

CABINET

MINUTES OF MEETING HELD ON 13 MARCH 2019

I N D E X

Page No	Minute No	Heading
1	634	Apologies for Absence
1	635	Declarations of Interests
1	636	Minutes of Last Meeting
1	637	Minutes of the Member Development Working Group held on 20 February 2019
2	638	Evaluation of NED Business Growth Fund
2	639	Proposed Calendar of Meetings 2019/20
3	640	Corporate Plan 2015-2019 – Statement of Delivery
5	641	Single Equality Scheme 2019-2023
5	642	Member Development Strategy Review 2019
6	643	Business Rates Discretionary Retail Discount
7	644	Urgent Business (Public Session)
7	645	Exclusion of Public
7	646	Contentious Legal Team
8	647	Management of Corporate Debt – Write Off of Outstanding Amounts
8	648	Urgent Business (Private Session)

CABINET

MINUTES OF MEETING HELD ON 13 MARCH 2019

Present:

Councillor G Baxter MBE Leader (in the Chair)

Councillor N Barker
" M Gordon
" P R Kerry

Councillor J Lilley
" R Smith

Also Present:

D Swaine	-	Joint Chief Executive Officer
L Hickin	-	Joint Strategic Director – People
K Hanson	-	Joint Strategic Director – Place
J Dethick	-	Chief Accountant
K Drury	-	Information, Engagement & Performance Manager
S Lee	-	Strategic Partnership Co-ordinator
S Sternberg	-	Joint Head of Corporate Governance and Monitoring Officer
N Calver	-	Governance Manager
J Lewis	-	Governance Apprentice

634 Apologies for Absence

Apologies for absence were received from Councillor B Hill.

635 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 were made at this meeting of Cabinet.

636 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of Cabinet held on 13 February 2019 be approved as a correct record and signed by the Leader.

637 Minutes of the Member Development Working Group – 20 February 2019

RESOLVED – That the Minutes of the Member Development Working Group held on 20 February 2019 be noted.

Non Key Decisions**638 Evaluation of NED Business Growth Fund**

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation, on the contribution made to the NEDDC Growth Agenda by the NED Business Growth Fund (BGF) Pilot and options for the future of the scheme when the BNED LEADER Programme ends in March 2019.

The Business Growth Fund targeted business in areas that were not eligible for the BNED LEADER funding (Clay Cross, Dronfield and Tupton). To date 15 successful applications had been awarded a total of approximately £51,000 and over 15 full time equivalent jobs had been created.

It was acknowledged that whilst the BGF Pilot contributed to delivering the Council's Growth Agenda through the funding programme which directly facilitated economic growth and job creation, the level of investment required to sustain or extend the Scheme, both in terms of staff resource and capital investment, was considerable. It was therefore proposed that the Scheme close on 31 March 2019 as planned.

It was further proposed that any remaining funds should be transferred to the Invest to Save budget for reallocation to other activities. This would be up to £15,500, although would be subject to the outcome of the four applications currently being appraised.

RESOLVED – That:-

- (1) The Evaluation Report be noted.
- (2) The NED Business Growth Fund closes to new applications on 31 March 2019 and once it closes the remaining funds from the Scheme be returned to the Invest to Save Reserve.
- (3) Further reports be brought back on any future regeneration options.

REASON FOR DECISION – Extending the Business Growth Fund Pilot was not considered to be a viable option in the current economic climate.

OTHER OPTIONS CONSIDERED AND REJECTED – The option to open the remaining unallocated budget to a bidding round was not considered a suitable option due to the significant level of resources required to support the small level of grant that would have been likely.

(Strategic Partnership Co-ordinator)

639 Proposed Calendar of Meetings 2019/20

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation, which sought approval of the Council's proposed Calendar of Meetings for the 2019/20 municipal year.

The schedule had been drawn up using the rules previously used in relation to:-

- Facilitation for consideration of statutory business within legal deadlines;
- Member preferences for commencement times and days of the week;
- The frequency of meetings as set out in the Constitution.

RESOLVED - That:-

- (1) The 2019/20 Calendar of Meetings, attached as Appendix 1 to the report, be approved and the points outlined in paragraph 1.4 of the report be noted.
- (2) Delegated authority be granted to the Governance Manager following consultation with the Leader of the Council and the Chairmen of the relevant Committee(s)/Working Group(s), to amend the Calendar of Meetings 2019/20 as and when required.

REASON FOR DECISION – To ensure the Council has in place an effective and efficient Calendar of Meetings for 2019/20 that met the needs of Members and facilitated decision making in line with statutory deadlines.

ALTERNATIVE OPTIONS CONSIDERED & REJECTED – No alternative options were proposed as adjustments to the schedule had been made during its preparation.

