

## **CABINET**

### **Minutes of the Meeting held on Tuesday, 5<sup>th</sup> April 2011 at Retford Town Hall**

- Present:** Councillor M W Quigley (Chair),  
Councillors M G Pugsley, K Sutton, C Wanless and T E Yates.
- Liaison Members:** Councillors H Burton, G A N Oxby and Miss M Stokes.
- Officers:** D Armiger, S Brown, C Forster, J Hamilton, M Hill, L Hull, M Ladyman,  
N Taylor and R Theakstone.
- Standards Members:** None.
- Also present:** Councillors D A Hare, Mrs A Simpson and Mrs V Wanless.  
Messrs D Dickinson and P Ward – Newark & Sherwood District Council.

#### **155. QUESTION TIME - PUBLIC**

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

#### **156. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K H Isard and G J Wynne.

#### **157. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

##### **(a) Members**

Councillor T E Yates declared a personal interest in Agenda Item No 7(a) – Worksop Library Building (Key Decision No 286), as both parties with an interest in the buildings had spoken to him, and stated that he would remain in the meeting.

Councillor C Wanless declared a personal interest in Agenda Item No 7(a) – Worksop Library Building (Key Decision No 286), because, as a partner governor of Doncaster and Bassetlaw Foundation Trust, he is a member of the Mexborough and Doncaster Aurora Steering/Working Group, and stated that he would remain in the meeting.

##### **(b) Officers**

There were no declarations of interest by officers.

#### **158. MINUTES OF THE MEETING HELD ON 1<sup>ST</sup> MARCH 2011**

**RESOLVED** that the Minutes of the meeting held on 1<sup>st</sup> March 2011 be approved.

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

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

160. OUTSTANDING MINUTES LIST

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

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

**Key Decisions**

**161. REPORT(S) OF THE CABINET MEMBER – FINANCE AND PROPERTY – COUNCILLOR  
T E YATES**

(a) Worksop Library Building (Key Decision No 286)

Members were presented with options for the former Library building in Worksop, following the vacation of its principal tenant to the new purpose built building on Memorial Avenue in October 2010. Changes to the Tourist Information Centre and plans for a new CCTV service could mean the transfer of the current control room, which would leave the building vacant.

There is interest in the premises from the Aurora Centre which is a registered charity linked to Doncaster and Bassetlaw Hospitals NHS Trust, and which provides support to cancer patients. They propose to use the premises as an additional centre for their services. They also want to use part of the building as a café open to the public which would be linked to the Canch, plus some new public toilet facilities.

Options, Risks and Reasons for Recommendations

Option One – freehold disposal. The marketing exercise undertaken in 2010 did not prove successful and there is no specific indication that a similar exercise undertaken now would be guaranteed to find a purchaser. However, from preliminary discussions with property agents, their advice is that an asking price of £0.3m could be sought.

The advice from the Council's agents is that the building does provide a potentially attractive destination and provides sufficient character to make it marketable.

As the building is listed, a freehold disposal could not be recommended due to the significant adjoining land holdings the Council has, the building's relationship to the Canch, and the loss of "control" over the property this would result in.

Option Two – disposal by letting, under a short- or long-term lease. A long-term lease of 99 years or longer could be considered. The Council would receive a premium payment for the grant of the lease and terms could be agreed that would ensure that the lessee complied with the lease terms, undertaking repairs to the property.

This proposal would not have a significant impact on the receipt the Council would receive, although the same comments would apply as to the freehold disposal option and the difficulty in identifying a potential purchaser.

Option Three – grant of a tenancy. Provided that there was sufficient security granted to an operator by way of an initial lease of, say, 20 to 25 years, this option may be more realistic. The term granted would give sufficient time for an investor to make a return on the investment made and also give the Council an ongoing income.

**RESOLVED** that:

1. The Council Solicitor be authorised to complete the necessary legal documentation based on terms finalised by the Property Manager and approved by the Director of Resources.
2. Subject to Aurora allowing public access to the premises to use the toilet facilities, the transfer of £95,000 already identified in the Capital Programme for 2012/13 into 2011/12 be approved, and be redirected towards funding Phase 1 of the scheme, together with the capital sum of £70,000 already identified for immediate enhancements to the property.
3. The Council apply any dilapidation payments from Nottinghamshire County Council, once paid, subject to sufficient progress being made by Aurora against their funding target, as outlined in paragraph 4(c) of the report.
4. Terms be agreed with the Aurora Centre for a lease of 25 years, with an initial peppercorn rent for the first ten years of the lease.

#### 162. REPORT(S) OF THE CABINET MEMBER – REVENUES AND CUSTOMER SERVICES – COUNCILLOR C WANLESS

##### (a) Children and Young People's Issues (Key Decision No 275)

Members were provided with an update on actions being taken to progress the Council's response on Children and Young People's Issues. The updated action plan has been placed in the Members' Room, and current key activities were outlined in the report. The Plan will be completely revised during 2011 to take account of both the new Nottinghamshire Children Plan and the Child Poverty Strategy.

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

Although the Council could decide not to approve the recommendations, the Council has a statutory responsibility in terms of the Children's Act 2004.

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

1. The Children and Young People's Action Plan be noted and supported, and quarterly updates on progress against these issues be presented to future meetings of Cabinet.
2. It be ensured that, where relevant, priorities from the Nottinghamshire Children and Young People's Plan are reflected in future Council objectives and that an appropriate framework for monitoring the Council's contribution to these issues be developed for 2011/12.
3. In consultation with the relevant Cabinet Members, officers be given authority to identify relevant pledge(s) to submit for inclusion in the Nottinghamshire Child Poverty Strategy.
4. The Council's Safeguarding Policy and Procedures be amended to reflect the introduction of 'Pathways to Provision' by the County Council.

##### **Other Decisions**

#### 163. REPORT(S) OF THE CABINET MEMBER – COMMUNITY ENGAGEMENT AND PERFORMANCE – COUNCILLOR M W QUIGLEY

##### (a) Forward Plan – April to July 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 April to July 2011 be approved.

(b) Manton Community Alliance

Members were informed that the Manton Community Alliance (MCA) project will terminate on the anticipated date of 31<sup>st</sup> December 2011, after which date no further funding will be forthcoming.

Options, Risks and Reasons for Recommendations

Option One - Members may wish to consider extending the MCA project past 31<sup>st</sup> December 2011. Any balances could be made available to fund this option.

Option Two – Members agree to terminate the activities of the MCA project on the anticipated date of 31<sup>st</sup> December 2011.

**RESOLVED** that:

1. The cessation of the Manton Community Alliance project on 31<sup>st</sup> December 2011 be confirmed.
2. Any remaining balances be identified for use to be determined by a future Cabinet report.

164. REPORT(S) OF THE CABINET MEMBER – COMMUNITY PROSPERITY – COUNCILLOR K H ISARD

(a) The Bassetlaw District Council (former Firbeck Colliery, Costhorpe) Compulsory Purchase Order 2011

(This report was presented by the Head of Community Prosperity in the absence of the Cabinet Member.)

Members were updated on progress with land assembly at the former Firbeck Colliery, Costhorpe, and approval was sought to use the Council's statutory powers of compulsory purchase to assist with the comprehensive land assembly needed to achieve the redevelopment of the site.

Whilst the CPO will be undertaken by the Council, the developer will refund all costs as part of the acquisition of the full site, which will be backed by an Indemnity Agreement from the landowner. The value of the CPO has yet to be established, therefore approval of appropriate budgets will be the subject of a further report.

Options, Risks and Reasons for Recommendations

Option One – Members approve the use of the Councils' compulsory purchase powers under Section 226(1)(a) of the Town and Country Planning Act 1990 for the purposes of the development, redevelopment and improvement of the former Firbeck Colliery, Costhorpe, and to authorise the making and serving of notice of making of the CPO and all subsequent actions necessary to secure a confirmed CPO. This is timely and necessary to achieve the comprehensive redevelopment of the former Firbeck Colliery site within a reasonable timescale. It will underpin the process to achieve site acquisition by agreement and will ensure site assembly, subject to confirmation of the CPO.

Option Two – To defer making a decision. This would prejudice the delivery of the project as land assembly could not be guaranteed within a reasonable timescale. Significant

efforts have been made to acquire land within the site and it is clear that if the making of the CPO is delayed there are unlikely to be further negotiated purchases.

