

## CABINET

### MINUTES OF MEETING HELD ON 10 JUNE 2015

## I N D E X

<b>Page No</b>	<b>Minute No</b>	<b>Heading</b>
1	47	Apologies for Absence
1	48	Declarations of Interests
1	49	Minutes of Last Meeting
1	50	Minutes of the Member Development Working Group
1	51	Member Development Annual Report 2014/2015
3	52	Corporate Plan 2015-2019
4	53	Performance Management – Quarter 4 2014/15
5	54	Joint Crematorium Committee
6	55	Rykneld Homes Limited Business Plan 2015/18
6	56	Risk Management Update, Partnership Working and Strategic Risk Register
7	57	Urgent Business (Public Session)
7	58	Exclusion of Public
8	59	Medium Term Financial Plan
9	60	Management of Corporate Debt – Write Off of Outstanding Amounts
9	61	Sale of Land (Ransom Strip) at North Wingfield
9	62	Ridgeway Craft Centre
10	63	Urgent Business (Private Session)

## CABINET

### MINUTES OF MEETING HELD ON 10 JUNE 2015

#### **Present:**

Councillor G Baxter MBE ..... Leader (in the Chair)

Councillor J Austen

“ N Barker

" M Gordon

“ Mrs E A Hill

Councillor P R Kerry

“ Mrs L Robinson

“ Miss T Williams

#### **47 Apologies for Absence**

All members of Cabinet were present at the meeting.

#### **48 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.

Councillors N Barker and Mrs E A Hill declared a non significant interest in item 7 on the agenda, Rykneld Homes Limited Business Plan 2015-18, arising from their membership of the Rykneld Homes Board.

#### **49 Minutes of Last Meeting**

RESOLVED – That the minutes of the meeting of the Cabinet held on 15 April 2015 be approved as a correct record and signed by the Leader.

#### **50 Minutes of the Member Development Working Group – 1 April 2015**

RESOLVED – That the minutes of the Member Development Working Group held on 1 April 2015 be noted.

##### Reason for Decision

To enable Cabinet to be advised of the Council's ongoing work and commitment towards member development.

##### Other Options Considered and Rejected

None.

#### **51 Member Development Annual Report 2014/2015**

Cabinet considered Report No NB/01/15-16/FP of Councillor N Barker which provided the annual update on member development work undertaken in 2014/15.

Matters for consideration within the annual report included:-

- Member Involvement Half Days for 2014/2015;
- Committee specific and other training events in 2014/2015;
- East Midlands Councils' Regional Briefing Events for Councillors for 2014/15;
- Member Development Budget 2014/2015;
- Member Development Evaluations;
- Member Development Working Group Meetings 2014/2015;
- Member Development: Equality of Provision and Opportunity;
- Member Induction Arrangements for May 2015;
- Areas for Improvement/Development.

Cabinet noted that significant work on member development had been undertaken in 2014/15. One of the ongoing challenges was the requirement to ensure member development remained central to the Council's support for members. It was relevant to their roles and provided opportunities to gain further knowledge, skills and experiences that were appropriate.

Areas for development included:-

- Greater opportunities for increased shared development work with colleagues at Bolsover District Council.
- The ongoing requirement for development/training to be Member led and as practical and interactive as possible.
- The requirement for Member Development to have a longer term focus and strategic approach so that it continued to support the learning culture within the Council.
- The need to ensure that equality of provision remains at the centre of the Council's arrangements, so that events are held at different times of day to accommodate those Members who work or have day time commitments.
- The need to ensure that the Member Induction Arrangements for May 2015 are implemented successfully.
- A requirement to ensure that Member Development aligns with the priorities within the Council's Corporate Plan 2015-2019.

**RESOLVED** – That the content of the Member Development Annual Report 2014/15 be noted.

#### **Reason for Decision**

To enable Cabinet to be advised of member development work undertaken during the municipal year 2014/15.

**Other Options Considered and Rejected**

None.

**52 Corporate Plan 2015-2019**

Cabinet considered Report No GBXR/01/15-16/JF of Councillor G Baxter MBE which proposed the Council's Corporate Plan for 2015-2019.

