

CABINET

Minutes of the Meeting held on Thursday, 13th February 2014 at Worksop Town Hall

Present: Councillor S A Greaves (Chair),
Councillors A Chambers, J Evans, J A Leigh, S May, J White and
G J Wynne.

Assistants: Councillors G Jones, C Palmer and J Potts.

Advisory Members: Councillors H M Brand and D Challinor.

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

Officers: D Armiger, S Brown, J Hamilton, M Hill, L Hull, M Ladyman, N Taylor,
R Theakstone and R Wilkinson.

Also present: Councillors Sanger and Sutton.

(The Chairman welcomed all to the meeting, read out the Fire Evacuation Procedure, and also enquired as to whether any member of the public wished to film/record the meeting or any part thereof. Although several members of the public were present, no-one requested to film/record the meeting.)

(The meeting opened at 6.30pm.)

115. QUESTION TIME - PUBLIC

Council Procedure Rules were suspended for fifteen minutes to allow questions from the public; several members of the public were present and seven questions were asked. The Chairman exercised his discretion and extended Question Time to thirty minutes.

Gordon Brown, Chairman of Mattersey Parish Council, asked:

I refer to my earlier email to Councillor Greaves. Having read both the Final Local Government Finance Settlement for 2014/15 issued on 5th February 2014 and tonight's Cabinet papers, I was pleased to note that the Government has not extended referendum principles to parish councils and also that the Minister reiterated the Government's position that £40.4m of the Local Council Tax Benefit Support Grant be passed onto parish councils to help mitigate the reduction in their tax base due to the localisation of Council Tax benefits. The view of parish councils is that the documentation from Government clearly states that £116k has been provided to Bassetlaw District Council within the Final Settlement 2014/15 to support parish councils and this has been recognised by 222 District, Unitary and Metropolitan Councils throughout England leaving Bassetlaw as one of only 18 councils refusing to pass on this grant. The impact of this decision will be felt most in the more deprived parts of the rural community, putting pressure on parish councils to either reduce services provided or significantly raise precepts adding to the rise in the cost of living to working families. The average value of last year's Support Grant across Bassetlaw was 14.2% of the precepts raised. Page 5.32 of Bassetlaw District Council's Constitution states "All reports to Cabinet from any Member of the Cabinet or an officer on proposals relating to the Budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant scrutiny committees, and the outcome of that consultation. The level of consultation required will be proportionate to the nature of the

matter under consideration.” I would contend that no consultation took place with parish councils, as stakeholders, in respect of the Budget impact of withholding the Local Council Tax Benefit Support Grant and no report on any consultations have been made to Cabinet in breach of your Constitution?

The Leader of the Council confirmed that a written response to Mr Brown’s email was being drafted.

The Cabinet Member for Finance advised that the Local Council Tax Support Grant was not clearly specified in the Final Settlement; instead it was rolled into the Revenue Support Grant mechanism. Despite the statement of the Minister, which is open to interpretation, the figures do not take account of the cuts to the Revenue Support Grant.

The Monitoring Officer advised that Cabinet reports need to detail any consultation which is appropriate to the decision, and that this will not apply to every decision.

The Leader of the Council reiterated that more detail would be contained in his response to Mr Brown’s email.

Richard Rogers, on behalf of concerned residents in Sutton-cum-Lound, asked:

With regard to the Daneshill Energy Forest in respect of coal bed methane extraction, which is a similar process to fracking, what action has the Council taken with regard to proper pre-drilling data and provision of baseline data. This data should be provided to residents and paid for by the applicants, as part of the application, and should be made public?

The Head of Community Prosperity advised that this is a complex matter and, unfortunately, not a District Council matter but falls within the jurisdiction of Nottinghamshire County Council. Bassetlaw District Council has no direct obligations as it is the responsibility of the County Council’s Strategic Planning Team. Contact details are available on the County Council’s website. He is aware that information has been prepared as District Planning Officers asked similar questions in their capacity as a consultee.

Monica Hockenhull, also from Sutton-cum-Lound, asked a similar question in respect of the prospect of methane gas extraction near the village:

They had been told that this method is satisfactory provided that adequate safeguards are in place and that there should be frequent monitoring by an independent body. Such monitoring requires data before, during and after extraction, including the testing of water, soil and air quality.

The Head of Community Prosperity confirmed that any applicant must submit a detailed Environmental Assessment, which include the requirement for monitoring. Such questions should be asked by the Planning Authority if such an application is submitted.