Option Three – To decide that the Council will not use its compulsory purchase powers for the purposes of redeveloping the former Firbeck Colliery Site. A failure to use CPO powers would inevitably prevent the delivery of the proposed scheme and the full range of public benefits which will derive from it. This option would mean that many of the public benefits of the proposed redevelopment would be lost with attendant implications for planning and regeneration. The prospect of a public intervention to facilitate redevelopment of the site would be lost. Without such an intervention, the site will remain an under-used and part derelict environmental blight on the area, which is incapable of attracting or accommodating beneficial development.

**RESOLVED** that the Head of Community Prosperity uses the Council's powers of compulsory purchase under Section 226(1)(a) of the Town and Country Planning Act 1990 to facilitate the timely regeneration of the Order Land and secure the delivery of the full range of public benefits which have been identified, thereby contributing towards the promotion and improvement of the social, economic and environmental well-being of the area.

165. REPORT(S) OF THE CABINET MEMBER – ENVIRONMENT AND HOUSING – COUNCILLOR M G PUGSLEY

(a) Landlord Accreditation

Members were advised of progress in respect of the Landlord Accreditation Scheme in the Bassetlaw District, and approval was sought to adopt the Sheffield City Region Private Rented Sector Code of Practice which was approved by the Sheffield City Region Joint Housing and Regeneration Board on 3<sup>rd</sup> February 2011.

Options, Risks and Reasons for Recommendations

Members may either adopt the Code of Practice or elect not to adopt it. Adopting the code will help maintain consistent standards across the region and facilitate opportunities for partnership working between the respective authorities.

**RESOLVED** that:

1. The progress made in respect of the Landlord Accreditation Scheme in Bassetlaw be noted.
2. Adoption of the Sheffield City Region Private Rented Sector Code of Practice be approved.
3. Officers continue to work in partnership with the East Midlands Landlord Accreditation Scheme to promote the scheme, including consideration of an article for Bassetlaw News and a joint press release.

166. REPORT(S) OF THE CABINET MEMBER – FINANCE AND PROPERTY – COUNCILLOR T E YATES

(a) No. 73 Bridge Street, Worksop – Phase III

Members' approval was sought for a further £50,000 to develop the first floor of No. 73 Bridge Street, Worksop, as a document store. This will enable the Council to transfer all its current documents and records from Brewery Yard, Worksop, which, in turn, will enable the Council to redevelop the Brewery Yard site and provide a further opportunity to improve the town.

### Options, Risks and Reasons for Recommendations

Moving the market has resulted in some positive feedback from traders and stallholders, and market bookings have increased on Fridays and Saturdays by 33%. The 73 Bridge Street property is an asset to the built environment and the Council has brought a previously vacant property, which had been empty for over two years, back into use.

There are resources available to carry out the works but Members can decide not to put any more resources into the property which will mean keeping the inadequate storage facilities at Brewery Yard, which will need ongoing maintenance expenditure. The opportunity to develop the site will also be lost, including the possibility of including the site in a comprehensive redevelopment scheme for the area with adjoining landowners.

#### **RESOLVED** that:

1. £50,000 be transferred from the balance of unapplied capital receipts to fit out the first floor and office area of 73 Bridge Street, Worksop, for storage and security purposes.
2. Once the transfer of the documents is completed and all existing tenants have been relocated, officers prepare a feasibility study to look at the best options in relation to disposal of the Brewery Yard site at Priorswell Road for development. A brief on this to be submitted to a future meeting of Cabinet before any marketing is commenced.

#### (b) Estates Policy Updates

Members' approval was sought for two policies: Freehold and Leasehold Disposal, which was appended to the report, and Requests for Concessionary Rents.

### Options, Risks and Reasons for Recommendations

The internal audit report commented on the needs for best practice in terms of formalising all Estates Policies and Procedures.

The do nothing option is not acceptable in terms of the internal audit recommendation and with regard to ongoing service improvement.

#### **RESOLVED** that:

1. The revised Freehold and Leasehold Disposal Policy, as appended to the report, be approved.
2. Requests for concessionary lettings from the third sector be considered on a case-by-case basis, unless they can be dealt with under existing delegated powers.

#### (c) Babbage Way Football Ground, Worksop

Members were informed of the proposed change of tenants at Babbage Way football ground.

The lease was assigned to 1861 Leisure Ltd on 25<sup>th</sup> August 2006, and the tenant now wishes to transfer the lease to Mr and Mrs P Whitehead. Mr Whitehead is the Chief Executive and major shareholder of Windsor Foodservices which sponsors the South Yorkshire County Senior League, supports Sheffield Wednesday and sponsors the Sheffield Parramores football team. Mr Whitehead intends to discuss with Worksop Tigers how they could also play at Sandy Lane again, and has plans for developing the ground with new five-a-side pitches and new changing facilities.

### Options, Risks and Reasons for Recommendations

The Council can only intervene if the ground is not used for its primary purpose of football.

**RESOLVED** that the proposed assignment to Mr and Mrs P Whitehead from 1861 Leisure Ltd be approved.

### 167. REPORT(S) OF THE CABINET MEMBER – REVENUES AND CUSTOMER SERVICES – COUNCILLOR C WANLESS

- (a) Council Tax Powers under Section 13A, Local Government Finance Act – Policy for Use of Discretionary Discount

Members' approval was sought for a policy framework to use discretionary powers (granted under Section 13A of the Local Government Finance Act 1992) to award relief from Council Tax for individual cases or a class of dwelling. The policy was appended to the report.

### Options, Risks and Reasons for Recommendations

Option One – Not to have a policy for Section 13A discounts. This may lead to a legal challenge eg if an individual application was rejected and the Council had no framework upon which to base a decision.

Option Two – To provide for a Section 13A policy and approve the policy.

**RESOLVED** that the draft Section 13A Council Tax Policy, as appended to the report, be approved.

### 168. REPORTING MINUTES

- (a) Joint Employee Council – 14<sup>th</sup> December 2010

**RESOLVED** that the minutes of the meeting of the Joint Employee Council held on 14<sup>th</sup> December 2010 be received.

- (b) Bassetlaw Enterprise Board – 31<sup>st</sup> January 2011

**RESOLVED** that the minutes of the meeting of the Bassetlaw Enterprise Board held on 31<sup>st</sup> January 2011 be received.

### 169. 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) – Bassetlaw/Newark and Sherwood Revenues and Benefits Shared Business Plan - Paragraph 2

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

Agenda Item No 17(a) – Support Services – Service Challenge – Stage 1 – Paragraph 2

Agenda Item No 17(b) – Support Services – Service Challenge – Stage 2 – Paragraph 2

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

**Key Decisions**

**170. REPORT(S) OF THE CABINET MEMBER – REVENUES AND CUSTOMER SERVICES - COUNCILLOR C WANLESS**

- (a) Bassetlaw/Newark and Sherwood Revenues and Benefits Shared Business Plan (Key Decision No 287)

Members were informed of the outcomes of the business case study for a shared Revenues and Benefits service with Newark and Sherwood District Council. Members' approval was sought to endorse the recommendations set out within the business case and to move to the implementation phase of the project to establish the joint service over a period of 12-18 months based upon a joint service delivery model.

Options, Risks and Reasons for Recommendations

This initiative is a discretionary one and Members can decide to adopt it or reject if as they see fit but it will not end the need to find significant savings for the 2012/13 budget. If this initiative is not supported, then it is recommended that, as a fall back position, £0.2m of savings are identified from Bassetlaw's Revenues and Customer Services in the next three months so that the Council can prepare for the 2012/13 budget in a planned and orderly manner.

The endorsement of the business case will lead to the development of the Revenues and Benefits shared service over a period of 12-18 months.

The establishment of formal governance arrangements and investment to standardise will lead to a partnership that will improve performance standards and enhance value for money, as well as providing resilience in the service. There would be savings across the two authorities with the investment cost of Phase 1 being paid off within the first year of operation (taking into account total estimated savings).

The Shared Services Business Manager would lead the implementation of the shared service including the recruitment of staff into the shared service.

**RESOLVED** that:

1. The business case study for a shared Revenues and Benefits service with Newark and Sherwood District Council be received.
2. A further report clarifying proposals be presented to the next meeting of Cabinet.

**Other Decisions**

**171. REPORT OF THE CABINET MEMBER – FINANCE AND PROPERTY – COUNCILLOR T E YATES**

- (a) Facilities Management

Members' approval was sought for the proposed new structure for Property Services which was presented to Cabinet on 8<sup>th</sup> December 2010.

### Options, Risks and Reasons for Recommendations

There is an option to do nothing and maintain the status quo. 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.

The second option is to accept the proposed new overall structure for Property Services, as appended to the report, and await further consideration with regard to the Caretaking and Town Hall Bars sub-structure at the next Cabinet meeting.

A third option is to delete either the resident Superintendent post or a Caretaker post now, based on the report to Cabinet in December 2010.

The proposals provide a structure that will strengthen this area of work and will enable a more co-ordinated and better managed approach to property management.

#### **RESOLVED** that:

1. The proposed new overall structure for Property Services, as appended to the report, be approved.
2. Officers undertake further consultation with affected staff and Trade Union representatives regarding the Caretaking and Town Hall Bars function, in accordance with the Council's consultation and enabling process.
3. The Facilities Management Strategy, as appended to the report, be approved.

#### **172. REPORT(S) OF THE CABINET MEMBER – SUPPORT SERVICES – COUNCILLOR MRS K SUTTON**

##### **(a) Support Services – Service Challenge – Stage 1**

Members' approval was sought for changes to the staff structure within Support Services arising from the recent Service Review and the budget process.

### Options, Risks and Reasons for Recommendations

There is an option to do nothing and maintain the status quo and not to realise any savings.

All Service areas of the Council are subject to the requirement to be subject to periodic reviews of Value for Money and Efficiency. The expectations are even more so for Support Services who do not predominantly provide 'frontline' services.

As part of the budget process, all Service areas are required to achieve savings targets.

There is the option to adopt, or adapt the proposals, in full or part.

#### **RESOLVED** that:

1. The post of Street Naming and Numbering Officer be deleted. The responsibility be absorbed within the duties of the Local Land Charges Officer and Assistant. It be noted that the savings will be built into the 2011/12 Initial Budget as part of the 2011/12 Budget process.
2. The current staffing establishment of the Central Administration Unit/Procurement be reduced from 6.5 FTE to 6.1 FTE. It be noted that the savings will be built into the 2011/12 Initial Budget as part of the 2011/12 Budget process.

3. It be noted that proposals for the Caretaking function are incorporated within the report, proposing the creation of a Facilities Management Unit.
4. Reports which deal with other issues from the Review in the context of wider strategic considerations be presented to future meetings of Cabinet.

(b) Support Services – Service Challenge – Stage 2

Members' approval was sought for 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.

Options, Risks and Reasons for Recommendations

There is an option to do nothing and maintain the status quo and not to realise any savings.

All Service areas of the Council are subject to the requirement to be subject to periodic reviews of Value for Money and Efficiency. The expectations are even more so for Support Services who do not predominantly provide 'frontline' services.

There is a need to consider the line management responsibilities following previous proposals and the issues identified in this report.

There is the option to adopt, or adapt the proposals, in full or part.

**RESOLVED** that:

1. The current post of Principal Procurement and Central Support Manager be deleted and a new post responsible for the management of procurement activities be created within the Finance and Property Service. This would be subject to job evaluation.
2. Other functions currently undertaken by the Central Administration Unit be reviewed.
3. The temporary arrangements, following the retirement of the Directors' Secretary, be reviewed.
4. A post of Facilities Assistant be established and transferred to the Facilities Management function. This would be subject to job evaluation.
5. The line management responsibility of Printers and Design Unit, Mailroom and Administration be reviewed.
6. Engagement with affected staff and their representatives to take place in accordance with the Council's consultation and enabling process.
7. A further report be submitted to Cabinet for final approval of the proposed structure changes.
8. Reports which deal with other issues from the Review in the context of wider strategic considerations be presented to future meetings of Cabinet.

(c) Support Services – Service Challenge - ICT

Members were presented with the rationale behind the proposed new management arrangements for the ICT and GIS/Land Charges units, and Members' approval was sought to commence consultation with affected staff in accordance with the Council's Organisational Change Policy and procedure.

Options, Risks and Reasons for Recommendations

The Council is facing significant pressure both structurally and financially, therefore the need to review and restructure all service 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.

Members have the option of either progressing or not progressing with the proposed outline for restructuring ICT. Should the decision be made not to progress with the proposals, 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.

**RESOLVED** that the proposed new management structure of ICT be noted and approval be given for consultation with affected staff to commence in accordance with the Council's Organisational Change Policy to enable the final proposals to be presented back to Cabinet for final approval in due course.

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

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