



**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY, 9 FEBRUARY 2021**

Held virtually at 7.00 pm and livestreamed on the
Rushcliffe Borough Council You Tube channel

PRESENT:

Councillors S J Robinson (Chairman), A Edyvean (Vice-Chairman), A Brennan,
R Inglis, G Moore and R Upton

ALSO IN ATTENDANCE:

Councillors B Gray and C Thomas

OFFICERS IN ATTENDANCE:

L Ashmore	Executive Manager - Transformation
D Banks	Executive Manager - Neighbourhoods
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Chief Executive
S Sull	Monitoring Officer
H Tambini	Democratic Services Manager
L Webb	Democratic Services Officer

APOLOGIES:

There were no apologies

40 Declarations of Interest

There were no declarations of interest.

41 Minutes of the Meeting held on 12 January 2021

The minutes of the meeting held on Tuesday, 12 January 2021, were declared
a true record and signed by the Chairman.

42 Citizens' Questions

The following question was submitted by Ms Rebecca Collison.

“The sixth objective of the Rushcliffe Nature Conservation Strategy is to ‘Seek to ensure positive impact (Biodiversity Net Gain) of development on wildlife and biodiversity whilst eliminating negative impact’ and the report sets out six initiatives designed to meet this objective, including a reference to local planning policy and using Hedgerow Regulations and Tree Preservation Orders. Without meaningful targets; however, to measure the Council’s performance in protecting biodiversity and hedgerows on large housing developments, residents are blind to what we may be losing. Would the

Council consider including measurable targets:

- setting a minimum 10% biodiversity net gain target to be included as a condition in all large site planning permissions and including the 10% biodiversity net gain target for large site developments in the conservation strategy document;
- setting a target in the conservation strategy of zero net loss of hedgerows in Rushcliffe as a result of large housing development;
- and making a commitment to publishing hedgerow and biodiversity net gains / losses annually for large housing developments in Rushcliffe.”

Councillor Upton responded by advising that the Cabinet would be considering the Council’s Nature Conservation Strategy later in the meeting and Recommendation ‘c’ of the Strategy report stated:

‘that the Council should work with neighbouring local planning authorities and partner organisations to introduce biodiversity net gain policies that complement the Nature Conservation Strategy’s objectives’

Councillor Upton thanked Ms Collison for her question and stated that this would provide an opportunity to discuss and evaluate her suggestions. It was also the Government’s intention to introduce legislation that would require developments to achieve a 10% net gain for biodiversity. This requirement would be applied to relevant planning permissions when it became a legal requirement and the Borough Council would monitor the implementation of the 10% net gain requirement, in accordance with the arrangements established at the time. Councillor Upton suggested that it would be appropriate to wait for the outcomes of the proposed Environment Act, to allow the Council to align any new biodiversity and hedgerow targets with the national ones, before considering other suggestions.

The following question was submitted by Mr Geoff East.

“Having read through the updated Rushcliffe Nature Conservation Strategy; 2021-2025, I am heartened by the importance our council is putting on the fight against habitat loss and climate change. I would agree that it is important to encourage creation of new sites and nature's recovery requires us to link and connect sites to allow the spread of wild native plants and animals. Hedges and grassy verges are nature's highways, so yes, we should be seeking to protect areas and encourage sympathetic management of our grassland.

Would the Borough add a KPI to their Natural Conservation Strategy that includes a numerical target for councils to reduce, and eventually stop altogether, the use of herbicides and pesticides throughout our Parishes and WB wards?”

Councillor Brennan thanked Mr East for his question and stated that this was an important issue and advised that the use of herbicides and pesticides invoked strong emotive responses from people both for and against. It was encouraging to note that the Nature Conservation Strategy on the agenda for consideration included numerous references to the management of verges and roadside hedges to protect plants and wildlife. Councillor Brennan advised that

she did not believe that the Strategy could go any further at this time to set targets or restrict the use of herbicides and pesticides as those areas were often managed and maintained by organisations and companies outside the control of the Council. However, Councillor Brennan was sure that the Rushcliffe Nature Conservation Strategy Group would consider Mr East's views as the Group moved forward. As a Council, and working with its contractors, Rushcliffe already considered how best to minimise the use of herbicides on land that it owned, and as part of the implementation of the Strategy the Council would work to ensure that it continued to look for opportunities for alternative means of controlling vegetation in areas where it was necessary to do so.

