

CABINET

Minutes of the Meeting held on Tuesday, 5<sup>th</sup> October 2010 at Elizabethan High School, Retford

Present: Councillor M W Quigley (Chair),  
Councillors K H Isard, M G Pugsley and C Wanless.

Liaison Members: Councillors H Burton, G A N Oxby, Miss M Stokes and G J Wynne.

Officers: D Armiger, S Brown, J Hamilton, M Hill, D Hunter, M Ladyman,  
S Pearson, R Schofield, N Taylor and R Theakstone.

Standards Members: Dr G D Woodman.

Also present: Councillor J B Rickells.

60. QUESTION TIME - STUDENTS

Council Procedure Rules were suspended for fifteen minutes to allow questions from the student from the Retford Post-16 Centre who was present. However, he asked a question on the facilities provided within the school and was informed by the Leader of the Council that this was an issue for Nottinghamshire County Council and Transform Schools but that he would take up the matter in his capacity as County Councillor if he was supplied with the details.

61. QUESTION TIME - PUBLIC

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

62. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs K Sutton and T E Yates.

63. 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.

64. MINUTES OF THE MEETING HELD ON 7<sup>TH</sup> SEPTEMBER 2010

**RESOLVED** that the Minutes of the meeting held on 7<sup>th</sup> September 2010 be approved.

65. MINUTES FOR ACTION AND IMPLEMENTATION

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

66. OUTSTANDING MINUTES LIST

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

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

### **Key Decisions**

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

(a) **Bassetlaw's Local Development Framework: Update (Key Decision No 237)**

Members were updated on progress with development of the Core Strategy and informed of the next stages in the process for which approval was sought. The Publication Core Strategy and Development Management Policies were appended to the report for Cabinet and Liaison Members and deposited in the Members' Room.

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

As a result of recent changes to the planning system, brought about by the new Government, Cabinet is reminded of the fact that the Regional Spatial Strategy (RSS) is no longer a consideration for the Council. It is deemed prudent, however, in the absence of any guidance coming out of Government or the Planning Inspectorate, to continue to treat the RSS housing figures as the District's target as we are still required to deliver a five-year supply of housing land.

**RESOLVED** that:

1. The progress of the Local Development Framework be noted and any comments on the draft proposals be forwarded to the Planning Policy and Conservation Manager.
2. Delegated authority be given to the Cabinet Member for Community Prosperity to approve the Publication Draft.

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

(a) **North Derbyshire and Bassetlaw Housing Market Area – Local Investment Plan (Key Decision No 157)**

Members' approval was sought for the North Derbyshire and Bassetlaw Housing Market Area (HMA) Local Investment Plan which was appended to the report for Cabinet and Liaison Members and deposited in the Members' Room.

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

North Derbyshire and Bassetlaw HMA governance arrangements were established in response to the Government's direction on a sub-regional approach to housing, housing growth and investment. The North Derbyshire Authorities have been delivering joint strategic housing projects since 2000 and have an excellent track record in terms of delivery. The Investment Plan needs to be agreed by all partners before 1<sup>st</sup> November 2010.

Approval of the Local Investment Plan will: contribute to the development of appropriate housing solutions across the HMA; contribute to the delivery of the HMA Investment Plan and agreement within the HCA's prescribed timescales; and contribute to the delivery of the HCA's sub-regional Housing Strategy.

**RESOLVED** that the North Derbyshire and Bassetlaw Housing Market Area Local Investment Plan be approved.

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

(a) Internal Audit Service (Key Decision No 269)

(This item was presented by the Director of Resources in the absence of the Cabinet Member for Finance and Property.)

Members' approval was sought for proposals on the future direction of the Internal Audit Service.

Following the decision of Cabinet on 5<sup>th</sup> May 2009, a tender exercise was conducted for the provision of the Internal Audit Service. This resulted in RSM Tenon being awarded the contract for the period 1<sup>st</sup> November 2010 to 30<sup>th</sup> September 2013. There is now a need to formalise the new structure with a 0.5fte being retained in the Client Auditor role and the deletion of 4.1 fte vacant posts from the Council's establishments. An independent work programme has been developed for the retained 0.5fte post.

Options, Risks and Reasons for Recommendations

Option 1 is to agree the recommendation proposed.

