

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 27 JANUARY 2022

Present:

Councillor Alex Dale (Chair)
Councillor Charlotte Cupit (Vice-Chair)

Councillor Mark Foster
Councillor Paul Parkin
Councillor Carolyn Renwick

Councillor Jeremy Kenyon
Councillor Alan Powell

Also Present:

M Broughton	Director of Transformation
G Callingham	Director of Growth
J Dethick	Assistant Director - Finance and Resources (Section 151 Officer)
S Sternberg	Assistant Director of Governance and Monitoring Officer
C Mills	Assistant Director - Leisure
A Maher	Senior Governance Officer

CAB/ Apologies for Absence **69/2**

1-22 With the agreement of the Chair, Councillor P Parkin contributed to the meeting virtually, through the electronic Conference Call system. He did not participate in the decisions taken by Cabinet at the meeting.

CAB/ Declarations of Interest **70/2**

1-22 There were no Declarations of Interest.

CAB/ Minutes of Last Meeting **71/2**

1-22 RESOLVED –

That the Minutes of the meeting held on 25 November 2021 were approved as a true record.

CAB/ Council Plan Targets Performance Update July to September 2021 (Q2 - 2021/22) **72/2** **1-22**

Cabinet considered performance against the Council Plan targets, for the second quarter of the 2021-22 financial year. Cabinet heard that nearly 30% of the Plan targets had now been achieved and that over half of them were on track to be achieved. The report to Cabinet explained that the number of targets affected by the Coronavirus Outbreak had continued to fall. It also explained that several targets might fail to reach their projected yearly outturn.

Cabinet noted that on Target ECO 04, the number of Council owned business premises occupied, had almost reached the target figure of 95%. The report

recommended that it now be classed as achieved. Members also heard that on Targets ECO 09, ECO 16 and ECO 21, the Council had now adopted specific Employment and Skills, Tourism and Growth Strategies for the District. Cabinet was asked to agree that they too be marked as achieved.

RESOLVED -

- (1) That Cabinet noted the quarterly outturns against the Council Plan 2019-2023 targets.
- (2) That target ECO 04 be marked as achieved as a Council Plan target and monitored monthly as a Key Performance Indicator (KPI).
- (3) That targets ECO 09, ECO 16 and ECO 21 be marked as achieved as Council Plan targets and their respective strategy action plans be monitored more fully through a suite of Key Performance Indicators (KPI's) and service plan targets.

REASONS FOR DECISION – To inform Cabinet of progress against the Council Plan targets and to bring to its attention specific achievements and areas of concern.

OTHER OPTIONS CONSIDERED AND REJECTED - No other options were considered. The report provided information and an overview of performance against agreed targets.

CAB/ Medium Term Financial Plan 2021/22 to 2025/26

73/2

1-22

As part of the Council's Medium Term Financial Plan (MTFP), the report to Cabinet set out the Current Budget for the 2021-22 financial year. It also set out the proposed Original Budget for the 2022-23 financial year, covering the General Fund, Housing Revenue Account and Capital Programme. Cabinet was asked to endorse and recommend them to Council for approval, at its meeting on 31 January 2022.

Members discussed the report. They considered the current year (2021-22) Revised Budget. Cabinet was reminded that the final outturn position would depend on actual financial performance. It noted that further budget changes might be required as the year progresses.

Cabinet was informed that the Coronavirus (Covid-19) outbreak had continued to impact on some of the Council's services. In particular, it had reduced the income received from fees and charges by the Leisure Service. Members were informed that this income had begun to recover, as more people begin to use Leisure Centres and facilities again. Cabinet also heard about the support that had been provided under the Government's Sales, Fees and Charges compensation scheme and how this had helped to make good the lost income.

Cabinet discussed the proposed Original Budget for 2022/23. Members were informed that the Local Government Finance Settlement, announced in late December 2021, had benefited the Council in several ways. This had reduced the financial challenges which had to be met when preparing the proposed Original

Budget for 2022-23.

Members recognised that further efficiency savings would be required in order to address the underlying forecast budget deficits during the other remaining years of the Council's Medium Term Financial Plan (MTFP). Cabinet welcomed the work which had taken place to develop an Efficiency Plan for achieving the necessary financial savings.

