

CABINET

Minutes of the Meeting held on Tuesday, 8th July 2008 in Tuxford Methodist Church Hall

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

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

Officers: D Armiger, E Doran, J Hamilton, M Hill, D Hunter, G Jackson, N Taylor and D Yates.

Also present: Councillors J B Rickells and J C Shephard (Select Panel Chairman)

28. QUESTION TIME

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

29. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor G J Wynne.

30. 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.

31. MINUTES OF THE MEETING HELD ON 12TH JUNE 2008

RESOLVED that the Minutes of the meeting held on 12th June 2008 be approved.

32. MINUTES FOR ACTION AND IMPLEMENTATION

With regard to Minute No 22(b) – Variation to Agreement for Lease and Agreement for Sale at Clinton Maltkilns and Turner Road, Worksop – the Cabinet Member for Finance and Property advised Members that a press statement was due to be released the next day by the developer of the site to say that the six-screen cinema would definitely go ahead and that construction would commence as soon as possible.

RESOLVED that the Minutes for Action and Implementation be noted.

33. OUTSTANDING MINUTES LIST

With regard to Outstanding Minute No 554(a) – Power Supply to Queen's Buildings – the Director of Resources advised Members that the necessary wayleave was currently being negotiated with an external party.

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

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

(a) Corporate Improvement Plan (Key Decision No 174)

Members were updated on the Council's Corporate Improvement Plan which has recently been refreshed, to take into account actions arising from the IDeA CPA Peer Review Report (March 2008) and the Audit Commission's Annual Audit Letter (March 2008). The Plan was appended to the report.

Options, Risks and Reasons for Recommendations

To accept the refreshed Corporate Improvement Plan and to receive quarterly updates as part of the Corporate Performance Clinic reports.

RESOLVED that:

1. The refreshed Corporate Improvement Plan be approved.
2. Quarterly updates be presented to future meetings of Cabinet as part of the Corporate Performance Clinic reports.

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

(a) 2007/08 Carry Forward Requests (Key Decision No 180)

Members' approval was sought for all the 2007/08 carry forwards that have not previously been considered by Cabinet, and which were appended to the report.

Options, Risks and Reasons for Recommendations

Members can decide not to approve any of these resource requests set out in the report, in which case the resources will remain in the General Reserve for future years.

RESOLVED that:

1. The carry forward requests totalling £136,400 from 2007/08 be approved.
2. A further report be presented to 5th August 2008 Cabinet Meeting setting out recommendations for investments in services.

(b) Capital Programme 2008/09 Update (Key Decision No 184)

Members were: updated on spending progress on the Capital Programme up to 31st May 2008; provided with information on the Council's capital resources including capital receipts; and updated on regeneration projects/sites. Members' approval was sought for variations to the schemes on the existing Capital Programme, as appended to the report.

Options, Risks and Reasons for Recommendations

The Council has responsibility for delivering its capital programme on time and not doing so could undermine the achievement of its objectives and its categorisation in external inspections.

The capital programme this year is relatively substantial in size, and officers will have to work flexibly and with partners to deliver the agreed outputs on time and to budget.

The Council has responsibility for delivering its capital programme on budget and ensuring value for money.

Individual projects may have a high profile. Overall achievement is also closely scrutinised as the capital programme comprises one of the Council's most strategic plans.

RESOLVED that:

1. The capital monitoring position, as detailed in Appendix 1 of the report be noted.
2. The variations to the capital programme and associated funding changes, as detailed in paragraph 3.3 of the report, be approved.

Other Decisions

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

(a) Forward Plan – July to October 2008

Members were presented with the Forward Plan of Key Decisions for the coming four months.

Options, Risks and Reasons for Recommendations

This report is for noting.

RESOLVED that the Forward Plan for the period July to October 2008 be noted.

(b) Corporate Performance Clinic Report – Year End 2007/08

Members were presented with information to review and evaluate performance against objectives and targets up to 31st March 2008 by way of Performance Clinics. The report brings together a number of strands together in a comprehensive document that covers a wide spectrum of the Council's activities. It was noted that all out-turn data had been presented to the Performance Improvement Scrutiny Committee on 31st May 2008 and was included in the report to provide supporting data to overall corporate performance.

The Corporate Plan Milestones, as at April 2008, the Performance Indicator Breakdown 2007/08 and a breakdown of Local Government Ombudsman Investigations 2007/08 were appended to the report.

The rationale for the use of 'traffic light' colours and 'smiley faces' in both the Cabinet and Performance Improvement Scrutiny Committee reports was explained.

Options, Risks and Reasons for Recommendations

The report is for noting.

RESOLVED that:

1. The report be received.
2. The actions for improvement, as set out in section 3.12 of the report, be endorsed.
3. The action plan be reviewed and refreshed at the discretion of the Cabinet.

(c) Update on the Council's Approach to Data Quality

Members were updated on the Council's approach to data quality. The Audit Commission's Review of Data Quality Report 2007/08, the Data Quality/Sharing Protocol (Partnerships) and the Data Quality Action Plan 2008/09 were appended to the report.

Overall the report stated that "The Council's overall management arrangements for ensuring data quality are performing well...."

