

When telephoning, please ask for:
Direct dial
Email

Liz Reid-Jones
0115 9148214
lreid-jones@rushcliffe.gov.uk

Our reference: LRJ
Your reference:
Date: 2 July 2012

To all Members of the Council

Dear Councillor

A meeting of the CABINET will be held on Tuesday 10 July 2012 at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford to consider the following items of business.

Yours sincerely

Head of Corporate Services

AGENDA

1. Apologies for absence
2. Declarations of Interest
3. Minutes of the Meeting held on Tuesday 12 June 2012 (previously circulated).

Key Decisions

None.

Non Key Decisions

4. Four Year Plan Update
The report of the Head of Partnerships and Performance is attached (pages 1 - 6).
5. Four Year Service Review Programme - Terms Of Reference
The report of the Head of Community Shaping is attached (pages 7 - 9).
6. Proposed Lease of Abbey Road Depot (part) to Nottinghamshire County Council Transport and Travel Services
The report of the Head of Environment & Waste Management is attached (pages 10 - 13).

7. Response to the Publication Version of the Aligned Core Strategies of Broxtowe Borough, Gedling Borough and Nottingham City Councils

The report of the Deputy Chief Executive (PR) will follow.

Budget and Policy Framework Items

None.

Matters referred from Scrutiny

None.

Membership

Chairman: Councillor J N Clarke,
Vice-Chairman: Councillor J A Cranswick
Councillors D G Bell, J E Fearon, D J Mason, Mrs J A Smith

Meeting Room Guidance

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**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY 12 JUNE 2012**

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,
D J Mason, Mrs J A Smith

ALSO IN ATTENDANCE:

Councillor S J Boote
Two members of the public

OFFICERS PRESENT:

C Bullett	Deputy Chief Executive (CB)
P Randle	Deputy Chief Executive (PR)
L Reid Jones	Democratic Services Manager
P Steed	Director of Finance
D Swaine	Head of Corporate Services

APOLOGIES FOR ABSENCE:

There were no apologies for absence

1. Declarations of Interest

There were none declared.

2. Minutes

The minutes of the meeting held on Tuesday 15 May 2012 were approved as a correct record and signed by the Chairman.

3. Exploring Future Opportunities for Bridgford Hall and Park Lodge

Councillor Cranswick presented a report of the Chief Executive outlining the options for exploring future opportunities for the use of Bridgford Hall and Park Lodge. The report stated that the Council owned the Hall which was a Grade II listed building and was leased to Nottinghamshire County Council until September 2013. Park Lodge was leased to Rushcliffe CVS until June 2011 and was currently let to the Spiritualist Church.

The report indicated that the County Council had vacated most of the Hall but still ran its register office from the ground floor of the building. Councillor Cranswick informed Cabinet that this was the start of the process to consider options for the future of the Hall, and to ensure that all of the facts were available before any decisions were made. He explained that the Hall was in a poor state of repair, and as such if the County Council vacated the premises, work to remedy dilapidations would be required. This, he stated, could be

carried out either by the County Council or by way of a cash sum from the County Council.

Councillor Cranswick continued by stating that initial discussions had taken place with the County Council in order to consider how their service needs fitted with the options for the future of the hall. He stressed that the Council's purpose was to ensure the building provided best value for all residents of Rushcliffe, and not only those using the register office. He informed Cabinet that the proposal was to soft market the Hall by way of creating a brochure which would be circulated nationally to gauge potential as a development opportunity. He also reminded Cabinet that consideration would also have to be given to the Council's disposal policy for land and buildings when making any decision on the future of the Hall. Furthermore the provisions within the Localism Act 2011 regarding Assets of Community Value were also relevant and if necessary should be considered when determining any future options., In response to a question from Councillor Mrs Smith regarding the condition of the building Councillor Cranswick stated that the repairs were part of the lease arrangements and therefore it was expected that the County Council would be required to hand the building back to the Borough Council in a sound condition.

Councillor Bell supported the proposal and stated that it was an appropriate way forward.

Councillor Clarke stated that by starting the process now, there would be sufficient time to consider the range of options resulting in a measured and evidence based approach.

RESOLVED that Cabinet:

- a) approve the soft marketing of Bridgford Hall, and
- b) agree the principle that the Hall will need to be developed in some way around the current footprint to protect the future viability of the building.

4. Provision of Taxi Ranks in West Bridgford

Councillor Fearon presented the report of the Head of Environment and Waste Management regarding a proposal to extend the hours for which the taxi rank on Bridgford Road, West Bridgford could be used and also to create a new additional rank on Central Avenue for evening use only. He informed Cabinet that the number of licensed hackney carriages in Rushcliffe had increased considerably in recent years and consequently there had been requests from drivers for the Council to create more taxi ranks. He stated that the proposed changes would result in the safer and more orderly dispersal of the public from this lively part of Borough with its vibrant night time economy. Councillor Fearon informed Cabinet the proposed changes were being made pursuant to Section 3 of the Local Government (Miscellaneous Provisions) Act 1976.

Councillor Mason stated that the changes reflected the success of Central Avenue and the night time economy. Furthermore this success was due to the work carried out by the Council in promoting businesses, and the work they did to promote themselves.

Councillor Clarke re-iterated that the proposed changes showed how vibrant and diverse the local economy was. Furthermore at a time of significant financial difficulties nationally this evidenced the success of the Council in ensuring there were very few vacant premises in Central Avenue. Commenting further he added that this gave a clear indication that West Bridgford had a vibrant and robust local economy and it was important to ensure that it remained that way.