Geoff Coe asked the Leader of the Council:

Can you confirm a conversation which I overheard between yourself and a fairground owner, possibly one of the Tubys, about “this town could do with a ten-pin bowling alley” and the person in question offering to buy some land? This conversation took place on 29th November 2013 in The White Lion.

The Leader of the Council remembered this conversation but it had taken place with an old school friend who is definitely not buying any land.

Geoff Coe asked both Councillors White and Wynne, who represent the Worksop East Ward, for an update on the vital issue of children's playing fields:

There should be a play area for every thousand residents with adequate play equipment to get children and parent out into the fresh air. The Princess Margaret field is not fit for such purpose and is full of dog mess. If the cupboard is bare, then Members should forfeit their allowances.

The Deputy Leader replied that he had already had a telephone conversation with Mr Coe on this subject. He added that Mr Coe had been a councillor himself and didn't fulfil such requirements. Work is ongoing to replace the Princess Margaret field.

The Cabinet Member for Neighbourhoods confirmed that the Council is working on a programme for play areas throughout Bassetlaw. A number have already been built but these have to be done sequentially. There are a number of issues, not least finding suitable land in the first place, carrying out consultation, etc. The Council is looking to find a piece of land in the area to replace the Princess Margaret field and this will then be equipped, it's all part of the plan.

Peter Thompson, Liberal Democrats, asked:

How much has Bassetlaw District Council spent of its Discretionary Housing Grant and how many tenants have been helped?

The Leader of the Council replied that such information was not available but that a written answer would be provided if Mr Thompson left his contact details.

Ivor Jones, Shireoaks Parish Council, asked Councillor White:

At the last Cabinet Meeting in December, you reported that the Site Allocations document was out for consultation, where there any meetings between the developer Pegasus and the Council in relation to Site 195.

The Head of Community Prosperity replied that there had been meetings between officers and developers, and that records of these meetings had been made.

Ivor Jones asked:

Did Ian Davies produce a report about the drainage of this site and was the Environment Agency consulted?

The Head of Community Prosperity replied that, as far as he was aware, no Bassetlaw District Council officer had been involved with the drawing up of any plans. Any proposals had been taken in consultation with the relevant Drainage Boards, and only sites without any concerns had been taken forward. Not all issues have been resolved. Applicants will have to submit a detailed drainage report with any planning application to get planning permission for development. This gives protection to the site.

Ivor Jones stated that the Chief Executive of the Environment Agency knew nothing about the site until after it had been allocated.

The Leader of the Council replied that the Chief Executive may not have known about this but that other officers probably did.

116. APOLOGIES FOR ABSENCE

There were no apologies for absence.

117. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no Declarations of Interest by Members.

(b) Officers

D Armiger, S Brown, M Hill, L Hull, M Ladyman and R Theakstone declared Disclosable Pecuniary Interests in Agenda Item No. 17(b) – Management Re-organisation, as they were either named in the report or their substantive post was referred to in the report. They all left the meeting.

118. MINUTES OF THE MEETINGS HELD ON 3RD DECEMBER 2013 AND 7TH JANUARY 2014

RESOLVED that the Minutes of the meetings held on 3rd December 2013 and 7th January 2014 be approved.

119. MINUTES FOR ACTION AND IMPLEMENTATION

RESOLVED that the Minutes for Action and Implementation be received.

120. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

121. FORWARD PLAN

RESOLVED that the Forward Plan be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

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

(a) Nottinghamshire Joint Prosperity Committee (Key Decision No. 433)

Members were provided with a summary of the proposals put forward following work between all the authorities in Nottinghamshire to maximise future funding opportunities. Members' support was sought for the concept, which will be referred to full Council for approval and adoption. The remit of the proposed Joint Prosperity Committee was outlined in the report, and the Constitution (terms of reference, membership and procedure rules) was appended to the report. The remit includes "to ensure that potential benefits stemming from any overlaps with other LEPs are fully maximised".

It was noted that the £3,300 administrative support costs of the Joint Committee will be met from existing contingencies. Any further costs would be subject to Cabinet approval.

Options, Risks and Reasons for Recommendations

Members have the discretion to support the agreement or not. If they choose not to do so then future benefits from the Joint Prosperity Committee will be limited accordingly.

