

CABINET

Minutes of the Meeting held on Tuesday, 7th September 2010 at Valley School, Worksop

Present: Councillor M W Quigley (Chair),
Councillors K H Isard, M G Pugsley, K Sutton and T E Yates.

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

Officers: J Hamilton, M Ladyman, S Pearson, N Taylor and R Theakstone.

Standards Members: None.

Also present: Councillor W Barker – Select Panel Chairman
Mr D Dickinson – Newark and Sherwood District Council

41. QUESTION TIME - STUDENTS

Council Procedure Rules were suspended for fifteen minutes to allow questions from the five students from Valley School who were present.

Why did the free swimming cease the first week of the school holidays?

The Leader of the Council replied that free swimming for children under 16 years and adults over 60 years was a government initiative that was time-limited, the funding for which had been curtailed by the new coalition government. Bassetlaw District Council had agreed to run the scheme only for the length of time that government funding was available.

The Deputy Leader added that not every local authority had agreed to run the scheme. It had been costing the Authority £70,000 per year and once the government funding ceased, there was no budget to cover its costs. However, Barnsley Premier Leisure, who manage Bassetlaw's leisure centres on behalf of the District Council, have introduced some new initiatives.

Following the redevelopment of The Canch, has the Council any further plans to redevelop other sites?

The Leader of the Council replied that there are plans to develop many sites and gave examples of those in Worksop eg St Anne's, Gateford, St John's, Shireoaks, Langold Country Park.

The Deputy Leader added that the redevelopment of The Canch had received much praise, and following a recent public consultation event, a new skateboard facility is planned for The Canch.

Would it be possible to have a graffiti wall at The Canch?

The Leader of the Council replied that this initiative has been used elsewhere in the country and Bassetlaw District Council could look at providing one but would also need to look at demand and weigh up any negativity eg once the wall is full, is graffiti then applied to the equipment?

Are there plans to provide food and drink facilities at The Canch?

The Leader of the Council replied that the new cinema has brought interest from some chains to deliver fast food outlets in Worksop town centre, and these are being encouraged by the Council which hopes that the cinema will bring many people into Worksop.

Free solar panels are being offered to householders in South Yorkshire, can these be obtained in Bassetlaw?

The Leader of the Council replied that sustainable energy is being encouraged by Bassetlaw District Council. The solar panels are a government initiative to sell surplus electricity back to the National Grid and the companies offering the free panels receive their income from this, so it would be up to those companies to extend their schemes.

The Leader of the Council thanked the students for their questions and feedback which is extremely useful.

42. QUESTION TIME - PUBLIC

Council Procedure Rules were suspended for fifteen minutes to allow questions from the one member of public present.

Is it possible to utilise the 16-seater minibus which belongs to the Council to transport infirm and elderly residents to Hannah Park Cemetery as there is no bus route nearby?

The Cabinet Member for Environment and Housing replied that he would ask officers to look at the viability of such a scheme and their findings would be reported to a future meeting of Cabinet.

The Cabinet Member for Support Services added that the Retford Action Centre also has a minibus and advised the member of public to contact them regarding its availability.

Can A1 Housing Managers letting bungalows to elderly people take into consideration the size of the garden and if they will be capable of looking after it?

The Leader of the Council replied that schemes for helping the elderly with their gardens are available through A1 Housing and DYNAH.

43. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C Wanless.

44. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

Councillor G A N Oxby declared a personal interest in Agenda Item No 17(a) – Modernisation and Improvement: Revenues and Customer Services, as his partner is a member of staff, and remained in the meeting.

(b) Officers

There were no declarations of interest by officers.

45. MINUTES OF THE MEETING HELD ON 13TH JULY 2010

RESOLVED that the Minutes of the meeting held on 13th July 2010 be approved.

46. MINUTES FOR ACTION AND IMPLEMENTATION

RESOLVED that the Minutes for Action and Implementation be received.

47. OUTSTANDING MINUTES LIST

A Liaison Member asked that, regarding Minute No 13(c) (of 12.06.08 meeting) when the review of the community centres and community houses could be expected.

The Director of Community Services reported that A1 Housing is currently refreshing its business plan and that this would be done as a priority due to the unviable cost of the centres' maintenance.

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

48. REPORT(S) FROM SELECT PANELS

(a) Select Panel 2: Review of Land and Buildings in Disrepair and Empty Homes

Councillor W Barker, Chairman of the Select Panel, presented the report which reviewed land and buildings in disrepair throughout the District. The Panel's report was appended for Cabinet and Liaison Members and deposited in the Members' Room. Twelve actions were recommended by the Panel and, if agreed by Cabinet, it was suggested that the Overview and Scrutiny Committee review progress on the action plan for two years.

