

CABINET

Minutes of the Meeting held on Tuesday, 8th January 2013 at Retford Town Hall

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

Advisory Members: Councillor C Palmer.

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

Officers: S Brown, A Burton, J Hamilton, M Hill, L Hull, M Ladyman, N Taylor and
R Theakstone.

Also present: Councillors I J Campbell and J M Sanger.

(The Chairman welcomed all to the meeting, introduced Councillor Alan Chambers who has replaced Councillor Alan Rhodes as the Cabinet Member for Housing, and read out the Fire Evacuation Procedure.)

109. 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.

“Plans for a new bus station for Worksop were publicised in the Worksop Guardian last July, and although, in essence, this is a County Council project, Bassetlaw District Council has a major input - is the Leader able to give an update on its progress?”

The Leader replied that District Council officers have been working with County Council officers and held positive talks. Nottinghamshire County Council is progressing the project through its Transport and Highways Committee. They will be making the public aware and plan to publish proposals in March. Of course, District Council officers are working to ensure that it goes ahead, for example, working through planning issues.

The Cabinet Member for Community Prosperity added that a planning application will be forthcoming from the County Council in 2013, possibly after the elections.

The Leader added that when the proposals are published by the County Council, copies will also be displayed in Queen’s Buildings.

“The International Day of Peace is celebrated on September 21st – it was marked by a concert in the O2 Arena last year – and also focuses on domestic violence and bullying as well as war. Does the District Council have any plans to commemorate this day, and, if not, will it consider any proposals?”

The Leader replied that he was not aware of any plans but would make enquiries to see if anything fitting could be done in relation to the domestic violence aspect.

110. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor H M Brand.

111. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

The Leader asked for advice from the Monitoring Officer in respect of Agenda Item No. 10(a) – The Council Tax Reduction (Bassetlaw District Council) Scheme 2013/14 (Key Decision No. 315) – with regard to dispensation, also for those who are parish councillors and Charter Trustees. The Monitoring Officer advised that Members only need to declare an interest when setting the precept if they are a Charter Trustee, and that she was arranging for dispensation for all Members in respect of the Council Tax aspect.

(b) Officers

There were no declarations of interest by officers.

112. MINUTES OF THE MEETING HELD ON 4TH DECEMBER 2012

RESOLVED that the minutes of the meeting held on 4th December 2012 be approved.

113. MINUTES FOR ACTION AND IMPLEMENTATION

RESOLVED that the Minutes for Action and Implementation be received.

114. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

115. FORWARD PLAN

RESOLVED that the Forward Plan be received.

116. ORDER OF BUSINESS

The Leader requested that Agenda Item Nos. 9(a) and 9(b) be considered first as the Cabinet Member for Housing had a prior commitment to attend.

RESOLVED that Agenda Item Nos. 9(a) and 9(b) be taken first.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

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

(a) Housing Capital Programme 2013/14 to 2017/18 (Key Decision No. 332)

Members' approval was sought for the proposed Housing Capital programme for 2013/14 to 2017/18. A replacement Appendix 1 had been circulated prior to the meeting.

As part of the arrangements for the new HRA self-financing regime, the Council prepared a 30-year Business Plan. A five-year Capital Programme had been developed for the period 2012/13 to 2016/17 which covers four elements: Decent Homes; Fuel Poverty; Crime and Community

Safety; and Disability. The report also outlined: funding; capital receipts; the changes to the Right To Buy scheme; and affordability.

All the priorities have been consulted upon with tenants by A1 Housing during 2007, prior to the commencement of the Decent Homes programme. Appendix 1 of the report sets out the full set of commitments for all the financial years up to 2017/18.

Options, Risks and Reasons for Recommendations

Members can decide what schemes to include or exclude, and the timing of those commitments. The summary provided under paragraph 3.28 of the report sets out the full situation. In coming to a view on what priorities Members want to establish, consideration must be given to the overall limit on investment set by the Overall Borrowing Limit of £105.4m, as this does not increase with any allowance for inflation.

RESOLVED that the following recommendations be made to the Extraordinary Council Meeting on 29th January 2013:

1. The programme for 2013/14, as set out in Appendix 1 of the report, be approved.
2. The indicative programmes for 2014/15 to 2017/18, as set out in Appendix 1 of the report, be approved.
3. The Housing Capital Receipt Policy, as set out at paragraph 3.25 of the report, be approved.

