

CABINET

MINUTES OF MEETING HELD ON 19 DECEMBER 2018

I N D E X

Page No	Minute No	Heading
1	444	Apologies for Absence
1	445	Declarations of Interests
1	446	Minutes of Last Meeting
1	447	Minutes of the Member Development Working Group held on 14 November 2018
2	448	Risk Management Update, Partnership Working and Strategic Risk Register
2	449	Utilisation of 1-4-1 Right to Buy Receipts
3	450	Urgent Business (Public Session)
3	451	Exclusion of Public
4	452	Corporate Property Estates Maintenance Contract 2018-2023
4	453	Urgent Business (Private Session)

CABINET

MINUTES OF MEETING HELD ON 19 DECEMBER 2018

Present:

Councillor G Baxter MBE Leader (in the Chair)

Councillor N Barker
“ M Gordon

Councillor P R Kerry
“ J Lilley
“ R Smith

Also Present:

L Hickin - Joint Strategic Director – People
K Hanson - Joint Strategic Director – Place
D Clarke - Joint Head of Finance & Resources and Section 151 Officer
S Sternberg - Joint Head of Corporate Governance and Monitoring Officer
D Cairns - Senior Governance Officer
D Stanton - Governance Officer

444 Apologies for Absence

Apologies for absence were received from Councillor E A Hill.

445 Declarations of Interests

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no interests declared at this meeting of Cabinet.

446 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of Cabinet held on 28 November 2018 be approved as a correct record and signed by the Leader.

447 Minutes of the Member Development Working Group – 14 November 2018

RESOLVED – That the Minutes of the Member Development Working Group held on 14 November 2018 be noted.

Non Key Decisions**448 Risk Management Update, Partnership Working and Strategic Risk Register**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which updated Members concerning the current position regarding Risk Management and Partnership Arrangements and to seek approval for the revised Strategic Risk Register as at 30 September 2018, as part of the suite of Finance, Performance and Risk reports.

The Council's Strategic Risk Register had been developed in light of consideration of the strategic and operational risks which had been identified by elected Members and officers as part of the Council's risk, service management and quarterly performance arrangements.

Details of the identified risks, their likelihood and impact, and also the mitigation measures that the Council had in place to reduce the risks were detailed in the Appendix attached to the report. The report also outlined the Council's key partnership arrangements.

RESOLVED – That Cabinet note the report and approve the Strategic Risk Register as at 30 September 2018 as attached to the report.

REASON FOR DECISION – To enable Cabinet to consider the risks identified within the Strategic Risk Register/Partnership Arrangements in order to assist in maintaining effective governance arrangements and service and financial performance.

OTHER OPTIONS CONSIDERED AND REJECTED – As it was considered good practice and in order to facilitate the development of robust managerial arrangements the Council was required to prepare a Strategic Risk Register as part of its Risk Management Framework. No alternative options were therefore considered.

(Head of Finance & Resources)

449 Utilisation of 1-4-1 Right to Buy Receipts

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which updated Members on the timetable for the use of 1-4-1 Right to Buy Receipts and the other options and implications for their use or return.

In July 2012 the Council entered into an agreement with the Department of Communities and Local Government to retain capital receipts from Right to Buy sales to reinvest in new affordable housing. The report set out details of how the 1-4-1 receipts could be utilised and the requirement to repay the funds if they were not utilised within the requisite time frame which would also incur interest costs.

The level of 1-4-1 receipts held by the Council and the deadline for the funds to be spent were set out in the report.

The Council had the option to voluntarily repay 1-4-1 receipts to the Treasury without penalty at the end of each quarter and it was recommended that this option be exercised by the Head of Finance & Resources and Section 151 Officer during periods when affordable housing schemes on which the 1-4-1 receipts could be used cannot be identified.

The Ministry of Housing, Communities and Local Government Consultation Paper on the arrangements for the utilisation of 1-4-1 receipts had proposed a number of options for reform. The consultation period had closed in October 2018 and the Council was considering the implications of the proposals. It was noted that the reform, if implemented, was likely to go some way towards helping to utilise 1-4-1 receipts by the deadlines although not all issues were addressed.

RESOLVED – That Cabinet:-

- (1) Note the current position regards 1-4-1 Right to Buy Receipts.
- (2) Gives delegated powers to the Head of Finance & Resources and Section 151 Officer to voluntarily repay 1-4-1 Right to Buy Receipts during periods when schemes cannot be identified on which they can be utilised, provided no interest is payable on repayment, and that this be recommended to Standards Committee for inclusion in the Delegation Scheme in Part 4 of the Council's Constitution.

REASON FOR DECISION – To enable a flexible approach to the retention of 1-4-1 Right to Buy Receipts, limiting the potential liability for interest costs to be applied.

OTHER OPTIONS CONSIDERED AND REJECTED – The option to retain but not utilise the 1-4-1 Right to Buy Receipts, returning the funds on the deadline, was rejected due to the cost of interest that would be incurred.

(Head of Finance & Resources)

450 Urgent Business (Public Session)

There was no urgent business to be considered in the public session at this meeting of Cabinet.

451 Exclusion of Public

RESOLVED - That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraph 3 Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation) Order 2006). [The category of exempt information is stated after each Minute].

Key Decisions**452 Corporate Property Estates Maintenance Contract 2018-2023**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which advised Members of the tenders received for the Corporate Property Estates Maintenance Contract 2018-2023. The contract was to cover such work as patching, resurfacing and reconstruction of tarmac areas and minor civil engineering schemes on Council owned assets.

In accordance with the Council's Contract Procedure Rules the tenders had been assessed in accordance with the evaluation criteria and it was recommended that the tender received from Gary Fletcher (Surfacing) Ltd be accepted for the reasons as set out in the body of the report.

RESOLVED – That Cabinet approve the acceptance of the tender received from Gary Fletcher (Surfacing) Ltd for the reasons as set out in the report.

REASON FOR DECISION – The tender recommended to be accepted demonstrated best value when both cost and quality were assessed.

OTHER OPTIONS CONSIDERED AND REJECTED – The alternative option not to award the contract was rejected due to the implications of obtaining quotations for individual pieces of work and the timescales involved.

(Senior Engineer)
(Paragraph 3)

453 Urgent Business (Private Session)

There was no urgent business to be considered in the private session at this meeting of Cabinet.
