

Notice of Decisions Taken Under Delegated Powers by the Executive on Tuesday, 20 April 2021

NOTES: The deadline for calling in any of these decisions is 5.00 pm on 30 April 2021.

A copy of the Executive agenda setting out all the reports has previously been circulated to all Members of the Council.

Officers are asked to read this Decision Notice, as it is the responsibility of the Officer named in the Action Column to ensure that the appropriate action is taken.

If you require further information on any issue please contact the Officer named in the right hand column. For general information or to obtain a copy of any documentation please contact Member Services.

Present: Mayor Mike Starkie, Councillors David Moore, Steven Morgan and Andy Pratt

Officers Present: Pat Graham, Chief Executive; Sarah Pemberton, Director of Corporate Services and Commercial Strategy; Steven Brown, Director of Financial Resources; Clinton Boyce, Solicitor; Clive Willoughby, Democratic Services Officer; Rose Blaney, Democratic Services Officer;

Also Present: Councillor Felicity Wilson (Deputy Chair of Overview and Scrutiny Committee).

EXE Apologies for Absence
20/240

Apologies for absence were received from Councillor John Kane (Chair of Overview and Scrutiny Committee)

EXE Statements of Executive Decisions of the Meeting held on 16 March 2021
20/241 and 1 April 2021

RESOLVED – The Statements of Decisions made on the 16th March 2021 and 1st April 2021, were agreed as a correct record and will be signed by the Mayor as soon as practicable.

EXE Declarations of Interests in Agenda Items:

20/242

No declarations of Interest were made by those present.

Item No.	Decision	CLT Lead
EXE 20/243	<p><u>WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC</u></p> <p>To receive written questions from members of the public.</p> <p><u>Decision</u></p> <p>Not applicable as no questions had been received from Members of the public.</p> <p><u>Reason for Decision</u></p> <p>N/A</p> <p><u>Alternative options considered and rejected (if any)</u></p> <p>N/A</p>	N\A

Item No.	Decision	CLT Lead
EXE 20/244	<p><u>REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEE</u></p> <p>To receive any recommendations from the Overview and Scrutiny Committee.</p> <p>Councillor Felicity Wilson (Deputy Chair of Overview and Scrutiny Committee) stated that the Committee met on 15th April 2021. Executive were advised that five Task and Finish Groups had now been established and that the Recycling group were aiming to report back in June/July. The Executive were reminded that Task and Finish Groups were open to all members and were asked to encourage other members to get involved. Concern was expressed on behalf of OSC at the number of meetings being either re-scheduled or cancelled. At</p>	N\A

	<p>the 15th April OSC meeting, comments were made regarding the non attendance of the Mayor and the Director of Finance. It was made clear that the OSC were aware that the Director of Finance was on leave and that the Mayor had not been invited to attend. The Mayor confirmed he was willing to attend OSC at any time, if invited.</p> <p><u>Decision</u></p> <p>The update from the Overview and Scrutiny Committee be noted.</p> <p><u>Reason for Decision</u></p> <p>Comments received from the Overview and Scrutiny Committee are taken into account when Executive decisions are made.</p> <p><u>Alternative options considered and rejected (if any)</u></p> <p>None</p>	
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Item No.	Decision	CLT Lead
EXE 20/245	<p><u>FORWARD PLAN</u></p> <p><u>Decision</u></p> <p>RESOLVED - that the forward plan be agreed.</p> <p><u>Reason for Decision</u></p> <p>The Local Authority (Executive Arrangements (Access to information (England) Regulations 2012) requires a forward plan to be prepared in respect of key decisions. The work plan is good practice.</p> <p><u>Alternative options considered and rejected (if any)</u></p> <p>N/A</p>	N/A

