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Our reference:
Your reference:
Date: 15 May 2024

Record of Decisions taken by Cabinet – Tuesday, 14 May 2024

At a meeting of the Cabinet held on Tuesday, 14 May 2024 the following decisions were reached on the items listed in the attached schedule.

The implementation of any key decisions are suspended until the call-in period has expired without a call-in being validly invoked.

Under the Rushcliffe Borough Council Constitution, call-in is available in respect to key decisions only.

The call-in deadline for any key decisions contained in this Decision Notice is before the end of the working day on Thursday, 23 May 2024. Subject to any call-in request being received, all the decisions will be actioned after Thursday, 23 May 2024.

Any Member of the Council shall be entitled to call for a decision to be suspended. To effect the call-in procedure, the appropriate form should be completed and returned to the Chief Executive by the end of the working day on Thursday, 23 May 2024.

REVISED CONTAMINATED LAND INSPECTION STRATEGY 2024-2029

It was RESOLVED that the Contaminated Land Inspection Strategy 2024-2029 be approved.

REASON FOR DECISIONS

The revised Strategy details how the Council will review the land within the Borough for contamination, reflecting the changes which have occurred.

MANAGEMENT OF OPEN SPACES IN NEW DEVELOPMENTS

It was RESOLVED that:

- a) the Council's position not to adopt open spaces on new developments due to the significant financial burden this entails be reaffirmed;
- b) the proposal for the Council to take a more active role working with developers and management companies to encourage good practice, as outlined in section 4.36 of the report be supported;

- c) the Growth and Development Scrutiny Group be requested to review progress against the proposals as set out in section 4.36 of the report in Spring 2025; and
- d) the Government be lobbied to regulate the governance of management companies, to ensure transparency, remove charges unrelated to the management of open spaces, mandate engagement with homeowners and to expediate the adoption of the Leasehold and Freehold Reform Bill.

REASON FOR DECISIONS

The practices of management companies and arrangements for the management of open space on new developments are a cause of concern for some residents. The Council has taken this on board in a review of current practices. Rushcliffe Borough Council is not unique in the way open spaces are managed, with this approach adopted across the country.

While the Council historically adopted new open space, due to the increased complexity of open spaces and the risk to the Council's financial position, officers cannot recommend that the Council revert to adopting open spaces.

Since commencing this project, there has been a significant movement nationally to improve management company practices in the form of the forthcoming Leasehold and Freehold Reform Bill and the New Homes Quality Board. However, there is still a role for Rushcliffe to play in working with developers and management companies to promote good practice.

RUSHCLIFFE CARBON OFFSETTING FRAMEWORK

It was RESOLVED that:

- a) the Carbon Offsetting Framework be approved, for the repurpose or acquisition of land or partner with other agencies to deliver carbon offsetting in the Borough of Rushcliffe; and
- b) the Director – Neighbourhoods, in conjunction with the Council's S151 Officer be delegated responsibility to implement the Carbon Offsetting Framework, in accordance with the Council's Acquisitions and Disposals Policy and Financial Regulations.

REASON FOR DECISIONS

In December 2021, Cabinet adopted the Climate Change Strategy 2021-2030. The Strategy reaffirmed the Council's commitment to be carbon neutral from the Council's operations by 2030. It also included a confirmation of its commitment to be "Net Zero" as a Borough by 2050, in line with national government targets. The wording of the Strategy was strengthened, at this time, to recognise the ecological crisis.

Even if all the actions contained in the Carbon Management Action Plan are successfully implemented, there will still be some requirement for carbon offsetting and, therefore, this Framework represents an important component of the Council's Carbon Management Action Plan to achieve the commitment to be carbon neutral by 2030. The Framework's focus on offsetting within the Borough of Rushcliffe also supports the establishment of a range of habitats to promote ecological recovery.

REVISED EMPTY HOMES STRATEGY 2024-2029

It was RESOLVED that:

- a) the revised Empty Homes Strategy 2024-2029 be approved; and
- b) the Director – Neighbourhoods be authorised to make minor revisions to the Strategy during its lifespan in accordance with the Constitution.

REASON FOR DECISIONS

The existing Empty Homes Strategy will shortly expire. This Strategy underpins all of the work the Council does to bring empty properties back into use and consequently a revised Strategy is required.

REVIEW OF SMOKE CONTROL AREAS

It was RESOLVED that:

- a) the existing Smoke Control Area coverage remains unchanged for a period of two years, at which time it will be reviewed; and
- b) the development and delivery of a public awareness campaign around domestic burning be approved.

REASON FOR DECISIONS

The public consultation exercise clearly demonstrated the public's concern with the proposal to declare the whole Borough as a Smoke Control Area with close to 80% disagreeing.

Comments received included concerns that the proposed expansion of the Smoke Control Area coverage was disproportionate to the potential benefits to be gained across Rushcliffe, in particular the financial impact to residents living in more rural areas.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'GD' followed by a period.

Gemma Dennis
Monitoring Officer