

**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY 3 DECEMBER 2013**

Held at 7.00pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

PRESENT:

Councillors J N Clarke (Chairman), D G Bell, J A Cranswick, J E Fearon, N C Lawrence and D J Mason

ALSO IN ATTENDANCE:

Councillors D M Boote, S J Boote, R M Jones, K A Khan and A MacInnes
17 members of the public

OFFICERS PRESENT:

D Banks	Executive Manager - Neighbourhoods
A Graham	Chief Executive
P Linfield	Service Manager - Finance and Commercial
K Marriott	Executive Manager - Transformation
D Mitchell	Executive Manager – Communities
V Nightingale	Senior Member Support Officer
P Steed	Executive Manager – Finance and Commercial
P Randle	Local Plan Lead Officer
D Swaine	Executive Manager - Operations and Corporate Governance

APOLOGIES FOR ABSENCE:

There were no apologies for absence

Prior to the meeting starting the Chairman informed Cabinet that the order of agenda had been amended and that items 4 and 5 would now be considered as the final items.

27. Declarations of Interest

There were none declared.

28. Minutes

The minutes of the meeting held on Tuesday 12 November 2013 were approved as a correct record and signed by the Chairman.

29. Rushcliffe Core Strategy Proposed Modifications

Councillor Bell presented the report of the Executive Manager – Communities regarding the Council's Local Plan Core Strategy. He stated that it was vital that this process continued in a controlled manner. He informed Cabinet that the Local Development Framework Working Group had met on 31 October and 26 November to consider the modifications and the results of the consultation exercise. He thanked officers for their hard work in producing the document and members of the Group for their thorough deliberations. He

explained that any land allocation had to conform to the National Planning Policy Framework, which was the overarching national policy. The Local Plan, to succeed, had to be proven to be sound, deliverable, sustainable, viable and able to objectively meet the future housing need of the Borough. Also it had to evidence that the Council had co-operated with neighbouring authorities.

Councillor Bell stated that the strategic sites had been considered in detail by the Working Group but he recognised that many communities would not welcome the impact of these developments, however, he assured Members that the Plan would give the Council the control it needed to ensure the impact was minimised as much as possible. He was certain that the developments would occur and if there was no Plan in place the Council would have limited control over the process and the outcome.

Councillor Bell said that the next stage in the process was for Cabinet to consider the recommendations of the Working Group and forward this to Council on 12 December 2013, where there would be a full debate by all Members.

Councillor Fearon stated that this was an important Plan that was needed to control the delivery of future housing. He endorsed the previous comments regarding the difficult work undertaken by the Local Development Framework Working Group.

Councillor Cranswick supported these comments. He said that the Council had worked hard to reduce the number of houses that had to be accommodated in the Borough. However, he believed that not to accept the Plan would be a bad decision. Without this Plan the Council would have no control over developments and would not be able to protect the residents of the Borough in the future.

Councillor Lawrence endorsed his colleagues' comments. He reminded everyone that the Plan only identified areas and not actual developments. Without a Plan he believed that the houses would be built but it would mean that the Council would not be able to negotiate any infrastructure improvements.

Councillor Mason agreed with the comments made.

In conclusion, Councillor Clarke informed the Cabinet that, as part of the process, their duty was to decide whether to refer the Working Group's report to Council for a full thorough debate. He stated that the Working Group had conducted very detailed work over many hours, which had culminated in this report. If agreed the report would be forwarded to Council for a full debate. If accepted by Council the Plan would then be subject to further consultation and a public examination by the Planning Inspector and if approved, the Council would adopt it in 2014. He concurred that Members found the number of houses that had to be delivered incongruous however, it was important that the Council made a responsible decision. Without a Local Plan the Council would be vulnerable and have no control over major planning applications. He stated that this would mean that planning would be decided by the appeal process and would limit the Councillors ability to decide on future applications.

RESOLVED that Cabinet supports the proposed modifications to the Core Strategy and recommends that Council agree:

- a) the proposed modifications to the Rushcliffe Core Strategy Publication Draft, as highlighted at **Appendix 1 and Appendix 2**;
- b) that authority be delegated to the Executive Manager - Communities, in consultation with the Cabinet Member for Sustainability, to make further minor modifications or corrections as are considered necessary to strengthen or to provide clarity to the draft Core Strategy;
- c) that the proposed modifications be published for a minimum 6 week period of consultation; and
- d) that the proposed modifications and any consultation responses be submitted to the Planning Inspector for her consideration in examining the Rushcliffe Core Strategy.

