

CABINET

Minutes of the Meeting held on Tuesday, 1st April 2014 at Worksop Town Hall

Present: Councillor S A Greaves (Chair),
Councillors A Chambers, J A Leigh, S May, J White and G J Wynne.

Assistants: Councillors M Gregory, G Jones and J Potts.

Advisory Members: Councillors H M Brand and D Challinor.

Liaison Members: Councillors H Burton and K H Isard.

Officers: S Brown, J Hamilton, M Hill, L Hull, M Ladyman, E Simmonds, N Taylor and R Theakstone.

Also present: Councillors J M Sanger and T Taylor.

(The Chairman welcomed all to the meeting, read out the Fire Evacuation Procedure, and also enquired as to whether any member of the public wished to film/record the meeting or any part thereof; although there were two members of the public present, no-one responded.)

(The meeting opened at 6.30pm.)

148. QUESTION TIME - PUBLIC

Council Procedure Rules were suspended for fifteen minutes to allow questions from the public; two members of the public were present and two questions were asked by the same person:

Why has a Council-owned property in Bracebridge not been occupied for at least a year? I have pursued this with A1 Housing. The property is getting run down, e.g. there are ridge tiles missing and the garden is overgrown. Is the Council receiving revenue from this property?

The Cabinet Member for Housing replied that he did not know the circumstances around this particular property but that he would look into it.

Why has this taken so long? The bungalow has been empty for more than six months.

The condition of the public toilets in Worksop town centre are disgraceful. What an invitation to welcome anyone to visit Worksop. The toilets on Bridge Street are in a diabolical state and are a health hazard. The public wants clean and decent facilities. The Council needs to employ people to keep these safe and clean.

The Leader of the Council replied that refurbishment works are pending for the toilets at 73 Bridge Street but he was not precisely clear at what stage these works are at. The toilets in Victoria Square were closed due to misuse.

The Cabinet Member for Neighbourhoods added that she is aware that the facilities at 73 Bridge Street are not to the standard that this Administration would have built but they have been left with the legacy of a building that is perhaps not fit for purpose. However, these are cleaned regularly and a programme of works is ongoing. The toilets in Victoria Square were shut because of misuse and they could not be policed; however, the Council is continuing to make efforts to improve these.

Why is nothing changing? There is money in the Council's coffers. You need to employ people to look after such facilities.

The Leader of the Council replied that tenders have been submitted for the works to Bridge Street.

149. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor B Barker, J Evans and C Wanless.

150. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no Declarations of Interest by Members.

(b) Officers

S Brown, M Hill, L Hull, M Ladyman and R Theakstone declared Disclosable Pecuniary Interests in Agenda Item No. 13(a) – Management Re-organisation, as they were either named in the report or their substantive post was referred to in the report. They all left the meeting for this item.

151. CHANGE OF ORDER

RESOLVED that Agenda Item No. 13(a) – Management Re-organisation, be moved to the last item on the Agenda to enable those officers who have declared an interest to leave the meeting.

152. MINUTES OF THE MEETING HELD ON 4TH MARCH 2014

RESOLVED that the Minutes of the meeting held on 4th March 2014 be approved.

153. MINUTES FOR ACTION AND IMPLEMENTATION

RESOLVED that the Minutes for Action and Implementation be received.

154. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

155. FORWARD PLAN

The Leader of the Council advised that it was unlikely that there would be a Cabinet Meeting on 6th May due to a lack of business to be considered.

RESOLVED that the Forward Plan be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

156. REPORT(S) OF THE CABINET MEMBER – CUSTOMER AND SUPPORT SERVICES – COUNCILLOR S MAY

(a) Council Tax Discretionary Fund Policy (Key Decision No. 380)

Members' approval was sought for a revised Policy for administering a discretionary hardship fund and other discretionary reductions in relation to Council Tax and the Council Tax Reduction Scheme. It was also recommended that the name of the previous Policy is amended from the Council Tax Hardship Fund Policy to the Council Tax Discretionary Fund Policy, which was appended to the report.

For the first year of the Council Tax Reduction Scheme (2013/14), a Discretionary Fund provision of £20,000 was agreed by Cabinet on 9th April 2013 alongside the 2013/14 Policy. Due to the lower take-up of hardship awards, it was proposed that the fund be reduced to £10,000. Paragraph 3.6 of the report listed the use of the fund and reductions awarded in 2013/14.

Options, Risks and Reasons for Recommendations

Cabinet has the option to determine a different provision than the £10,000 for 2014/15, or to change the Policy, but it does not have the option not to approve a hardship fund, as that recommendation (i.e. to set one up) came from Council on 29th January 2013 and was further agreed for 2014/15 by Council on 30th January 2014.