Members discussed the proposed Council Tax increase of £4.99 (2.58%), to be levied in respect of a notional Band D property for 2022-23. Cabinet felt that an increase in the Council Tax at this level would be required to maintain the Council's services to the District and its communities.

Cabinet discussed the proposed Housing Revenue Account. Members noted the 4.1% increase in housing rents recommended for 2022/23. Members reflected on how the proposed rent increase would be in line with Social Housing Rent Standard, set by the Government. This Standard allowed all registered providers of social housing, including local authorities, to apply annual rent increases of up to the Consumer Price Index (CPI) plus 1%. Cabinet felt that an increase at this level would help ensure that the Council's housing stock was adequately maintained and improved.

RESOLVED -

Council be recommended at its meeting on 31 January 2022:

- (1) That the view of the Assistant Director – Finance & Resources, that the estimates included in the Medium Term Financial Plan 2021/22 to 2025/26 are robust and that the level of financial reserves are adequate at this time, be accepted.
- (2) That officers report back to Cabinet and the Audit and Corporate Governance Scrutiny Committee on a quarterly basis, regarding the overall position in respect of the Council's budgets. These reports to include updates on achieving the savings and efficiencies necessary to secure a balanced budget over the life of the Medium Term Financial Plan.

General Fund

- (3) A Council Tax increase of £4.99 be levied in respect of a notional Band D property (2.58%).
- (4) The Medium Term Financial Plan in respect of the General Fund, as set out in **Appendix 1** to the report, be approved as the Current Budget 2021/22, as the Original Budget 2022/23, and as the financial projections in respect of 2023/24 to 2025/26.
- (5) That the General Fund Capital Programme, as set out in **Appendix 5** to the report, be approved as the Current Budget in respect of 2021/22, and as the Approved Programme for 2022/23 to 2025/26.
- (6) That any under-spend in respect of 2021/22 be transferred to the

Resilience Reserve to provide increased financial resilience for future years of the plan.

Housing Revenue Account (HRA)

- (7) That Council sets its rent levels for 2022/23 in line with the Social Housing Rent Standard, increasing rents by 4.1% from 1st April 2022.
- (8) That all other charges be implemented in line with the table shown at 1.43 in the report, with effect from 1 April 2022.
- (9) The Medium Term Financial Plan in respect of the Housing Revenue Account, as set out in **Appendix 4** to the report, be approved as the Current Budget in respect of 2021/22, as the Original Budget in respect of 2022/23, and the financial projection in respect of 2023/24 to 2025/26.
- (10) That the HRA Capital Programme, as set out in **Appendix 5** to the report, be approved as the Current Budget in respect of 2021/22, and as the Approved Programme for 2022/23 to 2025/26.
- (11) That the Management Fee for undertaking housing services at £9.751m and the Management Fee for undertaking capital works at £1.100m to Rykneld Homes in respect of 2022/23 be approved.
- (12) That Members endorse the section in the current Financial Protocol, which enables the Council to pay temporary cash advances to Rykneld Homes in excess of the Management Fee, in order to help meet the cash flow requirements of the company, should unforeseen circumstances arise in any particular month.
- (13) That Members note the requirement to provide Rykneld Homes with a 'letter of comfort' to the company's auditors and grant delegated authority to the Council's Assistant Director – Finance & Resources in consultation with the Portfolio Holder for Finance, to agree the contents of that letter.

REASONS FOR DECISION - To recommend budgets to Council in respect of the General Fund, the Housing Revenue Account and the Capital Programme.

OTHER OPTIONS CONSIDERED AND REJECTED - No alternative options were considered. The Council is required to set a budget each year.

CAB/ Parking Strategy

74/2

1-22

Members were informed that the report did not contain restricted information, under Paragraph 3 of the Local Government Act 1972, as was originally expected. Consequently it would now be considered on the Open part of the agenda, rather than as an Exempt Item, from which the public would be excluded.

The report to Cabinet set out the detailed response to the findings and recommendations of the Communities Scrutiny Committee review into Residential Parking.

