



**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY, 13 FEBRUARY 2018**

Held at 7.00 pm in the Council Chamber Area B - Rushcliffe Arena

PRESENT:

Councillors S J Robinson (Chairman), D Mason, A Edyvean, G Moore and R Upton

ALSO IN ATTENDANCE:

Councillors H Chewings, A MacInnes, R M Jones

OFFICERS PRESENT:

A Graham	Chief Executive
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Executive Manager - Transformation and Operations
G O'Connell	Monitoring Officer
L Webb	Constitutional Services Officer

APOLOGIES FOR ABSENCE:

There were no apologies for absence

40 Declarations of Interest

There were no declarations of interest.

41 Minutes of the Meeting held on 9 January 2018

The minutes of the meeting held on Tuesday 9 January 2018 were approved as a correct record and signed by the Chairman.

42 Budget and Financial Strategy 2018/19

The Portfolio Holder for Finance presented the report of Executive Manager – Finance and Corporate Services on the 2018/19 budget and the five-year medium term financial strategy 2018/19 to 2022/23, which included the revenue budget, the proposed capital programme, and the Transformation Strategy.

It was proposed that Council Tax for 2018/19 for a Band D property be increased to £132.84 (an increase of £4.95 or 3.87%) from 2017/18. The Portfolio Holder assured Cabinet that despite this increase Rushcliffe would still have the lowest Council Tax in the County. It was also proposed that special expenses for West Bridgford, Keyworth and Ruddington be reduced, as set out in the recommendations of the report. The Portfolio Holder advised that an empty property premium of 150% of a property's Council Tax charge would also be introduced in order to get empty properties back into use

The Portfolio Holder advised that Government changes to small business rate relief had made budgeting for this area particular difficult due to the uncertainty

that it created, especially with the risk involved over budgeting for back dated claims. This area would continue to create risk and uncertainty over a period until the business rate model normalised in the future. It was also noted that Council's Revenue Support Grant would be reduced completely by 2019/20 and that this year it had reduced from £500,000 to £100,000.

The Portfolio Holder noted the work of the Member Commercialisation Working Group and of the Budget Consultation Workshops whose recommendations had been considered in the production of the Budget and the Medium Term Financial Strategy. It was noted that additional revenue funding had been made available of £50,000, over the next three years, to begin the tree protection and promotion project and £500,000 had been made available for the implementation of the skate park improvement fund. It was noted that the balances of the Council's various reserves had risen over the previous five years from 3.6 million to 5.1 million. The Portfolio Holder advised that it was critical that the Council had and maintained the resources to protect itself in case of unforeseen events. It was noted that risks identified in the delivery of the financial strategy included changes in Government policy and further reductions in the Revenue Support Grant and the New Homes Bonus.

The Portfolio Holder also noted that the Council's capital programme also demonstrated the Council's commitment to deliver more efficient services. It was estimated that over a five-year period that capital resources would also increase slightly due to the income generated from the capital receipts in from the Sharpbill development. It was noted there would be an amendment to the Council's Capital programme due to the successful bid of £9.9 million to fund a new main road through the recently approved Fairham Pastures development on the land South of Clifton which would create 3,000 new homes and an increased level of affordable housing.

The Portfolio Holder thanked both the Councillors and the Officers for their work in the development of the Budget and Medium Term Financial Strategy, which would deliver the Council's corporate objectives and benefit the residents of the Borough.

Councillor Mason, in seconding the recommendations and welcoming the budget, noted that it was a good balanced budget, with the Borough's Council Tax being the lowest in Nottinghamshire providing excellent value for money for residents. Councillor Mason noted that although the Council faced risks and uncertainties she was confident that the Council was in a good financial position to face future challenges. Councillor Mason thanked the Portfolio Holder for Finance, the Executive Manager – Finance and Corporate Services and the Corporate Governance Group for their work in producing the financial strategy for 2018/19.

Councillor Upton was pleased to note that the Council was on track to be financially self-sufficient by 2020 when the Revenue Support Grant would no longer be received by the Council and welcomed the actions to tackle the problem of long-term empty homes with the introduction of a 150% Council Tax charge for these properties.

