

CABINET

Minutes of the Meeting held on Tuesday, 4th December 2012 at Worksop Town Hall

Present: Councillor S A Greaves (Chair),
Councillors J Evans, S May, J A Leigh, D R Pressley, A Rhodes and
G J Wynne.

Advisory Members: None present.

Liaison Members: Councillors B Barker, H Burton, K H Isard and C Wanless.

Officers: D Armiger, A Burton, J Hamilton, M Hill, M Ladyman, L Prime,
J Proudman, N Taylor and R Theakstone.

Also present: Councillor J M Sanger.

(The Chairman welcomed all to the meeting and read out the Fire Evacuation Procedure.)

92. QUESTION TIME - PUBLIC

Council Procedure Rules were suspended for fifteen minutes to allow questions from the public; there was one member of the public present.

“As neither Retford nor Worksop have a Town Council, who does one talk to to develop a Neighbourhood Plan for these two areas?”

The Leader replied that both towns have their own Charter Trustees; and the Cabinet Member for Community Prosperity replied that Local Neighbourhood Plans can be developed by any group, so long as that group is set up and properly constituted, it does not necessarily have to be a parish or town council but can be a group of residents.

93. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H M Brand and C Palmer.

94. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

Councillor K H Isard declared a non-pecuniary interest in Agenda Item No. 10(b) – Discretionary Grants Scheme – Community and Voluntary Service (Key Decision No. 343), as he is a trustee director of the Tuxford Mine of Information; he remained in the meeting.

Councillor J A Leigh declared a Disclosable Pecuniary Interest in Agenda Item No. 12(b) – Council Tax Discounts and Exemptions (Key Decision No. 344), as she owns two residential properties which are rented out; she left the meeting.

Councillor D R Pressley declared a Disclosable Pecuniary Interest in Agenda Item No. 10(b) – Discretionary Grants Scheme – Community and Voluntary Service (Key Decision No. 343), as he is a volunteer at the Citizens’ Advice Bureau; he left the meeting.

Councillor C Wanless declared a non-pecuniary interest in Agenda Item No. 10(b) – Discretionary Grants Scheme – Community and Voluntary Service (Key Decision No. 343), as is a trustee on Focus On Young People In Bassetlaw; he remained in the meeting.

(b) Officers

N Taylor, Interim Chief Executive, declared a non-pecuniary interest in Agenda Item No. 12(b) – Council Tax Discounts and Exemptions (Key Decision No. 344), as he owns a second home; he remained in the meeting.

95. MINUTES OF THE MEETING HELD ON 6TH NOVEMBER 2012

RESOLVED that the minutes of the meeting held on 6th November 2012 be approved.

96. MINUTES FOR ACTION AND IMPLEMENTATION

RESOLVED that the Minutes for Action and Implementation be received.

97. OUTSTANDING MINUTES LIST

The Head of Community Prosperity informed Members that, in respect of Outstanding Minute No. 12(a) – 7.6.11 – Welbeck Colliery Regeneration, he had attended a recent meeting with the developers who are looking at short-term proposals for the site.

RESOLVED that the Outstanding Minutes List be received.

98. FORWARD PLAN

RESOLVED that the Forward Plan be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

99. REPORT(S) OF THE CABINET MEMBER – POLICY AND COMMUNITY ENGAGEMENT – COUNCILLOR S A GREAVES

(a) Night Time Economy (Key Decision No. 364)

Members were advised of preliminary work undertaken and approval was sought for the approach adopted for reviewing and developing a strategy for the Night Time Economy in Bassetlaw. The draft Terms of Reference for the Bassetlaw Night Time Economy Group were appended to the report.

Options, Risks and Reasons for Recommendations

The proposed approach to reviewing and developing a strategy for the Night Time Economy in Bassetlaw ensures that the Council identifies and utilises the tools and powers at its disposal to both tackle the negative effects and support the positive benefits of a clearly defined Night Time Economy in the short, medium and longer term. In addition, through working with partner agencies, it also ensures wider powers (the Police and Trading Standards) are utilised and positive outcomes can be achieved for all those involved on a cohesive manner.

