

## URGENCY ITEMS - MINUTE OF DECISION

### Delegation arrangements for dealing with matters of urgency

Paragraph 7.2.1 of the Council's Constitution provides that Chief Officers may take urgent decisions if they are of the opinion that circumstances exist which make it necessary for action to be taken by the Council prior to the time when such action could be approved through normal Council Procedures. They shall, where practicable, first consult with the Leader and Chairman (or in their absence the Vice-Chairman) and the Opposition Spokesperson of the appropriate committee.

Given the current emergency in respect of the Covid-19 pandemic and the decision taken to suspend committee meetings while social distancing measures continue, the urgency decision provision under Paragraph 7.2.1 of the Council's Constitution has been widened to extend the consultation to include the Leaders of all the political groups on the Council.

**Subject: Payment of Management Fees to Active4Today for 2019/20 and 2020/21.**

**Appropriate Committee: Leisure and Environment and Policy & Finance**

### **Details of Item**

This urgency item is required to assist Active4Today (A4T) with financial fluidity and cash flow during the current Covid-19 pandemic as detailed below.

Members will be aware that there is a management fee provision in the annual revenue budget to pay Active4Today should this be required to be paid over based on annual performance. The decision to release the payment is determined on the outturn position and is presented to Leisure and Environment Committee in June for member consideration.

The Council's 3 leisure centres and Southwell Leisure Centre were closed on 17<sup>th</sup> March and remain so which has impacted on income. Accordingly, the outturn position is expected to present a deficit of circa £3,500 with the retained management fee included in the calculation. Given that the current committee cycle has been suspended until further notice the second instalment for 2019/20 (£60,610) should now be released to assist A4T's cash flow requirements.

In addition, the first instalment for 2020/21 has now been requested by Active4Today (£60,610) along with the management fee for strategic management support to Southwell Leisure Centre Trust (SLCT) (£80,850) in order to assist with cash flow requirements to cover current and ongoing revenue implications.

The proposal is therefore to release the balance of the 2019/20 payment, the first instalment of the 2020/21 management fee (£60,610) and the strategic management support to SLCT (£80,850) in order to support the operational requirements of the District's leisure centres including Southwell which form the A4T leisure offer.

The decision outlined below, as considered and supported by SLT on Tuesday 21 April 2020, is approved under Urgent Delegated decision making powers, to proceed with the payment of management fees as detailed above.

**Decision**

**That the management fee balance for 2019/20, first instalment for 2020/21 and the strategic management support fee to SLCT for 20/21 be paid to Active4Today.**

**Members Consulted:**

- Cllr. David Lloyd – Leader of the Council and Chairman of P & F Committee
- Cllr. Keith Girling – Deputy Leader of the Council and Vice Chairman of P & F Committee
- Cllr. Paul Peacock – Leader of the Labour Group
- Cllr. Peter Harris – Leader of the Liberal Democrat Group
- Cllr. Gill Dawn – Leader of the Independent Group
- Cllr. Roger Jackson – Chair of L & E Committee
- Cllr. Neill Mison – Vice Chair of L & E Committee
- Cllr. Ronnie White – P & F Committee Member
- Cllr. Brendan Clarke-Smith – P & F Committee Member
- Cllr. Tim Wendels – P & F Committee Member

All members consulted on 24<sup>th</sup> April 2020, reports emailed and follow up telephone call or voice mail message left.



Signed .....

Date 24<sup>th</sup> April 2020

Director - Communities & Environment

**Subject:** Inviting expressions of interest via soft market testing for the occupation on a licence of Newark Cattle Market, and investing in its relocation elsewhere in the District

**Appropriate Committee:** Leisure & Environment

**Details of Item:**

Newark and Sherwood District Council (the Council) is undertaking an exercise to seek expressions of Interest from general Livestock Market operators to take on the lease and operation of the Newark Livestock Market, Great Northern Road, Newark.

