



RUSHMOOR BOROUGH COUNCIL

CABINET

Tuesday, 24th April, 2007 at 4.30 p.m.
At the Council Offices, Farnborough

Councillor P.J. Moyle (Leader)
Councillor R.L.G. Dibbs (Deputy Leader and Environment Portfolio)

Councillor Mrs. D.B. Bedford (Leisure and Youth Portfolio)
Councillor M.S. Choudhary (Concessions and Community Support Portfolio)
Councillor A.M. Ferrier (Corporate Services Portfolio)
Councillor G.J. Tucker (Safety and Regulation Portfolio)
Councillor F.J. Williams (Health and Housing Portfolio)

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **Tuesday, 8th May, 2007**.

146. **COUNCILLOR ALAN FERRIER –**

The Leader paid tribute to Cr. A.M. Ferrier who would be stepping down as Cabinet Member for Corporate Services for the 2007/08 Municipal Year in order to carry out duties as Deputy Mayor. The Leader paid tribute to Cr. Ferrier's contribution to the work of the Cabinet. On behalf of the Cabinet, the Leader extended good wishes to Cr. Ferrier for his year as Deputy Mayor.

147. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 3rd April, 2007 were confirmed and signed by the Chairman.

148. **FARNBOROUGH TOWN CENTRE – REDEVELOPMENT –**
(Leader)

The Chief Executive advised the Cabinet that, at the end of the previous week, the Council and Key Property Investments (KPI) had signed the development agreement for Farnborough town centre. The agreement placed an obligation on KPI to build out the town centre in accordance with the approved plans, to include a Sainsbury's store, hotel, extension to Kingsmead and an eight-screen Vue Cinema. In the unlikely event that KPI defaulted on the agreement, the Council had negotiated step-in rights, which would give the Council the ability to take over the development and see it through to completion. The Cabinet was also advised that KPI had appointed a demolition contractor and work was expected to commence on site within 21 days.

The Solicitor to the Council explained that it had previously been agreed that the developer would meet £100,000 of the Council's legal costs in respect of the development agreement. The Council's legal costs to date amounted to £181,000 for 2006/07. Further costs had been incurred since together with a premium of £16,000 in respect of indemnity insurance. The Solicitor to the Council therefore sought approval for an allocation of £95,000 from the Capital Budget for the current year 2007/08 to meet the on-going costs. This request was approved by the Cabinet.

As a result of the agreements signed with KPI, the Chief Executive reminded the Cabinet that there would be increasing financial returns for the Council year on year. The best possible deal had been secured in the interests of the Borough's residents and Council Tax payers.

The Cabinet expressed its great satisfaction that the town centre development agreement with KPI had finally been signed. This was felt to be excellent news for the Borough as a whole and would herald a brighter future for the town centre. The Leader of the Council wished to place on record his thanks and appreciation to the Chief Executive, Solicitor to the Council and Richard Stafford for their extremely impressive work during what had been lengthy, complicated and tense negotiations to secure the development agreement.

The Cabinet RESOLVED that

- (i) approval be given to an allocation of £181,000 out of the Capital Budget 2006/07 and a further £95,000 for 2007/08 to meet the Council's legal and other costs; and
- (ii) the update on the Farnborough town centre redevelopment be noted.

149. **LAND CHARGES –**
(Corporate Services)

The Cabinet considered the Solicitor to the Council's Report No. LEG0707, which outlined proposed changes to fees and charges to take account of new legislative changes and guidance in respect of land charge fees. From 1st April, 2007, registering authorities would be responsible for setting fees for land charges services (other than for personal searches of the Local Land Charges Register) on a cost recovery basis and the Report set out details of new fees to be charged by the Council for searches from 1st June, 2007.

The Cabinet was advised that the impact of the Home Information Pack, which would be brought into operation on 1st June, 2007, was not yet clear. The Home Information Pack would include the local authority search, but this could be provided by either the local authority or by personal search agents. Monitoring would be undertaken of the effect of the new fees to ensure that the Council's costs of providing the services were met.

The Cabinet RESOLVED that the fees, as set out in the Solicitor to the Council's Report No. LEG0707, be approved for introduction from 1st June, 2007.

