

**MINUTES
OF THE MEETING OF THE
CABINET**

TUESDAY, 9 JULY 2024

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena,
Rugby Road, West Bridgford
and live streamed on Rushcliffe Borough Council's YouTube channel

PRESENT:

Councillors N Clarke (Chair), R Inglis, R Upton, D Viridi and J Wheeler

ALSO IN ATTENDANCE:

Councillor J Walker

OFFICERS IN ATTENDANCE:

G Dennis

Monitoring Officer

P Linfield

Director of Finance and Corporate
Services

H Tambini

Democratic Services Manager

APOLOGIES:

Councillor A Brennan

1 Declarations of Interest

There were no declarations of interest made.

2 Minutes of the Meeting held on 14 May 2024

The minutes of the meeting held on Tuesday, 14 May 2024 were agreed as a true record and signed by the Chair.

3 Citizens' Questions

There were no citizens' questions.

4 Opposition Group Leaders' Questions

Question from Councillor Jen Walker to Councillor Upton.

"What ideas does Cabinet have for the £0.763m carry forward support for Registered Housing Providers?"

Councillor Upton thanked Councillor Walker for her question and stated that the affordable housing capital budget was predominantly made of Section 106 payments, paid in lieu of on-site provision. Discussions were ongoing with Registered Housing Providers (RPs), developers and Homes England to explore opportunities to commit this money, which would hopefully deliver a mix of general needs affordable housing. Should those options progress, it was

likely that they would absorb a significant amount of the remaining capital budget. The £0.763m had been carried forward to future years (2025/26) in addition to the £2.5m already allocated in the 2024/25 Capital Programme. There was an existing commitment to give a contribution of £24k to deliver three affordable units on garage sites (phase 2) and £36k for one additional affordable unit.

Councillor Upton advised that a number of options continued to be looked at by the Housing Team including grant funding of RPs, funding affordable development in partnership with public sector landowners, such as extra care for the elderly population, acquiring land for affordable housing and developing bespoke units, including in the past the Metropolitan Garage Development Programme. As those come to fruition they would be reported upon and the Medium Term Financial Statement (MTFS) updated as the money was spent. The bulk of the outstanding amount needed to be spent by April 2032, and the timeline in itself demonstrated that this was not a quick fix.

Councillor Walker asked a supplementary question to Councillor Upton.

“Why was this money not spent, as it was unclear why it had been carried forward?”

Councillor Upton stated that as with many capital projects, timelines were put in place and inevitably slippages occurred for various reasons as had happened with this sum and a more detailed written response would be provided.

Question from Councillor Thomas to Councillor Virdi. Councillor Thomas was unable to attend the meeting, so her question was read out by the Leader, Councillor Clarke.

“As the Business Rates relief offered to businesses on the Freeport will be subsidised by tax payers (through central government) what democratic involvement has there been in drawing up the policy to encourage particular types of businesses, for example companies with green and ethical track records, evidence of creation of jobs and exemplary employment practice, or in terms of the Ratcliffe LDO site, alignment with the principles of the Local Development Order?”

Councillor Virdi thanked Councillor Thomas for her question and referred to the Cabinet report considered in February 2022, which all Members were sighted on, that had stated in the environmental implications that “the transformation of Ratcliffe on Soar Power Station from the production of coal-fired energy to other more sustainable forms of energy including Research and Development into clean energy will help the region’s plans to become carbon neutral and then net zero”. The same report had also stated “the development of Ratcliffe on Soar Power Station through the Freeport could attract a significant number of new businesses and a maximum of 20,000 jobs (depending on what sites and development comes forward).”

Councillor Virdi advised that any new Freeport occupier to potentially receive Business Rates Relief had to be approved via the six Council Board Members that were democratically elected, of which there were three billing authorities. It

was the three districts who were responsible for the development and application of the Business Rates Relief Policy and for Rushcliffe Borough Council, the Board Member was the Leader of the Council. There was a 'gateway review process' involving the Tax Site Operator, Freeport Executive Delivery Team, s151 Officers and Public Sector Directors from the various authorities. This process would be extensive and involve demonstrating compliance with a 'fit and proper' test regarding ongoing conduct, compliance with laws and regulations as well as looking at social value benefits, for example apprenticeships, skills and contributions to net zero. Furthermore, investment had to be additional in relation to the country and not a displacement of investment from elsewhere within the country. The ultimate decision would be that of the respective billing authorities on whether Business Rates Relief was awarded.