Work on the Corporate Plan had begun in July 2014 and gone through an extensive programme of consultation, which included both internal and external stakeholders. The main public consultation was via the Citizen's Panel survey and Ask Derbyshire website. In general, there was overall support for the aims and priorities within the proposed Plan.

Central to the new Corporate Plan will be priorities around unlocking the growth potential of the District. Once the new Corporate Plan had been approved, monitoring of the new targets would begin and be reported after the second quarter in October 2015. All data relating to the targets would be included in the Council's management system (PERFORM), which could be viewed by officers and members. The Council would issue an annual report on progress against the targets.

A copy of the proposed Corporate Plan was attached at Appendix 1 to the report.

**RESOLVED** That:-

- (1) Cabinet notes the development of the Corporate Plan 2015-2019 and confirms the contents of the document.
- (2) Cabinet recommends to Council the adoption of the Corporate Plan 2015-2019 as attached to the report.
- (3) Any minor amendments to the Corporate Plan 2015-2019 be made by the Assistant Director – Customer Service and Improvement following consultation with the Chief Executive Officer up until submission to Council.

**Reasons for Decision**

For recommendation to Council for adoption.

**Other Options Considered and Rejected**

Different options had been put forward throughout the consultation period and these have been considered. Where possible, amendments had been made following feedback though some options may not be viable due to cost or resource implications. Some proposals put forward as part of the consultation fell outside the Council's remit.

**53 Performance Management – Quarter 4 2014/15**

Cabinet considered Report No GBXR/02/15-16/AB of Councillor G Baxter MBE, which presented a summary of performance for the fourth quarter of 2014/15, i.e. January to March 2015, and a final outturn for 2014/15 for all key tasks and performance indicators that directly contributed to the priorities within the 2011-2016 Corporate Plan. The report provided a range of corporate information including sickness absence, accidents and complaints.

Overall for the fourth quarter, 100% of the key tasks achieved their respective targets and 83% of the performance indicators achieved the targets set for the year. The number of key tasks had been considerably reduced with only three being reported for the period.

The Council had received 73 complaints during the fourth quarter, 73% of which related to streetscene services. This was largely due to delays and disruption to the collection round as a result of poor weather conditions.

The report had considered by the Council's Audit and Corporate Governance Scrutiny Committee on 28 May 2015 where the main areas raised were around the Council's sickness absence record. The Committee had expressed concerns that the levels of sickness absence had risen to what appeared to be an unacceptable level and were concerned that the report did not provide information to enable members to be comfortable that steps were being taken to address the issue of the level of sickness absence. The Audit and Corporate Governance Scrutiny Committee requested that further consideration be given to increasing the level of detail within the report and changing the presentation of the information so that members could give consideration to what improvements in performance could be secured.

There was a discussion around the issues of sickness levels, together with the below performance outcome in respect of certain indicators (particularly the environmental ones). Members also commented on the fact that the number of complaints received was relatively limited given the extent of the services provided by the Council.

**RESOLVED That Cabinet:-**

- (1) Notes the current position and the high level of achievement for Key Tasks (100% achieved) and the good levels of achievement of Performance Indicators (83% achieved) as outlined in the table at paragraph 1.5 on page 2 of the report.
- (2) Notes that a number of indicators as detailed in Appendix 1 to 5 are not performing to the expected levels and which support the following corporate priorities:-
  - Ensure streets are clear of litter, fly tipping, graffiti and dog fouling;
  - Help deal with the issues of climate change;
  - Ensure residents have confidence in the Council;
  - Provide good value, high performing services.

- (3) Notes the explanations for the lower than anticipated performance as detailed in Appendices 3 and 5.
- (4) Notes the circumstances and appropriate action outlined on pages 11 and 15 to address under-performance. Some service areas have been affected by resource issues either through vacant posts or long-term sickness. Another contributory factor has been the implementation of key ICT systems that have caused some disruption to some service areas.

#### Reason for Decision

To enable members, officers, key partners and members of the public to scrutinise the Council's performance.

#### Other Options Considered and Rejected

None.

### **54 Joint Crematorium Committee**

Cabinet considered Report No GBXR/03/15-16/MK of Councillor G Baxter MBE, which clarified the status of the Joint Crematorium Committee with Bolsover District Council and Chesterfield Borough Council and appointed four members from the Council's Cabinet to the Committee.