In exploring this interest the Council wishes to be clear that the continued operation of a Livestock Market at the current location is not supported beyond a 2 year period, with the preference being to relate the operation to a new, fit-for purpose site, elsewhere in Newark. A willing host site, which is preferred by the Council, has been identified in principle at Newark Showground. Any operator who expresses an interest to take a licence for 2 years on the current Cattlemarket site will be made aware of this relocation aspiration, including the likely need to invest at least c£6m to realise it. Any interested party will also be made aware that it is unlikely that the Council would extend any licence on the current Cattle Market site.

**Decision**

Agreement by all Members, save for Cllr Paul Peacock who expressed some reservations around the need to take this step given the clear uncertainties around the longevity and viability of the cattle market and regarding the need to understand the longer-term aspirations for the Cattle Market site.

**Members Consulted:**

Councillor David Lloyd	27 <sup>th</sup> April 2020
Councillor Keith Girling	6 <sup>th</sup> May 2020
Councillor Roger Jackson	27 <sup>th</sup> April 2020
Councillor Paul Peacock	5 <sup>th</sup> May 2020
Councillor Peter Harris	5 <sup>th</sup> May 2020
Councillor Jill Dawn	5 <sup>th</sup> May 2020

Signed 

Date 7<sup>th</sup> May 2020



Date 7<sup>th</sup> May 2020

**Subject: Reinstatement of Garden Recycling Services**

**Appropriate Committee: Leisure & Environment and Policy & Finance**

**Details of Item:**

On 23 March 2020 the Government imposed restrictions on working patterns and instigated a number of preventative measures including physical distancing. As a result of these measures the Environmental Services Team was forced to undertake a number of preventative actions and suspend all but essential services. Since then the team has been working to restore services and reallocate departmental resources in new ways.

Refuse collection vehicle cabs are just under 2m wide and normally accommodate 3 people; due to the distancing restrictions and in accordance with industry guidance this has been reduced to 2. Our team has responded admirably to the challenge and almost all front line services have been restored. This has been achieved by doubling the number of collection vehicles on most rounds.

The only service that we have been unable to re-instate is garden recycling. All of our collection vehicles are now dedicated to our essential services (residual, recycling and clinical wastes) and our other two 'paid for' services of bulky and trade waste collections.

Since the cessation of the service, officers have been working to try and find solutions that will allow us to reinstate the service but more importantly protect our staff. A number of collection solutions have been used by other local authorities, including private cars; vans and mini buses. All are either unsuitable because of the size of the district, the setup of the rounds with finish points a long way from start points or quite frankly too risky to health. Having taken the time to embed completely new ways of working and allow our staff "get to grips" with completely new rounds we are in a position to make slight alterations, take staff from other areas of the business and utilise one of our spare trucks together with 2 additional hired vehicles to make the garden recycling collections viable.

We propose that the garden recycling service is restored, although this will involve an ongoing cost. The existing garden recycling collection vehicles have been allocated to core services and until the distancing rules are relaxed it won't be possible to release them.

We have evaluated our existing arrangements and we can utilise one of our spare vehicles in the short term but we will need to hire an additional 2 vehicles. The staffing for these rounds will come from other areas of the service as well as new staff that have been recently introduced.

Members will be aware that subscribers to the service have already paid for the 2020/21 financial year and reinstating the service will ensure that we do not need to refund all of the monies already taken or be in a position where we have to offer free services or huge discounts next year. Currently the council is informing residents that subscribers who remain with us will be discounted next year according to how many collections were missed. Therefore the more time goes by without a service the more discount will be required and a bigger under recovery for the next financial year will be realised. In addition members will also be aware of the public feeling over this service postponement as well as the amount of fly tipped garden waste and complaints about fires. Add to that the loss in

recycling percentage and the weight of residual bins where residents are placing some of their garden waste/recycling and the impact can be truly seen.

Based on the assumptions above, the service will require £2,150 per week. This consists of vehicle hire of £1,700 per week, and £450 per week for additional staffing costs, (£15 per day for additional payment during the pandemic alterations). There will be an impact on the cost of fuel and maintenance but these costs have been accounted for elsewhere within the current budget. Currently the projected income for Garden Recycling is £68,000 under recovered. Some of this is due to the pandemic. If the social distancing requirements continue for the remainder of this financial year, the full year cost will be £93,170 (assuming the service restarts 1<sup>st</sup> June). For this to continue for 6 months, to the end of November, the cost will be £55,900. There is not sufficient current budget to cover these additional costs.

