



CABINET
DECISION NOTICE

Publication Date: 4th October 2019

At a meeting of the Cabinet held on 2nd October 2019 the following matters were discussed. The decisions of Cabinet are set out below each item along with reasons for the decision and other options considered.

PRESENT: Councillor Jackson (in the Chair)
Councillors Cracknell, Fenty, Lindley, Shepherd, Shreeve and S. Swinburn.

DN.42 **APOLOGIES FOR ABSENCE**

Apologies for absence from this meeting were received from Councillor Procter.

DN.43 **DECLARATIONS OF INTEREST**

There were no declarations of interest made with regard to any items on the agenda for this meeting.

DN.44 **MINUTES**

The minutes of the Cabinet meeting on 4th September 2019 and the special Cabinet meeting on 9th September 2019 were noted.

DN.45 **COUNCIL LAND USE**

Cabinet received a report from the Portfolio Holder for Tourism, Heritage and Culture presenting a new policy for the use of Council land to hold events including the fees and charges associated.

RESOLVED –

- 1. That the policy and fee structure be approved and a short consultation period of two months be agreed.**
- 2. That the Director of Resources and Governance in consultation with the Portfolio Holder for Tourism, Heritage and Culture be authorised to make such amendments to the policy as shall be appropriate as a result of such consultation.**
- 3. That authority be delegated to the Director for Communities, in consultation with the Portfolio Holder for Tourism, Heritage and Culture to approve large events.**
- 4. That approval be given for the policy to be reviewed annually as part of our annual review of fees and charges.**

REASON FOR DECISION – The report introduces a new policy that includes fees and charges for the use of land. This is a new policy that will impact on all wards across the borough.

OTHER OPTIONS CONSIDERED – The only other option available for consideration is the continuance of the status quo. This is not seen as a viable option as there is a lack of consistency over fees, charges and access to Council land for events.

DN.46 **HOUSING ASSISTANCE AND DISABLED ADAPTATIONS POLICY (HADAP)**

Cabinet received a report from the Portfolio Holder for Regeneration, Skills and Housing presenting a revised Housing Assistance and Disabled Adaptations policy for approval.

RESOLVED –

- 1. That the revised Housing Assistance and Disabled Adaptations Policy be approved.**

2. **That authority be delegated to the Director of Economy and Growth to allocate and award Disabled Facilities Grants (DFGs) based on discretionary circumstances, as outlined in the policy and to take any other actions arising under the implementation of the policy.**

REASON FOR DECISION – This report seeks to utilise the Council’s powers under the Regulatory Reform Order (Housing Assistance) (England and Wales) 2002 (RRO) to assist eligible households to improve their housing and accommodation standards, by providing cost effective and, where required, accelerated service delivery to meet service users’ needs. Without Cabinet approval the Council risks a continuing budget underspend and prolonged delays in service delivery, which will increase budgetary and operational pressure on other health and wellbeing services and have an adverse effect on existing and future service users, damaging the councils reputation.

OTHER OPTIONS CONSIDERED –

Option 1 – Do nothing

The Council could choose not to implement the revised Housing Assistance and Disabled Adaptations Policy. However, the council is required to have a policy in place, which details the entitlement for people living in the borough. This means that the policy currently in use would remain. However, this policy is limited and restrictive in parts, and does not meet the current and developing housing requirements in the NEL marketplace.

Doing nothing will generate increased costs in the wider health and care system since those who could not access support/early intervention are likely to develop increased dependency needs i.e. domiciliary care/ Residential care. There is also an increased burden (health/wellbeing) on carers.

Option 2 – Propose partial acceptance of the policy

Partial acceptance of the HADAP would give a greater flexibility to meet need than currently exists and would improve access to grants and adaptations for those who are eligible; however, the full range of support could not be offered and this approach does not fully utilise DFG opportunities, meaning some service users’ needs would not be fully met.

DN.47

CAPITAL WORKS FRAMEWORK REVIEW

Cabinet received a joint report from the Portfolio Holder for Regeneration, Skills and Housing and the Portfolio Holder for Finance and Resources presenting an update on the effectiveness of the award frameworks contracts as agreed at a meeting of Cabinet on 25th October 2017.

RESOLVED –

- 1. That the report be noted.**
- 2. That Cabinet receive an annual report by way of update.**

REASON FOR DECISION – To fulfil the requirements of the Cabinet decision in October 2017 to report back on the effectiveness of the awarded frameworks in terms of the local supply chain.

OTHER OPTIONS CONSIDERED – There are no other options to consider as this report is fulfilling a previous Cabinet decision.

DN.48

PROVISION OF A DESIGNATED STOPPING PLACE FOR GYPSY AND TRAVELLERS

Cabinet received an update on the above from the Portfolio Holder for Regeneration, Skills and Housing. With the agreement of the Chair the matter was deferred to permit Economy Scrutiny Panel to undertake a more detailed assessment on a number of potential sites.

DN.49

STREET WORKS PERMIT SCHEME

Cabinet received a report from the Portfolio Holder for Environment and Transport seeking approval to implement a new Street Works Permit Scheme.

RESOLVED –

- 1. That the adoption of a Street Works Permit Scheme be approved in principle, in accordance with Part 3 of the Traffic Management Act 2004, subject to finalisation of the business case for the project to the reasonable satisfaction of the Portfolio Holder for the Environment and Transport in consultation with the Portfolio Holder for Finance and Resources and the Director of Resources and Governance.**
- 2. That subject to Recommendation 1 above authority be delegated to the Director of Economy and Growth (in consultation with the Portfolio Holder for the Environment and Transport), to commence all necessary procurement exercises and make appropriate awards in compliance with the Council's Contract Procurement Regulations.**
- 3. That the Director of Economy and Growth be authorised to complete all ancillary actions arising.**
- 4. That the Chief Legal and Monitoring Officer be authorised to execute all documentation arising.**

REASON FOR DECISION – Permit schemes enable Highway Authorities to manage and co-ordinate road works more effectively, minimise

disruption to road users and to the road network, and assist the Council in achieving selected performance indicators within the Local Transport Plan; local bus services, LGV journey times and road conditions..

OTHER OPTIONS CONSIDERED –

The Council could choose not to implement the proposed Permit scheme and do nothing. This option has not been pursued as it would fail to comply with guidance from the DfT and The Secretary Of State For Transport who requested the 57 authorities operating without a permit scheme to consider introducing a scheme, identifying the powers available under section 3(2) of the 2004 Traffic Management Act to direct an authority to introduce such a scheme if they do not progress investigation into a scheme.

The Council / ENGIE could seek to implement the scheme without specialist advice but this would generate a number of risks in ensuring that it was established in the most effective way. Most local authorities (as recommended in this report) commission a third party specialist to undertake both work linked to the assessment and subsequent implementation of a scheme.

It is recommended that the Council commissions a third party specialist to support the Partnership to introduce a permit scheme, assisting statutory and non-statutory processes associated with the introduction of a scheme.