

## CABINET

### MINUTES OF MEETING HELD ON 28 SEPTEMBER 2016

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## CABINET

### MINUTES OF MEETING HELD ON 28 SEPTEMBER 2016

#### **Present:**

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

Councillor J Austen

" N Barker

" M Gordon

Councillor Mrs E A Hill

" P R Kerry

" J Lilley

#### **295 Apologies for Absence**

All Members of Cabinet were present at the meeting.

#### **296 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.

Councillor J Lilley declared a significant other interest in relation to agenda item 14 – Management of Corporate Debt – Write Off of Outstanding Amounts. Due to the nature of this interest Councillor J Lilley left the room for this item and did not take part in the discussion or the vote.

#### **297 Minutes of Last Meeting**

RESOLVED – That the Minutes of the meeting of Cabinet held on 31 August 2016 be approved as a correct record and signed by the Leader.

#### **298 Funding to Voluntary and Community Organisations – Links CVS**

Cabinet considered an update from Links CVS as part of a suite of presentations from Voluntary Sector Organisations funded by the Council in 2015/16. James Lee of Links CVS attended the meeting.

Cabinet were advised that Links CVS offered the following services to serve the communities of North East Derbyshire:-

- Funding and policy information workshops;
- Weekly general and funding email bulletins and quarterly newsletters (Linksline) to keep groups informed about funding opportunities and policy updates that were relevant to them;

- Funding and general advice appointments for groups regarding general group running, policy development, service planning, fundraising, human and financial resource management.

Cabinet were advised that the Links CVS supported communities to make them a better way of life.

The Chair, on behalf of the Council, thanked Links CVS for their work on behalf of the residents of North East Derbyshire and for attending the Cabinet meeting to provide the update.

**RESOLVED** – That the update from Links CVS be noted.

#### **Reason for Decision**

To ensure that the Council maximises efficient use of outcomes through commissioning and voluntary sector organisations to help the Council achieve its corporate priorities.

#### **Other Options Considered and Rejected**

None.

### **Matters referred from Scrutiny**

#### **299 Safeguarding Arrangements Scrutiny Report**

Cabinet considered a report of Councillor T Reader, Chair of the Communities Scrutiny Committee which sought Cabinet's approval of the recommendations of the Communities Scrutiny Committee's Review into Safeguarding Arrangements.

The Communities Scrutiny Committee agreed to undertake a review of the safeguarding arrangements as part of its Work Programme for 2015/16. It was felt timely to review this area following the events in Rotherham and subsequent reports on child sexual exploitation. The Committee was also the statutory committee for the review of the work of the Community Safety Partnership.

Cabinet recognised the importance of robust mechanisms for safeguarding and protecting children and vulnerable adults so welcomed Scrutiny's report.

It was advised that the report needed to be considered alongside the next agenda item which set out the Lead Officer's Action Plan responding to Scrutiny's recommendations.

**RESOLVED** – That Cabinet approves the recommendations from the Scrutiny Review as set out in 1.4 of the report.

#### **Reasons for Decision**

To ensure the Council's safeguarding arrangements are robust.

Other Options Considered and Rejected

None.

**300 Lead Officer Response, in conjunction with the Portfolio Holder, into the Scrutiny Review on Safeguarding Arrangements**

Cabinet considered the Lead Officer response, in conjunction with the Portfolio Holder with Responsibility for Community Safety, Equality & Diversity and Health, into the Scrutiny Review on Safeguarding Arrangements.

Members discussed at length the Action Plan, which set out the recommendations in detail, and the actions required. Members also discussed key points arising from the Action Plan, such as considering the use of CCTV cameras in business premises, such as leisure centres, takeaways, taxis and other hotspots.

It was clear that the delivery of the Action Plan would require further work from relevant officers and the Scrutiny Committee. It was also likely that some of the recommendations would require further reports to Cabinet and potential policy changes and as the Plan develops Cabinet asked that any issues and progress be reported as necessary.

RESOLVED – That:-

- (1) Cabinet endorses the proposed actions set out in the Action Plan attached as an appendix to the report to address the recommendations arising from the safeguarding arrangements review.
- (2) Cabinet requests the Chief Executive to write to the relevant Government Minister calling for a National Taxi Driver Vetting Policy and the introduction of mandatory training for Officers, Councillors and Magistrates involved in determination of taxi driver licence applications.

Reason for Decision

To comply with the requirement to address scrutiny recommendations and to agree the actions identified in the Action Plan.

Other Options Considered and Rejected

None.

(Executive Director – Transformation/  
Chief Executive)

**Policy & Budget Framework Items****301 Joint Equality & Diversity Policy for Service Delivery**

Cabinet considered a report of Councillor J Lilley, Portfolio Holder with Responsibility for Community Safety, Equality & Diversity and Health, which sought approval of the draft joint Equality and Diversity Policy for Service Delivery.

Both Councils had very good mechanisms in place to fulfil the obligations under the Equality Act 2010. The Policy was to ensure a consistent approach across both Councils which supported the legal obligations with regards to equality and helps to treat people fairly. The Policy set out what the Council's responsibilities were and the systems and mechanisms in place to help:-

- To eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- Advance equality of opportunity;
- Foster good relations between different groups.