Option 2 is to retain the 4.1 fte vacant posts on the establishment and review the service provision at the end of the current contract in 2013.

**RESOLVED** that:

1. The formal appointment of RSM Tenon as the Council's Internal Audit Service provider be endorsed.
2. The deletion of the 4.1 fte vacant posts from the Council's establishment list be approved.
3. The virement of the budget from employees to external providers be approved.

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

(a) Children and Young People's Issues (Key Decision No 266)

Members were updated on actions being taken to progress the Council's response on Children and Young People's issues, specifically: Bassetlaw Youth Participation Advisor; Local Democracy Week; Nottinghamshire Children's Trust; Nottinghamshire Safeguarding Children's Board; Safeguarding Policy and Procedures; and the Child Poverty Act 2010. The updated version of the action plan was appended to the report.

Options, Risks and Reasons for Recommendations

Although Cabinet 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 Cabinet.

2. Where relevant, priorities from the Nottinghamshire Children and Young People's Plan be reflected in future Council objectives.
3. The revised Safeguarding Policy and Procedures be approved.

### **Other Decisions**

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

##### (a) Forward Plan – October to January 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 October to January 2011 be approved.

##### (b) Council's Progress on Equality and Diversity Issues

Members' approval was sought for the Council to undertake an Equality Framework Peer Challenge and an update on equality issues was provided. The Equality Act 2010, which replaces existing anti-discrimination laws, came into force on 1<sup>st</sup> October 2010 and includes a new public sector Equality Duty.

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

Cabinet can choose between either supporting or not supporting the proposal to undertake the Equality Peer Review. Given the Council's commitment to these issues within the Corporate Plan, it is proposed that Cabinet supports the recommendations.

**RESOLVED** that approval be given for the Council to proceed with the Equality Framework Peer Challenge of its performance against the achieving level of the Equality Framework for Local Government.

##### (c) Revised Data Quality Strategy

Members' approval was sought for a revised Data Quality Strategy which was appended to the report for Cabinet and Liaison Members and deposited in the Members' Room. The Council published its first Data Quality Strategy in June 2007 which was refreshed in June 2008. This further revision takes into account changes to the assessment and inspection regime up until May 2010.

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

Cabinet could recommended changes to the revised Data Quality Strategy.

**RESOLVED** that the revised Data Quality Strategy be approved.

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

##### (a) Bassetlaw Enterprise Board - Loans

Members were presented with options for the Bassetlaw Enterprise Board loan scheme.

### Options, Risks and Reasons for Recommendations

One option is that the Council limits its liabilities by establishing a loan fund of £50,000 which will limit the amount available by the existing balance available. As repayments are made, the fund will expand to pay for future loans to businesses.

Further options are to discontinue the offer which may have a public relations impact, if it is perceived that the Council is not supporting local businesses.

Another option is to promote the current EMDA Small Loans for Business scheme in place of the Enterprise Board scheme, which, in basic terms, is an unsecured local of up to £20,000 at 10.5% interest. This option is risk free to the Council but may be time-limited in terms of Government cut backs. To date, there has been an extremely poor rate of take up of this scheme in Bassetlaw.

The Bassetlaw Enterprise Board approved the recommendation at its meeting on 19<sup>th</sup> July 2010.

**RESOLVED** that the establishment of a definitive loan fund under a single cost centre be approved and this fund be limited to a maximum of £50,000.

#### (b) Enforcement and Derelict Sites

Members were provided with information about recent work in relation to derelict sites and approval was sought for the adoption of a formal Enforcement Policy, which was appended to the report, and to progress action in relation to specific sites.

### Options, Risks and Reasons for Recommendations

There is no formal requirement to have enforcement policies in place and therefore Cabinet may decide that they do not wish to endorse the draft policy. However, it is considered that these policies provide useful guidance about the Council's approach to enforcement in line with wider corporate aspirations.

