

CABINET

Minutes of the Meeting held on Tuesday, 6th November 2012 at Retford 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: Councillors H Brand and C Palmer.

Liaison Members: Councillors B Barker and C Wanless.

Officers: D Armiger, G Blenkinsop, J Hamilton, M Hill, N Taylor and R Theakstone.

Also present: Councillor I J Campbell – Equalities Champion.
Councillors J M Sanger, K Sutton and J White.

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

77. QUESTION TIME - PUBLIC

Council Procedure Rules were suspended for fifteen minutes to allow questions from the public; however, there were no members of the public present.

78. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Burton and K H Isard.

79. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

80. MINUTES OF THE MEETING HELD ON 2nd OCTOBER 2012

RESOLVED that the minutes of the meeting held on 2nd October 2012 be approved.

(Councillor H Brand joined the meeting at this point.)

81. MINUTES FOR ACTION AND IMPLEMENTATION

RESOLVED that the Minutes for Action and Implementation be received.

82. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

83. FORWARD PLAN

The Monitoring Officer gave Members a brief explanation of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and their impact on the Council's Forward Plan which was presented to Members.

RESOLVED that the Forward Plan be received, subject to Housing Options (Key Decision No. 289) being added to be presented to the 4th December 2012 meeting.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

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

(a) **Community Right to Bid – Assets of Community Value (Key Decision No. 354)**

Members were updated on the Community Right to Bid provisions of the Localism Act, and agreement was sought on an approach to effectively respond to these new provisions.

The report outlined: asset of community value; nomination; listing an asset; moratorium; compensation; review processes; and enforcement.

Options, Risks and Reasons for Recommendation

The Council has a statutory duty to respond to its new responsibilities as set out in Part 5, Chapter 3 of the Localism Act 2011 and the Assets of Community Regulations 2012.

RESOLVED that:

1. The processes, as set out at paragraph 3.6 of the report, be approved so that the Council can meet its statutory responsibilities in respect of the Community Right to Bid.
2. This approach be approved and adopted by full Council in December 2012.

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

(a) **Fees and Charges Strategy (Key Decision No. 321)**

Members were updated on the work of the Fees and Charges Working Group since the initial strategy was reported to Cabinet in November 2011.

The report outlined: existing fees and charges; new charging opportunities; sponsorship and advertising.

Options, Risks and Reasons for Recommendations

Members have discretion over what levels they set for fees and charges to service users. However, all charges need to be put into context against a backdrop of potential service reductions, council tax increases and local referendums, and reducing central government Grants.

RESOLVED that:

1. The work of the Fees and Charges Working Group be noted, i.e. the existing fees and charges have been reviewed and these will be reported back to Cabinet in December 2012.
2. An 'in principle' agreement be given to the new charging opportunities that potentially exist, and officers be requested to present further reports to Cabinet for those areas that have not yet received individual approval.
3. Delegated authority be given to the Head of Community Prosperity and the Cabinet Member for Finance and Property to progress the options for sponsorship of, and advertising on, the Council's asset base.

(b) Budget Monitoring and Capital Programme Update Report to 30th September 2012 (Key Decision No. 328)

Members were provided with information on: the spending position for the period 1st April to 30th September 2012 for the General Fund, Housing Revenue and Capital Programme; 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; updates on regeneration projects and sites that are not monitored through the Council's Capital Programme; updates on Treasury Management Budget issues; the regular quarterly update on performance against the approved Treasury Management Prudential Indicators for the period ending 30th September 2012; and the Mid-Year Treasury Management Strategy Review report.

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

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 variance 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 2013.

The Council has responsibility for delivering its Capital Programme on time and not doing so could undermine the achievement of its objectives. The Property and Regeneration 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 2012/13.

RESOLVED that:

1. Thanks be recorded to officers for their work to date.
2. The position with regard to Revenue and Capital budget monitoring be noted.
3. The 'new approvals' to the 2012/13 Capital Programme, totalling £0.233m, as detailed in paragraph 3.14 and Appendix 3 of the report, be approved.
4. The 'other variations' to the 2012/13 Capital programme, totalling £(0.278m), as detailed in paragraph 3.14 and Appendix 3 of the report, be approved.
5. The 'reprofiling' to the 2012/13 Capital Programme, totalling £(1.455m), as detailed in paragraph 3.14 and Appendix 3 of the report, be approved.
6. 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 3.18 and 3.20 of the report, be noted.
7. The update on the Langold Lake key regeneration project, as detailed in paragraph 3.21 of the report, be noted.