In response to a point raised regarding the consultation process the Deputy Chief Executive (PR) confirmed that the necessary consultation had been carried out and the highway authority had not raised any objections.

In response to a question from Councillor Mrs Smith the Head of Corporate Services indicated that the provision of taxi ranks in the borough were intended for use by hackney carriages vehicles licensed by the Council.

RESOLVED that pursuant to Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 Cabinet approve:

- a) an increase to the hours of use of the existing rank on Bridgford Road to twenty four hours for four spaces whilst keeping a 1900 to 0700 hour restriction on the remaining two spaces, and;
- b) the creation of an additional evening rank between the hours of 1900 and 0700 capable of accommodating six vehicles in the layby on Central Avenue, nearest to the junction with Tudor Square.

5. Revision of Policy Regarding the Relevance of Previous Convictions

Councillor Fearon presented a report of the Head of Environment and Waste seeking endorsement of the revised Policy Regarding the Relevance of Previous Convictions. The report set out how these were considered in relation to persons applying for a hackney carriage/private hire driver's licence and private hire operators' licences. Councillor Fearon informed Cabinet that the Nottinghamshire Licensing Officers Group had recently reviewed the policy in conjunction with advice given by the Local Government Better Regulation Office and the intention was now that each Nottinghamshire authority adopts the revised policy.

Councillor Cranswick expressed concern that a person who had been convicted of murder could apply for a taxi licence after 10 years. In response the Head of Corporate Services explained that the framework was set giving consideration to the Rehabilitation of Offenders legislation. Furthermore when any application was made consideration would be given to ensuring the applicant was a fit and proper person. He stated that in making this judgment consideration would be given to a range of factors particularly the circumstances of the offence and subsequent evidence to show good character.

Councillor Mrs Smith sought clarification regarding applicants who may have previous offences and their inclusion on the Sex Offenders Register. In response the Deputy Chief Executive (PR) confirmed that regard would be

given to all relevant factors when determining licence applications in order to ensure public protection was not compromised. However he would make further enquires with the relevant Council officers in order to clarify the position.

RESOLVED that Cabinet endorse the revised policy regarding the relevance of previous convictions for submission to full Council for approval.

6. **Financial Outturn 2011/12**

Councillor Cranswick presented a report of the Interim Head of Finance outlining the provisional Financial Outturn position for 2011/12. He anticipated that the accounts would be finalised by 30 June. He informed Cabinet that the current position on revenue outturn indicated an underspend of £1.3 million, however the majority of this had been generated through additional income particularly from the green waste scheme and the early delivery of savings through the revenues and benefits and environment & waste service reviews. He explained that the level of underspend could have a significant impact on the Council's general fund balance and earmarked reserves position. Furthermore it was likely that the Council would continue to suffer pressure on its revenue budget and lower income particularly from interest receipts.

In relation to the capital outturn Councillor Cranswick informed Cabinet that there were underspends as projects were not always completed in year, eg Cotgrave Masterplan. He announced that the Council had completed the acquisition of the precinct in Cotgrave the previous afternoon and the HCA were now moving towards appointing developers.

Councillor Cranswick continued by explaining that a review of earmarked reserves had been undertaken and these fitted in to three categories: investment reserves, smoothing reserves and operating reserves. By reference to paragraphs 20, 23 and 27 of the report he gave examples of how some of the earmarked reserves had been merged.

In response to a question from Councillor Cranswick regarding the projections for March 2011 – March 2016 some of which had not changed, the Director of Finance explained that some of the projections were historic. He stated that it related to the management of risk and gave the example of equal pay audit reserves, which had been held 'just in case' there had been a challenge: if so, the money would be there to fund it. He continued by stating that this year the intention was to consider whether the risk was being managed effectively and how reserves were being dealt with.

Councillor Mason sought clarification on the 'smoothing reserves' category, which she was not familiar with. In response the Deputy Chief Executive (CB) explained that this was a relatively new term for the Council under which some of the existing reserves had been placed. It referred to reserves held for funding future predicted and potential items of one off expenditure.

Councillor Cranswick thanked officers for their hard work in finalising the outturn position.

RESOLVED that Cabinet:

- a) note the outturn
- b) approve the principle that any underspend be used to maintain the level of earmarked reserves before increasing general fund balance
- c) approve the capital carry forwards
- d) approve the proposed changes to the Council's earmarked reserves.

The meeting closed at 7.45 pm.

CHAIRMAN

REPORT OF THE HEAD OF PARTNERSHIPS AND PERFORMANCE

CABINET PORTFOLIO HOLDER – COUNCILLOR J N CLARKE

Summary

1. In 2011/12 officers embarked upon a plan to systematically review all services with a view to achieving efficiency savings of £2.8m over four years. The four year plan seeks opportunities to redesign services, reduce cost or generate income. Savings of £1.81m have been achieved in 2011/12 against an original target of £1.07m.
2. This has been done through a range of officer led initiatives and two major service area reviews supported by Members; Environment and Waste Management and Community Facilities. In 2012/13 there will be a further 7 service reviews, two of which will be supported by a Member Group. Continued delivery of the reviews in years three and four of the plan will be vital in ensuring that the Council not only meets future financial challenges but also continues to redesign services and focuses resources on service delivery.

Recommendation

It is RECOMMENDED that the delivery of the four year plan continues to be supported.