Item No.	Decision	CLT Lead
EXE 20/246	<p data-bbox="316 304 922 338"><u>THE MAGNOX INQUIRY - FINAL REPORT</u></p> <p data-bbox="316 394 1278 566">To receive an update on the final report published in March 2021 relating to the management of the Magnox competition process undertaken by the Nuclear Decommissioning Authority (NDA) between 2012 and 2017.</p> <p data-bbox="316 622 448 656"><u>Decision</u></p> <p data-bbox="316 712 1278 790">RESOLVED: that the information contained within the report be noted.</p> <p data-bbox="316 846 619 880"><u>Reason for Decision</u></p> <p data-bbox="316 936 1278 1205">As the local authority representing the community most affected by the NDA's activities, the Council takes a keen interest in the NDA's performance in delivering best value for the taxpayer in delivering its mission to deliver safe, sustainable and publicly acceptable solutions to the challenge of nuclear clean-up and waste management.</p> <p data-bbox="316 1261 1102 1294"><u>Alternative options considered and rejected (if any)</u></p> <p data-bbox="316 1350 847 1384">No other options were considered.</p>	Pat Graham, Chief Executive

Item No.	Decision	CLT Lead
<p>EXE 20/247</p>	<p><u>AMENDMENT OF PUBLIC SPACE PROTECTION ORDER NO. 1 OF 2019 - ALCOHOL CONTROL</u></p> <p>Executive were asked to consider a report proposing a minor amendment to the Council’s Public Space Protection Order No.1 of 2019 – Alcohol Control (‘the Order’) regulating the consumption of alcohol to enable ‘pavement licences’ under the Business and Planning Act 2020 to be granted in areas subject to the Order.</p> <p><u>Decision</u></p> <p>RESOLVED – That the Public Space Protection Order No. 1 of 2019 – Alcohol Control be amended to include as an exemption from the controls created by that Order those areas which are granted a pavement licence in accordance with the Business and Planning Act 2020 so that paragraph 3(b) of the Order reads: “Exemptions shall apply in cases where, for the avoidance of doubt, the consumption of alcohol is on premises or public space licensed under the Licensing Act 2003 or under part 1 of the Business and Planning Act 2020 and for the hours so licensed”.</p> <p><u>Reason for Decision</u></p> <p>Public Space Protection Orders are an Executive function. Emerging from the Covid-19 pandemic lockdown, pubs, cafes and others in the hospitality industry can sell alcohol outside their premises, likely to be on pavements. The Business and Planning Act 2020 was introduced to create a simplified and quicker procedure for businesses to obtain an authorisation to ‘put removable furniture on part of a relevant highway adjacent to the premises for either or both of’ selling and consuming food outside the premises. A problem has arisen in the grant of pavement licences where a Public Space Protection Order is in place. This minor amendment is the easiest solution.</p> <p><u>Alternative options considered and rejected (if any)</u></p> <p>No other options were considered.</p>	<p>Pat Graham, Chief Executive</p>

Item No.	Decision	CLT Lead
EXE 20/248	<p data-bbox="316 302 837 338"><u>EXCLUSION OF PRESS AND PUBLIC</u></p> <p data-bbox="316 394 448 430"><u>Decision</u></p> <p data-bbox="316 486 1278 701">RESOLVED – that the press and public be excluded for the remaining items of business in view of the likely disclosure of exempt information as defined in paragraph 3 of part 1 of the Schedule 12A of the Local Government Act 1972 (as amended).</p> <p data-bbox="316 757 619 792"><u>Reason for Decision</u></p> <p data-bbox="316 848 379 884">N/A</p> <p data-bbox="316 940 1102 976"><u>Alternative options considered and rejected (if any)</u></p> <p data-bbox="316 1032 379 1068">N/A</p>	N/A

Item No.	Decision	CLT Lead
EXE 20/249	<p data-bbox="316 1305 790 1341"><u>CLINICAL WASTE COLLECTIONS</u></p> <p data-bbox="316 1397 1278 1478">The Executive was requested to consider a report on Clinical Waste Collections.</p> <p data-bbox="316 1534 448 1570"><u>Decision</u></p> <p data-bbox="316 1626 1278 1706">RESOLVED – that the recommendation as stated on the agenda report be agreed.</p> <p data-bbox="316 1762 619 1798"><u>Reason for Decision</u></p> <p data-bbox="316 1854 1054 1890">This is a key decision which would inform policy.</p> <p data-bbox="316 1946 1102 1982"><u>Alternative options considered and rejected (if any)</u></p> <p data-bbox="316 2038 847 2074">No other options were considered.</p>	Sarah Pemberton, Director of Corporate Services and Commercial Strategy

EXE Date and Time of Next Meeting:
20/250

The date for next meeting of the Executive would be advised when set.

The Meeting closed at 11.10 am

Mayor