RESOLVED that:

1. Thanks be recorded to the Cabinet Member and the Local Taxation and Benefits Manager for their work to date on the scheme.
2. The Council Tax Discretionary Fund Policy, as appended to the report, be approved.
3. The fund allocated for 2014/15 be set at £10,000.
4. The delegated authority be given to the Chief Executive to agree the level of funding allocated for the Council Tax Discretionary Fund in future years.

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

(a) Implementation of a Discretionary Fund for Council Rents (Key Decision No. 445)

Members' approval was sought for the establishment and implementation of a hardship fund for Council rents.

The Discretionary Fund is primarily intended to give financial help to those tenants who have experienced a change in their financial or family circumstances that would prevent them from being able to pay their rent and other priority living expenses. Payments could also be given for goods and services to help meet exceptional unforeseen expenses that would jeopardise a tenant's ability to pay their rent, such as repairs to essential household equipment, vehicle maintenance, family bereavements or illness, and costs arising from emergency situations such as burglary or fire. The scheme will be administered by A1 Housing and all funding payments will be approved by the Income Recovery Manager. Proposed payment levels, criteria, conditions and key benefits were outlined in the report.

Options, Risks and Reasons for Recommendations

Option One – To approve the establishment of a Discretionary Fund to give financial help to those tenants who have experienced a change in their financial or family circumstances.

Option Two – To not approve the establishment of a Discretionary Fund.

RESOLVED that the establishment of a Discretionary Fund for Council tenants experiencing financial difficulties be approved.

Other Decisions

158. REFERRAL(S)

- (a) Joint Employee Council – 5th March 2014 – Minute No. 36(a) – Organisational Review Phase II (Key Decision No. 420)

It was noted that this report had been well received by members of the Joint Employee Council and that it showed a transparent approach which would lead to an honest dialogue with employees.

RESOLVED that:

1. The financial savings targets required for 2015/16 and the timetable for service reviews with the aim of identifying £0.7m savings be noted.
2. Option 1 be approved, recommending the principles for structural design set out in the report to Cabinet, which will provide a framework for consistency across the organisation and a means of achieving greater efficiency and clarity for staff roles and responsibility at each layer of the organisation.
3. The steps in Paragraph 3.10 of the report be noted, to be as transparent with the workforce as possible, and which aim to minimise as much disruption as possible.

- (b) Joint Employee Council – 5th March 2014 – Minute No. 36(c) – Disciplinary Policy and Procedure

The Head of Human Resources reported that this was another of the Council's HR Policies and Procedures to be modernised. Fundamental changes included employees' behaviour with regard to social media and a greater emphasis on an informal approach to disciplinary matters. It was noted that the current climate is a difficult time for employees and the Head of Human Resources was praised on his engagement with employees and the trade unions in reaching such agreements.

RESOLVED that the revised Disciplinary Policy, Procedure and Rules be approved and implemented.

159. REPORTING MINUTES

- (a) Joint Employee Council – 11th December 2013 and 5th March 2014

RESOLVED that the Minutes of the meeting of the Joint Employee Council held on 11th December 2013 and the draft Minutes of the meeting held on 5th March 2014 be received.

- (b) Health and Safety Committee – 12th December 2013 and 6th March 2014

RESOLVED that the Minutes of the meeting of the Health and Safety Committee held on 12th December 2013 and the draft Minutes of the meeting held on 6th March 2014 be received.

With regard to the Minutes of the meeting held on 12th December 2013, the Chair of the Health and Safety Committee advised Members that the outcome of the investigations by the Health and Safety Executive into the fatality which occurred in Kings' Park, Retford, on 5th December 2013 is still awaited.

With regard to the Minutes of the meeting held on 6th March 2014, the Chair of the Health and Safety Committee advised Members that a Council employee had been verbally abused by the bereaved family of the tenant who had died from allegedly contracting Legionnaire's Disease. Further tests disproved this and no Legionella bacteria were detected; indeed, it was confirmed that Legionnaire's Disease had not been the cause of death. However, although the Council and its employee were not at fault, no apology has been received from either the NHS for its misdiagnosis or the bereaved family for their treatment of the employee in question.

RESOLVED that the NHS be asked to make a formal apology for its misdiagnosis and the employee be contacted with regard to what action he would like the Council to take on his behalf.

160. 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. 12(a) – Tender of Building Cleaning Contracts (Key Decision No. 374) – Paragraph 3

Agenda Item No. 13(a) – Management Re-organisation - Paragraph 2

Agenda Item No. 14(a) – ICT Unit – Review of Structure – Paragraph 2

Agenda Item 15(a) – Parking Management – Paragraph 2

(Councillors Sanger and Taylor remained in the meeting with the Chairman's permission.)

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

161. REPORT(S) OF THE CABINET MEMBER – FINANCE – COUNCILLOR J EVANS

(a) Tender of Building Cleaning Contracts (Key Decision No. 374)

(This item was presented by the Leader of the Council in the absence of the Cabinet Member for Finance.)