43 **Opposition Group Leaders' Questions**

Question from Councillor Gray to Councillor Inglis

"How have we considered the full implications of this change in policy for parking enforcement and its knock on effects to partner and former partner organisations?"

Councillor Inglis responded by saying that there had been considerable dialogue and liaison between the Council and key partners on this topic to ensure a satisfactory position and the report presented to Cabinet contained an assessment of the potential issues, risks and mitigation measures for Cabinet's full consideration.

Question from Councillor Thomas to Councillor Inglis

"Parking enforcement staff are very rarely seen in East Leake despite ongoing resident concerns about highway obstruction and infringements in the parking bays with time limits. Will we see any improvement under the new arrangement?"

Councillor Inglis responded by confirming that the Council's Civil Enforcement Officers visited all areas of the Borough to check for parking compliance but could only enforce if they witnessed infringements taking place at that time. In a normal year, the Council would visit East Leake at least once a week and had issued Fixed Penalty Notices for a range of parking related offences including parking on or adjacent to yellow lines.

44 **Car Parking County Partnership**

The Portfolio Holder for Neighbourhoods presented the report of the Executive Manager – Neighbourhoods providing an update on the Car Parking County Partnership and outlined suggested recommendations for how the Council would manage its car parking provision both efficiently and cost effectively going forward, to ensure that it fulfilled its statutory obligations.

The Portfolio Holder for Neighbourhoods gave a brief overview of the history of the District Partnership Agreement, which the Council had been part of since 2008, and the Cabinet noted that the partnership had worked very effectively. In 2014, under the partnership agreement, Rushcliffe had become responsible

for managing the County Council's on-street parking in the Borough, and it had been agreed that any surplus should be re-invested in the service and not passed to the Council; however, the Council would still be liable to cover any deficits. It was noted that until recently that risk had been unlikely; however, that position had now changed because of several pressures on the County Council's on-street surplus, details of which were highlighted in the report.

The Portfolio Holder for Neighbourhoods confirmed that at the end of the financial year, the cost of Broxtowe Borough Council managing Rushcliffe's on-street parking would be passed directly to Rushcliffe, at an additional charge of £20,000 per annum, rather than being covered by the County Council. That change would lead to a doubling of the current service management fee from £21,000 to £41,000 per annum.

The Portfolio Holder for Neighbourhoods advised that the County Council had asked councils in the partnership, which services they would like to continue with under the next round of procurement, and that had provided Rushcliffe with a great opportunity to review its service, in line with the Council's governance practice for best value for money. The report highlighted various cost savings that had been identified, including the direct employment of enforcement officers and the use of Broxtowe Borough Council's contractor for cash collections. It was proposed that under a separate agreement, the Council would continue to retain use of the County Council's Central Processing Unit, which processed Rushcliffe's penalty notices and administered the appeals process. It was suggested that the Council could also plan for developing the enforcement role into a wider Community Warden function, to cover various roles, details of which were highlighted in the report.

The Portfolio Holder for Neighbourhoods advised that it had been agreed with the County Council that Rushcliffe could withdraw from the partnership on or before June 2022. It was reiterated that the proposed changes would provide cost savings and efficiencies going forward.

In seconding the recommendation, Councillor Brennan stated that given the proposed changes to the partnership, it was timely to review the Council's management of its car parking provision. The previous arrangements had worked effectively; however, it was always prudent to keep such arrangements under review, to ensure that they remained fit for purpose and provided value for money. The proposal to directly employ enforcement officers was welcomed, as it would allow the role to be broadened out to encompass a more community ambassador type role going forward, to provide additional reassurance to residents and help to create a sense of place for all residents across the Borough.

It was RESOLVED that

- a) the withdrawal from the Car Parking District Partnership be approved, which includes withdrawal from using the procured County services for enforcement officers and cash collection, withdrawal from managing Nottinghamshire County Council's on-street enforcement and responsibility for deficit liability;

- b) the employment of enforcement officers be approved;
- c) the use of Broxtowe Borough Council's cash collection service be approved; and
- d) the Executive Manager for Neighbourhoods be granted delegated authority to negotiate an agreement for the continued use of the processing unit of Nottinghamshire County Council for managing the Council's penalty notices.

45 **2021/22 Budget and Financial Strategy**

The Portfolio Holder for Finance presented the report of the Executive Manager – Finance and Corporate Services outlining the Council's proposed budget for 2021/22, the five-year Medium Term Financial Strategy (MTFS) from 2021/22 to 2025/26, which incorporated the revenue budget, the proposed Capital Programme, the Transformation Strategy and the Capital and Investment Strategy.