(Governance Manager)

640 Corporate Plan 2015-2019 – Statement of Delivery

Cabinet considered a report of Councillor G Baxter MBE, Leader of the Council and Portfolio Holder for Corporate Strategy and Transformation, which presented details of the Council's achievements under the current Corporate Plan for the period 2015-2019 and reported on arrangements for the preparation of a new Corporate Plan from 2020.

A detailed delivery statement was attached to the report and the report highlighted some notable achievements as outlined below:-

- **Unlocking our Growth Potential**
 - Enabled the development of over 1,100 new homes;
 - Worked with partners to develop key strategic sites including Biwater in Clay Cross, Callywhite Lane in Dronfield, the Avenue in Wingerworth and Coalite;
 - Supported 690 people to gain work experience or get jobs through its Ambition and Working Communities projects.
- **Providing our customers with Excellence Service**
 - Achieved council-wide Customer Service Excellence accreditation;
 - Sustained high levels of customer satisfaction with Contact and Leisure Centres;
 - Achieved timeliness targets for processing Housing Benefit and Council Tax support claims.

- Supporting our Communities to be Healthier, Safer, Cleaner and Greener
 - An average of 96% of our streets meet the acceptable level of litter cleanliness;
 - 45 events held across the District to support our partners tackle crime and anti-social behaviour;
 - Over 2,900 adults have attended our Exercise Referral Scheme to help with their health concerns and our Leisure Centres have had over two million attendances.

- Transforming our Organisation
 - Self-service transactions have increased year-on-year for the last three years totalling 4,653;
 - £255k savings achieved under the former transformation programme with a new Transformation Plan adopted in 2018;
 - Set up a company called Northwood Group Ltd to develop and refurbish Council owned buildings and assets.

Cabinet were informed of the arrangements for the development of the new Corporate Plan to be adopted from 2020. This was to include a comprehensive range of discussions and workshops sessions with Members, staff and full consultation with the public and partners. This was to take place following the elections in May 2019 and would continue through the summer months.

The existing Corporate Plan targets had been reviewed and extended to cover the period whilst the new Corporate Plan was being developed in 2019/20, to ensure they remained relevant, in date and fit for purpose. The suite of targets were attached to the report at Appendix 2.

RESOLVED – That Cabinet:-

- (1) Notes the Council's achievements under the current Corporate Plan detailed within the Delivery Statement at Appendix 1, attached to the report.
- (2) Approves the refreshed Corporate Plan targets to be taken forward for 2019-20.
- (3) Notes the arrangements for the development of a new Corporate Plan to be adopted for 2020.

REASON FOR DECISION – To highlight the achievements under the existing Corporate Plan and to ensure that the performance targets remained relevant in the year 2019/20 whilst the new Corporate Plan was developed.

OTHER OPTIONS CONSIDERED AND REJECTED – The purpose of the report was to present details of the Council's achievements under the current Corporate Plan and to report on arrangements for the preparation of the new Corporate Plan. Therefore no alternative options were considered at this stage.

(Joint Strategic Director – Place/
Information, Engagement and Performance Manager)

641 Single Equality Scheme 2019-2023

Cabinet considered a report of Councillor R Smith, Portfolio Holder for Corporate Governance, which recommended the approval and adoption of the Single Equality Scheme 2019-2023 and informed Cabinet of the achievements and progress made under the previous scheme (2015-2019).

The Single Equality Scheme provided a framework for implementing the Council's obligations with regard to the general and specific equality duties and encompassed the range of characteristics as defined within the Equality Act 2010. The Scheme set out the Council's legal responsibilities for corporate objectives with actions and measures, performance monitoring arrangements and responsibilities for equality.

Four broader equality objectives were set out within the Scheme:-

- (1) Everyone can access our services facilities and information;
- (2) Decision making and services take into account the needs to residents and communities;
- (3) Discrimination, harassment and hate crime is not tolerated;
- (4) Our work force and work force policies support equality.

The final review of the Single Equality Scheme 2015-2019 gave examples of how the Council had met its equality duties and specific equality objectives. This information was to be published on the Council's website.

RESOLVED – That Cabinet approves and adopts the Single Equality Scheme 2019-2023 and that achievements and progress made under the previous scheme (2015-2019) be noted.

REASON FOR DECISION – To comply with the Council's statutory duty under the Equality Act 2010.

OTHER OPTIONS CONSIDERED AND REJECTED – As this was a statutory requirement, no alternative options were considered.

(Information, Engagement and Performance Manager)

642 Member Development Strategy Review 2019

Cabinet considered a report of Councillor R Smith, Portfolio Holder for Corporate Governance, which informed Cabinet of the review of the Member Development Strategy for 2019-2023 and sought approval for the revised Strategy.

