

MINUTES of a meeting of the CABINET held in the Council Chamber, Council Offices, Whitwick Road, Coalville, LE67 3FJ on TUESDAY, 20 SEPTEMBER 2022

Present: Councillor R Blunt (Chairman)

Councillors R Ashman, R D Bayliss, T Gillard, K Merrie MBE, N J Rushton and A C Woodman

In Attendance: Councillors T Eynon, J Geary, M D Hay, R Johnson, J Legrys, S Sheahan and M B Wyatt

Officers: Mr J Arnold, Miss E Warhurst, Mrs A Crouch, Mrs C Hammond, Ms R Haynes, Mr K Bassett, Ms K Connell, Stevens and Mr P Wheatley

## **28. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **29. DECLARATION OF INTERESTS**

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

Councillor T Gillard declared a pecuniary interest in Item 5 “Hermitage Leisure Centre Building – Future Direction” as a member of Whitwick Parish Council and confirmed he would leave the room for this item.

## **30. PUBLIC QUESTION AND ANSWER SESSION**

### **Question from Parish Councillor Susan Colledge to Councillor R Bayliss**

The demolition of the Hermitage Leisure Centre will cause the release of captured carbon. The figure is worked out using the EC3 captured carbon calculator. Current environmental recommendation is to repurpose rather than demolish any building possible.

Has this figure been factored into your calculations on your zero carbon target?

### **Response from Councillor R Bayliss**

The EC3 calculator is an incredibly useful tool for considering the carbon footprint for a building which is about to be constructed. It includes a consideration of the embedded carbon that might be released when the building is eventually demolished and recycled at the end of its life. To provide any useful data the model requires knowledge of the embedded carbon value of the materials that are to be used in constructing the building. The embedded carbon in materials being a function of how they are produced.

Unfortunately, the model does not work for existing buildings. It is impossible to know what the embedded carbon value is of materials that were produced and incorporated into a building more than 30 years ago. For example, how was the steelwork within the building frame produced, was it new or recycled steel, locally produced or shipped from overseas, how was the foundry powered- coal or gas?

We will never be able to calculate a figure for the embedded carbon within the former Hermitage Leisure Centre. What we will do however is ensure that as much of the building as possible is recycled post demolition and we will also be able to calculate how much carbon is saved by no longer having to heat, light and secure the premises.

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**Supplementary Question from Parish Councillor Susan Colledge to Councillor R Bayliss**

As there are many instances of captured carbon being worked out for old buildings, could the officers work it out as a best guess?

**Response from Councillor R Bayliss**

Councillor Bayliss acknowledged that he would be unable to answer on behalf of officers, however suggested that it would be financially impractical to bring the HLC building up to a C standard. Councillor R Bayliss assured Parish Councillor S Colledge that a response would be sought from officers and would be provided at a later date.

**Question from Parish Councillor Peter Moulton to Councillor R Bayliss.**

As Parish Councillor P Moulton had been delayed, Councillor Wyatt posed the question, and Parish Councillor P Moulton posed the supplementary question upon his arrival.

The option of community ownership would deliver most of the aspirational 'vision' included within the original consultancy report.

As a forward thinking council, this would be a great step forward in the provision of infrastructure for the use of the whole area, in particular the vulnerable groups in our society who do not engage with the current mainstream sports and activities on offer. As the option of community ownership will deliver most of that vision, why is it not being considered?

**Response from Councillor R Bayliss**

The vision document sets out plans for whole of the Hermitage Recreation Grounds.

The decision before Cabinet tonight relates only to that part of the Hermitage Recreation Grounds upon which Hermitage Leisure Centre sits and which Community Services have stated is no longer required by that service.

There is another Council department which has a need for the land upon which the Hermitage Leisure Centre buildings sit and it is in accordance with council policy to make the land available to that department for the delivery of alternative services, where those services are a priority for the Council.

Subject to Cabinet consideration of the vision document at a later date, it is intended that Hermitage Recreation Ground (excluding the Hermitage Leisure Centre land) will remain with Community Services for the delivery of the vision. It is perfectly reasonable to believe that community involvement in the operation of facilities on the area of Hermitage Recreation Grounds retained with Community Services is possible and can be explored further as the vision is developed into detailed proposals.

**Supplementary question from Parish Councillor Peter Moulton to Councillor R Bayliss.**

How much did the original report from the consultancy which led to the proposal of 'the vision' cost?

**Response from Councillor R Bayliss**

The vision report cost £35,750

### **31. MINUTES**

Consideration was given to the minutes of the meeting held on 19 July 2022.

It was moved by Councillor T Gillard, seconded by Councillor K Merrie and

RESOLVED THAT:

The minutes of the meeting held on the 19 July 2022 be approved and signed by the Chair as a correct record.

### **32. HERMITAGE LEISURE CENTRE BUILDING - FUTURE DIRECTION**

Having declared an interest in the item Councillor T Gillard left the meeting for the consideration of the item.

The Property and Customer Services Portfolio Holder advised that although he had received correspondence which pertained to this agenda item and had sat on both Community and Corporate Scrutiny Committees, he would consider the matter with an open mind. He then presented the report to members.