There is an option not to work with partners in developing a strategy; however, the benefits outlined within the report will not be realised.

RESOLVED that the proposal for reviewing and developing a strategy for the Night Time Economy in Bassetlaw, as outlined in the report, be endorsed.

100. REPORT(S) OF THE CABINET MEMBER – ENVIRONMENT AND LEISURE – COUNCILLOR J A LEIGH

(a) Council Approach to Problem Sites (Key Decision No. 365)

Members' approval was sought for the establishment of a Cabinet working group to lead on the Council's approach to derelict buildings and problem sites. The functions and responsibilities and Terms of Reference for the proposed group were listed at paragraph 3.6 of the report, although the composition of the working group has not yet been determined.

An Overview and Scrutiny report was presented to Cabinet in March 2010 which had examined the problems associated with derelict buildings and empty properties throughout the District.

Options, Risks and Reasons for Recommendations

Option One – To not support the establishment of a working group and current arrangements continue.

Option Two – To support the creation of a working group and a formal approach led by elected Members to the issues relating to problem sites and derelict buildings is established.

RESOLVED that:

1. Thanks be recorded to Members and officers for their input to date on this issue.
2. The establishment of a working group be approved, with the aim of reducing the number of problem sites and derelict buildings throughout the District.
3. The working group to report back to Cabinet on a regular basis.

(b) Contaminated Land Inspection Strategy for Bassetlaw District Council (Key Decision No. 362)

Members' approval was sought for the endorsement of the updated Contaminated Land Inspection Strategy for Bassetlaw District Council, for onward referral to Council for approval and implementation.

The Strategy had been appended to the report for Cabinet, Advisory and Liaison Members, and deposited in the Members' Room.

Options, Risks and Reasons for Recommendations

Option One – To endorse the Contaminated Land Inspection Strategy, for onward referral to Council for approval and implementation.

Option Two – To not endorse the Contaminated Land Inspection Strategy.

There is a requirement for a local authority to produce a Contaminated Land Inspection Strategy. The updated Strategy has been written to comply with requirements set out within the statutory guidance which was published in April 2012.

The recommendation to approve the Strategy is based on the requirement that the Council produces and approves such a document, and that the document gives effect to the updated provisions of both legislation and guidance.

RESOLVED that:

1. The Contaminated Land Inspection Strategy be endorsed.
2. The Contaminated Land Inspection Strategy be referred to full Council for approval and implementation.

(c) Dog Control Orders (Key Decision No. 361)

Members' approval was sought to consult the public and other interested parties on the introduction of Dog Control Orders in Bassetlaw. Dog fouling was the subject of a Scrutiny Report and is an area of concern for elected Members and their constituents. The Council's Environmental Crime Enforcement Policy includes this issue and provision for action was provided for in the subsequent restructure of the Environmental Enforcement Team.

The report outlined: the current legal framework in Bassetlaw; the new powers relating to Dog Control Orders; action which could be taken in respect of: failure to remove dog faeces, not keeping a dog on a lead, not putting, and keeping, a dog on a lead when directed to do so by an authorised officer, permitting a dog to enter land from which dogs are excluded, taking more than a specified number of dogs onto land; administrative arrangements; and proposed informal consultation. The proposed timetable was outlined in paragraph 3.9 of the report.

Options, Risks and Reasons for Recommendations

Option One – To agree to a public consultation exercise to establish the view of interested parties within Bassetlaw on the need for, and possible scope, of future dog controls in Bassetlaw.

Option Two – To agree that the existing statutory controls over dogs in Bassetlaw are, and will remain, adequate and appropriate.

RESOLVED that approval be given for a public consultation exercise to establish the need for, and possible scope, of future dog controls in Bassetlaw.