Challenging Financial Climate

3. On 3 March 2011 Council approved the four year plan to review services to find £2.8m of savings over four years. At the time that the four year plan was approved it was estimated that £2.8m of savings would be required to maintain a balanced budget to 2014/15 and the work undertaken by both officers and Members in year one has made a significant contribution to that target. However, whilst work done and future plans represent a major realignment of Council spending, this must be viewed in the context of an on-going national agenda which will continue to impact on service delivery and council funding. In addition both the Chancellor and Cabinet Secretary have also indicated that future governments will need to deliver additional savings until at least 2016/17 and possibly until 2020. As such it is imperative that, in order to continue to focus resources on service delivery, the Council continues to progress with planned developments and reviews alongside securing additional savings where appropriate.

Year 1 Successes

4. Two Member Groups were set up to support major reviews in Environment and Waste Management (EWM) and Community Facilities. At their meeting on 10 January 2012 Cabinet approved 27 initiatives within EWM and £270,000 savings have been incorporated into the EWM budget for 2012/13. There is a potential that the savings could be up to £350,000 per annum by 2014/15 as all the initiatives are fully implemented. At their meeting on 17 April 2012 Cabinet approved 21 initiatives in Community Facilities that aim to deliver up to £72,000 savings by 2014/15. Again, there is a potential that savings could be higher, up to £119,500, once all the initiatives have been fully implemented.
5. Some of the key EWM initiatives now being implemented include
 - Optimising the way wheeled bins are collected
 - Introducing competency based pay for front line staff
 - Tendering for Garage services
 - Streetwise delivery - We have recently been chosen as one of only two Councils nationally to take part in the Local Government Association's Future Challenges Transformation Programme for our work in exploring alternative ways to deliver Streetwise through a social franchise model. This demonstrates just how innovative and exciting some of the initiatives coming from the 4 year plan are.
 - Expanding the apprenticeship scheme, e.g. Six apprenticeship opportunities are currently being advertised within Recycling2Go
 - Utilising plant and equipment better, auctioning items we no longer use.
 - Only emptying litter bins when they need emptying, removing bottle banks where least used and only emptying others when needed
 - Use of a split body refuse vehicle in isolated areas. This negates the need to take two vehicles to remote and isolated areas, saving both time and fuel.
6. Some of the key Community Facilities initiatives now being implemented include
 - Investigating the feasibility of transferring management of sports facilities to community groups that are the main user (particularly focus on Alford Road playing field and pavilion)
 - Transferring the responsibility of preparing the cricket wicket at West Park to West Bridgford British Legion Cricket Club
 - Introducing peak rates for hire of Astro Turf pitches
 - Maximising income from weddings and implementing marketing for Council owned community facilities (halls and pavilions)
 - Reviewing staffing levels and opening times of our community facilities
 - Diversifying packages to improve year round utilisation of our facilities and offering an annual programme of activity courses at Rushcliffe Country Park
 - Increasing mobile catering at Rushcliffe Country Park
 - Exploring alternative delivery methods for Sports Development either with another local authority or with a local Charity

7. In addition to delivering reviews for EWM and Community Facilities, two reviews that had been planned for year 2 have been brought forward, Insurance services and Garage services.
8. An opportunity arose to undertake a joint tender with Gedling Borough Council and Oadby and Wigston District Council to retender for the Council's insurance contract. Through working in partnership to tender through the Welland Procurement Partnership it was possible to reduce the Council's insurance premium from £438,000 to a little over £167,000. £211,000 has been removed from budgets from 2012/13 as a consequence.
9. The garage services review was also brought forward as a result of the EWM review. Garage services are a fundamental part of the service and it became apparent that it was opportune to examine EWM as a whole and to include garage services. A team has begun preparing a tender document with a view to potentially seeking a third party supplier for garage services.
10. In addition to the four major reviews of EWM, Community Facilities, garage services and insurance services, officers undertook a range of smaller reviews and implemented a number of savings initiatives in year 1 that contributed to the overall £1.8m. **Appendix 1** details all the year 1 reviews and initiatives along with the forecast, achieved and future predicted savings associated with them.
11. Other reviews undertaken include
 - Abolition of the Lease Car Scheme – This is being phased out by April 2014.
 - Package of efficiencies by managers - Some of the areas managers saved money include savings on consultancy fees, renegotiated leisure contracts, and making judicious savings on management training.
 - Integrating dog and litter bins – The location of bins was mapped out and then rationalised where it was sensible to do so with consequent savings in new bins and fuel and vehicle wear and tear to empty them.
 - Review of depot management - Three posts have been removed from the depot management structure - a Streetwise coordinator, a waste advisor role and the trade waste coordinator.
 - Review of the staffing structure in revenues and benefits - The Head of Service reviewed revenue services and working practices to generate savings via staff reductions.
 - Pension back funding – the amount paid into the pension fund has reduced following revaluation.
 - Grant aid review – The opportunity was taken to review grant aid arrangements with both Rushcliffe Community & Voluntary Service (RCVS) and Rural Community Action Nottinghamshire (RCAN) which resulted in a new joint Service Level Agreement developed between RCVS and RCAN that was recently approved by Members, saving £10,000.

Year 2 Service Reviews

12. Year 2 of the plan is now underway with 7 service reviews planned this year.

Service area for review	Target Savings	Member review
Member Services	£42,000	No
Legal Services	£30,000	No
Arts, events, energy efficiency advice and health development,	£55,000	Yes
Graphic design, communications, printing and public consultation	£23,000	No
Environmental Health	£93,000	No
Temporary accommodation and homelessness	£20,000	Yes
Building control and land charges	£20,000	No

13. With regards to the two Member reviews there is a separate paper seeking to establish a Member Group to aid the reviews of Arts, events, energy efficiency and health development due to commence October 2012 and the review of temporary accommodation due to commence in January 2013.
14. Once again, officers are tackling the programme with enthusiasm and Building Control and Environmental Health have already embarked on their reviews earlier than programmed.
15. The Building Control team are working jointly with South Kesteven District Council to jointly review the service at both Authorities and explore opportunities to work together. Officers aim to have some proposed options for further exploration by the end of July.
16. The Environmental Health team commenced their review in early June. Options for savings and future service delivery are expected to be developed by the end of September.