The Council's Reserves are sufficient to cover the additional costs highlighted above, if agreed. Financial Services have checked the figures and confirmed this.

### **Decision**

**To reinstate the garden recycling service with the funding to come from Council's reserves.**

### **Members Consulted:**

Cllr. David Lloyd – Leader of the Council and Chairman of P & F Committee  
Cllr. Keith Girling – Deputy Leader of the Council and Vice Chairman of P & F Committee  
Cllr. Paul Peacock – Leader of the Labour Group  
Cllr. Peter Harris – Leader of the Liberal Democrat Group  
Cllr. Gill Dawn – Leader of the Independent Group  
Cllr. Roger Jackson – Chair of L & E Committee  
Cllr. Neill Mison – Vice Chair of L & E Committee  
Cllr. Yvonne Woodhead – Opposition Spokesperson of L & E Committee



Signed:  
2020

Date 22 May

Matthew Finch  
Director - Communities & Environment

**Subject: Car Parking Charges Review – Covid-19**

**Appropriate Committees:**

Leisure & Environment  
Policy & Finance  
Economic Development

**Details of Item** (including reasons for use of urgency procedure):

Members may be aware that since the start of the Covid-19 pandemic enforcement of parking charges for NSDC car parks has been frozen, meaning that car parks have essentially been 'Free of Charge' since 4<sup>th</sup> April 2020. External communications have focused on the ability of car parking availability to be utilised by key workers and the wider community accessing essential shops and services which remained open (such as pharmacies for example).

As the economy slowly reopens (non-essential retail can open from 15<sup>th</sup> June, with others sectors likely to follow on 4<sup>th</sup> July) it is necessary for us to revisit when we will again enforce car parking charges. For awareness Nottinghamshire County Council have informed all Districts that on-street parking enforcement will resume imminently.

Some local authorities are reintroducing charging regime in full from 1<sup>st</sup> July 2020. Others are considering offering a short period of free parking whilst the economy reopens.

**Current Car Parking Capacity**

Within the last 2/3 weeks there has been a noticeable increase in the use of the Council's car parks to such a degree that most of our car parks are now close to capacity on most days of the week. This is a position which exists without the majority of Newark shops being open for trading. There is a concern that if we simply extended free parking on an all-day basis that shops which are re-opening would simply not benefit. This is aside from the significant financial impacts for the Authority from the loss of all car parking income.

In order to strike a balance between assisting the reopening of the economy and actually creating a level of car parking capacity for shoppers to use it is proposed that a 2 hour free parking regime be adopted until 31<sup>st</sup> August 2020 (between the hours of 08.00-17.59). It is also recommended, again until 31<sup>st</sup> August, that parking after 18.00 continues to be free in terms of assisting the night-time economy. From 1<sup>st</sup> September all car parking tariffs would be reinstated to previous levels.

In order to affect this change all parking machine software would be amended and additional signage would be installed. In practical terms customers would obtain a 0-2 hour 'Free Parking' ticket by pressing the ticket issue button on the parking machine. This would need to be displayed inside the vehicle.

Members are advised that this proposed recommendation will come at a significant cost for the 2 month period suggested. This is in addition to revenue income already lost. It is proposed that communications are clear that this is a time-limited measure in order to assist re-opening.

## **Equalities Implications**

Members will be aware that our car parks are subject to statutory requirements in operating to adhere to relevant equalities legislation. The new regime would also be subject to a Covid-Secure risk assessment that will consider any equalities implications.

## **Financial Implications**

Members will be aware that the pandemic has already inevitably impacted upon car parking fee income with the service not collecting fees since the lockdown began. It is estimated that the proposals for free parking for 2 hours for this additional 2 months will lead to an assumed loss of around £50,000 (based on comparison to last year's figures). There is an additional cost of £3,000 to implement software and signage changes. This additional cost can be funded from the Government funding received relating to Covid-19.

