

Item 3

SEDGEFIELD BOROUGH COUNCIL CABINET

Conference Room 1,
Council Offices,
Spennymoor

Thursday,
9 December 2004

Time: 10.00 a.m.

Present: Councillor R.S. Fleming (Chairman) and

Councillors Mrs. B. Graham, M. Iveson, D.A. Newell, K. Noble,
J. Robinson J.P and W. Waters

In

Attendance: Councillors Mrs. B.A. Clare, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby,
A. Gray, G.C. Gray, Mrs. J. Gray, D.M. Hancock, Mrs. L. Hovvels,
J.G. Huntington, M.T.B. Jones, B. Meek, J.P. Moran, Mrs. E.M. Paylor,
A. Smith, Mrs. C. Sproat and T. Ward

Apologies: Councillors Mrs. A.M. Armstrong and A. Hodgson

CAB.106/04 DECLARATIONS OF INTEREST

Councillor J. Robinson J.P declared a prejudicial interest in Item No. 7 –
Landlord's Obligations Under Section 12.of the Anti-Social Behaviour
Act 2003 – Statement of Policy and Procedures as he was magistrate.

CAB.107/04 MINUTES

The minutes of the meeting held on 25th November 2004 were
confirmed as a correct record and signed by the Chairman.

CAB.108/04 SPENNYMOOR LEISURE CENTRE - GYMNASTICS CENTRE

The Lead Member for Culture and Recreation presented a report
regarding the above. (For copy see file of Minutes)

It was explained that the start date for the construction of the
gymnastics centre would be delayed by 10 –12 weeks as a major
electrical cable, running through the site, had to be diverted. The delay
would result in additional contract costs of £99,750.

Members noted that the increased costs could be accommodated by
the Council from contingencies set aside for regeneration purposes in
the 2004/05 financial year.

RESOLVED : *That the additional contract cost of £99,750 be
approved.*

CAB.109/04 SUMMARY OF CHANGES TO THE LOCAL AUTHORITIES (FUNCTIONS AND RESPONSIBILITIES) REGULATIONS 2000

Consideration was given to a report summarising the effect of a series of changes to the division of responsibilities between Cabinet and Council, which would necessitate the Council's constitution being amended. (For copy see file of Minutes)

It was explained that the changes covered a wide range of functions including decisions upon borrowing and capital expenditure, new planning legislation, licensing, highways, the Council's Monitoring Officer's resources and Overview and Scrutiny Committees.

RESOLVED : *That Cabinet notes that :*

- a) Standards Committee shall consider the report and offer recommendations to full Council.*
- b) Full Council shall consider the report and approve the same and delegate to the Monitoring Officer responsibility to amend the Constitution to take account of the changes.*

CAB.110/04 INTRODUCTION OF CHANGES TO THE ETHICAL STANDARDS ARRANGEMENTS UNDER THE LOCAL GOVERNMENT ACT 2000: THE LOCAL AUTHORITIES (CODE OF CONDUCT) (LOCAL DETERMINATION) (AMENDMENT) REGULATIONS 2004 AND THE STANDARDS BOARD FOR ENGLAND (FUNCTIONS) ORDER 2004

Consideration was given to a report regarding further changes to the ethical standards framework for member conduct. (For copy see file of Minutes).

It was reported that Ethical Standards Officers of the Standards Board could now decide not to carry out full investigations of cases referred to them and instead refer the matters direct to the Council's Monitoring Officer to investigate. He or she would then be required to report to the Authority's Standards Committee. Details were given of the types of cases that could be referred to the Monitoring Officer for investigation. It was pointed out that further guidance was to be issued regarding the procedures to be followed.

Members' attention was also drawn to changes introduced to the procedure of Standards Committee meetings to facilitate the appropriate consideration of reports under the new arrangements.

It was pointed out that the changes would have staffing and other resource implications and further reports would be prepared as guidance became available.

- RESOLVED :**
1. *That Cabinet notes:*
 - a) *That the Standards Committee shall consider the report and offer recommendations to full Council.*
 - b) *That full Council shall consider the report and approve the same and delegate responsibility to the Monitoring Officer to amend the Constitution to take account of the changes.*
 2. *That the Monitoring Officer appraises Members of the changes and all subsequent guidance when available.*

Councillor J. Robinson J.P. , who had previously stated that he had a prejudicial interest in the following item, had already left the meeting.

CAB.111/04 LANDLORD'S OBLIGATIONS UNDER S.12 OF THE ANTI SOCIAL BEHAVIOUR ACT 2003 - STATEMENT OF POLICY AND PROCEDURES

The Lead Member for Housing presented a report seeking approval to adopt a Statement of Policy and Procedures for dealing with anti-social behaviour engaged in by the tenants. (For copy see file of Minutes).

It was explained that the Anti-Social Behaviour Act 2003 placed a duty on local authorities that were landlords and Registered Social Landlords to prepare and publish a Statement of Policy and Procedures for tackling anti-social behaviour together with a summary before 30th December 2004.

It was explained that the Statement and summary were designed to give tenants and residents clear guidance on what action could be taken to tackle anti-social behaviour in accordance with the Council's existing policies, what services were offered, how complaints could be made and how they would be dealt with and investigated. The Statement and summary needed to be compatible with other legislation, duties and strategies.

- RESOLVED :**
1. *That Sedgefield Borough Council's Statement of Policy and Procedure for dealing with anti-social behaviour by tenants, occupiers of Council dwellings and visitors to dwellings be adopted.*
 2. *That the Statement of Policy and Procedures, summary document and leaflet be published and made available.*

3. *That a further report be presented on the use of demoted tenancies in accordance with the Anti-Social Behaviour Act 2003.*

CAB.112/04 AREA 3 FORUM

Consideration was given to the minutes of the meeting held on 10th November 2004. (For copy see file of Minutes).

RESOLVED : That the report be noted.

Published on 10th December, 2004

These Minutes contain no key decisions and will be implemented immediately.

ACCESS TO INFORMATION

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