

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE CABINET MEETING

held remotely on

8th September 2020

commencing at 5.30pm

Present:

Cllr King (Chair)

Councillors (remote access): Bateman, Dann, Hallam, Knowles and Whelband

Officers present: S. Green and S. Hamilton

Officers (remote access): D. Atkinson, R. Felts, B. Jolly, C. Mason, J. Smith, K. Watling and V. Wenham

INFORMATION EXCHANGE FROM PORTFOLIO HOLDERS

Finance and Assets

Councillor Hallam reported that he had attended a board meeting of the Harborough Innovation Centre the previous week.

Wellbeing, Communities and Housing

Councillor Whelband reported that a Community Grant fund has become available, the criteria for which is to enable a healthy, inclusive and engaged community and the application deadline is the 25th September. Funding is available between £1,000 and £5,000. The application form is on the Council website.

Councillor Whelband also reported that good feedback was still being received from Leisure Centre users and the swimming pools have reopened.

Strategy

As reported to the 17th August 2020 Cabinet meeting, a letter had been sent to the Minister of State, Simon Clarke on behalf of the seven Leicestershire District Councils, however due to the resignation of Mr Clarke, the re-arrangement of a meeting with the new Minister of State, Luke Hall, is not yet a certainty but steps are being taken to facilitate this.

Councillor King reported that he held a successful meeting with Farndon Fields Residents Association and Management company and officers looking at various issues.

Councillor King also reported that a statement would be issued imminently on the increase in Covid cases within the Harborough District and there will be an increase in communications to try and reinforce prevention messages.

TOPICAL ISSUES

There were none.

APOLOGIES FOR ABSENCE

There were none.

MINUTES

RESOLVED that the minutes of the meeting of the Cabinet held on 17th August be approved as a correct record.

DECLARATION OF MEMBERS' INTERESTS

There were none.

QUARTER 1 2020-21 FINANCIAL PERFORMANCE

The Cabinet considered the report detailing the forecast outturn position based upon the period 1st April to the 30th June 2020. The main financial impacts of Covid-19 have been met by the Council during 2020/21. However the government is currently indicating that some elements of the local government support/compensation process will be extended into future years.

To date, the gross CV-19 expenditure/income losses total £2.812m; this is currently split as follows: £2.142m in respect of services and £0.670m in respect of estimated Collection Fund losses.

The Council has received direct government support totalling £1.227m; split as follows: £1.074m Emergency Funding; £71k Income Support Scheme and £83k Town Centre Support.

In respect of the Business Grants Scheme, HDC has been administering 3 grants schemes for the government. As at Mid-August, for the Small Business Rates & Retail, Hospitality and Leisure Schemes; the Council received £19.1m and has distributed £20.5m (107%) to 1,635 businesses. The Council has been fully reimbursed for the amount distributed that exceeds the original grant received.

In relation to the Discretionary Grants Scheme; the Council received £1m and to date has distributed £438k to 92 businesses. The Council had received 115 applications, 16 have been rejected and the Council awaits further information from 7 applicants. Over the last couple of weeks the Council has opened up the scheme to include Child-Care Day Nurseries and it is expected that this will bring into the scheme a further 14 businesses.

Councillors Hallam and Whelband asked that congratulations be given to all the officers involved in the administration and distribution of the grants.

RESOLVED that following be noted:

- (i) as at 30 June 2020 the revenue budget is forecast to be overspent by £1.021m as shown in Appendix A.1 to the report.
- (ii) the analysis given in Appendix B to the report for cost centre variances over £25k.
- (iii) the actual expenditure to 30 June 2020 incurred on the Capital Programme as shown in Appendix C to the report.

- (iv) as at the 30 June 2020 the Capital Programme is forecast to underspend by £10.672m, as outlined in Appendix C to the report, and that this underspend may be required to be carried forward into 2021/22 as slippage.

Summary of Reasons

To provide Cabinet with a forecast outturn position based upon the period 1 April to 30 June 2020.

PERFORMANCE, QUARTER 1 2020/21

The Cabinet was presented with details of the performance of the Council against the Corporate Delivery Plan at the end of Quarter 1 of the 2020/21 year.

With regards to the status of the 34 Key Activities at the end of Quarter 1, 0 (0%) were completed, 12 (35.3%) had a status of Green, 1 (2.9%) had Amber status, and 0 (0%) were classed as Red Status. 19 Key Activities are due to start later in the year. These 19 Key Activities include those which had their milestones adjusted as a result of the Covid-19 Pandemic and those which were already due to start later in the year. 2 (5.9%) Key Activities were deferred and are due to commence in the 2021/22 year.