101. REPORT(S) OF THE CABINET MEMBER – FINANCE AND PROPERTY – COUNCILLOR J EVANS

(a) Fees and Charges 2013/14 (Key Decision No. 329)

Members were asked to determine the level of fees and charges for 2013/14 in accordance with the Corporate Charging Policy.

The Corporate Charging Policy and the Fees and Charges for 2013/14 were appended to the report. Those service areas for which the pricing principles cannot be applied were listed at paragraph 3.8 of the report, together with the reasons for the variations. The eight main income generating areas were outlined at paragraphs 3.10 to 3.17 of the report: car parking; planning; markets; building control; licensing; cemeteries; trade refuse; and land charges. A replacement page regarding car parks was tabled at the meeting but the amendment was only the name of the car park.

Options, Risks and Reasons for Recommendations

Option One - To accept the recommendations and adopt the fees and charges set out in accordance with the adopted Corporate Charging Policy and its underlying principles.

It is imperative that all fees and charges are based on a rational approach and set in accordance with the Policy as part of the process for determining the budget for 2013/14.

Option Two – To not adopt the fees and charges as appended to the report.

The consequence of this will mean cuts and reductions in services, as any specific subsidy is ultimately paid for by general council taxes, and there is a consequence for any decision whether it be to subsidise, break-even or achieve any sort of surplus. In the past, the Council's budget has been robust in terms of the level of Formula Grant, but as this decreases, all aspects of the Council's budget needs to be considered in the light of fewer resources, which creates different service/income tensions.

RESOLVED that:

1. The revised Corporate Charging Policy for the applicable period of 2013/14 to 2015/16 be approved.
2. Officers engage with service users and taxpayers on a regular basis to inform the fees and charges process for the following year.
3. The Community Centres and Town Halls are proactively marketed for hire, within the approved budget.
4. The level of concessions to the Standard Charge for Community Centres and Allotments be applied at 50%, subject to rounding and consistency adjustments.
5. The level of discount to both the Standard Charge and Concessionary Charge for regular bookings of the Town Hall, be applied at 10%, subject to rounding and consistency adjustments.
6. The individual fees and charges, as set out in the appendices to the report, be approved, subject to the approval by the Licensing Committee in respect of fees and charges for Licences.

(b) Discretionary Grants Scheme – Community and Voluntary Service (Key Decision No. 343)

Members' approval was sought for the discretionary grants allocation to the community and voluntary sector for 2013/14, as recommended by the Grants Review Group and detailed in paragraph 3.6 of the report.

Options, Risks and Reasons for Recommendations

Option One – To reject the recommendations of the Grant Review Group.

Option Two – To accept the recommendations of the Grant Review Group.

Cabinet made a commitment not to reduce the total funding allocation to the sector by a greater percentage than the Council will have to reduce its budget by in 2013/14. However, it stated that within that total budget some organisations' grants could be removed, reduced or increased. This approach was followed by the Grant Review Group.

RESOLVED that:

1. Thanks be recorded to elected Members and officers involved in the Grant Review Group for their input on this issue.
2. The allocation of grants to the third sector, as set out at paragraph 3.6 of the report, be approved, as follows:
 - Langold Centre - £2,000
 - Tuxford Mine of Information - £4,500
 - Focus On Young People - £2,000
 - Retford Little Theatre - £7,000
 - Bassetlaw Community and Voluntary Service - £12,000
 - North East Bassetlaw Forum - £1,000

Bassetlaw Action Centre - £12,000
Age Concern Harworth and Bircotes - £1,000
Bassetlaw Citizens' Advice Bureau - £71,000

3. The decision be communicated to the grant recipients before the end of the calendar year.

(Councillor D R Pressley left the meeting during consideration of the above item, and took no part in the discussion and voting thereof.)

102. REPORT(S) OF THE CABINET MEMBER – HOUSING – COUNCILLOR A RHODES

(a) Housing Options (Key Decision No. 289)

Members were informed of the conclusions and recommendations of the Housing Options Working Group, and approval was sought for these recommendations, and for officers to commence the necessary work and negotiations associated with these recommendations.

