

MINUTES of a meeting of the CABINET held in the Council Chamber, Council Offices, Coalville on TUESDAY, 15 FEBRUARY 2022

Present: Councillor R Ashman (in the Chair)

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, Ms K Hiller, Mrs C Hammond, Mr P Wheatley and Ms R Haynes

85. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Blunt and K Merrie.

86. DECLARATION OF INTERESTS

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

Councillors R Ashman and N Rushton declared a non-pecuniary interest in Item 6 – East Midlands Freeport Update, as members of the Freeport Board and also as members of Leicestershire County Council. It was declared that both Councillors were able to approach the items with an open mind, and would not let participation in other meetings predetermine their views on these items and that they would listen to the debate of Cabinet colleagues before making a decision.

Councillor T Gillard declared a non-pecuniary interest in Item 6 – East Midlands Freeport Update, as a member of Leicestershire County Council.

Councillors R Ashman, T Gillard and N Rushton also declared a non-pecuniary interest in Item 4 - Marlborough Square Public Realm as members of Leicestershire County Council.

Councillor N Rushton declared a pecuniary interest in Item 7 - Ashby Business Improvement District Advanced Payment, as a business owner in Ashby. He advised that he would leave the meeting and take no part in the consideration of the item.

87. PUBLIC QUESTION AND ANSWER SESSION

No questions were received.

88. MARLBOROUGH SQUARE PUBLIC REALM

The Deputy Leader presented the report.

Members thanked the Scrutiny Committee for their comments, which had been noted.

It was noted that costs had increased, however that this was to be expected given the rise in costs of building materials and that the project would remain economically viable and be a good, high quality product.

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

RESOLVED THAT:

1.It be recommended to Council at its meeting on 24 February 2022 that the additional £853,417 required to implement the Marlborough Square Public Realm project be found

Chairman's initials

from the Coalville Regeneration Framework Budget Line being proposed in the 2022/23 Council Budget.

2. Based on the outcome of the tender exercise and the estimated other project costs set out in the report, it be agreed to proceed to award the construction contract and implement the project subject to approval by Council on 24 February 2022

3. Authority be delegated to the Strategic Director (place) to ensure that:

A) Those highways agreements necessary to deliver the public realm project be entered into

B) The terms of the construction contract be agreed

C) Such other agreements as shall be necessary to implement the project within the approved budget be completed.

D) Negotiation of a reduction or waiver of the Highways Authority fees and commuted lump sum proposed to be charged by Leicestershire County Council be sought.

Reason for decision: The decision on whether to enter into a contract of the size and nature set out in this paper is a matter for Cabinet.

89. 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.

90. EAST MIDLANDS FREEPORT UPDATE

The Deputy Leader and Portfolio Holder for Infrastructure presented the report.

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

RESOLVED THAT:

1. The work of the Freeport Board be noted and endorsed by Cabinet.

2. The full draft business case as set out in the report and attached appendix, recognising that further work needs to be done regarding the corporate structure of the Freeport and financial implications, including in relation to business rates, be supported in principle by Cabinet.

3. Subject to 2 above, authority be delegated to the Chief Executive in consultation with the Portfolio Holder, to sign off support in principle to the final full business case for submission to Government.

4. It be noted that no decision is requested from Cabinet in relation to the inclusion of the Emagic site in the final business case, as this site is subject to consideration as part of the statutory planning processes.

5. The process in respect of retained business rates growth that would be instigated should the Freeport designation be made by Government be noted.

Chairman's initials

Reason for decision: To update Cabinet on the work to date on the Freeport, to seek ongoing support in principle to the project and the submission of the FBC and note that further work needs to be done and decisions made on the financial and legal implications arising, including in relation to the documents required for the creation of the incorporated association.

91. ASHBY BUSINESS IMPROVEMENT DISTRICT ADVANCED PAYMENT

The Portfolio Holder for Business and Regeneration presented the report.

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

RESOLVED THAT:

The proposal and approval of making an advance to the Ashby BID company as set out in the report be reviewed by Cabinet.

Reason for decision: To seek approval from Cabinet to issue an advanced payment to Ashby BID Company

Councillor Rushton left the meeting at 17:11.

The meeting commenced at 5.00 pm

The Chairman closed the meeting at 5.17 pm