Whilst it may be attractive to conclude that Bassetlaw's future may be as part of the Sheffield City Region, the Local Enterprise Partnerships (LEP) concept generally seems to be financially underpowered compared to the previous Regional Development Agency arrangements. Until there are some clear positive pointers, Bassetlaw, like other district councils in Derbyshire who are in the same position of being in two LEP areas, should be active in both LEPs to ensure that the community realises any benefits from joint working. The Joint Prosperity Committee therefore provides such an opportunity.

There are sufficient mechanisms in place to ensure that Bassetlaw retains its sovereignty over its own resources.

RESOLVED that the Joint Prosperity Committee arrangements for Nottingham City and Nottinghamshire, as appended to the report, be supported and referred to full Council for approval.

123. REPORT(S) OF THE CABINET MEMBER – FINANCE – COUNCILLOR J EVANS

(a) Budget Monitoring and Capital Programme Update Report to 31st December 2013 (Key Decision No. 402)

Members were provided with information on:

- The spending position for the period 1st April to 31st December 2013 for the Council's General Fund, Housing Revenue and Capital Programme, and updated on any significant variances from the approved budgets.
- The proposed resourcing of the Capital Programme and the level of Council capital resources available, including capital receipts.
- Treasury Management budget issues.
- The regular quarterly update on performance against the approved Treasury Management Prudential Indicators for the period ending 31st December 2013.

Members' approval was sought for new additions, variations and re-profiling to the existing Capital Programme.

Current indications are that there will be a budget underspend of £0.002m in year for General Fund and £0.052m budget overspend in year for the Housing Revenue Account. It is important to note that this report is only highlighting the forecast outturn and the variances within the overall forecast. Both officers and Members need to closely monitor these variances throughout the year.

The 2013/14 budget is challenging and will require spending officers' co-operation to recognise and address the financial pressures currently facing the Council, also ensuring that they do not overspend their respective budgets. They will need to put in place actions to address the pressures identified. Any overspends in the current year will increase the savings target for all services in future years if the Council is to survive the cuts to public sector funding that central Government is implementing.

Options, Risks and Reasons for Recommendations

The budget monitoring section of the report provides managers' forecasts and is for information only. There are always some risks that the actual outturn variances could be substantially different from that currently shown (mainly due to the volatility of income) but the report sets out officers' projections and, as such, the financial risk that may occur by 31st March 2014.

The Council has responsibility for delivering its Capital Programme on time and not doing so could undermine the achievement of its objectives. The Regeneration and Property Group will continue to monitor future programmes on a monthly basis.

There may be changes to the way the Capital Programme is financed as officers review the most appropriate methodology as part of the closedown process for 2013/14.

RESOLVED that:

1. The position with regard to Revenue and Capital budget monitoring be noted.
2. The 'new approvals' to the 2013/14 Capital Programme totalling £0.064m, as detailed in paragraph 3.17 and Appendix 3 of the report, be approved.
3. The 'other variations' to the 2013/14 Capital Programme totalling (£0.085m), as detailed in paragraph 3.17 and Appendix 3 of the report, be approved.
4. The 'reprofiling' to the 2013/14 Capital Programme totalling (£2.637m), as detailed in paragraph 3.17 and Appendix 3 of the report, be approved.
5. The proposed resourcing of the Capital Programme and the level of capital receipts currently available to fund any further capital expenditure, as detailed in paragraphs 3.21 and 3.22, be noted.
6. The quarterly update on performance against the approved Treasury Management Prudential Indicators for the period ending 31st March 2014, as detailed in Appendix 6 of the report, be noted.
7. The weekly investment balances made throughout the third quarter of the financial year, in conjunction with the Security, Liquidity and Yield benchmarking date for the Council, as detailed in Appendix 7 of the report, be noted.

(b) General Fund Revenue Budget 2014/15 to 2016/17 (Key Decision No. 403)

Members' approval was sought for the General Fund Budget proposals for 2014/15 for recommendation to full Council on 6th March 2014. It was noted that a 1.5% Council Tax increase for Bassetlaw District Council will be proposed at full Council.

The report gave an introduction; and outlined:

- Revenue Budget overview
- 2014/15 budget pressures
- Organisational Review
- General Fund reserves and balances
- Formula Grant Settlement for 2014/15
- Inflation and other budget provisions
- Discretionary Grants to Outside Bodies
- Council Tax
- Collection Fund surplus

An Advisory Member queried why Bassetlaw District Council is one of only 18 local authorities to not pass on the Council Tax Benefit Support Grant to parish councils, and why this had been explained to members of the public as "not being identified". It was felt that the rural communities would suffer as a result of this, and Members were asked if this could be reviewed. The Chief Executive explained that the money is not within the financial settlement and is blurred by the new funding arrangements. The Leader of the Council acknowledged that some local authority areas are better off than others and some are worse off, including Bassetlaw. The work of the parish councils is recognised, and the Cabinet Member for Finance reiterated that Bassetlaw District Council is still delivering the concurrent grant to parish councils, and is the only local authority in Nottinghamshire to do so.