The current Management Agreement between Bassetlaw District Council and A1 Housing (Bassetlaw) Ltd expires on 31st October 2014 and this, together with the completion of the Decent Homes programme in 2014, presents the Council with a decision as to how it wishes to manage the Council-owned housing stock in future years. Potential options were outlined in paragraph 3.4 of the report, and these were all considered by the Housing Options Working Group following consultation with stakeholders and partners. The Consultant's Report had been appended to the report for Cabinet, Advisory and Liaison Members, and deposited in the Members' Room.

Options, Risks and Reasons for Recommendations

Option One – To agree with the recommendations of the Housing Options Working Group, i.e. that the Council retains the ALMO and develops a new Management Agreement which reflects the revised governance arrangements and the role of the ALMO in contributing to the Authority's overall corporate aims and objectives.

Option Two – To not agree to the recommendations and that a further review of options is carried out. The risks of possible alternative options are detailed in the report. In addition, the timescale in completing a further review would seriously compromise both current and future service delivery.

RESOLVED that:

1. Thanks be recorded to elected Members and officers of the Housing Options Working Group for their input on this issue.
2. The recommendations of the Housing Options Working Group be approved, i.e. that the ALMO be retained.
3. Officers, in conjunction with the Cabinet Member for Housing, commence the re-negotiation of the Management Agreement with A1 Housing Ltd. The areas of negotiation to include shared services, a review of functions and responsibilities for both A1 Housing and the Council, and a full and comprehensive review of current governance arrangements.
4. The progress of these negotiations be reported back to Cabinet for agreement on a regular basis.

(b) Strategic Tenancy Strategy – Final Document (Key Decision No. 325)

Members' approval was sought to adopt the Council's Tenancy Strategy, which was appended to the report for Cabinet, Advisory and Liaison Members, and deposited in the Members' Room.

Widespread consultation has taken place with elected Members, partner organisations, user groups, external support providers, all registered social providers within Bassetlaw and neighbouring local authorities. A survey of applicants was also carried out.

Options, Risks and Reasons for Recommendations

Option One – To approve the Tenancy Strategy.

The Localism Act 2011 recommended that local authorities produce a Tenancy Strategy covering their policies on tenancies, succession and affordable rents, and sets out the principles by which the Council expects partner registered providers to allocate and let their homes.

Option Two – To not approve the Tenancy Strategy.

The risk to this is that the Council will not have influence over how registered providers within the District can work. It will also reduce the flexibility the Council and A1 Housing have in utilising the reforms.

RESOLVED that:

1. The Tenancy Strategy be endorsed and referred to full Council for approval and implementation.
2. The further review of the Tenancy Strategy in the next financial year to assess outcomes be noted.

(c) Review of Choice Based Lettings (Key Decision No. 353)

Members were updated on the outcome of the review of and consultation on the Choice Based Lettings Scheme and approval was sought for the policy amendments resulting from the review, which were appended to the report.

A Scrutiny Select Panel report in January 2012 reviewed the suggested amendments to the Council's Choice Based Lettings Policy. Widespread consultation has taken place with elected Members, partner organisations, user groups, external support providers, all registered social providers within Bassetlaw and neighbouring local authorities. A survey of applicants was also carried out.

Options, Risks and Reasons for Recommendations

Option One – To approve the policy changes as detailed in Appendix A of the report.

The Localism Act 2011 introduced a range of provisions aimed at reforming social housing, most notably being a change to the way that councils allocate their homes. More recently, the Government has introduced new statutory guidance on social housing allocations for local authorities in England, giving local authorities greater flexibility.

Option Two – To not approve the policy changes.

The risk is that A1 Housing will be unable to deliver the Choice Based Lettings Homefinder Service in line with existing housing demand.

RESOLVED that:

1. The changes to the Choice Based Lettings Policy, as detailed in Appendix A of the report, be endorsed and referred to full Council for approval and implementation.

