



CHELTENHAM

BOROUGH COUNCIL

EXECUTIVE DECISIONS NOTICE

Committee: **Cabinet**
Date of meeting: **Tuesday, 11 December 2012**
Date of publication: **Monday 17 December 2012**
Call-in period to expire on: **Midnight on 21 December 2012**

NOTE:

The publication of this document constitutes notice of the various decisions made by the Cabinet as required by the Constitution and, except where otherwise stated, those decisions will take effect five working days after they are published, unless an overview and scrutiny committee objects to them and they are called in.

Agenda item 5	Report of the Grass Verges Scrutiny Task Group	
	RESOLVED To adopt the recommendations of the Scrutiny Task Group Report.	
	Subject to call-in period - No	
Agenda item 6	Treasury Mid-Term Report	
	RESOLVED To note the contents of the summary report of the treasury management activity during the first six months of 2012/13.	
	Subject to call-in period - Yes	
Agenda item 7	Leisure & Culture Commissioning Review	
	RESOLVED THAT 1. The Executive Director, in consultation with the Cabinet Member for Sport and Culture and the Borough Solicitor, be authorised to commence the	

	<p>processes set out in sections 4, 5 and 6 of this report to create, subject to the outcome of a procurement process, a new charitable trust. The trust would have the legal form of a charitable company limited by guarantee and broad objects to advance health, arts, sports and education. The trust would begin operation no later than 1 April 2014.</p> <p>2. the draft 10 year financial plan be agreed as outlined in exempt Appendix 1.E to the business case, as amended for the 2013-14 standstill budget to be reported to Cabinet as part of the 2013-14 budget process (see section Error! Reference source not found.Error! Reference source not found. of this report).</p> <p>3. a further report be brought back to Cabinet at a later date to agree the memorandum and articles of association, heads of terms of the various agreements and a detailed business plan (if necessary) as set out in section Error! Reference source not found.Error! Reference source not found. of this report.</p> <p>And Further:</p> <p>4. that Council be recommended to allocate funding for one-off set up costs of £410,500, as outlined in section Error! Reference source not found.Error! Reference source not found.. The source of funding will be recommended by the Council's Section 151 Officer in finalising the Council's revised budget 2012/13 and the budget proposals for 2013-14 including any impact on the MTFs projections as part of the budget setting process for 2013/14, to be agreed by Council in February 2013.</p>	
	Subject to call-in period - Yes	
Agenda item 8	Waste Service Policy	
	<p>RESOLVED</p> <p>That the Waste Service Policy be approved and its publication be authorised on the Council's website and be incorporated into the Council's contract with UBICO.</p>	
	Subject to call-in period - Yes	
Agenda item 9	Joint Waste Committee	
	<p>RESOLVED THAT</p> <p>a) the financial arrangements as set out in paragraph 3.1 of this report be approved</p>	

	<p>b) Subject to (a) above the Cabinet decision on 15 November 2011 be reaffirmed as follows:</p> <ul style="list-style-type: none"> • agree to establish the Gloucestershire Joint Waste Committee (GJWC) in accordance with Sections 101 and 102 of the Local Government Act 1972, and the Local Authorities (Arrangement for the Discharge of Functions) (England) (Amendment) Regulations 2001 made under Section 20 of the Local Government Act 2000; • delegate to the Chief Executive in consultation with the Cabinet Member Sustainability, s151 Officer and the Borough Solicitor authority to finalise and complete the Inter Authority Agreement (including the Constitution), including but not limited to the delegation arrangement for enforcement, the year one Business Plan and other documentation and to take all necessary steps to create the GWJC by April 2013; • agree that the existing Shadow Joint Waste Board and Programme Board arrangements will persist until the end of March 2013 to oversee this process. <p>Upon the establishment of the GJWC:</p> <ul style="list-style-type: none"> • delegate to the GJWC of this Council's functions in relation to the collection, management, disposal treatment, or recycling of waste and street cleansing described in detail in paragraph 4.1 of the 15th November 2011 Cabinet report but subject to the retained decisions as set out in paragraph 4.2 of the said report and as revised in the current inter-authority agreement at section 3.2; • appoint Gloucestershire County Council as Administering Authority • appoint Cllr Roger Whyborn and Cllr Steve Jordan to the GJWC.
	Subject to call-in period - Yes
Agenda item 10	Housing Options Review
	<p>RESOLVED THAT</p> <p>1. When undertaking service re-design, and commissioning the service, the Council requires the future service provider to identify and implement innovative services/schemes in an effort to combat the affects of welfare reform on the most vulnerable households. (Para 4.1.6)</p>

