

## CABINET

### MINUTES OF MEETING HELD ON 21 MARCH 2018

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## CABINET

### MINUTES OF MEETING HELD ON 21 MARCH 2018

#### **Present:**

Councillor G Baxter MBE ..... Leader (in the Chair)

Councillor N Barker  
" M Gordon  
" E A Hill

Councillor P R Kerry  
" J Lilley

#### **Also Present:**

D Swaine - Joint Chief Executive Officer  
L Hickin - Joint Strategic Director - People  
K Hanson - Joint Strategic Director – Place  
V Dawson - Team Leader – Solicitor (contentious)  
J Dethick - Chief Accountant  
N Etches - Business Estates Manager  
G Galloway - Joint Head of Property & Commercial Services  
D Cairns - Senior Governance Officer

#### **595 Apologies for Absence**

There were no apologies declared at this meeting of Cabinet.

#### **596 Declarations of Interests**

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillors N Barker and E A Hill declared disclosable pecuniary interests in relation to Agenda Item 10 – The Avenue – Affordable Housing – Phase 1 and Agenda Item 11 – Hallows Court, Dronfield – Housing Options, arising from their membership of the Rykneld Homes Board.

Both Councillors left the meeting for consideration of these items and did not participate in the discussion or vote.

#### **597 Minutes of Last Meeting**

RESOLVED – That the Minutes of the meeting of the Cabinet held on 14 February 2018 be approved as a correct record and signed by the Leader.

#### **598 Change of Order of Agenda Items**

The Chair, in agreement with the other Members of Cabinet, changed the order of the agenda items as set out within these Minutes.

**Key Decisions****599 North East Derbyshire Local Plan – Authority Monitoring Report 2017**

Cabinet considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment and Asset Management, which informed Members of the contents of the North East Derbyshire authority Monitoring Report (AMR13) for the period of 1 April 2016 – 31 March 2017 and recommended for approval its publication on the Council's website.

The Authority Monitoring Report contained details of the following information:-

- The title of the plans or documents specified in the local development scheme and their progress in relation to the adopted timetable.
- Reports on policy implementation
- Net additional dwellings and net additional affordable dwellings in the local planning authority's area in the period in respect of which the report is made and since the policy was first published, adopted or approved.
- The preparation of any neighbourhood development order or neighbourhood development plan.
- Any income and expenditure generated through the implementation of the Community Infrastructure Levy (CIL)
- Actions taken to co-operate with other bodies as prescribed by the Duty to Co-operate.

The key findings of the report were summarised as:-

- The net completion of new housing for the period 2016/17 was 282 houses
- The Council could demonstrate a seven year land supply of housing
- 30% of housing development was built upon previously developed land
- No affordable housing had been completed during the year
- 3.30 hectares of employment land had been developed

Cabinet noted their concern that no affordable housing was completed during the time period that this report covered, April 2016 to March 2017. The Council's arrangements for the spending of Section 106 Monies received for the purpose of affordable housing were also discussed. It was agreed that further information on both issues would be provided.

RESOLVED – That Cabinet notes the content of the North East Derbyshire Authority Monitoring Report (AMR13) for the period 1 April 2016 – 31 March 2017 and authorises its publication on the Council's website.

Reason for Decision – The report sets out the key findings of the Authority Monitoring Report. Its publication was to fulfil the Council's statutory duty to prepare and publish the report.

Other Options Considered and Rejected – There were no alternative options as the Council had a statutory duty to prepare and publish the report.

(Planning Policy Manager)

**600 Choice Based Lettings and Allocations Policy**

Cabinet considered a report of Councillor E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion, which sought approval of the draft Choice Based Lettings and Allocations Policy.

A review had been carried out to ensure the Policy met the needs of the District's residents and was helping to create sustainable and affordable tenancies, and incorporating new legislative changes.

Key amendments that were proposed related to tenant transfers, affordability (alleviating under occupation charges) and homelessness.

A summary of the key proposed changes was attached to the report, together with the revised Policy.

**RESOLVED** – That Cabinet approves the draft Choice Based Lettings and Allocations Policy.

**Reason for Decision** – To ensure that the Council adopts and operates a robust and transparent Allocations and Lettings Policy, which enabled Rykneld Homes to allocate the Council's housing stock to those in greatest need in the most effective and transparent way.

**Other Options Considered and Rejected** – The alternative option not to amend the Policy was not considered a viable option as this would not have resolved the issues identified during the review nor would it have allowed for the legislative amendments required.

(Housing Strategy Officer)

**601 Urgent Business (Public Session)**

There was no urgent business to be considered in the public session at this meeting of Cabinet.

**602 Exclusion of Public**

**RESOLVED** - That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraph 3 Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation) Order 2006). [The category of exempt information is stated after each Minute].

<b>Key Decisions</b>
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**603 Letting of Surplus Office Accommodation – Mill Lane**

Cabinet considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment and Asset Management, which reported on an

urgent key decision taken by the Chief Executive, under delegated powers, for the letting of surplus office accommodation at Mill Lane, Wingerworth.

RESOLVED – That, in accordance with Paragraph 10.5 of the Delegation Scheme in the Council's Constitution, Cabinet endorse the decision taken by the Joint Chief Executive for the lease agreement of the surplus office accommodation.

