

**CABINET  
3 MARCH 2005**

Councillor R.F. Spencer (Chairman)

Councillors:	A.A. Clarke	P. Feeney
	W.H. Golland	I.S. Gollop
	R.J. Nicholson	R.A. Poynter (a)

Observers:	A.J. Gillam	G.J. Griffiths (a)
	J.M. Parr	

**149 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Griffiths and Poynter.

**150 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETINGS HELD ON 3 FEBRUARY AND 10 FEBRUARY 2005.**

That the above minutes be approved as a correct record and signed by the Chairman.

**151 DRAFT COMMUNITY SAFETY STRATEGY 2005/08**

The Chief Executive reported that Gedling Community Safety Partnership was required by law to carry out an audit of crime, disorder and drugs in the Borough every 3 years. Once completed, the information would be the subject of consultation with the wider community and would be used to develop and produce the Crime, Disorder and Drugs Strategy for 2005-2008.

The Community Safety Partnership were currently developing the Delivery Plan for 2005-2006. This document would reflect the approach and accountability of each member of the partnership to develop, deliver and performance manage targeted interventions aimed at reducing crime, disorder and drug related offending in line with the agreed partnership priorities.

Cabinet were asked to consider the content of the Strategy document and the targets proposed. Comments and recommendations made by Cabinet could be passed to the Portfolio Holder or the Community Partnerships Manager.

Formal approval for the adoption of the Strategy would be sought from

the Community Safety Partnership Strategic Group before seeking Council ratification on 16th March 2005.

After consideration it was:-

RESOLVED:

- 1.To approve the Strategy subject to a typographical error in the violent crime target being amended so as to make the target 'To reduce the level of violent crime in Great Britain by 2% during 2005-2006 and by 10% by March 2008'.
2. To feedback comments to the Community Safety Partnership via the aforementioned routes.

## **152        FREEDOM OF INFORMATION CHARGING POLICY**

The Head of Legal and Democratic Services reported that there were now three main “generalised” routes to access information under the Freedom of Information Act in the possession of the Council:-

- 1.The Freedom of Information Act 2000 (FOI);
- 2.The Data Protection Act 1998 (DPA); and
3. The Environmental Information Regulations 2004 (in draft) (EIR).

This was in addition to other statutory regimes that permitted access to information. The legislation was intended to introduce greater transparency and allow more access to information held by public authorities. The majority of costs for complying with requests would be met by the public sector; but the right to access information had to be balanced by the need of those authorities to carry out their other duties. For this reason, the legislation, in some cases, allowed authorities to decline to comply with certain requests for information on the grounds of cost or to charge for answering requests for information.

For the purposes of FOI and S9A of DPA (access to unstructured data) an authority might refuse to answer requests for information if the cost of complying would exceed the “appropriate limit”. The limit which had been set for local authorities was £450 and authorities were required to apply an hourly charging rate of £25 per hour to arrive at an estimated cost. If the request could be answered without exceeding this limit, then there was provision for making a limited charge for disbursements. If the limit would be exceeded the Council might nevertheless decide to answer the request and in that case a charge could be made.

The EIR provided that a reasonable charge could be made for the supply

of information, not to exceed the cost of providing it.

The legislation and the guidance issued suggested that an authority maintain a fees policy which should be made publicly available as an attachment to the Publication Scheme or on the website. Submitted at Appendix 1 was a draft fees policy for approval.

RESOLVED:

- (i) To approve the policy on fees and charges;
- (ii) That the relevant Head of Service and the Monitoring Officer be granted authority to take all necessary decisions arising out of the application of the charging policy.

### **153 FREEDOM OF INFORMATION PROCEDURES**

The Head of Legal & Democratic Services reported that the Freedom of Information Working Group had identified a procedure for dealing with requests received under the Freedom of Information Act and a complaints procedure. This was submitted at Appendix 1 to the report.

RESOLVED To:

1. Approve the Freedom of Information Compliance Procedure.
2. Authorise the Head of Legal and Democratic Services to take the decisions identified in the Procedure.

### **154 GEDLING REPLACEMENT LOCAL PLAN TIMETABLE**

The Head of Planning & Environment reported that the Local Plan had been subject to four rounds of public consultation and a six month long public inquiry in 2003. Following the Inspector's report on the Inquiry, the Council had published and consulted on its response to the report and also its Proposed Modifications. The consultation period would close on 9th March 2005.

A report setting out the issues raised in the consultation and the Council's response to each of the issues was proposed for the Cabinet meeting on 12th May. If it appeared that no further Modifications to the Plan were necessary, the Council could then adopt the Plan, which would then be confirmed after 6 weeks unless a legal challenge to the Plan was made. A date therefore needed to be agreed for the Council to adopt the Plan.

RESOLVED:

(i) That Members approve the dates of:-

19th May 2005 for the Cabinet to consider and agree the Council's response to the consultation on the Modifications to the Local Plan and,

1st June 2005 for the Full Council to move to adopt the Local Plan.

**155 NATIONAL PERFORMANCE INDICATOR COMPARISONS 2003/04**

The Head of Cabinet Office submitted a report to members informing them of the Council's comparative performance against itself over time and against other local and comparative authorities.

The Audit Commission had recently published 2003/04 performance indicator results for all authorities.

It had also produced a profile for GBC, showing how performance had moved year-on-year.

This had been supplemented by comparative analysis of performance against Nottinghamshire, Family and all district authorities, carried out internally.

Details of both were submitted at Appendix A to the report.

The comparisons showed that the Council continued to perform well overall, albeit with some pockets of areas for improvement.

It had four times as many indicators in the upper quartile as in the lower quartile, at a time when those standards were themselves rising.

Comparisons over time showed that, for service related indicators, more indicators were improving than deteriorating. This suggested a positive "direction of travel".

The Senior Management Team had given initial consideration to the results and had resolved to concentrate efforts on indicators in the lower quartile; in the 3rd and 4th quartile and falling back, and on ensuring that current upper quartile performance was maintained.

These issues would be considered when revised targets were proposed for member consideration later this year.

A summary of comparative data would also be presented in the revised Strategic Corporate Plan, for publication in June 2005.

RESOLVED:

To note the report.

**156 FORWARD PLAN 01 APRIL - 31 JULY 2005.**

RESOLVED:

To approve the Forward Plan for the above period.

**157 PROGRESS REPORTS FROM PORTFOLIO HOLDERS**

The following progress reports on items within their purview were received from Portfolio Holders:-

**Finance**

- Housing Benefit finalisation
- Council Tax Bills to be printed 9 March 2005.
- Accounts to be closed down by June 2005

**Agenda 21 & Crime Reduction**

- Partnership Newsletter to be circulated.
- Local Area Agreements.
- LSP Area Based Initiatives

**Housing**

- Reports Progressing

**Leisure**

- Schemes in progress for completion by end of March 2005.

**Direct Services**

- Second Bins distributed in Linby, Papplewick and Redhill.
- Greenhouse site scheme.
- Honeywood Gardens - Tenders by 21 March 2005
- Asda Car Park - report to next meeting.

**Development & Economic Re-generation**

- Local Plan - Meetings in the Parishes
- Commuter Plan for Staff

RESOLVED:

To note the information.

The meeting closed at 7.10 pm.