	<p>2. Housing Options Management continue to pursue enhancements to the Homeseeker system and that the necessary training and changes to processes identified through systems thinking are progressed. (Para 4.2.5)</p> <p>3. the conclusion that there are 2 potential commissioning options for Housing Options be endorsed, i.e. in-house and transfer the service to CBH and that a further report be brought back to Cabinet in May 2013 recommending the proposed commissioning option. (Para 4.3.9)</p>
	Subject to call-in period - Yes
Agenda item 11	Council Tax Discounts on Empty properties
	<p>RESOLVED that Council be recommended to</p> <ol style="list-style-type: none"> 1. Set the level of discount for former class A exempt properties at 25% for the 12 month period, as detailed in table 1 2. Set the level of discount for former class C exempt properties at 100% for the first month and 25% for the remaining 5 months, as detailed in table 1. 3. Confirm the level of discount for long term empty properties should remain at zero 4. Set the level of discount on properties classed as second homes at zero
	Subject to call-in period - Yes
Agenda item 12	Localisation of council tax support
	<p>RESOLVED that:</p> <ol style="list-style-type: none"> a) Council be recommended to adopt the Department for Communities and Local Government (DCLG) default scheme as the Council's Local Council Tax support scheme for 2013/14, subject to the enactment of the relevant legislation and the final grant settlement being in line with current forecasts. b) Council be recommended that the local council tax support scheme disregards in full war widows and war disablement pensions when assessing entitlement to council tax support for working and pension age customers as currently happens for housing and council tax benefit.

	<p>c) Work commences on developing a robust council tax support scheme for working age customers, to take effect from April 2014, which reduces the council tax support costs, protects vulnerable people as far as possible and keeps work incentives.</p>	
	<p>Subject to call-in period - Yes</p>	
<p>Agenda item 13</p>	<p>ICT Commissioning Review</p>	
	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the ICT Infrastructure Upgrade Strategy at Appendix A be approved and that Council be recommended to approve the allocation of funding to finance the programme as part of the budget setting process for 2013/14. 2. That the ICT Review Business Case at Appendix B be approved 3. that the development of a Business Case for 4 way sharing between the GO partner councils (Forest of Dean District Council, Cotswold District Council, West Oxfordshire District Council) be endorsed with any decision being brought back to Cabinet at the latest by August 2015 and that the service delivery model (i.e. outsourcing; managed service etc.) be reviewed again at that time. 4. Subject to obtaining the agreement of the GO partner councils, CBH Limited and Ubico Limited to : <ul style="list-style-type: none"> • Approve the sharing of the council's ICT service with the Forest of Dean District Council, as lead authority. • Delegate authority to the Director of Resources in consultation with the Cabinet Member for Corporate Services and the Borough Solicitor to enter into an agreement under Section 101 Local Government Act 1972 and s19 and s20 Local Government Act 2000 with Forest of Dean District Council, as the lead authority, for the provision of ICT services as outlined in Annex A of the ICT Business Case (Services in Scope for ICT Services) with effect from 1st April 2013 to January 2016. • Delegate authority to the Director of Resources in consultation with the Cabinet Member for Corporate Services and the Borough Solicitor to enter into an agreement under Section 101 Local Government Act 1972 and s19 and s20 Local Government Act 2000 for the receipt of GO ICT Hosting and Support with effect from 1 April 2013 with the Forest of Dean District Council as lead authority for the GO Hosting and Support Centre of Excellence. This agreement may be incorporated into the s101 agreement referred to above. 	

	<ul style="list-style-type: none"> • In order to ensure that existing agreements are consistent with the new agreements mentioned above to delegate authority to the Director of Resources in consultation with the Cabinet Member for Corporate Services and the Borough Solicitor to make consequential amendments to the following GO agreements: <ul style="list-style-type: none"> i) Collaboration Agreement dated 8th November 2010 (as varied (1st April 2012) ii) ERP System supply contract with SCC dated 8th November 2010. <p>5. The council's ICT staff whose roles fall within the scope of the list of services outlined in the service directory (Annex A to the Business Case) transfer to Forest of Dean District Council with effect from 1st April 2013 in accordance with the Transfer of Undertaking (Protection of Employment) Regulations 2006.</p>
	Subject to call-in period - Yes
Agenda item 14	Licensing of Rickshaws in Cheltenham
	<p>RESOLVED</p> <p>To defer a decision on the licensing of rickshaws in Cheltenham until the outcome of the taxi and private hire licensing law reform review by the Law Commission is published in 2013/14.</p>
	Subject to call-in period - Yes