Financial Comments

Year one of the plan has generated £1,811,800 savings against the four year required savings of £2.8m. Whilst the figures presented now are accurate to this point in time, the financial monitoring of the four year programme is a continual process and the figures may be affected by minor amendments as the accounts are closed and as the implementation of initiatives progress throughout the year.

Whilst significant progress has been made towards the original targets laid out in the four year plan it is important that these are seen in the context of on-going changes and challenges facing the UK public sector at a national and international level. Issues which could impact (positively or negatively) on the Council include:

- Changes to national funding arrangements through the retention of business rate income and growth.
- Localisation of Council Tax Support.
- The introduction of Universal Credit.
- The New Homes Bonus.
- Replacement of Section 106 Arrangements with the Community Infrastructure Levy.
- The introduction of community rights to challenge in terms of service delivery and the usage of assets of community value.
- Funding constraints elsewhere in the public sector impacting upon demand for Council services and the ability of partners to deliver anticipated levels of service.

In the long term the Council will also need to address the implications of the Government's approaches to reducing the deficit, a process which the Chancellor has recognised will continue into the next parliament. Further warnings have also been provided by the Cabinet Secretary, Sir Jeremy Haywood, who recently stated *"We are 25 per cent through fiscal adjustment. Spending cuts could last seven, eight, 10 years."* Such a timeline could see reductions to public sector funding continuing until 2020. Whilst the impact of such potential reductions on the Council and key partners cannot be quantified at this time it is essential that, in order to meet such challenges, a clear focus is maintained upon the four year plan and other saving initiatives that may arise as part of the normal business cycle.

Section 17 Crime and Disorder Act

No direct impact.

Diversity

No direct impact.

Background Papers Available for Inspection:

- Cabinet report 10 January 2012. Interim report of the EWM Member Group
- Cabinet report 17 April 2012. Interim report of the Community Facilities Member Group.

Year 1 savings

Project	Original budget plan 2011/12 £'000	Savings achieved 2011/12 £'000	Budget adjustments 2012/13 £'000	Savings forecast 2014/15 (year 4) £'000
Lease car abolition	-			140
Shared posts with other local authorities	35	70	45	45
Savings in vacant posts	91	86	86	86
Rebase leisure utility costs	160	160	160	160
New revenues and benefits software	45	45	45	45
Administering disabled facilities grants in house	21	21	21	21
Implement package of efficiencies by managers	173	172.8	294.6	294.6
Increase home alarm charges	6.2	6.2	6.2	6.2
Remove council tax discount for second homes	14	12	14	14
Reduce community grants to events	15	15	15	15
Introduce charges for green bins	370	677	660.3	694
Review tanker services	12	11	21	21
No additional cleaning in villages	28.2	28.2	38	38
Remove shrub beds and integrate dog and litter bin service	11	11	15	15
End directly provided trade waste service	41	87.5	55	55
Review grant aid SLA	-	-	10	10
Review conservation and environmental schemes	-		10	30
Review overall management costs	14	14	60	120
Review travel costs and other Terms and Conditions	21	21	21	76
Review depot management office services	-	23	42	42
Review structure in Revenues and Benefits	20	58	42	102
EWM r2go and streetwise review	-	17	220	375
Community Facilities Review	-	-	20	40
Staffing and staff related savings	-	113.2	323.2	323.2
Pension back funding	-	162.9	162.9	162.9
Insurance contract	-	-	211	211
	1,077.4	1,811.8	2,598.2	3,141.9

REPORT OF THE HEAD OF COMMUNITY SHAPING

CABINET PORTFOLIO HOLDER – COUNCILLOR J N CLARKE

Summary

This report sets out the proposals to establish one Cabinet Member Group to oversee and scrutinise the service review of Community Shaping's Environment and Energy, Health, Arts and Events, Temporary Accommodation and Homelessness Prevention services.

Recommendation

It is RECOMMENDED that:

- a) The Cabinet Member Group be appointed with the terms of reference, composition and membership as set out in the report and;
- b) the Head of Corporate Services be requested to seek nominations to the Groups and arrange the first meeting for each.

Detail

1. In September 2010, Cabinet received and approved a report by the Chief Executive that provided a policy framework and strategy for the budgetary and service delivery challenges facing the Council. The strategy identified the following three "work streams"
 - Business cost reduction
 - Income generation and maximisation
 - Service redesign
2. It was acknowledged within this report that the four year plan includes significant proposals or reviews which will require additional monitoring or special consideration to ensure that they are fully contributing to the financial and public sector reform agenda. Therefore each of these "work streams" will be continually monitored by either senior managers, Cabinet Members within their portfolio responsibilities or through the appropriate scrutiny or Member Groups.
3. In February 2011, Cabinet supported and proposed to Council the Financial Plans and Strategy 2011-12 to 2015-16. This included support for a planned and measured approach incorporating a combination of business cost reduction, income generation and service redesign which would build upon the

principles agreed by Cabinet in September last year when it considered the initial budget report.

