

CABINET**Tuesday, 12th September, 2017**

Present:-

Councillor Serjeant (Chair)

Councillors Bagley
Blank
A DioufCouncillors Huckle
Brunt
LudlowNon Voting Catt
Members Dickinson

J Innes

*Matters dealt with under the Delegation Scheme

**50 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

51 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Gilby and T Gilby.

52 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 25 July, 2017 be approved as a correct record and signed by the Chair.

53 FORWARD PLAN

The Forward Plan for the four month period 1 October 2017 to 31 January 2018 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

54 DELEGATION REPORT

Decisions taken by Cabinet Members during July and August 2017 were reported.

***RESOLVED –**

That the Delegation Report be noted.

55 MINUTES OF THE SHEFFIELD CITY REGION COMBINED AUTHORITY

Minutes of the meetings of the Sheffield City Region Combined Authority held on 17 July, 2017 were reported for information.

Huw Bowen drew the attention of the Cabinet to Minute Number 11, which reported that the Leader of Chesterfield Borough Council gave formal notice to the Sheffield City Region Combined Authority of the decision to no longer pursue for Chesterfield to become constituent members of the Sheffield City Region Combined Authority.

***RESOLVED –**

That the Minutes be noted.

56 LEISURE FEES AND CHARGES

The Health and Wellbeing Manager submitted a report recommending for approval proposed changes to the fees and charges for Sport and Leisure facilities to take effect from 1 October, 2017.

It was reported that the review of fees and charges was carried out to assist the Sport and Leisure Service to continue delivering affordable services that improve health outcomes, whilst raising additional income to support the Council's financial position.

The fees and charges proposals had taken into account:

- The need to raise income to help the Council work towards a financial position for sports and leisure services where there is no general fund subsidy
- The requirement to pay back current/future loan capital that has been borrowed
- The level of fees and charges applied by other local and sub-regional sports and leisure providers, both in the private and public sector
- Potential costs of any redesign required to effectively resource the services
- Broader value for money considerations including accessibility, booking arrangements, service quality and membership benefits
- The Council's Concessions Policy
- The need to address health inequalities in Chesterfield's communities
- Customer expectations being met and ideally exceeded
- Start-up initiatives for new groups with specific targets and objectives

The proposed fees and charges were largely based on a 3 per cent increase, however, following a detailed analysis of local provider charges, several were adjusted where there was perceived to be a significant competitive advantage or risk to market shares.

It was reported that the fees and charges scheme at both the Queens Park Sports Centre and Healthy Living Centre would remain consistent. The report also proposed that the Change4Life membership option should be continued, providing access to reduced fees and charges in line with the new corporate concessions policy.

The Health and Wellbeing Manager emphasised that membership retention is a key issue in order to maintain a steady financial base, and that the current membership at both centres had plateaued in recent months. The service had responded to this by undertaking an evaluation of the facilities and activities on offer to customers, as well as increased work with the wider community to try and encourage more people to access the sports and leisure services.

The report also proposed the introduction of a Direct Debit payment option for swimming, gymnastics and trampolining. The Health and Wellbeing Manager emphasised that this is indicative of the new,

business-like approach that has been adopted by the Sports and Leisure service in recent years.

***RESOLVED-**

1. That the proposed changes to Leisure Fees and Charges, as outlined in Appendix A to the officer's report, be approved and implemented from 1 October, 2017.
2. That the proposals for concessionary charge eligibility, as outlined in Appendix A to the officer's report, be approved.
3. That the proposal to vary standard charges to maximise opportunity and efficiency, and address market changes be approved, by agreement with the Cabinet Member for Health and Wellbeing be approved.
4. That monitoring and analysis of membership and centre usage be continued to assess any possible impacts of the proposed changes.

REASONS FOR RECOMMENDATIONS

1. It is important that fees and charges for leisure services are reviewed to ensure financial efficiencies and service sustainability.
2. To support the Council's delivery of the Great Place Great Service priorities for visitors and residents to Chesterfield, by providing a range of good quality, competitive and affordable services.
3. Chesterfield has significant areas of deprivation. The Sport and Leisure service provides a variety of programmes and initiatives that contribute to promoting positive and healthy lifestyles, and affordable access to these services is essential to supporting the Council's priority of improving health and wellbeing outcomes and reducing inequalities.

57 CHANGES TO COUNCIL HOUSING TENANCY AGREEMENT

The Housing Manager submitted a report recommending for approval the proposed changes to the Council Housing Tenancy Agreement, to come into effect on 1 April 2018.

The Cabinet was made aware of the process leading up to this report, including the introduction of a Steering Group in July 2016, to consider the implications for the Housing Revenue Account (HRA) Business Plan of national housing policy changes, and to make recommendations as to how the implications of these could be mitigated.

It was reported that in December 2016, the Steering Group made the following recommendations, aimed at mitigating the worsening financial position within the HRA:

- A £500,000 reduction in the responsive repairs budget in 2017/18 and in each of the following two financial years, after which the budget will be increased by inflation (CPI)
- A reduced and re-phased capital programme
- Moving from collecting rent on a 48 week basis to a 52 week basis and that consultation on this and other changes to the tenancy agreement takes place during 2017/18
- Mitigating income loss through rent arrears and empty properties

In April 2017, a separate series of working groups comprising tenants, officers and elected members were established to consider how these savings could be realised. Recommendations included:

- Reviewing tenant repairing obligations, and tenants taking more responsibility for their own repairs and damage
- Reviewing repair response times
- Reviewing void standards and undertaking work after a property has been re-let as part of the Housing Capital Programme
- Adopting a standard approach to the removal of the previous tenants' fixtures and fittings

These working groups also considered other changes required to the Tenancy Agreement to ensure that it remained current and fit for purpose. The final proposed changes were set out in Appendix 3 to the officer's report.

