

CABINET

MINUTES OF MEETING HELD ON 10 MAY 2017

I N D E X

Page No	Minute No	Heading
1	655	Apology for Absence
1	656	Declarations of Interests
1	657	Minutes of Last Meeting
1	658	Change of Order of Agenda Items
2	659	Rykneld Homes Ltd Business Plan 2017/20
2	660	Exclusion of Public
3	661	Proposed Additional New Homes at North Wingfield
3	662	Re-admission of the Public
3	663	The Impact of Town Centre Environments on Community Safety Scrutiny Review
4	664	A61 Corridor Scrutiny Review
4	665	Disposal and Acquisitions Policy
5	666	Accommodation Strategy
5	667	Corporate Plan Targets Performance Update – January to March 2017
6	668	Risk Management Update, Partnership Working and Strategic Risk Register
7	669	Taxi Licensed Vehicle Testing Arrangements
8	670	Update of North East Derbyshire District Council's Efficiency Plan
9	671	Urgent Business (Public Session)
9	672	Exclusion of Public
9	673	Health & Well Being and Morale Scrutiny Review

Page No	Minute No	Heading
10	674	Land Development Company Joint Venture Ltd Liability Partnership (LLP)
10	675	Shared Disaster Recovery and NEDDC Server and Storage Replacement
10	676	Procurement of Kerbside Recyclable Waste Collection Service
11	677	Management of Corporate Debt – Write Off of Outstanding Amounts
11	678	Strategic Alliance Senior Management Team – Early Voluntary Release
12	679	Strategic Alliance Senior Management Team – Early Voluntary Release
12	680	Strategic Alliance Senior Management – Team Restructure
12	681	Urgent Business (Private Session)

CABINET

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Present:

Councillor G Baxter MBE Leader (in the Chair)

Councillor J Austen
" N Barker
" M Gordon

Councillor Mrs E A Hill
" P R Kerry
" J Lilley

Also Present:

D Swaine - Chief Executive
N Clark - Director of Property Services & Development – Rykneld Homes Ltd
G Galloway - Assistant Director – Property & Estates
P Hackett - Executive Director – Transformation
B Mason - Executive Director – Operations
S Sternberg - Assistant Director of Governance and Solicitor to the Council & Monitoring Officer
S Veerman - Overview & Scrutiny Manager
S Cottam - Senior Governance Officer (Acting)

655 Apology for Absence

An apology had been received from the Chair of the Communities Scrutiny Committee, Councillor T Reader.

656 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 Mrs E A Hill declared a disclosable pecuniary interest in Item 17 – Proposed Additional New Homes at North Wingfield – arising from their membership of the Rykneld Homes Board. They would leave the meeting for consideration of this item.

657 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of Cabinet held on 5 April 2017 be approved as a correct record and signed by the Leader.

658 Change of Order of Agenda Items

The Leader, with the consent of the other members of Cabinet, agreed to change the order of the agenda as set out within these Minutes.

Non Key Decisions**659 Rykneld Homes Ltd Business Plan 2017/20**

Cabinet considered a report of Councillor Mrs E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion, which sought approval of the Rykneld Homes Business Plan 2017/20 that sets out the key objectives for the next three years and four key strategic PI's for North East Derbyshire District Council's Corporate Plan Performance report.

The three overarching objectives in the report had been retained from the 2016 Plan, which were:-

- Reduce Tenancy Turnover;
- Deliver Efficiencies through New Technology;
- Make People our Priority;

The key tasks identified to deliver the objectives had been reviewed and updated and the strategic key tasks were supported by a series of smart lower level operation Service Action Plans that detailed how the tasks would be delivered with the specific timetabled actions.

RESOLVED – That Cabinet approves the Rykneld Homes Business Plan 2017/20 and Rykneld Homes Performance measures for North East Derbyshire District Council's Corporate Plan.

REASONS FOR DECISION – The Business Plan was a driving component identified in Rykneld Homes' Performance Management Framework. The performance measured would be reported to the Joint NEDDC/RHL Partnership and Overview Group (POG) as part of Rykneld Homes Ltd Comprehensive Performance report for NEDDC to include in the Corporate Plan Performance report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Head of Business Development – Rykneld Homes Ltd)

660 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].

Councillors Mrs E A Hill and N Barker left the meeting at this point.

Key Decisions**661 Proposed Additional New Homes at North Wingfield**

Cabinet considered a report of Councillor Mrs E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion, on the proposed additional new homes at North Wingfield.

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraphs 2.1, 2.2, 2.3 and 2.4 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report.

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

Councillors Mrs E A Hill and N Barker were re-admitted to the meeting at this point.

662 Re-admission of the Public

RESOLVED – That the public be re-admitted to this meeting of Cabinet.