At the Council's Annual Meeting on 26 May, three Labour Group members and one Conservative Group member were appointed to the Joint Crematorium Committee. The seats formed part of a wider schedule of appointments made in line with political balance rules under the Local Government and Housing Act 1989. It was understood at the time that the nature of the Committee was advisory and under the Regulations any joint committee that appoints three or more members should be politically balanced.

It has since come to light that the Joint Crematorium Committee was a Joint Committee of the Executives with executive powers in relation to crematoria on behalf of the Council and partners. Such committees were exempt from political balance and this means that Cabinet must now appoint four of its membership to the Joint Crematorium Committee.

#### RESOLVED That:-

- (1) Cabinet notes the legal status of the Joint Crematorium Committee as a joint executive committee.
- (2) Cabinet appoints Councillors G Baxter MBE, M Gordon, P R Kerry and Mrs J Austen to the Joint Committee.

#### Reasons for Decision

To ensure that the Joint Crematorium Committee is properly constituted and that North East Derbyshire has a full complement of members.

Other Options Considered and Rejected

None.

(Governance Manager)

**55 Rykneld Homes Limited Business Plan 2015/18**

Cabinet considered Report No EAH/01/15-16/MB of Councillor Mrs E A Hill (supported by Councillor J Austen), which sought approval of the Rykneld Homes Business Plan 2015-18.

Rykneld Homes' Business Plan for the forthcoming three years included performance indicators and supported the delivery of the District Council's strategic objectives. It was approved by the Rykneld Homes Board on 26 March 2015 and had been jointly developed with the District Council and local stakeholders such as tenant and involvement groups through business planning days.

The business plan was aligned to support and deliver the Council's Corporate Plan and specifically identified how Rykneld Homes would deliver the strategic objectives around Growth and Transformation.

The proposed performance indicators were attached as an appendix to the report and reflected feedback from the business planning process.

**RESOLVED** – That the Rykneld Homes Business Plan 2015-2018 and Performance Indicators be approved.

Reasons for Decision

To ensure that the Council's ALMO aligned with the Council's key priorities.

Other Options Considered and Rejected

None.

(Executive Director – Transformation)

**56 Risk Management Update, Partnership Working and Strategic Risk Register**

Cabinet considered Report No PRK/01/15-16/BM of Councillor P R Kerry, which updated members on the position regarding risk management and sought approval for a revised Strategic Risk Register as at 31 March 2015 as part of the suite of finance, performance and risk reports.

The report also updated members regarding arrangements in place to manage partnership arrangements, including associated risk.

The revised Strategic Risk Register was set out as an appendix to the report and aimed to secure the following objectives:-

- Identifying any newly emerging risks which needed to be added to the Register and removing any risks that had been resolved to maintain a focus on current risks.

- Revising the Risk Register ensures that existing risks are reviewed, that appropriate mitigation remains in place, and where necessary the assessment is revisited.

The key risks identified related to the impact of adverse external financial circumstances, the requirement to achieve a balanced budget to protect the level of financial reserves, the pace of legislative initiatives and levels of staffing resources.

A key element which emerged from the Strategic Risk Register was around maintaining current performance in respect of service delivery and performance in governance in light of reduced funding streams.

Two risks that had previously been identified by officers around the conduct of the elections and the Council's relocation to Mill Lane had been appropriately handled.

The rest of the report set out details around evolving partnership arrangements. Key partners included Bolsover District Council, Rykneld Homes and the two Local Economic Partnerships.

**RESOLVED** That:-

- (1) The Council's Strategic Risk Register as set out in Appendix 1 to the report be approved.
- (2) Cabinet request that an update of the Strategic Risk Register as at 30 June 2015 be brought back to a future meeting of Cabinet for approval.

**Reasons for Decision**

To enable Cabinet to consider risks identified within the Strategic Risk Register in order to assist in maintaining effective governance arrangements, service and financial performance.

**Other Options Considered and Rejected**

None.

(Executive Director – Operations)

**57 Urgent Business (Public Session)**

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

**58 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 Paragraphs 1, 3 and 4 Part I 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].



