

CABINET

MINUTES OF MEETING HELD ON 11 APRIL 2018

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CABINET

MINUTES OF MEETING HELD ON 11 APRIL 2018

Present:

Councillor G Baxter MBE Leader (in the Chair)

Councillor 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
D Clarke - Joint Head of Finance & Resources and Section 151 Officer
S Sternberg - Joint Head of Corporate Governance and Monitoring Officer
D Cairns - Senior Governance Officer
D McKenzie - External Support

642 Apologies for Absence

An apology for absence was received from Councillor N Barker.

643 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.

No declarations of interest were made at this meeting.

644 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of the Cabinet held on 21 March 2018 be approved as a correct record and signed by the Leader.

Key Decisions

645 Decision and Referendum on Wingerworth Neighbourhood Plan

Cabinet considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment and Asset Management which outlined the recommended modifications of the Examiner of the Wingerworth Neighbourhood Plan and recommended how to proceed. The report recommended that the Examiner's report be accepted with no amendments and that the Neighbourhood Plan proposal be taken forward for a referendum within the Parish.

Approval was also sought to authorise that following a successful referendum, if more than half of those voting in the referendum voted in favour of the Wingerworth Neighbourhood Plan, then the Neighbourhood Plan would be brought into effect ('Made') by the Joint Chief Executive.

Cabinet noted that the Wingerworth Neighbourhood area covered the whole Parish of Wingerworth, comprising parts of four Wards, Wingerworth, Tupton, Clay Cross North and Brampton & Walton.

During the preparation of the Wingerworth Draft Neighbourhood Development Plan, the Parish Council carried out consultation with local residents and businesses during 2016. The submission version of the Neighbourhood Plan for Wingerworth was completed and submitted to the District Council in July 2017. The District Council then held a six week consultation period on the submitted Plan in accordance with Regulation 16 of the Neighbourhood Planning Regulations, following which the Plan was submitted to an independent examiner in January 2018.

In the Examiner's report, received by the District Council on 23 March 2018, it was recommended that subject to a number of modifications, the Plan would meet the basic conditions and other relevant legal requirements. The Examiner therefore recommended that the Wingerworth Neighbourhood Plan proceed to a referendum subject to the modifications proposed.

Cabinet were recommended to agree all the changes proposed by the Examiner as it was noted that the modifications did not fundamentally alter the main aims of the Plan.

Cabinet were advised that the provisional date for the referendum was set for Thursday, 14 June 2018.

RESOLVED – That:-

- (1) The Examiner's report and recommended modifications to the Plan as set out in the Decision Notice attached as Appendix 2 to the report be accepted in their entirety and the Plan, as amended, be taken forward to a referendum within the Parish as outlined in the report.
- (2) Cabinet delegates authority to the Joint Chief Executive, in consultation with the Leader and Portfolio Holder for Environment, that following a successful referendum, if more than half of those voting in the referendum voted in favour of the Neighbourhood Plan, then the Neighbourhood Plan is brought into effect ('Made').
- (3) Cabinet considered the matter urgent as set out in the report, and noted that the Chair of the Growth Scrutiny Committee had also agreed that the matter was urgent and it was reasonable in the circumstances for 'Call In' not to apply to the decisions at (1) and (2) above.

REASON FOR DECISION – To meet the requirements of the Localism Act 2011 and the Neighbourhood Planning Regulations 2012.

OTHER OPTIONS CONSIDERED AND REJECTED – An alternative option would have been to reject some of the Examiner’s amendments or introduce some of the District Council’s own amendments. As the Examiner’s recommendations generally aligned with the District Council’s Planning Officers’ views and did not compromise the emerging Local Plan, this option was rejected.

(Planning Policy Manager)

646 Management of Corporate Debt – Write Off of Outstanding Amounts

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance & Regeneration and ICT, which sought agreement to the proposed write off of debts in respect of the Collection Fund, Housing Revenue Account (HRA) and Housing Benefit accounts as detailed in Appendix 1 to the report.

Based on the overall amount of money collected, the level of write offs recommended amounted to 0.16%.

RESOLVED – That Cabinet agrees to write off the amounts in respect of National Non Domestic Rates of £75,942.91, Council Tax of £53,981.19, Housing Rent of £4,770.19 and overpaid Housing Benefit of £26,852.27 as detailed in Appendix 1 to the report.

REASON FOR DECISION – As all available options to recover the debts outlined in the report had been explored it was important that the Council recognised the position and approved the write-off amounts.

OTHER OPTIONS CONSIDERED AND REJECTED – As all options to recover the debts had been exhausted there were no alternative options recommended.

(Joint Head of Service – Finance & Resources)

647 Urgent Business (Public Session)

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