

## **CABINET**

### **MINUTES OF MEETING HELD ON THURSDAY, 19 MAY 2022**

#### **Present:**

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

Councillor Jeremy Kenyon

Councillor Alan Powell

#### **Also Present:**

M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources & (Section 151 Officer)
L Hickin	Managing Director - Head of Paid Service
S Lee	Assistant Director of Transformation & Communications and SIRO
C Mills	Assistant Director - Leisure
S Sternberg	Assistant Director of Governance and Monitoring Officer
A Maher	Interim Governance Manager

#### **CAB/ Apologies for Absence**

**98/2**

**1-22** Apologies were received from Councillor C Renwick.

With the agreement of the Chair, Councillor M Foster and Councillor P Parkin contributed to the meeting virtually, through the electronic Conference Call system. They did not participate in the decisions taken by Cabinet at the meeting.

#### **CAB/ Declarations of Interest**

**99/2**

**1-22** Councillor A Dale and Councillor A Powell declared an interest in Item 6, Dronfield Burial Ground, in their capacity as Dronfield Town Councillors (Cllr Dale and Powell) and as an Unstone Town Councillor (Cllr Dale). Following advice from the Assistant Director of Governance and Monitoring Officer they confirmed that they would take part in Cabinet's discussion and determination on the matter.

Councillor M Foster and Councillor P Parkin also declared an interest in Item 6, Dronfield Burial Ground, in their capacity as Dronfield Town Councillors. They would continue to contribute to the meeting through the electronic Conference Call system, but would not participate in Cabinet's determination on the matter.

#### **CAB/ Minutes of the Last Meeting**

**100/**

**21-22** RESOLVED - That the minutes of the meeting held on 3 March 2022 were approved as a true record.

#### **CAB/ Council Plan Targets Performance Update - October to March 2022**

**101/**

**21-22** The report to Cabinet set out performance achieved against the Council Plan targets. The report recommended that four targets be now withdrawn from the

performance framework. These included SER 03 – to deliver £2M savings through the Transformation Programme by 2023. Members were informed that this specific target would no longer be required, as the work to deliver these savings was now firmly embedded within the Council's efficiency plan and its financial management processes.

Cabinet discussed the report. Members reflected on the significant advances which had been made and the improved performance of the Council and its services. They were reminded that the Council Plan performance targets had been developed before the Coronavirus (Covid-19) pandemic. Consequently, many of the specific targets did not reflect the changed circumstances in which the Council now operated. Cabinet felt it important that the performance framework as a whole be reviewed, to ensure that it accurately measured real performance in the new circumstances and what improvements had been achieved.

Specific mention was made in this context of the target ENV 17 – Measure of the percentage of cases of waste crime (Duty of Care and Fly Tipping) where sufficient evidence to prosecute has been identified, are progressed to legal services, with a prosecution file within sixty days. Members felt that that this did not reflect the large amount of environmental enforcement work which had been carried out and especially the strong action taken against fly tipping by the Council. There was a consensus that target should be revised, so that it focused on the outcomes achieved rather than detailed process issues.

#### RESOLVED

- (1) That Cabinet noted the outturns against the Council Plan 2019-2023 Targets as of 31 March 2022.
- (2) That targets ECO 30, ENV 08 and SER 03 be withdrawn from the corporate performance framework for the reasons stated in the report.

REASONS FOR DECISION – To inform Cabinet on the progress against the Council Plan targets, noting achievements and any areas of concern.

OTHER OPTIONS CONSIDERED AND REJECTED – None. The report provided information about the outturns against the Council Plan.

#### **CAB/ 102/ 21-22** County Wide Homelessness and Rough Sleeping Strategy

Members were asked to endorse the county-wide Homelessness and Rough Sleeping Strategy for Derbyshire. Cabinet heard how the Council had played a key role in developing the Strategy, in close collaboration with the other District and Borough authorities in Derbyshire, the NHS, Social Care providers and the Criminal Justice System. Through the Strategy the different agencies would collectively try to prevent homelessness through early interventions, end rough sleeping and offer sustainable long term support, to help prevent people from becoming homeless again.

Cabinet discussed the Strategy. Members welcomed the County-wide commitment by the District and Borough Councils and other agencies to take collective action. Cabinet noted how this commitment reflected the collaborative approach which they had developed in response to the Covid-19 pandemic. Members also welcomed the Council's contribution to developing the Homelessness and Rough Sleeping Strategy and thanked the relevant officers for their efforts.