The Portfolio Holder for Finance referred to the unprecedented events, which had taken place during the last year, and to the significant economic impact on local government finances. It was noted that this Council had always managed its finances prudently, which had enabled it to deal with the current financial difficulties. The proposed budget would ensure that the Council remained financially resilient, would continue to deliver its statutory services and to focus on much needed economic recovery. The budget would ensure continued support for the most vulnerable in the community, whilst remaining committed to carbon reduction and supporting the environment. Cabinet was advised that the economic situation going forward remained uncertain, and it was therefore important to remain prudent, with substantial reserves in place and that any opportunities to increase the Council's reserves to deliver its Corporate Priorities and to mitigate future risks would be taken. It was noted that the projected loss of income and increased expenditure for 2021/22 would equate to an anticipated budget deficit of £1.5m over the next two years, and it was confirmed that this would be a manageable risk.

In respect of the Council's Capital Programme, the Portfolio Holder for Finance reiterated that the Council continued to have an ambitious programme, with over £38m planned investment over the next few years, details of which were highlighted in the report. To fund those investments, it was noted that it was likely that some external borrowing would be required; however, it was confirmed that the repayments had been built into both the budget and the revised MTFS.

In respect of Council Tax, the Portfolio Holder for Finance advised that it was proposed to raise Council Tax by 3.24%, which ensured that Rushcliffe's Council Tax remained the lowest in Nottinghamshire and in the lowest quartile nationally.

The Portfolio Holder for Finance acknowledged the additional financial support provided by Central Government to local councils, which had been invaluable to mitigate loss of income and to reduce some of the financial pressures. The

Government's' support for local businesses was also acknowledged, with over £38m being distributed locally.

The Portfolio Holder for Finance referred to the proposed funding for the first year of the Development Corporation and reiterated the importance of this project going forward.

In conclusion, the Portfolio for Finance confirmed that the uncertain financial future remained a challenge, the Council's financial strategies continued the progress already made to ensure that the Council's financial plans were robust, affordable and deliverable. The budget had been designed to ensure the continued delivery of high-quality services, whilst being financially and environmentally sustainable and the Executive Manager – Finance and Corporate Services, the Financial Services Manager and their team were thanked for their continuing hard work.

In seconding the recommendation, Councillor Edyvean reiterated the comments made regarding the unprecedented year that the Council had faced and agreed that to produce such a comprehensive, prudent budget had been a challenge. It was noted that the Council remained ambitious, with several significant schemes on course to be delivered through the Capital Programme, including the Bingham Hub and the Crematorium, and the Council's continued support of the Development Corporation was also welcomed.

The Leader conveyed his thanks to the Executive Manager – Finance and Corporate Services and his team for their hard work during this challenging time. The continued ambition of this Council was reiterated, and it was a credit to all those involved currently and previously that the Council remained in such a strong, resilient financial position going forward.

It was RESOLVED that Cabinet recommends that Council

- a) adopts the budget setting report and associated financial strategies 2021/22 to 2025/26, as set out in the Annex to the report, including the Transformation Strategy and Efficiency Plan, as set out in Appendix 3 of the Annex, to deliver efficiencies over the five-year period;
- b) adopts the Capital Programme as set out in Appendix 4 of the Annex;
- c) adopts the Capital Investment Strategy as set out in Appendix 5 of the Annex;
- d) sets Rushcliffe's 2021/22 Council Tax for a Band D property at £147.36 (increase from 2020/21 of £4.62 or 3.24%);
- e) sets the Special Expenses for West Bridgford, Ruddington and Keyworth, as set out in Appendix 1 of the Annex, resulting in the following Band D Council Tax levels for the Special Expense Areas:
 - i) West Bridgford £49.65 (£48.51 in 2020/21);
 - ii) Keyworth £3.41 (£3.76 in 2020/21);

- iii) Ruddington £4.00 (£4.12 in 2020/21);
- f) adopts the Pay Policy Statement as set out in Appendix 7 of the Annex; and
- g) agrees the proposal that the Year 1 funding for the Development Corporation be approved prior to receiving formal Government approval and financial support for the scheme (capped at £0.17m along with the conditions as set out at paragraph 4.2 (l) of the report).

