

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

9th November 2022

A meeting of Cabinet was held on Wednesday 9th November 2022 in the Council Chamber which was recorded and live streamed.

Present

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

CB55 Apologies

Apologies were received for Councillor C. Golby (Deputy Leader and Housing and Communities)

CB56 Declarations of Interest

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

CB57 Minutes

RESOLVED that the minutes of the Cabinet meeting held on 12th October 2022, be approved, and signed by the Chair.

CB58 Expression of Interest – Bedworth Civic Hall

The Director – Public Services submitted a report to cabinet seeking approval for the Council to seek ‘Expressions of Interest’ from suitable interested parties for the potential future operation and management of the Bedworth Civic Hall.

RESOLVED that

- a) the ‘Expressions of Interest’ be sought from suitable interested parties for the potential future operation and management of the Bedworth Civic Hall; and
- b) the deadline date for submission be extended to the 30th January 2022

Speakers:

Sam Margrave
Jeanne Newitt
Bradley Ellis
Daniel Bromage
Joanne Browning
Wendy Snell
Rachel Hardy
Steven Young
Janet Battersbee
Councillor Keith Kondakor

Ian Calvert

Options

Approve the recommendation in full
Not proceed with the recommendation

Reasons

Following the early termination of the Coventry Warwickshire Partnership Trust (CWPT) licence at the end of October 2022, to use the Bedworth Civic Hall as a vaccination site, Cabinet has had to consider the re-opening of the Civic Hall site earlier than anticipated.

Cabinet at its meeting on 12th October 2022 decided that the Bedworth Civic Hall should not re-open at this time, due to the resources and operational costs required to bring the facility back into operation. This is in the context of the significant strain already being placed upon Council's resources. The decision is currently subject to "call-in" by the Finance and Public Services OSP, which is to be heard on the 17th November.

Cabinet now needs to consider the options for the future of the Civic Hall. This report seeks to do that by recommending that the Council seek expressions of Interest from suitable interested parties who have the necessary skills, knowledge, experience and financial backing to submit a business case to operate the Civic Hall. Any suitable proposal will require no financial subsidy from the Council.

CB59 CRM System Procurement

The Deputy Chief Executive, Director for Customer and Corporate Services submitted a report to Cabinet to seek authority to renew the existing CRM system via a new contract award.

RESOLVED that authority be given to renew the contract for the existing CRM system via a new contract award using a call-off framework

Speakers:

Councillor Keith Kondakor

Options

Approve the procurement of a renewed contract for the current CRM system.
Reject the procurement and cease to have use of a CRM and workflow system

Reasons

To maintain service to customers and to deliver operational services

CB60 Sub Regional – Materials Recycling Facility (MRF)

The Director – Public Services submitted a report to Cabinet recommending to Council that an additional loan be provided to Sherbourne Recycling Limited (SRL), to address the increased capital costs of constructing the sub-regional Materials Recycling Facility (MRF) as part of the authority proportionate shareholdings.

RESOLVED that it be recommended to Council that an additional loan of £233,784 be made to Sherbourne Recycling Limited to address the increased capital costs of constructing the sub-regional Materials Recycling Facility and that this be included in the Medium Term Financial Strategy for payment in 2023/24

Speakers:

Councillor Keith Kondakor

Options

- a) Proceed with the loan agreement
- b) Not proceed with the loan agreement

Reasons

NBBC is one of eight shareholder partners that committed to the development of the MRF site as part of its future recycling services. This facility supports a more efficient and environmental process for dry recycling materials.

Due to the current economic market, inflation, and exchange rates the request for an additional loan continues to represent good value for money to the Council in its long-term recycling activities.

CB61 Medium Term Financial Strategy

The Director – Finance and Enterprise presented the five year financial plan for the General Fund and the strategy that the plan is based on.

RESOLVED that

- a) the report be noted and actions considered to mitigate the deficits anticipated and maintain a prudent level of reserves;
- b) a savings plan be created and to implement savings into the 2023/24 budget process; and
- c) a further update be reported to Cabinet when the budget for 2023/24 is complete and the Local Government Financial Settlement for 2023/24 is announced

Speakers:

Councillor K. Kondakor

Options:

To accept the recommendation or request further information.

Reasons:

The Council must set a balanced budget annually and maintain an appropriate level of reserves.

CB62 Q2 General Fund Revenue Budget Monitoring

The Director – Finance and Enterprise submitted a report to Cabinet presenting the detail regarding the General Fund Q2 position for 2022/23

RESOLVED that

- a) the outturn position and key variances be noted; and
- b) the proposed fees and charges for markets be approved

Speakers:

Councillor Keith Kondakor

Options:

To accept the report or request further information on the outturn position

Reasons:

The Council is required to achieve a balanced budget each year

CB63 Q2 Housing Revenue Account Budget Monitoring 2022/23

The Director for Finance and Enterprise submitted a report providing an update on the financial performance of the Housing Revenue Account and anticipated outturn position

RESOLVED that the forecast outturn position and key variances be noted

Speakers:

Councillor K. Kondakor

Options

To accept the report or request further information on the forecast outturn position

Reasons

The Council is required to achieve a balanced budget each year

CB64 Q2 Capital Budget Monitoring

The Director for Finance and Enterprise submitted a report to Cabinet updating the Council's Q2 forecasted outturn position on capital expenditure for both the General Fund and Housing Revenue Account (HRA).

