

CABINET MEETING**Tuesday, 3rd December, 2013**

Present:-

Councillor Burrows (Chair)

Councillors	Blank Gilby King Ludlow	McManus Russell Serjeant
Non Voting Members	Brown Hill Hollingworth	Huckle Martin Stone

*Matters dealt with under Executive Powers

111 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA.

No declarations were received.

112 APOLOGIES FOR ABSENCE

No apologies were received.

113 MINUTES:

*RESOLVED –

That the Minutes of the meeting of Cabinet held on 19th November, 2013, be approved as a correct record, and signed by the Chair.

114 FORWARD PLAN.

*RESOLVED –

That the Forward Plan be noted.

115 GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES (E000)

The Head of Environment submitted a report recommending the adoption by Council of a revised 'Statement of Principles' made under the Gambling Act 2005.

The Gambling Act 2005 required each licensing authority to adopt a 'Statement of Principles' and to review it every three years. The Borough Council's Statement of Principles was last reviewed in 2010.

At its meeting on 11th September, 2013, the Licensing Committee authorised consultation on a Draft Statement of Principles.

The Draft Statement of Principles had been sent to the responsible authorities and to the Borough's major licence holders, published on the Council's website, and also publicised through the Derbyshire Times. Copies had also been made available at the Library, Tourist Information Centre and Customer Service Centre. The only comments received were from the Chesterfield Community Safety Partnership.

The Draft Statement of Principles had been revised following the consultation, and would be presented to Council in December, 2014, for approval.

*RESOLVED –

That it be recommended to Council that the Statement of Principles be adopted by the Council.

REASON FOR DECISION

To comply with the requirements of the Gambling Act 2005.

116 PPP PERFORMANCE REPORT APRIL 2013 - SEPTEMBER 2013 (B000)

The Head of Business Transformation submitted a report providing an update on the PPP arvato partnership's contract performance from April 2013 to September 2013, fulfilling the commitment to make reports to Cabinet every six months.

The update provided details of the following service improvements including:

- the opening of the Customer Service Centre
- the continuing roll out of I-pads to Members of Council
- the Channel Shift agenda moving customers to alternative payment methods
- the Town Centre Retail Occupancy levels
- the opening of the redeveloped Market Hall
- the introduction of ModGov governance and Members system
- the installation of a new cash machine to take payments including council tax and rent at the Healthy Living Centre in Staveley
- the creation and testing of a virtual infrastructure for future project delivery
- the commissioning of business rates appeals.

Information was also provided about contract growth, with work from Derbyshire Dales District Council now being done in Chesterfield by arvato, creating additional jobs.

During the reporting period, 64% of the performance targets set for the PPP contract had been met. A further 25% of the performance targets were reported annually, and a further 11% had been affected by the need to introduce new measures to deal with the impact of Welfare Reform.

There was some discussion about the different kinds of evidence used to decide occupancy rates in town centre shops, but it was agreed that the town centre retail occupancy rate remained well above the national average.

*RESOLVED –

That the partnership Service Improvements and Key Performance Indicators outturn for the period April 2013 to September 2013 be noted.

REASONS FOR DECISION

To raise awareness of contract performance against agreed targets.

117 **PERSISTENT AND VEXATIOUS COMPLAINTS POLICY (B000)**

The Head of Governance submitted a proposed Persistent and Vexatious Complaints Policy for consideration.

The Council had a Complaints, Comments and Compliments Policy, but greater clarity was needed on how to deal with persistent complainants, and/or vexatious complaints.

The Policy was intended to assist staff in identifying such customers and complaints.

The Policy had been drafted with reference to the Local Government Ombudsman's guidance notes on "unreasonable persistent complainants" and "unreasonable complainant behaviour" and also having regard to the Information Commissioner's guidance note on "vexatious requests".

Councillor Russell felt that the Policy should have been examined by the Overview and Performance Scrutiny Forum in advance of its consideration by the Cabinet. For this reason, he asked that his vote be recorded against the recommendation

*RESOLVED –

That the Persistent and Vexatious Complaints Policy, attached at Appendix 1 to the report, and its corporate implementation, be approved.

REASON FOR DECISION

To provide clear guidance and assistance to staff when faced with individuals or complaints which were classed as vexatious or persistent, whilst ensuring that the complaint was handled or the individual's needs met in a manner which did not involve excessive time or difficulty.

118 **PROPOSALS FOR FUTURE USE OF THE FORMER GARAGE SITE AT HADY LANE (H000)**

It was agreed that consideration of this item would be deferred until further information on the site and options for its use became available.

*RESOLVED –

That consideration of this agenda item be deferred.

REASON FOR DECISION

To allow further time for obtaining the information needed to consider this issue.