Options, Risks and Reasons for Recommendations

The Council is required to set a balanced budget but may otherwise vary its spending and taxation proposals below the excessive capping referendum trigger. For the 2014/15 Revenue budget, the following decisions are available to Members:

Option One – Change the level of service spending or income projections.

Option Two – Revise the level of any reserves to support the Revenue budget.

Option Three – Change the planned level of increase in Council Tax for 2014/15.

Option Four – Revise the General Fund Capital Programme and its associated funding strategy.

RESOLVED that the following be agreed and recommended to full Council on 6th March 2014 for approval:

1. The Budget for 2014/15 and future years, together with the associated comments from Audit and Risk Scrutiny Committee on 11th February 2014 and Cabinet on 13th February 2014 be considered.
2. A Council Tax increase of 1.5% for 2014/15 be recommended, subject to confirmation or change once central Government has announced the referendum limit for district councils.
3. The declaration of a £0.55m surplus on the Collection Fund for 2014/15, as summarised in paragraph 3.39 and detailed in Appendix 3 of the report, be noted.
4. Authority be delegated to the Cabinet Member for Finance for addressing any issues arising from the Business Ratepayers meeting in February 2014.
5. Authority be delegated to the Head of Finance and Property to deal with amendments to the Budget for any changes to Drainage Board and Parish Town Council precepts.

(c) General Fund Capital Programme 2014/15 to 2018/19 (Key Decision No. 404)

Members' approval was sought for the General Fund Capital Programme for 2014/15 to 2018/19 for recommendation to full Council on 6th March 2014.

The report outlined:

- Schemes to be delivered/completed during early part of 2014/15
- Schemes to be frozen and re-assessed later in the year
- New schemes – Queen's Buildings development/planned maintenance/external funding
- Resources
- New Capital Programme 2015/16 to 2018/19
- Capital prioritisation process
- Disabled Facilities Grants

It is imperative that capital schemes are seen to be delivered on time and to budget. Resources are scarce and therefore capital expenditure is approved for three specific reasons: there is a demonstrable need for the project; it meets the strategic objectives of the Council; and the benefits are clearly measurable. It is therefore important that expectations from Members and the public are realistic when approving timescales, and determine that project outcomes are key to the successful delivery of projects.

There is, therefore, a need to finalise the existing commitments made within the approved Capital Programme before any new schemes are introduced. Delaying this bidding process by six months will give time for the new Corporate Plan to provide a focus for capital projects; it will

give appropriate time for project planning and will seek to re-orientate the spend profiles so that it occurs within financial years as practicably possible.

Options, Risks and Reasons for Recommendations

Members can decide what schemes to include or exclude. Any schemes which include external finance will have implications for those organisations.

RESOLVED that the following be agreed and recommended to full Council on 6th March 2014 for approval:

1. The Capital Programme for 2014/15 of £5.250m, as detailed in Appendix A of the report.
2. The indicative Capital Programme for 2015/16 to 2018/19 of £4.769m, as detailed in Appendix A of the report.
3. A report be submitted to a future meeting of Cabinet that outlines the Section 106 capital contributions held by the Council in lieu of future capital receipts.
4. A further report be submitted to Cabinet during the summer to determine any updates and new additions to the approval Capital Programme for 2015/16 to 2018/19.

(d) Treasury Management Policy and Strategy 2014/15 to 2016/17 (Key Decision No. 405)

Members' approval was sought for the Treasury Management Strategy, Borrowing Strategy, Investment Strategy, Minimum Revenue Provision Policy and Prudential Indicators, updated in accordance with latest guidance, for recommendation to full Council on 6th March 2014.

Appended to the report:

- Treasury Management Strategy (including the Capital Prudential Indicators, the Borrowing Strategy and the Annual Investment Strategy)
- Minimum Revenue Provision Policy Statement
- Interest rate forecasts
- Economic background
- Specified and non-specified investments
- Credit and Counterparty Risk Management
- Treasury Management Scheme of Delegation
- Treasury management role of the Section 151 Officer

Options, Risks and Reasons for Recommendations

The only option is to accept the recommendations and adopt the Treasury Management Strategy, Borrowing Strategy, Annual Investment Strategy and Minimum Revenue Provision Statement, and to approve the Prudential Indicators.

