

## **CABINET**

**29 May 2007**

Present: Councillor M G Rich, Chair

Councillors M Brown  
S Heptinstall MBE  
R I Jackson  
M Radulovic  
K E Rigby

Apologies for absence were received from Councillors J M Owen and F Prince.

48. **MINUTES**

The minutes of the meeting held on 17 April 2007 were confirmed and signed.

49. **DECLARATIONS OF INTEREST**

Councillors M Brown and M Radulovic declared personal interests in agenda item no. 13.1 – Alteration of Restrictive Covenant on Former Council Verge – minute no. 59.1 refers, on the grounds that they knew the land owner personally.

50. **CABINET WORK PROGRAMME**

It was noted that the next decision to be taken regarding civil parking enforcement would be on the procurement of the enforcement contract. The decision would not come before cabinet until July, at the earliest, and the item was moved to the 24 July 2007 meeting.

**RESOLVED that the work programme, including key decisions, as amended, be approved.**

51. **REFERENCES**

51.1 Job Evaluation Steering Group  
27 March 2007

Equal Pay Review

**RESOLVED that an equal pay review be carried out with details to be finalised when further information is received.**

## Job Evaluation (JE) Appeals

**RESOLVED** that the arrangements for the hearing of job evaluation appeals, as set out in the report, be approved.

### 51.2 Resources Select Committee 4 April 2007

#### E-Procurement Strategy

**RESOLVED** that the draft e-procurement strategy be approved.

### 52. APPOINTMENT OF WORKING GROUPS

**RESOLVED** that the following working groups be appointed with the membership to be agreed by party leaders:

**Beeston Town Centre Working Group - Planning** comprising two Liberal Democrats, two Conservatives and one Labour member.

**Beeston Town Centre Working Group – Property** comprising two Liberal Democrats, two Conservatives and one Labour member.

**Stapleford Town Centre Working Group** comprising two Liberal Democrats, two Conservatives and one Labour member.

**Job Evaluation Steering Group** comprising one Liberal Democrat, one Conservative and one Labour member.

**Job Evaluation Appeals Panel** comprising three Liberal Democrats, three Conservatives, three Labour and two independent members.

**Scrutiny Review Working Group** comprising three Liberal Democrats, three Conservatives, two Labour and one independent member.

**Local Development Framework Working Group** comprising three Liberal Democrats, three Conservatives, two Labour and one independent member.

### 53. **RESOURCES**

#### 53.1 Rating Revaluations

The cabinet considered the results of appeals lodged against the rateable value of the Council's offices. The rateable values for both the Town Hall and the Council Offices had been reduced which had resulted in savings for the Council. In 2007/08 the saving equated to £19,100 and it was proposed that this be returned to revenue contingencies.

**RESOLVED that £15,300 and £3,800 be returned to the general fund and housing revenue account revenue contingencies respectively following the revaluation of the Council's offices.**

### 53.2 Review of Scrutiny Working

The cabinet considered a report from the Scrutiny Review Working Group on the effectiveness of the current practice and recommendations for changes to the scrutiny process. The Chair of the working group, Councillor Brian Wombwell, attended the meeting to present the report and answer questions from members.

During the course of the debate, members raised the following concerns with the recommendations proposed by the working group:

- It was considered that the review of scrutiny needed to go beyond simply looking at the structures in place and must look into the culture of the Council.
- The current system was seen as allowing non-executive members to participate in policy development by engaging in dialogue with the portfolio holder. There was a concern that the proposed reform of scrutiny would create a greater divide between the executive and non-executive members and would reduce the communication between the two groups.
- There was concern that the recommendations did not take into account practicalities and needed to better define the parameters and principles which were driving the scrutiny review.
- The report did not identify what was wrong with the current system and how a reform of scrutiny would be in the interests of the Council and improve the services it provided.
- It was considered that members would be resistant to compulsory training in scrutiny.
- It was noted that the members were part-time and it was a concern that the proposed arrangements would create a full-time workload.
- The issue of responsibility had to be taken into account.
- There was a concern that members could lose expertise, as they would no longer have the connection to a particular portfolio area and function as they did at present.

**RESOLVED that the Scrutiny Review Working Group be asked to reconsider their recommendations in the light of the concerns raised at the meeting, and report back to cabinet as soon as possible.**

### 53.3 Counsel and Planning Advice: Temple Lake Appeals

The Secretary of State had determined that three planning decisions made by the Council's Development Control Committee, relating to a development at Temple Lake, Nuthall, were to be dealt with at a public enquiry. During the course of the case, the Council had been advised on legal matters by Ian Dove QC and also received advice from planning consultant David Tyldesley. It was proposed that this independent advice should be retained for the inquiry.