**59 Medium Term Financial Plan**

Cabinet considered Report No PRK/02/15-16/BM of Councillor P R Kerry, which concerned staffing proposals in the Revenues and Benefits Team, Streetscene and Planning Team.

There was a brief discussion around recruitment in the Planning Team and the potential for increasing the number of apprenticeships the Council offered.

**RESOLVED That:-**

- (1) Cabinet requests the Chief Executive to exercise his delegated powers to include an additional post of Revenues Assistant within the staffing establishment of the Revenues and Benefits Team, and to increase the post CL067 within the Streetscene Team from one of 0.39 FTE to that of 1 FTE.
- (2) Cabinet notes the financial implications and that all additional costs with respect to the Revenues and Benefits element of (1) above will be met from within existing approved budgets for 2015/16 and 2016/17 with future natural wastage utilised to ensure that the costs of the Revenues and Benefits Team do not increase above those approved within the 2015/16 budget.
- (3) Cabinet notes that the additional costs in Streetscene of increasing the post of driver (CL067) be met from increased income being generated by the service.
- (4) An amount of £75,000 be transferred from the Planning Reserve into the Planning Revenue budget to meet increased costs arising from a growth in demand and the requirement to use agency staff to undertake established posts pending successful recruitment to these post.
- (5) A further report be brought to a future meeting of the Cabinet to update members concerning progress in recruiting to the Planning Team, together with details of performance and proposals to refresh the Planning reserve with increased income arising from planning fees that have been secured during 2014/15 and 2015/16.

**Reasons for Decision**

To maintain levels of performance, ease recruitment and better match available resources within the existing level of demand.

**Other Options Considered and Rejected**

The recommendations brought forward intended to ensure that three key services were appropriately resourced in order to meet agreed performance targets. In all cases the proposals brought forward could be met within existing approved budgets. Given that the cost was affordable it was not considered appropriate to reject measures that would help maintain service performance for local residents.

(Executive Director – Operations)

**60 Management of Corporate Debt – Write Off of Outstanding Amounts**

This item was withdrawn from the agenda.

**61 Sale of Land (Ransom Strip) at North Wingfield**

Cabinet considered Report No TW/01/15-16/BM of Councillor T Williams, which sought approval to dispose of a piece of land in North Wingfield to enable development of the site for affordable housing in return for a capital receipt and parking spaces that would enable construction of up to 50 units of affordable housing.

RESOLVED that consideration of this item be deferred to enable a wider discussion involving the Council, the developer and the Council's strategic housing partner, Rykneld Homes.

**Reasons for Decision**

To achieve best value and to explore further opportunities for the site in question.

**Other Options Considered and Rejected**

To dispose of the land for the sum stated in the report. However, it was felt that further work was necessary to realise the best use of the land in question.

(Executive Director – Operations)

**62 Ridgeway Craft Centre**

Cabinet considered Report No TW/02/15-16/BM of Councillor T Williams, which updated members concerning the position in respect of Ridgeway Craft Centre and recommended the sale of the site subject to the Executive Director – Operations being able to conclude satisfactory contractual terms.

The report provided members with background since the Council's decision in May 2009 to dispose of its interest in the Ridgeway Craft Centre, together with details of the current negotiating position.

There was a brief discussion around access to the site.

**RESOLVED That:-**

- (1) Cabinet approves the sale of the Ridgeway Craft Centre to Ridgeway Courtyard Limited for £700,000 and grants delegated powers to the Executive Director – Operations following consultation with the Portfolio Member and local ward member to conclude the disposal in the light of the requirement to secure best value.
- (2) The land to the south east of the site which currently formed part of the lease to the leaseholder of the adjacent former Garden Centre be returned to the Council and that an amount of up to £25,000 be invested in landscaping the

area concerned to be funded from the Invest to Save Reserve and from approved maintenance budgets in future financial years.

- (3) The Executive Director – Operations be required to update the next meeting of Cabinet concerning progress in the sale of the Ridgeway Craft Centre.

**Reasons for Decision**

The Council has been advised throughout the process by a specialist agent and had commissioned an independent valuation from a district valuer. The outcome of this supported the view that while the Council had not market tested the site it had secured best value.

**Other Options Considered and Rejected**

As set out in the report.

(Executive Director – Operations)

**63 Urgent Business (Private Session)**

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

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