Reason for Decision – The endorsement of the urgent decision taken by the Joint Chief Executive was required in accordance with Paragraph 10.5 of the Delegation Scheme.

Other Options Considered and Rejected – The alternative options considered and rejected were outlined in the Delegated Decision Notice approved by the Joint Chief Executive.

(Joint Head of Property & Commercial Services)  
(Paragraph 3)

#### **604 In-House Procurement Unit Option**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance & Regeneration and ICT, which sought approval for early termination on the current procurement arrangement with the NHS Shared Procurement Unit and to create an "in-house" Procurement Unit for Bolsover District Council (BDC) and North East Derbyshire District Council (NEDDC).

RESOLVED – That Cabinet agree:-

- (1) A formal request to leave the existing arrangement be made to Chesterfield Royal Hospital by the Council, the termination date to be agreed by the Joint Strategic Director - People, as described in the report.
- (2) To establish an "in-house" Shared Procurement Unit for Bolsover District Council and North East Derbyshire District Council, incurring additional costs of £8,645 per Authority to be funded from the Transformation Reserve/Invest to Save Reserve.
- (3) The Joint Chief Executive be requested to exercise his delegated powers to establish the two new procurement posts and that the recruitment of the two procurement officers on the grades shown in the report be undertaken immediately.
- (4) That any additional costs associated with creating the Procurement Unit would be funded equally from the Transformation/Invest to Save Reserve by Bolsover and North East Derbyshire District Councils', up to a maximum of £2,000 per Council.
- (5) Once established, the procurement unit seeks opportunities to provide procurement services for other local authorities.

Reason for Decision – The creation of an In-House Procurement Service was intended to provide greater capacity and efficiency in the service provided to the

Council, as well as a more in-depth and strategic approach to ensure the Council maximises the opportunities available through Procurement.

Other Options Considered and Rejected – The option to continue with existing arrangements was rejected as this would not have resulted in the increased capacity and efficiencies as outlined above.

(Joint Strategic Director - People)  
(Paragraph 3)

#### **605 Strategic Alliance Management Team Review – Recruitment Proposals**

Cabinet considered a report of Councillor G Baxter MBE, which recommended that East Midlands Councils be appointed as the partner to assist in the recruitment of the posts of Joint Head of Planning and Joint Head of Partnerships & Transformation.

RESOLVED – That Cabinet supports the appointment of the East Midlands Councils as the partner to assist in the recruitment of the posts of Joint Head of Planning and Joint Head of Partnerships & Transformation and asks the Joint Chief Executive to confirm the appointment and make the necessary arrangements.

Reason for Decision – The East Midlands Councils bid represented the best value for money and it was also noted that as the East Midlands Councils had worked with the Strategic Alliance in the recent past they would have a greater understanding of the needs of both Councils.

Other Options Considered and Rejected – The alternative options considered and rejected were outlined in paragraph 4.1 of the report.

(Joint Chief Executive)  
(Paragraph 3)

*Councillor N Barker and E A Hill left the meeting at this point.*

#### **606 The Avenue – Affordable Housing – Phase 1**

Cabinet considered a report of Councillor E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion, which updated Cabinet regarding The Avenue – Affordable Housing – Phase 1.

RESOLVED – That Cabinet:-

- (1) Note the contents of the report and the outcome of the bidding process but given the impact of further borrowing on the Housing Revenue Account and the inability to use 1:4:1 receipts determines not to proceed with the scheme at this time.
- (2) Recognises that the Council could reconsider the decision should a lower bid be offered and/or the use of 1:4:1 receipts be allowed.
- (3) Requests that the Council's Housing Strategy Team, working in partnership with Rykneld Homes Ltd, maintain an ongoing dialogue with Homes England and Kier Living Ltd.

- (4) Receive further reports regarding the future phases of affordable housing on The Avenue.

Reason for Decision – To confirm the Council's current position and agree that dialogue with the relevant stakeholders continue.

Other Options Considered and Rejected – The option to proceed with this scheme at this time was rejected for the reasons set out above.

(Director of Property Services & Development,  
Rykneld Homes Ltd)  
(Paragraph 3)

**Non Key Decisions**

**607 Hallowes Court, Dronfield – Housing Options**

Cabinet considered a report of Councillor E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion, which proposed that negotiations be entered in to regarding the purchase of properties at Hallowes Court, Dronfield.

RESOLVED –

- (1) That Cabinet agree that Rykneld Homes Ltd enter in to negotiations with Equity Housing with a view to purchase the housing units at Hallowes Court, Dronfield.
- (2) That a further report be brought back to Cabinet with further details of the proposals.

Reason for Decision – The initial financial assessment indicated that this would be a sound investment and would aid in meeting the significant demand for housing in Dronfield.

Other Options Considered and Rejected – The alternative not to pursue the negotiations was rejected as there was demand for housing in Dronfield and the current evaluation of the proposal suggested that this would be a good investment.

(Director of Property Services & Development  
Rykneld Homes Ltd )  
(Paragraph 3)

**608 Urgent Business (Private Session)**

There was no urgent business to be considered in the private session at this meeting of Cabinet.