The Cabinet Member for Community Prosperity added that the Council's planning policy and conservation teams are very efficient and effective at identifying such sites and giving advice, and cited examples of their work to date eg Tuxford town centre's shop fronts. Progress has also been made on properties on Moorgate, Retford and Retford Road, Worksop.

Options, Risk and Reasons for Recommendations

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

RESOLVED that the recommendations within the Scrutiny Select Panel 2 report be considered and their response be submitted to the next available Overview and Scrutiny Committee.

Key Decisions

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

(a) Sustainable Community Strategy (Key Decision No 267)

Members were presented with the draft Sustainable Community Strategy 2010-2020 which was appended for Cabinet and Liaison Members and deposited in the Members' Room.

Options, Risks and Reasons for Recommendations

The Council must produce a Sustainable Community Strategy.

RESOLVED that:

1. The refreshed Sustainable Community Strategy 2010-2020 be received.

2. Quarterly monitoring reports on its implementation be presented to Cabinet and placed in the Members' Information Bulletin.
3. The Sustainable Community Strategy be referred to full Council for adoption and endorsement.

(Councillor W Barker left the meeting.)

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

(a) Health and Safety Service Plan 2010/11 (Key Decision No 270)

Members were presented with the Health and Safety Service Plan 2010/11 which was appended for Cabinet and Liaison Members and deposited in the Members' Room.

Options, Risks and Reasons for Recommendations

The production and approval of a Health and Safety Service Plan is a legal requirement under Section 18 of the Health and Safety at Work etc Act 1974. There is, therefore, no other option than to produce a Service Plan.

The recommendation to approve the Plan is based on the fact that it is a requirement of a central government agency. Failure to produce such a plan could lead to formal action to ensure we do produce such a plan.

RESOLVED that the Health and Safety Service Plan for 2010/11 be approved and referred to full Council for adoption and endorsement.

(b) Food Safety Service Plan 2010/11 (Key Decision No 271)

Members were presented with the Food Safety Service Plan 2010/11 which was appended for Cabinet and Liaison Members and deposited in the Members' Room.

Options, Risks and Reasons for Recommendations

The production and approval of a Food Safety Service Plan is a requirement under Chapter 1, Paragraph 10 and Chapter 2, Paragraph 3.1 of the Food Standards Agency 'Framework Agreement on Local Authority Food Law Enforcement'. There is, therefore, no other option than to produce a Service Plan.

The recommendation to approve the Plan is based on the fact that it is a requirement of a central government agency. Failure to produce such a plan could lead to the Food Standards Agency taking formal action to ensure we do produce such a plan.

RESOLVED that the Food Safety Service Plan for 2010/11 be approved and referred to full Council for adoption and endorsement.

(c) Landlord Accreditation (Key Decision No 272)

Members' approval was sought for a Landlord Accreditation scheme in the private rented sector which could potentially lead to benefits for tenants, landlords, the local authority and the community in general. These benefits were detailed within the report.

Options, Risks and Reasons for Recommendations

Officers have investigated which Accreditation Schemes it would be appropriate for the Council to join. This includes schemes operated by the National Landlords Association, Rotherham Metropolitan Borough Council, Sheffield City Council and the East Midlands Accreditation Scheme.

At sub-regional level, our partners in the Housing Market Area at Chesterfield Borough Council, Bolsover District Council and North East Derbyshire District Council are all actively promoting the East Midlands Accreditation Scheme which is also sponsored by the Government Office for the East Midlands.

Informal discussions have been held across the Sheffield City Region with a view to the North Derbyshire Authorities joining the Sheffield Accreditation Scheme. However, this has not been seen as appropriate. The consensus has been reached that landlords who have properties in more than one area only need to be members of one recognised accreditation scheme. This accreditation can then be 'passported' in order that they may be eligible to receive benefits individual local authorities may decide to offer in respect of properties the landlord owns in that local authority's area. Landlords would therefore not have to subscribe to more than one scheme. It is known there are some landlords in Bassetlaw who also let properties in the South Yorkshire area.

RESOLVED that:

1. Bassetlaw District Council joins the East Midlands Landlord Accreditation Scheme (EMLAS) as a Local Authority Member.
2. An evaluation of the Scheme's success be undertaken after six months and reported to Cabinet.
3. Bassetlaw District Council works in partnership with EMLAS to promote it; this to include organising an event with EMLAS and publicity of the Scheme in the Bassetlaw News.
4. The following incentives to support landlords' accreditation be supported: free advertising in A1 Housing property shops; private sector renovation/Decent Homes grants for landlords be made available only to accredited landlords.
5. Bassetlaw District Council to recognise that landlords who are members of any other recognised accreditation scheme be eligible for any benefits the Council may offer to members of EMLAS.

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

- (a) Budget Monitoring and Capital Programme Update Report to 30th June 2010 (Key Decision No 249)

Members were informed of: the spending position for the period 1st April to 30th June 2010 for the Council's General Fund, Housing Revenue and Capital Programme; any significant variances from the approved budgets; the proposed resourcing of the Capital Programme and the level of Council capital resources available, including capital receipts; updates on regeneration projects and sites that are not monitored through the Council's Capital Programme; updates on Treasury Management budget issues; and the regular quarterly update on performance against the approved Treasury Management Prudential Indicators for the period ending 30th June 2010.

Members' approval was sought for variations and additions to the existing Capital Programme, which were appended to the report.

Options, Risks and Reasons for Recommendations

The budget monitoring section is for information only. There are some potential risks that the estimated outturn variance could be substantially different from that currently shown, as it is very early in the financial year. Moreover, income targets are very volatile, and an improvement or deterioration in the economy, or even a large planning application, could have a significant impact on the forecasted outturn. Hence, the risk still remains that forecasts could be under/overstated.

The Council has responsibility for delivering its Capital Programme on time and not doing so could undermine the achievement of its objectives. The Regeneration and Property Group will continue to monitor the scheme's progress on a monthly basis.

There may be changes to the way the Capital Programme is financed as officers review the most appropriate methodology as part of the closedown process.

RESOLVED that:

1. A written answer to the Liaison Member's question on the under-achievement of A1 income be provided.
2. A further update on legislation regarding Land Charges be given once known.
3. The position with regard to revenue and capital budget monitoring be noted.
4. The 'carry forwards' to the 2010/11 Capital Programme, totalling £1.397m as discussed in paragraph 3.12 of the report, be noted.
5. The 'new approvals' to the 2010/11 Capital Programme, totalling £0.817m as discussed in paragraph 3.12 and detailed in Appendix 3 of the report, be approved.
6. The 'other variations' to the 2010/11 Capital Programme, totalling £(0.553m) as discussed in paragraph 3.12 and detailed in Appendix 3 of the report, be approved.
7. The proposed resourcing of the Capital Programme and the level of capital receipts currently available to fund any further capital expenditure, as detailed in paragraphs 3.16 and 3.18 of the report, be noted.
8. The updates on the key regeneration projects and sites, as detailed in paragraph 3.19 of the report, be noted.
9. The quarterly update on performance against the approved Treasury Management Prudential Indicators for the period ending 30th June 2010, as detailed in Appendix 6 of the report, be noted.
10. The weekly investment balances made throughout the first quarter of the financial year, in conjunction with the Security, Liquidity and Yield benchmarking data, as detailed in Appendix 7 of the report, be noted.

Other Decisions

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

(a) **Forward Plan – September to December 2010**

Members were presented with the Forward Plan of Key Decisions for the coming four months. A revised page was tabled to include Key Decision No 274 – Worksop Market Development: Phase II.

Options, Risks and Reasons for Recommendations

The report is for noting.

RESOLVED that the Forward Plan for the period September to December 2010 be approved.

(b) Local Area Agreement Reward Grant

Members were advised that the District Council has received £349,000 Local Area Agreement (LAA) Reward Grant and approval was sought to set up appropriate income and expenditure codes to allow this money to be allocated. The reward grant relates to the delivery of stretch targets within Local Area Agreement One (2006-2009), and is split 50% capital and 50% revenue. The conditions to spend the Grant were appended to the report.

The Local Strategic Partnership conducted a comprehensive risk management exercise and identified 'skills and educational attainment', and 'support for the local economy' as its two top priorities for the grant. It will also be considering community safety bids at the request of the Chair of the Safer Nottinghamshire Board.

Options, Risks and Reasons for Recommendations

The Council has been allocated the LAA Reward Grant and will be the accountable body for these monies.

RESOLVED that:

1. The receipt of the Local Area Agreement Reward Grant of £349,000 by the Council be noted.
2. The Revenue and Capital Budgets to be funded from the Grant be approved.

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

(a) Introduction of the National Food Hygiene Rating Scheme

Members' approval was sought for the introduction of the National Food Hygiene Rating Scheme for publishing the food hygiene scores of commercial food premises operating in Bassetlaw. The scheme is to be operational by the end of March 2011.

