

MINUTES of a meeting of the CABINET held in the Board Room, Council Offices, Coalville on TUESDAY, 14 MARCH 2017

Present: Councillor R Blunt (Chairman)

Councillors R D Bayliss, T Gillard, T J Pendleton, N J Rushton and A V Smith MBE

In Attendance: Councillors R Adams, J Clarke, N Clarke, J G Coxon, D Everitt, G Hault, J Legrys and M Specht

Officers: Mr S Bambrick, Ms C E Fisher, Mrs C Hammond, Mr A Hunkin, Mr G Jones, Mr P Padaniya and Miss E Warhurst

99. APOLOGIES FOR ABSENCE

There were no apologies for absence.

100. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor R D Bayliss declared a non-pecuniary interest in item 7 – Ashby Neighbourhood Plan – Proposed Response to Pre-Submission (Part 2) Consultation, as a Member of the Ashby de la Zouch Town Council Neighbourhood Plan Steering Group.

Councillor N J Rushton declared a non-pecuniary interest in item 7 – Ashby Neighbourhood Plan – Proposed Response to Pre-Submission (Part 2) Consultation, as a Member of the Ashby de la Zouch Town Council.

Councillors R Blunt, N J Rushton and T J Pendleton declared a non-pecuniary interest in item 11 – Leicestershire County Council – Procurement of Treatment facilities for Dry Recyclate Material, as Members of Leicestershire County Council.

101. PUBLIC QUESTION AND ANSWER SESSION

No questions were received.

102. MINUTES

Consideration was given to the minutes of the meeting held on 7 February 2017.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The minutes of the meeting held on 7 February 2017 be approved and signed by the Chairman as a correct record.

Reason for decision: To comply with the Constitution.

103. PROPOSED COUNCIL DELIVERY PLAN 2017/20

The Leader presented the report to Members. He highlighted to Members that the Council adopted its first Council Delivery Plan (CDP) in April 2005 and since then the CDP has evolved annually to reflect the changing environment in which the Council is operating. He advised Members that the Council had prepared a three year plan to tie in with the

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Medium Term Financial Strategy and the plan would be refreshed annually to show what had been achieved and to incorporate any new actions that need be accommodated as a result of external influences or policy changes. He informed members that the design has been updated to make it more engaging for readers and commended officers for the work that had been put into the new layout.

Councillor T Gillard stated that he thought it was a good report that highlighted the Authority's plans for the future.

Councillor T J Pendleton stated that he was pleased to see that the document set out plans for Coalville.

It was moved by Councillor R Blunt, seconded by Councillor T Gillard and

RESOLVED THAT:

1. The proposed Council Delivery Plan for 2017/20 be received and noted.
2. The Plan's content be endorsed and recommended to Council for approval on 21 March 2017 and
3. Authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to make any final amendments to the plan prior to Council on 21 March 2017.

Reason for decision: To endorse the Council's Delivery Plan for 2017/20 prior to Council's consideration.

104. TENANT SCRUTINY PANEL REPORT ON ANTI-SOCIAL BEHAVIOUR

The Housing Portfolio Holder presented the report to Members. He Informed Members that before them was the latest piece of work from the Panel and reminded Members that the Panel did all the work themselves. He advised that the recommendations within the report had been adopted by the Housing Service and thanked the Panel for their continued hard work.

It was moved by Councillor R D Bayliss, seconded by Councillor R Blunt and

RESOLVED THAT:

The action plan prepared in response to the recommendations from the Tenant Scrutiny Panel's inspection of anti-social behaviour be approved.

Reason for decision: The Tenant Scrutiny Panel has concluded their inspection of anti-social behaviour.

105. ASHBY NEIGHBOURHOOD PLAN - PROPOSED RESPONSE TO PRE-SUBMISSION (PART 2) CONSULTATION

The Regeneration and Planning Portfolio Holder presented the report to Members. He highlighted that it was the last chance to comment on the plan before it was formally submitted to the District Council and the response was attached as Appendix 1 to the report. He informed members that three fundamental issues had been discussed and agreement reached with representatives of the town council. These issues would still go forward in the Council's consultation response for consideration by the town council.

Councillor T J Pendleton advised Members that because the formal process was set out in Government Regulations, the District had no choice but to stick to the timetables imposed, once the Neighbourhood Plan was been submitted to the Authority; and therefore needed to make sure proportionate delegations were in place to enable the District to respond in a timely and appropriate manner.

Councillor R Blunt commended the Head of Planning and Regeneration for the work that had been carried out to ensure that the plan aligned with the work of the District and that it was positive for the residents of the District to see due respect between authorities.

Councillor R D Bayliss concurred that it was necessary for the Councils to work together.

