

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

12th April 2023

A meeting of Cabinet was held on Wednesday 12th April, 2023 in the Council Chamber which was recorded and live streamed.

Present

Councillor K. Wilson (Leader and Business and Regeneration (Chair))
Councillor C. Golby (Deputy Leader and Housing and Communities)
Councillor S. Croft (Finance and Corporate)
Councillor J. Gutteridge (Health and Environment)
Councillor S. Markham (Public Services)
Councillor R. Smith (Planning and Regulation)

CB127 **Apologies**

None

CB128 **Declarations of Interest**

The Chair confirmed that there was an additional Declaration of Interest to those printed, as all members of the Cabinet had received an email from the Chair of the Bedworth Community Interest Company, with regards to item 7 on the agenda. A reply has been sent which was non-committal in terms of what Cabinet may or may not decide. The correspondence was copied to the two Officers who are conducting the process for the records, to ensure that the bidding process is seen to be fair and accurate.

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes, with the additional declaration relating to correspondence being received being noted.

CB129 **Minutes**

RESOLVED that the minutes of the Cabinet meeting held on 8th March 2023, be approved, and signed by the Chair.

CB130 **Leisure Operator Procurement Update**

The Strategic Creditors and Procurement Manager, and Leisure and Health Manager submitted a report providing Cabinet with an update on the progress of the Leisure Operator Procurement for the operation of Council Leisure facilities within the Borough.

RESOLVED that the Leisure Operator Procurement update be noted.

Speakers:

Rachel Elizabeth
Councillor Keith Kondakor

Options

The update be noted; or
That further information is requested.

Reasons

The Leisure Operator Procurement began in October 2021 with soft market testing, followed by a series of Member Workshops to discuss and agree key

priorities for the new Leisure Management Contract as Leisure is a key strategic outcome for the Council, supporting residents with opportunities for improvements in their health and wellbeing.

CB131 Bedworth Civic Hall Update

The Leisure and Health Manager submitted a report to Cabinet with options for consideration on the next stage of the future operation of the Civic Hall (Venue) following the expressions of Interest submissions.

RESOLVED that

- a) a Lease Agreement approach for the Venue be approved; and
- b) delegated authority be given to the Strategic Director – Finance and Governance and Strategic Director – Economy and Transformation in consultation with the Leisure and Health Manager and Portfolio Holder for Public Services to negotiate the terms of the lease agreement.

Speakers:

Sam Margrave
Rachel Elizabeth
Nikki Smith
Joanne Browning
Rachel Hardy
Rob Batterbee
Michele Kondakor
Councillor Keith Kondakor

Options

Accept the recommendations in full; or
Do not accept the recommendations

Reasons

At cabinet on 9th November 2022, the recommendation for Cabinet to approve 'Expressions of Interest' (EOI's) to be sought from suitable interested parties for the potential future operation and management of the Bedworth Civic Hall was approved in full.

EOIs have been received and an evaluation process has been conducted. Recommendations need to be chosen to proceed with the next stage of the process.

CB132 Infrastructure Maintenance Framework

The Parks and Greenspace Manager submitted a report to Cabinet advising that infrastructure maintenance and improvements are currently procured on an ad-hoc basis. A Framework contract with several contractors available for differing lots of work, will enable cost effective and timely repairs and maintenance to be carried out for the authority.

RESOLVED that

- a) the procurement of a new Infrastructure Maintenance Framework for the Corporate Assets/Parks and Greenspace Service, utilising existing revenue budgets be commenced; and

- b) delegated authority be given to the Strategic Director - Public Services to award the procurement of a new Infrastructure Maintenance Framework and enter into a Framework Agreement with multiple contractors.

Speakers:

Rachel Elizabeth
Michele Kondakor
Councillor Keith Kondakor

Options

To accept the recommendations and continue with the establishment of an Infrastructure Framework; or
Do nothing: This may place the Council in breach of its Contract Procedure Rules and Financial Standing Orders.

Reasons

To ensure ongoing compliance with Contract Procedure Rules, Financial Standing Orders and to contribute to the discharge of our duty to comply with Health and Safety legislation.

CB133 Tree Service Framework 2023-2027

The Parks and Greenspace Manager submitted a report to Cabinet providing an update on the current tree framework, and setting out reasons for establishing a new framework agreement and information about what this would involve.

