

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**CABINET**

**7<sup>th</sup> December 2022**

A meeting of Cabinet was held on Wednesday 7<sup>th</sup> December 2022 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)

**CB71 Chairs Announcements**

A one minute silence was held in honour of former Mayor and Mayoress Diana Hawkes who had recently passed away. She was Mayor in the year of the Millennium and was the first woman in the Borough to be honoured the title of Alderwoman.

**CB72 Apologies**

Apologies were received for Councillor R. Smith (Planning and Regulation)

**CB73 Declarations of Interest**

**RESOLVED** that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes.

**CB74 Minutes**

**RESOLVED** that the minutes of the Cabinet meeting held on 9<sup>th</sup> November 2022, be approved, and signed by the Chair.

**CB75 Transforming Nuneaton and Transforming Bedworth Governance Structure**

A report by the Director – Regeneration and Housing was submitted to cabinet detailing the proposals to amend the governance approach to both the Transforming Nuneaton and Transforming Bedworth programmes.

**RESOLVED** that the proposed governance structure detailed at section 4 of the report be approved.

**Speakers:**

Peter Smith  
Councillor K. Kondakor

**Options**

Accept the recommendations; or  
Reject the recommendations

Reasons

To update and improve the governance structure for the Transforming Bedworth and Transforming Nuneaton Programmes

**CB76 Revenue Budget 2023/24**

The Director – Finance and Enterprise submitted a report to Cabinet providing detail regarding the draft Revenue Budget for both the General Fund and Housing Revenue Account (HRA)

**RESOLVED** that

- a) the General Fund budget position detailed within the report be noted;
- b) an update on the General Fund 2023/24 budget be presented to Cabinet in February once the NNDR1 is finalised and the Local Government Financial Settlement has been announced;
- c) a thorough review of the Council's fees and charges be undertaken in light of the projected deficit and reported to Cabinet in February;
- d) the potential savings required on the General Fund are noted and an action plan to generate savings be reported to Cabinet in February;
- e) consideration be given to the level of Council Tax increase to be included in the final budget proposals for 2023/24;
- f) the HRA 2023/24 draft budget position detailed within the report be noted;
- g) consideration be given to the percentage increase in HRA rental income for dwellings to be included in the final budget proposals for 2023/24; and
- h) the Chairs of Overview & Scrutiny Panels be notified of the budget proposals in line with the Constitution.

**Speakers:**

Peter Smith  
Councillor Richard Baxter-Payne  
Councillor Keith Kondakor

Options

Accept the recommendations  
To not accept the recommendations and propose alternative suggestions regarding a savings plan

Reasons

The Council is required to achieve a balanced budget each year

**CB77 Approval of Infrastructure Funding Statement (IFS)**

The Director – Planning and Regulation submitted a report seeking Cabinet's approval to adopt the 2021/22 IFS.

**RESOLVED** that

- a) the Infrastructure Funding Statement be noted;
- b) the updated 2021/22 Infrastructure Funding Statement (IFS) be adopted; and
- c) delegated authority be given to the Head of Planning in consultation with the Cabinet Member for Planning and Regulation to make any minor changes to the document prior to publication.

**Speakers:**

Peter Smith  
Councillor Keith Kondakor

Options

To endorse the recommendations  
Not to adopt the IFS

Reasons

To enable the Council to comply with the requirements of Regulation 121A of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019

**CB78 Property Developer Wheeled Bin and Cost Adoption Update**

The Director – Public Services submitted a report to Cabinet seeking approval to update on the previous Cabinet decision on 5<sup>th</sup> July 2019 requiring developers to provide wheeled bins and inserts for all new and converted development schemes within the Nuneaton and Bedworth Borough Council area.

**RESOLVED** that

- a) the requirement for Property Developers/Managing Agents/Housing Associations to pay for the provision of wheeled bins and containers for all new housing developments (from one dwelling upwards) – or alternatively to provide the bins/containers themselves subject to meeting specifications as agreed by the Council and contained within the technical specification (Appendix A of the report) be approved as from January 2023;
- b) the Developer/Managing Agent/Housing Association agree in writing with the Council upon submitting a planning application, how they wish to purchase the wheeled bins and inserts be approved; and
- c) the Council to invoice the Developer/Managing Agent/Housing Association at a set six-month timescale after an approved planning application, for the cost of the wheeled bins and inserts be approved.

**Speakers:**

Peter Smith

Councillor K. Kondakor

Options:

To accept the recommendation in full  
Do not accept the recommendations

Reasons:

To respond to increasing cost burdens aligned to the purchase, delivery and administration of wheeled bins and recycling insert provision.  
To manage property development scheme issues arising with waste management vehicle access and receptacle storage.

**CB79 Future Use of Keresley Community Centre**

The Deputy Chief Executive submitted a report to Cabinet briefing members on the outcome of the consultation regarding the future use of the Keresley Community Centre

**RESOLVED** that delegated authority be given to the Deputy Chief Executive and Director of Customer and Corporate Services, in consultation with the Portfolio Holder for Finance and Corporate Services to:

- a) undertake further engagement with the top scoring 3 groups to seek clarification on their submitted business plans and to ensure the best offer for the community is sought.
- b) notify any unsuccessful parties.
- c) commence contractual/employment process to hand over the day to day running of Keresley Community Centre to the successful party.
- d) make £55,000 capital funding available to support any improvement works required at the Centre.
- e) prepare a lease agreement to hand over the Keresley Community Centre asset to the successful party commencing 1 April 2023.

