

CABINET

7.00 pm, Wednesday, 6 March 2013

Present:- Councillor Snell – in the Chair
Councillors Mrs Bates, Mrs Beech, Boden, Kearon, Stubbs and Williams

In attendance:- John Sellgren (Chief Executive), Kelvin Turner (Executive Director, Resources and Support Services, Neale Clifton (Executive Director, Regeneration and Development), Dave Adams (Executive Director, Operational Services), Paul Clisby (Head of Central Services), Nick Lamper (Senior Member Services Officer) and Phil Jones (Head of Communications)

1. APOLOGIES

There were no apologies for absence.

2. MINUTES OF THE LAST MEETING

Resolved: That the minutes of the meeting held on 6 February 2013 be approved as a correct record and signed by the chair.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. IRRECOVERABLE ITEMS

Councillor Stubbs, portfolio holder for Finance and Budget Management, introduced a report explaining how there were occasions when, following the issue of accounts for amounts due to the council, it was considered the debt was no longer able to be collected. This could be for a variety of reasons, normally following from the debtor having been subjected to insolvency proceedings or other legal processes in respect of their debts or even the death of a debtor. There was then no further redress to recover the outstanding amounts and it was necessary to write off the outstanding balances from the council's records.

Appendices were submitted setting out collection procedures and a list of recoverable items. It was reported that the appendices contained exempt information as defined in paragraphs 1 and 3 of Schedule 12A of Part I of the Local Government Act 1972, and were therefore not for publication. In the event of the discussion taking a course where it was likely that exempt information would be disclosed, it would be necessary for the Cabinet to exclude the press and public from the meeting.

It was noted that where limited companies which became insolvent, the law allowed those holding directorships and similar positions within them to start up similar businesses almost immediately, unencumbered by the debts of the previous organisation, and this was considered a legal loophole when efforts were made to recover the debts owed by those companies.

Resolved:

- (1) That the items set out in Appendix B to the report be considered irrecoverable for the reasons stated and be written off; and
- (2) That the four local Members of Parliament be requested to meet with the relevant Minister to press for the legislative loophole referred to above to be closed.

5. TELECOMS CONTRACTS CONSOLIDATION

The Leader introduced a report seeking the Cabinet's approval of the entry into a consolidated contract for the supply of telephony and wide area network (telecoms) provision for a period of five years.

It was reported that options considered had included taking no action at present; awaiting contract end dates or working with current providers to extend certain contracts to allow for them to expire at the same time; early termination of contracts and re-procurement; and consolidating existing telecoms contracts and upgrading the current telecoms technology. The reasons for the preferred solution of consolidation were set out in the report and included savings over the life of the contract of £55,000 over current contract costs.

Resolved:

- (1) That Standing Orders Relating to Contracts be waived on grounds 2b(vi) – “where for any other reason there would be no genuine competition”; and
- (2) That British Telecom (BT) be awarded a consolidated contract for a period of five years.

6. LOCALISM ACT - COMMUNITY RIGHT TO CHALLENGE AND COMMUNITY RIGHT TO BID

The Leader introduced a report setting out what was required of the council to comply with the Community Right to Challenge and Community Right to Bid legislation contained within the Localism Act 2011.

It was noted that once an expression of interest was received under the legislation, the procurement process triggered would still be a robust one containing all the usual aspects of quality control and value for money, with safeguards against unreasonably low prices. The opportunity would also exist for the submission of an in-house bid.

The Cabinet was also requested to consider whether to set timescales for receipt of expressions of interest or deal with them as and when received.

Resolved:

- (1) That the recommended actions set out in sections 3 and 5 of the report in respect of Community Right to Challenge and Community Right to Bid respectively, be approved.
- (2) That the approach adopted in respect of the receipt of expressions of interest be that of set timescales determined by the authority, in accordance with option (a) in section 3.2 of the report and the process set out in appendix D.

7. APPRENTICESHIPS

Councillor Stubbs, portfolio holder for Finance and Budget Management, introduced a report seeking approval for the council to establish a Shared Apprenticeship Scheme with both public and private sector organisations.

The alternative option of joining a third party Shared Apprentice Scheme had been considered but the report set out the details of how the disadvantages of such an approach would outweigh the advantages.

On behalf of the Cabinet, the Leader thanked the officers who had worked hard to develop the proposals.

Resolved: That a Shared Apprentice Scheme be established as set out in the report to enable the employment of local young people and contribute to the economic regeneration of Newcastle-under-Lyme.

8. AFFORDABLE HOUSING REGENERATION PARTNERSHIP

Councillor Boden, portfolio holder for Planning, Regeneration and Town Centres, introduced a report proposing a partnership approach with Aspire Housing in respect of the regeneration of affordable housing.

While significant physical, social and economic regeneration had been undertaken over many years in the borough, including most recently the housing led Renew programme, there were areas which could be improved further and it was appropriate for the council to consider partnerships and priority areas for future development, particularly in light of growing housing need against the backdrop of a sharp decline in the availability of external funding.

Of the available options of deploying its enabling role, developing schemes in isolation, or adopting a partnership approach, the report set out the reasons for adopting the third option as it would provide the opportunity for additional capacity, resources and skills to be combined across partner agencies to deliver schemes effectively. As the main affordable housing provider in the borough owning land in key regeneration sites, Aspire Housing was a key potential partner. In particular, both Aspire Housing and the council had significant land holdings in important regeneration locations and it would be appropriate to work with Aspire Housing to consider regenerating and redeveloping these areas because of the mutuality of interest.