RESOLVED that

- a) the procurement of a new Tree Service Framework for the Council, utilising existing revenue budgets be commenced; and
b) delegated authority be given to the Strategic Director - Public Services to award the procurement of a new Tree Services Framework and enter into a Framework Agreement with contractor(s).

Speakers

Michele Kondakor
Councillor Keith Kondakor

Options

To accept the recommendations and continue with the establishment of a Tree Services Framework; or
Do nothing: This may place the Council in breach of its Contract Procedure Rules and Financial Standing Orders.

Reasons

To ensure ongoing compliance with Contract Procedure Rules, Financial Standing Orders and to contribute to the discharge of our duty to comply with Health and Safety legislation.

CB134 Co-Mingle Recycling Material Collections

The Head of Waste and Transport submitted a report to Cabinet setting out proposals for changes to recycling collections from dual stream (caddie and bin) and Dry Mixed Recycling (DMR) to Co-Mingled (all in) recycling collection.

RESOLVED that the recycling collection method be changed from the current dual-stream recycling collection system to a fully co-mingled service, removing the requirement for residents to separate Dry Mixed Recycling (DMR) and paper and card material.

Speakers

Michele Kondakor
Councillor Keith Kondakor

Options

Support the recommendations contained in this report and move to a single bin (Co-Mingled) approach to recycling collections;
Not Support the recommendations contained in this report and continue with a dual stream recycling collection approach; or
Request more information

Reasons

- a) New Sherbourne Material Recycling Facility (MRF) smart technology to manage Co-Mingled material more effectively and maintain income thresholds for on sale of material – subject to recycling price index fluctuations.
- b) Cost reductions to NBBC for the replacement of containers.
- c) Limited supply of manufacturers producing the 40ltr container (caddie) currently used by NBBC.
- d) Improved H&S risk management by removing the lifting and carrying of caddies for our team members and all associated risks of this.

CB135 **Building a Better Borough (BaBB) 2022/2025 – Review of Assessment Document for 2023/24**

The Strategic Director of Economy and Transformation submitted a report to Cabinet outlining the proposed changes to the assessment document for 2023-24, to establish a more effective means of assessing the progress of corporate objectives originally approved in the BaBB 2022-25.

RESOLVED that

- a) the refreshed BaBB Assessment Document for 2023-24 be reviewed and approved by Cabinet;
- b) the redesignated BaBB Delivery Plan 2023-25 be reviewed and approved by Cabinet; and
- c) authority to update the Lead Directorate / Officer(s) and Support Directorates columns on both the BaBB Assessment 2023/24 and the redesignated BaBB 2023-25 Delivery Plan, be delegated to the Director for Customer and Corporate Services, post senior management team restructure.

Speakers

Michele Kondakor
Councillor Keith Kondakor

Options

Approve the proposed recommendations;
Approve the proposed recommendations subject to identified amendments; or
Reject the proposed recommendations.

Reasons

To establish a more effective assessment document in relation to monitoring the Council's corporate objectives.

CB136 Hackney Carriage and Private Hire Vehicles Inspection

The Head of Safety and Environmental Health submitted a report to Cabinet seeking approval of contracts for the inspection of hackney carriages and private hire vehicles licenced by Nuneaton and Bedworth Borough Council.

RESOLVED that

- a) delegated Authority be given to the Strategic Director – Public Services, in consultation with the portfolio-holder for Public Services, to award the Contract upon conclusion of the current procurement process; and
- b) the decision be marked “not for call in” due to the imminent ending of the current contract.

Speaker

Michele Kondakor

Options

Approve the contract; or
Not approve the contract.

Reasons

The current contract for the inspection of hackney carriages and private hire vehicles which are licenced by Nuneaton and Bedworth Borough Council expires on the 23rd April 2023. This has been in place since 2017. A new contract is needed to allow for MOT and Compliance testing of these licensed vehicles.

CB137 Recommendations From Overview and Scrutiny Panels

a) Business and Regeneration OSP – 9th March 2023

At the meeting of the Business, Regeneration and Planning OSP held on the 9th March 2023, the Lilypad Fountain was discussed by the panel members and following was agreed:

- Permanent seating is essential as it is a popular area for people to rest and meet.
- Timescales are requested as soon as possible, along with an opportunity for the panel to view the plans.
- Seating, even temporary in the short term, would be advisable as soon as possible.
- Alternative seating was discussed, and it was agreed seating doesn't need to be 'like for like' but is required.
- Councillor Wilson agreed to take the issue to Cabinet, and to try and ensure plans and timescales would be available at the next OSP meeting.