The following key performance indicators on the Strategic Performance dashboard were Red Status at the end of Quarter 1 of the 2020/21 year : Percentage of all homeless presentations housed; Increase footfall in town centres; Number of affordable home completions; and Number of interventions carried out to encourage owners of empty properties to bring them back into use.

The Cabinet noted that building and construction industries shut down at the beginning of the pandemic, and the Council is working with developers in relation to government initiatives to increase working hours.

Councillor King commented on the positive position of only having four key performance indicators with a Red Status, given the speed with which the pandemic emerged, which was a real credit to staff and officers.

RESOLVED that the performance of the Council at the end of Quarter 1 of the 2020/21 year be noted.

Summary of Reasons

Performance is monitored and reported to Members on a quarterly basis as part of the Council's Performance Management Framework.

CORPORATE RISK AND OPPORTUNITY MANAGEMENT: QUARTER 1 2020/21

The Cabinet considered the report on Corporate Risk and Opportunity Management for Quarter 1, 2020/21.

The Corporate Risk and Opportunity Register sets out the Council's Corporate Risks and Opportunities. Corporate Risks and Opportunities are defined as issues that may have a significant impact on the delivery of the Council's vision and priorities. They are identified, monitored and managed via the Council's Risk and Opportunity Strategy Board which meets on a quarterly basis. The Board last met on 6 July 2020.

At the end of Quarter 1 of the 2020/21 year there were 34 Risks and 4 Opportunities on the Corporate Risk and Opportunity Register. Of the 38 Risks and Opportunities on the Corporate Risk and Opportunity Register, 7 (18.4%) were assessed as Red status, these being : CR 25 The Council does not have sufficient funding to deliver its current services in the medium term; CR 36 Uncertainty following the United Kingdom's imminent departure from the European Union; CR 37 Increase in homeless presentations results in an increased demand in Council support for relief; CV 02 Unforeseen, unfunded financial burdens as a result of responding to the ongoing situation weaken the Council's financial stability; CV 03 Loss of income, as economic activity reduces, weakens the Council's cashflow and financial sustainability; CV 04 The focus on high-priority, short-term needs prevents the medium-term financial planning and decision-making needed to balance the Council's finances in the medium term; and CV 07 Increased fatalities leads to increased demand on burial infrastructure including existing cemetery provision and storage of cadavers.

A request was made for the mitigation measures in relation to CR25 and CV04 to include the lobbying of government, and the Chief Officer for Governance and Monitoring Officer advised that this would be reflected in future consideration of these risks.

RESOLVED that the items contained within the Council's Corporate Risk and Opportunity Register (attached at Appendix A to the report) be noted.

Summary of Reasons

Monitoring of the Council's Corporate Risks and Opportunities is prescribed by the Council's Risk and Opportunity Management Framework.

AIR QUALITY UPDATE – ANNUAL STATUS REPORT

The Cabinet considered the report on the outcome of the annual review of local air quality across the district which is required to be submitted to the Department for Environment, Food and Rural Affairs.

Generally the air quality throughout the district is good however there are known issues in both Lutterworth and areas of Kibworth Beauchamp and Kibworth Harcourt along the A6 highway which cuts both villages, with regards to exceedances of the annual average objective level for Nitrogen Dioxide. An Air Quality Management Area (AQMA) has been declared in both areas. The Lutterworth AQMA was first declared in 2001 and The Kibworths AQMA in November 2017.

The Annual Status Report (ASR) provides a detailed assessment of any monitoring results carried out in the district for the previous year along with any action undertaken to work towards improving air quality and is based on the calendar year 2019.

Whilst the 2020 Annual Status Report is the formal submission for activities and monitoring undertaken during 2019, there have several interventions undertaken in 2020 to date which work towards improving local air quality, including the widening of the diffusion tube monitoring network in other areas including Fleckney and Bushby; the continuation of real time monitoring of Nitrogen Dioxide levels in The Kibworths using the permanent roadside Nitrogen Dioxide reference monitor; and the commissioning of a portable indicative air quality monitor for Nitrogen Dioxide and Particulates (PM10 and PM2.5). This monitor was initially installed in Market Harborough for a three-month period and recently been relocated along the A6 in The Kibworths within close proximity to the permanent roadside Nitrogen Dioxide reference monitor to validate the accuracy of the monitor

The Cabinet noted that any actions undertaken in 2020 will be included in the 2021 Annual Status Report submission to DEFRA.

