

**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY 6 SEPTEMBER 2011**

Held At 7.00pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

PRESENT:

Councillors J N Clarke (Chairman), D G Bell, J A Cranswick, J E Fearon

ALSO IN ATTENDANCE:

Councillors H Chewings, R M Jones, A MacInnes

OFFICERS PRESENT:

C Bullett	Deputy Chief Executive (CB)
S Cairns	Protection and Safety Manager
A Graham	Chief Executive
P Randle	Deputy Chief Executive (PR)
L Reid Jones	Democratic Services Manager
C McGraw	Head of Community Shaping
D Mitchell	Head of Partnerships and Performance

APOLOGIES FOR ABSENCE:

Councillors D J Mason, Mrs J A Smith

18. Declarations of Interest

There were none declared.

19. Minutes

The minutes of the meeting held on Tuesday 12 July 2011 were approved as a correct record and signed by the Chairman.

20. Governance Arrangements and Concordat for Regeneration Project in Cotgrave

Councillor Bell presented the report of the Chief Executive updating Members on the proposed governance arrangements to support the regeneration of the Cotgrave town centre area. He explained that key to the project would be the successful collaboration of all the major public sector partners: Rushcliffe Borough Council; Nottinghamshire County Council, Nottinghamshire Police, Principia and the GP practice all of whom had property and service interests in the town centre area. It was essential that all partners were committed and fully engaged in influencing the key strategic direction of the project whilst being able to remain independent in making operational decisions designed to minimise costs whilst maximising outcomes for the community of Cotgrave.

Councillor Bell drew Members' attention to the establishment of a Member Board comprising an elected Member from each of: Nottinghamshire County Council; Rushcliffe Borough Council; and Cotgrave Town Council. He

nominated Councillor Cranswick, as Deputy Leader, to be the Council's representative.

Councillor Clarke stressed that it was important for the Council to ensure all funding opportunities were taken up. He said this was welcomed by the community and was confident that all partners were on board with the project.

Councillor Cranswick commented that funding had already been secured and much work had already been done. He added that this was a long term project and could take up to 10 years to deliver. Therefore, he said, it was important to get partners engaged at this stage so as to align thinking.

The Chief Executive updated Members on the funding aspect saying that there was an indication that the Homes and Community Agency funding may not need to be used by March 2012. This was to be confirmed.

Councillor Fearon asked that recognition be given to the hard work undertaken in engaging with partners to get to the current position.

RESOLVED that Cabinet:

- (a) endorses the proposed governance arrangements;
- (b) agree that Councillor Cranswick, as Deputy Leader, be appointed to sit on the Member Board;
- (c) endorses the principle of the Concordat agreement and delegates authority to the appointed Cabinet Member to make representations for amendments or revisions through the Member Board as necessary.

21. Proposed Air Quality Management Area – Detailed Assessment for Nitrogen Dioxide

Councillor Fearon presented the report of the Head of Environment and Waste Management detailing a proposal to declare an Air Quality Management Area (AQMA) at the Stragglethorpe junction on the A52. By reference to the report he explained that under the provisions of the Environment Act 1995, all local authorities were under a duty to review air quality within their area, in line with national guidelines. The Air Quality Progress report produced by the Council in April 2010, had highlighted the need for more detailed assessment work to be undertaken on nitrogen dioxide at the Stragglethorpe junction on the A52. The result of the detailed assessment report had identified exceedences of the National Air Quality Objectives for nitrogen dioxide within the Borough. These findings had been reported to the Department of Environment, Food and Rural Affairs (DEFRA) and following their approval the Council was now under a statutory duty to declare Air Quality Management Areas (AQMA) before 1st November 2011.

In response to questions from Councillors Clarke and Fearon the Protection and Safety Manager informed Members that the Highways Agency were considering alterations to the traffic light sequencing in the area, and also junction widening, as traffic flow was one of the main sources of pollution.

RESOLVED that Cabinet:

- a) notes the outcome of the Detailed Assessment report for nitrogen dioxide;
- b) notes the outcome of the consultation for the proposed Air Quality Management Areas for nitrogen dioxide;
- c) approves the proposed draft Air Quality Management Area boundaries for nitrogen dioxide, detailed within Appendix 1 of the report, and an Order be made under the provisions of Section 83(1) of the Environment Act 1995 formally designating the area as an Air Quality Management Area.

22. Potential for Installation of Photovoltaic Panels on Council Owned Buildings

Councillor Cranswick presented the report of the Head of Community Shaping regarding the potential for installation of photovoltaic panels on council owned buildings. In September 2010 Council resolved to review options available to the Council to produce renewable energy from its own assets. Following on from this in June 2011 Cabinet approved the Carbon Management Plan which referred to the potential to install photovoltaic panels on Council owned assets. A review of the viability of generating electricity from Council buildings by installing photovoltaic panels had now been carried out. Councillor Cranswick stated that the report recommended that the photovoltaic panels should be installed on specified community facilities and that any decision in relation to Leisure Centres should wait until the review of the Leisure Facilities strategy had been completed. Installation was not being recommended for installation at the Civic Centre or the Depot for practical reasons.