Cabinet was reminded that it had previously considered the review and had welcomed the Committee's recommendations. Following on from this, it had asked for a detailed response to be prepared, which Members were now asked to consider and endorse. This explained the specific actions already taken in response to the Committee's recommendations and those further measures to be introduced.

Cabinet reiterated its support for Scrutiny Committee's review and welcomed the detailed response to the Committee's recommendations which had been prepared.

The report to Cabinet then explained the work to identify those priority areas in the District where parking improvements were most required. An assessment exercise, using a clear set of criteria, had taken place. Following on from this exercise a number of priority schemes had been identified. These schemes would form Phase One of what would be an overall programme to provide additional estate parking across the District, with further improvements in future years. Members supported this approach.

RESOLVED –

- (1) That Cabinet endorsed the proposed response to the Communities Scrutiny Committee review of Residential Parking, as set out in Appendix 1 to the report.
- (2) That Cabinet agreed the preferred options for the 'Priority 1 sites', as set out in Appendix 5 to the report.
- (3) That Cabinet endorsed the costs of the scheme, as set out in Appendix 4 to the report.
- (4) That a trial project to provide additional parking through the use of grass protection matting, be put in place at Adlington Avenue, Wingerworth and that other 'Priority 2' parking schemes be funded, if possible, on the terms and within the budget specified in the report.

REASONS FOR DECISION - To provide value for money and ensure that highest priority locations for improved parking are dealt with first.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not carrying out any works was considered but rejected, given the importance of parking issues, including safety and access, to the District.

CAB/ Urgent Items (Public)

75/2

1-22 None.

CAB/ Exclusion of Public

76/2

1-22 **RESOLVED** – That the public be excluded from the meeting during the discussion of the following item(s) of business to avoid the disclosure to them of exempt information as defined in 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 item].

CAB/ Sharley Park Development

77/2

1-22

Members considered the redevelopment of Sharley Park Leisure Centre. The report to Cabinet explained that the existing building would be replaced with a new Community Hub. In addition to the Leisure Centre, the Hub would include health service provision and various support services for local people.

Members discussed the proposals. They considered the contribution made by Sport England, the Football Foundation, Chesterfield Royal Hospital, Clay Cross Hospital and Citizens Advice in helping to shape the redevelopment proposals. Cabinet heard about how the new Hub would be financed and the funding to be received from the Clay Cross Town Deal. The report also explained the Council's proposed contribution and the conditions for this.

At the conclusion of the discussion, Cabinet welcomed the progress which had been made and emphasised its support for the redevelopment. Members welcomed the important role which the Community Hub would play and the benefits it would bring to Clay Cross and the District as a whole.

RESOLVED –

- (1) Cabinet agreed that the proposed redevelopment scheme be delivered at or better than the projected cost and financial forecast, as specified in the report.
- (2) That the redevelopment be progressed to completion, subject to the budget business case net cost forecast remaining less than £0.338m (2019/20 Sharley Park net cost).
- (3) That the Director of Transformation be authorised to take such action as is necessary to progress the scheme through to completion, providing that these decisions do not increase the Council's contribution of up to £13.5m towards the project and subject to the forecast net cost remaining below £0.338m (2019/20 Sharley Park net cost).
- (4) That the Director of Transformation be authorised, in consultation with Portfolio Holder for Leisure, Transformation and Climate Change, to enter into all necessary associated agreements in order to deliver the project.
- (5) That Council be recommended to fund through borrowing a contribution of £15.6m towards the project, subject to the forecast net cost remaining below £0.338m (2019/20 Sharley Park net cost)

REASONS FOR DECISION - To continue to make progress towards delivering a multi-million pound flagship community facility in Clay Cross Town Centre.

OTHER OPTIONS CONSIDERED AND REJECTED - Alternative options were considered but rejected for the reasons set out in the report.

CAB/ Dronfield Sports Centre – De-carbonisation Bid

78/2

1-22

The report to Cabinet sought approval for a project to improve the energy efficiency of the Dronfield Sports Centre. The project would be funded from grant aid secured from the Government's Public Sector Decarbonisation Scheme. The various improvements would help to reduce significantly the Carbon emissions impact of the Sports Centre and its energy costs to the Council.