(b) Housing Revenue Account Budget 2013/14 and Future years to 2015/16 (Key Decision No. 333)

Members' approval was sought for the Housing Revenue Account (HRA) budget for 2013/14 and the indicative figures for 2014/15 and 2015/16, in order to make recommendations to full Council to set the budget and rent levels for 2013/14. Appendices 1 and 2 of the report had been circulated prior to the meeting.

The report outlined: the 2013/14 HRA Revenue budget; rents; repairs and maintenance; pensions provisions; depreciation; Value For Money and the A1 Housing Management fee; provision for bad debts; Treasury Management; Supporting People; and reserves.

Options, Risks and Reasons for Recommendations

The Council needs to set a balanced budget for its HRA services with income equalling expenditure, and ensure that:

- (i) It does not breach the overall borrowing limit of £105.4m at any stage, as the District Auditor will take action if it does;
- (ii) The HRA remains solvent, with the adequate reserves of a "going concern"; and
- (iii) The Council achieves the convergence of its rents to the national guideline by 2015/16.

This budget sets out the approach to maintain levels of quality and investment, complies with the borrowing limit, and meets the Government's rent assumptions in a move to meet its rent convergence target by 2015/16. The rent increase of 2.54% could be lowered but this will impact on the levels of investment in this and successive financial years.

The budget assumptions are based on the HRA Business Plan and associated risks include any variances in estimates for inflation, interest rates, volume of voids and the number of Right To Buy sales.

The viability of the Business Plan is based on the reduction of debt. In reality, the Business Plan needs to be flexible enough to cope with changes to this strategy over time.

RESOLVED that the following recommendations be made to the Extraordinary Council Meeting on 29th January 2013:

1. The Housing Revenue Account (HRA) budget for 2013/14, as set out in Appendix 1 of the report, be approved.
2. The indicative HRA budgets for 2014/15 and 2015/16, as set out in Appendix 1 of the report, be approved.
3. An average rent increase of 2.54% for 2013/14 be approved, in accordance with the nationally set rent guideline criteria.
4. The indicative rent increases of 2.42% for 2014/15 and 2.43% for 2015/16 be approved, in accordance with best practice.
5. The increase of the minimum level of HRA reserves from £1.0m to £1.3m from 2013/14 onwards be approved, in recognition of the increased overall funding value of the HRA.

(Councillor A Chambers left the meeting at this point.)

(c) Medium Term Financial Plan 2013/14 to 2015/16 and Value For Money Strategy (Key Decision No. 334)

Members' approval was sought for the Medium Term Financial Plan for 2013/14 to 2015/16 and the Value For Money Strategy.

Projections about the long term financial sustainability of the Council in conjunction with current issues, and the financial support required for Bassetlaw's priorities in the Corporate Plan, were set out in the report which outlined: the Chancellor's Autumn Statement; Formula Grant; New Homes Bonus; Council Tax; reserves and balances; Collection Fund surplus/deficit; staffing and downsizing costs; inflation; service improvement; and preparing for the future. The projections for the Medium Term Financial Plan 2013/14 to 2015/16 and a project brief for an Organisation Review were appended to the report.

Options, Risks and Reasons for Recommendations

Bassetlaw needs to review its Financial Strategy and Medium Term Financial Plan each year to ensure income equals expenditure, and where it doesn't, or is projected not to, corrective action needs to be identified and put in hand.

Risks in respect of: time; viability; finance; profile; and adaptability were detailed in Section 5 of the report.

RESOLVED that:

1. The projections, excluding central support recharges, for the next three financial years, as set out in Appendix 1 of the report, be noted.
2. The Medium Term Financial Plan for 2013/14 to 2015/16, as set out in Appendix 1 of the report, be approved as the framework for the next three years' budgets.
3. A Council Tax increase be considered as part of the 2013/14 budget preparations.
4. The Value For Money Strategy for 2013/14 to 2015/16, as outlined in paragraphs 3.31 to 3.36 of the report, be approved.
5. The calculation and declaration of the Council Tax deficit or surplus for 2013/14 to be made on 15th January 2013 be delegated to the Head of Finance and Property.

(d) Business Rate Budget 2013/14 (Key Decision No. 355)

Members' approval was sought for the Council's estimated net yield from local business rates for 2013/14, which will be used to calculate Bassetlaw's share for the purpose of budget setting in the February General Fund budget 2013/14 Cabinet report. The National Non-Domestic Rates Return 1 (NNDR1) had been circulated prior to the meeting.

Options, Risks and Reasons for Recommendations

Due to the delay by central Government in distributing the relevant documentation and guidance in respect of this budget calculation, the provisional and final returns will be circulated to both Cabinet and Extraordinary Council separately before the respective meetings. There is no choice other than meeting the 7th and 31st January deadlines.