To not approve these policies would contravene the requirements of both legislation and good practice. In addition, the KPMG External Auditors may pass comment on their "Report to those charged with Governance (ISA260)".

RESOLVED that the following be agreed and recommended to full Council on 6th March 2014 for approval:

1. The Treasury Management Strategy 2014/15 to 2016/17, incorporating the Borrowing Strategy and the Annual Investment Strategy, as detailed in Appendix 1 of the report.
2. The Prudential Indicators and Limits for 2014/15 to 2016/17, as detailed in Appendix 1 of the report.
3. The Authorised Limit Prudential Indicator, as detailed in Appendix 1 of the report.

4. The Minimum Revenue Provision (MRP) Policy Statement which sets out the Council's policy on MRP, as detailed in Appendix 2 of the report.

(e) Capital Investment Strategy 2014/15 to 2018/19 (Key Decision No. 406)

Members' approval was sought for the Capital Investment Strategy 2014/15 to 2018/19, which was appended to the report, for recommendation to full Council on 6th March 2014.

Options, Risks and Reasons for Recommendations

The Capital Investment Strategy is a key document which sets out how capital resources will be deployed to meet the priorities of the Council.

RESOLVED that the Capital Investment Strategy 2014/15 to 2018/19 be agreed and recommended to full Council on 6th March 2014 for approval.

(f) Property Asset Management Plan 2014/15 to 2018/19 (Key Decision No. 407)

Members' approval was sought for the Property Asset Management Plan, which was appended to the report, for recommendation to full Council on 6th March 2014.

The Property Asset Management Plan is a five-year document that was approved by Cabinet on 14th February 2013 for the period 2013/14 to 2017/18. The report provided updates to the document and approval was sought to amend the published Property Asset Management Plan for 2013/14 to 2017/18.

Appended to the report:

- Updated forecast of capital receipts income
- Updated asset disposal list for 2013/14 and 2014/15
- Updated section on Sustainability

Options, Risks and Reasons for Recommendations

The Asset Management Plan is a key document that sets out how the Council effectively manages its assets to support the efficient delivery of its priorities and objectives. The document still remains applicable for 2014/15 and only minor updates are recommended.

The other option would be to re-write the entire document and move it forward one year.

RESOLVED that the updated sections of the Plan become the Asset Management Plan for 2014/15 to 2018/19 to be recommended to full Council on 6th March 2014 for approval.

FURTHER RESOLVED that officers and Members be thanked for their hard work involved in the budget setting process, especially the Cabinet Member for Finance, Chief Executive and Section 151 Officer; and that the hard work of these officers and Members over the last year is recognised.

124. REPORT(S) OF THE CABINET MEMBER – HOUSING – COUNCILLOR A CHAMBERS

(a) BDC/A1 Housing Working Arrangements (Key Decision No. 421)

Members' approval was sought for the proposed working arrangements between the Council and A1 Housing Ltd. If agreed, the proposals will be adopted upon the commencement of the new contract between Bassetlaw District Council and A1 Housing (Bassetlaw) Ltd in April 2015.

The proposed functions of the Board, the proposed functions of the sub-committees and the draft process for appointing the new A1 Board were appended to the report.

It was noted that the proposed working arrangements had been drafted in consultation with A1 Housing and that the four elected Members on the A1 Housing Board will be appointed by the Leader, without the need for the Board to be politically balanced. The new arrangements' identified benefits include: increased involvement by stakeholders and partners; a stronger relationship with neighbourhoods; synergies and efficiencies; and the potential to deliver new build projects.

Options, Risks and Reasons for Recommendations

Option One - Members may wish to allow the current working arrangements to continue; however, this will not promote the opportunity of the two organisations working closer together to enhance and improve the strategic direction of the ALMO and services to tenants.

Option Two – Members adopt the proposed changes in working arrangements.

RESOLVED that:

1. The direction of change in the working arrangements between the Council and the ALMO be approved.
2. Officers report back to Cabinet with a clear timetable of change and implementation, together with proposed changes to the Council/A1 Management Agreement.

