

## **CABINET**

### **Minutes of the Meeting held on Tuesday, 6<sup>th</sup> March 2012 at Retford Town Hall**

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

Liaison Members: Councillors H Burton, S Toms and C Wanless.

Officers: G Blenkinsop, S Brown, J Hamilton, M Hill, D Hunter, M Ladyman,  
N Taylor and R Theakstone.

Standards Members: None.

Also present: Councillor F Hart – Select Panel Chair.

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

#### **146. QUESTION TIME - PUBLIC**

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

#### **147. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M W Quigley.

#### **148. 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.

#### **149. MINUTES OF THE MEETING HELD ON 9<sup>TH</sup> FEBRUARY 2012**

**RESOLVED** that the minutes of the meeting held on 9<sup>th</sup> February 2012 be approved.

#### **150. MINUTES FOR ACTION AND IMPLEMENTATION**

**RESOLVED** that the Minutes for Action and Implementation be received.

#### **151. OUTSTANDING MINUTES LIST**

**RESOLVED** that the Outstanding Minutes List be received.

## **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

### **Key Decisions**

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

(a) **Children and Young People’s Issues and Action Plan (Key Decision No 312)**

Members’ approval was sought for the new Children and Young People’s Plan and support from Members was sought for external activities. The Plan had been appended for Cabinet and Liaison Members and deposited in the Members’ Room.

The report outlined the Council’s activities in respect of: the Child Poverty Act 2010; the ‘Plugged 2’ event; Focus On Young People In Bassetlaw; Bassetlaw Youth Board; Bassetlaw Rural Youth Initiative; and Safeguarding arrangements. It was noted that Focus On Young People In Bassetlaw had made a significant contribution to the Bassetlaw Games, and that Vicky Rawson had worked hard for the youth of Bassetlaw for many years.

#### **Options, Risks and Reasons for Recommendations**

Any development of a new Children and Young People’s Plan for the Council will need to take account of future strategic priorities and the level of resource available.

The option exists for the Council not to progress a new Plan. Although the Council has a statutory responsibility in terms of the Children’s Act 2004, the options exist to approve, not approve or modify a number of the recommendations. The Council has identified Children and Young People’s issues as an area of priority and development. This has been reflected in the Joint Strategic Needs Assessments.

The Council has the opportunity to decide not to fund either the ‘Plugged’ event or make a contribution to Focus On Young People In Bassetlaw.

#### **RESOLVED that:**

1. The new Children and Young People’s Action Plan be approved.
2. £1,000 be contributed towards the ‘Plugged 2’ event.
3. A grant of £6,000 be made towards Focus On Young People In Bassetlaw, this to be funded in 2012/13 from the Corporate Contingency Pot.

### **Other Decisions**

#### **153. REFERRAL(S) FROM SELECT PANELS**

(a) **Report of Select Panel 1: Choice Based Lettings and Local Lettings Policies**

The Chair of the Panel, Councillor F Hart, presented the Panel’s report, which had been appended for Cabinet and Liaison Members and deposited in the Members’ Room. The Chair thanked the Panel Members, witnesses and officers involved, particularly Mrs E Whittles, Scrutiny Officer, for all the hard work involved in the scrutiny process. Many factors had been taken into consideration by the Panel, not least the emerging/changing legislation, the rising demand for social housing and the fact that there are fewer properties available.

#### **Options, Risks and Reasons for Recommendations**

Cabinet could agree all, some or none of the recommendations within the report.

**RESOLVED** that:

1. Thanks be recorded to the Panel Members, witnesses and officers involved with the scrutiny process, particularly Mrs E Whittles, Scrutiny Officer.
2. The recommendations within the Select Panel 1 report on Bassetlaw District Council's Choice Based Lettings and Local Lettings Policy be considered.
3. The Cabinet response be submitted to the next available Overview and Scrutiny Committee.

(Councillor F Hart left the meeting at this point.)

**154. REPORT(S) OF THE CABINET MEMBER – POLICY AND COMMUNITY ENGAGEMENT  
– COUNCILLOR G A N OXBY**

(a) Forward Plan – March to June 2012

Members were presented with the Forward Plan of Key Decisions for the coming four months.

Options, Risks and Reasons for Recommendations

The report is for noting.