150. **FROM ENFORCEMENT TO COMPLIANCE – REGULATORY OVERVIEW –**
(Safety and Regulation)

(1) **National Enforcement Priorities for Local Authority Regulatory Services – The Rogers Review –**

The Cabinet considered the Head of Environmental Health Services' Report No. ENH0721, which provided an update on Government regulatory reform aimed at reducing burdens on businesses and supporting compliance.

The Rogers Review had defined five national enforcement priorities for local authority regulatory services with the intention of helping local authorities plan resources and prioritise activities. The priorities were: hygiene of businesses; improving health in the workplace; alcohol, entertainment and late night refreshment licensing and enforcement; air quality; and, fair trading. The Rogers Review acknowledged that local authorities were best placed to understand and respond to issues that affected the well-being of their communities and the quality of life of their residents. Under the recommendation of the Review, local priorities for enforcement could be adopted in addition to the national priorities. It would therefore be necessary for the Council to determine local priorities (e.g. housing standards and response to nuisance complaints) and this would be considered at a future meeting.

The Cabinet RESOLVED that the Head of Environmental Health Services' Report No. ENH0721 be noted.

(2) **Draft Food Safety Service Plan 2007/08 –**

The Cabinet considered the Head of Environmental Health Services' Report No. ENH07023, which sought approval of the draft Food Safety Service Plan 2007/08 for consultation. The Report had been endorsed by the Licensing and General Purposes Committee on 16th April, 2007.

The Cabinet RESOLVED that the draft Food Safety Service Plan 2007/08, as set out in the Head of Environmental Health Services' Report No. ENH07023, be approved for public consultation.

(3) **Draft Health and Safety Service Plan 2007/08 –**

The Cabinet considered the Head of Environmental Health Services' Report No. ENH07022, which sought approval of the draft Health and Safety Service Plan 2007/08 for consultation. The Report had been endorsed by the Licensing and General Purposes Committee on 16th April, 2007.

The Cabinet RESOLVED that the draft Health and Safety Service Plan 2007/08, as set out in the Head of Environmental Health Services' Report No. ENH07022, be approved for public consultation.

151. **LIDO REVIEW TASK AND FINISH GROUP –**
(Leisure and Youth)

The Cabinet welcomed Cr. N.J. Watkin, Chairman of the Lido Review Task and Finish Group, who was attending the meeting to present the Report of the Task and Finish Group. The Group had been formed to look at options to address issues of performance, efficiency and value for money of the Aldershot Lido.

Cr. Watkin advised that a consultation exercise had been carried out by ABA Research Ltd to explore the three options identified for the Lido: finding an alternative use for the site; investing in the provision of an improved outdoor water facility; and, investing in the provision of an improved outdoor water facility and extra/supporting facilities. A full copy of the findings of the consultation exercise was appended to the Report. There was overwhelming support for the retention of the Lido and, after consideration of the results of the consultation exercise, the Task and Finish Group had recommended the removal of the closure/alternative use option from the Task and Finish Group.

The Report set out the way forward for the Task and Finish Group in the short and medium terms, which would be developed further in the Municipal Year 2007/08. The Group had noted that any action would require potential additional investment and would involve acceptance of risks. Until the outcome of the review was concluded, it would not be possible to confirm the costs involved. The Task and Finish Group had also reviewed the original terms of reference and was of the opinion that it was unrealistic in the short term that the Lido could contribute to the Council's savings and efficiency programme. On this basis, it was proposed that the terms of reference should

be amended to read: “To develop and improve the Lido facility to contribute to the Council’s strategic objectives. To develop the business case for improvements to facilities in partnership with DC Leisure.”

During discussion, the Cabinet endorsed the Task and Finish Group’s recommendation in the light of public consultation to remove the closure/alternative use option from the work programme of the Group.

The Cabinet RESOLVED that:

- (i) the consultation report from ABA Research Ltd., as appended to the Report of the Lido Review Task and Finish Group, be noted;
- (ii) the short and medium term actions of the Group, as set out in paragraph 6.1 of the Report, be endorsed;
- (iii) it be noted that the proposals being developed by the Group would require additional investment and acceptance of risks;
- (iv) the removal of the closure/alternative use option from the Group’s work programme, be endorsed; and
- (v) the revised terms of reference, as set out in paragraph 8.4 of the Report, be endorsed.