RESOLVED that

- a) the recommendations from the OSP be noted by Cabinet; and
- b) a copy of the report at agenda item 138 be shared with the OSP Panel.

CB138Any Other Items

Lily Pad Fountain Seating Plan

A report of the Principal Building Surveyor Corporate Assets and Town Centre Manager was submitted to Cabinet to explore the installation of street furniture and new Civic Tree location once the removal of water feature has taken place.

RESOLVED that

- a) approval be given for the proposed new street furniture, seating, plan and Civic Tree location, Nuneaton town centre (the Scheme); and
- b) delegated authority be given to the Strategic Director –Economy and Transformation to complete the necessary legal formalities and implement the Scheme.

Speaker

Councillor Keith Kondakor

Options

Approve the proposed recommendations;
Approve the proposed recommendations subject to identified amendments; or
Reject the proposed recommendations.

Reasons

It has been identified that the open space created by the removal of the Lily Pad water feature can be utilised as an entertainment space along with a focal point for events throughout the year. It can also be utilised for ad hoc seating during non-event periods by the placement fixed but temporary seating and street furniture.

There are also ongoing maintenance costs with the water feature and increase in anti-social behaviour.

CB139Exclusion of Public and Press

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph 3 of Part I of Schedule 12A to the Act.

CB140Procurement of Website Platform

The Strategic Director – Economic and Transformation submitted a report to Cabinet, to seek delegated authority to the Strategic Director for Economic and Transformation to award a new contract for the website platform.

RESOLVED that

- a) delegated authority be given to the Strategic Director for Economic & Transformation to award a new contract for the Council's website platform via a call-off framework; and
- b) the new contract be funded from unallocated reserves.

Options

To accept the report;

To direct an alternate course of action; or

Do nothing – this will result in the Council not having a website from September 2023.

Reasons

To ensure that NBBC has a website provision after September 2023.

Chair

PUBLICATION DATE: 14TH APRIL 2023

DECISIONS COME INTO FORCE: 24TH APRIL 2023

Cabinet - Schedule of Declarations of Interests – 2022/2023

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--|--|--|--|
| | General dispensations granted to all members under s.33 of the Localism Act 2011 | | | Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership |
| | S. Croft | Employed at Holland & Barrett Retail Ltd | Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board West Midlands Employers | |
| | C. Golby | | Member of Warwickshire County Council Membership of Other Bodies: <ul style="list-style-type: none"> • Nuneaton and Bedworth Safer and Stronger Communities Partnership • Nuneaton and Bedworth Community Enterprises Ltd. • Nuneaton and Bedworth Home Improvement Agency • Safer Warwickshire Partnership Board • Warwickshire Housing and Support Partnership • Warwickshire Police and Crime Panel • George Eliot Hospital | |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--------------------|--------------------------------|---|--------------|
| | | | <p>NHS Trust – Public/User Board</p> <ul style="list-style-type: none"> • George Eliot Hospital NHS Foundation Trust Governors • District Leaders (substitute) • Local Enterprise Partnership (substitute) • Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) | |
| | J. Gutteridge | | <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Warwickshire Health and Wellbeing Board • Age UK (Warwickshire Branch) • Committee of Management of Hartshill and Nuneaton Recreation Ground • West Midlands Combined Authority Wellbeing Board | |
| | S. Markham | County Councillor – W.C.C. | <p>Governor at Ash Green School</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • Nuneaton and Bedworth Sports Forum • Warwickshire Direct Partnership • Warwickshire Waste Partnership • Sherbourne Asset Co Shareholder Committee | |
| | R. Smith | | <p>Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth | |

| | Name of Councillor | Disclosable Pecuniary Interest | Other Personal Interest | Dispensation |
|--|--------------------|---|--|--------------|
| | | | <p>Older Peoples Forum</p> <ul style="list-style-type: none"> • West Midlands Combined Authority and Land Delivery Board | |
| | K.D. Wilson | Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton | <p>Deputy Chairman – Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following Outside Bodies:</p> <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority | |