

**CABINET**

**Minutes of the Meeting held on Tuesday, 5<sup>th</sup> July 2011 at Worksop 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, M W Quigley, S Toms and C Wanless.

Officers: D Armiger, S Brown, A Burton, C Forster, J Hamilton, M Hill, L Hull,  
M Ladyman, E Prime, R Schofield, N Taylor, R Theakstone and R  
Wilkinson.

Standards Members: None.

Also present: Councillor H M Brand, Mrs G Freeman and J C Shephard  
– Scrutiny Select Panels.  
Councillors J W Anderton, B Barker, I J Campbell and Mrs K Sutton.

**23. QUESTION TIME - PUBLIC**

Council Procedure Rules were suspended for fifteen minutes to allow questions from the public:

*With regard to the Council's pledge to 4-18 year olds across the District, what are the Council's plans for the provision of play parks, particularly in the Worksop East Ward?*

The Cabinet Member for Environment and Leisure replied that she had visited many of the play areas across the District recently and realises that there is a deficit in the Worksop East Ward. £42,000 is allocated within the Capital Programme for play provision. It is proposed to install a Neighbourhood Equipped Area for Play (NEAP) in the Worksop East Ward but land availability is an issue for a full NEAP. The former Kilton Youth Centre is being renovated by Nottinghamshire County Council so St Augustine's School has been earmarked as a possible site. Discussions have taken place with the school and Nottinghamshire County Council, and consultation is ongoing with local residents. £160,000 is needed for a full NEAP so funding is an issue but it is hoped that the school will be able to access WREN funding and Section 106 monies will come through shortly from Tesco's. Councillor G Wynne has been heavily involved in this project.

*What plans are there for the other side of Worksop where there are even fewer play areas?*

The Cabinet Member for Environment and Leisure added that other sites are being looked at.

*Will the Council consider a yearly financial contribution to the running of the Clowne and District Community minibus which currently runs alternate Thursdays from Worksop town centre to Hannah Park Cemetery which, for many, is the only way to visit relatives' graves?*

The Leader of the Council asked that this request be made in writing to the Director of Community Services and it will be added to the requests when considering the Budget for 2012/13.

#### 24. APOLOGIES FOR ABSENCE

There were no apologies for absence.

#### 25. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

##### (a) Members

Councillor G A N Oxby declared a personal and prejudicial interest in Agenda Item No 17(a) – Request for Early Retirement – Revenues and Benefits Job Share Employee, as he knows the applicant, and stated that he would leave the meeting.

##### (b) Officers

There were no declarations of interest by officers.

#### 26. MINUTES OF THE MEETING HELD ON 7<sup>TH</sup> JUNE 2011

**RESOLVED** that the minutes of the meeting held on 7<sup>th</sup> June 2011 be approved.

#### 27. MINUTES FOR ACTION AND IMPLEMENTATION

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

#### 28. OUTSTANDING MINUTES LIST

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

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

#### 29. REFERRALS FROM SCRUTINY SELECT PANELS

##### (a) Review of the Dog Warden Service

The Chair of Select Panel 3, Councillor Mrs G Freeman, accompanied by Councillor J C Shephard, presented the Panel report which included 11 recommendations for consideration. The Panel Report was appended for Cabinet and Liaison Members and had been deposited in the Members' Room.

It was noted that Recommendation 5 had been amended to delete "parish councils" from the list for additional training, and the reason for this was explained.

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

The report had been prepared by the Select Panel reviewing the topic on behalf of the Overview and Scrutiny Committee with a view to making recommendations to Cabinet on the findings of the review.

Members can agree all, some or none of the recommendations within the report.

**RESOLVED** that:

1. The recommendations of the Review of the Dog Warden Service be considered, including the revised Recommendation 5, taking strategic priorities and the budgetary framework into account, and referred back to Overview and Scrutiny Committee.
2. The suggested monitoring period of one year be agreed.

3. Thanks be recorded to Councillor Mrs G Freeman for presenting the report, and also to the Scrutiny Officer for her support and excellent report, the witnesses for their evidence and the Members of the Panel for their support and commitment.

(b) Review of the Decent Home Standard, the Repairs Policy and the Complaints Process

The Chair of Select Panel 4, Councillor H M Brand, accompanied by Councillor J C Shephard, presented the Panel report which included 9 recommendations for consideration. The Panel Report was appended for Cabinet and Liaison Members and had been deposited in the Members' Room.

Options, Risks and Reasons for Recommendations

The report had been prepared by the Select Panel reviewing the topic on behalf of the Overview and Scrutiny Committee with a view to making recommendations to Cabinet on the findings of the review.

Members can agree all, some or none of the recommendations within the report.

**RESOLVED** that:

1. The recommendations of the Review of the Decent Homes Standard, the Repairs Policy and the Complaints Process be considered, taking strategic priorities and the budgetary framework into account, and referred back to Overview and Scrutiny Committee.
2. The suggested monitoring period of one year be agreed, with the exception of Recommendation 4 which is to be monitored for two years.
3. Thanks be recorded to Councillor H M Brand for presenting the report, and also to the Scrutiny Officer for her support and excellent report, the witnesses for their evidence and the Members of the Panel for their support and commitment.

(Councillors H M Brand and Mrs G Freeman left the meeting at this point.)

**Key Decisions**

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

(a) Worksop Canalside Creative Village (Key Decision No 281)

Members' approval was sought for works to bring forward regeneration proposals along the Chesterfield Canal in Worksop as set out in the 2010 Corporate Plan. Outline proposals and artists' impressions were appended to the report.

Phase 1 will see the refurbishment of buildings 1, 2, 3 and 4, plus the construction of link building 7, the demolition of the former garage and improvements in ground works. Phase 2 includes the former print works, electricity works and the drying tower (buildings 5 and 6). The new building 8 suggested from the focus study will not be pursued on the grounds of additional costs, and also because it would enclose the site, restricting the views over the Canch.

Phase 1 costs were indicated at £996,800 with Phase 2 identified between £555,000 and £895,000, depending on the future use and fit out of the facility. An application for funding for Phase 1 was successfully submitted to the ERDF Programme and Cabinet approval was given on 5<sup>th</sup> October 2010 to proceed with the scheme. The £996,800 project costs include construction, fees, ground works, fixtures and fittings. The ERDF contribution is £641,686 with the balance of £355,114 from the Capital Programme for 2011/12.

In terms of Phase 2, an initial discussion has been held with the Heritage Lottery Fund (HLF) for funding. HLF is extremely supportive of the concept and would welcome a bid of under £1m (the higher estimate for Phase 2) and would consider a 90% grant towards this development.

#### Options, Risks and Reasons for Recommendations

The thorough nature of the focus report limits the risks of cost over-runs and the QS estimates were intentionally robust, but the actual costs are subject to a competitive tendering process. Other risks include unexpected costs found during renovation but the full condition survey has limited this risk.

There is a further risk in delays due to inclement weather but with no contracted requirement for an end date, some slippage in the programme could be absorbed, although this will not be encouraged.

Risks for Phase 2 are in the application process to Heritage Lottery fund (HLF) and the limitation of match funds from the Council. Although there is £200,000 in the Capital Programme for 2011/12 for Phase 2, this will not be delivered during this financial year due to external funding requirements, so this sum will need to be carried forward into future years should the Council decide to proceed with this project. The sum of £200,000 will be sufficient as match to deliver Phase 2, should HLF funding be secured.

**RESOLVED** that the progression of the Worksop Creative Village, as set out in the report, be approved.

(Councillor J C Shephard left the meeting at this point.)

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

#### (a) Community Centres Review (Key Decision No 283)

Members' approval was sought to commence a consultation on the future provision of community centres in the identified areas detailed in the report and to commence the fire safety work required on the listed community centres.

#### Options, Risks and Reasons for Recommendations

Option One - Take no action and continue with the present stock of community centres. However, fire safety work will still be required to be carried out. In addition, the current charging policy could be open to challenge.

Option Two - Carry out the fire safety work on the community centres identified in the report and commence a review of the remaining centres, management arrangements and charging policy.

**RESOLVED** that:

1. The additional £64,000 Capital Programme scheme for the fire safety works to the community centres, as detailed in paragraph 4(c) of the report, be approved.
2. The commencement of a review on the remaining centres, management arrangements and charging policy be agreed, and the outcome be reported to a future meeting of Cabinet.

## **Other Decisions**

### **32. REPORT(S) OF THE CABINET MEMBER – COMMUNITY ENGAGEMENT AND PERFORMANCE – COUNCILLOR G A N OXBY**

#### **(a) Forward Plan – July to October 2011**

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 July to October 2011 be approved.

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

#### **(a) Bassetlaw's Local Development Framework and Community Infrastructure Levy - Update**

Members were updated on progress with the Local Development Framework (LDF) and Community Infrastructure Levy (CIL) charging schedule, and approval was sought for changes to the LDF Steering Group which is a cross-party group that oversees the production of the Local Development Framework.

It was noted that Bassetlaw District Council has entered into partnership working with officers from Newark and Sherwood District Council to assist the Council with some of the more complex aspects of the CIL, such as infrastructure costs, land values and development viability.

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

The emerging Bassetlaw Local Development Framework will enable the development of a 15-year strategy for development in the District.

A CIL Schedule would mean greater certainty over the sums of money that the Council is likely to accrue from new development and when it will come forward. This should enable the Council to deliver its strategic plans more effectively, based on the local and District wide priorities identified as part of the consultation process.

**RESOLVED** that:

1. The Local Development Framework's name be changed to Local Development Forum and its composition be changed to three Labour Members, one Conservative Member and one Independent Member.
2. Its remit be expanded as outlined in paragraph 3.3 of the report.
3. The option be available to co-opt a parish council member onto the Forum for discussion of issues where such input would be beneficial.

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

#### **(a) Management of Properties owned by Registered Providers**

Members' approval was sought for A1 Housing to manage properties on behalf of housing associations and other registered providers. There are currently 19 registered providers operating in the District with a total stock of 1,020 properties available for social rent.

### Options, Risks and Reasons for Recommendations

Members may elect to support or reject the proposal for A1 Housing to offer management services to registered providers. Whilst the Management Agreement does not include a restraint of trade clause per se, the Agreement requires A1 Housing to obtain the consent of the Council before providing services to other registered providers.

Should Members support the proposal this would imply that the Council would continue to offer the proposed service should housing management services in respect of the Council's own stock be brought back in-house at some point in the future. However, such a decision does not pre-empt any proposals that come out of the Housing Options Working Group.

There has been no market testing in respect of this proposal. Though there may be advantages for registered providers in contracting services to A1 Housing, there is no guarantee as to levels of take up in respect of this proposal.

It is therefore recommended that market testing be undertaken prior to the proposal being implemented.

#### **RESOLVED** that:

1. A1 Housing undertakes a market testing exercise to establish the levels of interest amongst registered providers in them contracting housing management and repair services to A1 Housing for properties located in Bassetlaw.
2. A further report be submitted to Cabinet when the market testing exercise has been completed and evaluated.

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

#### (a) Children's and Young People's Issues - Update

Members were updated on actions being taken to progress the Council's response on children's and young people's issues, and approval was sought to support the Bassetlaw Rural Youth Initiative. The updated action plan and pledges were appended to the report.

It was proposed that Councillor Ian Campbell be nominated as the new Children and Young People's Champion. Councillor I J Campbell addressed Cabinet, thanking the previous Champion, Councillor C Wanless, for his work in the past, and outlined some initiatives he would be pursuing.

Current key activities include: Children and Young People's Plan; Children Poverty Act 2010; Bassetlaw Youth Participation Worker; Citizenship Programme; Local Democracy Week 2011; Rural Youth Conference; and Safeguarding arrangements.

### 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.

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. This particularly applies to the proposals relating to the Local Democracy Week and the Rural Conference.

**RESOLVED** that:

1. Councillor Ian Campbell be appointed as the Council's Children and Young People's Champion.
2. Where relevant, priorities from the Nottinghamshire Children and Young People's Plan be reflected in future Council objectives and that an appropriate framework for monitoring the Council's objectives to these issues be developed for 2011/12.
3. The pledges submitted on behalf of Bassetlaw District Council to the Nottinghamshire Child Poverty Strategy be approved.
4. A programme of activities be developed to support the 2011 Local Democracy Week in consultation with the Children and Young People's Champion.
5. The Council provides free use of Retford Town Hall for the event on 21<sup>st</sup> July 2011 and provide ongoing administrative support to the Bassetlaw Rural Youth Initiative Group.

**36. REPORTING MINUTES**

(a) Joint Employee Council – 8<sup>th</sup> March 2011

**RESOLVED** that:

1. The minutes of the meeting of the Joint Employee Council held on 8<sup>th</sup> March 2011 be received.
2. Thanks be recorded to the trade unions for their support and assistance in progressing reports through the consultation process.

(b) I T and Access Sub-Committee – 14<sup>th</sup> April 2011

**RESOLVED** that the minutes of the meeting of the I T and Access Sub-Committee held on 14<sup>th</sup> April 2011 be received.