4. At the Council meeting held on 3 March 2011 the four year plan was approved along with the intention to establish cross party Cabinet Member Groups to oversee the delivery of a number of the reviews within the four year plan. The formation of such Member Groups is consistent with the provisions within the Council's Constitution Part 4 - Rules of Procedure – 1.3 (b) 'Sub-Delegation of Cabinet Functions'.

5. The proposed terms of reference for the Group are:

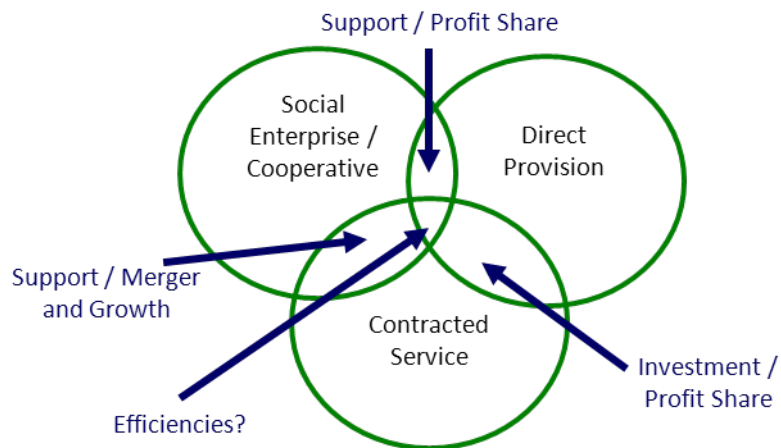
Energy and the Environment, Health, Arts and Events, Temporary Accommodation and Homelessness Prevention

To oversee and ensure scrutiny of the Energy and the Environment, Health, Arts and Events and Temporary Accommodation and Homelessness Prevention review project as it progresses, taking into account Cabinet's direction to:

- *Aim for completion by March 2013 the efficiency and savings review of the services*
- *identify areas where efficiencies and the required savings of £55,000 per annum for Energy and the Environment, Health, Arts and Events and £20,000 from Temporary Accommodation and Homelessness Prevention from April 2013 can be achieved, while still meeting customer needs*
- *identify and consider in-house and alternative service delivery options, including, where appropriate, partnerships and community based initiatives*
- *oversee any consultation with the public, partners and other key stakeholders*
- *advising and reporting any recommendations for the future delivery of the services to Cabinet prior to any formal decision being made.*

6. It is anticipated that as part of their work the Cabinet Member Group will give due regard to:

- The achievement of the overall four year service review savings target.
- Different models of service provision to respond to the national agendas of localism, personalisation of services and efficiency. While there are a number of such models, it is considered that they generally fall into three categories as demonstrated by the diagram below:



7. In terms of membership it is considered that each Group should comprise of nine Members based on political representation of the Council. It is proposed that the Group's Chairman will be a Cabinet Member.
8. In order to ensure consistency of debate and composition substitutes will not be permitted at the Member Group's meetings.
9. Cabinet should be mindful that any delay in the review or failure to select and implement options to achieve the required savings will have an impact on the achievement of the overall savings target.

Financial Comments

There are no direct financial implications from appointing the Cabinet Member Group. The work of the Group will assist in the overall requirement for financial savings included within the four year plan.

Section 17 Crime and Disorder Act

Although there are no direct implications from this report, Community Safety is one of the Council's priorities and an area in which much joint working with other bodies takes place. The impact of changes in service and budget on this aspect of the Council's work needs to be understood.

Diversity

Although there are no direct implications from this report, when considering options for savings and changes in services it will be vital that the potential impact on specific groups of residents and the vulnerable in particular is understood and taken into account in any decision making process.

Background Papers Available for Inspection: Nil



CABINET

10 JULY 2012

PROPOSED LEASE OF ABBEY ROAD DEPOT (PART) TO NOTTINGHAMSHIRE COUNTY COUNCIL TRANSPORT AND TRAVEL SERVICES

6

REPORT OF THE HEAD OF ENVIRONMENT AND WASTE MANAGEMENT

CABINET PORTFOLIO HOLDER – COUNCILLOR J A CRANSWICK

Summary

Nottinghamshire County Council has approached the Council as they wish to lease an area of the current Abbey Road Depot to create a new operational base for a small number of staff and passenger vehicles which would serve the south of the County. The lease would be for five years with a minimum of two years and the Council would receive an annual and inclusive rental income. A range of mitigating actions will need to be implemented to the Council's satisfaction before the lease will be signed.

Recommendation

It is RECOMMENDED that Cabinet:

- a) endorse the development of lease agreements with Nottinghamshire County Council for the shared use of the Abbey Road Depot site for an appropriate time period, subject to satisfactory consultation, and
- b) if necessary agree further mitigation measures in consultation with the portfolio holder

Background

1. The Council currently owns and operates the Abbey Road Depot for its recycling2go and streetwise operations. Although the site is closely surrounded by housing the site is carefully managed to ensure that it operates to stringent safety standards and with care and consideration towards its residential neighbours such that any complaints of noise or nuisance type issues are responded to in a prompt and positive manner.
2. Recently the Council have been approached by Nottinghamshire County Council (NCC) transport and travel services to consider the feasibility of a small number of staff and passenger vehicles (mainly min bus size) to be based at the Abbey Road Depot under an appropriate lease and annual fee arrangement.
3. The driver for their approach is that there is a desire to leave their current Riverside Way premises by the end of 2012. Following a review of potential options it is clear that the Council's Abbey Road site remains their preference.