The Scheme is a Food Standards Agency partnership initiative and is designed to provide consumers with information about hygiene standards in food premises at the time they are inspected to check compliance with legal requirements. This will allow consumers to make informed choices about the places where they eat out or from which they purchase food, thereby encouraging businesses to improve their hygiene standards.

Options, Risks and Reasons for Recommendations

Option 1 – Implement the National Food Hygiene Rating Scheme using the Food Standards Agency website to publish hygiene ratings for commercial food premises operating in Bassetlaw. This option minimises costs to the Authority, may also provide some grant help towards the costs of setting up the scheme and the risk associated with hosting the website are borne by an external agency.

Option 2 – Implement the National Food Hygiene Rating Scheme using a commercial website to publish the scores. This option entails the highest financial costs to the authority at set-up and ongoing, although it probably carries the least risk in terms of the stability of the website as it is already fully developed and operational.

Option 3 – Implement the National Food Hygiene Rating Scheme by developing an in-house method of publishing the scores on Bassetlaw District Council's website. This option carries the most risk in terms of having to develop a suitable IT solution and maintain it for the future.

Option 4 – Not publish hygiene ratings for commercial food premises operating in Bassetlaw until such time as it may become mandatory to do so. Residents and owners of compliant businesses may become very dissatisfied that this information is not available for the District when many of our neighbouring authorities already make it available.

RESOLVED that the National Food Hygiene Rating Scheme be implemented using the Food Standards Agency website to publish hygiene ratings for commercial food premises operating in Bassetlaw.

(b) Tenant Services Authority: Tenants Annual Report and Service Offer

Members' approval was sought for the draft Local Housing Service Offer which was appended for Cabinet and Liaison Members and deposited in the Members' Room. Also appended were details regarding the Tenants Annual Report (including performance monitoring).

On 1st April 2010, the Tenant Services Authority became the new regulator for all social housing in England and, as part of the regulatory framework, the Council, in conjunction with A1 Housing, is obliged to publish a Tenants Annual Report by 1st October 2010, together with a short summary document for tenants who do not want the full report, and a Service Offer document by 31st March 2010.

Options, Risks and Reasons for Recommendations

There is a mandatory requirement to produce an Annual Report and Service Offer. Failure to complete this document within the required timescale is likely to have an adverse effect on inspection by the Tenant Services Authority/Audit Commission.

RESOLVED that:

1. The timetable for completing the Tenants Annual Report, as outlined in Appendix 1 of the report, be approved.
2. The draft Service Offer be approved as a consultation document.
3. Members submit their individual comments regarding the draft Service Offer by 1st October 2010 to the Strategic Housing Development Manager, the Director of Community Services or the Cabinet Member for Environment and Housing.
4. The final document be approved by the Director of Community Services, in consultation with the Cabinet Member for Environment and Housing, prior to its publication.

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

(a) Risk Management Strategy - Refresh

(This Agenda Item was wrongly listed under the Cabinet Member for Community Engagement and Performance on the original Agenda.)

Members were presented with the Council's refreshed Risk Management Strategy which was appended for Cabinet and Liaison Members and deposited in the Members' Room. The aim of the Strategy is to improve the Council's ability to deliver its strategic priorities and other objectives, which were outlined within the report. The refreshed document takes into account new policy guidance and improvements in how the Council manages risk within the organisation.

Options, Risks and Reasons for Recommendations

To not agree the Council's refreshed Risk Management Strategy.

To agree the Council's refreshed Risk Management Strategy.

RESOLVED that the Council's refreshed Risk Management Strategy be agreed.

(b) Revenue Carry Forwards

Members' approval was sought for the carry forward requests totalling £165,200, as detailed in Appendix 2 of the report. A full table of all the Council's reserves was set out on Appendix 1 of the report for information. The Council has agreed a minimum level of working balances of £1.0m which means that there are resources of £0.165m available for carry forward items or other service investments.

Options, Risks and Reasons for Recommendations

Members can decide not to approve any of these resource requests, in which case the overall General Reserve will remain at £1.165m and the Central Contingency at £0.135m.

Members may decide to make allocations to other priorities.

RESOLVED that:

1. The carry forward requests, totalling £165,200 as detailed in Appendix 2 of the report, be approved.
2. The use of £125,200 from the Council's Contingency Fund to fund the balance of the schemes, as outlined in paragraph 3.6 of the report, be approved.

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

(a) Shared Service – Revenues and Benefits

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

(Mr D Dickinson, from Newark and Sherwood District Council, was in attendance.)

Members' endorsement for the principle of proceeding towards a shared Revenues and Benefits Service with Newark and Sherwood District Council was sought. A copy of the report being submitted to Newark and Sherwood District Council's Cabinet on 9th September 2010 was appended to the report.