Responsibilities under the Policy were clearly set out and a good understanding of the Policy would ensure that all equality considerations were given due regard as required by the Equality Act 2010 and applied consistently throughout the Council's public functions.

**RESOLVED** – That Cabinet approves the joint Equality and Diversity Policy for Service Delivery.

#### Reason for Decision

To enable both Councils to have one higher level document that referenced the component elements, legal obligations, best practice, Council mechanisms/systems and responsibilities in one place. This helped clearly set out the approach to equality service delivery and make it easier to achieve consistency.

#### Other Options Considered and Rejected

To not have a joint Policy on Equality and Diversity for Service Delivery, as detailed in the report, it was felt beneficial to put the information together in a policy context.

(Information, Engagement and Performance Manager)

### **Key Decisions**

#### **302 Vehicle Replacement – Streetscene Services**

Cabinet considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for the Environment, which sought Cabinet's approval to purchase commercial fleet vehicles operated by the Council's Streetscene Services Team.

The Streetscene Team operated a mixed fleet of heavy and light commercial vehicles which had previously been procured under finance lease agreements. Two grounds maintenance tractors fall due for replacement in the 2016/17 financial period, in anticipation of which, tenders had been received by the Council's shared Procurement Unit further to advertising on Source Derbyshire.

The vehicles identified in this report had reached the end of their contract hire year and were the last two vehicles previously procured from Essential Fleet Services (formerly Translinc).

It was proposed that the vehicle replacements were funded by Prudential Borrowing which provided the Council with greater flexibility throughout the course of the loan, in particular if at some stage in the future it was considered appropriate to take vehicles out of use or if a decision was made to extend their operational life then this could be accomplished in a more cost effective manner.

**RESOLVED** – That:-

- (1) 2 grounds maintenance tractors, as set out in the report, were procured in line with the tenders received via Source Derbyshire.
- (2) The financing of the vehicles would be undertaken by way of Prudential Borrowing, as previously approved within the Council's Capital Programme and Treasury Management Strategy.

**Reason for Decision**

The vehicles had been identified having reached the end of their contract hire period and were the last two vehicles previously procured from Essential Fleet Services. Funding by way of Prudential Borrowing was considered appropriate as if a decision to take vehicles out of use or to extend their operational life was taken then this could be accomplished in a more cost effective way.

**Other Options Considered and Rejected**

The replacement of vehicles by way of contract hire/lease arrangements was not considered to offer good value to the Council and reduced the scope for flexibility concerning how vehicles were managed throughout the course of their anticipated life, in particular where vehicles may require releasing from their leasing agreements prior to their natural end date.

(Assistant Director - Streetscene)

**303 Appointment of Security and Concierge Contractor for Commercial Property**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, which informed Cabinet of the outcomes of the procurement exercise undertaken to appoint contractors to deliver the Security and Concierge contract and to seek approval for a delegation to the Assistant Director – Property and Estates to appoint the preferred supplier following the procurement evaluation exercise and interviews.

Only two submissions were received before the deadline for tenders which were subject to evaluation. In summary the Council was seeking an organisation which was capable of providing CCTV monitoring, including alarm response, key holding and a concierge service.

Cabinet noted that North East Derbyshire would only pick up the cost of the services used on their facilities although the contract covered both Councils within the Strategic Alliance.

**RESOLVED** – That:-

- (1) Cabinet supports the appointment of the preferred Security and Concierge contractor – IPM FM Group Limited – to deliver the service as summarised in paragraph 3 of the report to the North East Derbyshire District Council side as identified in paragraph 2 of the report.
- (2) The Assistant Director – Property and Estates be granted the delegated authority to appoint the preferred supplier following the conclusion of the evaluation process.
- (3) The Assistant Director – Property and Estates be granted delegated authority to implement the extension period based on satisfactory performance from the contractor at the specified pricing proposals for future years.

**Reason for Decision**

To contribute to the Council's corporate target of maintaining and growing the business base by offering a continuation of the security and concierge service across the commercial premises.

**Other Options Considered and Rejected**

On the basis that the successful company would need to be appointed as a result of the outcome of the procurement process the only option would be not to appoint a contractor to deliver the work. Given that the contract was necessary to the cost effective management of properties identified within the report this was not considered to be an appropriate option.

(Business Estates Manager)

**Non Key Decisions****304 Corporate Plan Targets Update – April to June 2016 (Q1 – 2016/17)**

Cabinet considered a report of Councillor G Baxter MBE, Portfolio Holder with Responsibility for Building a Better Council. The purpose of the report was to report the quarter 1 outturns for the Corporate Plan 2015-2019 targets. A summary of the Corporate Plan targets was provided in paragraphs 1.3 to 1.6 of the report. The report also requested that target T05 under Transforming our Organisation be extended to 30 November 2016 to reflect resource issues caused by the slower than expected implementation of the Legal restructure. Following consideration of the Quarter 1 April to June 2016 Corporate Plan targets, Members noted that key Corporate target C05 – Reduce the average time to relet void Council properties to 26 days by March 2016 – was now on target.

