

MINUTES of a meeting of the CABINET held in the Council Chamber, Council Offices, Coalville, on TUESDAY, 8 JUNE 2021

Present: Councillor R Blunt (Chairman)

Councillors R D Bayliss, T Gillard, N J Rushton and A C Woodman

In Attendance: Councillors

Officers: Mrs B Smith, Mr J Arnold, Mr A Barton, Mr D Bates, Miss E Warhurst, Mr T Delaney, Mr C Elston, Walford and Mr P Wheatley

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Robert Ashman.

**2. DECLARATION OF INTERESTS**

Councillor N Rushton declared a pecuniary interest in item 15 – Ashby Business Improvement District as a business owner in Ashby de la Zouch, and that he would leave the meeting for consideration of the item.

**3. PUBLIC QUESTION AND ANSWER SESSION**

No questions were received.

**4. MINUTES**

Consideration was given to the minutes of the meetings held on 23 and 30 March 2021.

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

RESOLVED THAT

The minutes of the meetings held on 23 and 30 March 2021 be confirmed as accurate records of the proceedings.

Reason for decision: To comply with the constitution.

**5. UPDATE ON AIR QUALITY MANAGEMENT AREAS & SUBMISSION OF ANNUAL STATUS REPORT**

Councillor A Woodman presented the report, which updated Cabinet on work in the area of air quality since it's last consideration of the issue in December 2020 including changes to the current Air Quality Management Areas, and sought approval for the submission of the Annual Status Report to DEFRA. The report and it's contents were welcomed by Members.

It was moved by Councillor A Woodman, seconded by Councillor R Bayliss and

RESOLVED THAT CABINET

- 1) Approves the Annual Status Report for submission to DEFRA

Chairman's initials

- 2) Approves the revocation of the Derby Road/London Road, Kegworth Air Quality Management Area
- 3) Approves the revocation of the Broomleys/Stephenson Way Junction, Coalville Air Quality Management Area
- 4) Approves The Air Quality Action Plan for Castle Donington for submission To DEFRA

**Reason for decision:** Compliance with Part IV of the Environmental Protection Act 1995

## **6. ENVIRONMENTAL HEALTH - FOOD SAFETY SERVICE DELIVERY PLAN 2021/22**

Councillor A Woodman presented the report, which sought Cabinet approval for the Food Safety Service Delivery Plan for 2021/22 and reported on performance in 2020/21.

Members welcomed the proposals, noting that the work of the Environmental Health team to help local businesses reopen post-COVID alongside normal services should be applauded.

It was moved by Councillor A Woodman, seconded by Councillor T Gillard and

RESOLVED THAT

- 1) The Environmental Health Food Safety Service Plan 2021/22 appended to the report be approved.
- 2) The performance and achievements in 2020/21 be noted

**Reason for decision:** To approve the content of the Food Safety Service Plan 2021/22 as required by the Food Standards Agency.

## **7. PSPO CASTLE DONINGTON 'CAR CRUISE'**

Councillor A Woodman presented the report, which presented a proposed Public Spaces Protection Order in Castle Donington to allow the Council and the police to take action against the ongoing anti-social behaviour relating to 'Car Cruises' along a new service road.

Members welcomed the proposals as sensible proposals and noted that it was fortunate that, although there were issues throughout the District, the issue had only emerged to the current extent in one location.

It was moved by Councillor A Woodman, seconded by Councillor R Blunt and

RESOLVED THAT CABINET

- 1) Approves the introduction of the Public Spaces Protection Order as set out within Appendix 1.
- 2) Agrees to delegate the renewal of any future PSPOs that do not require any amendments following consultation, to the Strategic Director of Place.

Chairman's initials

**Reason for decision:** To put in place a PSPO which restricts the anti-social use of vehicles.

## 8. MINUTES OF THE COALVILLE SPECIAL EXPENSES PARTY

Councillor A Woodman presented the minutes of the Coalville Special Expenses Working Party from 20 April and accompanying report to Cabinet, in particular noting the updates on the proposed events programmes, capital projects, and request for Cabinet approval for purchasing of Zephyr air quality monitoring units using external funding from the Bardon Community Fund. Members welcomed the new proposed events as a good initiative to bring people in Coalville.

It was moved by Councillor A Woodman, seconded by Councillor R Bayliss and

RESOLVED THAT CABINET

Notes the minutes of the Coalville Special Expenses Working Party at Appendix 1, and approves the recommendations detailed within the minutes and summarised at paragraph 3.0 of the report.

**Reason for decision:** So that the recommendations of the Coalville Special Expenses Working Party can be considered.

## 9. PAID PLANNING PRE-APPLICATION ADVICE

Councillor R Blunt presented the report, which sought Cabinet approval for the introduction of a charging structure for formal paid pre-planning application advice service for minor pre-applications and an amended procedure and updated charging structure for formal paid pre-planning application advice service for major pre-applications.

Members welcomed the proposals although it was noted that during implementation it would need to be monitored whether the charging system may lead to applicants no longer seeking advice and therefore leading to more work for the Planning department later down the line due to lower quality applications.

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

RESOLVED THAT CABINET

- 1) Agree to the introduction of a charging structure for formal paid pre-planning application advice service for minor pre-applications from 1 July 2021.
- 2) Agree to the amended procedure and updated charging structure for formal paid pre-planning application advice service for major pre-applications from 1 July 2021.
- 3) Delegates authority to the Strategic Director of Place, in consultation with the Planning and Infrastructure portfolio holder, to review the scheme and the charging structure on an annual basis and implement changes in line with the corporate approach to fees and charges.