Councillor Robinson thanked the Executive Manager – Finance and Corporate Services and his team for producing the financial strategy and balanced budget

despite challenging circumstances, and noted that that tree protection and promotion project and the skate park improvement fund would both provide positive benefits for the communities of Rushcliffe.

It RESOLVED that Cabinet recommend that Council:

- a) adopts the budget setting report and associated financial strategies 2018/19 to 2022/23, including the Transformation Strategy and Efficiency Statement to deliver efficiencies over the five-year period.
- b) adopts the Capital programme, as set out in Appendix 4 of the annex to the officer's report.
- c) adopts the Capital and Investment Strategy, as set out in Appendix 5 of the officer's report.
- d) sets Rushcliffe Borough Council's element of the 2018/19 Council Tax for a Band D property at £132.84
- e) sets the Special Expenses for West Bridgford, Ruddington and Keyworth, as detailed at Appendix 1 of the Annex to the officer's report, resulting in the following Band D Council tax levels for the Special Expense areas:

West Bridgford £48.51
Keyworth £1.46
Ruddington £3.40

Reasons for decisions

To Comply with the Local Government Finance Act 1992 and ensuring the budget enables corporate objectives to be achieved.

The Council is required to set a balanced budget which had adequate funds and reserves to address its risks.

43 Review of the Constitution

The Portfolio Holder for Finance presented the report of the Monitoring Officer to provide information on the outcome of the review of, and to make recommendations for proposed revisions to the Council's Constitution

It was noted that Cabinet and Council had approved a full review of the Council's Constitution that had led to the formation of a Task and Finish Group, which had worked with the following terms of reference:

- to review the accessibility, utility and usability of the current Constitution and improve it;
- to review the structure of the Constitution, to improve its content, layout and flow as a practical working document;
- to identify and prioritise specific areas of content and procedures for detailed review, noting that, in time, all sections will be reviewed.

The Portfolio Holder advised that the Task and Finish Group had considered all parts of the current Constitution with the objective with the view to making changes, which would change the Constitution from being a large static document to one, which would bring relevant material to the immediate attention of Councillors, Officers and members of the public.

The Portfolio Holder noted that the main changes being proposed to the Constitution included the deletion of the Articles, with relevant information from them being transferred to other parts of the Constitution, and the use of electronic links to make the constitution more accessible on electronic devices. It was also noted that workshops, which had been open to all Councillors, had been held where the proposed changes to the Constitution been shared and discussed. The Monitoring Officer had submitted an addendum report, which provided information on the feedback on the proposed changes made at the workshops. It was noted that the feedback received from the workshops had shown broad support for the proposed model for Public Questions at Council and Cabinet, for Opposition Groups to ask questions at Cabinet and for a definition of the leader of the opposition to be included in a revised Constitution.

The Portfolio Holder advised that once the changes were recommended to Council and approved it would be important to keep the Constitution under review so that it would remain up to date and accessible. The Portfolio Holder thanked the Monitoring Officer and the members of the Task and Finish Group for undertaking the review of the Council's Constitution.

In seconding the recommendations Councillor Mason endorsed the work of the Task and Finish Group and advised that as a result the review of the Constitution would now easier to follow and use. Councillor Edyvean was pleased that the review of the Constitution had been delivered in timely manner and thanked the Monitoring Officer for his work in supporting the review.

Councillor Robinson advised the revised Constitution would enable the Council to be more transparent and accessible, especially with the implementation of questions from the public at Cabinet and Council meetings and that it was important that the procedures for public speaking at meetings be reviewed after a year of implementation so the procedures could be assessed and evaluated.

It was RESOLVED that:

- a) the proposed revisions to the Constitution, in respect of executive matters, be approved.
- b) that the proposed revisions to the Constitution, in respect of non-executive matters be supported and recommended to Full Council for approval.
- c) the model scheme for public questions at Cabinet, as set out at Appendix A of the addendum report, be adopted for use by the Cabinet, for an initial twelve-month trial period.
- d) the model scheme for public questions at Council, as set out at Appendix A of the addendum report, be supported and recommended to Full Council for approval for an initial twelve month trial period.
- e) the model scheme for Opposition Groups' questions at Cabinet, as set out at Appendix B of the officer's report, be adopted for use by the Cabinet, for an initial twelve-month trial period.
- f) a definition of the leader of the main opposition group, as detailed in the addendum report, be inserted into the proposed revisions of the Constitution, and that the other references to that role in the proposed revisions be adopted with the exception of the rights to ask questions contained within the proposed revised standing orders for Overview and Scrutiny and for Cabinet.

