

**CABINET  
HELD ON 23 JUNE 2021  
(FROM 5.30 PM – 5.56 PM)**

**PRESENT:** Councillor Richard Cooper in the Chair. Councillors Mike Chambers, Phil Ireland, Stan Lumley, Tim Myatt, Andy Paraskos and Graham Swift.

**Late Arrivals:** None

**Early Departures:** None

11/21 – **APOLOGIES FOR ABSENCE:** There were no apologies for absence.

(5.30 pm)

12/21 – **DECLARATIONS OF INTEREST:** There were no declarations of interest.

(5.31 pm)

13/21 – **MINUTES:** The Minutes of the meeting of the Cabinet held on 26 May 2021 were approved unanimously as a correct record.

(5.31 pm)

14/21 – **EXEMPT INFORMATION:** The report at Minute 15/21 and the appendices to the reports considered at Minutes 20/21 and 21/21 were considered to be exempt under paragraph 3 of Schedule 12a to the Local Government Act. Discussion on the items took place in open session.

(5.32 pm)

**MATTERS TO BE REFERRED TO COUNCIL**

15/21 – **CAPITAL AND INVESTMENT PROGRAMME 2020/21 OUTTURN AND 2021/22 TO 2025/26 UPDATE:** The Head of Finance submitted a written report which outlined the Non-Housing Capital and Investment Programme Outturn for 2020/21, including provision of support to the Financial Recovery Plan developed in response to the COVID-19 pandemic. Approval was also sought for the amended Programme for 2021/22 and Indicative Programmes from 2022/23 and 2025/26.

The Council had made good progress in taking a more proactive approach to its asset management through the Capital and Investment Strategy. Costs in the strategy were provisional high level estimates based on prices at the time and would vary as more detailed work was undertaken on projects. A number of significant reviews would affect the Capital and Investment Strategy in the future and these included the Sport and Leisure review, HCC Future Strategy and the Economic Growth Strategy.

Section 7 of the report detailed outturn in respect of the Capital Programme and Revenue Investment Programme for 2020/21, as compared to the latest forecast

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approved in February 2021. Full details were included in Appendices 1 and 2, however overall capital and revenue investment expenditure of £11,920k was spent in 2020/21, a net reduction of £7,327k compared to the approved programmes, and the reasons for this decrease were set out in section 7 of the report. Unused resources of £7,406k would be carried forward to fund future expenditure and there were net savings of £14k.

Amendments were proposed to both the Capital Programme and the Revenue Investment Programme for 2020/21 to 2025/26, which were outlined at Section 8 of the report and detailed in Appendices 3 and 4. Capital and revenue investment expenditure of £55,262k was forecast in the amended five year rolling programme, which was an increase of £17,386k from the approved programme.

In response to the COVID-19 pandemic a Financial Recovery Plan had been prepared which included a review of the Capital and Investment Programmes in order to reduce the call on the Council Investment Reserve (CIR) and it was proposed that the budgeted contribution to the CIR be reduced in 2020/21 to support the Plan. Overall the Capital and Investment Strategy was no longer fully funded with a shortfall of £702k in 2026/27, and this was before the implications of the significant reviews listed above were considered.

### **RECOMMENDED (UNANIMOUSLY):**

That (1) the outturn for 2020/21 is noted;

(2) the amended Programme for 2021/22 and Indicative Programmes from 2022/23 to 2025/26 are approved, noting that future developments around the Sport and Leisure review, Harrogate Convention Centre (HCC) and Economic Growth will have an impact on the figures in this report; and

(3) the budgeted contribution to the Council Investment Reserve (CIR) in 2020/21 of £3,241k is reduced by £711k to £2,530k in order to support the Financial Recovery Plan that has been developed in response to the COVID-19 pandemic (subject to review following closure of accounts).

(5.32 pm to 5.36 pm)

**16/21 – PROPOSAL FOR A FORM OF INDEMNITY TO BE GRANTED TO MEMBERS AND OFFICERS:** The Head of Legal and Governance submitted a written report which proposed arrangements for indemnifying Council Members and officers in relation to claims which may be made against them personally including when representing the Council on outside bodies. A copy of the proposed form of indemnity was attached at Appendix 1.

The Local Authorities (Indemnities for Members and Officers) Order 2004 enabled councils to provide indemnities and gave them discretion whether to use these powers and the extent of such indemnities. The 2004 Order restricted the provisions of indemnities so they could not cover any findings of criminal liability, fraud or deliberate wrongdoing. Not to indemnify Members and officers could leave them at

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risk of costs and awards for compensation arising as a result of them carrying out their duties and such an indemnity would minimise potential costs to the Council of meeting any claims under the indemnity.

### **RECOMMENDED (UNANIMOUSLY):**

That (1) the Council adopt the form of indemnity attached to this report at Appendix 1; and

(2) appointments to outside bodies are not made unless the insurance arrangements have been checked with the Council's insurance officer.

(5.43 pm to 5.44 pm)