital Democracy – Committee Management System scheme, to the sum of £15k, should be added to the Capital Plan and should proceed and that the cost be funded, in full, from revenue contributions.
3. To confirm that the Call Secure System scheme, to the sum of £40.1k, should be added to the Capital Plan and should proceed and that the cost be funded, in full, from revenue contributions.
4. To confirm that the Choice Based Letting Software scheme, to the sum of £35k, should be added to the Capital Plan and should proceed and that the cost be funded, in full, from the Capital Plan Reserve.
5. To confirm that the Nanpantan Tennis Courts Refurbishment scheme, be increased by the sum of £13.2k and should proceed. The additional cost to be funded, in full, from external contributions.
6. To acknowledge the work undertaken by and the views of the Overview Scrutiny Group.

71. DRAFT CAPITAL PLAN 2018/19 TO 2020/21

Considered a report of the Head of Finance and Property Services to consider a draft Capital Plan 2018/19 to 2020/21 for consultation (item 11 on the agenda filed with these minutes).

The Head of Finance and Property Services assisted with consideration of the report. Further to the report, she stated that the scheme description set out in Appendix 1 to the report in respect of the Loughborough Cemetery – New Burial Provision scheme would be corrected to read:

The cemetery has approximately 5 years of burials spaces left, and will be full to capacity by 2022. The Council has commissioned an independent feasibility report to assess potential sites to create a robust business case for the scheme. Once identified works will include sympathetic landscape design, internal surfaced pathways for public recreation and access to graves, vehicular access, egress and gateage off the highway, car parking and improved local biodiversity.

The above wording incorporates a further amendment then stated by Councillor Bokor to remove suggestion that potential sites would only be sites within the Council's ownership.

RESOLVED that, subject to the correction set out above, the draft Capital Plan for 2018/19 to 2020/21 for the recommended General Fund and HRA schemes be endorsed for consultation.

Reason

To enable consultation on the Draft Capital Plan so that it can become the basis for capital spending by the Council.

72. AMENDMENTS TO APPOINTMENTS TO OUTSIDE BODIES 2017/18

Considered a report of the Head of Strategic Support to consider changes to appointments to Outside Bodies for 2017/18 (item 12 on the agenda filed with these minutes).

The Head of Strategic Support assisted with consideration of the report.

RESOLVED

1. that the following amendments be made to the appointments to Outside Bodies for the Council year 2017/18 and until the appointments for the following Council year (2018/19) take effect:

Organisation	Past representative(s)	New representative(s)
Charnwood Community Safety partnership	Councillor Morgan	Councillor Page
Charnwood Promotions	Councillor Fryer	Councillor Bokor
Charnwood Together	Councillor Slater	Councillor Morgan

East Midlands Leaders Board	Councillor Slater (Councillor Morgan reserve)	Councillor Morgan (Councillor Barkley reserve)
East Midlands Museum Service	Councillor Fryer	Councillor Bokor
Leicester and Northamptonshire Rail Action Committee (LANRAC)	Councillor Barkley	Councillor Vardy
Leicestershire Playing Fields Association	Councillor Hampson	Councillor Page
Leicestershire Rural Communities Council	Councillor Fryer	Councillor Morgan
Local Government Association	Councillor Slater	Councillor Morgan
Loughborough Town Team	Councillor Hampson and Councillor Vardy	Councillor Bokor and Councillor Vardy
Parking and Traffic Regulation Outside London Adjudicator Committee No.1 PATROL AJC1	Councillor Hayes	Councillor Smidowicz
Shepshed Town Team	Councillor Hampson and Councillor Vardy	Councillor Vardy <i>Change to number of Council representatives, see resolution 2. below.</i>

2. that in respect of Shepshed Town Team, the number of Council representatives change from two to one.

Reasons

1. To ensure that the Council is represented appropriately on outside bodies following changes to the membership of the Cabinet.
2. To provide a better balance of representation for the Shepshed Town Team.

73. EXEMPT INFORMATION

RESOLVED that members of the public be excluded from the meeting during the consideration of the following item on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and it is considered that the

public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Sound recording of this meeting ended.

74. AWARD OF HOUSING CAPITAL PROGRAMME (DECENT HOMES) CONTRACT

Considered an exempt report of the Head of Landlord Services to decide to whom to award the Housing Capital Programme (Decent Homes) Contract (item 14 on the agenda filed with these minutes).

Councillor Taylor, Chair of the Overview Scrutiny Group, presented an exempt report detailing the Group's pre-decision scrutiny of the matter and recommendation (copy filed with these minutes).

Following Councillor Taylor's presentation, the Leader stated that the Overview Scrutiny Group was always welcome to invite relevant Cabinet Lead Members to its meetings, if it considered that they could be of assistance with its pre-decision scrutiny.

Mrs Edwardes, Chair of the Housing Management Advisory Board, presented the Board's comments in respect of the matter, in accordance with the Board's Terms of Reference. In particular, she outlined the considerable involvement of tenants and the Board in the process. In summary, the process that had been undertaken and the recommendations set out in the report were supported in full. The focus on quality was welcomed. The Leader thanked Mrs Edwards and all other tenants involved for the assistance they had provided.

The Strategic Director of Housing, Planning and Regeneration, and Regulatory Services and the Head of Landlord Services assisted with consideration of the report.

RESOLVED

1. that the procurement process which has been undertaken to determine the preferred bidder for delivery of the Housing Capital Programme for the 5 year contract with the option to extend for a further 2 + 2 years (the first option to extend is from 1st April 2023 to 31st March 2025 and the second and final option to extend is from 1st April 2025 to 31st March 2027) be approved;
2. that the contract be awarded to the preferred bidder, in accordance with the evaluation of the tenders to identify the most economically advantageous bid.
3. that the exempt report of the Overview Scrutiny Group be noted;

4. that the comments of the Housing Management Advisory Board be noted.

Reasons

1. To ensure that Cabinet is satisfied that there has been compliance with tendering rules for contracts of this significant value.
2. To ensure that the Contract is awarded in accordance with the evaluation outcome and that the Council achieves value for money and quality service delivery in the Housing Capital Programme improvements to Charnwood's tenants' and leaseholders' homes.
3. To acknowledge the work undertaken by and the views of the Overview Scrutiny Group.
4. To acknowledge the views of the Housing Management Advisory Board.

Notes

1. The decisions in these minutes not in the form of recommendations to Council will come into effect at noon on Friday, 22nd December 2017 unless called in under Scrutiny Committee Procedure Rule 11.7.
2. No reference may be made to these minutes at the Council meeting on 22nd January 2018 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on Friday, 22nd December 2017.
3. These minutes are subject to confirmation as a correct record at the next meeting of the Cabinet.