Reason for decisions

The Borough Council has a duty to keep its Constitution up to date. The proposed revisions will also make it easier for members of the public, councillors and officers to access, and use, materials which are essential to effective and efficient democratic decision-making.

44 New Corporate Structure and Governance Arrangements for Streetwise Companies

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership presented the report of the Chief Executive to provide a progress report on the delivery of the new governance arrangements for Streetwise Environmental Limited and other proposed Council-owned companies (including the holding company and the trading company/ies), which had been approved by Cabinet in January 2017 (Minute No.37 2016/17). The report also provided information on proposed changes to the Streetwise Board to maintain the momentum of

the growth of the company, and made recommendations, which had been endorsed by the Streetwise Strategic Board, regarding changes to the governance arrangements to reflect and strengthen the expected degree of Councillor-engagement in the oversight of the companies.

The Leader noted that the proposed structure and boards for these companies as set out in Appendix A of the Chief Executive's report would split Streetwise into two separate companies, 'Streetwise Environmental Ltd' and 'RBC Enterprises Ltd' to remove Streetwise from the limitations imposed by the regulations for Teckal companies. The Leader also advised the recruitment of another non-executive director to Streetwise Environmental Ltd Board would bring further expertise into the company.

In seconding the recommendations, Councillor Edyvean noted his support for the proposals and of the benefits of the Council being able to create a sister company for Streetwise in order for Streetwise to grow commercially.

It was RESOLVED that:

- a) the revised structure and governance arrangements for the proposed group of companies set out in Appendix A and B to the report, be approved.
- b) the external advice from Anthony Collins and Grant Thornton be continued and retained to support the delivery of the documentation supporting these arrangements.
- c) the proposed changes and recruitment process to reconfigure the Streetwise Environmental Ltd Board as set out in Appendix C to the report, be approved.
- d) the Chief Executive, in consultation with the Leader, be delegated authority to approve any changes to these agreements and their final form, within the principles of the approved governance arrangements.

Reason for decisions

To enable the introduction of a new Corporate Structure and Governance Arrangements to enable the Streetwise Companies to grow and develop in the future, whilst retaining effective Councillor engagement.

45 Arena Car Parking Options

The Portfolio Holder for Economy and Business presented the report of the Executive Manager – Transformation and Operations setting out potential options for enhancing and increasing the car parking facilities at Rushcliffe Arena. It was noted that after a year of operation, it had become apparent that

there were certain pressure points on the existing car parking provision at the Arena, which could be alleviated by the provision of additional spaces and the reconfiguration of some of the existing space. It was noted that the car park frequently became busy at peak times of gym usage as well as when the Council Chamber and other rooms had been booked by external users.

The Portfolio Holder advised that it was proposed to make improvements to the car parking facilities over two phases. Phase 1 would include work to extend the surfaces of the rear car park to create an additional 80 parking spaces. Phase 1 work would also include the installation of an electric barrier to the rear car park to enable parking spaces to be reserved for conferences, events and Council meetings. Phase 2 of the car parking improvement scheme would improve the side and front areas of the car park preventing the improper use of disabled parking spaces by creating car parking spaces for vans and coach drop offs and would also include the installation of electronic vehicle charging points adjacent to the bike shelter.

The Portfolio Holder noted that Councillors had expressed concerns about the lighting at the entrance to the Arena and had requested improvements to lighting be included in any car park improvements in order to enhance pedestrian safety. It was noted that Phase 1 of the car parking improvement scheme would cost £310,000 and that Phase 2 would cost £150,000, with works to be carried out between May and September 2018.

In seconding the recommendations, Councillor Upton welcomed the positive steps being taken to alleviate the pressure on the Arena car park and noted how encouraging it was that the number of external bookings for the Council's meeting facilities had increased.