Members welcomed the proposal and the Council's success in securing the necessary grant aid for the scheme from the Public Sector Decarbonisation Scheme.

RESOLVED -

- (1) That Cabinet approved the proposed de-carbonisation and other works at Dronfield Sports, on the terms set out in the report.
- (2) That Cabinet the Director of Transformation be authorised, in consultation with the Portfolio Holder for Transformation and Climate Change, to enter the relevant agreements/contracts associated with the effective delivery of the project.

REASONS FOR DECISION - To help extend the operational life and improve the financial performance of the Sports Centre. The works will help to reduce substantially the Sports Centre's carbon emissions, making it one of the least heat/carbon intensive leisure facilities within the Council's stock.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not entering into an agreement to secure Public Sector Decarbonisation Scheme funding to carry out the works was considered but rejected, as this would be likely delay unnecessarily works to 'de-carbonise' Dronfield Sports Centre and increase costs to the Council.

CAB/ East Midlands Housing (EMH) Group Holmewood Update

79/2

1-22

Cabinet was asked to support a Delegated Decision to provide financial support to East Midlands Housing Group (EMH), for a mixed tenure housing development at Holmewood. This development would include specialist accommodation for people with learning difficulties. The reasons for the Decision were explained to Members. Cabinet discussed the Delegated Decision and agreed to support it.

RESOLVED –

That Cabinet endorsed Delegated Decision DD-087-21-KA - EMH Group Holmewood on the provision of financial support to East Midlands Housing Group (EMH) for a mixed tenure housing development at Holmewood, including specialist accommodation for people with learning difficulties.

REASONS FOR DECISION – The financial support will help increase accommodation to meet a recognised housing need in the District and also support the Council Plan ambition to promote greater home ownership.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not financially supporting the development was considered but rejected.

CAB/ 80/2 1-22 **Compulsory Purchase Order (CPO) to support the Clay Cross Town Deal**

The report to Cabinet proposed that a Compulsory Purchase Process (CPO) and Timetable be developed, for if the Council was required to use its compulsory purchase powers to secure strategically important sites, in order to support the delivery of the Clay Cross Town Deal. Members discussed the proposal and agreed that it would be an appropriate course of action.

RESOLVED –

- (1) That Cabinet approved in principle the use of Compulsory Purchase Order (CPO) powers to support the delivery of the Clay Cross Town Deal.
- (2) That the Managing Director and Director of Growth be authorised, in consultation with the Portfolio Holder for Economic Growth, the Portfolio Holder for Finance, the Section 151 Officer and the Monitoring Officer, to progress negotiations and acquire any of the properties detailed in the report and subject to approval of the Towns Fund business case by Government – Department for Levelling Up, Housing and Communities (DLUHC)

REASONS FOR DECISION - To help prevent unnecessary delays if negotiated sales of properties could not be achieved and Compulsory Purchase Orders had to be made.

OTHER OPTIONS CONSIDERED AND REJECTED - The option not to investigating the option of using CPO powers was considered but rejected, for the reasons specified in the report.

CAB/ 81/2 1-22 **Staffing Arrangements - Property & Estates**

The report to Cabinet proposed that the current interim Assistant Director – Property be retained in post, until a permanent appointment is made to the position. Members discussed the valuable contribution which the interim appointee had made and the strong business and service case for retaining the post holder for a further period.

RESOLVED – That the interim management arrangements for the post of interim Assistant Director – Property be extended on the terms specified in the report.

REASONS FOR DECISION - To provide continuity of service delivery and handover following recruitment to the post permanently.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of allowing the role to become vacant was considered but rejected, due the amount of disruption this would cause and the work that needs to be managed.

CAB/ Coronavirus (Covid-19) Contingency Planning Update

82/2

1-22 Cabinet received an update on the contingency planning arrangements that were now ongoing at a regional and national level to help combat the outbreak of the Coronavirus (Covid-19).

CAB/ Urgent Items (Private)

83/2

1-22 None