**RESOLVED** that a supplementary revenue estimate of up to £15,000 be approved to cover the costs of retaining advocacy and planning consultant assistance on behalf of the Council at the forthcoming Temple Lake inquiry, with funding to be provided from within the Council's revenue contingencies.

#### 53.4 Conferences

The cabinet considered attendance at conferences for 2007. It was noted that the conferences mentioned in the report were only examples and that other approved conferences could be attended instead. The recommendation was amended accordingly.

**RESOLVED that:**

- 1. The Liberal Democrat/Labour groups have a total of three places at approved conferences together with three places at the Town and Country Planning Summer School.**
- 2. The Conservative group has two places at approved conferences and two places at the Town and Country Planning Summer School.**

#### 54. **HOUSING, HEALTH AND LEISURE**

##### 54.1 Kimberley Leisure Centre – Capital Works

The cabinet considered a supplementary capital estimate of £11,700 to meet the shortfall on the costs for the first floor toilet refurbishment and works associated with compliance to the Disability Discrimination Act at Kimberley Leisure Centre.

**RESOLVED** that a supplementary capital estimate of £11,700 be approved for the refurbishment of the toilets, to be funded from capital contingencies.

##### 54.2 Smoke Free Legislation – Delegation Arrangements

The Health Act 2006 prohibited smoking in public places and the Council was an enforcing authority for the purposes of this part of the Act. It was therefore necessary to make administrative arrangements in order to enforce the smoke free provisions of the Act.

**RESOLVED that:**

- 1. The enforcement responsibilities for the smoke free provisions of the Health Act 2006 be delegated to the Director of Housing, Health and Leisure.**
- 2. The Director of Legal and Administrative Services be authorised to instigate legal proceedings for breaches of the smoke free provisions of the Health Act 2006.**

**RECOMMENDED to Council that the Council's Constitution be amended accordingly.**

**55. TECHNICAL AND WORKS SERVICES**

**55.1 Capital Programme 2007-2008**  
**Parks and Recreation Ground Improvements**

The cabinet considered details of two schemes for improving parks and recreation grounds as part of the 2007/08 capital programme. The schemes had been chosen based on officer assessments of existing provision and comments from users of the facilities.

**RESOLVED that the capital schemes at Beeston Fields Recreation Ground/Broadgate Recreation Ground, Beeston (£10,000) and Hickings Lane Recreation Ground, Stapleford (£12,000) be approved, funded from the parks and recreation grounds improvements capital budget for 2007/08.**

**56. PLANNING AND COMMUNITY DEVELOPMENT**

**56.1 Heritage Protection for the 21<sup>st</sup> Century**

The Department for Culture, Media and Sport (DCMS) had published a white paper on 'Heritage Protection for the 21<sup>st</sup> Century' and were inviting representations on it by 1 June 2007. The changes put forward by the white paper were based around the need to develop a unified approach to the historic environment, maximising opportunities for inclusion and involvement and supporting sustainable communities by putting the historic environment at the heart of an effective planning system. The cabinet considered a suggested response to the white paper.

**RESOLVED that the comments set out in the appendices to the report be adopted as the Council's representations on the White Paper: Heritage Protection for the 21<sup>st</sup> Century and submitted to the Department for Culture Media and Sport.**

**56.2 Design for New Housing Developments**

The cabinet considered the adoption of a set of criteria to assist in assessing the design quality of proposals for new residential development and the new technical guidance on highways issues. Members expressed a view that the 'Building for Life' standard should apply to all residential developments as, in some areas, fewer than ten dwellings could fundamentally alter a street scene. It was explained that CABI suggested the guidance be used for developments over twenty dwellings and the focus was on well designed streets and places, not individual dwellings. It was proposed that as well as the requirement for applicants of all developments of over ten dwellings to submit an assessment with their applications, applicants for all developments be encouraged to do so as well. The recommendation was amended accordingly.

**RESOLVED that:**

1. The Building for Life standard, as design guidance, be adopted.
2. Applicants for housing developments be encouraged to submit design and access statements which include an assessment of their proposals against the Manual for Streets and each of the Building for Life criteria (where relevant) and that this be a requirement in respect of all developments of 10 dwellings or more.

57. EXCLUSION OF PUBLIC AND PRESS

**RESOLVED** that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Schedule 12A of the Act.

58. **RESOURCES**

58.1 Inclusive Activity Officer

**RESOLVED** that, with effect from 18 July 2007, the post of Inclusive Activity Officer be approved, including a casual car user allowance.

59. **PLANNING AND COMMUNITY DEVELOPMENT**

59.1 Alteration of Restrictive Covenant on Former Council Verge

**RESOLVED** that the restrictive covenant be altered to allow access for two dwellings on the adjoining land, instead of one only, for the sum of £15,000.

(Councillor M Brown, having declared an interest in this matter, left the Chamber and took no part in discussion or voting on that item.)