In relation to the proposed Compulsory Purchase Order (CPO) of 48 Portland Street, Worksop, at this stage the Council is not making any firm commitment to a specific course of action. The decision about whether to proceed with issuing a CPO, and indeed about how any proposal is dealt with, will be based on further information being provided. A CPO will only be issued where the Council is satisfied that it meets the necessary tests and that progress is being made on bringing forward the regeneration of this site in a manner which delivers on the Council's economic development aspirations and links to and enhances the recreation and open space provision in the area. On this basis, it is considered appropriate at this stage to indicate that the Council is, in principle, prepared to consider using its CPO powers to secure the comprehensive regeneration of this site.

**RESOLVED** that:

1. The draft Enforcement Policy, as appended to the report, be endorsed.
2. Support, in principle, of the use of Compulsory Purchase Powers for the site at 48 Portland Street, Worksop, be given to secure the regeneration of this site.

#### (c) Tuxford Heritage Partnership Scheme

Members were informed about the Tuxford Heritage Partnership Scheme and approval was sought to draw down capital funds as necessary over the next three years to support the Scheme.

Publicity for the scheme is already underway, with considerable interest from property owners in Tuxford. The Scheme's start date was delayed by the time taken to get the necessary contracts through from English Heritage. Claims can be submitted until 2015.

#### Options, Risks and Reasons for Recommendations

The Scheme will be administered by Bassetlaw District Council's Conservation Team and will make grants available to the owners of individual properties to carry out appropriate environment work, including to the public realm, to enhance the area and enable the regeneration of the village centre. Depending upon the nature of the works being applied for, grants will be up to 80% of the maximum requested. The total amount of grant awarded to an individual property will be judged on a case-by-case basis, pending thorough investigation and the submission of a detailed schedule of works.

**RESOLVED** that the Tuxford Heritage Partnership Scheme be endorsed and a budget of £225,000 be added to the Capital Programme 2010-2015.

#### (d) Rural Affordable Housing Programme

Members' approval was sought to tender for a Registered Provider to work in partnership with the Council to assess the need for, and work to deliver, affordable housing units in the rural areas of the District. Improving the Quality of Housing and Housing Choice is a key theme of the Corporate Plan, and increasing the amount of affordable housing is a key aim of this theme.

#### Options, Risks and Reasons for Recommendations

It is proposed that, in order to establish whether there is both a need and a desire for affordable housing in the rural areas of the District, the Council enters into a partnership with a Registered Provider (formerly known as Registered Social Landlord) that specialises in delivering rural affordable housing schemes. This will ensure that the delivery of exception sites is taken forward in a logical and robust manner, in partnership with parish councils, rather than being the result of an ad-hoc developer-led proposals. It is not felt that, at this time, A1 Housing has the level of specific expertise required to act as rural enabler for affordable housing.

The partner body would be chosen following a competitive tender process, seeking interest from Registered Providers already working in or around the District and which are able to demonstrate a sound track record of working with rural communities. The successful Provider would be expected to fund and commission research into affordable housing need in any villages that express an interest following a formal approach from the Council. They would then be expected to further source and develop any potential sites to meet the needs identified. Their incentive for so doing would be the agreement that they would then be able to build and manage any units that were subsequently granted planning permission.

The expectation would be that a Local Lettings Policy would be put in place, which would ensure that those with a local connection to the village in which the units were built would be given priority.

**RESOLVED** that the proposal for a Rural Affordable Housing Programme be endorsed and the commencement of a formal tender process to secure its delivery with a Registered Provider be approved.

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

(a) Draft Area Housing Strategy

Members' approval was sought for the draft Area Housing Strategy which was appended to the report for Cabinet and Liaison Members and deposited in the Members' Room.

The last Bassetlaw Area Housing Strategy was approved in 2006 and it is now considered appropriate that it reflects the strategic objectives outlined in the North Derbyshire and Bassetlaw Market Area's Sub-Regional Housing Strategy but in a more local context.

Options, Risks and Reasons for Recommendations

It is considered that adoption of the Strategy will be beneficial to future inspection and give a clear strategic direction to future activities. The Strategy should be considered as a working document and can be updated should this be necessary.

**RESOLVED** that:

1. The draft Area Housing Strategy be approved and put out for consultation with stakeholders.
2. Members forward any comments on the draft Strategy to the Strategic Housing Development Manager by 15<sup>th</sup> November 2010.
3. Following consultation with stakeholders, any changes to the Strategy be agreed with the Cabinet Member for Environment and Housing prior to publication.