**RESOLVED** that the Forward Plan for the period March to June 2012 be approved.

(b) Bassetlaw Local Strategic Partnership

Members were updated on the work of the Bassetlaw Local Strategic Partnership, and a copy of the Partnership structure was appended to the report. Additional information had also been appended for Cabinet and Liaison Members and deposited in the Members' Room. It was noted that detailed reports of the Partnership's activities can be requested from the Community Engagement and Performance Service.

The Partnership's Board Meeting in January 2012 covered: regeneration opportunities arising from links with the Sheffield City Region; local challenges arising from Nottinghamshire County Council's budget; additional support for funding social care and disabled facilities grants; a proposal about how to develop a Green Apprenticeship scheme; Bassetlaw District Council's new Corporate Plan; launch of the Voluntary and Community Sector Engagement Forum; Warm Homes Fund; Bassetlaw Games; Quarter 3 performance; community budgets; developments within the Police across Bassetlaw and Nottinghamshire; and forthcoming events and funding opportunities.

Options, Risks and Reasons for Recommendations

The Council has a statutory duty to produce a Sustainable Community Strategy; however, the Council does not need to be a part of or facilitate a Local Strategic Partnership.

**RESOLVED** that:

1. The summary progress report be noted.
2. Further update reports be presented to Cabinet on a quarterly basis.

(c) Nottinghamshire Listens Panel Survey

Members were informed of the outcomes for Bassetlaw arising from the Council's participation in the Nottinghamshire Listens Panel Survey – Wave 6, which was conducted by Ipsos MORI during late October and November 2011. The full comparative data analysis was appended to

the report. It was noted that overall the satisfaction levels with Bassetlaw District Council had improved in most areas, compared to the previous Place survey.

#### Options, Risks and Reasons for Recommendations

When seeking views from the public as part of a survey or consultation, whether undertaken directly by the Council or indirectly on our behalf via another body, then the Council has an obligation to report its findings and take positive action, where appropriate, to address areas for concern.

**RESOLVED** that the findings and results of the Nottinghamshire Listens Panel Survey be noted and published on the Council's website.

#### (d) Officers' Scheme of Delegation

Members were advised of new legislation and variations to existing legislation that has emerged, which is aligned to that delegation. The lists of relevant legislation for Environmental Health and the Senior Pollution Control Officer were appended to the report.

Members' approval was sought for: the transfer of delegated authority from the post of Head of Environment and Housing to that of the Director of Community Services which has arisen from the continued absence of an appointed postholder; to authorise proper officers to use relevant powers, in particular those relevant to the Environmental Health Department and officers within the Regulatory Team; and to refer the new delegation arrangements to full Council at the next earliest opportunity, including appropriate amendments to the Council's Constitution.

#### Options, Risks and Reasons for Recommendations

Option One – To approve the suggested amendments to the Officer Scheme of Delegation and authorisations as set out within the report.

Option Two – To not approve the suggested amendments to the Officer Scheme of Delegation and authorisations.

The Council has a duty to proactively review its Constitution in light of changing legislation and organisational arrangements including the schemes of delegation. Failure to authorise officers to discharge powers to fulfil the Authority's statutory functions would place the Council at risk of failure to perform its statutory duties. It is therefore necessary to ensure that officers are fully authorised to carry out the necessary powers under the legislation.

**RESOLVED** that:

1. The transfer of delegated authority from the post of Head of Environment and Housing to that of Director of Community Services be approved, to include the powers arising from new and altered legislation and enactments as advised within the report.
2. The removal of specific delegation of powers in relation to the posts of Environmental Health Officers, as detailed in paragraph 3.7 of the report, be approved, as this will be covered within the general scheme.
3. The delegation of powers in relation to the post of Senior Pollution Control Officer, as outlined in paragraph 3.8 of the report, be approved.
4. The necessary amendments be made to the Council's Constitution and referred to full Council for ratification at the earliest available opportunity.

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

(a) Section 106 Commuted Sum Payments

Members' approval was sought for delegated authority to be given to enable the delivery of major works undertaken by third parties and funded through commuted sums held by the Council under the provision of Section 106 Agreements.

Options, Risks and Reasons for Recommendations

The alternative option available is that each payment will need to be agreed as a separate Cabinet report as they arise, and this may lead to significant delays in delivering the works.

**RESOLVED** that:

1. Delegated authority be given to the Head of Community Prosperity, in consultation with the Head of Finance and Property and the Cabinet Member for Community Prosperity, to set up capital and revenue projects in relation to the expenditure of funds received through signed Section 106 Agreements where the project does not exceed £250,000 in value.
2. Any use of this delegated authority be retrospectively reported to Cabinet as part of the quarterly budget monitoring and capital update report.

