

North East Derbyshire District Council – Decisions taken by the Cabinet on Thursday, 2 March 2023

Agenda Item No	Topic	Decision
Item 4	Medium Term Financial Plan Budget Monitoring Report April - December 2022	<p><u>RESOLVED</u> - That Cabinet noted the 2022-23 Quarter Three budget monitoring position outlined in the report and detailed in Appendices 1-5.</p> <p><u>REASONS FOR DECISION</u> – To inform Members of the financial position of the Council following the third quarter’s budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury Management activity.</p> <p><u>OTHER OPTIONS CONSIDERED AND REJECTED</u> – The report was concerned with monitoring the position against the Council’s previously approved budget. Accordingly the report did not set out any options where a decision was required by Members.</p> <p>Please note that this was not a Key Decision so can be implemented by officers with immediate effect.</p>
Item 5	Council Plan Targets Performance Update - October to December 2022	<p><u>RESOLVED</u> - That outturns against the Council Plan 2019-2023 targets were noted.</p> <p><u>REASONS FOR DECISION</u> – The report was to keep Members informed of progress against the Council Plan targets, noting achievements and any areas of concern.</p> <p><u>OTHER OPTIONS CONSIDERED AND REJECTED</u> – Not applicable to the report as it was providing an overview of performance against agreed targets.</p> <p>Please note that this was not a Key Decision so can be implemented by</p>

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		officers with immediate effect.
Item 6	North East Derbyshire Local Development Scheme 2023	<p><u>RESOLVED</u> – That the interim Local Development Scheme be brought into effect on 6 March 2023 and published on the Council’s website.</p> <p><u>REASONS FOR DECISION</u> – There was a need to publish an up-to-date Local Development Scheme (LDS) to meet statutory requirements.</p> <p><u>OTHER OPTIONS CONSIDERED AND REJECTED</u> – The preparation of a LDS was a statutory requirement and there were no reasonable alternative options.</p> <p>Please note that this was not a Key Decision so can be implemented by officers with immediate effect.</p>
Item 9	Management of Corporate Debt - Write Off of Outstanding Amounts	<p><u>RESOLVED</u> - That Cabinet agreed to the proposed write off of debts in respect of rents, council tax and business rates as detailed in Appendix 1 to the report.</p> <p><u>REASONS FOR DECISION</u> – All available options to recover this debt had been explored with write off being the final option in the debt management process.</p> <p><u>OTHER OPTIONS CONSIDERED AND REJECTED</u> – These were outlined in the main body of the report.</p> <p>Please note that this was not a Key Decision so can be implemented by officers</p>

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		with immediate effect.
Item 10	Compulsory Purchase Order - Empty Property	<p><u>RESOLVED</u></p> <p>That Cabinet agreed:</p> <p>(1) To make the North East Derbyshire District Council (72 Hilltop Road, Dronfield) Compulsory Purchase Order 2023 (the “CPO”) under section 17 of the Housing Act 1985 of land and rights within the area edged red on the Order Map (the Order Land) at Appendix 2 for the purposes of enabling the refurbishment of the Property for one of the purposes set out in section 17(1) of the Housing Act 1985 and</p> <p>(2) That the Director of Finance and Resources (S151 Officer) in consultation with the Assistant Director of Governance and Monitoring Officer be authorised to effect the making, confirmation, and implementation of the CPO and to take all necessary steps to give effect to the CPO in respect of the Order Land included, but not limited to, the following procedural steps:</p> <p>a) finalising the Statement of Reasons (at Appendix1) setting out the Council's reasons for making the CPO;</p> <p>b) making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;</p> <p>c) acquiring all interests and new rights within the Order Land as may be necessary to facilitate the redevelopment of the Property either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of their land interests; the payment of compensation and dealing with any blight notices served in connection with</p>

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		<p>the CPO;</p> <ul style="list-style-type: none"> d) approving agreements with landowners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the CPO, including where appropriate seeking exclusion of land from the CPO; e) making any necessary additions, deletions, or amendments to the Order Land and to seek any requisite modifications to the CPO Order and any CPO Order Map. f) the preparation and presentation of the Council's case at any Public Inquiry which may be necessary g) seeking confirmation of the CPO by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981) (the 1981 Act); h) publication and service of notices of confirmation of the CPO and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area, including, if required, High Court Enforcement Officer notices; and i) referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber). <p>(3) That the Director of Finance & Resources (S151 Officer) in conjunction with the Portfolio Holder for Housing and Communities be authorised to further appraise and consider potential options for the use or disposal of the specified long-term empty property and associated land following its purchase and to determine and</p>

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		<p align="center">implement the most appropriate option.</p> <p><u>REASONS FOR DECISION</u> – To achieve both a quantitative and qualitative housing gain to an area of the District, providing an additional unit or units of residential accommodation that could be occupied and significantly increase the amenity of the Property and the residential area surrounding it.</p> <p>Failure to secure the CPO would result in further dilapidation to the Property and further complaints from local residents, and the CPO would enable the Property to be brought back into use, either as one or two dwellings.</p> <p><u>OTHER OPTIONS CONSIDERED AND REJECTED</u> – Other options were considered but rejected for the reasons specified in the report. One of the alternative options considered was to not proceed with the CPO and to continue to work with the executor.</p> <p>This is a Key Decision. The call-in period for the decision will run until Monday 13 March 2023.</p>