Members were updated on the outcome of the re-tendering of the building cleaning, window cleaning and hygiene services contracts, including the tender exercise and the application of the Living Wage. It was noted that this is the first contract awarded by the Council which incorporates the Living Wage.

Options, Risks and Reasons for Recommendations

The award of the building cleaning contract brings into line a high value contract that complies with Contract Procedure Rules. The OJEU tendering process has tested the market and demonstrates that the Council has achieved best value whilst ensuring fairness and transparency.

The other option would have been to continue with the current outdated and un-tested contract arrangements.

RESOLVED that:

1. The outcome of the window cleaning and hygiene tenders be noted.
2. The decision to award the building cleaning contract to Nottinghamshire County Council for an initial five-year period, with arrangements in place for an extension of a further three years subject to satisfactory performance, be approved.
3. A transfer from the corporate contingency budget in 2014/15 of £18,700 be approved.

Other Decisions

162. REPORT(S) OF THE CABINET MEMBER – CUSTOMER AND SUPPORT SERVICES – COUNCILLOR S MAY

(a) ICT Unit – Review of Structure

Members were updated on the rationale behind proposed changes to the staff structure of the ICT Unit within Support Services in response to issues identified from staff consultation on the original proposals and from the outcome of discussions within A1 Housing regarding agreement on future joint working.

Members' approval was sought for the implementation of the new structure for ICT as detailed within the report. Letters from the staff side and the subsequent responses were appended to the report. It was noted that the Print Unit has been incorporated into the proposed ICT structure but that the Graphics Officer has been moved to the Communications and PR Unit.

Options, Risks and Reasons for Recommendations

The Council is facing significant pressure both structurally and financially, therefore the need to review and restructure all services 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, and prepare the Council for the significant changes ahead.

Members have the option of either progressing or not progressing with the proposals for restructuring ICT. Should the decision be made not to move to implementation 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. The Council's strategic ICT capacity will not be improved therefore expertise will need to be "bought in" to assist the Council in preparing for the merging agenda.

RESOLVED that:

1. Thanks be recorded to all those involved in the ICT Review.
2. The proposals for structure of the ICT Unit, as outlined in the report, be approved.

163. REPORT(S) OF THE CABINET MEMBER – FINANCE – COUNCILLOR J EVANS

(a) Parking Management

Members were presented with proposed changes to the Parking Management Service and approval was sought to commence formal consultation with affected staff in accordance with the

Council's Job and Structure Redesign Policy and Procedure. It was noted that the management of car parks now sits within the Finance and Property Service.

Options, Risks and Reasons for Recommendations

This issue has been outstanding for several months now, pending the discussions with appropriate public sector partners. The decision to work in partnership with Nottinghamshire County Council would provide a suitable resolution to this matter, combined with the need to find appropriate revenue savings during this financial year to contribute towards the financial shortfall in 2015/16.

Members may decide not to agree with the proposals set out in the report and continue with the current arrangements. However, given the period of change and modernisation that this service has been subjected to, this will not address the diminishing requirements for this role or provide a more co-ordinated approach to the management of parking.

The recommendations in this report flow from Bassetlaw's ongoing need to demonstrate value for money improvements year on year.

RESOLVED that:

1. The proposed new arrangements for the delivery of the parking management service be noted and approval be given for formal consultation with affected staff to commence in accordance with the Council's Organisational Change Policy.
2. The final proposals be presented back to Cabinet for approval in due course or, if the proposals are not contested by staff, they be enacted without further reference to Cabinet.

164. REPORT(S) OF THE CABINET MEMBER – POLICY AND COMMUNITY ENGAGEMENT

(a) Management Re-organisation

(S Brown, M Hill, L Hull, M Ladyman and R Theakstone left the meeting for this item and did not return to the meeting.)

(Councillor K H Isard left the meeting at this point.)

Members were updated on the conclusion of the consultation process on the Management Re-organisation report which had been approved for staff consultation on 13th February 2014. A series of individual meetings were held and, as a result a change to paragraph 3.20 of the original Cabinet report has been made. This, together with a letter from the staff side and the subsequent response were appended to the report. Charts showing the existing and proposed Senior Management structures, and that in place in 2004, were also appended to the report.

Members' approval was sought for the top management structure and to start the recruitment process to fill the vacant posts and take things forward.

Options, Risks and Reasons for Recommendations

Members can decide to finalise the restructure or not, but senior staff have been seeking some stability for a long time and approving the report will provide some sensible reassurance and enable the Council to move forward with a cohesive management group.

RESOLVED that:

1. Thanks be recorded to the Chief Executive for his work involved in the Senior Management Review.
2. The Senior Management structure, as set out in Appendix 3 of the report, be approved, subject to the amendment to Paragraph 3.20 of the Cabinet Report of 13th February 2014 (Appendix 1).

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

The Chairman closed the meeting after thanking everyone for their attendance.

(Meeting closed at 7.35 pm.)