#### RESOLVED

That Cabinet endorsed the County Wide Homelessness & Rough Sleeping Strategy.

REASONS FOR DECISION – To allow the Council to meet the needs of those with multiple and complex needs and the coming issues related to the increases in the cost of living.

OTHER OPTIONS CONSIDERED AND REJECTED – The option of proceeding with our own homelessness strategy was considered but rejected for the reasons explained in the report.

#### **CAB/ Dronfield Burial Ground**

**103/**

**21-**

**22**

The report to Cabinet explained that a dispute had arisen between Dronfield Town Council (DTC) and Unstone Parish Council (UPC) concerning the Dronfield and District Joint Burial Committee and the Cemetery Advisory Committee. The report explained the basis for the dispute and the request of DTC and UPC for North East Derbyshire District Council to resolve it, by determining whether the Dronfield and District Joint Burial Committee should now be dissolved.

Members were informed that as there was no set procedure for taking this decision, it was proposed that both Council's should make a written submission setting out their arguments. North East Derbyshire District Council's Managing Director would then decide on the matter. Cabinet felt that this would be appropriate and agreed to support the approach.

#### RESOLVED

Cabinet agreed:

- (1) To delegate to the Managing Director the power to determine whether the Dronfield and District Joint Burial Committee and any involvement by Unstone Parish Council in the Cemetery Advisory Committee should be ended.
- (2) To delegate the preparation of the procedures for determining the above to the Managing Director in consultation with the Assistant Director of Governance and Monitoring Officer.

REASONS FOR DECISION – A decision of this nature is an executive decision and would normally be taken by Cabinet. However, due to the number of Cabinet

Members that would need to declare a procedural interest, the decision will be delegated to the Managing Director. A procedure based on written representation will need to be prepared for all parties to follow.

OTHER OPTIONS CONSIDERED AND REJECTED – The option not to delegate the decision to the Managing Director was considered but rejected for the reasons specified in the report.

**CAB/ Urgent Items (Public)**

**104/**

**21-** None.

**22**

**CAB/ Exclusion of Public**

**105/**

**21-** 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.

**22**

**CAB/ Sharley Park Tag Active / Low Carbon**

**106/**

**21-** Members were asked to approve investment to install a TAG Active exercise facility at the Sharley Park Community Hub. The report also explained that subject to Cabinet's agreement additional funding would be provided through the Clay Cross Town Deal Board to install carbon reduction technology on the site.

**22**

Cabinet discussed the report. Members welcomed the proposal to install the TAG Active exercise facility and the benefits that this would have, by encouraging people to use the new Community Hub, and so improve their health and wellbeing. Cabinet also welcomed the opportunity for additional funding from the Town Fund to install carbon reduction technology. Members felt that this should be supported.

RESOLVED

Cabinet agreed:

- (1) To deliver the scheme to install a TAG active at Sharley Park and operate the facility in line with or better than the cost and financial forecast identified, and increase the Council's financial contribution accordingly.
- (2) To accept a further £1m funding through the Towns fund to provide low carbon technology.
- (3) To delegate authority to the Director of Growth and Assets to take such action as is necessary to progress the scheme through to completion.

REASONS FOR DECISION – To continue with the Leisure Facilities Investment Programme in order to reduce operating costs and improve participation rates for younger people.

OTHER OPTIONS CONSIDERED AND REJECTED – Alternative options such as rejecting the funding and not installing low carbon technologies were considered but rejected for the reasons specified in the report.

**CAB/ Compulsory Purchase Order - Empty Property**

**107/**

**21-**

**22**

The report to Cabinet asked Members to determine whether a long term empty property, in a poor state of repair, should be acquired through the use of a Compulsory Purchase Order (CPO). Cabinet heard how efforts to resolve issues around its ownership had not been successful. This meant that the only practical way to resolve the problem would be for the Council to purchase the property through a CPO.

RESOLVED

That Cabinet agreed to acquire 72 Hilltop Road, Dronfield, through the use of a Compulsory Purchase Order

REASONS FOR DECISION – To enable the property to be brought back into use after being vacant for many years.

OTHER OPTIONS CONSIDERED AND REJECTED – Alternative options, such as proceeding with an Empty Dwelling Management Order, were considered but rejected for the reasons specified in the report.

**CAB/ Urgent Items (Private)**

**108/**

**21-**

**22**

None.