Options, Risks and Reasons for Recommendations

This is a new area for both Councils and there needs to be a sense of exploration and testing of new ideas. For any programme to work effectively, both Bassetlaw and Newark & Sherwood need to be committed to the project in light of the public sector's reducing resources.

Both Councils have won the confidence of the Nottinghamshire Improvement and Efficiency Partnership to see the project through, and senior officers are committed to taking the project on and delivering successful outcomes. Shared service initiatives have already been achieved in a number of areas such as Norfolk and Suffolk, Warwickshire, and also Worcestershire.

RESOLVED that:

1. The principle of proceeding towards a shared Revenues and Benefits service with Newark and Sherwood District Council, subject to funding, be endorsed.
2. The appointment of an interim manager to produce the business case and lead the development of the shared service be endorsed.
3. A further report be presented to Cabinet following the production of the business case to endorse the development of the shared service and action plan.
4. A further report be presented to Cabinet when funding through the Regional Improvement and Efficiency Partnership is confirmed, or not as the case may be.

(Councillor Miss Stokes left the meeting.)

56. REPORTING MINUTES

(a) Parish Councils Liaison Group – 17th February 2010

RESOLVED that the minutes of the meeting of the Parish Councils Liaison Group held on 17th February 2010 be received.

(b) Council's Health and Safety Committee – 20th April 2010

RESOLVED that the minutes of the meeting of the Council's Health and Safety Committee held on 20th April 2010 be received.

(c) I T and Access Sub-Committee – 21st April 2010

RESOLVED that the minutes of the meeting of the I T and Access Sub-Committee held on 21st April 2010 be received.

(d) Bassetlaw Enterprise Board – 7th June 2010

RESOLVED that the minutes of the meeting of the Bassetlaw Enterprise Board held on 7th June 2010 be received.

(Mr Dickinson left the meeting.)

57. 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 17(a) – Modernisation and Improvement: Revenues and Customer Services - Paragraph 2

Agenda Item No 18(a) – Worksop Market Development: Phase II – Paragraph 3

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Other Decisions

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

(a) Modernisation and Improvement: Revenues and Customer Services

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

Members' approval was sought for the final staffing structures and related arrangements for Revenues and Customer Services which had been proposed to Cabinet on 10th June 2010.

Options, Risks and Reasons for Recommendations

There is an option to do nothing and maintain the status quo and not realise the efficiencies stated.

There is the option to adopt the proposals in whole or part, which will provide the benefits outlined in the report.

RESOLVED that:

1. The new staffing structures, as detailed in Appendix 4 of the report, be approved and the necessary changes made.
2. The new job description, as detailed in Appendix 5 of the report, applicable to all Customer Service Advisors at Retford and Worksop, be approved and replace all previous job descriptions and grades.
3. The budget changes, as detailed in Appendix 1 of the report, be agreed.
4. All enabling matters and implementation dates be delegated to the Director of Resources working in conjunction with the Cabinet Member for Revenues and Customer Services.

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

Key Decisions

(a) Worksop Market Development: Phase II (Key Decision No 274)

A report was tabled which sought Members' approval to amend the 2010/11 Capital Programme for the purchase of a new operational base for the market, using £0.5m capital receipt from the CHUB project.

Options, Risks and Reasons for Recommendations

The Council's options are limited by the size of the properties available, the proximity to Bridge Street and the access requirements for the new market arrangements. The price of the freehold is competitive, compared to the level of the original price sought.

If Members decide they do want to pursue this option then the support for the new market will either not be as comprehensive as offered by the building or timely in terms of the critical path dictated by the cinema's development.

RESOLVED that:

1. The purchase of the property, as detailed in the report, for the sum detailed in the report, be approved, the vendor's legal costs be met, and the ten-day deadline stipulated by the vendor be met.

2. The 2010/11 Capital Programme be amended accordingly by matching the purchase of this building with the capital receipt from the CHUB site. A further £0.1m for refurbishing and fitting out the new market facility be met by viring £0.05m from the original £2.654m cinema scheme and viring £0.05m from the original bid for the Public Toilets Worksop Market Area scheme.
3. The 2011/12 base budget be increased by the net cost of this new facility, less the closure of the existing market facilities, and factored into the budget preparations for next year.
4. The decision be deemed to be urgent as any delay likely to be caused by the call-in process would seriously prejudice the Council's interests. Therefore, in accordance with the relevant provisions of the Council's Constitution, the call-in be waived following consultation with the Chairman of the Overview and Scrutiny Committee.

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