It was moved by Councillor T J Pendleton, seconded by Councillor R Blunt and

RESOLVED THAT:

1. The suggested response to Ashby de la Zouch Town Council at appendix 1 be endorsed;
2. Following submission of the Neighbourhood Plan to the District Council the Director of Services, in consultation with the Portfolio Holder for Regeneration & Planning
 - A) Consider the plan's legal compliance;
 - B) Publish the plan for a six week period and invite representations;
 - C) Notify consultation bodies; and
 - D) Appoint an independent examiner to conduct the examination of the Neighbourhood Plan; and
3. Following receipt of the independent examiner's report, the Director of Services in consultation with the Portfolio Holder for Regeneration & Planning determine whether the conditions have been met for the Neighbourhood Plan to proceed to referendum.
4. If the majority of those who vote in the referendum are in favour of the Ashby Neighbourhood Plan and the District Council does not consider the making of the Neighbourhood Plan to be incompatible with any EU or human rights obligations, the Ashby Neighbourhood Plan must be made by the District Council within eight weeks of the referendum. This will take place by way of delegated authority

Reason for decision: The District Council is a statutory consultee and so it is appropriate to provide comments to assist with the formulation of the Neighbourhood Plan.

106. AUTHORITY TO AWARD THE COMMUNAL CLEANING CONTRACT

The Housing Portfolio Holder presented the report to Members. He advised that the contract was to clean communal areas such as block stairwells and common rooms within the Authority's shared residential accommodation.

It was moved by Councillor R D Bayliss, seconded by Councillor T Gillard and

RESOLVED THAT:

1. The award of the communal cleaning contract for housing sites through the County Council tendered contract be approved.

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2. Authority for the amendment of sites included in the contract, following tenant consultation, be delegated to the Director of Housing in consultation with the Housing Portfolio Holder.

Reason for decision: The current contract managed by Leicestershire County Council and let collaboratively on behalf of the County and districts in Leicestershire is due to expire on 31 March 2017. The new contract procured in the same way provides cashable savings, which will be invested to improve service delivery directly to the tenants and/or minimise future service charges.

107. AUTHORITY TO AWARD DATA CENTRE AND WIDE AREA NETWORK CONTRACT - PRICING UPDATE

The Corporate Portfolio Holder presented the report to Members. He informed Members that the new contract would not be awarded until April and therefore approval was required to extend the current contract by two months and that the migration to a modern, robust Data Centre and Wide Area Network, was intrinsic to the ICT Road Map and underpinned the Council's long term vision of effectiveness, efficiency, security and sustainability. Disaster recovery, business continuity, resilience, high availability of ICT systems and resistance against cyberattacks were all the elements addressed by the contract. He advised Members that it had been originally estimated that the contract would be around £350k. However now that the procurement process had been completed the best price was £518k, adding that it was still the best price that was obtained. He highlighted that all authorities that he had contact with had secure provision off site.

Councillor T J Pendleton stated that it was right that the server should be held off site to build resilience.

It was moved by Councillor N J Rushton, seconded by Councillor T J Pendleton and

RESOLVED THAT:

1. Authority to award the contract for the Data Centre and Wide Area Network Services for the period 1 April 2017 to 30 September 2020, be delegated to the Interim Director of Resources in consultation with the Corporate Portfolio Holder; and
2. A contract extension of two months with the existing service provider be agreed and a waiver to the Council's Contract Procedure rules pursuant to rule 3.2 of those rules due to the circumstances set out in paragraph 3.2 of the report to allow the extension to be awarded be granted.

Reason for decision: The level of expenditure on this contract exceeds the authority threshold in the Scheme of Delegation.

To implement modern ICT network and infrastructure, replacing legacy infrastructure and consolidating suppliers. Also the provision of disaster recovery, business continuity and backup services which reduce the overall ICT infrastructure costs to the Council. This is contained within the ICT Road Map 2016 – 2018

108. 2016/17 QUARTER 3 PERFORMANCE MANAGEMENT REPORT

The Leader presented the report to Members and highlighted the following headlines:-

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- In September 2016 the RSPCA, for a fifth time, awarded the Council a 'gold footprint' award, the highest achievable award for the provision and care of stray dogs and that the council was one of only fifteen Councils in the country that had maintained a service at a level to qualify for a Gold Stray Dog Footprint for five years.
- The annual Leisure Centre customer survey results showed that service standards have improved since the last survey in 2015.
- The new community centre for the Linford and Verdon estate was completed on time in December 2016 and used for the tenants' Christmas party and the completion of the work would allow the authority to progress the demolition of the former Greenacres sheltered scheme building ready for redevelopment with new Council housing.
- The Revenues and Benefits Partnership had realised a reduction in council tax arrears of £910k (27.3%) as a result of their robust recovery strategy.
- The high number of planning applications demonstrated that the Authority continues to experience strong demand for new development within the District and it was encouraging that the major developments that had been granted planning permission, such as DHL extension at the Airport, Amazon Fulfillment Centre at Bardon, and numerous high quality new housing developments, were getting underway quickly to deliver the new jobs and homes that drove the prosperity of the area.
- The Coalville frontage scheme had gathered significant momentum and at the end of Quarter 3, 75% of businesses eligible to participate in the first phase of the scheme (Hotel Street and High Street) had received grants, had a grant approved, or were in discussion about obtaining a grant.
- On 27 October, the Council hosted a celebration event for all recipients of Enterprising North West Leicestershire grants, attended by 48 delegates and promotional films had been made of some of the case studies and were available to see on the Council's website.
- Spending on both the General Fund and Special Expenses budgets were being managed effectively with a forecast underspend of £1.6 million.
- The Housing Revenue Account was forecast to have a favourable variance of £467k.
- The Housing Capital Programmes was expected to be on budget at the year end.
- An additional £225K in planning fee income and £260k in recycling income was projected by the year end.