4. Given that there is some spare capacity on the Abbey Road site it is clear that this proposal may represent a useful opportunity to maximise the use of the Council's assets whilst further work is undertaken on the Council's overall accommodation strategy which could include the potential release of the Depot site for alternative uses. Taking this factor into account the Council has made it clear to the County Council that any sharing arrangement must be simple, flexible, uncompromising and relatively short term given the Council's current capital programme which includes the financial provision for a new Depot in 2016/17.
5. Taking into account the circumstances surrounding this opportunity and in particular the associated risks and issues that would need to be managed, the proposal has been subjected to detailed discussions at the most senior level between both authorities. This has ensured that there is a clear understanding of the proposal and the mitigation required in order to move it forwards.

The Proposal

6. The County Council has prepared a business case proposal and a draft lease agreement which contains the following key elements;
 - The parking of around 25 passenger vehicles in the southern area of the depot (near Buckfast Way) along with staff parking for their drivers
 - Utilisation of office accommodation for a specified number of NCC staff in the old garage office areas
 - Utilisation of part of the mezzanine storage area in the garage
 - Shared use of the canteen
7. In return the Council has negotiated in line with best practice and existing market rental levels an annual income fee of £58,000 (subject to Consumer Price Index linked increase) which includes rent, business rate, supplies and services and maintenance/repair.
8. It is proposed that the lease would be for a period of five years with the inclusion of a rolling break clause after giving nine months written notice and the resultant minimum lease period would be for two years. The target date for commencing occupation by the County Council is November 2012.
9. Clearly the proposal also offers a number of potential operational and financial benefits for the County Council and the overall package is a good example of mutually beneficial joint working to help meet public sector financial pressures.
10. It should also be noted that there is a possibility of the County Council wishing to use the existing Streewise garage area at the Depot however this would be the subject of a further and separate lease agreement but based on the key principles contained in this report in terms of lease length, negotiated market rental income etc.

Impacts and Issues

11. In order to deliver the proposal there are some impacts that will need to be addressed some of which would require one off capital works and in accordance with the proposed lease these would be funded in full by the County Council. The main impacts and issues are as follows;
- The County Council wish to utilise the old rear access to the Depot site onto Buckfast Way which forms part of the existing planning approval for the site to facilitate vehicle access and egress.
 - Minor works for staff facilities
 - Removal of a redundant loading dock in the north east corner of the site (this is needed to help with parking of the RBC fleet)
 - Installation of a vehicle wash
12. All the above works are contained within the lease conditions and will be addressed as part of the overall project implementation plan that is being developed by the County Council.

Key Risks and Mitigation

13. In order for the Council to proceed with the proposed lease arrangements a number of risks have been identified which will require the implementation of mitigation measures by the County Council to the Council’s satisfaction. They include the following:

Risk	Mitigation
Potential for an increase in ‘on site’ and or ‘off site’ noise and disturbance	<ul style="list-style-type: none"> • Existing residential properties are located some way from the opposite curtilage of Buckfast Way • Compared to the existing RBC fleet the County Council vehicles are mainly light, low noise mini buses (14 – 16 seats) • Main departure times for passenger vehicles are from 7am to 8.15am and returns from 4.15pm to 5.00pm • The number of additional vehicle movements on a daily basis is relatively small
Increase in traffic related issues from the usage of Abbey Road and surrounding area	<ul style="list-style-type: none"> • NCC vehicles are already operating in the area as it is a key client area • NCC vehicles will turn left up Buckfast Way away from the Abbey Road area • Very limited use of the main Abbey Road Depot entrance by NCC vehicles • Further testing and consideration of introducing a 20mph speed limit in the Abbey Road area • Good pedestrian footways and facilities exist in the locality • Road Safety awareness campaign to be held in relevant local schools in autumn 2012

Informal Consultation

14. As stated earlier the site is carefully managed to prevent any issues arising from its operation and it is essential that that this ‘good neighbour’ approach is continued in the future. So in light of this principle, the Council have requested that informal consultation about the proposals be undertaken with local residents and other interested parties. This is planned to commence prior to this Cabinet meeting and any feedback will be gathered and any further actions undertaken in line with the report recommendation.

Financial Comments

The financial implications are as stated in paragraphs 7 and 10 of the report. The Council will receive an annual income of £58,000 which comprises rent (£43,500 - increased annually in line with Consumer Price Index), business rates (£9,000) and service charges (£5,500) which includes maintenance repairs to shared areas. The Business Rates will be billed separately.

The County Council will carry out one off capital works contained within the proposed lease agreement and have allocated £86,000 in their Business Case.

In addition the County Council will be liable for any dilapidation repairs in the specific areas they occupy.

The additional income, net of any costs incurred by RBC as part of the change, represents an additional time limited income stream that will be fed into the budget process alongside the Four Year Plan.

It should be noted that this comment only relates to the substantive lease detailed in this report and that the financial elements of any further lease agreement will need to be assessed.

Section 17 Crime and Disorder Act

The proposal contains arrangements for the County Council to install automatic and remotely operated security gates for the access onto Buckfast Way and the installation of CCTV which will complement the Council’s existing security measures for the Abbey Road Depot.

Diversity

There are no relevant issues arising from this report.

Background Papers Available for Inspection: Nil



CABINET

10 JULY 2012

**RESPONSE TO THE PUBLICATION VERSION OF
THE ALIGNED CORE STRATEGIES OF
BROXTOWE BOROUGH, GEDLING BOROUGH
AND NOTTINGHAM CITY AND THE SUBMISSION
VERSION OF THE EREWASH CORE STRATEGY**

7

REPORT OF THE DEPUTY CHIEF EXECUTIVE (PR)

CABINET PORTFOLIO HOLDER – COUNCILLOR D G BELL

Summary

To seek approval of comments, as set out below, to form the basis of the Borough's Council's response on the Publication Version of the Aligned Core Strategies of Broxtowe Borough, Gedling Borough and Nottingham City (June 2012) and to the Submission Version of the Erewash Core Strategy.