Councillor Cranswick drew Members' attention to the cost of the scheme and the associated benefits. He said that the viability of the project depended on a 25 year period for any decent return on investment. He stated that this was a long time and did not believe that all factors would remain the same for so long a period to enable such a return to be achieved. There were unknown factors which needed to be taken into account. He questioned whether the cost of regular cleaning of the panels had been included in the calculations. He said if this was not the case then this reduced the return on investment further. Councillor Cranswick stated that it was a difficult scheme to justify financially and he was not confident investing tax payers money in a long term scheme where there was no certainty that the Feed in Tariffs would continue. Whilst there were benefits to the scheme Councillor Cranswick stated that he would not support the recommendations.

Councillor Clarke said that there were a number of questions which although may not be able to be answered, were a cause for concern. He asked how the Council could guarantee that the government would continue to provide financial support for the scheme over the next 25 years and their intentions remain the same. He questioned what guarantee there was that the Council's investment would be recouped if the asset needed to be sold.

In response to the questions raised the Head of Community Shaping confirmed that cleaning and maintenance costs had not been included as these were minimal as the panels were self cleaning. She added that the panels could be cleaned with hot water and an extendable pole, and did not require scaffolding to be erected. There were potential additional costs from the need to replace inverters periodically. She confirmed that there was no guarantee about the intentions of future governments although both the previous and current governments had signed up to the initiative. In terms of investment, the average lifespan of a panel was currently expected to be 25 – 30 years, with the capital investment being recouped after 10 years.

Councillor Clarke said that there were conflicting aspirations with this project in terms of reducing carbon emissions and ensuring that residents got the best return for their council tax. He stated that the technology was in its infancy and had yet to be proven: whilst a domestic dwelling business case was easier to prove the Council had to take account of more issues. He re-iterated the need to reduce carbon emissions however was of the opinion that a more proven business case was required.

Councillor Cranswick stated that it was difficult to envisage a return over the 25 years. He concurred with the Leader in that the Council was committed to reducing carbon emissions, however the Council was facing a period where finances were very difficult and therefore there was a requirement to ensure that any investment was a cast iron certainty.

Councillor Fearon stated that the project required a £1.6 million capital investment. He said that there was only a limited amount of money to fund initiatives and the Council was having to reduce its costs. Councillor Fearon was not convinced that this project was viable.

Councillor Bell added that he too had concerns over the project and pointed out that emerging technology became cheaper over time. He stated that the Council should step back at this time and observe how the technology developed.

Councillor Clarke indicated that Members had made fair comments, however they also needed to take into account that Feed in Tariffs would reduce for projects that started in future years and therefore there would be an impact on the return on investment if a decision to proceed was deferred. Nevertheless, Councillor Clarke stated that the Council needed to make best use of its funds and in view of the risks involved proposed that the project be put in abeyance for the time being. He added that it may be appropriate to consider the initiative in future if a more convincing business case could be developed with a shorter return period.

The Chief Executive reminded Members that the initiative was part of the Council's Sustainability Strategy and had been referred to Cabinet by way of a motion from Full Council. As Cabinet was minded to say that the initiative was not appropriate at this time, he sought clarification as to what Cabinet would consider to be a reasonable time period in relation to the return on investment.

In response Councillor Clarke stated that the aspiration would be for a significant reduction in the pay back period, for example five years. In

concluding Councillor Clarke stated that it was important to invest in reducing carbon emissions but that the financial interests of the Council needed to be protected.

RESOLVED that:

- a) that it was important to reduce carbon emissions but this had to be balanced with protecting the financial interests of the Council;
- b) to reconsider the issue if a more convincing business case demonstrating a significant reduction in the pay back period, for example five years, could be developed in the future.

23. Refresh of the Leisure Facilities Strategy 2011

Councillor Fearon presented the report of the Head of Partnerships and Performance regarding the refresh of the Leisure Facilities Strategy. The report outlined the history of the Member Panel set up in July 2009 to undertake a refresh of the Leisure Facilities Strategy, explore the emerging issues of joint use schools changing status; East Leake Leisure Centre management arrangements; increasing costs of utilities and the potential for housing growth and its impact on infrastructure requirements. The Member Panel had reported to the Community Development Group (CDG) in April 2010 and July 2011. The investigative work of the Member Panel had provided a focus for future decision making which would enable decisions about what, where and how many facilities should be provided, what management arrangements may be appropriate and what levels of capital and revenue funding would be necessary to support the delivery of the strategy. Councillor Fearon explained that for these reasons the CDG felt it appropriate to close down the Scrutiny Group Member Panel and instead to establish a Cabinet Member Group to complete the task.

Councillor Bell stated that it was unwise to make decisions on the Leisure Facilities Strategy until the outcome of the Local Development Framework was quantified.

RESOLVED that a Cabinet Member Group be established to complete the review of the Leisure Facilities Strategy and make recommendations for future provision taking into account consideration the content of the Local Development Framework.

The meeting closed at 7.45 p.m.

CHAIRMAN