A concern was raised regarding the effect of the Pandemic on the Air Quality figures for the year 2020 as the figures will be slightly skewed. The Portfolio Holder for Planning, Environment and Waste replied that government advice would be needed.

A further concern was raised by Cabinet members in relation to the progress made by the Leicestershire County Council Highways Authority in relation to the junction improvements on the A6 in The Kibworths and the Portfolio Holder for Planning, Environment and Waste agreed to speak to the relevant Officers and will continue to lobby the County Council.

In relation to the Air Quality figures for Lutterworth it was acknowledged that the 2018 and 2019 annual average results were very encouraging, however continuation of monitoring will be required for further years before the Council can be confident that there is sufficient evidence to consider the revocation of the AQMA.

RESOLVED that the 2020 Air Quality Annual Status Report (ASR) for submission to DEFRA as set out in Appendix A to the report be approved.

Summary of Reasons

Compliance with Part IV of the Environment Act 1995.

VARIATIONS TO CHARGES FOR COUNCIL TENANTS

The Cabinet considered the report providing additional support for the Council's tenants as part of the COVID 19 recovery.

During the COVID19 Crisis and taking into account the guidance issued by the government, the Council offered support to its tenants by offering a waiver or a deferral of rent from 1 April – 30 June 2020.

The Council waived the rent for this period for its tenants who are community organisations and its business tenants would be offered a three-month deferral of rent upon application. The detail of this is set out in 2.1 below.

The licensee as the Harborough Innovation Centre ("HIC") were also offered a deferral of rent for this three month period as well as a waiver of certain additional fees such as ICT and telephone charges due to the majority of the licensees working remotely due to the pandemic.

RESOLVED that that the variation of charges as set out below be approved :

- (i) Charities and community groups holding leases or licences with the Council have received a rental waiver from 1st April to 30th June 2020 (other than those on a de minimis level of charge). The rent/fee would be invoiced as normal, but no debt would then be followed up on for this period and the charge would be credited to the business's account post event.
- (ii) A further waiver of rent be approved for the three months from 1 July - 30 September 2020 to support Charities and community groups during the initial recovery stage, and that this is reviewed on a case by case basis thereafter.

- (iii) On application, Commercial tenants have been offered a rent deferral for the three-month period (1st April to 30th June) in response to the COVID 19 lockdown. Full repayment of these fees is to be made by affected businesses by 30th September 2021. This arrangement to be extended until 30 September 2020 on the same basis.
- (iv) With respect to existing licensees at the HIC, licence fees to be deferred for a further three-month period until 30 September 2020 with full repayment by 30 September 2021.
- (v) Existing licensees who already benefit from an agreed licence discount to continue to receive this until 31 March 2021. Thereafter the discount will be reduced by 50% for the period 1 April 2021 until 31 March 2022 with all licence discounts removed from 1 April 2022.
- (vi) Changes in charges below be waived for existing and any new licensee until 31st March 2021:-
 - a. ICT and Wifi access fees
 - b. Phone charges
 - c. Meeting room costs (subject to full costs being recovered for non-attendance at pre-booked room)

Summary of Reasons

To ensure the sustainability and to assist in building greater resilience as Council tenants move into recovery.

SECTION 113 LOCAL GOVERNMENT ACT 1972 – PLACING OFFICERS AT THE DISPOSAL OF LEICESTERSHIRE COUNTY COUNCIL

The Cabinet considered a report on Section 113 Local Government Act 1972, placing officers at the disposal of Leicestershire County Council (LCC) for the purposes of being appointed a Local Authority Designated Officer by LCC under the Health Protection (Coronavirus, Restrictions) Regulations (England) (No 3) Regulations 2020. (“The Regulations”).

As part the response to the COVID 19 emergency, The Health Protection (Coronavirus, Restrictions) Regulations No 3 2020 (“Reg 3”) provides power to a local authority (in this instance Leicestershire County Council) to issue a Direction regarding an individual premise, event or outdoor public place, requiring action to be taken to minimise the COVID 19 risks posed by the premises or the particular event or venue.

The direction can be issued requiring owners/organisers to take specific action to deal with the COVID 19 risks posed by the event/premise. The type of action could include prohibiting the event from taking place, imposing a maximum number of attendees or any other appropriate and proportionate measures to minimise the risk of the transmission of COVID 19.

It is envisaged that the use of these powers will be a last resort; however, once a direction had been issued the Regulations contains enforcement powers under Section 12 and Section 14. Enforcement action can be taken by Local Authority Designated Officers, who must be appointed by LCC.