RESOLVED that:

1. The provisional calculation of the NNDR1 return and the estimated net yield from local business rates for 2013/14 be approved.
2. This report be recommended to the Extraordinary Council on 29th January 2013 where the final NNDR1 return for 2013/14 will be considered.

(e) Tender for the Provision of Banking Services (Key Decision No. 360)

Members' approval was sought to tender for the provision of banking services for an initial period of three years with the option of two independent extensions of one year, subject to satisfactory service delivery, commencing on 1st April 2013.

Members' approval was also sought to delegate responsibility to officers to appoint the successful banking service provider due to timescales.

Options, Risks and Reasons for Recommendations

The Council needs to procure a banking provider in order to continue its operations. As the current contract ends on 31st March 2013, it is essential to procure a new long-term contract commencing 1st April 2013.

Depending who is the successful service provider, the Council will need adequate lead-in time to arrange for bank mandates and authorised signatories to be put in place, and to arrange for cheques and receipt books to be supplied.

The procurement timetable for banking services does not match the committee cycle, and to ensure that the new contract is in place from 1st April 2013, then the decision to appoint following the contract evaluation stage has to be delegated to the Head of Finance and Property in consultation with the Director of Resources and the Cabinet Member for Finance and Property.

RESOLVED that:

1. A new contract for the provision of banking services that will commence on 1st April 2013 be approved for an initial period of three years, with two independent extensions of one year, subject to satisfactory service provision.
2. The decision to appoint the successful banking service provider be delegated to the Head of Finance and Property in consultation with the Director of Resources and the Cabinet Member for Finance and Property.

(f) Tender for the Provision of Building Cleaning (Key Decision No. 374)

Members were advised of the intention to tender the building cleaning, window cleaning and hygiene services contracts for both the Council and A1 Housing under one inclusive EU procurement exercise.

The specification will include the Council's commitment to a living wage. Bids will also be invited from existing public sector providers such as the NHS, and there will also be an in-house assessment of a shadow bid from A1/BDC.

Options, Risks and Reasons for Recommendations

The building and window cleaning services have not been subject to competition in recent years and do not comply with the Council's Contract Procedure Rules.

There is no certainty that the present commercial contracts represent best value to the Council.

A procurement process is both fair and transparent and meets the EU regulations.

RESOLVED that:

1. Officers be authorised to progress the tender of the building cleaning, window cleaning and hygiene supplies contracts under one combined procurement process.
2. The successful contractor(s) be reported back to Cabinet for final approval and appointment.

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

(a) Environmental Crime Enforcement Policy (Key Decision No. 347)

Members' approval was sought for the adoption of an Environmental Crime Enforcement Policy in relation to dog fouling, littering, fly tipping and graffiti. The proposed Policy was agreed by Cabinet in September 2012 and has been circulated to partners and stakeholders as part of the consultation exercise.

Options, Risks and Reasons for Recommendations

If Members do not agree to the proposed policy, a clear framework for enforcement will not exist.

If Members agree to the proposed policy, a more holistic and focussed approach to environmental crime will be achieved. If agreed, the policy will be forwarded to full Council for ratification.

RESOLVED that:

1. The Environmental Crime Enforcement Policy be recommended to full Council for approval and implementation.
2. The Cabinet Member for Environment and Leisure to ask the Environmental Health Team to contact Councillor C Palmer regarding the matter of feeding pigeons in Retford town centre.

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

(a) The Council Tax Reduction (Bassetlaw District Council) Scheme 2013/14 (Key Decision No. 315)

Members' approval was sought for the Council's new scheme for Council Tax Reduction (also called "Support") which must be in place by 31st January 2013, to come into effect on 1st April 2013. This scheme replaces the national DWP-funded Council Tax Benefit scheme. Some nationally imposed constraints must remain such as full protection for pensioners and also to protect the working age vulnerable.

Options, Risks and Reasons for Recommendations

The draft scheme in August 2012 set out options to reduce expenditure on the new Council Tax Support Scheme by £1m. The consultation responses have been taken into account, particularly the concern of many that the main change proposed, of an 80% maximum Council Tax Support, would be too difficult for households managing on out-of-work benefits.

There is the option to make a bid for the Government's offer of additional funding to help cushion the effect of the reduction in support for the first year of the scheme only. The terms of that offer require that those currently entitled to 100% relief under Council Tax Benefit must be no worse off than 8.5% under the local Scheme. To assist vulnerable households further, 8% is recommended.