The Housing Manager reported that following Cabinet approval, tenants would be served with preliminary notices of variation to the Tenancy Agreement, and a consultation would take place for a period of 28 days between October and November. A progress report on the outcome of this is expected to be brought to a meeting of the Cabinet in January 2018.

***RESOLVED-**

1. That the proposed changes to the Council Housing Tenancy Agreement, as outlined in Appendix 2 to the officer's report, be approved.
2. That authority be granted to the Housing Manager to consult with tenants on the proposed changes to the Council Housing Tenancy Agreement, and to serve the preliminary notice of variation.
3. That a further report be brought to Cabinet by January 2018 following the completion of the consultation process.

REASONS FOR RECOMMENDATIONS

1. To make changes to the Tenancy Agreement that will help to contribute to the delivery of a balanced and sustainable Housing Revenue Account, with the aim of it being self-financing in the future.
2. To support increased working with tenants through the Customer Engagement Strategy and direct consultation with tenants on proposals.
3. To support the Council's Vision and Priorities within the Council Plan to improve the quality of life for local people.

58 THE REDRESS SCHEMES FOR LETTING AGENCY WORK AND PROPERTY MANAGEMENT WORK (REQUIREMENT TO BELONG TO A SCHEME ETC) (ENGLAND) ORDER 2014. ENFORCEMENT OF FEES AND CHARGES

The Health and Wellbeing Manager submitted a report recommending for approval proposed arrangements for the implementation and enforcement of The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.

The Cabinet was informed that this legislation was brought into effect following an inquiry carried out by the Communities and Local Government Select Committee in July 2013, which evidenced that the

practices of some letting agents were detrimental to the living experiences of some tenants. Under this legislation, local authorities have the power to impose a fine of up to £5,000 if a lettings agent does not join a Government-authorised 'Redress Scheme'.

Redress schemes typically require letting agencies to follow a specific code of practice, maintain an in-house complaints procedure, and cooperate with any investigation and agree to pay compensation promptly if the redress scheme awards it.

The report proposed that, following guidance from the Department for Communities and Local Government, the maximum penalty be imposed in response to any breach of the legislation, and that representations of extenuating circumstances be considered on a case-by-case basis.

The Health and Wellbeing Manager informed the Cabinet that a pro-active approach had been taken to implementing and enforcing this legislation, with written notice issued to all letting agents in the Chesterfield borough and further awareness work planned to be undertaken.

***RESOLVED-**

1. That delegated authority be granted to the Health and Wellbeing Manager and Private Sector Housing Manager to manage the Council's functions and responsibilities under The Redress Schemes for Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014.
2. That any monetary penalties received in connection with the Order be approved to be used to fund enforcement costs and any other work related to the Private Sector Housing Function.

REASONS FOR RECOMMENDATIONS

1. To ensure that the Health and Wellbeing Manager and Private Housing Manager are authorised to exercise all necessary operational enforcement powers in respect of The Redress Schemes For Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.

2. To make sure that the Council, as the Local Housing Authority, is able to undertake its statutory duty to serve remedial notices and penalty charge notices in respect of The Redress Schemes For Letting Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.

59 EXCLUSION OF THE PUBLIC

RESOLVED –

That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to

1. an individual
3. information relating to financial and business affairs.

60 FLEET HIRE CONTRACT

The Commercial Services Manager submitted a report recommending for approval proposed renewal plans for the corporate vehicle fleet used and operated by the Council.

It was reported that the majority of the Council's current vehicle fleet was procured in 2011, with the terms of the main Council lease covering an original term of 5 years. This was extended for an additional 12 months to allow for similar expiry dates for all vehicle hire arrangements.

During this period of extension, a fundamental review was carried out by Commercial Services to ascertain the Council's future vehicle fleet requirements. This involved reviewing existing work practices and looking at how these could be adapted and improved to reduce the need for vehicle use, as well as identifying where costs and resources could be streamlined.

The review explored both purchase and lease options, and a pricing exercise was carried out with assistance from Finance and the NHS

Procurement service. The results of the exercise showed that greater savings would be made by leasing the fleet.

It was also reported that an electric van and car were trialled to success. As a result it was proposed that one small electric van would be used for car parks, and up to 3 electric cars would be used for technical officers within the Operational Services Division.

The outcome of the review forecasted a combined net reduction from 197 to 152 vehicles. The review was dynamic and fleet usage was rationalised and reduced throughout the process.

The Commercial Services Manager highlighted that this rationalisation of the fleet has produced monetary savings on lease and short-term hire vehicles in 2016/17 compared to 2015/16. It was also expected that the renewal of the remaining 152 vehicles would realise incur further savings.

***RESOLVED-**

1. That a 5-year lease arrangement with Essential Fleet Services Limited for the vehicles outlined in Appendix 1 to the officer's report, be approved.
2. That a 5-year lease arrangement with Plan UK Limited t/a Automotive Leasing for the vehicles outlined in Appendix 2 to the officer's report, be approved.

REASON FOR RECOMMENDATIONS

To replace the current vehicle fleet operated by Council services and achieve a more uniform approach to the management of vehicles going forward.