(b) Choice Based Lettings Scheme (Key Decision Nos. 437 & 438)

Members' approval was sought to review the current Choice Based Lettings Policy to reflect the impacts of Localism and Welfare Reform and to amend the Council's approach, if required. The Sub-Regional Choice Based Lettings Allocation Policy for cross-authority lettings was appended to the report for information.

The review panel will be chaired by the Cabinet Member for Housing, supported by the Assistant Cabinet Member for Housing, A1 Housing officers, Council officers and A1 Housing Board Members. The scope of the review was outlined in the report. A programme of consultation will take place and a survey of applicants will also be carried out.

Options, Risks and Reasons for Recommendations

Through the Localism Act 2011, local authorities have the freedom to provide a service that meets the identified local housing need. The new legislation allows more flexibility for Bassetlaw to provide social housing to those in most housing need.

If approved, a review of the Choice Based Lettings Policy will result in an up-to-date and fit-for-purpose policy which will provide clarity for applicants, maximum choice for applicants' housing needs and a policy that meets the current legislative requirements.

RESOLVED that:

1. The commencement of a review of the current Choice Based Lettings Policy be approved.
2. The review panel reports back to the July 2014 Cabinet Meeting.

125. REPORT(S) OF THE CABINET MEMBER – REGENERATION – COUNCILLOR J WHITE

(a) Worksop Creative Village – Phase 2 (Key Decision No. 440)

Members' approval was sought for the funding strategy to deliver Phase 2 of the Worksop Creative Village. A proposed site layout for Phase 2 was appended to the report.

Phase 1 was completed in December 2012 and comprised 18 units for creative industries. All 18 units were spoken for within 8 weeks of opening. There is clearly demand for more work units at this site and within Worksop, a fact endorsed by the Council's own stock of units being 100% let. The project is part of a wider regeneration aspiration to improve the environment around the Chesterfield Canal in Worksop.

Options, Risks and Reasons for Recommendations

Option One – To do nothing but taking this option would see the site undeveloped, the demand unmet and the regeneration of the canal area unfulfilled.

Option Two – To wait until the next round of EU and LEP funding becomes available in around 12 months' time. It needs to be borne in mind that should this option be chosen, the intervention rate is unlikely to be more than 50% of the project value which means that the match funding requirement for the Council would then be £96,000.

Option Three – To reduce the scale of the project.

RESOLVED that:

1. The development of Phase 2 of the Worksop Creative Village be approved and a maximum of £430,000 from the Kilton Road Section 106 monies be used as matched funding for a Heritage Lottery Enterprise funding application.
2. The alterations to the Capital Programme be approved, removing the unspent element of £78,000 of capital receipts in the 2013/14 Capital programme and the creation of the capital budgets in the General Fund Capital Programme for 2014/15 and 2015/16.

(b) Former Vesuvius Works – Use of Section 106 Funding (Key Decision No. 441)

Members were updated on the regeneration of the site and Members' approval was sought for the proposed mechanism to determine the use of a key aspect of the proposed Section 106 package.

The first application, for a mixed use regeneration of the site, including a 6,500 sq m food store was refused on 11th January 2010 and is the subject of an ongoing appeal. This appeal has now been re-opened following a Judicial Review and will take place on 18th and 19th February.

In addition, on 1st December 2011, Planning Committee considered a second application that included a slightly smaller store and this time permission was granted, subject to the delivery of a package of measures through a Section 106 agreement.

The report set out the discussions that have taken place about the Section 106 agreement and proposed that it should make provision for:

- A contribution of £800,000 towards the delivery of a Community Recreational Facility;
- £64,000 of integrated transport contributions;
- £400,000 towards the provision of a bus link to the site; and
- £5,000 monitoring fee.

The agreement also includes provision for the transfer of 1.9 hectares of Safeguarded Community Recreational land as well as for the landowner to undertake a marketing strategy for the employment land.

Since this application was originally considered in December 2011, the applicant has updated the supporting documentation that went with this application and has submitted it to the Council. All of these issues were considered by Planning Committee on 15th January when the Committee agreed to endorse the revised Section 106 provisions.

As the principles of the Section 106 have now been agreed, thought must be given to how to make the best use of the Community Sports funding.

Options, Risks and Reasons for Recommendations

Whilst it is possible not to accept this proposal, it is considered that, given the general support for this wider redevelopment scheme to come forward, to do so may affect the public perception of how decisions have been made about the best use of the community recreational funding provided through the Section 106 agreement associated with the Vesuvius development proposals.