It was noted that Councillors Mrs Beech and Williams had been appointed to the board of Aspire Housing as representatives of the council, and it was therefore unnecessary for them to declare interests in that regard.

Resolved:

- (1) That officers be authorised to prepare and execute a Partnership Agreement in consultation with the relevant portfolio holder based on the principles of the proposed partnership approach as outlined in the report;
- (2) That an appropriate governance structure be established including the Leader of the Council and/or portfolio holder and appropriate senior officers;

- (3) That the partnership commits to a jointly-funded feasibility appraisal and that the council's contribution be met from the existing strategic housing service budget; and
- (4) That the Partnership Board be authorised to finalise the Partnership Agreement and commission the feasibility study.

9. HOME ENERGY CONSERVATION ACT 1995 PROGRESS REPORT - MARCH 2013-2015

Councillor Beech, portfolio holder for Environment and Recycling, introduced a report seeking approval for submission of any energy report return to government in accordance with the requirements of the Home Energy Conservation Act (HECA) 1995.

Resolved: That the overall HECA Progress Report be approved and officers be authorised, in consultation with the portfolio holder, to make any minor amendments prior to submitting the report to the Secretary of State by 31 March 2013.

10. NEWCASTLES OF THE WORLD ALLIANCE

Councillor Boden, portfolio holder for Planning, Regeneration and Town Centres, introduced a report to enable the Cabinet to consider whether the council should continue to participate in the 'Newcastles of the World' Alliance, specifically with the following aims:-

- a) To further develop business, educational and cultural links with other Newcastle around the world;
- b) To work in partnership with Newcastle-upon-Tyne and other members of the Alliance to progress an Alliance website and investment of officer time into further developing tourism links;
- c) To support the establishment of an Alliance secretariat and to prioritise officer resources in order to ensure that the council is a credible partner;
- d) To commit 'in principle' to attend the next World Conference in 2014 and to prioritise officer resources from January 2014 to prepare for the event to maximise the outcomes; and
- e) To support the Mayoress and work with Keele University, Newcastle College, Staffordshire County Council and local schools to develop the Youth aspects of the Alliance (including education).

It was noted that the financial contributions made by the various Newcastle were pro rata to their respective populations.

Resolved:

- (1) That the council endorses the overall priority themes of the draft Development Plan and agrees to ongoing participation in the Alliance, including a preparedness to contribute up to £2,500 per annum towards secretarial costs met from the existing budget;
- (2) That the council commits to working with appropriate partners to improve global business, educational and cultural links to other Newcastle;
- (3) That the council actively supports the development of an Alliance website, including developing tourism and media links to promote 'good news' stories about the borough;

- (4) That the council agrees, in principle, to attend the 2014 summit, subject to consideration as part of the budget-setting process in 2014/15;
- (5) That the council agrees to support partners in developing the youth aspect of the Alliance;
- (6) That officers be authorised to engage with the current secretariat on the basis set out in this report and to report back to members on progress with the Alliance or when key decisions are required;
- (7) That the matter be referred to the Economic Development and Enterprise Overview and Scrutiny Committee for the committee's comments in parallel with the implementation of the other resolutions; and
- (8) That Dr Becket (the Mayoress) be thanked for the work they have undertaken in respect of aim (e) above, and steps be taken to establish where the council may be able to assist in sustaining that work.

11. ESTABLISHMENT OF CABINET PANEL

Councillor Stubbs, portfolio holder for Finance and Budget Management, introduced a report seeking to establish a cross-party Cabinet Panel to make recommendations to Cabinet in respect of expenditure from the Revenue Investment Fund and the Budget Support Fund in respect of funding "Invest to Save" schemes.

In setting its budget for 2013/14, the Council had approved the establishment of a Revenue Investment Fund as a resource to fund activities which would support the council's key policy priorities. It had also approved the use of funds drawn from the council's Budget Support Fund to deliver "invest to save" projects which would incur short term revenue expenditure in order to deliver longer term financial efficiency savings. It was intended that the fund would be replenished as the first call on cashed savings and sustained to fund an ongoing programme of "invest to save" efficiencies.

There was a need to establish a responsive, efficient and accountable mechanism for considering proposals for funding from the Revenue Investment Fund and Budget Support Fund. The favoured approach was an inclusive one with the establishment of a cross-party Cabinet panel.

Resolved:

- (1) That a Revenue Investment and Budget Support Cabinet Panel be established with a membership of seven appointed on the basis of political proportionality (Labour 4; Conservative 2; Liberal Democrat 1);
- (2) That the portfolio holder for Finance and Budget Management be appointed to chair the panel;
- (3) That the group leaders be requested to make nominations for membership of the panel from their respective groups in accordance with (1) above; and
- (4) That the Panel make recommendations to Cabinet in respect of proposed expenditure.

12. COUNCIL PLAN 2013-16

The Leader introduced a report along with the setting out the draft Council Plan for 2013/14 to 2015/16, which would underpin the whole planning structure of the authority and be the document which clearly informed the organisation and acts as the major driver behind any budget proposals, longer-term strategic plans and also the service planning process. By monitoring of the plan the council would be able to

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evidence its impact over time against the planned outcomes and identify areas of improvement.

On behalf of the Cabinet, the Leader thanked the officers who had worked on the development of the plan.

Resolved:

- (1) That the content of the report and the draft Council Plan for 2013/14 to 2015/16 be noted; and
- (2) The council be recommended to adopt the Council Plan for 2013/14 to 2015/16.

13. **URGENT BUSINESS**

There was no urgent business.

Chair

The meeting concluded at 8.16 pm.