Councillor Virdi stated that the adopted Local Development Order (LDO) included specific uses for development at the Ratcliffe site, which was reviewed by the Council's Local Development Framework Group several times before being debated and approved at Full Council. Under the LDO, applicants were required to follow a prescribed process, including submitting a Certificate of Compliance application setting out the proposed development and how it met the LDO criteria. Officers would review the application against the Order and undertake appropriate consultation, which included with Councillors as set out in the Constitution.

Councillor Thomas had submitted a supplementary question to Councillor Virdi, which was read out by the Leader.

"Will companies coming onto the LDO site via a planning application, rather than through the certificate of compliance process, also be eligible for the relief?"

Councillor Virdi stated that yes if a business met the criteria for the relief it was immaterial by which route planning permission was secured and a normal planning permission would only need submitting if the proposal did not comply with the LDO. It was noted that to do so would be more expensive than securing consent under the LDO, as a fee had already been paid for the LDO process by Uniper as the 'applicant'.

5 Freeport Business Rates Relief Policy

The Cabinet Portfolio Holder for Finance, Transformation and Governance, Councillor Virdi presented the report of the Director – Finance and Corporate Services, which detailed the Freeport Business Rates Relief Policy.

Councillor Virdi stated that the Freeport provided a great opportunity for the Borough in respect of economic growth and job creation and it was noted that councils could authorise 100% discretionary rate relief, providing businesses met the criteria as per the Policy, which was detailed in Appendix A to the report. To ensure consistency, this Policy had been agreed by the three councils concerned, Rushcliffe, North-West Leicestershire and South Derbyshire. Councillor Virdi referred to the hard work undertaken by officers to ensure that any risks associated with Subsidy Control were mitigated and

reduced in relation to the Borough's exposure of breaching such measures, with details highlighted in paragraphs 4.4 to 4.8 of the report.

Councillor Virdi referred to paragraphs 4.9 to 4.12 of the report, which detailed the eligibility principles, and in particular he referred to the five year extension to the deadline to claim Business Rates Relief up to 29 September 2036.

In seconding the recommendation, the Leader, Councillor Clarke reiterated that the Freeport was supporting local businesses and economic growth in the Borough, which was absolutely vital and he welcomed this process.

It was RESOLVED that:

- a) the Council's East Midlands Freeport Business Rates Relief Policy at Appendix A to the report be approved; and
- b) the Director of Finance and Corporate Services be delegated authority to either finalise any changes or make future amendments to the Policy (particularly if there are no changes in legislation) in consultation with the Finance Portfolio Holder.

6 Housing Enforcement Policy

The Cabinet Portfolio Holder for Housing and Planning, Councillor Upton presented the report of the Director – Neighbourhoods, which detailed the new Housing Enforcement Policy for 2024-2029.

Councillor Upton advised that the Policy outlined how the Council intended to secure effective compliance with relevant housing legislation, with the main objective being to ensure that all properties let as residential properties were safe, well managed and to appropriate standards. The Policy included at Appendix 1 to the report detailed information on a wide range of issues and legislation, as did the 10 appendices in the Policy. Cabinet noted that the fundamental aim of the Policy was to manage how enforcement was undertaken, especially for those in rented, multi-occupation and mobile homes. Councillor Upton stated that housing was a fundamental human need, and the quality of housing did effect quality of life and the environment, both of which were key priorities for Rushcliffe, as stated in its Corporate Strategy.

In seconding the recommendation, Councillor Inglis thanked officers for their hard work in producing this excellent Policy and concurred with Councillor Upton's comments. Councillor Inglis felt that the Policy provided clear, easy to understand principles, actions and procedures that would be invaluable to all parties, and it would also be an excellent reference document for Councillors. All too often there were examples of poor quality, unsafe housing and a Policy that could consolidate enforcement rules and regulations should be embraced. Councillor Inglis stated that it was vital that the Council met its statutory obligations to ensure that residential properties were properly maintained and managed to ensure quality of life, healthy and safe conditions for tenants, and he felt that this Policy would do this.

Councillor J Wheeler stated that it was important for all tenants to know that

standards were in place and that action could be taken, as everyone had the right to live in safe, good quality accommodation.