152. **REDUNDANCY AND EARLY RETIREMENT POLICY –**
(Corporate Services)

The Cabinet considered the Head of Personnel Services’ Report No. PER0703, which set out a revised redundancy and early retirement policy to take account of changes in pension regulations and the introduction of age discrimination legislation.

The revised policy was appended to the Report and set out the Council’s approach to redundancy and early retirement, the process to be followed in redundancy situations, the payments to be made to those redundant, the rules in relation to taxation and when redundancy payments would be due; and the Council’s approach to redundancy on efficiency grounds as well as through joint appointments. The proposals had been made in relation to such factors as affordability, fairness, risk, public perception and recruitment and retention. The Cabinet was advised that consultation had commenced with Unison on the revised policy.

The Cabinet RESOLVED that the proposals in respect of redundancy and early retirement cases and efficiency cases and revised policy, as set out in the Head of Personnel Services’ Report No. PER0703, be approved, subject to the outcome of the consultation process.

153. **FLEXIBLE RETIREMENT FOR MEMBERS OF THE LOCAL GOVERNMENT PENSION SCHEME –**
(Corporate Services)

The Cabinet considered the Head of Personnel Services' Report No. PER0704, which set out a draft statement of policy for flexible retirement arrangements. The policy had been drafted in the light of changes to the Local Government Pension Scheme from 6th April 2006, which had introduced a new retirement category of 'Flexible Retirement' for non-teaching staff.

The Report set out the policy statement and procedure for considering requests for eligible employees for flexible retirement. It was noted that the policy would be reviewed annually.

The Cabinet RESOLVED that

- (i) the proposals set out in the Head of Personnel Services' Report No. PER0704 be approved; and
- (ii) the statement of policy, as set out in the appendix to the Report, be adopted.

154. **EXCLUSION OF THE PUBLIC –**

RESOLVED: That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the undermentioned items to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the items:

Minute Nos.	Schedule 12A Para. No.	Category
155 and 156	1	Relating to an individual

**THE FOLLOWING ITEMS WERE CONSIDERED
IN THE ABSENCE OF THE PUBLIC**

155. **EARLY RETIREMENT – COMMUNITY SERVICES –**
(Corporate Services)

The Cabinet considered the Director of Community and Environment's Exempt Report No. DCE0708, which set out a request for early retirement from an officer based in Community Services.

Having considered the financial implications of the early retirement, the Cabinet agreed to the request.

The Cabinet RESOLVED that approval be given to the request for early retirement from an officer based in Community Services to take effect from 1st June, 2007.

156. **PERFORMANCE APPRAISALS 2006/07 –**
(All)

(1) **Heads of Service -**

The Cabinet received the Exempt Reports submitted by the Director of Resources (No. DOR0708) and Director of Community and Environment (No. DCE0707) and the report of the Chief Executive. The Chief Executive and Directors provided details of the performance appraisals in respect of their Heads of Service and answered questions from individual Members of the Cabinet.

The Cabinet NOTED the approach being taken to the performance management of Heads of Service and noted the overall satisfactory levels of performance.

(2) **Directors -**

The Directors having left the meeting, the Chief Executive reported on the performance appraisals of the Directors for 2006/07.

The Cabinet NOTED the satisfactory level of performance achieved by the Directors.

(3) **Chief Executive -**

The Cabinet proceeded to appraise the Chief Executive based on his Exempt Report No. CEX0703. The Chief Executive having left the meeting, the Cabinet reviewed the Chief Executive's performance and recorded the outstanding contribution made by Mr. Lloyd to the work of the Council.

The Cabinet RESOLVED that, in accordance with arrangements previously agreed, a review of the grading and range of the Chief Executive's post be carried out and a report on the methodology be made to a future meeting of the Cabinet.

The Meeting closed at 6.50 p.m.

P.J. MOYLE
CHAIRMAN