(c) Bassetlaw Enterprise Board – 18<sup>th</sup> April 2011

**RESOLVED** that the minutes of the meeting of the Bassetlaw Enterprise Board held on 18<sup>th</sup> April 2011 be received.

**37. 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 15(a) – Changes to Environmental Health Regulatory Team Structure - Paragraph 2

Agenda Item No 16(a) – Facilities Management Phase 2 – Paragraph 2

Agenda Item No 17(a) – Request for Early Retirement – Revenues and Benefits Job Share Employee – Paragraph 2

(The Chairman granted permission to those Elected Members present, who were not on Cabinet, to remain in the meeting.)

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

### **Key Decisions**

None.

### **Other Decisions**

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

##### **(a) Changes to Environmental Health Regulatory Team Structure**

Members' approval was sought to make a change to the structure of the Pollution Section within the Environmental Health Regulatory Team. Current and proposed structures were appended to the report.

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

Option One – To reject the proposals contained within the report and replace like with like will not allow for suitable levels of knowledge to develop to cover all key areas of the Pollution Section.

Option Two – To accept the report and agree the restructuring of the establishment as proposed would reduce risk to the Authority and also improve levels of service.

**RESOLVED** that:

1. The restructure of the establishment be approved with the 0.6fte Environmental Health Officer post regraded to a full-time Technical/Senior Technical Officer post, with the budget shortfall made up by the movement of the Other Contracted Services budget into the Employees budget.
2. The recruitment to commence immediately to ensure the new post is filled upon the retirement of the existing postholder.

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

##### **(a) Facilities Management - Phase 2**

Members' approval was sought for: new operating arrangements for the Worksop and Retford Town Hall Bars service; a proposed new structure for the Caretaking service as part of the overall Property Services structure; and to discuss changes to the duties of the Courier post. Comments from the trade union, together with the management response, were appended to the report.

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

Town Hall Bars Service –

Option One – To do nothing and recruit to the vacant Resident Superintendent position at Retford. However, the Service Review has been based upon the need for an integrated approach to service delivery which can respond to both the current aims and future needs of the organisation. There is also a major risk to the deliverability and the Council's reputation at Retford if a permanent solution to the vacant licensee function is not found soon.

Option Two – To market the Town Hall bars opportunity to a wider audience.

Option Three – To consider the proposal by BPL who have already proven to be an excellent partner for the Council.

Caretaking Service –

Option One – To do nothing. This would not reflect the findings of an independent review and would maintain an overstaffed service at Worksop. It would also continue with the provision of free accommodation which is no longer a perceived need for these premises and could potentially raise equality issues.

Option Two – To accept the proposals within the report.

Courier Service –

As the Council develops its acceptance of technology and moves into document imaging and electronic scanning, the future need to employ a courier service to deliver post between sites must be challenged. Joining together a number of roles within a single post will provide a flexible resource that can meet future service needs and bring an important service back in-house.

**RESOLVED** that:

1. The proposals for BPL to operate the Bar functions for Worksop and Retford Town Halls be approved, and officers be delegated authority to agree a suitable transfer date in July 2011 for a two-year period.
2. Officers undertake further consultation with affected staff and trade union representatives regarding the proposed Caretaking structure in accordance with the Council's Organisational Change Policy, and the outcome be reported to the September 2011 Cabinet Meeting.
3. Officers undertake further consultation with affected staff and trade union representatives regarding the present Courier service and the inventory, PAT testing and car park cash collection opportunities, in accordance with the Council's Organisational Change Policy, and the outcome be reported to the September 2011 Cabinet Meeting.

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

(The Vice-Chair took the Chair as the Chairman had left the meeting after declaring a personal and prejudicial interest.)

(a) Request for Early Retirement – Revenues and Benefits Job Share Employee

Members' approval was sought for a request for early retirement on the grounds of voluntary redundancy in the Service, affecting a member of staff in Benefits. If accepted, the effect on the staff structure for Benefits was appended to the report.

Options, Risks and Reasons for Recommendations

Option One - To not agree to the early retirement and maintain the status quo and not realise the employee saving stated which will, in part, contribute to savings targets for the Service.

Option Two – To agree to the proposal which will provide for the employee's retirement and for further efficiencies and further structural change later.

**RESOLVED** that:

1. The early retirement request be approved.
2. Authority be delegated to the Director of Resources to put into place detailed arrangements including the date of retirement, any pay in lieu of notice and budget changes.

(The Chairman returned to the meeting.)

**41. 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 officers and Cabinet Members for their input

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