2. The further review of the Choice Based Lettings Policy in the next financial year to assess outcomes from the revised policy be noted.

103. REPORT(S) OF THE CABINET MEMBER – REVENUES, CUSTOMER AND SUPPORT SERVICES – COUNCILLOR S MAY

(a) Council Tax Base 2013/14 (Key Decision No. 331)

Members' approval was sought for changes to the Council's tax base for the next Council Tax year starting on 1st April 2013.

The new tax base must accommodate a significant new change relating to the new local Council Tax Support Scheme which starts on 1st April 2013. The collection fund will be compensated with the central funding, thus reducing the respective budget requirements of the major parties who make up the Council Tax bill and who use the taxbase to set their budget. However, the taxbase cannot be calculated now as the level of central funding is not yet known. Due to time constraints, uncertainty and the lateness of emerging legislation, plus the need to get an updated tax base out to the parish/town councils as soon as possible, approval for delegated authority was sought.

Options, Risks and Reasons for Recommendations

The Council has a statutory obligation to set a tax base and to notify precepting authorities. Not to set a tax base would mean that the statutory requirement is not met and there would be no basis to set a Council Tax for 2013/14.

The reasons for the recommendations are set out in Section 3 of the report.

RESOLVED that:

1. Thanks be recorded to all officers for their work to date on this complex issue.
2. Delegated authority be given to the Cabinet Member for Finance and Property to set and notify the 2013/14 tax base for parish councils, parish meetings and Charter Trustees as soon as practicable, based on Council Tax records as of 30th November 2012.
3. Delegated authority be given to the Cabinet Member for Finance and Property to set and notify the 2013/14 tax base as adjusted by Council Tax Support discounts, as soon as practicable, based on Council Tax records as of 30th November 2012.

(b) Council Tax Discounts and Exemptions (Key Decision No. 344)

Members were informed of recent developments in legislation which gives Billing Authorities further powers to raise the incidence of Council Tax liability on second homes, as well as dwellings empty for 0-6 months and over 6 months, and uninhabitable dwellings currently exempt for 12 months. The new powers are not mandatory and are quite flexible, assuming as much importance to drive strategic housing objectives as to raise revenue.

Members' approval was sought to change existing Council policy in this area following the initial report in September 2012.

Options, Risks and Reasons for Recommendations

Option One – To implement the recommendations as set out at paragraph 3.7 of the report.

The additional Council Tax revenue will benefit the collection fund in 2013/14 and that fund must accommodate the adjustments to Council Tax Support from 1st April 2013. Therefore, some of the discount change revenue arising from this report, as well as other

tax base growth and additional central funding, will work to bridge the gap between 2013/14 Council Tax Support expenditure and the Support Scheme central funding. There is a risk that the Authority's central Council Tax Support funding, when announced, will require some of the decisions arising from this report to be revisited before Council Tax setting next March.

Option Two – To implement the recommendations as set out at paragraph 3.7 of the report with amendment.

Option Three – To not progress any change in Council Tax empty property taxation.

Option Four – To reduce the existing impact of Council Tax empty property taxation.

RESOLVED that the recommendations as set out in paragraph 3.7 of the report relating to second homes, long-term empty homes, Class A and Class C properties, be approved and implemented.

(Councillor J A Leigh left the meeting during consideration of the above item and took no part in the discussion and voting thereof.)

(c) Council Tax Weekly Payment Scheme for Council Tenants (Key Decision No. 366)

Members' approval was sought to revoke the weekly payment scheme for Council tenants from 1st April 2013.

The weekly payment scheme for Council Tax was introduced in 1992 for Council tenants only. 1,600 working age households currently on the maximum Council Tax benefit are expected to have a Council Tax liability of some level, as yet to be determined, from 1st April 2013 when Council Tax Support replaces Council Tax Benefit. The additional transactional cost of these weekly Council Tax payments is estimated at an additional £35,000 per annum. The Council is expected to do all it can to support such households moving to a monthly budgeting system in preparation for Universal Credit.

