



**MEETING OF THE CABINET**  
**10 MARCH 2014 - 11.00 AM – 11.19 AM**

**PRESENT:**

**Councillor Paul Carpenter**  
**Councillor Mrs Frances Cartwright**  
**Councillor John Smith**  
**Councillor Mike Taylor**  
**Councillor Teri Bryant**  
**Councillor Bob Adams**

**Councillor Mrs. Linda Neal - Chairman**

**Chief Executive (Beverly Agass)**  
**Strategic Director Corporate Focus/Section 151 Officer**  
**(Daren Turner)**  
**Strategic Director Community & Environment**  
**(Tracey Blackwell)**  
**Property Development Manager (Neil Cucksey)**  
**Head of Legal and Democratic Services/Monitoring Officer**  
**(Lucy Youles)**  
**Lead Officer Development Management (Mark Williets)**  
**Major Applications Officer (Sylvia Bland)**  
**Community Safety and Licensing Service Manager**  
**(Mark Jones)**  
**Legal Executive (Shelley Hardy)**  
**Cabinet Support Officer (Lucy Bonshor)**

**CO41. MINUTES**

The decisions from the meeting held on 3rd February 2014 were confirmed as a correct record.

CO42. DISCLOSURE OF INTERESTS (IF ANY)

None disclosed.

CO43. \*CORPORATE ENFORCEMENT POLICY AND ADOPTION OF  
COUNTYWIDE ANTI-SOCIAL BEHAVIOUR POLICY

**Decision:**

**Cabinet approves the revised draft Corporate Enforcement Policy and associated Service Enforcement Policies as appended to report LDS121 and agrees to adopt the countywide Anti-Social Behaviour Policy as attached to report LDS121.**

Considerations/reason for decision:

- 1) Report LDS121 from the Head of Legal and Democratic Services.
- 2) The Legislative and Regulatory Reform Act 2006 required the Council to have regard to the Principles of Good Regulation when exercising regulatory functions.
- 3) Documented enforcement policies had to be in place which complied with the Regulators Compliance Code.
- 4) The Corporate Enforcement Policy provided an over-arching policy that encompassed the key factors and principles common to all aspects of enforcement undertaken by the Council.
- 5) The Corporate Enforcement Policy was supported by a suite of service-specific policy documents that set out the enforcement practice in relation to particular service areas.
- 6) The Lincolnshire Anti Social Behaviour Policy (ASB) had been developed by statutory partners within the County and was intended to provide a framework to allow partners to work collaboratively to manage and resolve reports of ASB effectively, and ensure clear lines of responsibility and communication across Lincolnshire's strategic partners.
- 7) All policies had been reviewed by the Engagement Policy Development Group.
- 8) Comments made by Members about the need for all partners to work together to keep information up to date.

Other options considered:

Failure to have in place an up-to-date Corporate Enforcement Policy could result in some inconsistency of approach across the Council resulting in a greater likelihood of challenge to enforcement decisions.

CO44. \*BUILDING CONTROL PARTNERSHIP

**Decision:**

- 1. Cabinet accepts South Kesteven District Council as being the lead authority for the delivery of Building Control services for the joint authorities in partnership with Rushcliffe Borough Council in accordance with the terms set out in report PD017.**
- 2. That delegated authority is given to the Strategic Director – Corporate Focus in consultation with the Portfolio Holder for Strategic Resources – Well Run Council to enter into the Legal Agreement setting out the terms of the partnership shared service with Rushcliffe Borough Council prior to the commencement of the partnership arrangement and to approve the addition of other authorities to participate in the partnership in the future.**

Considerations/reason for decision:

- 1) Report PD017 from the Property Development Manager.
- 2) Income levels have declined in the SK district over the last few years due to a down turn in the construction industry, restricted demands on the service and the recession.
- 3) Transforming the service through a full partnership delivery approach would give a resilience of service delivery, the use of shared processes and the potential for future savings which would be shared between the two councils.
- 4) A service delivered in partnership with Rushcliffe Borough Council would have the following advantages:
  - A reduction in costs through economies of scale.
  - The provision of a consistent level of service delivery to improve customer satisfaction.
  - A more attractive prospect for recruitment and retention of professional staff where areas of expertise and excellence can be shared.
  - The ability of the service to compete with ‘Approved Inspectors’ can be improved over a larger geographical area.

- The flexibility of the service to cope with future pressures would be enhanced
  - It provided the opportunity to extend the shared service across the East Midlands when opportunities arose.
- 5) Consultations had been undertaken with Rushcliffe Borough Council staff under TUPE regulations.
  - 6) It was seen as a step change process, a way forward with a more commercial approach for the service.
  - 7) Comments made by Portfolio Holders about the way forward for the service in terms of costs and improving the service to our customers.

Other options considered:

A recent service review looked at a number of potential future “model” options that could be used to take the service forward.

- Remain in house but with an agreed service improvement plan.
- Form a working partnership with another Local Authority (most likely each other).
- Form a partnership/joint venture with a private organisation (Acivico was identified as an example for initial appraisal purposes).
- Outsource the fee earning part of the service and keep only those functions where a statutory responsibility exists – mixed delivery model.
- Form a new organisation – Mutual (or similar legal entity) to deliver the service.
- Total outsource to a private sector provider.

#### DATE DECISIONS EFFECTIVE:

Decisions CO43 and CO44 as made on 10th March 2014 can be implemented on Wednesday 19th March 2014, unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political group.