Matters Referred from Scrutiny**663 The Impact of Town Centre Environments on Community Safety Scrutiny Review**

Cabinet considered a report of Councillor T Reader, Chair of the Communities Scrutiny Committee, which sought approval of the recommendations of the Communities Scrutiny Committee's Review in to The Impact of Town Centre Environments on Community Safety.

Members of Cabinet expressed their disappointment that the relevant Scrutiny Chair was not in attendance at the meeting to present the report.

RESOLVED – That Cabinet notes the Scrutiny Review report on The Impact of Town Centre Environments on Community Safety.

REASON FOR DECISION – To support the Council in ensuring our Town Centres are safe, attractive and healthy places to live.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Overview & Scrutiny Manager)

664 A61 Corridor Scrutiny Review

Cabinet considered a report of Councillor Mrs C A Smith, Chair of Growth Scrutiny Committee, which sought approval of the recommendations of the Growth Scrutiny Committee’s Review of the A61 Corridor.

Members of Cabinet expressed their disappointment that the relevant Scrutiny Chair was not in attendance to present the report to the meeting.

RESOLVED – That Cabinet notes the Scrutiny Review report on the A61 Corridor.

REASON FOR DECISION – To consider the work currently being undertaken to secure transport improvements to support major housing and employment growth along the A61 corridor.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Overview & Scrutiny Manager)

Non Key Decisions

665 Disposals and Acquisitions Policy

Cabinet considered a report of Councillor J Austen, Portfolio Holder with Responsibility for Information Technology, E-Information and Asset Management, which sought approval to introduce a revised Joint Disposal and Acquisitions Policy.

In July 2014 the Council adopted the Disposals and Acquisitions Policy following Government advice which recommended that local authorities had a document describing how they dealt with disposals and acquisitions of land and property. The Policy had been updated to reflect the current structure, the views of the Asset Management Group along with SAMT and incorporated best practice laid out in Cabinet Office guidance “Guide for Disposal of Surplus Land” (March 2017).

In the main the changes made from the existing Disposals and Acquisitions Policy revolve around general updating, the introduction of a flowchart in the appendix to provide a quick reference guide and the introduction of early local member engagement to obtain their view.

For the purpose of the Policy a disposal of land meant that any freehold disposal, by sale or exchange, of Council owned land or buildings and any disposal by granting of a lease for a period greater than seven years. Leases of seven years or less were not covered by this document.

RESOLVED – That Cabinet adopts the Disposals and Acquisitions Policy (May 2017).

REASON FOR DECISION – For Cabinet to approve the adoption of the revised Disposals and Acquisitions Policy to reflect the structure of the organisation and recent government guidance.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report. An alternative option would be for Cabinet to reject the revised Disposals and Acquisitions Policy and seek further amendment prior to considering the Policy again. In the meantime the existing Disposals and Acquisitions Policy would be active.

(Commercial Property & Developments Manager)

666 Accommodation Strategy

Cabinet considered a report of Councillor J Austen, Portfolio Holder with Responsibility for Information Technology, E-Information and Asset Management, which sought approval to implement an Accommodation Strategy which sets out the way in which the Council utilises its office accommodation.

The strategy document described the methodology and standards that underpinned the way North East Derbyshire District Council utilised current and future accommodation needs. The document provided a guide on what Members, employees and partners could expect from the authority's office accommodation. It would also ensure that there was consistency in the standard of accommodation provided across Council departments and introduce key principles.

RESOLVED – That Cabinet approve the Accommodation Strategy attached as Appendix 1 to the report.

REASONS FOR DECISION – By adopting this Framework it would give North East Derbyshire District Council guidance on how it utilised its accommodation to ensure it takes a consistent and thought out approach in the way it uses and manages corporate accommodation.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Assistant Director – Property & Estates)

667 Corporate Plan Targets Performance Update – January to March 2017

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council, on the Quarter 4 outturns for the Corporate Plan 2015-2019 targets.

Out of the 55 targets 39 (71%) were on track, 9 (16%) had been achieved (2 this time and 7 previously), 1 (2%) was overdue, 5 (9%) had been flagged as an alert and 1 (2%) had been withdrawn.

The information in the report was provided to keep Members informed of progress against the Corporate Plan targets and noting achievements and any areas for concern.

RESOLVED – That:-

- (1) Year two progress against the Corporate Plan 2015-2019 targets be noted.
- (2) Target extension be approved for T12 as noted in the report.
- (3) T01 be withdrawn as noted in the report.

REASON FOR DECISION – The information contained in the report was to keep Members informed of progress against the Corporate Plan targets noting achievements and any areas for concern.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Assistant Director – Customer Service & Improvement/
Information, Engagement & Performance Manager)

668 Risk Management Update, Partnership Working and Strategic Risk Register

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, which updated Members concerning the current position regarding Risk Management and Partnership Arrangements and to seek approval for the revised Strategic Risk Register as at 31 March 2017, as part of the suite of Finance, Performance and Risk reports.