46 **Crematorium Update**

The Portfolio Holder for Business and Transformation presented the report of the Executive Manager – Transformation providing an update on the Crematorium.

The Portfolio Holder for Business and Transformation reinforced the need for the development of a crematorium, to meet the needs of a continually growing population, and the importance of ensuring that the new facility was built to the highest specification possible. Cabinet was advised that officers had identified that an additional £2m would be required, as three factors had been identified that had impacted on the pre-tender estimate: the VAT position of the project; enhanced landscaping costs to encourage bio-diversity across the site, tree planting and maintenance of green space; and the cost of an electric cremator, which although more expensive, would be better for the environment, have a longer working life span and would be more cost effective in the long term. Cabinet noted that detailed benchmarking had been undertaken to ensure value for money and that had been confirmed.

In seconding the recommendation, Councillor Moore stated that it was important that ambitious projects were developed, and this project would form part of the £38m capital investment referred to in the budget report, and it was acknowledged that such schemes would help the Council as it emerged from the pandemic.

The Leader referred to previous discussions at Cabinet meetings regarding the importance of this project and that it was key to enhancing community facilities to bring the project forward. The financial changes were acknowledged, and it was positive that officers were continuing to move this project forward.

Councillor Upton confirmed that it was essential that the new facility was as environmentally sustainable as possible, and the proposed budget would provide the best value going forward.

It was RESOLVED that the allocation of an additional £2m in the 2021/22 capital programme for the delivery of a new crematorium, to be included in the Council's Medium Term Financial Strategy be supported.

47 Covid 19 Update Report

The Leader presented the report of the Chief Executive, providing an update on the work completed to date on response and recovery due to the Covid 19 pandemic since December 2020.

The Leader highlighted the key headlines in the report, which reflected the work undertaken both internally and externally by the Council during the pandemic and Cabinet noted the changes to lockdown levels since November 2020, and the overview of restrictions placed on both residents and businesses. As part of that national lockdown, the significant impact to the Council's finances caused by the closure of the Borough's leisure centres was acknowledged. The Leader referred to the actions taken by the Council in response to the changing lockdown restrictions, details of which were highlighted in the report. Cabinet was advised that the Council had applied for funding to help with the loss of income from its leisure centres and it was hoped that it would be successful, to ensure continued support for such key community facilities.

The Leader reiterated the importance of the financial support given to businesses throughout the pandemic, with a further £7m paid out since December 2020, and paid tribute to officers who had worked so hard to facilitate that.

The Leader referred to the successful running of the test and trace facility at the Arena and the community vaccine centre at Gamston, both of which would continue to play an important role going forward.

In conclusion, the Leader thanked officers and Councillors for their continued hard work during such unprecedented times.

In seconding the recommendation, Councillor Edyvean referred to the vital funding from Central Government to support local businesses, many of which would not have survived such unprecedented times without it. Officers had acted swiftly to ensure the effective distribution of those funds and many businesses had expressed their thanks to the Council. The Cabinet acknowledged the work undertaken by other services, in particular, the excellent refuse collection service, which had continued throughout the pandemic, Planning Services and Customer Service support for residents.

The Leader referred to the continued adaptability of the Council, in its working practices and service delivery and the considerable challenges that had been faced over the past 12 months. The Leader also acknowledged the work undertaken by the various services, together with the ongoing aspirations of the Council in respect of its capital projects, and the work being undertaken to bring those projects to fruition.

It was RESOLVED that the work of officers of the Council and partners in responding to and supporting the recovery from Covid 19 be noted.

48 Electoral Review of Rushcliffe

The Leader presented the report of the Chief Executive outlining the proposed electoral review of Rushcliffe.

The Leader advised that the review had been requested by the Local Government Boundary Commission for England (LGBCE), which had asked the Council to consider how many Councillors were required to effectively represent the electorate, and it was noted that the report would be submitted to Council in March 2021 for approval. The Leader explained that a key consideration was the anticipated 18% growth in population size over the review period of 2020-2027, which would result in an increase in the average number of electors per Councillor rising from 2,058 to 2,509, based on the current number of Councillors. That anticipated growth would be substantial and would be driven in particular by two significant housing developments at Gamston and Fairham.

The Leader confirmed that as part of the review, Councillors had been asked about their workloads and the LGBCE had provided a very comprehensive template, to cover all aspects of how the Council operated, details of which were highlighted in the report. Cabinet was advised that following the review it was being recommended that the number of Councillors should increase by two, to 46.

