

CABINET

7 DECEMBER 2020

Present: Councillors Forward (Chair), Fitzgerald (Vice-Chair), Barnett, Batsford, Chowney, Evans, O'Callaghan and Rogers.

289. APOLOGIES FOR ABSENCE

None received.

290. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the Cabinet meeting held on 2 November 2020 and the emergency decision taken on 23 November be approved as a true record.

291. DECLARATION OF INTERESTS

None received.

292. CHANGES TO COUNCIL CONSTITUTION

The Chief Legal Officer presented a report to amend the Constitution and introduce the Participants Guidance for virtual meetings.

During the Covid-19 pandemic it has been necessary to adapt council procedures to produce 'virtual' meetings to comply with government guidance and regulations.

In order to do so officers from Legal, IT and Democratic Services worked on procedures and guidance to assist participants. This highlighted the need to have some of the constitutional rules tweaked to provide a better framework in order to facilitate virtual committee meetings.

The constitutional amendments and amendments to the participants guidance to 'Virtual' meetings have both been considered by the Working Arrangement Group (WAG). WAG agreed all proposed amendments to Part 4 of the council's constitution and requested an amendment be made to Part 5 of the council's constitution to require a councillor to disconnect from a virtual meeting where they have a prejudicial interest and where they would otherwise leave the room.

The Chief Legal Officer said that Recommendation 2 needs to be amended as WAG have already agreed that the Participants Guidance can be published on the website.

Councillor Barnett asked if there was any way to make it clearer for the public to follow the agenda for virtual meetings. The Chief Legal Officer agreed that the Mayor's transcript could be amended to make it easier for viewers to follow the meeting and will discuss this with colleagues.

Councillor Rogers proposed approval of the recommendations, subject to the amendment to recommendation 2, seconded by Councillor O'Callaghan.

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RESOLVED (unanimously):

- 1. Cabinet recommend to full council that the constitutional amendments are approved.**
- 2. Cabinet recommend to full council that the 'Participants Guidance to Virtual Meetings' is included in the council's constitution as Appendix 3 at Part 4.**

Reasons:

1. The Council must make provision for the procedures of the council's constitution to work for 'Virtual' meetings during the current Covid 19 pandemic.

293. 12/13 YORK BUILDINGS

The Assistant Director, Financial Services and Revenues, presented a report to seek approval for additional funding to meet unforeseen costs in the conversion of the upper floors at 12/13 York Buildings.

The conversion of the upper floors of this grade 2 listed building to six flats is a major project and has been included in the Capital programme since 2017. Given the grade 2 status and associated conservation requirements the project was never seen as straight forward and has remained challenging not least because of Covid-19.

The construction works were largely started on the 9 December 2019 with the removal of asbestos followed by the general works starting in January 2020. The works were disrupted due to the government lockdown on 23 March 2020 and the site was closed for health and safety concerns and the supply chain for materials being considerably disrupted. Works resumed in June 2020 after a closure of 10 weeks, with a further week to re-establish welfare facilities on site.

The Council's project managers (Mackellar Schwerdt LLP – Chartered Architects) have advised that Covid-19 and further major structural works will result in an extended contract period of some 16 weeks to 23 July 2021 – with the added associated costs.

Councillor Chowney proposed approval of the recommendations, seconded by Councillor Fitzgerald.

RESOLVED (unanimously):

- 1. To increase the budget for this project by £166,000 to £1.011m to meet additional maintenance costs, remedy issues identified when converting the upper floors to 6 flats, and to meet additional contract costs arising from Covid-19.**

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2. Fund £46,000 of the additional costs from the Renewals and Repairs Reserve with the remaining balance being funded by borrowing.

Reasons:

This is a significant regeneration project in the Town centre on a Grade 2 listed building. Maintenance works have been identified e.g. to the mathematical tiles which would be best undertaken whilst the scaffolding for the major capital works are in place. There are also further works required to remedy new issues uncovered within the building. A 16-week contract extension is required as a result of Covid-19 and there are additional costs associated with this.

294. COMMERCIAL PROPERTY LEASE

Councillor Forward proposed a motion for the exclusion of the public from the meeting, seconded by Councillor Fitzgerald.

RESOLVED that the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of “exempt” information as defined in the paragraphs of schedule 12A to the Local Government Act 1972 referred to in the relevant report.

The live stream was ended and the meeting proceeded in private session.

The Assistant Director, Financial Services and Revenues, presented a report to seek approval to enter into a new commercial property lease.

Councillor Chowney proposed approval of the recommendations, seconded by Councillor Forward.

RESOLVED (unanimously):

To enter into a new lease with the company on the heads of terms outlined in the report.

Reasons:

The company has entered into a Company Voluntary Arrangement (CVA), its existing lease expires within 12 months, and it is considered financially beneficial for the Council to enter into a new lease arrangement with the company that provides longer term benefits, and greater security - rather than seek a new tenant.

Cabinet approval is required under financial rules given the high value of the lease.

(The Chair declared the meeting closed at 6.26pm)

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