

**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY 15 MAY 2012**

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,
D J Mason

ALSO IN ATTENDANCE:

Councillors S J Boote, D M Boote, A MacInnes, G R Mallender, R Jones

OFFICERS PRESENT:

C Bullett	Deputy Chief Executive (CB)
A Graham	Chief Executive
C McGraw	Head of Community Shaping
P Randle	Deputy Chief Executive (PR)
L Reid Jones	Democratic Services Manager
P Steed	Director of Finance
D Swaine	Head of Corporate Services

APOLOGIES FOR ABSENCE:

Councillor Mrs J A Smith

The Chairman welcomed Mr Peter Steed, the Council's new Director of Finance, to the meeting.

57. Declarations of Interest

There were none declared.

58. Minutes

The minutes of the meeting held on Tuesday 17 April 2012 were approved as a correct record and signed by the Chairman.

59. Community Right to Challenge – Scrutiny Arrangements

Councillor Cranswick presented the report of the Head of Corporate Services detailing the 'Community Right to Challenge' (CRTC) as set out within the Localism Act 2011. He explained that under the CRTC initiative a broad range of alternative service providers would be able to submit an expression of interest to run a service, or part of a service, provided by the Council. The Council would then have to consider any such expressions of interest and where it accepted them, run a procurement exercise for the service. He stated that it was possible for the Council to reject an expression of interest but this had to be justified. The challenging organisation and other interested parties

could take part in the procurement exercise, however it was possible that the challenger may not be successful.

Councillor Cranswick continued by saying that the Council could specify the period within which expressions of interest could be received and it would be sensible for this to be aligned to service delivery timescales and contract letting periods. The CTRC applied to services which were provided by, or on behalf of, the Council and not to functions of the Council. By reference to the report Councillor Cranswick informed Cabinet that the Localism Act set out the bodies that were eligible to submit an expression of interest. These were voluntary or community bodies, a body of persons or a trust which was established for charitable purposes only, a Parish Council, or two or more employees of the Council.

Councillor Cranswick proposed that Cabinet ask the Community Development Scrutiny Group to consider the Community Right to Challenge in line with the terms of reference set out as an appendix to the report with a view to recommending to Cabinet a proposed process. The terms of reference were as follows:

That the Community Development Scrutiny Group give regard to:

- the relevant provisions within the Localism Act 2011 and the DCLG policy statement 'Community Right To Challenge – September 2011
- the DCLG regulations when published
- if there should be a specific period when expressions could be submitted
- what information should be included in an expression of interest
- who expressions should be submitted to and how and who should determine validity
- the development of mechanisms for acceptance, modification or rejection of expressions of interest and the time scale for determination
- the timescale for determination of expressions and the minimum and maximum time frames
- the minimum and maximum timescale for undertaking a procurement exercise if an expression of interest is accepted.

Councillor Fearon asked if consideration would be given to the financial viability of anyone submitting an expression of interest in running a service. Councillor Clarke stated that this would be an issue for the Community Development Scrutiny Group to consider, however he anticipated this would be a key determining factor.

In supporting the proposal Councillor Mason stated that it was important to ensure that anything carried out under the Community Right to Challenge should be valid and sustainable.

RESOLVED that Cabinet ask the Community Development Scrutiny Group to consider the Community Right to Challenge in order to make recommendations to Cabinet setting out a proposed process.

60. Draft Tenancy Strategy and Affordable Rents

Councillor Bell presented a report of the Head of Community Shaping setting out the Draft Tenancy Strategy and Affordable Rent model. He explained that the Localism Act 2011 gave Registered Providers of social housing much greater flexibility to determine the length of tenancy that they offered to new tenants and introduced a requirement for all Council to develop a Tenancy Strategy. The report also informed Cabinet that a new affordable rent model would be offered by Registered Providers to some new tenants of social Housing in the Borough from 2012/13. The model would be used on fixed term tenancies at a rent higher than social rent with landlords being able to set rents at 80% of market rents. This would enable landlords to raise funds to build more affordable housing for those who needed it.

Councillor Bell stated that the Council's Tenancy Strategy provided only a broad framework to which Registered Providers must have regard and the Community Development Scrutiny Group at its meeting in March 2012 had endorsed the draft Strategy.

Councillor Cranswick asked whether the Strategy acted as a guide for other landlords. In response Councillor Bell clarified that the Council's Registered Social Landlords would be requested to adhere to the Strategy, however there was no legal obligation for them to do so. Councillor Clarke stressed that this was a framework in which the landlords would be asked to comply with.

RESOLVED that Cabinet approve:

- a) the draft Tenancy Strategy and
- b) the introduction of the Affordable Rent model.

The meeting closed at 7.10 p.m.

CHAIRMAN