There are other options which include:

- (i) Adopting the Default Scheme which means the 2013/14 Council Tax reduction entitlement does not change, whereas the funding will decrease to approximately 10%.
- (ii) To not determine a scheme, which leads to the automatic imposition of the Default Scheme.
- (iii) Determining a different variation of scheme, e.g. to limit support at 80%, 85% or different, and/or revisit other changes highlighted at the draft scheme stage.

RESOLVED that the Council Tax Reduction (Bassetlaw District Council) Scheme 2013/14 for the year 2013/14 be recommended to the Extraordinary Council Meeting on 29th January 2013 for approval and adoption, and the following be agreed:

1. The definition in the scheme (at Class G) of vulnerable working age households entitled to full discount protection.
2. That war widows, widowers and the war disabled have their income treated in accordance with the existing local scheme (e.g. the full war pension weekly amount ignored).
3. That pensioner households will also be fully protected as prescribed by the Default Scheme.
4. That 92% of a claimant's weekly Council Tax liability will be presented for the Council Tax reduction calculation for working age households excluding those mentioned in (1).
5. No provision for the back-dating of working age claims.
6. That the former scheme under Council Tax Benefit, for working age claimants called Second Adult Rebate, be abolished.
7. The delegated authority be given to the Interim Chief Executive to determine a hardship fund for households who meet extreme financial difficult due to the transition from full benefit to part benefit under this scheme.
8. That officers amend the existing war widows, etc, Housing and Council Tax Benefit (disregard of income) local scheme policy and bring back to Council an up-to-date

policy, taking into account Council Tax reductions agreed by this scheme in respect of them.

FURTHER RESOLVED that thanks be recorded to the Head of Revenues and Customer Services and his team for the work involved in producing the new Council Tax Reduction scheme.

Other Decisions

120. REFERRALS

- (a) Joint Employee Council – 11th December 2012 – Minute No. 29(b) – Job and Structure Redesign Policy and Procedure

Members' approval was sought for the draft Job and Structure Redesign Policy and Procedure which had been referred from Joint Employee Council after agreement with the trade unions.

RESOLVED that the Job and Structure Redesign Policy and Procedure be approved and adopted.

121. REPORT(S) OF THE CABINET MEMBER – COMMUNITY PROSPERITY – COUNCILLOR D R PRESSLEY

- (a) Neighbourhood Plans: Designation of a Neighbourhood Plan for Shireoaks

Members' approval was sought for a Neighbourhood Area for Shireoaks for the purposes of producing a Neighbourhood Plan as defined in the Neighbourhood Planning (General) Regulations 2012. A map showing the proposed Area was appended to the report.

Options, Risks and Reasons for Recommendations

Option One – To approve the Neighbourhood Area designation for Shireoaks Parish. There are no obvious risks associated with this approval, as the areas follow natural administrative boundaries. This will enable the Parish Council to progress with its Plan accordingly.

Option Two – To not approve the designation. This will carry the risk that the nascent Plan of the community in question will be unable to progress to Examination.

RESOLVED that:

1. The Neighbourhood Area designation for Shireoaks Parish be approved.
2. Thanks be recorded to the relevant officers for their continued work in this area of good practice which is being recognised as such.

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

- (a) Update on Old Brewery Yard Industrial Estate

Members were provided with an update on the Old Brewery Yard industrial estate in accordance with an earlier recommendation to Cabinet.

Options, Risks and Reasons for Recommendations

Option One – To do nothing and the Council would continue to receive the income from the lettings.

Option Two – To undertake a feasibility study to establish the viability of redeveloping the Old Brewery Yard site. If this was to be done, in addition to the overall cost of a redevelopment scheme, the existing tenants would be entitled to receive compensation payments for the loss of their tenancies and, due to the limited number of vacant units in the council's ownership, it is unlikely that suitable units could be made available to dispossessed tenants.

Option Three – To sell the site on the open market, although there is no guarantee that a buyer could be found. However, ignoring the units that will be available once they are emptied of Council files, the development is effectively fully-let and produces an income to the Council.

The Old Brewery Yard premises is unlikely to be of interest to a potential investor due to the age of the premises and the inability to increase the level of rental income without significant investment in the premises. Any price offered would reflect this and so unlikely to be of interest to the Council.

RESOLVED that:

1. The Council retains its freehold interest in Old Brewery Yard and earns rental income from the lettings until such time as the commercial property market improves as evidenced by rental growth.
2. A feasibility study be undertaken to identify future options for the site, including disposal, if and when the commercial property market improves.

