

## CABINET

### MINUTES OF MEETING HELD ON 31 OCTOBER 2018

## I N D E X

<b>Page No</b>	<b>Minute No</b>	<b>Heading</b>
1	318	Apologies for Absence
1	319	Declarations of Interests
1	320	Minutes of Last Meeting
1	321	Growth Strategy Review
2	322	Appropriation of Land (Housing Revenue Account to General Fund)
3	323	Joint Corporate Enforcement Policy
4	324	Medium Term Financial Plan – Budget Monitoring Report, Quarter 2 – April to September 2018
5	325	Urgent Business (Public Session)
5	326	Exclusion of Public
5	327	Change of Order of Agenda Items
5	328	Management of Corporate Debt – Write Off of Outstanding Amounts
6	329	Manor Farm, Dronfield – Update
6	330	Urgent Business (Private Session)

## **CABINET**

### **MINUTES OF MEETING HELD ON 31 OCTOBER 2018**

#### **Present:**

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

Councillor N Barker  
" M Gordon  
" E A Hill

Councillor P R Kerry  
" J Lilley  
" R Smith

#### **Also Present:**

L Hickin - Joint Strategic Director – People  
K Hanson - Joint Strategic Director – Place  
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

#### **318 Apologies for Absence**

There were no apologies for absence submitted to this meeting of Cabinet.

#### **319 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.

Councillor M Gordon declared a significant other interest in Agenda Item No 9 – Manor Farm Update – arising from his membership on the Board of Northwood Group Ltd. Councillor M Gordon left the room for the consideration of this item and did not take part in the vote.

#### **320 Minutes of Last Meeting**

RESOLVED – That the Minutes of the meeting of the Cabinet held on 3 October 2018 be approved as a correct record and signed by the Leader.

#### **Non Key Decisions**

#### **321 Growth Strategy Review**

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation, which provided an overview of the achievements and outcomes since the adoption of the existing Growth Strategy in 2014 and sought approval of the principles, timetable and structure of a review and refresh of the Growth Strategy.

The highlights of the achievements under the current Strategy included:-

- Kier Living housing development on The Avenue;
- Avenue A61 southern access underway;
- Development of options for the Mill Lane site;
- Housing development commenced at Egstow Park;
- The former Coalite site remediated and approved for mixed use;
- Rykneld Homes Ltd built 71 new properties;
- Northwood Group Ltd – Joint Venture established;
- Development of the D2N2 Housing Provider Forum;
- The submission of the Local Plan.

Members commented on the number of initiatives that were taking place to promote Growth in the District.

It was identified that it was an appropriate time to review the Council's Growth Strategy to build upon the success already achieved and to reflect new and emerging local, regional and national priorities.

The report set out details of how the review of the Growth Strategy would be conducted, including external consultation later in the year.

**RESOLVED** – That Cabinet:-

- (1) Notes the key achievements of the existing Growth Strategy, attached as Appendix 1 to the report.
- (2) Approves the review and refresh of the Growth Strategy in accordance with the consultation structure and timetable outlined in section 3.3 of the report.

**REASON FOR DECISION** – It was considered an appropriate time to review the Council's Growth Strategy to reflect new and emerging local, regional and national priorities.

**OTHER OPTIONS CONSIDERED AND REJECTED** – The option not to review the Growth Strategy was rejected as the existing Strategy would have become out of date and would not have led to the development of further growth opportunities.

(Head of Economic Development)

### **322 Appropriation of Land (Housing Revenue Account to General Fund)**

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation, which sought approval to appropriate land under Section 122 of the Local Government Act 1972 for purposes set out in Section 226(a) of the Town and Country Planning Act 1990. The Council wished to facilitate the redevelopment of the site which has long been vacant.

The site proposed for appropriation was the former Dronfield Housing Office, shown on the plan attached to the report. The site had not been required for this purpose for a number of years and proposals to develop the site had been explored.

It was therefore proposed that the land be appropriated from the Housing Revenue Account to the General Fund in order to facilitate the redevelopment of the site.

**RESOLVED** – That Cabinet:-

- (1) Determines that the land at the former Dronfield Housing Office shown on the plan attached to the report, is no longer required for its current designated purpose within the Housing Revenue Account.
- (2) Approves the appropriation of land at the former Dronfield Hosing Office under Section 122 of the Local Government Act 1972 for planning purposes and the transfer of the land from the Housing Revenue Account to the General Fund.

**REASON FOR DECISION** – The land was no longer required for the purpose for which it was being held and the Council was authorised to acquire the land for the proposed purpose.

**OTHER OPTIONS CONSIDERED AND REJECTED** – The option to leave the land within the Housing Revenue Account was rejected as there was no need for the land for this purpose. An opportunity existed to redevelop the site.

(Chief Accountant/  
Legal Team Manager – Non Contentious)

### **323 Joint Corporate Enforcement Policy**

Cabinet considered a report of Councillor M Gordon, Portfolio Holder for Environment, which sought approval for the Joint Corporate Enforcement Policy which would set overarching principles for enforcement activities across both Councils.

