

Decisions of the meeting of the CABINET held
at 9.30am on Tuesday 5 November 2013 at
the Civic Centre, Stone Cross, Northallerton

Present

Councillor M S Robson (In the Chair)

Councillor N Knapton
B Phillips

Councillor Mrs S Shepherd
P R Wilkinson

Also in Attendance

Councillor K Billings
D Blades
Mrs C S Cookman
J Coulson
Mrs B S Fortune
B Griffiths
Mrs J Griffiths
K G Hardisty

Councillor J Noone
M J Prest
M Rigby
Mrs I Sanderson
Mrs M Skilbeck
T Swales
Mrs J Watson

CA.48

**FINANCIAL STRATEGY 2014/15 TO 2023/24 AND BUDGET PLANNING
FRAMEWORK FOR 2014/15**

All Wards

The subject of the decision:

This report proposed a Financial Strategy for the 2014/15 to 2023/24 and the Budget Planning Framework for the 2014/15 Revenue Budget.

Alternative options considered:

None.

The reason for the decision:

To ensure there is a long term financial planning mechanism for the Council.

THE DECISION:

That Council be recommended to approve the Financial Strategy 2014/15 to 2023/24 and the Budget Planning Framework 2014/15 attached at Annex A and Annex A(1) of the report.

CA.49 **REVIEW OF 5 YEAR HOUSING SUPPLY**

All Wards

The subject of the decision:

This report sought consideration of how to achieve a rolling 5 year supply of deliverable housing so as to satisfy local housing requirements in accordance with Government policy.

Alternative options considered:

None.

The reason for the decision:

To take account of the requirements set out in the National Planning Policy Framework.

THE DECISION:

That Council be asked to:-

- (1) remove Phases 2 and 3 as a means of addressing under supply of housing sites so as to maintain a continuous 5 year supply of deliverable sites in accordance with Government requirements; and
- (2) advise infrastructure providers of sites in Phases 2 and 3 coming forward earlier than anticipated and share the latest housing delivery information with them.

CA.50 **REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

All Wards

The subject of the decision:

This report made recommendations in relation to the required review of the existing polling districts and polling places and took account of the new district arrangements. The intention was that the new arrangements would take effect for the elections in 2015. The European election in July 2014 would be run on existing arrangements. An amended copy of Annex C of the report was circulated prior to the meeting.

Alternative options considered:

None.

The reason for the decision:

In accordance with the Electoral Administration Act 2006, this review had to be carried out by 31 January 2015.

THE DECISION:

That Council be recommended to:-

- (1) agree the polling districts and polling places as shown in Annex 'C' of the report in principle for the purpose of consultation as set out in Annex 'A' of the report;
- (2) publish a notice of the review and consult the Parliamentary Returning Officer(s); and
- (3) that any representations received be reported back for consideration by Cabinet and Council.

CA.51

REVISED CONTAMINATED LAND STRATEGY

All Wards

The subject of the decision:

This report considered a refreshed Contaminated Land Strategy as the one currently used was approved in 2001. "Contaminated land" was any land which appeared to the local authority, in whose area the land was situated, to be in such a condition by reason of substances in, on or under the land, that a) significant harm was being caused or there was a significant possibility of such harm being caused; or b) pollution of controlled waters was being, or was likely to be, caused.

Alternative options considered:

None.

The reason for the decision:

To comply with Part 2A of the Environmental Protection Act 1990 as amended.

THE DECISION:

That Council be recommended to adopt the refreshed Contaminated Land Strategy.

CA.52

WATER SUPPLIES ENFORCEMENT POLICY

All Wards

The subject of the decision:

This report sought approval of a Water Supplies Enforcement Policy in order to ensure consistent and transparent regulatory action in accordance with the Regulators' Code.

Alternative options considered:

None.

The reason for the decision:

To comply with Section 77 of the Water Industry Act 1991.

THE DECISION:

That Council be recommended to adopt the attached Water Supplies Enforcement Policy.

CA.53

POLICY FOR PROTECTED DISCLOSURES FOR FOOD AND HEALTH AND SAFETY ENFORCEMENT

All Wards

The subject of the decision:

This report set out a policy of the safeguards that the Council would put in place to protect workers at external organisations from detrimental treatment from their employer if, in the public interest, they blow the whistle on wrongdoing. The intention was to add this commitment to the existing commitment regarding the Council's own employees.

Alternative options considered:

None.

The reason for the decision:

To take account of the Public Interest Disclosure Act 1998 which amended the Employers Rights Act 1996.

THE DECISION:

That Council will be recommended to adopt the Policy for Protected Disclosures for Food and Health and Safety Enforcement attached at Annex A of the report and add it to the existing Whistleblowing Policy in relation to external organisations.

CA.54

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no CA.55 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

CA.55

MANAGEMENT REVIEW

All Wards

The subject of the decision:

This report sought consideration of a Management Review of the Council.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that this decision took account of the expected position regarding the financial strategy and also the Council's Governance arrangements which would be affected by the reduction in Members from 44 to 28 in 2015.

THE DECISION:

It is recommended to Council that:

- (1) the number of Directors employed by the Council is reduced from 5 to 3;
- (2) the Chief Executive be delegated to make all arrangements including; interviews, all associated correspondence and confirm appointment, action to be taken regarding any possible redundancy dismissal and any mitigating actions that may be required;
- (3) the Council accept the Regional Employers Director of Local Government Yorkshire and Humber to act as advisor to the Chief Executive;
- (4) any redundancy costs be paid from the one-off fund;
- (5) a report be brought back to Council on any severance packages over the limit set in the Councils pay policy for agreement; and
- (6) if interviews are needed, political proportionality is suspended and an interview panel is arranged consisting of 3 Conservative Members, 1 Liberal Democrat Member and 1 Independent Member - nominations to be submitted by Group Leaders to the Chief Executive on request.

The meeting closed at 10.45 am

Leader of the Council

AGENDA ITEM NO:

(CA.56 to CA.58)

**Decisions taken under Cabinet
authority to take effect on 18 November 2013)**

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M Rigby
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Mrs M Skilbeck
T Swales
Mrs J Watson

CA.56

MINUTES

THE DECISION:

That the decisions of the meeting held on 8 October 2013 (CA.41 – CA.47),
previously circulated, be signed as a correct record.

CA.57

WARM HEALTHY HOMES

All Wards

The subject of the decision:

This report sought approval to re-allocating the funding currently within the One-Off
Fund from Home Energy Conservation to Warm, Healthy Homes.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the re-allocation of existing Home Energy Conservation
funds to set up a Warm Health Homes project would help those most vulnerable to
live at home healthily as long as possible.

THE DECISION:

That the remaining funds within the Home Energy Conservation budget be re-allocated to the Warm, Healthy Homes project.

CA.58

PUBLIC OPEN SPACE, SPORT AND RECREATION PLANS

Bedale, Leeming Bar and Helperby Wards

The subject of the decision:

This report sought endorsement of the Public Open Space, Sport and Recreation Action Plans for Aiskew and Leeming Bar and Tholthorpe.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's legal responsibility to ensure funding is used in a way consistent with the individual S106 Agreements.

THE DECISION:

That the Public Open Space, Sport and Recreation Action Plans attached at Annex B of the report be endorsed.

The meeting closed at 10.45 am

Leader of the Council