The Leader welcomed the forthcoming review of ward boundaries, due to take place over the summer 2021, which would also help to minimise the variance in the number of electors per Councillor.

In respect of financial implications, the Leader advised that with an increase of two Councillors, there would be an additional £11,000 per annum in basic allowances, and potentially additional expenses and training costs and if approved, that would be included within the revenue budget for 2023/24.

In seconding the recommendation, Councillor Edyvean referred to the significant projected rise to the Borough's population up to 2027 and stated that the proposed increase of two Councillors would help to mitigate against the associated additional workload and ensure that Councillors could continue to fulfil their roles in the community. Councillor Edyvean also welcomed the forthcoming review of ward boundaries, which would reflect the changing pattern of population growth.

It was RESOLVED that

- a) the Review of Council Size, which proposes an increase in the number of Councillors for Rushcliffe Borough Council to 46 Councillors subject to Full Council approval in March 2021 be endorsed; and
- b) the Chief Executive be requested to make arrangements for the Review to be sent to the Commission as the Council's draft submission subject to Full Council approval in March 2021.

49 **Rushcliffe Nature Conservation Strategy**

The Portfolio Holder for Community and the Environment presented the report of the Executive Manager – Communities outlining the Rushcliffe Nature Conservation Strategy 2021-2025.

The Portfolio Holder for Community and the Environment welcomed the implementation of the new Strategy and advised that it reflected the Council's commitment and ambition to this important issue. The Council was proud of the Borough's natural heritage and was committed to ensure its enhancement and sustainability going forward. Cabinet was advised that given the significant growth forecast for the Borough, it was essential that any growth was sustainable, took account of conservation issues, and the bio-diversity net gains that were likely to be required from the emerging Environment Bill.

The Portfolio Holder for Community and the Environment gave a brief overview of the history of the previous Strategy and its achievements, details of which were highlighted in the report. Cabinet was advised that in order to protect and build upon those previous achievements, a new Strategy had been required and that had been developed by the Rushcliffe Nature Conservation Strategy Implementation Group (RNCSIG), which was jointly heading by the Council and Nottinghamshire Wildlife Trust, together with a broad range of key partners. It was noted that as part of the recommendations in the report, funding to extend the Council's very successful Free Tree Scheme over 2021-2025 should be approved, together with the introduction of wildflower seed distribution in line with the Strategy's lifecycle. The Portfolio Holder for Community and the Environment gave a brief overview of the key points and objectives within the Strategy, details of which were highlighted in the report and advised that the Strategy had been considered by the Communities Scrutiny Group and undergone a public consultation process in November and December 2020.

In conclusion, the Portfolio Holder for Community and the Environment referred to the hard work and dedication of the numerous partner organisations and volunteers and stated that it was important to recognise their hard work and achievements and encourage more people to become involved.

In seconding the recommendation, Councillor Upton agreed that it had been timely to review the previous Strategy, and now adopt the new one. Cabinet noted that significant pressures including climate change, population increase, and associated housing growth would all put pressure on the natural environment. Councillor Upton stated that new housing developments should be as sustainable as possible and include bio-diversity measures, with the forthcoming Environment Bill proposing at least a 10% bio-diversity net gain for all new developments. It was pleasing to note that the Free Tree Scheme would be extended, and the introduction of the wildflower seeding was to be applauded.

The Leader endorsed the thanks given to the volunteers and partner organisations that had worked extremely hard, and stated that without their help, the implementation of the Strategy would be almost impossible to achieve. The Borough was fortunate to have a unique and diverse landscape,

which should be nurtured and preserved, and it was pleasing to note that the Council would be working with other local planning authorities to ensure that high standards were driven up and maintained. In conclusion, the Leader welcomed the ambition of the Strategy and looked forward to its implementation.

Councillor Edyvean added that the implementation of the Strategy would also be welcomed by parish councils across the Borough.

It was RESOLVED that

- a) the Rushcliffe Nature Conservation Strategy 2021 – 2025 be adopted;
- b) the funding for the Free Tree Scheme be extended to include funding of £50,000 over 2021 – 2025 within the Strategy, to cover planting of trees and to support the introduction of wildflowers seed distribution in line with the Strategy lifecycle; and
- c) that the Council should work with neighbouring local planning authorities and partner organisations to introduce biodiversity net gain policies that complement the Nature Conservation Strategy's objectives.

The meeting closed at 8.00 pm.

CHAIRMAN