RESOLVED that:

1. The establishment of a working group be approved, to comprise the Leader, Deputy Leader, Cabinet Member for Regeneration and the Cabinet Member for Neighbourhoods.
2. The working group determines the most effective and efficient way to use the community recreational funding arising through the Vesuvius Section 106 agreement and, where appropriate, report back to Cabinet in due course.

Other Decisions

126. REFERRALS

- (a) Joint Employee Council – 11th December 2013 – Minute No. 26(a) – Flexible Working Guidelines Review

RESOLVED that the Flexible Working Guidelines, as appended to the report, be approved.

- (b) Joint Employee Council – 11th December 2013 – Minute No. 26(b) – Grievance Policy and Procedure

A Liaison Member commented that he felt the re-instatement of the Appeals Committee was a positive move. This was endorsed by the Head of Human Resources who added that the process resolved issues from employees from any/all levels.

RESOLVED that Grievance Policy and Procedure, as appended to the report, be approved.

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

- (a) Living Wage Rate for 2014/15

Members were updated on the Council's Living Wage status and approval was sought for the adoption of the revised Living Wage rate with effect from 1st April 2014, in accordance with the recommendation of the Joint Employee Council at its meeting on 11th December 2013.

It was noted that the Council was the first local authority in Nottinghamshire, and the second in the East Midlands region, to gain Living Wage accreditation, and that the initiative helps to recruit and retain staff. The Living Wage rate also applies to employees within those firms contracted to the Council.

Options, Risks and Reasons for Recommendations

Option One – To adopt the revised Living Wage rate in applying the Living Wage supplement, as set out in the report, effective from 1st April 2014. This will ensure the Council meets the requirements for accreditation in relation to its own staff.

Option Two – To not adopt the revised Living Wage rate. This will mean that the Council is not meeting the requirements for accreditation and may lead to that accreditation being withdrawn.

RESOLVED that:

1. The revised Living Wage rate of £7.65 per hour be adopted with effect from 1st April 2014.
2. An assessment of businesses across Bassetlaw paying the Living Wage be sourced and circulated to Members for information.

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

(a) Proposed Provision of County Council Face to Face Enquiries

Members' approval was sought to provide a face-to-face enquiry service on behalf of Nottinghamshire County Council (NCC).

The proposal is to commission District partners to handle the top eight service enquiries on behalf of NCC. These enquiries are 70% of all enquiries currently managed by their face-to-face staff. All other enquiries will be signposted to the NCC Customer Service Centre.

It was noted that affected employees and the trade unions have been fully involved and are supportive of the initiative, which is the first step in making the District Council offices a "service hub". Consideration is also being given to satellite provision, and discussions are taking place with the County Council to extend the video-conferencing facilities.

Options, Risks and Reasons for Recommendations

Members have the option of either accepting the proposal or not. The approach is consistent with the strategic objectives of the Council. The proposals are subject to annual review and therefore provide the opportunity to reconsider any aspect of the operation.

RESOLVED that:

1. The District Council provides face-to-face customer enquiries on behalf of Nottinghamshire County Council for 2014/15.
2. The arrangement be subject to an ongoing review, including an assessment of the level and nature of enquiries and evaluation of the fee.
3. An income budget be set up in 2014/15, subject to the annual review and an equal amount added to the Council's budgeted contingency.

129. REPORT(S) OF THE CABINET MEMBER – FINANCE – COUNCILLOR J EVANS

(a) Robustness of Estimates and Adequacy of Reserves 2014/15

Sections 25 and 26 of the Local Government Act 2003 place a personal duty on the Chief Finance Officer to make a report to Council when considering its budget and Council Tax. The report must deal with the robustness of the estimates and the adequacy of reserves.

The report commented on the robustness of estimates in respect of:

- General Fund revenue expenditure
- General Fund revenue income
- General Fund financing
- General Fund provisions and reserves
- Housing Revenue
- Capital Programme and Funding
- Statement of Accounts

The adequacy of reserves was summarised in paragraph 3.8 of the report.

Having considered the risks, the conclusion of the Section 151 Officer was that the Council be advised that, overall, the estimates are sufficiently robust and the levels of reserves and balances forecasted to be held at 31st March 2015 are adequate to allow the Council to set the Revenue Budget, Capital Programme and Council Tax for 2014/15.

Options, Risks and Reasons for Recommendations

The area of risk, risk factor and actions taken were given in detail in paragraph 5.2 of the report. These risks represent the Head of Finance and Property's judgement of the residual risks of there being variances (over or underspending) from the budget, after taking account of the measures discussed in paragraph 3.3 of the report.