Recommendation

It is **RECOMMENDED** that Cabinet approve the comments set out in this report as the basis for the Borough Council's response to the Publication Version of the Aligned Core Strategies of Broxtowe Borough, Gedling Borough and Nottingham City and the Submission Version of the Erewash Core Strategy.

Background

1. Broxtowe Borough, Gedling Borough and Nottingham City published their Aligned Core (ACS) Strategies Development Plan Documents for a 6 week representation period ending on the 23 July 2012. Separate to this, Erewash Borough Council has published its Core Strategy Development Plan Document for a 6 week representation period ending on 9 August 2012.
2. Representations submitted should relate to the requirements of legal compliance or the 'soundness' of the ACS. The legal requirements seek to ensure that the Core Strategies are prepared in accordance with the Councils' Local Development Schemes, is subject to a sustainability appraisal, and has regard to national policy and the Councils' community strategies. The tests of soundness include the plan being justified, effective, positively prepared and consistent with national policy. This national policy is now the National Planning Policy Framework (NPPF).
3. Any comments made by the Borough Council can only relate to the tests of soundness and therefore will need to address these issues and these alone. All valid representations received by the Councils will be submitted to a Planning Inspector who will then conduct a public examination of the Core Strategies. The Strategies can only be adopted if they are found to be 'sound' at examination.

Description of the Aligned Core Strategies and Erewash Core Strategy

4. Nottingham City Council, Broxtowe Borough Council, Gedling Borough Council and Erewash Borough Council have with Rushcliffe Borough been in a joint partnership leading up to the publication of their various Core Strategies, with the preparation of many common plan policies and a lot of shared evidence. This is a process that has been overseen by the Greater Nottingham Joint Planning Advisory Board, of which each council is a member. The degree of alignment between Core Strategies is testament to the effectiveness of working arrangements. It should be seen as a significant element in demonstrating that all the Councils have discharged their Duty to Cooperate (as enshrined in the Localism Act 2010) in respect of their working relationship with each other on plan making.
5. The ACS and the Erewash Core Strategy set out the vision and strategy for growth and development across the relevant Council areas to 2028. The Core Strategies form the key spatial planning document for each council area. They perform the following functions:
 - Define a spatial vision for the four Council areas to 2028;
 - Set out a number of spatial objectives to achieve these visions;
 - Set out a spatial development strategy to meet these objectives including strategic site identification; and
 - Set out strategic policies to guide and control the overall scale, type and location of new development and infrastructure development.
6. The most significant aspects of the ACS and Erewash Core Strategy are the housing proposals, which together are for a minimum of 36,800 new homes in the period between 2011 and 2028. Looking at the 2006 to 2026 plan period of the existing Regional Plan, based on known housing delivery to date and future planned annual housing construction levels, the combined planned housing provision of all the HMA authorities (including Rushcliffe) equals around 52,500 homes. This is around 4,400 less than the Regional Plan's total requirement for the HMA over this period.

Overall housing provision

7. The National Planning Policy Framework (2012) (NPPF) states that a local plan should be 'positively prepared' and provide for the 'objectively assessed needs' of the housing market area, including the Government's stated aim to boost housing delivery. On the other hand, the Localism Act and the NPPF emphasise the primacy of the local authority in determining appropriate provision for its area. The NPPF, in referring to the housing market area, also requires local authorities to look outside their boundaries, and meet needs of the wider area. In this context, this relates to the authorities in and around the Nottingham conurbation. This is a long-established planning area, previously identified in Structure Plans and the Regional Plan, known as the Nottingham Core Housing Market Area (HMA).
8. The level of housing proposed in the ACS and the Erewash Core Strategy has essentially been established based on the individual authority requirements of the East Midlands Regional Plan to 2026 (which is soon to be abolished) and then rolled forward at effectively the same annualised rate by two further years to 2028. There is considerable concern as to the appropriateness of this

approach given that it fails to critically assess whether a Regional Plan led approach remains relevant, given that the Regional Plan is soon to be abolished and despite the fact that there is new evidence that was not considered in the formulation of the Regional Plan.

9. This evidence clearly raises question marks over the approach of the Regional Plan in distributing growth across the HMA and whether it is now the most appropriate to take; particularly so on a continuing basis post 2026. It specifically includes the Appraisal of Sustainable Urban Extensions Study (June 2008) and Greater Nottingham Sustainable Locations for Growth Study (February 2010), which were both commissioned with the support of all the HMA authorities. Both studies provide evidence that challenge and undermine the Regional Plan and the extent to which it biases growth towards the south east of the main Nottingham Urban Area (i.e. within Rushcliffe).
10. The June 2008 study identifies a number of sizeable potential development sites across the HMA (with the exception of within Nottingham City) that are, subject to overcoming certain identified constraints, considered suitable in principle for housing growth. A number of these sites, however, have not been identified for development as part of proposals contained within the ACS and Erewash Core Strategies. In the Rushcliffe Core Strategy by comparison, all such sites are proposed for development.
11. The need for further land to be identified (beyond what is presently proposed) to meet cross-authority HMA wide housing needs is discussed further below. If there is a need for further housing land around the major urban centres to be identified, it would be logical to expect the allocation of sites deemed suitable in principle by the June 2008 study to come forward ahead of those sites the study judges to be unsuitable (for example, land to the east of Gamston within Rushcliffe). The only reason why this would not be the case is if there are legitimate reasons why land cannot be delivered.
12. One reason for non-delivery could be if, in those instances where possible constraints on development have been identified, these cannot be legitimately overcome. Another reason could be the potential for adverse cumulative impacts if a site were to be developed alongside another site or sites in the vicinity that are committed for development. There is, however, an absence of clear and robust evidence to demonstrate that not one of these sites is deliverable.
13. In the relation to the period post 2026 specifically (the period beyond the end point of the Regional Plan), there is no rational justification to simply roll housing figures forward at the same annualised rates as set out in the Regional Plan. This approach lacks suitable critical analysis and infers, on a unilateral basis, that there is an expectation that Rushcliffe should continue to provide considerably more housing each year than other HMA authorities, save Nottingham City, without the evidence to support this continued disparity in growth.
14. Latest forecasts for changes to household numbers show that over the coming years there will be a significant need for new housing to meet the needs of Nottingham City. There is, however, based on evidence presented by the City Council, insufficient physical capacity for all this housing to be located within the City itself. Neighbouring authorities therefore have an obligation under the provisions of the NPPF to help meet this need as best as possible.