**Speakers:**

Peter Smith  
Councillor Keith Kondakor

Options:

To approve the recommendations  
Reject the recommendations  
Complete further work to revise the recommendations

Reasons:

Approval of the recommendations to meet the savings proposed in the December 2021 Cabinet report/February 2022 Budget Council report

CB80 **Quarterly Review of Strategic Performance Report (Second Quarter 2022 – 23)**

The Governance, Risk Management and Performance Officer submitted the Strategic Performance Report and Commentary overview of the Council's position in four key categories. These categories being Finance, People and Service Delivery, Processes and Improvement.

**RESOLVED** that the report be noted.

**Speakers:**

Peter Smith  
Councillor K. Kondakor

Options

Note the report

Note the report and request feedback on action being taken to improve indicators

Reasons

Concern over under-performance

CB81 **Recommendations From Overview and Scrutiny Panels**

a) Finance and Public Services OSP – 17<sup>th</sup> November 2022

At its meeting the panel considered The Re-Opening of the Civic Hall report which was submitted to Cabinet on Wednesday 12<sup>th</sup> October 2022 and was subsequently 'called in' and referred to the above meeting. After debate the panel made recommendations back to Cabinet these were as follows:

i) the Bedworth Civic Hall be not re-opened at this time due to the financial constraints placed upon the Council; and

ii) the lease with the Bedworth Arts Centre be honoured subject to any consequential changes required arising from the decision not to re-open the Civic Hall at this time, to be agreed by the Director – Public Services in consultation with the Cabinet Member for Member Services

**RESOLVED** that the recommendations at i) and ii) be noted

CB82 **Any Other Items**

None

CB83 **Exclusion of Public and Press**

**RESOLVED** that 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 paragraphs 1 and 3 of Part I of Schedule 12A to the Act.

CB84 **Building Merchant Provision: Housing Revenue Account**

The Director – Housing and Regeneration submitted a report to Cabinet in relation to the procurement of an external Building Materials Supplier.

**RESOLVED** that

- a) the procurement of an external Building Materials Supplier via a public sector framework agreement be approved;
- b) to enter into a contract for a minimum of 5 years be approved, to build a long-term collaborative and strategic supplier relationship;
- c) delegated authority be given to Director – Regeneration & Housing to conclude the final details around the award of the contract; and
- d) the report be marked ‘not for call in’ to protect the supply of materials, given the timescales involved for procurement

**Speakers**

None

Options

Agree the recommendations

Do not agree the recommendations and pursue a full procurement exercise

Reasons

This approach is cost effective and allows the Council to comply with Contract Procedure Rules, Public Contract Regulations 2015 and ensures effective use of resources.

**CB85 Vehicle Replacement Procurement**

The Director – Regeneration and Housing submitted a report to Cabinet seeking approval for the procurement of new vehicles for the Council Housing Revenue Account (HRA) operations

**RESOLVED** that

- a) a contract be awarded to Ford Motor Company to replace 46 commercial vehicles for the (HRA) for the next 7-year term, granting delegated authority for the Director – Regeneration & Housing to conclude the final details around the award of the contract;
- b) vehicles be purchased on capital outright basis rather than a lease/rental basis when the vehicle is to be operated for a minimum period of 7-years;
- c) diesel powered vehicles be procured for this round of HRA vehicles, and any General Fund (GF) vehicles where it makes economic sense which does not pose an operational risk to service delivery;

- d) the next 7-year term cycle is utilised to review and investigate options for a 'greener' vehicle fleet in readiness for 2030; and
  
- e) the decision be marked as "not for call in" by virtue of its urgency to ensure orders are placed to limit delay in the delivery of new vehicles and protect the Council from any unnecessary expose to market pricing risks.

**Speakers**

Councillor Keith Kondakor

Options

Approve the recommendation

Not approve the recommendations

Reasons

As set out in the report.

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Chair

**PUBLICATION DATE: 23<sup>RD</sup> DECEMBER, 2022**

**DECISIONS COME INTO FORCE: 10<sup>TH</sup> JANUARY 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"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> <li>- Local Enterprise Partnership</li> </ul>
	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"> <li>• Champion for Safeguarding (Children and Adults)</li> <li>• Local Government Superannuation Scheme Consultative Board</li> </ul> West Midlands Employers	
	C. Golby		Member of Warwickshire County Council  Membership of Other Bodies: <ul style="list-style-type: none"> <li>• Nuneaton and Bedworth Safer and Stronger Communities Partnership</li> <li>• Nuneaton and Bedworth Community Enterprises Ltd.</li> <li>• Nuneaton and Bedworth Home Improvement Agency</li> <li>• Safer Warwickshire Partnership Board</li> <li>• Warwickshire Housing and Support Partnership</li> <li>• Warwickshire Police and Crime Panel</li> <li>• George Eliot Hospital</li> </ul>	

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

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