Councillor R Blunt added the only negative point was that the target average number of days lost to sickness per FTE for the year was 7.4 days and currently the year end position was forecast to be 8.92 days. He informed Members that 60% of all sickness had been due to long term illnesses and a number of employees absent for long periods had left the employment of the Council through ill-health retirement or contract termination.

Councillor N J Rushton advised Members that he felt that the £1.6m was not an underspend but was down to the growth of the district as the planning department was busy with the number of applications it was dealing with. The same could have been said about the recycling income as again the increase in income was due to the growth of the District.

Councillor T J Pendleton stated that Development Control were exceeding the national target in processing applications and that 91.4% of customers were satisfied with the

service that had been provided. He commended the whole of the Planning department for their work.

Councillor R Blunt commended the Regeneration and Planning Portfolio Holder for the work that he had done with the service and that it was pleasing to be a planning authority that worked well.

Councillor T Gillard stated that phase two of the Enterprising Town Centres grant scheme had been launched with £250k allocated to provide advice and grants to town centre businesses in Ashby, Castle Donington, Coalville, Ibstock, Kegworth and Measham and that the first phase had helped 24 local businesses.

Councillor R D Bayliss stated that the empty homes target was continuing to improve with an average time of 37 days against a target of 40 days.

Councillor A V Smith advised that the work had been completed on the green gym at Melrose Road, Thringstone and that the annual NWL Sports Alliance Awards had been held in November which recognised the sporting success of groups, schools and individuals in the District.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The Quarter 3 Performance Report (Oct – Dec 2016) be received and noted.

109. FORMER TENANT RENT ARREARS, CURRENT TENANT RENT ARREARS, COUNCIL TAX, NON DOMESTIC RATES AND SUNDRY DEBTOR WRITE OFFS

The Corporate Portfolio Holder presented the report to Members. He advised Members that as there was no debts over £10k that required Cabinet's approval for write off he would withdraw the first recommendation.

It was moved by Councillor N J Rushton, seconded by Councillor R Blunt and

RESOLVED THAT:

The amounts written off under delegated powers be noted.

Reason for decision: To comply with proper accounting practices.

110. EXCLUSION OF PRESS AND PUBLIC

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

Reason for decision: To enable the consideration of exempt information.

111. LEICESTERSHIRE COUNTY COUNCIL - PROCUREMENT OF TREATMENT FACILITIES FOR DRY RECYCLATE MATERIAL

The Community Services Portfolio Holder presented the report to Members. She reminded Members that Leicestershire County Council were to withdraw the dry recycling credits paid to the District and as such not only would it mean the loss of the credits but also a loss of income from the sale of the material, as the County Council would direct the authority where to dispose of the material and in turn the material would become the property of the County. Members were advised of the proposal for the tender bid to treat the material collected by the District.

Councillor R D Bayliss stated that he hoped the authority was successful in its bid.

It was moved by Councillor A V Smith, seconded by Councillor T J Pendleton and

RESOLVED THAT:

1. NWLDC participating in the tender process for lot 6 (treatment of NWL dry recycle material) be approved
2. Authority be delegated to the Director of Services in consultation with the Portfolio Holder to make the best and final offer

Reason for decision: To ensure compliance with the delegated approvals in Constitution

**112. EXEMPTION TO THE COUNCIL'S CONTRACT PROCEDURE RULES -
CONSULTANCY SUPPORT FOR JOINT STRATEGIC PLANNING MANAGER**

The Regeneration and Planning Portfolio Holder presented the report to Members. He advised that it had become apparent that additional support to the Joint Strategic Planning Manager to assist in the production of the Strategic Growth Plan was required and the award of the contract had been agreed by the ten partner organisations.

It was moved by Councillor T J Pendleton, seconded by Councillor R Blunt and

RESOLVED THAT:

The grant of exemptions to the Council's Contract Procedure rule 6.4 to allow the direct award of a contract for specialist consultancy services be noted.

Reason for decision: The CPR requires that the exercise of the Statutory Officers' discretion to grant exemptions is reported to Cabinet.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.32 pm