LCC has approached all the district and borough councils in its area to provide assistance with the enforcement of any Direction that it makes, and it has been agreed that the Council would be willing to provide the services of some of its Environmental Health Officers (“EHO’s”) in this regard. To enable the EHOs to carry out this work they will need to be appointed as Local Authority Designated Officers. As LCC have the powers under the Regulations it is LCC who has to designate the officers, and therefore the Councils officers will need to be placed at the disposal of LCC before this designation can take place.

RESOLVED that:

- (i) the officers named in Appendix A to the report are placed at the disposal of Leicestershire County Council for the purposes of the performance of the duties of a Local Authority Designated Officer under the Regulations; and
- (ii) the Chief Officer, Governance be given delegated authority to put in place the appropriate legal agreement and to take any necessary steps to give effect to that decision.

Summary of Reasons

To enable officers of the Harborough District Council to be appointed as a Local Authority Designated Officer by LCC, the Council will need to formally place those officers at the disposal of LCC for that purpose.

CUSTOMER PORTAL PROCUREMENT

The Cabinet considered a report on Customer Portal Procurement in order to award the customer portal contract. The Council launched the ‘Smarter Services Programme’ (the SSP), a long-term Programme aimed at improving the services provided to residents and businesses and to make working practices more efficient in order to tackle the growing demand for services.

As part of the SSP the Council identified the need to procure a hosted customer portal as part of its target technology portfolio, to act as a single interface for its customer and customer service base and a primary system for staff. This would provide an enhanced customer experience, allow the Council to offer more services on a 24/7 basis and meet the expectations of our customers. In addition, it will enable more customers to interact with the Council digitally and as such efficiencies in service delivery can be realised.

The portal would enable the Council to develop its online presence and seek to re-configure its operational services to provide more seamless and efficient delivery.

At a time when the district is growing significantly, this will allow the Council to channel more of its effort into designing new ways of delivering services that can cope with increased demand.

RESOLVED that the Customer Portal contract be awarded to company B as detailed in Appendix A (exempt) to the report.

Summary of Reasons

To enable the implementation of a new customer portal to support the Council’s digital transformation programme, which is referred to as the Smarter Services Programme (SSP).

SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED that the public and press be excluded from the following item on the grounds that the matters yet to be discussed involved the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A to the Local Government Act 1972.

REDEVELOPMENT OF LAND AT NASEBY CLOSE, MARKET HARBOROUGH

The Cabinet considered a report on the options available to the Council to redevelop land at Naseby Close for new homes and the preferred option given in the revised Outline Business Case to the report.

RESOLVED that Option 2 to the report be approved in principal and the Chief Officer Finance & Assets be asked to negotiate an acceptable agreement with the Platform Housing Group, including the way forward to obtain a planning consent for the development, and to report back to Cabinet at its meeting on 2nd November for a decision.

Summary of Reasons

Outline Business Cases were considered and approved by Cabinet in April 2018 and April 2019 for the Council to develop its historic land holdings (the garage site) and new land acquisitions for housing purposes.

A revised Outline Business Case is now required because the estimated capital costs and income figures have changed and the decision making now required no longer complies with the delegated authority given to the Joint Chief Executive (BJ).

REDEVELOPMENT OF LAND AT DE VERDON ROAD, LUTTERWORTH

The Cabinet considered a report on the options available to the Council to redevelop land at De Verdon Road for new homes.

RESOLVED that:

- (i) the current planning application (for Option One to the report) be proceeded and approval sought from the Planning Committee on 6th October 2020.
- (ii) Option Three be agreed as the preferred option and authority be delegated to the Chief Officer: Finance & Assets the action to sell the Council's land at De Verdon Road on the open market.
- (iii) the archaeological works required be funded and these be commenced in October 2020 thus making the land more marketable and attractive to a potential buyer and to ensure that the housing development (whether undertaken by the Council or a third party purchaser) is not delayed by these works.

- (iv) in the case that the land does not sell within the next six months, or the sales price for the land is significantly below that estimated in the OBC, the Chief Officer: Finance & Assets be asked to update Cabinet on the options then available to the Council, including an updated analysis of the Council developing the housing itself (Option One to the report).

Summary of Reasons

An Outline Business Case was considered and approved by Cabinet in November 2018 for the Council to develop the land for housing purposes.

A revised Outline Business Case is now required because the estimated capital costs and income figures have changed and the decision making now needed no longer complies with the delegated authority given to the Joint Chief Executive (BJ).

The meeting ended at 7.39 pm