The Council's Strategic Risk Register had been developed in light of a consideration of strategic and operational risks which had been identified by elected Members and officers as part of the Council's Risk, Service Management and Quarterly Performance arrangements.

In its approach to Risk Management the Council was seeking to secure a number of objectives and to operate in line with recognised best practice. The Strategic Risk Register was intended to highlight the major areas where the Council needed to manage its risks effectively. One of the key purposes of the report was to set out the risk that had been identified and to encourage both Members and officers to actively consider whether the Strategic Risk Register and supporting Service Risk Registers actively covered all of the issues facing the Council.

The section on Partnerships served to highlight the extent of these working arrangements, together with the approach that had been adopted for their effective management.

RESOLVED – That Cabinet notes the report and approves the Strategic Risk Register as at 31 March 2017, attached as Appendix 1, to the report.

REASONS FOR DECISION – To ensure the Risks identified within the Strategic Risk Register/Partnership Arrangements were in order to assist in maintaining effective governance arrangements, service and financial performance.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Executive Director - Operations)

Key Decisions

669 Taxi Licensed Vehicle Testing Arrangements

Cabinet considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment, which recommended entering in to a contract with Chesterfield Borough Council in the continued undertaking of their taxi and hackney carriage (licensed vehicle) inspection arrangements.

The Council had undertaken safety inspection of taxi and hackney carriage (licensed) vehicles on behalf of Chesterfield Borough Council over several years, during which time, Chesterfield had periodically reviewed their arrangements.

Chesterfield recently re-market tested their service requirements to meet internal procurement requirements and established value for money, further to which, North East Derbyshire District Council submitted bids and was notified that it was the successful bidder.

It was recommended that the Council enter in to a contract with Chesterfield Borough Council for the continued delivery of their taxi and hackney carriage (licensed) vehicle testing service over a three year period, with the option to extend for a further two years.

The continued delivery of taxi and hackney carriage (licensed) vehicle testing service with Chesterfield Borough Council would generate an annual income of £80,000 which would make a positive contribution towards resource cost and overhead recovery.

RESOLVED – That Cabinet approves the entering in to a contract with Chesterfield Borough Council for the continued delivery of their Taxi and Hackney Carriage (licensed) Vehicle Testing Service over a three year period with the option to extend for a further two years (five years in total).

REASONS FOR DECISION – Sustained delivery of a taxi and hackney carriage (licensed vehicle testing service) to Chesterfield Borough Council would generate an annual income and make a positive contribution towards costs and overhead recovery.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Assistant Director – Streetscene)

670 Update of North East Derbyshire District Council's Efficiency Plan

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder with Responsibility for Economy, Finance and Regeneration, which updated on North East Derbyshire District Council's Efficiency Plan in light of the revised budgets and financial forecasts provided in the Medium Term Financial Plan approved by Council in February 2017.

The Efficiency Plan was concerned with identifying and delivering the financial savings that were required in order to balance the Council's budget over the period of the current Medium Term Financial Plan, ending in March 2021. Whilst some progress had already been made in addressing the position set out within the Medium Term Financial Plan, the Council was required to identify underlying savings in its net revenue expenditure, estimated to amount to some £1.8m by March 2021.

The Efficiency Plan itself was essentially a strategic document which would be supported by a range of more detailed plans and programmes to deliver against the Council's Growth and Transformation Agenda. These were more detailed packages of actual measures and would be considered by Cabinet or full Council as appropriate.

Having implemented the first phases of the Leisure Facilities Invest to Save Strategies, officers were planning to move forward by developing a business case for a replacement facility at Sharley Park. It was envisaged that this would be funded from a combination of grant funding, together with the capital receipts arising from land sales. Currently Sharley Park had been operating a deficit of some £0.3m a year which on that basis this could be minimised by way of significant levels of investment which would allow capital receipts to be utilised in order to generate significant levels of revenue savings.

Developing a detailed business plan in respect of a replacement facility would require significant commitment and officer time in order to allow Members to take an informed decision as to whether to commit to this level of investment necessary to secure a reduction in the current level of revenue subsidy.

On the basis that Cabinet were in agreement with developing a detailed business cases, officers would commence the associated detailed work.

RESOLVED – That Cabinet:-

- (1) Notes the report and agrees that the updated Efficiency Plan, attached as Appendix 1 to the report, be published on the Council's website.
- (2) Requests that a further update report concerning the detailed proposals underpinning the Efficiency Plan be brought back to a future meeting.
- (3) Endorse the work that was currently underway in respect of considering the options to build a replacement leisure centre at Sharley Park.