8. The quarterly update on performance against the approved Treasury Management Prudential Indicators for the period ending 30th September 2012, as detailed in Appendix 6 of the report, be noted.
9. The weekly investment balances made throughout the third quarter of the financial year, in conjunction with the Security, Liquidity and Yield benchmarking data for the Council, as detailed in Appendix 7 of the report, be noted.
10. The approval of the Mid-Year Treasury Management Strategy Review report, as detailed in Appendix 8 of the report, be recommended to full Council in December 2012.
11. A scoping exercise for financial monitoring and budget control be undertaken.

(c) Budget Progress Report Phase 1 – Business Rate Retention Scheme and Pooling (Key Decision No. 330)

Members were informed of the Business Rate Retention Scheme, which will be introduced in April 2013, and potential pooling arrangements within Nottinghamshire.

The report outlined: the basics of the scheme; pooling arrangements; potential advantages and disadvantages, including volatility management, levy reduction, and economic efficiency; the potential for pooling in Nottinghamshire; and the implications of pooling for Bassetlaw.

Options, Risks and Reasons for Recommendations

The recommendation, if accepted, will enable an expression of interest to be put to the Department of Communities and Local Government, if appropriate.

RESOLVED that:

1. The explanation of the new Business Rates Retention Scheme be noted.
2. The participation in a business rates pool for Nottinghamshire Authorities be agreed in principle, subject to the final arrangements being in the best interests of the Council.
3. Delegated authority be given to the Interim Chief Executive and Head of Finance and Property, in consultation with the Leader of the Council and the Cabinet Member for Finance and Property, to approve the participation of Bassetlaw District Council in the initial submission of a pooling arrangement for 2013/14 involving other Nottinghamshire Authorities, provided that it is considered in the best interests of the Council.
4. Delegated authority be given to the Interim Chief Executive and Head of Finance and Property, in consultation with the Leader of the Council and the Cabinet Member for Finance and Property, to confirm the Council's participation in the proposed pooling arrangement following the announcement of the Local Government Finance Settlement in December 2012, provided that it is considered in the best interests of the Council.
5. Further modelling work be undertaken as additional information becomes available to determine the financial advantages of pooling arrangements.
6. If it is not possible to agree pooling arrangements for 2013/14, further work be carried out to determine whether or not it is appropriate to make a submission for pooling arrangements in 2014/15.

Other Decisions

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

(a) Co-location of BDC and A1 Anti-Social Behaviour Teams

Members were updated on the proposed co-location of Bassetlaw District Council's and A1 Housing's Anti-Social Behaviour (ASB) Teams.

The members of staff involved will remain employed by their respective organisations and will work to an ASB Joint Working Agreement. Appropriate performance indicators and measures will be drawn up in consultation with key elected Members.

Options, Risks and Reasons for Recommendations

The proposed co-location joins together functions which currently exist and which have to be discharged according to the powers outlined within the report.

There is an option not to co-locate; however, the benefits outlined within the report will not be realised. Further, the Council will be in a position where it is not preparing for the implications of the proposed White Paper.

RESOLVED that:

1. The proposal for the co-location of the BDC and A1 Anti-Social Behaviour Teams be endorsed.
2. A further report be presented to a future Cabinet in relation to further arrangements with the Police and other partner arrangements in respect of the wide Community Safety agenda.

(b) Equality and Diversity - Update

The Equalities Champion, Council I J Campbell, updated Members on progress against the Council's equality objectives. The report outlined progress on: monitoring to provide a regular profile of the Council's customers; development of the Anti-Poverty Strategy; the needs of older people; the needs of the migrant worker population; the needs of disabled residents; the development of an LGBT forum; review of Hate Crime reporting arrangements; support of women's services; development of a Children and Young People's Plan; development of the Community Engagement Network; review of the Council's Grant Aid; development of the Help Point network; and completion of the Equal Pay review.

Options, Risks and Reasons for Recommendations

There is a statutory duty to produce and publish equality objectives for the next four years. The objectives have been previously approved by Cabinet and are reflected in the Corporate Plan.

RESOLVED that:

1. Progress against the Equality Objectives be noted and Cabinet be provided with updates on progress as part of the overall equality updates.
2. These updates form the basis for the Council's Annual Equality report, to be agreed with the Leader, Deputy Leader and Equalities Champion.