30. **Rushcliffe Local Development Scheme**

Councillor Bell presented the report of the Executive Manager - Communities regarding the Local Development Scheme and a revision to the timetable. The Local Development Scheme set out the Development Plan Documents the Council intended to prepare as part of the Local Plan and the programme for their preparation. The existing Scheme was published in 2006 and now needed updating to reflect the current Core Strategy and to extend the time period beyond the existing end date of 2028. Councillor Bell informed Members that the Local Development Framework Working Group had considered this item at its meeting on 26 November 2013 and had unanimously agreed that it should be presented to Cabinet for approval.

In support of the recommendations Councillor Clarke stated that this was a technical document that reflected the changes made to the Local Plan process.

RESOLVED that Cabinet approve

- a) the revisions to the Rushcliffe Local Development Scheme to reflect the revisions identified in Table 1 of the report, and
- b) that authority be delegated to the Executive Manager Communities, in consultation with the Cabinet Member for Sustainability, to amend the detailed content of the Local Development Scheme to include the revisions identified in Table 1 and to bring it into effect.

31. **Collaboration Agreement**

Councillor Clarke presented the report of the Chief Executive which detailed a proposed agreement between Rushcliffe Borough Council, Gedling Borough Council and Newark and Sherwood District Council. This agreement aimed to formalise the Councils' intentions to work together to maximise partnership opportunities. It was recognised that by working together the three councils

would benefit from more efficient service delivery. He informed Members that this was not proposing a management integration nor did it preclude the Council from working with other authorities in the future. He stated that the political nature and control of the three councils were different and therefore there would be more cross party working. He believed that this was beneficial for the residents of the Borough.

In support of the recommendations Councillor Cranswick stated that the meetings to discuss this collaboration had been non-political and that everyone had seen the benefits of this agreement. He reminded Members that the Council did have close working relationships with both councils already, in fact Gedling Borough Council processed the Council's payroll. Each authority had different skill sets and these would now be used for the benefit of all.

Councillor Mason supported these comments and said that it recognised that partnership working was the best way forward.

RESOLVED that Cabinet:

- a) adopt the Collaboration Agreement as presented at **Appendix A**,
- b) work towards developing a deliverable work programme which supports the Authority's own efficiency, capacity and resilience agenda, and
- c) reaffirms their current commitment to work with existing partners to maximise efficiencies, outcomes and capacity.

32. Expansion of Rushcliffe's Garden Waste Collection Scheme into Newark and Sherwood

Councillor Lawrence presented the report of the Executive Manager - Neighbourhoods regarding an opportunity that officers had identified to expand the Council's garden waste collection service into part of Newark and Sherwood District Council's area. The Council's current scheme had started in April 2011 and cost residents £25 per year for the first bin and £10 for each additional bin. The service had a 71% take up rate with an 85% satisfaction level, however officers had seen that there was some spare capacity and had looked for opportunities to reduce the £150,000 loss that the service generated.

He informed Members that Mansfield District Council provided a service for 2,400 properties in one part of Newark's district. After considering the geographical boundaries of the two boroughs, 3,000 homes had been identified where the Borough Council could provide a service. Following a marketing exercise approximately 400 residents had expressed an interest in the service. He pointed out that both Rushcliffe Borough Council and Mansfield District Council had seen an increase in the numbers following the commencement of their own services.

Councillor Lawrence informed Cabinet that the present take up would generate approximately £1,200 and it would only be run on, at least, a cost recovery

basis in the future. The only outlay the Council would need to make was the purchase of some brown wheeled bins.

In support of the recommendations Councillors Clarke and Cranswick agreed that the estimated take up was conservative and they were confident that once the residents saw what an excellent service was provided, this would increase.

RESOLVED that Cabinet

- a) Agree to offer a garden waste collection service into target areas in the south west of Newark and Sherwood starting on 1 April 2014, and that;
 - i. any such scheme will be operated on at least a cost recovery basis, and
 - ii. invitations should be extended to the Newark and Sherwood District Council Leader, Portfolio Holder and senior officers to an event showcasing the Council's approach to customer service and administrative arrangements for green waste club members.

33. **HS2 - Consultation on the Route To Manchester, Leeds and Beyond**

Whilst presenting the report of the Executive Manager - Communities Councillor Clarke reminded Members that Council had considered the subject of the HS2 on two occasions. On 17 July 2013 the Secretary of State announced the public consultation on phase two of the project. Councillor Clarke stated that the Community Development Group had considered the consultation, especially in relation to the Borough, and had provided a response for Cabinet to consider. He recognised that the proposed station for the area was to be located at Toton, however he was sceptical that the project would come to fruition.