REASONS FOR DECISION – The Efficiency Plan was a corporate document linked to the Medium Term Financial Plan. Accordingly it needed to be amended at least

twice a year in order to ensure that the information, which was available on the website, remained up-to-date.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report. The Council accepted the Government’s offer of greater certainty over the level of resources for the period 2020/21, in return for which it was required to publish an Efficiency Plan. Given that the Efficiency Plan was published on the Council’s website it was important that it was up-to-date, documents remained in line with the position set out in the Medium Term Financial Plan. This helped promote public confidence that appropriate arrangements were in place to ensure effective financial and wider management of the Council.

(Executive Director – Operations/
Assistant Director – Finance, Revenues & Benefits)

671 Urgent Business (Public Session)

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

672 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 Paragraphs 1, 3 and 4, 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].

Matters Referred from Scrutiny

673 Health & Well Being and Morale Scrutiny Review

Cabinet considered a report of Councillor B Wright, Chair of Organisation Scrutiny Committee, which sought approval of the recommendations of the Organisation Scrutiny Committee’s Review of Health & Well Being and Morale.

Members of Cabinet expressed their disappointment that the relevant Scrutiny Chair could not be in attendance to present the report at this meeting.

RESOLVED – That Cabinet notes the Scrutiny Review report on Health & Well Being and Morale.

REASONS FOR DECISION – To support the Council in its review of Health & Well Being and Morale within the Authority.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report. There were no alternative options considered and rejected.

(Overview and Scrutiny Manager)
(Paragraph 1)

Key Decisions**674 Land Development Company Joint Venture Limited Liability Partnership (LLP)**

Cabinet considered a report of Councillor J Austen, Portfolio Holder with Responsibility for Information Technology, E-Information and Asset Management, which sought, in line with the Council's Growth Strategy, to maximise growth potential within the District.

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraph 2.1 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report.

(Assistant Director – Property and Estates)
(Paragraph 3)

675 Shared Disaster Recovery and NEDDC Server and Storage Replacement

Cabinet considered a report of Councillor J Austen, Portfolio Holder with Responsibility for Information Technology, E-Information and Asset Management, which advised Cabinet of the procurement process for the tender for server and storage infrastructure for North East Derbyshire District Council and disaster recovery provisions for partners of the Joint ICT Service and to seek approval to proceed with the order for the recommended vendor.

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraphs 2.1 and 2.2 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report.

(ICT Manager)
(Paragraph 3)

676 Procurement of Kerbside Recyclable Waste Collection Service

Cabinet considered a report of Councillor M Gordon, Portfolio Holder with Responsibility for Environment, which recommended acceptance of the most economically advantageous tender received for the provision of the Council's kerbside recyclables waste collection service.

The Council undertakes arrangements for the collection of recyclable waste at the kerbside from households throughout the District by way of its waste collection authority statutory duty. Recyclables were currently collected by way of an existing

contract with H W Martin Waste Ltd, which had been in place since 1 November 2010 and due to terminate at 31 October 2017.

In anticipation of termination of the current contract joint procurement arrangements had been undertaken between Bolsover, North East Derbyshire and Chesterfield Borough Councils and overseen by the Shared Procurement Partnership Team.

The three Councils 3 bin waste collection systems were near identical which aided joint procurement arrangements and shared service specification. The tender was organised in lots to reflect individual and/or combined Council bids

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraphs 2.1 and 2.2 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraphs 4.1 and 4.2 of the report.

(Assistant Director – Streetscene)
(Paragraph 3)

677 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 and Regeneration, which sought to write off the proposed debts as detailed in Appendix 1 to the report.

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraph 2.1 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet's consideration were detailed in paragraph 4.1 of the report.

(Executive Director – Operations)
(Paragraphs 1 & 3)

Officers were asked to leave the meeting at this point, with the exception of the Chief Executive.

Non Key Decisions

678 Strategic Alliance Senior Management Team – Early Voluntary Release

Cabinet considered a report of the Chief Executive Officer to seek approval to an early voluntary release request inclusive of early retirement and severance.

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraph 2.1 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report.

(Chief Executive)
(Paragraphs 1, 3 & 4)

679 Strategic Alliance Senior Management Team – Early Voluntary Release

Cabinet considered a report of the Chief Executive Officer to seek approval to an early voluntary release request (severance only).

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined in paragraph 2.1 of the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraph 4.1 of the report.

(Chief Executive)
(Paragraphs 1, 3 & 4)

680 Strategic Alliance Senior Management – Team Restructure

Cabinet considered a report of the Chief Executive Officer to recommend for approval the restructuring of the Strategic Alliance Senior Management Team.

RESOLVED – That Cabinet approves the recommendations as outlined in the report.

REASONS FOR DECISION – These were outlined throughout the report.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – The options for Cabinet’s consideration were detailed in paragraphs 4.1 and 4.2 of the report.

(Chief Executive)
(Paragraphs 1, 3 & 4)

681 Urgent Business (Private Session)

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