The Leader, Councillor Clarke advised that this was a statutory obligation and he stated that the purpose of the Policy was summed up in the introduction, when it stated that all properties should be safe, of good quality, free from major dis-repair and well managed, and it was essential that those standards were maintained by the Council.

Councillor Upton reminded Cabinet that the Policy also covered private, freehold owner occupiers, as they were not immune from enforcement, when there were potential risks to the public.

It was RESOLVED that the adoption of the new Housing Enforcement Policy 2024-29 be approved.

7 **Financial Outturn 2023/24**

The Cabinet Portfolio Holder for Finance, Transformation and Governance, Councillor Virdi presented the report of the Director – Finance and Corporate Services, which outlined the year-end financial outturn position for 2023/24, linked to the closure of the accounts process and previous financial update reports.

In introducing the report, Councillor Virdi referred to the sharp increase nationally in the number of councils facing financial pressures and stated that he was pleased to report that Rushcliffe had maintained a positive outcome, despite the challenging economic environment, as detailed in paragraph 4.4 of the report. Councillor Virdi referred to ongoing cost of living pressures, which impacted both on residents and the Council's budget, and Cabinet noted that service efficiencies had continued to be identified to balance those pressures. The revenue budget had an overall revenue efficiency of £1,663m and the Capital Programme overall had an underspend of £5.710m and Councillor Virdi confirmed that the report recommended carrying forward those budget efficiencies to help meet 2024/25 service pressures and risks.

In respect of revenue, Councillor Virdi referred to paragraph 4.5 and Appendix A to the report, which detailed the main variances, with paragraph 4.6 highlighting additional savings from Business Rates and Government Grants, giving the Council an additional resource of £1.379m. Overall the Council's robust financial position enabled it to fund service demands or cost pressures not originally identified in the budget, details of which were highlighted in paragraphs 4.18, 6.3 and 6.4 and Appendix E. Cabinet was reminded that there would continue to be further pressures on the budget going forward.

In respect of capital, Councillor Virdi advised that paragraph 4.19 and Appendix D highlighted the key variances and explanations for those, including the underspend on the Crematorium and Bingham Arena. Councillor Virdi emphasised the success of both projects and the benefits brought to residents. Reference was made to paragraph 4.20, which covered Special Expenses, with an overall deficit for the year of £8k, which in the context of overall finances Councillor Virdi considered to be manageable.

In conclusion, despite the financial challenges referred to, Councillor Viridi stated that the Council had always been prudent, which had negated the need to draw on reserves or borrow externally. Inflation had begun to fall; however, pressures would remain as household income continued to contract. Cabinet was reminded that with the new government, there could be a change in funding, and the ongoing economic uncertainties and risks made planning challenging. There were warning signs for the budget going forward, with pressures on areas including Planning Services and Streetwise and the impact of inflation on contracts and therefore it was vital that the Council was even more productive, and although the Council was in a good position, it could not be complacent. Councillor Viridi thanked Councillors and officers, in particular the Director – Finance and Corporate Services and the Finance Team for their dedication and diligence.

In seconding the recommendation, Councillor J Wheeler referred to the difficulties of setting a budget during such challenging times and welcomed the savings made, that had been put into capital projects to benefit residents. Councillor Wheeler thanked the officers responsible for applying for the various grants, which required considerable work and helped to fund additional projects around the Borough.

Councillor Upton referred to the Crematorium and the Bingham Arena and reminded Cabinet that both of those excellent, multi-million pound projects had been delivered under budget during very challenging financial times, which he felt emphasised the competency and skill of officers as project managers. Those officers had challenged and looked for alternative products, which delivered the same performance and quality, but at a cheaper cost and Councillor Upton stated that they should be applauded for that.

The Leader concurred with those comments and thanked officers for their hard work.

It was RESOLVED that:

- a) the 2023/24 revenue position and efficiencies identified in Table 1, the variances in Table 2, (and Appendix A) to the report be noted;
- b) changes to the earmarked reserves as set out at Appendix B along with the carry forwards and appropriations to reserves in Appendix E to the report be approved;
- c) the re-profiled position on capital and approves the capital carry forwards outlined in Appendix C and summarised in Appendix F to the report be noted; and
- d) the update on the Special Expenses outturn at paragraph 4.20 and in Appendix D to the report be noted.

The Leader advised that this would be the Monitoring Officer's last meeting, as she was leaving Rushcliffe and thanked her for all her hard work and wished her well for the future.

The meeting closed at 7.35 pm.

CHAIR