The Performance Improvement Co-ordinator updated Members on a recent Use of Resources Inspection where the initial outcome was that the Council had "made progress".

Options, Risks and Reasons for Recommendations

The report is for noting.

RESOLVED that:

1. The report be received.
2. The draft Data Quality/Sharing Protocols, as set out in Appendix 2 of the report, be received.

37. REPORT(S) OF THE SELECT PANELS

(a) Services for Young People

The Panel's Chairman, Councillor J C Shephard, presented Select Panel 4's recommendations regarding services for young people for consideration and implementation.

Options, Risks and Reasons for Recommendations

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

RESOLVED that

1. Thanks be recorded to all members of the Panel, support officers and witnesses for their contributions and work on the Panel.
2. The recommendations of the Select Panel be received.
3. A response be submitted to the next available Overview and Scrutiny Committee.

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

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

(a) Local Planning Application Validation Requirements

Members' approval was sought for Bassetlaw District Council's Local Planning Validation Requirements following consultation which had commenced in March 2008. The consultation comments and proposed requirements were appended to the report.

There is now a statutory obligation for all planning applications to be submitted on the national standard planning application form (1APP), the use of which is intended to achieve consistency and will make the process more straightforward for applicants. Applicants will also have to submit a minimum level of information with their applications.

Options, Risks and Reasons for Recommendations

The Council has the option whether or not to bring in local validation requirements in addition to the national ones.

However, it is important that the Council is able to provide clear details of the information it requires in order to properly assess development proposals. By producing these local requirements there is likely to be less reason to request additional information and therefore applications should be dealt with more efficiently, making it more likely that performance targets will be met.

On that basis, it is recommended that the requirements appended to the report are agreed and adopted as the Bassetlaw Local Planning Application Validation Requirements.

RESOLVED that the Bassetlaw Local Planning Application Validation Requirements be agreed and formally adopted.

(b) Charging for Pre-Application Planning Advice

Members' approval was sought for the introduction of charges for pre-application advice in accordance with proposals contained within the Community Prosperity Service Review. Proposals, which had been put together having considered similar schemes in place in other authorities and research undertaken by the Planning Advisory Services, were appended to the report.

Such charges have proven to help filter out speculative and poorly thought out development proposals, help improve the delivery of the service and ensure better quality application submissions. It was proposed to base the fee structure on the familiar PS2 'major', 'minor' and 'other' categories, with charges being levied against 'major' (schemes of 10 or more dwellings) and 'minor' (schemes of 3-9 dwellings) developments. No charges will be levied against householder development and proposals falling within the 'other' development categories, such as proposals affecting small businesses, as well as works to listed buildings and trees.

Options, Risks and Reasons for Recommendations

It is an option not to accept the proposals within this report. However, it was agreed in the Community Prosperity Service Review to introduce a charging scheme for pre-application advice and, following research into similar schemes in operation elsewhere, it is considered that the proposals represent best practice in this area. It is therefore recommended that the proposals for charging for pre-application planning advice, as set out in Appendix A, are introduced. In addition, to ensure that the impact of these charges can be properly assessed, it is also proposed that the proposals are reviewed after a year in consultation with the Council's existing Agents Forum.

RESOLVED that:

1. The proposals for charging for pre-application planning advice, as set out in Appendix A, be agreed and form the basis of consultation with local agents.
2. Subject to this consultation exercise, the proposals be introduced, unless the Head of Community Prosperity and Cabinet Member conclude that comments made through this exercise may result in significant changes being made to the proposal that would require Cabinet approval.
3. The proposals are reviewed a year after introduction in consultation with the Agents Forum.

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

(a) Places for Change Funding

Members were advised of the success of a bid made by the Council on behalf of Framework Housing Association in respect of the Places for Change programme, and Members were asked to agree administrative arrangements in respect of this capital grant. A copy of the bid submitted to Communities and Local Government (CLG) in March 2008 was appended to the report.

Options, Risks and Reasons for Recommendations

Grant conditions are such that the Council funding cannot be paid direct to Framework by CLG. The Council must therefore draw down funding from CLG, agree a capital budget and make payments to Framework as the project is delivered.

RESOLVED that:

1. Thanks be recorded to Mr G Jackson and his team for their excellent work on the bid.
2. An initial capital budget for the Places for Change programme be agreed as follows: 2008/09 - £200,000; 2009/10 - £330,000; 2010/11 - £55,000.
3. Payments to Framework Housing Association be administered by the Strategic and Statutory Housing Services Unit.

(b) Choice Based Lettings Policy

Members' approval was sought for the Choice Based Lettings (CBL) Policy which was approved in principle by Cabinet in December 2007. Since then, A1 Housing and the tenant working group have incorporated the existing Lettings Policy within the new CBL frameworks to produce the new CBL Policy.

The two significant differences between the Lettings Policy and the new CBL Policy were discussed ie a single person under the age of 60 will now only be able to bid for a flat or maisonette (previously also a house), and senior citizen properties can be offered to persons aged over 50 (previously 40) if there are no senior citizens bidding. Succession of tenancy rights were also discussed. It was noted that the new CBL policy is in line with Government guidance.