15. The latest household forecasts do not in themselves provide a steer as to how the City's housing shortfall should be distributed between the other HMA authorities, however. The household forecasts are effectively geography neutral in this respect. Even looking at the household forecasts of Broxtowe, Erewash, Gedling and Rushcliffe individually, there is no great variance in forecasted future household increases which might otherwise have justified a particular bias in housing growth to one or more of the authority areas surrounding the City.
16. Any particular bias or focus for housing growth around the HMA (both pre and post 2026) should, therefore, only be on the basis of where the most sustainable sites for housing growth are located across the HMA. Once those sites that are already proposed for development in HMA Core Strategies (including Rushcliffe's) are discounted, the most sustainable opportunities for further growth around major urban areas are shown to exist elsewhere across the HMA rather than within Rushcliffe.
17. Notwithstanding these points, recent work commissioned by Nottinghamshire County Council and Nottingham City Council has produced revised household forecasts for the five HMA authorities (Gedling, Erewash, Broxtowe, Nottingham and Rushcliffe) that can be used to evidence present planned levels of housing across the HMA. This work concludes that the present combined HMA housing provision of all the HMA Core Strategies is now appropriate to meet the needs of the area as a whole, at least to 2026. This is a position that is to be welcomed as it better supports the case for all HMA Core Strategies being found sound at examination.
18. Concern remains, however, as to the appropriateness of the way in which housing provision figures have been rolled forward post 2026 in the ACS and Erewash Core Strategy. The outcome of which is to effectively place an expectation on this Borough Council that it should roll forward its own housing provision figures post 2026 at a similar annualised rate to that presently proposed by the Rushcliffe Core Strategy for the period prior to 2026.
19. The consequence if housing delivery rates were to continue within Rushcliffe at a markedly higher rate than in Broxtowe, Erewash and Gedling would be that, in all likelihood, further land would need to be allocated in Rushcliffe ahead of more sustainable locations elsewhere across the HMA. This clearly would be unacceptable. Rather than placing any such expectation on Rushcliffe, Broxtowe, Erewash and Gedling should reconsider their decision not to allocate land which is concluded by the Appraisal of Sustainable Urban Extensions Study to be suitable in principle for development.

Conclusion

20. On the basis of the latest household forecast work, it is considered that the Aligned Core Strategies and Erewash Core Strategy's total contribution to HMA wide housing provision is to 2026 a sound approach when taking into account the level of new housing proposed by the Rushcliffe Core Strategy. Having said this, it is appropriate for the Borough Council to reserve the right to review its position should further evidence come to light that may alter this situation.

21. There nevertheless remains an absence of justification for the way in which housing provision has been identified for the period post 2026 in both the ACS and the Erewash Core Strategy. It is not, therefore, appropriate for the Borough Council to support the ACS and Erewash Core Strategy in respect of the total quantum of proposed housing delivery for the entire plan period (2011 to 2028).

Financial Comments

There are no direct financial implications arising from this report.

Section 17 Crime and Disorder Act

There are no direct crime and disorder implications arising from this report.

Diversity

There are no direct diversity implications arising from this report.

Background Papers Available for Inspection: Nil

Standard Checklist for Reports

Meeting: Cabinet – 12 July 2012

Report Title: Response to the Publication Version of the Aligned Core Strategies of Broxtowe Borough, Gedling Borough and Nottingham City and to the submission version of the Erewash Core Strategy

Author: Deputy Chief Executive (PR)

The following issues are relevant to this report and have been properly considered in its preparation and in the recommendations made. Appropriate consultation has been made and advice sought on these issues as required. (See notes on the intranet)

Financial	<input type="checkbox"/>	Human Rights	<input type="checkbox"/>
Legal	<input type="checkbox"/>	Equal Opportunities	<input type="checkbox"/>
Policy	<input type="checkbox"/>	Crime and Disorder	<input type="checkbox"/>
Risk Management	<input type="checkbox"/>	Environment/EMAS	<input type="checkbox"/>

(Mark all appropriate boxes)

Has the relevant Deputy Chief Executive signed off the report Yes/No

Has this report been considered by SMT Yes/No

Comments:

If you do not think your report needs to consider any of the above categories please state why.

Name of Officer Completing Form:

This form must be completed and sent to the relevant Member Support Officer together with the Report by the agreed deadline. It will also be appropriate to complete this form when producing reports for certain officer meetings, e.g. Management Team

Notes for completion of this form can be found on the intranet