Members were advised that Hermitage Leisure Centre closed in February 2022 following the opening of the New Whitwick and Coalville Leisure Centre. The former Leisure Centre buildings had been mothballed since closure, but it continued to cost the Council £17,500 per month on essential utilities, security and vacant business rates.

Surveys commissioned show that whilst there was a backlog of maintenance issues throughout the whole building (roof, glazing, structural framework and heating systems) the former pool, health suite and squash courts were in worse condition than the sports hall and that to carry out repairs would cost the authority £2.1m with the resultant asset being worth £1.2m.

Whitwick parish council and Coalville CAN had made a strong plea that NWLDC should continue to make the Hermitage Leisure Centre buildings available to the local community, with the whole building retained although they had indicated that retention of the sports hall alone may meet their aspirations.

The former Leisure centre building was subject to an Asset Of Community Value registration lodged by Whitwick Parish Council and the status would be considered as a Material Consideration whenever a planning application to redevelop was made and determined.

Councillor M Hay addressed the meeting and proposed that part of the building be retained in order to be used by community groups and he reiterated that there had been opposition to proposals of using the site for affordable, social housing. Councillor M Hay felt that instead of demolishing the HLC buildings and developing housing, the retention of the HLC buildings would be an achievable way for community groups to obtain a building.

Councillor R Bayliss responded that he was obliged to follow officers' advice in terms of the cost of the exercise and asserted that it would be only a selective section of the community who would not want the site to be used for housing. It was also noted that it was felt there had been insufficient representation from people who would wish to reside in Whitwick but for whom there had been no opportunity to do so due to lack of housing.

The Chair thanked Councillor M Hay for highlighting both the pros and cons of retaining the existing buildings and wished to affirm his own support for groups such as Coalville

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CAN and what they had been seeking to do, however it was also acknowledged that there was a need for more affordable social housing.

Councillor A Woodman noted that he had toured the current buildings and reminded the meeting that the new premises had been built because the old site had too many issues. To repair these issues would have resulted in unfeasibly high costs to bring it to a useable standard. Given the costs required to keep the building mothballed, Councillor A Woodman opined that it would be better to invest in the recreation ground and to demolish the old buildings.

Members commented that the County Councillor and local ward members had not been contacted at all with regard to this matter and had only received positive comments in relation to the development of the site. It was also noted that Coalville CAN only spoke for a minority of constituents in Whitwick.

Councillor R Ashman informed the meeting that a similar scenario had arisen in his own ward and that the leisure centre in that ward had cost the local Parish Council heavily in terms of time and money. It was noted that the management of this site had eventually been outsourced by necessity. He iterated that to retain the buildings of the old HLC would be a huge responsibility and that he believed the recommendations would be the preferable option.

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

RESOLVED THAT:

The report including the options regarding the future of the former Hermitage Leisure Centre building (HLC) be considered by Cabinet.

- 2) The diverse comments and views expressed by the Community Scrutiny Committee summarised in section 8 of the report and contained in full in appendix 7, be noted.
- 3) The demolition of the HLC buildings for the reasons set out in the report, and delegated responsibility for any arrangements required to facilitate the demolition to the Head of Property and Economic Development be agreed.
- 4) It be agreed that the Council will retain the freehold title of the land occupied by the former HLC buildings and car parking, to be used for the delivery of other council services, in accordance with the Council's Corporate Disposals Policy.
- 5) The appropriation of the land occupied by the former HLC and car parking from the general fund to the Housing Revenue Account (HRA) as described in the report (Annex 6 indicatively sets out the area of land to be appropriated (subject to due process and finalisation)) be agreed, provided that it:
  - A) Does not compromise the leisure covenant on the site;
  - B) Complies with Policy En5 of the Local Plan (namely does not encroach on the area of separation); and c) retains within the general fund, an area of car parking for local residents.
- 6) Responsibility for the appropriation process be delegated to the Strategic Director with responsibility for property in consultation with the S151 officer and appropriate Portfolio Holders.
- 7) Cabinet will at future dates, receive business cases for the proposed improvements to the Hermitage Recreation Ground. The final proposals in these business cases will be in

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line with the direction of travel outlined in Section 3.26 of this report but refined to take on board the community engagement results and the release of funds to the general fund through the appropriation of the HLC site be noted.

**Reason for Decision:**

A decision on the future of the Hermitage Leisure Centre buildings is required in order to comply with the Corporate Disposals Policy. The proposed course of action will enable the asset to be used by another council service to delivery council priorities. The decision does not compromise future consideration of a strategy for investment in the Hermitage Recreation Ground.

**33. INTERIM POSITION STATEMENT IN RESPECT OF FIRST HOMES - CONSULTATION DRAFT**

Councillor T Gillard resumed his attendance for the remainder of the meeting.

The Planning and Infrastructure Portfolio Holder presented the report to members, outlining the benefit of the features of the First Homes scheme and highlighting the interim policy statement in respect of eligibility criteria.