(b) Disabled Facilities Grants Programme

Members were informed of the current situation with regard to the high demand for Disabled Facilities Grants (DFG) and the steps already taken to help manage the budget. Members' approval was sought for further proposals which were outlined within the report, and background information on the scheme was appended to the report.

Options, Risks and Reasons for Recommendations

Members can approve none, some or all of the options. Though it is anticipated that there will continue to be pressures on the DFG budget, a failure to agree the three recommended options will be likely to increase these pressures.

DFG Prioritisation and Review Panel – This option will enable the Council to have more control over expenditure whilst at the same time ensuring those applicants with the most urgent need for major adaptations are dealt with as a priority. The risk associated with this option would be the potential for complaints from applicants who are not dealt with as a priority or whose application has not been approved; however, clear and consistent decision-making by the panel, which should review all cases, would counter such complaints.

Shared Funding Arrangements with Registered Providers – It is anticipated that there might be some resistance to this by certain Registered Providers but it is important to engage with them and negotiate an agreed contribution. There are no risks to the Council from this option.

Joint Procurement – It is suggested that officers continue to engage with partners to ensure an opportunity is not missed where savings can be derived from joint procurement. In the meantime, officers should investigate whether a joint procurement arrangement with

A1 Housing for stairlifts could achieve savings over the current practice of Occupational Therapists obtaining individual quotes. There are no risks to the Council from this option.

Dedicated Occupational Therapist – It is not recommended that this option be pursued at this time. The risks associated with this option include the financial cost of employing an Occupational Therapist, together with damaging the good working relationship with the County's Occupational Therapy Team.

**RESOLVED** that:

1. A panel of relevant senior officers from the Council, A1 Housing and the County's Occupational Therapy Team be formed with membership to be determined by the Director of Community Services in consultation with the Cabinet Member for Environment and Housing.
2. The panel review all cases.
3. Officers engage with Registered Providers and negotiate an agreed contribution.
4. Officers continue to engage with partners to derive savings from joint procurement.

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

(a) Insurance Arrangements

(This item was presented by the Director of Resources in the absence of the Cabinet Member for Finance and Property.)

Members were presented with the outcome of the recent insurance tender process and their endorsement for this process was sought. Members' approval was sought to establish a new Self Insurance Fund funded from the initial savings generated by the new contract in 2010/11.

Options, Risks and Reasons for Recommendations

Members can reject the recommendations if they wish but there are clear savings that can be made with no detrimental impacts on local services.

Members can also reject the recommendation about the Self Insurance Fund but this is seen as best practice by the auditing bodies. There is a clear benefit of £65,000 per annum between continuing the existing level of cover and the favoured approach, which is demonstrable by the past claims history of the Council.

**RESOLVED** that:

1. The approach to the insurance tender, as set out in the report, be endorsed.
2. The establishment of a Self Insurance Tender, with an initial budget of £60,000 in 2010/11, which will be reviewed during each year's budget and final accounts process, be approved.

75. REPORTING MINUTES

(a) Bassetlaw Enterprise Board – 19<sup>th</sup> July 2010

**RESOLVED** that the minutes of the meeting of the Bassetlaw Enterprise Board held on 19<sup>th</sup> July 2010 be received.

(b) Joint Employee Council – 22<sup>nd</sup> June 2020

**RESOLVED** that the minutes of the meeting of the Joint Employee Council held on 22<sup>nd</sup> June 2010 be received.

76. 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 1, 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 17(a) – ICT Contract Review - Paragraph 3

Agenda Item No 18(a) – Staffing Issue – Bassetlaw Museum – Paragraph 2

Agenda Item No 18(b) – Worksop Canalside, Creative Village – Paragraphs 1 and 2

Agenda Item No 19(a) – Proposed Implementation of Microsoft – Paragraph 3

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

**Key Decisions**

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

(a) ICT Contract Review (Key Decision No 273)

(This item was presented by the Cabinet Member for Revenues and Customer Services in the absence of the Cabinet Member for Support Services.)

Members' approval was sought for an extension of the current ICT contract with the current provider.

Options, Risks and Reasons for Recommendations

The Council could choose to attempt an alternative option with the current provider or not to extend the contract at all. It is critical that sufficient time is allowed both to plan and implement any replacement systems. A period of 24-36 months would be required.