123. REPORTING MINUTES

(a) Joint Employee Council – 11th September 2012

RESOLVED that the minutes of the meeting of the Joint Employee Council held on 11th September 2012 be received.

124. 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 Paragraphs 2 and 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) – Referral – Joint Employee Council – 11th December 2012 – Minute No. 31(b) – Apprenticeships - Paragraph 3

Agenda Item No. 16(a) – Environmental Enforcement – Paragraph 2

Agenda Item No. 17(a) – Legal and Licensing Service Review – Paragraph 2

Agenda Item No. 18(a) – ICT Unit – Review of Structure – Paragraph 2

(Councillors K H Isard and C Wanless left the meeting at this point.)

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

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

125. REFERRALS

(b) Joint Employee Council – 11th December 2012 – Minute No. 31(b) – Apprenticeships

Members' approval was sought for a review of apprenticeship rates and a move to a percentage system, consistent with that adopted by A1 Housing, which had been referred from Joint Employee Council after agreement with the trade unions.

RESOLVED that a review of apprenticeship rates be approved and a move to a percentage system, consistent with that adopted by A1 Housing, be adopted.

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

(a) Environmental Enforcement

Members' approval was sought to commence consultation regarding the proposed changes to the existing Environmental Health structure in respect of enforcement activities. Trade union comments and a proposed Job Description were appended to the report.

Options, Risks and Reasons for Recommendations

Option One – To reject the proposals and revert to the original status quo. This will not allow for an improvement in co-ordination of enforcement and will mean a continuation of lack of leadership in a high profile service area.

Option Two – To accept the proposals and commence consultation under the Council's Enabling Process.

RESOLVED that the proposals be accepted and consultation be commenced with staff and trade unions.

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

(a) Legal and Licensing Service Review

(This item was wrongly listed under Policy and Community Engagement on the Agenda.)

Members' approval was sought for proposed changes to the structure within the Legal and Licensing Service and to commence consultation with affected staff in accordance with the Council's Organisational Change Policy and Procedure. Recommendations put forward as a result of an independent review of the Service were appended to the report.

Options, Risks and Reasons for Recommendations

Given the financial constraints which the Authority finds itself under, the fluid nature of the Authority-wide strategic reviews and the budgetary pressure to reduce costs, the proposal represents the most pragmatic and viable restructuring option which would

address the immediate need for greater capacity to respond to customers' requirements and fill the leadership gap. This would reduce the level of risk in decision-making, reduce costs to the Council of externalising work as a matter of routine and increase performance levels and customer satisfaction in tandem. It would also be the most cost effective use of the available budget and does not constrain future decisions from being made as the shape and size of the Council changes.

Members have the option of either progressing or not progressing with the proposed changes identified in the report. A further option remains to simply fill the vacant Council Solicitor post and seek to re-create the former arrangements. However, Members should be mindful of the issues and risks identified by the independent review and outlined in the report. Any decision must reflect a will to address those issues and mitigate risk to the Council.

RESOLVED that:

1. The proposed new arrangements for specific posts with the Legal and Licensing Service be noted and consultation be undertaken with affected staff in accordance with the Council's Organisational Change Policy.
2. A further report be presented to Cabinet for final approval of the proposed structure changes.

(b) ICT Unit – Review of Structure

Members' approval was sought for proposed changes to the staff structure within Support Services in response to issues identified from staff consultation on the recent Service Review and the budget process. The current structure and an outline of the potential future structure were appended to the report.

Options, Risks and Reasons for Recommendations

The Council is facing significant pressure both structurally and financially, therefore the need to review and restructure all services is of paramount importance. ICT will play an increasingly important part of enabling more innovative and cost-effective ways of delivering services. The proposals seek to centralise ICT, rationalise management arrangements and build in strategic ICT expertise and prepare the Council for the significant changes ahead.

Members have the option of either progressing or not progressing with the proposals for restructuring ICT. Should the decision be made not to move to implementation then this could have an impact on the Council's ability to deliver against the more demanding Government agenda. The current structure does not provide a cost-effective option to align itself with these requirements. The Council's strategic ICT capacity will not be improved, therefore expertise will need to be "bought in" to assist the Council in preparing for the emerging agenda.

RESOLVED that:

1. The initial proposals, as outlined in the report, be approved and engagement with affected staff and their representatives takes place in accordance with the Council's Organisational Change Policy.
2. A further report be presented to Cabinet for final approval of the proposed structure changes.
3. Thanks be recorded to A Brammall, Strategic ICT Manager, for his work to date in moving ICT forward.

128. 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 and officers for their attendance.