RESOLVED that the Q2 forecasted capita outturn for 2022/23 for General Fund and Housing Revenue Account be noted.

Speakers:

Councillor K. Kondakor

Options

None

Reasons:

Nuneaton and Bedworth Borough Council has a large capital programme to provide community value and improve facilities. The Q2 outturn position for 2022/23 updates on how the programme is progressing.

CB65 **Q2 Treasury Management Report – Mid – Year Review**

The Director – Finance and Enterprise submitted a report to Cabinet updating the mid-year position of the Council's Treasury Management activities for 2022/23 as required by the CIPFA prudential code and CIPFA Code of Practice on Treasury Management.

RESOLVED that it be recommended to Council the mid-year Treasury Management Report for 2022/23 be noted

Speakers:

Councillor K. Kondakor
Peter Smith

Options

None

Reasons:

It is a requirement of the CIPFA Prudential Code for the mid-year Treasury Management position and activities be reported to Council following review by the Cabinet.

CB66 **Updates to text and date amendments to the Local Development Scheme**

The Director – Planning and Regulation submitted a report updating Cabinet on the proposed updates and new timetables to the Local Development Scheme (LDS) for the Borough Plan Review and for the Gypsy and Traveller Site Allocations Development Plan Document

RESOLVED that

- a) the amendments to the LDS be noted; and
- b) it be recommended to Council that the amendments to the Local Development Scheme be approved.

Speakers:

Councillor K. Kondakor

Options

1. To endorse the recommendations
2. To recommend an alternative timetable
3. Not to endorse the recommendations

Reasons

The enable the Council to comply with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and national planning practice guidance.

CB67 **Recommendations From Overview and Scrutiny Panels**

There were no recommendations.

CB68 **Any Other Items**

West Midlands Rail Executive Consultation

The Deputy Chief Executive, Director of Customer and Corporate Services submitted a report detailing the consultation launched by the West Midlands Rail Executive through the West Midlands Combined Authority on their proposed rail strategy for the West Midlands region. These proposals include two potential new stations in the Nuneaton and Bedworth area, in addition to line and capacity upgrades to the Leicester to Birmingham line. The Council has been invited to engage in the consultation.

RESOLVED that authority be delegated to the Deputy Chief Executive and Director of Customer and Corporate Services in consultation with the Leader and Portfolio Holder for Business and Regeneration to submit a supportive response on behalf of NBBC to the consultation.

Speakers

Councillor K. Kondakor

Options

Engage in the consultation

Do not engage in the consultation

Reasons

The West Midlands Rail Executive, through the West Midlands Combined Authority, has launched a consultation on their proposed email strategy for the West Midlands region.

CB69 **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.

CB70 **NBBC Insurance Provision 2023 – 2027 – Tender Award Approval**

The Director – Finance and Enterprise submitted a report for Cabinet approval on the NBBC Insurance Provision 2023 - 2027

RESOLVED that

- a) the tender be awarded to place cover for the Council with insurers for the period 1st January 2023 – 31st December 2027 and Delegated Authority be given to Director – Finance and Enterprise to conclude the final details around award of the tender; and
- b) due to the need for the Borough Council to
 - i) Undertake the mandatory standstill period required by the Public Contract Regulations 2015; and
 - ii) To place cover in time for the 1st January 2023 (noting the Christmas shut down period)

this decision be marked 'not for call in' by virtue of its urgency

Speakers

None

Options

- a) Proceed with the award
- b) Not proceed with no insurance cover with effect from 1st January 2023

Reasons

1.The Council's current insurance cover was procured in 2018 under a Long-Term Agreement (LTA) for a period of four (4) years. The LTA expires on the 31st of December 2022.

2.A Delegated Authority was issued on the 6th of July 2022 to commence an above threshold competitive tender exercise for the provision of insurance this financial year. The Council commenced the procurement exercise in August 2022 with the submission deadline being 30th September 2022. The tender exercise also includes Nuneaton and Bedworth Community Enterprises Limited (NABCEL) for economies of scale, efficiency and due to the procurement support provided by the Council to NABCEL.

3.The Tender and award will be subject to a Long-Term Agreements (LTAs) with insurers for a period of 5 years. In return for committing to a LTA, the Council benefits from not being required to retender each year, a discount in premiums and continuity of premiums and terms. To retender the insurance programme annually would be impracticable due to the time and consuming nature of the exercise, and self-defeating with an ultimate reluctance of insurers to invest their resources in quoting at such regular intervals. The Council is released from its obligations to renew under the terms of the LTA should the insurer materially amend its premiums or terms at any stage during the LTA period.

Chair

PUBLICATION DATE: 28th NOVEMBER, 2022

DECISIONS COME INTO FORCE: 6th DECEMBER, 2022

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 <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"> • 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
			Older Peoples Forum <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	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"> • 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 	