It was RESOLVED that the improvements to the Arena car park (phase 1 and 2), as set out in Appendix A to the report, be approved.

Reason for decision

To alleviate pressure points on the car parking provision at the Arena by the provision of additional spaces and the reconfiguration of some of the existing spaces.

46 Exclusion of the Public

It was RESOLVED that under Regulation 21 (1)(b) of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 –on the grounds that they contained information relating to consultations or negotiations in connection with any labour relations matter arising between the authority and employees of the authority and information regarding financial or business affairs.

47 Relocation of Rushcliffe Borough Council Depot

The Portfolio Holder for Economy and Business presented the report of the Executive Manager – Transformation and Operations seeking approval for the relocation of the Council's Abbey Road depot in West Bridgford. It was noted that Council's Corporate Strategy 2016-2020 identified the relocation of the Abbey Road depot as a strategic task in order to develop the property portfolio, to enhance the Council's financial position and to deliver improved community outcomes.

The Portfolio Holder advised that the purchase of land off Chapel Lane, Bingham in July 2017, as part of the Council's investment strategy had provided a viable new alternative to the site previously identified for the relocation of the depot. The report including details of the reasons why the site at Chapel Lane Bingham was the most suitable for the relocation of the depot. The report also contained alternative options for the relocation of the depot as well as reasons for their rejection.

The Portfolio Holder advised that any negative impacts that may be caused due to the relocation of the depot had been considered and mitigating actions built into the plans for the relocation. It was also noted that traffic for the depot would be able to access the A46 without travelling through Bingham Town Centre.

In seconding the recommendations Councillor Mason noted that the Chapel Lane site would be a more suitable location for the depot as it was not in a residential area, like the current depot and that the site would be under Council ownership.

It was RESOLVED that:

- a) the proposed relocation of the Council garden waste service and Streetwise Environmental to Chapel Lane, Bingham be approved.
- b) the proposed lease of land and industrial unit at Chapel Lane, Bingham, to Streetwise Environmental on commercial terms, subject to agreement by the Streetwise Environmental Board, be approved.
- c) authority to finalise the terms of the lease be delegated to the Executive Manager – Transformation and Operations (Corporate Property Officer), in consultation with the Section 151 Officer and Portfolio Holder for economy and business..
- d) officers continue investigation and negotiation with Nottingham City Council and Nottinghamshire County Council to enable the potential future relocation of Rushcliffe Borough Council grey/blue waste operational functions.

Reason for decisions

To 'develop the Council's property portfolio to enhance the Council's financial position and deliver community outcomes' is one of the strategic tasks within the Corporate Strategy 2016-2020.

48 Cotgrave Town Centre Land Transactions

The Portfolio Holder for Economy and Business presented the report of the Executive Manager – Transformation and Operations seeking approval for the Council to acquire long leaseholds of units which were not currently in Council ownership in the Town Centre through land transactions in order to enable the Council to be able to gain control of the final row of shops to enable their redevelopment and improvement.

The officer's report provided information on the required actions needed in order to secure the leaseholds of units 1-3 in the town centre via land transactions in-line with valuations by independent RICS qualified surveyors. The report also contained alternative options for the units as well as reasons for their rejection.

In seconding the recommendations Councillor Moore noted the Council's commitment to the ongoing regeneration project of Cotgrave Town Centre.

It was RESOLVED that:

- a) the proposal to secure the leaseholds of town centre units 1-3, via land transactions and in-line with valuations by an independent RICS qualified surveyor be approved.
- b) authority be delegated to the Chief Executive and Section 151 Officer, in consultation with the Portfolio Holder for Economy and Business, to negotiate the completion of the negotiations to secure units 1-3.
- c) the allocation in the Council's Capital Programme for the Cotgrave Regeneration scheme be used to fund the acquisition costs with the understanding that the allocation may need to be reviewed once the procurement exercise for the town centre is carried out in Spring 2018.

Reasons for decisions

To support the long-term regeneration of Cotgrave and to facilitate the delivery of economic growth in the area and contribute to ensuring a sustainable, prosperous and thriving local economy.

The meeting closed at 7:38pm.

CHAIRMAN