**RESOLVED** – That:-

- (1) Progress against the Corporate Plan 2015-2019 targets be noted.
- (2) Target extension be approved for T05, as noted in the report.

Reason for Decision

This was an information report to keep Members informed of progress against the Corporate Plan targets noting achievements or any areas of concern.

Other Options Considered and Rejected

None.

(Information, Engagement and Performance Manager)

**305 Pilot North East Derbyshire Business Growth Fund Progress Update**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, which provided an update for the North East Derbyshire Business Growth Fund and to note changes to the implementation of the programme.

In March 2015, Cabinet approved the establishment of the North East Derbyshire Business Growth Fund (BGF), a £40,000 grant scheme funded from the Invest to Save Budget, piloted over 24 months in areas not eligible for the BNED LEADER support (Clay Cross, Dronfield and Tupton). Grants of up to £4,000 would address a niche not addressed by the Local Enterprise Partnerships (LEP) loans and grants which had a minimum intervention threshold of £4,000 which was too high for the vast majority of North East Derbyshire businesses, approximately 90% of whom were micro businesses which employed fewer than 10 people.

The Business Growth Fund complemented the delivery of the Growth Strategy for Bolsover and North East Derbyshire, particularly the priority of "Supporting Enterprise: Maintaining Growing the Business Base". The key drivers for the fund were the creation of jobs and apprenticeship opportunities and the increase of Business Rates (National Non-Domestic Rates, NNDR) in businesses which the Council were confident would achieve growth.

Linkages with existing schemes and services such as Ambition, Talent Match and the Working Communities Programme helped to support people into these employment opportunities, although this could not always be exclusively residents of the District due to employment law. As well as Business Growth, increased employment supported more economically sustainable households and communities who were less likely to experience pressures such as financial exclusion.

RESOLVED – That Cabinet:-

- (1) Notes the current progress of the North East Derbyshire Business Growth Fund.
- (2) Notes the changes to the existing eligibility criteria and processes as set out in the report.
- (3) Determines that the pilot evaluation should be brought forward to a suitable time to be able to inform 2017/18 budget setting considerations.



Reason for Decision

Following the latest Business Growth Fund progress review held on 13 July 2016 a number of proposed changes to the eligibility criteria and processes were agreed in order to maximise the outcomes achieved by the fund.

Other Options Considered and Rejected

Retaining the current process which lacked a mandatory condition for start up businesses to provide a robust business plan maintained greater risk to the Council's funds, as confidence could not always be easily determined from assumptions within the application form. Adopting the condition and clearly asserting this within the application guidance reduced the risk placed upon the public funding.

(Strategic Partnership Co-ordinator)

**306 Medium Term Financial Plan – Approval of North East Derbyshire District Council Efficiency Plan**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, which sought Cabinet's approval for the Efficiency Plan to be published on the Council's website and that Cabinet consider a Minute from the meeting of the Audit and Corporate Governance Scrutiny Committee held on 14 July 2016.

The Government announced as part of its local government financial settlement in February 2016 that it would offer a guaranteed minimum grant level, paid to Councils for a four year period from April 2016 covering Revenue Support Grants, Transitional Funding and Rural Services Delivery Grant. This, in view of the Secretary of the State would increase local authority certainty and confidence and was a key step in supporting Councils to strengthen financial management and collaborative work with local partners when considering the way local services were provided in the future.

RESOLVED – That:-

- (1) Cabinet notes the report and agrees the Efficiency Plan, attached as an Appendix to the report, to be published on the Council's website in order to allow the Council to benefit from the Government's four year financial settlement.
- (2) Delegated powers be granted to the Chief Financial Officer, in consultation with the Leader of the Council and the Chief Executive, to amend the Efficiency Plan as required in order to ensure that it remained relevant to the circumstances and position of the Council.
- (3) Cabinet notes the Minute from the meeting of the Audit and Corporate Governance Scrutiny Committee, held on 14 July 2016, attached as an Appendix to the report.

Reason for Decision

To enable Cabinet to agree that the Council should endorse and publicise the Efficiency Plan.

Other Options Considered and Rejected

None.

(Executive Director – Operations/  
Assistant Director – Finance, Revenues & Benefits)

**307 Urgent Business (Public Session)**

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

**308 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 and 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].

*Councillor J Lilley left the meeting at this point.*

**Key Decisions****309 Management of Corporate Debt – Write Off of Outstanding Amounts**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration which sought agreement to the proposed write off of debts in respect of Council Tax arrears.

The details of the debts proposed to be written off were attached as an Appendix to the report.

RESOLVED – That Cabinet agrees to write off the amounts in respect of Council Tax arrears as detailed in Appendix 1 to the report.

Reason for Decision

Given that all the appropriate recovery actions had been exhausted in the case of these debts, it was important that the Council recognised the position and approved the write off of debt given that there was no realistic prospect of recovery.

Other Options Considered and Rejected

As all appropriate recovery actions had been exhausted there were no alternative options.

(Executive Director - Operations)  
(Paragraphs 1 & 3)

**310 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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