There are likely to be significant issues around the future provision of ICT related services across the public sector within the next couple of years. The Council is also currently evaluating its future strategic options. Against this background, there would be little merit in the Council committing itself to a major and lengthy contract for future ICT provision.

The Council also needs to consider if it currently has the capacity and resource to commit to the major implementation that would be required across many of its main business areas if new ICT systems provision were to be planned.

The proposal also incorporates the wishes of A1 Housing as a major partner in this process, is recommended by the Council's external advisor, and is supported by the I T and Access Sub-Committee.

**RESOLVED** that approval be given to enter into an agreement with the current provider for an extension of the ICT Contract until 31<sup>st</sup> March 2015.

### **Other Decisions**

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

##### **(a) Staffing Issue – Bassetlaw Museum**

Members' approval was sought for the re-grading of the part-time post of Museum Officer to bring it in line with other similar posts and to agree the payment of back pay in relation to the incorrect grading of this post.

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

There is an option to do nothing and maintain the status quo; however, this would leave the Council open to action under equal pay legislation.

**RESOLVED** that the proposed re-grading of the post of Museum Officer to Scale 2 and the payment of outstanding back pay be approved.

##### **(b) Worksop Canalside, Creative Village**

Members were updated on progress being made on this regeneration project, and approval was sought for: the delivery of the project; the acceptance of the ERDF grant offer of £641,686; and a contribution of £355,114 from capital receipts. Outline proposals for the site, which is in a conservation area and forms part of an important industrial heritage element of Worksop, were appended to the report. The project will aim to restore derelict stables/garages to use as space for artists and creative industries.

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

This project is a deliverable project in the 2010 refresh of the Corporate Plan.

Option 1 is to do nothing and hope someone will seek to purchase and develop the site privately. To do nothing will cost in excess of £250,000 in repair liabilities and contradicts the Council's ambitions outlined in the Corporate Plan.

Option 2 is to demolish the buildings and sell the land for private development. However, this is also considered to be unlikely.

Option 3 is to develop the site as a creative village which will result in a much improved workspace, remove an eyesore from the town centre, improve the attractiveness of the adjacent sites for purchase by the private sector, and create nine new enterprises and 15 new jobs.

**RESOLVED** that:

1. The progression of the Worksop Creative Village be approved up to the acceptance of tenders, which will be reported back to Cabinet in February 2011.
2. The scheme be endorsed and a budget of £996,800 be added to the Capital Programme 2011/12.
3. The expenditure of £355,114 from capital receipts towards the project be approved.
4. The acceptance of the ERDF grant of £641,686 to deliver this project be approved.

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

(a) Proposed Implementation of Microsoft

(This item was presented by the Cabinet Member for Revenues and Customer Services in the absence of the Cabinet Member for Support Services.)

Members' approval was sought for the implementation of a Microsoft operating environment within the Council and the purchase of additional data storage.

Options, Risks and Reasons for Recommendations

The report sets out the business case for moving from Novell to a Microsoft operating environment. This follows from a strategic external assessment of ICT related issues within the Council and reflects users' views. The costs associated with the proposal have been identified. There is also a need to purchase additional data storage and continue the Microsoft Office upgrade as older versions of the software become obsolete.

This will represent a major project within the Council and presents both technical challenges and changes for users. Recognising this risk, consideration has been taken of experiences from other organisations that have been through the process, and the proposal therefore includes external support and training.

Members can choose not to agree the proposal and remain with Novell and its associated features; however, this will have a significant impact on the Council. The Council will still face issues with the need to upgrade its existing Microsoft Office products and meet additional storage requirements, and these costs have been identified as being fairly close to those required to move to Microsoft. It is therefore felt the Council should take this opportunity to make the move.

The proposal also incorporates the wishes of A1 Housing as a major partner in this process and is supported by the I T and Access Sub-Committee.

**RESOLVED** that:

1. A Capital budget of £83,000, funded from capital receipts, be approved
2. A Revenue budget of £36,000 for 2010/11 to support the implementation of a Microsoft operating environment in the Council, with ongoing additional revenue budget of £16,000, be approved.

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

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