The Corporate Policy was designed as an overarching policy to sit above the policies of separate teams and services, such as Planning and Licensing. The Policy set out the approach that would be taken by authorised officers in making decisions in respect of compliance and enforcement activities.

This was to ensure consistency in standards and that reasonable action would be taken across both authorities.

**RESOLVED** – That Cabinet approves and adopts the Joint Corporate Enforcement Policy.

**REASON FOR DECISION** – To ensure legal compliance and that enforcement action taken by the Council would be better able to resist a challenge in the Courts. The Policy was also to ensure all departments follow the same principles when carrying out enforcement action.

OTHER OPTIONS CONSIDERED AND REJECTED – The alternative option of not producing an Enforcement Policy was rejected as this was considered to be contrary to the current regulatory requirements and statutory guidance.

(Solicitor – Contentious Team Manager)

<b>Key Decisions</b>
----------------------

**324 Medium Term Financial Plan – Budget Monitoring Report, Quarter 2 – April to September 2018**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which updated Members on the financial position of the Council following the second quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury Management activity.

In relation to the General Fund Revenue Account the comparison of the profile budget against the actual expenditure to-date showed an underspend at the end of the second quarter of £0.153m. This was mainly due to underspend against employee cost budgets and lower than forecast utility costs at this point in the year.

The savings originally expected from the second phase of the renegotiated waste recycling contract were not going to be achieved at this stage due to circumstances beyond the Council's control. This led to growth to the budget and was being addressed as part of the revised estimate process.

The revised budget position was to be presented to Cabinet in November 2018.

In relation to the Housing Revenue Account in respect of 2018/19 there was an underspend of £0.101m, there were no areas of concern to report.

A minor underspend had been identified in the Capital Expenditure Programme under the recently approved Acquisitions and Disposal Policy. Rykneld Homes Ltd, had derived income from sales which was forecast at £0.910m, with £0.560m committed in purchases.

Details of the Treasury Management activity during the second quarter of 2018 were attached to the report.

RESOLVED – That Cabinet:-

- (1) Notes the monitoring position of the General Fund at the end of the second quarter as detailed in Appendix 1 to the report.
- (2) Notes the monitoring position of the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the second quarter as detailed in Appendices 2-4 of the report.

REASON FOR DECISION – To advise Cabinet of the financial position of the Council for the second quarter of the year.

OTHER OPTIONS CONSIDERED AND REJECTED – There were no alternative options considered and rejected.

(Head of Finance & Resources & Section 151 Officer)

**325 Urgent Business (Public Session)**

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

**326 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 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].

**Key Decisions**

**327 Change or Order of the Agenda**

The Leader, with the consent of other Members of Cabinet, agreed that the order of the agenda be changed to that as set out within these Minutes.

RESOLVED – That the order of the agenda be amended to that as set out within these Minutes.

**328 Management of Corporate Debt – Write Off of Outstanding Amounts**

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which sought agreement to the proposed write off of debts in respect of the Collection Fund, Housing Revenue Account (HRA), Sundry Debtors and Housing Benefit accounts.

An update report had been circulated to Members regarding a change in circumstances for one of the National Non-Domestic Rates debts. A revised appendix with the list of debts proposed to be written off was also provided to Members.

RESOLVED – That Cabinet agrees to write off the amounts in respect of National Non-Domestic Rates of £97,815.48, Council Tax of £22,039.76, Sundry Debtors of £22,205.94, Housing Rents of £100,005.67 and Overpaid Housing Benefit of £4,507.00 as detailed in the revised Appendix attached to the report.

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

OTHER OPTIONS CONSIDERED AND REJECTED – All other options to recover the debts had been exhausted therefore there were no alternative options recommended at this stage.

(Head of Finance & Resources & Section 151 Officer)  
(Paragraphs 1 & 3)

**329 Manor Farm, Dronfield - Update**

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation, which provided details of an offer to purchase the Manor Farm Site in Dronfield in order to facilitate the redevelopment of the site, subject to a satisfactory independent valuation, and an acceptable business case from Northwood Group Ltd.

The report outlined the history to the site and the proposals for the development.

RESOLVED – That:-

- (1) Subject to a satisfactory independent valuation and an acceptable business case from Northwood Group Ltd, Cabinet is minded to agree the sale to Northwood Group Ltd.
- (2) Capital receipts arising from this sale are utilised for future social housing schemes for the benefit of people with Dronfield connections.
- (3) Cabinet request further reports be presented to them and Council in relation to this project, as required.

REASON FOR DECISION – To agree to further work being carried out in relation to the proposal before it is brought back to Cabinet for final approval.

OTHER OPTIONS CONSIDERED AND REJECTED – The option of retaining this site was rejected as this would have effectively prevented development from going ahead. Disposal on the open market was also rejected, however, as this would not guarantee that a scheme of development would be delivered.

(Strategic Director - Place)  
(Paragraph 3)

**330 Urgent Business (Private Session)**

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

---