Options, Risks and Reasons for Recommendations

There is an option to not revoke the weekly payment scheme for Council tenants.

RESOLVED that:

1. It be recommended to full Council on 20th December 2012 that the revocation of the weekly scheme for Council tenants' Council Tax payment be approved, with effect from 1st April 2013.
2. Officers put in place a communication plan to notify those affected and assist them with future payment options, including opting in to a weekly Council Tax payment, where necessary.

Other Decisions

104. REPORTS OF THE CABINET MEMBER – POLICY AND COMMUNITY ENGAGEMENT – COUNCILLOR S A GREAVES

(a) Bassetlaw Local Strategic Partnership

Members were updated on the work to date of the Bassetlaw Local Strategic Partnership. The Board Meeting held on 1st November considered such areas as: Blue Skies; Sheffield City Region; Youth Unemployment Taskforce; Big Local funding; Policy and Crime Commissioner; Surestart; and the drug MCAT.

It was noted that detailed reports of the Partnership's activities can be requested from the Community Engagement and Performance Service.

Options, Risks and Reasons for Recommendations

The Council does not need to be part of or facilitate a Local Strategic Partnership.

RESOLVED that:

1. The summary progress report be noted.
2. The partnership work that is being done to tackle the presence of MCAT in Bassetlaw be noted and the work of the District Council to raise awareness amongst agencies and the wider community about the effects of this drug and how to seek further advice, guidance or treatment be noted.
3. It be noted that the way the Council works in partnership through the Bassetlaw Local Strategic Partnership is under review, and that the Council will be working with partners to agree a way forward.

105. REPORTING MINUTES

(a) Friends of Retford Cemetery Sub-Committee – 10th October 2011

RESOLVED that the minutes of the meeting of the Friends of Retford Cemetery Sub-Committee held on 10th October 2011 be received.

(b) Friends of Kings' Park Sub-Committee – 2nd August 2012

RESOLVED that the minutes of the meeting of the Friends of Kings' Park Sub-Committee held on 2nd August 2012 be received.

(c) Friends of Kings' Park Sub-Committee – 4th October 2012

RESOLVED that the minutes of the meeting of the Friends of Kings' Park Sub-Committee held on 4th October 2012 be received.

106. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agreed that the following items of business involved the likely disclosure of exempt information as defined in Paragraph 3, and therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda Item No. 15(a) – Land at Ordsall, Retford (Key Decision No. 356) - Paragraph 3

(Councillor J M Sanger remained in the meeting with the Chairman's permission.)

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

107. REPORT(S) OF THE CABINET MEMBER – FINANCE AND PROPERTY –
COUNCILLOR J EVANS

(a) Land at Ordsall, Retford (Key Decision No. 356)

Members' approval was sought for officers to conclude the terms of the sale of the land identified on the map appended to the report and to dispose of the site to the preferred bidder on the terms set out within the report.

Options, Risks and Reasons for Recommendations

Option One – To not dispose of the site, following any grant of planning permission, and retain it as a dormant asset with commensurate impacts on future Capital Programmes.

Option Two – To agree to sell the site, on the basis of the bid and the establishment of phased receipts (following any grant of planning permission) in order to realise the best possible return on the Council's asset and the commensurate benefits of reinvesting the funds available through the Capital Programme. In the unlikely event that the bidder suffers financial difficulties prior to the full payment of the capital receipt, the Council's financial interest will be protected within the terms of the contract.

RESOLVED that:

1. The sale of the site to the preferred bidder be approved, on the terms set out in the report.
2. Delegated authority be approved for officers to conclude the negotiations in relation to the disposal of the sites.

Other Decisions

None.

108. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business to be considered, the Chairman closed the meeting, after thanking Members for their attendance and officers for their work during 2012, and wishing everyone best wishes for the festive season.