During the review a self-assessment against the Local Government Association Member Charter Criteria was carried out to identify any areas for improvement for the delivery of Member Development at the Council. The review also took account of the recent additions to the Council's Constitution relating to mandatory training provisions for Committees and other essential areas of training.

Amendments and additions to the Member Development Strategy included:-

- Reference to Leadership Development support;

- Better promotion of Learning and Development opportunities and resources to improve equality of access;
- Exploring opportunities for sharing learning between Councillors;
- Improving the Learning and Development Programme by delivering Member Development in innovative ways;
- Reference to mandatory training for Committees and Ethical Standards, Safeguarding, Equalities and Diversity, Data Protection and Freedom of Information.

The Strategy also referred to the Local Government Association Councillor Handbook on Taxi and Private Hire Vehicles which stated that Councillors should not be permitted to sit on a Licensing Committee or Sub-Committee without having been formally trained. This approach was supported by the Department of Transport in its recent consultation version of its statutory guidance for licensing authorities.

RESOLVED – That Cabinet approves the revised Member Development Strategy for 2019-2023.

REASON FOR DECISION – In order to agree a strategic approach to the delivery of Member Development to ensure that Members are well equipped, confident and able to carry out their roles effectively.

OTHER OPTIONS CONSIDERED AND REJECTED – The option not to approve a Member Development Strategy was rejected due to the importance of Member Development.

(Senior Governance Officer)

Key Decisions

643 Business Rates Discretionary Retail Discount

Cabinet considered a report of Councillor P R Kerry, Portfolio Holder for Finance, which provided details of the Government's proposals for a new Discretionary Business Rates Retail Discount Scheme designed to support certain small and medium retail businesses and requested approval to adopt a scheme to meet the intent of the proposals.

The discount was scheduled to last two years, and Government expected Councils to use their discretionary powers under the Local Government Finance Act 1988 to grant it. This would be fully reimbursed to North East Derbyshire by Government through a grant.

The estimated total of additional discount to be granted was £597,000 of which 50% would be reimbursed.

A request was made for businesses to be made aware of the period of this discount which may be unsustainable if withdrawn by Government after the two year period.

RESOLVED – That Cabinet formally approves the adoption of a new Business Rates Retail Discount Scheme as set out in Appendix 1 to the report for the financial years 2019-20 and 2020-21.

REASON FOR DECISION – To enable local retail businesses to access the discount available through the Scheme.

OTHER OPTIONS CONSIDERED AND REJECTED – The option not to adopt the Scheme was rejected as this may have had local retail properties within the District ineligible to access the discount to their Business Rates.

(Joint Head of Finance & Resources)

644 Urgent Business (Public Session)

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

645 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, 2 and 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].

Non Key Decisions

646 Contentious Legal Team

Cabinet considered a report of Councillor R Smith, Portfolio Holder for Corporate Governance, on proposals for a temporary position within the Contentious Legal Team to be made permanent. An increase in the revenue budget of £31,439 was recommended to accommodate the changes.

RESOLVED – That, having considered the financial implications of the proposed changes to the structure present, Cabinet:-

- (1) Agrees to increase NEDDC's contribution to the legal staffing budget by £14,865 for 2019/20 and approximately £16,000 per annum thereafter to accommodate the changes to the Contentious Legal Team.
- (2) Agrees to meet the increased cost of the changes to the Contentious Legal Team from within existing pay budgets during 2019/20, funded in part of the reduction in hours of an established post. Following approval this increase will be included in the Medium Term Financial Plan for 2020/21 onwards.

REASON FOR DECISION – To provide resilience and cover to the Team and to support the Team in carrying out more prosecutions with less reliance on external legal services.

OTHER OPTIONS CONSIDERED AND REJECTED – The option not to make the post permanent was rejected due to the significant increase in the workload of the Contentious Legal Team.

(Solicitor – Team Manager [Contentious])
(Paragraphs 1, 2 & 3)

647 Management of Corporate Debt – Write Off of Outstanding Amounts

Cabinet considered a revised report of Councillor P R Kerry, Portfolio Holder for Finance, circulated at the meeting, which sought agreement to the proposed write off of debts in respect of the Collection Fund, Housing Revenue Account (HRA), Industrial Rents and Housing Benefit accounts as detailed in Appendix 1 to the report.

RESOLVED – That Cabinet agrees to write off the amounts in respect of National Non-Domestic Rates of £28,896.31, Council Tax of £21,774.82, Industrial Rents of £3,495.18, Housing Rents of £28,612.11 and Overpaid Housing Benefit of £8,518.89 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 considered.

(Joint Head of Finance and Resources)
(Paragraphs 1 & 3)

648 Urgent Business (Private Session)

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