RESOLVED that the report be considered in conjunction with the other budget reports recommended to full Council on 6th March 2014 for approval.

130. REPORTING MINUTES

(a) Joint Employee Council – 11th September 2013

RESOLVED that the minutes of the meeting of the Joint Employee Council held on 11th September 2013 be received.

(b) Council's Health and Safety Committee – 12th September 2013

An Advisory Member raised a concern about security in Queen's Buildings, and it was noted that security measures will be enhanced when the Department for Work and Pensions share our accommodation.

RESOLVED that the minutes of the meeting of the Council's Health and Safety Committee held on 12th September 2013 be received.

131. 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 2, and therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda Item No. 17(a) – Preparing for Individual Electoral Registration (IER) Implementation – Paragraph 2

Agenda Item No. 17(b) – Management Re-organisation - Paragraph 2

(Councillors J M Sanger and K Sutton remained in the meeting with the Chairman's permission.)

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None

Other Decisions

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

(a) Preparing for Individual Electoral Registration (IER) Implementation

Members were updated on the implications of the Individual Electoral Registration (IER) process on the Council including the resources required to fulfil our obligations towards implementation. The timescale for implementation was appended to the report.

Options, Risks and Reasons for Recommendations

There is a statutory duty to provide for Elections and Electoral Registration, and it is closely regulated by the Electoral Commission, Cabinet Office and local scrutiny. Members have the options of supporting or rejecting the proposal.

There is a well-documented need to bring some stability to this area. The role of Elections Manager is currently being supplied by the previous incumbent, being employed on a temporary basis which leaves the Council vulnerable on the provision of this service.

The running of elections every year in Bassetlaw, together with major changes in the registration process, means that the pressure and demand for the service are increasing and will be for the foreseeable future.

The Cabinet Office has indicated their awareness of the current situation and the need for the Council to address it. The failure to do so will incur both reputational issues, significant cost in the short term and additional pressure on staff time.

RESOLVED that:

1. Approval be given to the creation of a full-time post of Elections Manager on the staffing establishment, effective from 1st June 2014.
2. Approval be given to delete the current 0.60 Elections Manager (Electoral Services Officer) post.
3. Approval be given to agree up to £19,200 (June 2014 to March 2015) funding from the Corporate Contingency Fund, if required.

(b) Management Re-organisation

(D Armiger, S Brown, M Hill, L Hull, M Ladyman and R Theakstone left the meeting for this item and did not return to the meeting.)

Members' approval was sought for a new upper-tier structure for the Council's Directors and Head of Service posts.

The existing Senior Management Structure, the proposed structure and Senior Management Structure as in 2004 were appended to the report.

It was noted that the proposed Service areas more properly mirror the Cabinet Member areas.

Options, Risks and Reasons for Recommendations

Members need to secure the savings to ensure that the Council benefits from the recommended changes in this report. The current structure is in effect now the result of a patchwork of ad hoc events, which reflect previous staff departures over a number of years. Having completed the Organisational Review and finalised the appointment of the Chief Executive, a major element of corporate uncertainty has now been removed, and it is now right to finalise the Council's top management arrangements as promptly as possible and move on to meet future challenges.

This new environment needs to be captured so that managers know what they are doing (and what they are not) and a new sense of purpose secured with the minimum amount of fuss. The previous Chief Executive left 18 months ago and this management re-organisation is something that needs to be finalised now so that officers can maximise the Council's organisational development and drive, in an optimum manner. Eradicating as much uncertainty about their futures is important for staff health and wellbeing, plus organisational morale and momentum. Unfortunately preparatory work needs to be in place to prepare for the most significant year in the Medium Term Financial Plan 2015/16, and managers cannot take through all the changes under the Organisational Review if their own positions continue to be uncertain.

The recommendations in this report are therefore pragmatic, minimise the amount of disruption, provide staff with some opportunities, which in turn could reduce the amount of displacement lower down in the organisation, and allows the maximum amount of progress to be secured in the minimum amount of time.

RESOLVED that:

1. Approval be given for the start of the staff consultation period for the proposals set out in the report and the new structure as set out in Appendix 2 of the report, in accordance with the Organisational Change Policy.
2. A further report to be presented to the April 2014 meeting of Cabinet.

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

As there was no other urgent business to be considered, the Chairman closed the meeting after thanking everyone for their attendance.

(Meeting closed at 8.40 pm.)