Councillor Cranswick supported the proposed response from the Community Development Group. However he believed that the project would not be progressed for approximately 30 years.

RESOLVED that Cabinet agreed the proposed response provided by the Community Development Group to the HS2 consultation.

34. **Council Tax Reduction Scheme**

Councillor Cranswick presented a report which outlined the Council's Council Tax Reduction Scheme. This scheme had been adopted on 24 January 2013 for the financial year 2013/14. It was now proposed to adopt the scheme from 1 April 2014.

He also informed Members that the Department for Communities and Local Government had, today, published a draft Statutory Instrument which had made minor amendments to the model scheme upon which the Rushcliffe scheme was based. He said that the final version of this Instrument would be published in December and would include updated benefit figures and a few technical changes to the model scheme.

Councillor Cranswick stated that these changes would not have a material effect on the Council's proposed scheme but would need to be included in the version that was presented to Council on 12 December 2013. The main changes would be

- Changes to a number of criteria relating to non-UK nationals
- To ensure that a non-dependent deduction is not made in respect of a member of the armed forces away on operation
- That certain welfare payments and universal credit arrears are disregarded when assessing an individual's capital

He proposed that the Council continue with this scheme, following the amendments published today, especially having considered the financial implications.

RESOLVED that Cabinet

- i. commends to Council that the Council Tax Reduction Scheme 2013/14, as agreed by Council on the 24 January 2013, be adopted as the Council Tax Reduction Scheme for Rushcliffe Borough Council from 1 April 2014;
- ii. subject to the inclusion of a clause enabling the scheme to be automatically updated to reflect the uprating of national benefits and other technical changes to the model scheme published by the Department for Communities and Local Government.

35. Revenue and Capital Budget Monitoring

Councillor Cranswick informed Cabinet that the Corporate Governance Group had considered the Council's revenue and capital budgets at its meeting in November. The budgets were mainly in line with proposals, however, he highlighted some exemptions which included the Cotgrave Master Plan, that was a large project and he had been assured that the money would be spent later in the year. He informed Members that a new customer contact point had recently opened in Bingham and that due to careful monitoring of the Council's fleet officers had been able to make vehicles operate for a longer period of time.

In respect of changes to the Treasury Management Prudential Indicator for interests he stated that, in the present economic situation, officers needed greater flexibility to invest the Council's money to obtain greater returns.

RESOLVED that Cabinet:

- a) note the current projections for revenue and capital; and
- b) refer to Council the proposed change to the Treasury Management Prudential Indicator "Upper Limits for Fixed Interest Rate Exposure" to 60% (from 35%), for approval.

36. Local Authorities (Executive Arrangements) Meetings and Access to Information) (England) Regulations 2012

RESOLVED that the public be excluded from the meeting for consideration of the following item of business pursuant to the above Regulations on the grounds that it is likely that exempt information be disclosed as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

37. Recommendations of the EWM Member Group - Transforming Streetwise into a Social Enterprise

Councillor Mason presented the report outlining the Environment and Waste Management Member Group's recommendations regarding the transformation of the Streetwise service into a social enterprise. She informed Members she had been proud to be the Group's Chairman and that the Group had worked for nearly two years on this project. She thanked the members of the Group for all their hard work, deliberations and thorough investigation of an innovative scheme. She asked the Chief Executive to pass on the thanks of the Group to all the officers involved for their work as they had made the various aspects of the scheme easier to understand.

In response to Councillor Mason's comments the Chief Executive recognised that the Environment and Waste Management Member Group had undertaken a challenging and robust process, through which Councillors had informed and shaped the transformation process. He stated that this was an exemplary piece of work that highlighted how officers and Members had worked together for the benefit of the Borough.

RESOLVED that Cabinet approves the following recommendations of the Environment and Waste Management Member Group that:

- a) the principle of transforming the Streetwise service into a social enterprise be supported;
- b) to further that objective a new company be established, with the final legal structure to be determined by the Chief Executive in consultation with the relevant Cabinet portfolio holder;
- c) the new company be awarded the contract to deliver the Council's street cleansing and grounds maintenance functions using the 'in-house' exemption in accordance with EU and domestic law;
- d) the new company also be established with a view to it being able to trade commercially, subject to any legal limitations, in relation to those functions and related services; and
- e) consideration be given to establishing a generic governance structure to operate and grow the business whilst also being flexible to potentially accommodate other public sector partners.

The meeting closed at 7.50 pm.

CHAIRMAN