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

(a) Workshop Creative Village – Request for Additional Capital

Members' approval was sought for additional capital funding to complete the Workshop Creative Village, phase one development. Items incurring the additional cost were listed at paragraph 3.6 of the report, estimated at £117,000.

Members were informed that a site visit is being arranged for local Ward Members on 27th November to view the development.

Options, Risks and Reasons for Recommendations

There is little option but to fund this extra requirement. The project is at such an advanced stage as to make cessation of work and leaving the site unfinished untenable.

There are two tenants ready to move in today if the buildings were available, and the development will provide an income stream to the Council in future years, as well as providing much needed workspace and creating jobs.

The worst case scenario is that the Council funds the £117,000 from the phase 2 project using capital receipts, which would affect the viability of this element of the project.

However, the option exists to apply for a contract variation to ERDF Funding for the first phase of the project, this is available at 64.37% intervention (grant) rate and equates to £75,313 with the balance being met from capital receipts.

There is a strong chance of success from the ERDF application route, since the programme is currently underspent and the DCLG (which manages the ERDF programme) is currently encouraging contract variations as a means of allocating more of the programme budget.

RESOLVED that:

1. The addition of £141,000 to the 2012/13 Capital Programme for the Worksop Creative Village phase 1 be approved.
2. The transfer of £116,000 from the Worksop Creative Village phase 2 project be approved, funded by capital receipts to meet the increased costs of phase 1.
3. The deletion of the Canch Bridge allocation from the 2012/13 Capital Programme be approved, as the bridge is included in the Worksop Creative Village phase 2 capital scheme.
4. The application to ERDF for a contract variation request be approved to provide grant funding of £75,313 for phase 1 of the project.

(b) Residents' Parking Dispensations

Members' approval was sought for the introduction of a scheme to provide residents with parking dispensations on the Chapel Walk and Ebenezer Terrace car parks in Worksop. The affected areas were outlined on location maps appended to the report.

Options, Risks and Reasons for Recommendations

The Council has the option to continue to operate the car parking charges as they currently apply. However, it is clear that there has been a long running problem at Chapel Walk, involving land in private ownership, and the proposal put forward would appear to be a straightforward way of addressing the residents' concerns. In relation to Ebenezer Terrace, some residents have clearly been affected by the recent changes to the car parking arrangements in this area and the proposal will provide transitional arrangements to ensure that their concerns are taken into account.

RESOLVED that:

1. One parking permit per dwelling be issued upon request to each dwelling on the affected part of Chapel Walk, Worksop.
2. Residents of dwellings adjacent to the Ebenezer Terrace car park be contacted and invited to apply for a permit before the end of the financial year. Whilst any permit issued during that time will be renewed in accordance with the standard fees and charges that apply at the time, no new permits will be issued after 31st March 2013.

3. A standard fee of £25 per annum be charged for each permit, to cover the cost of administering the scheme. This fee will be included within the Council's Fees and Charges schedule and will be reviewed from time to time.

88. REPORTING MINUTES

- (a) Council's Health and Safety Committee – 10th July 2012

RESOLVED that the minutes of the meeting of the Council's Health and Safety Committee held on 10th July 2012 be received.

- (b) Parish Councils Liaison Group – 11th July 2012

The Leader of the Council commented on the proportional retention of the concurrent grant, and commended the work of Councillors H M Brand and P Douglas, particularly in relation to rural issues.

RESOLVED that the minutes of the meeting of the Parish Councils Liaison Group held on 11th July 2012 be received.

89. 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. 13(a) – Insurance Provision 2012/13 - Paragraph 3

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

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

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

- (a) Insurance Provision 2012/13 (Key Decision No. 357)

Members were updated on the need to procure liability insurance cover as a matter of urgency, due to the existing provider breaching the Long Term Agreement in relation to the liability elements of the insurance policy.

Options, Risks and Reasons for Recommendations

The proposed request for alternative quotations will test the market and may achieve a reduced cost of renewal that will be contained within existing budgets.

RESOLVED that:

1. The waiving of Contract Procedure Rules to enable the market testing of Bassetlaw's liability insurance requirements for 2012/13 be approved.

2. Delegated authority be given to the Head of Finance and Property to undertake a negotiated tender procedure next year, in anticipation of an insurance contract start date of 1st October 2013.

Other Decisions

None.

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

As there was no other business to be considered, the Chairman closed the meeting.