Options, Risks and Reasons for Recommendations

To approve the detailed policy for Bassetlaw District Council's Choice Based Lettings Scheme.

To identify and recommend an alternative policy.

RESOLVED that:

1. The Choice Based Lettings Policy be approved for implementation in December 2008.
2. Approval be given for any minor amendments to the policy arising from the final phase of consultation to be agreed in consultation with the Cabinet Member for Environment and Housing.
3. A post-implementation review be carried out by A1 Housing no later than six months after the Choice Based Lettings goes live and the findings be reported to Cabinet.
4. The Choice Based Lettings Policy be reviewed within 18 months of implementation to ensure it is meeting the housing need of the District and is in line with any emerging government guidance.

(c) Local Nature Reserve Designation 2008

Members were appraised of progress to date in the creation of three local nature reserves at Langold Country Park, Retford Cemetery and Woodsetts Pond. Members' approval was sought for the adoption of the sites as local nature reserves and the associated management plans as outlined in Appendices 1-3 which were tabled at the meeting.

Options, Risks and Reasons for Recommendations

If the proposed sites are not adopted as local nature reserves, the Council would not meet its objectives and commitments as outlined in the Local Strategic Partnership and the Council's Nature Conservation Strategy.

RESOLVED that:

1. The progress to date in establishing the three local nature reserves at Langold Country Park, Retford Cemetery and Woodsetts Pond be noted.
2. The adoption of the sites as local nature reserves and the associated management plans, as outlined in Appendices 1-3 of the report, be approved.

(d) Appointment of Proper Officers

Members' approval was sought for an amendment to the Proper Officer list under Paragraph 4 of Schedule 29 of the Local Government Act 1972.

Options, Risks and Reasons for Recommendations

Without the appointment of suitably qualified Proper Officers, the Council would lack the medical expertise necessary to effectively protect the public from the risks associated with the spread of communicable diseases.

Cabinet has the option to retain the power to appoint Proper Officers, or to delegate this power to the Chief Executive.

RESOLVED that:

1. The re-appointment of Dr Vanessa MacGregor, Consultant in Communicable Disease Control, as the Proper Officer for Bassetlaw District Council be approved, and the functions detailed in paragraph 3.1 of the report be delegated to her to carry out.
2. The Alternative Proper Officer List, as detailed in paragraph 3.2 of the report, be approved and delegation be given to them to carry out Dr MacGregor's functions in her absence.
3. The authority to appoint future Proper Officers be delegated to the Chief Executive.

40. REPORTING MINUTES

(a) Bassetlaw Enterprise Board – 2nd June 2008

RESOLVED that the minutes of the meeting of Bassetlaw Enterprise Board held on 2nd June 2008 be received.

(b) Friends of Retford Cemetery Sub-Committee – 4th June 2008

RESOLVED that the minutes of the meeting of Friends of Retford Cemetery Sub-Committee held on 4th June 2008 be received.

41. 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 14(a) – Leisure Strategy Update (Key Decision No 182) – Exempt Paragraph 3

Agenda Item No 15(a) – Update on Proposed Sale of Land at Randall Way, Retford – Exempt Paragraph 2

(Councillor J B Rickells remained in the meeting with the Chairman's permission.)

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

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

(a) Leisure Strategy Update (Key Decision No 182)

Members were updated on progress and Members' approval was sought for the next steps, ie: a framework document for leisure service delivery; an assessment of leisure service management options for the future; a scoping of the leisure facilities for inclusion within the future management arrangements; a broad timeframe for delivery of future management arrangements; and a skills analysis of the existing service; which were all outlined in appendices to the report.

Options, Risks and Reasons for Recommendations

The report seeks approval for an over-arching strategy as well as approval for some detailed project management arrangements. The risks outlined address both these areas.

Without the additional resources, there is a risk that both the capacity and skills within the Council are unable to deliver the required outcomes. There is a risk that the project is not delivered on time in line with the action plan. This will be addressed through regular project management group meetings on a monthly basis and clear tasking within the overall project framework.

RESOLVED that:

1. A supplementary budget of £70,000 be approved to deliver the production of the tender documentation and completion of Stage 1 of the action plan.
2. The leisure strategy and supporting documentation, at Appendices I-V of the report, be approved.
3. A supplementary budget of £13,200 for 2008/09 and £3,300 for 2009/10 be approved to fund the extension to the temporary Head of Leisure Services post until the contract is in place in June 2009.

Other Decisions

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

(a) **Update on Proposed Sale of Land at Randall Way, Retford**

Members were updated on the proposed sale of land off Randall Way, Retford. Cabinet agreed at its meeting on 4th March 2008 to the sale in principle at market value. However, negotiations have stalled with both parties unable to agree to an acceptable figure.

Options, Risks and Reasons for Recommendations

Option One is to inform the potential purchaser that the Council no longer intends to dispose of the site.

Option Two is to resurrect negotiations with the potential purchaser on condition that the deal is concluded within a six-month period of the date of this Cabinet.

RESOLVED that the negotiations be resurrected with the potential purchaser on condition that the deal is concluded by January 2009.

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

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