In context, the annual income estimated for car parking is £843,000. Based on current forecasting (which assumes this proposal for 2 hours free parking is approved and that car parks are not full from the start), it is expected that fees will be £348,133 for this year, an overall loss, due to Covid-19 of £494,867. This assumes a reduction of 40% usage for the remaining 9 months of the year. This loss, as with any other financial consequences of Covid-19 will be presented to Government.

## **Decision**

**That between 1<sup>st</sup> July and 31<sup>st</sup> August, inclusive, NSDC adopts a policy of free parking between 18.00-07.59hrs and the first 2 hours between the hours of 08.00-18.00 Monday-Sundays (inclusive).**

## **Reason for Decision**

To assist with reopening the economy as the Covid-19 lockdown restrictions are lifted.

## **Members Consulted:**

Councillor David Lloyd – Leader NSDC, Chairman – Policy & Finance	11 <sup>th</sup> June 2020
Councillor Paul Peacock – Leader of Opposition	10 <sup>th</sup> June 2020
Councillor Gill Dawn – Leader, Independent Group	11 <sup>th</sup> June 2020
Councillor Peter Harris – Leader, Liberal Democrat Group (no reply)	10 <sup>th</sup> June 2020
Councillor Roger Jackson – Chairman, Leisure & Environment	10 <sup>th</sup> June 2020
Councillor Keith Girling – Chairman, Economic Development	11 <sup>th</sup> June 2020



Signed: .....

Date: 11 June 2020

Director – Growth & Regeneration

**Subject: Parish & Town Council Initiative Fund and Community, Sports & Arts Grants Scheme**

**Appropriate Committees: Leisure & Environment, Homes & Communities and Policy & Finance**

**Details of Item**

This urgency item is required to secure delegated authority to make grant awards under the Parish & Town Council Initiative Fund and the Community, Sports & Arts Grants Scheme in order to comply with the Council's Constitution and Financial Regulations.

Members will be aware that the Parish & Town Council Initiative Fund was approved by Policy & Finance Committee on 26 September 2019. However, the recommendation did not secure the necessary officer delegation to the appropriate Director to confirm the grant awards based on the recommendations of the Member Panel.

The Member Panel established by the Policy & Finance Committee met virtually on 21 May 2020 and the notes from this meeting are attached as an appendix to this urgency item. This urgent decision gives delegated authority to the Director – Housing Health & Wellbeing, following consultation with the Member Panel, to make the grant awards in accordance with the Council's approved Constitution and Financial Regulations. This delegation covers the decisions made on 21 May 2020 and future panel meetings going forward.

This urgency item also clarifies the position in respect of the Council's Community, Sports & Arts Grant Scheme. This scheme has been in operation for many years and was last reviewed when the Council operated a Cabinet System of decision-making. During this period of administration, the Portfolio Holder had delegated power to make decisions on grant awards through this scheme. However, following the return to the Committee System the recommendations of the Member Panel (Chairman and Vice Chairman and Opposition Spokesperson of Leisure & Environment Committee) are now to be delegated to the Director – Housing, Health & Wellbeing for decision, to ensure that the decisions are in accordance with the Council's approved Constitution and Financial Regulations.

**Decision**

**That the Director – Housing, Health & Wellbeing be given delegated authority to approve grants based on Member recommendations through the Parish & Town Council Initiative Scheme and the Community, Arts & Sports Grant Scheme to ensure that the decisions are in accordance with the Council's approved Constitution and Financial Regulations.**

**Members Consulted:**



Cllr. David Lloyd – Leader of the Council and Chairman of Policy & Finance  
Cllr. Paul Peacock – Leader of the Labour Group/Opposition Spokesperson for Policy & Finance  
Cllr. Peter Harris – Leader of the Liberal Democrat Group  
Cllr. Gill Dawn – Leader of the Independent Group  
Cllr. Roger Jackson – Chairman of Leisure & Environment  
Cllr. Yvonne Woodhead - Opposition Spokesperson for Leisure & Environment  
Cllr. Tim Wendels – Chairman of Homes & Communities  
Cllr. Kath Arnold - Opposition Spokesperson for Home & Communities

All Members consulted on 18 August 2020, Urgency Item emailed and follow up telephone call or voice mail message left.

Signed: 

Date: 24 August 2020

Director – Housing, Health and Wellbeing