**Reason for decision:** To introduce a formalised pre-planning application advice service for minor applications and amend the procedure and charging schedule for major applications.

Chairman's initials

**10. RIVER MEASE DEVELOPER CONTRIBUTION EXPENDITURE FOR CONTRACTORS COSTS ASSOCIATED WITH A SCHEME NEAR MEASHAM**

Councillor R Blunt presented the report, which sought Cabinet approval for the delegation of authority in order for a contract to be awarded to facilitate the removal of phosphates from an area of the River Mease as part of the developer Contribution Strategy set up as a requirement of the Water Quality Management Plan for the River Mease Special Area of Conservation.

It was moved by Councillor R Blunt, seconded by Councillor A Woodman and

RESOLVED THAT CABINET

Delegates authority to award the groundworks contract to the Strategic Director of Place in consultation with the Planning and Infrastructure Portfolio Holder and Section 151 Officer.

**Reason for decision:** The level of expenditure for the contract exceeds the authority level in the scheme of delegation.

**11. AWARDING OF MHCLG ROUGH SLEEPER INITIATIVE FUNDING**

Councillor R Bayliss presented the report, which sought Cabinet approval for delegation of authority to officers to award Grant Agreements to partner agencies of monies received under the Rapid Rough Sleeper Initiative Programmes. It was noted that the requirement was to utilise houses rather than hostels or hotels, and that although the incidents of rough sleepers were low it was important to have sufficient measures available at all times.

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

RESOLVED THAT CABINET

Delegates to the Head of Housing in consultation with the Housing, Property and Customer Services Portfolio Holder.

- 1) Authority to award grants and enter into associated funding agreements in relation to funding received under the Rough Sleepers Initiative for the year 2021/22.
- 2) Authority to award grants and enter into associated funding agreements in relation to funding received under future rough sleepers initiative, rough sleeper funding and/or associated or successor funding programmes.

**Reason for decision:** The grant payments requires expenditure in excess of officer delegated limits.

**12. MICROSOFT ENTERPRISE SOFTWARE ASSURANCE LICENCE RENEWAL**

Councillor R Bayliss presented the report, explaining that the Council was required to have a contract in place in order to continue using Microsoft products.

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

RESOLVED THAT CABINET

Chairman's initials

Authorises the award of a 3 year contract to Pheonix it services at a value of £380,744.00 for Microsoft enterprise software licences.

**Reasons for decision:**

- 1) To ensure Members are aware of the renewal cost of the Microsoft Enterprise Software Licence Agreement.
- 2) The renewal costs takes the contract value above the £250,000 threshold which requires Cabinet approval.
- 3) To authorise the renewal of Microsoft Software Licences Agreement, to ensure the authority stays appropriately licenced and meets the organisation's needs.

**13. TREASURY MANAGEMENT STEWARDSHIP REPORT 2020/21**

Councillor N Rushton presented the report, which informed Cabinet of the Council's Treasury Management activity undertaken for the financial year 2020/21.

During discussion clarification was sought regarding the HRA's borrowing figures in the report in comparison to those presented to the Council as part of the 2021/22 budget process, in response the Section 151 Officer undertook to come back to Members with a written response after the meeting.

It was moved by Councillor N Rushton, seconded by Councillor T Gillard and

RESOLVED THAT

The report be approved.

**Reason for decision:** Informing Cabinet of the Council's Treasury Management activity is a statutory requirement.

**14. EXEMPTIONS FROM THE CONTRACT PROCEDURE RULES MADE IN Q4**

Councillor N Rushton presented the report, which requested Cabinet to note the only exemption to the Council's procedure rules in quarter 4 of 2020/21, which was a six month extension to the contract with Totalmobile for the Council's financial management system.

It was moved by Councillor N Rushton, seconded by Councillor A Woodman and

RESOLVED THAT

Cabinet notes the exemptions made by Statutory Officers to the Contract Procedure Rules in Q4 2020/21

**Reason for decision:** To note the exemptions as required by the Constitution.

**15. ASHBY BUSINESS IMPROVEMENT DISTRICT**

Councillor N Rushton left the meeting having declared a pecuniary interest.

Councillor T Gillard then presented the report, which sought Cabinet approval for several proposals regarding the proposed Business Improvement District in Ashby de la Zouch. The report and it's contents were welcomed by Members as a worthwhile initiative that would empower the local businesses in Ashby to improve their high street.

Chairman's initials

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

**RESOLVED THAT CABINET**

- 1) Reviews the Ashby BID proposals set out in the report.
- 2) Delegates authority to the Strategic Director of Place in consultation with the Business and Regeneration Portfolio Holder to make 5 votes in favour of the Ashby BID at the July ballot, subject to satisfactory proposals set out in the final Ashby BID Business Plan.
- 3) Subject to the Ashby BID being approved at the ballot, approves the allocation of up to £20,000 from the existing Growth Plan Reserve to fund the estimated costs associated with billing and collection of the BID levy.
- 4) Subject to the Ashby BID being approved at the ballot, confirms the allocation of £1,124 per annum (subject to reasonable increases year on year to reciprocate increases to business rates) to fund the levy obligations on NWLDC owned assets.
- 5) Recommends that, in the event of a successful ballot, the Full Council approves the proposal for the Council to join the Ashby BID Company and participate in the incorporation of it.

**Reason for decision:** To seek support from Cabinet for the Ashby BID and, should the BID be approved, approve financial contributions towards the Ashby BID as set out in this report.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.41 pm