Members felt that this would be a welcome initiative, which would enable people to buy their first home.

It was moved by Councillor K Merrie, seconded by Councillor R Bayliss and

RESOLVED THAT:

- (i) Consultation be carried out on the interim policy statement in respect of first homes as set out at Appendix B of the report .
- (ii) The outcome of the consultation be reported to a future meeting of Cabinet for consideration.

**Reason for Decision:**

To outline the benefit of the features of the First Homes scheme and to establish an interim policy statement in respect of eligibility criteria

**34. DRAFT AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Planning and Infrastructure Portfolio Holder presented the report to members, outlining the need to recognise the importance of air quality when considering proposed developments.

Councillor A Woodman informed the meeting that the authority's most recent plan had been approved by DEFRA which already placed the authority ahead of expectations at this stage.

It was moved by Councillor K Merrie, seconded by Councillor A Woodman and

RESOLVED THAT:

It be recommended to the Local Plan Committee that the Draft Air Quality Supplementary Planning Document, as set out in Appendix A be approved for public consultation

**Reason for Decision:**

To present a draft Air Quality Supplementary Planning Document which it is recommended should be subject to consultation

**35. AWARD OF HOUSING MATERIALS SERVICES CONTRACT**

The Property and Customer Services Portfolio Holder presented the report to members and described the proposal to award a five year contract for the provision of building materials from a single supplier. The list of 10 potential suppliers were as detailed in the report. It was noted that the current contract expires on 1 April 2023.

It was moved by Councillor R Bayliss, seconded by Councillor N Rushton and

RESOLVED THAT:

Authority be delegated to the Strategic Director to award the Housing Materials Services Contract in consultation with the S151 Officer and Portfolio Holder.

**Reason for Decision:**

The level of expenditure on the proposed contract exceeds the authority level in the Scheme of Delegation.

**36. COVID-19 ADDITIONAL RELIEF FUND (CARF) POLICY 2021/22**

The Corporate Portfolio Holder presented the report to members. He outlined the relief fund for businesses which the Government had announced in 2021 and which would be available for businesses which had been ineligible in the past. It was noted that whilst the Government had set out the main criteria, local authorities had been invited to formulate their own policy in how the money would be distributed to small, local businesses.

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

RESOLVED THAT:

- 1) The Council's CARF Policy and operation as set out in the report and accompanying full policy terms and conditions in Appendix 1 be agreed.
- 2) Authority be delegated to the Council's S151 Officer to make any subsequent changes to the relief award percentages and to award/apply reliefs to business rate accounts.

**Reason for Decision:**

To comply with the Constitution.

**37. ANNUAL REVIEW OF CORPORATE GOVERNANCE POLICIES**

The Corporate Portfolio Holder presented the report to members, informing members that the review had been considered at a meeting of Audit and Governance and no amendments had been made.

It was moved by Councillor N Rushton, seconded by Councillor K Merrie and

RESOLVED THAT:

- 1) The comments from the Audit and Governance Committee made at its meeting on the 27 July 2022 be noted.
- 2) The corporate Governance Policies listed in Paragraph 2 be approved.

**Reason for Decision:**

To ensure that the Council has an up to date suite of governance policies in place reflecting the law and best practice.

**38. 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, advising of debts which had exceeded £10,000 and sought approval to write them off in the best interests of financial management. It was highlighted that should it become feasible to pursue these debts at a later date, then appropriate action would be taken to do so.

It was moved by Councillor N Rushton, seconded by Councillor R Bayliss and

RESOLVED THAT:

Non-Domestic rates write offs that are over £10,000 be approved.

**Reason for Decision:** To comply with proper accounting practices.

**39. EXCLUSION OF PRESS AND PUBLIC**

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

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.

**40. FINANCE SYSTEM**

The Corporate Portfolio Holder presented the report to members and emphasised the importance of having an up to date financial system.

The Portfolio Holder requested a change to the recommendations, as captured below in B) to add the clause that he be consulted before the contract is awarded

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

RESOLVED THAT:

- A) The additional spend of £300,000 on the Finance System Project be approved .
- B) A contract of up to £100,450 to Embridge Consulting Ltd be awarded subject to approval by the Corporate Portfolio Holder once the final amount has been agreed.

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**Reason for Decision:**

The level of expenditure on the proposed contract extension exceeds the authority level in the scheme of delegation and to ensure the contract is compliant.

**41. AWARD OF INSURANCE CONTRACT**

The Corporate Portfolio Holder presented the report to members, which outlined the need to award a one year contract to the current suppliers, Zurich Municipal Insurance PLC. It was suggested that it could be beneficial to collaborate with another authority in order to undertake a procurement exercise to consider alternative insurance provision.

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

RESOLVED THAT:

Authority be delegated to the Strategic Director in conjunction with the S151 Officer and Portfolio Holder, to award a one year insurance contract to Zurich Municipal.

**Reason for Decision:**

The level of expenditure on the proposed contract extension exceeds the authority level in the scheme of delegation and to ensure the contract is compliant

The meeting commenced at 17:00

The Chairman closed the meeting at 17:50

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