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

(a) Land at Ordsall, Retford

Members were asked to consider the next steps required to generate the optimum income from the Council-owned site at Ordsall, in conjunction with the planning issues that are currently being considered.

Options, Risks and Reasons for Recommendations

Option One – To sell the whole site upfront for an early receipt.

Option Two – To sell the site with staged payments linked to defined timescales.

Option Three – To sell the site with staged payments linked to unit sales.

Option Four – To sell the site split into two parcels.

Members could decide not to dispose of the site following any grant of planning permission and retain it as a dormant asset with commensurate impacts on future Capital Programmes.

Members can agree to pursue the active sale of the site 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.

**RESOLVED** that:

1. Up to £30,000 be allocated to engage external advice, from consultants who will work with officers to achieve a marketing strategy that will maximise the capital receipt for the Ordsall site and increase in-house expertise for future projects.
2. Reports on progress be presented to future Cabinet Meetings.

3. The Director of Resources writes to Councillor B Jones in reply to his question that he raised at full Council on 5<sup>th</sup> March 2012 regarding Section 106 monies and play areas in Ordsall.

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

##### (a) Energy Efficiency and the Green Deal

Members were advised of the Energy Act 2011 which includes provision for a new Green Deal initiative to address the energy efficiency of domestic properties and businesses. Members' approval was sought to set up a Green Deal working group to discuss the Council's position within the Green Deal plan and to outline options for partnership working to address fuel poverty within the District.

##### Options, Risks and Reasons for Recommendations

The Department of Energy and Climate Change (DECC) sees the role of the local authority as being "key in ensuring the effective and intensive delivery of the ECO and Green Deal". They go on to state that "local authorities might choose to deliver the Green Deal, either directly themselves or in partnership with commercial organisations and local partners".

The alternative is for the Council to not engage in the Green Deal and to leave it to the commercial sector.

##### **RESOLVED** that:

1. A working group be set up, led by the Head of Community Prosperity, comprising BDC officers, A1 officers and the Cabinet Member for Housing, to commence discussions around the implications of the Green Deal and the position of Bassetlaw District Council within this initiative.
2. Further reports be presented to Cabinet on the key elements of the Green Deal and the Energy Bill.

#### 158. 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 13(a) – Proposed Sale of Land at Hawkins Close, Harworth - Paragraph 3

Agenda Item No 14(a) – Housing Options Update – Paragraph 2

#### **SECTION B – ITEMS FOR DISCUSSION IN PRIVATE**

##### **Key Decisions**

None.

## **Other Decisions**

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

#### (a) **Proposed Sale of Hawkins Close, Harworth**

Members' approval was sought for the marketing and disposal of a vacant area of Council-owned land at Hawkins Close, Harworth, which is suitable for residential development. The site was shown on a location plan appended to the report and comprises 5,342 square metres or thereabouts. The site is currently used for fly-tipping and has no amenity value for local residents.

#### **Options, Risks and Reasons for Recommendations**

Option One - To do nothing with the site, in which case the potential to generate a capital receipt would be lost and the Council would continue to incur costs in relation to maintaining the land and the removal of waste material.

Option Two - To sell each of the sites on the open market and agree to enter into a collaboration agreement that will assist the purchaser to undertake a phased development.

**RESOLVED** that the Property Manager be authorised to dispose of the site on the most financially beneficial basis to the Council.

### **160. REPORT(S) OF THE CABINET MEMBER – HOUSING – COUNCILLOR A RHODES**

#### (a) **Housing Options Update**

Members' approval was sought for the commencement of a shared services arrangement between Bassetlaw District Council and A1 Housing (Bassetlaw) Ltd in respect of: home improvement/Disability Funding Grants; communications; health and safety. Comments from UNISON were tabled at the meeting.

#### **Options, Risks and Reasons for Recommendations**

Option One – To not agree to the commencement of shared services with A1 Housing in the service areas identified within the report. However, no efficiencies and improved working arrangements will be realised.

Option Two – To agree to the commencement of services detailed within the report.

**RESOLVED** that:

1. The commencement of shared services in respect of: home improvement/Disability Funding Grants; communications; health and safety be agreed.
2. A report be presented to Cabinet in April 2012 on further proposals for possible shared services between Bassetlaw District Council and A1 Housing (Bassetlaw) Ltd.

### **161. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT**

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