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**North East
Derbyshire**
District Council

Our Ref:

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Date: Wednesday, 13 September 2023

To: **Members of the Cabinet**

Please attend a meeting of the Cabinet to be held on **Thursday, 21 September 2023, at 4.00 pm in the District Council Offices, Mill Lane, Wingerworth, Chesterfield, S42 6NG**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

The meeting will also be live streamed from the Council's website on its You Tube Channel. Click on the following link if you want to view the meeting:

[North East Derbyshire District Council - YouTube](#)

Yours sincerely

Assistant Director of Governance and Monitoring Officer

<u>Cabinet Members</u>	
Councillor N Barker (Chair) Councillor J Birkin Councillor S Pickering	Councillor J Barry Councillor P Kerry (Vice-Chair) Councillor K Rouse

For further information about this meeting please contact Alan Maher 01246 217391

Notice of Meeting to be held in Private

It is intended that part of this meeting will be held in private under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The matters to be considered in private are listed under the heading Private Session. The categories of exempt information that are likely to be disclosed during the discussion of these items, as defined in Part 1 of Schedule 12A to the Local Government Act 1972, are listed below each item.

No representations have been received requesting that these items be open to the public.

A G E N D A

Public Session

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes of the Last Meeting (Pages 6 - 9)

To approve as a correct record and the Leader to sign the attached Minutes of the meeting of Cabinet held on Thursday 27 July 2023.

4 Medium Term Financial Plan: Budget Monitoring Report April-June 2023 (Q1) (Pages 10 - 21)

Report of Councillor P Kerry, Deputy Leader of the Council and Portfolio Holder for Strategic Leadership and Finance.

5 Establishment of Local Plan Review Working Group (Pages 22 - 29)

Report of Councillor S Pickering, Portfolio Holder for Environment and Place

6 Decision on the Brampton Parish Neighbourhood Plan (Pages 30 - 55)

Report of Councillor S Pickering, Portfolio Holder for Environment and Place.

7 North East Derbyshire UK Shared Prosperity Fund Update (Pages 56 - 61)

Report of Councillor J Barry, Portfolio Holder for Growth and Assets.

8 Funding to Voluntary and Community Sector Infrastructure Support Organisations - Summary of Outcomes for 2022/23 (Pages 62 - 67)

Report of Councillor J Barry, Portfolio Holder for Growth and Assets

Cabinet will be asked to agree that the public be excluded from the meeting during the discussion of this item of business to avoid the disclosure to them of exempt information as defined in Paragraph 1, Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

9 Exclusion of Public

The Leader to move:-

That the public be excluded from the meeting during the discussion of the following item 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].

10 Clay Cross Town Centre Regeneration Scheme - ADDITIONAL ITEM (Pages 68 - 112)

Report of Councillor J Barry, Portfolio Holder for Growth and Assets

(Paragraph 3)

11 Urgent Items

To consider any other matter which the Leader is of the opinion should be considered as a matter of urgency, in accordance with the provisions of Statutory Instrument 2012 No 2089, Regulation 11.

Access for All statement

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CABINET

MINUTES OF THE MEETING HELD ON THURSDAY, 27 JULY 2023

Present:

Councillor Nigel Barker (Chair) (in the Chair)
Councillor Pat Kerry (Vice-Chair)

Councillor Joseph Birkin
Councillor Kathy Rouse

Councillor Stephen Pickering

Also Present:

J Dethick	Director of Finance and Resources & (Section 151 Officer)
L Hickin	Managing Director - Head of Paid Service
D Thompson	Assistant Director of Planning
S Sternberg	Assistant Director of Governance and Monitoring Officer
K Drury	Information Engagement & Performance Manager
T Burdett	Partnership Development Officer
A Maher	Governance Manager
T Scott	Governance and Scrutiny Officer

CAB/ Apologies for Absence

19/2

2-23 An apology for absence was received from Councillor Jayne Barry.

CAB/ Declarations of Interest

20/2

2-23 None.

CAB/ Minutes of the Last Meeting

21/2

2-23 RESOLVED - That the Minutes of the meeting held on 29 June 2023 were approved.

CAB/ The Council Plan 2023 - 2027

22/2

2-23 The report to Cabinet explained that a draft Council Plan had now been prepared for 2023 to 2027. Cabinet was asked to endorse the Plan and recommend it to Council for approval.

Cabinet discussed the draft Council Plan. They reflected on the proposed vision for North East Derbyshire, particularly how strong community leadership would be at the heart of everything the Council did, and would seek to create a 'Great Place'. Through the Plan, the Council would aim to create a place where people could earn a decent living, have a comfortable home, live long, happy and healthy lives, feel safe in their communities and be conscious of and care for its environment. The Leader of the Council made clear that the Plan was intended to evolve and grow over the four-year term of the Council, and that it would be delivered in an inclusive and transparent way. The Council would do this in

collaboration with other public sector organisations, businesses, voluntary organisations and the District's communities as a whole.

At the conclusion of the discussion, Members demonstrated that they wished to recommend the Plan to Council, and thanked the officers who had been responsible for putting the Plan together.

RECOMMENDATION TO COUNCIL – That Cabinet recommended to Council to approve the draft Council Plan for 2023 to 2027.

REASONS FOR DECISION – To ensure that the Council's work is carefully planned and structured.

OTHER OPTIONS CONSIDERED AND REJECTED – None. Having a Council Plan is good practice and gives a clear strategic direction for the Council.

CAB/ 23/2 2-23 Five Year Housing Land Supply - Position Statement

The Assistant Director of Planning presented a report advising Cabinet of the latest five-year housing land supply position in the District prior to the publication of the information on the Council's website.

Cabinet discussed the content of the report. Members noted the Government's proposals to reform the planning system and discussed the Council's response to this.

At the conclusion of the discussion, Members indicated their support for the position statement.

RESOLVED – That Cabinet noted the annual assessment of the five-year land supply of deliverable sites for Housing.

REASONS FOR DECISION – To ensure Members are aware of the Council's latest position on the Five Year Housing Land Supply, prior to publication of the information on the Council's website.

OTHER OPTIONS CONSIDERED AND REJECTED – None. National Planning Guidance requires local planning authorities to publish an annual Five Year Housing Land Supply Statement.

CAB/ 24/2 2-23 Council Plan Targets Performance Update, January to March 2023 (Quarter 4)

The Information, Engagement and Performance Manager presented a report advising Cabinet of the final outturns for the Council Plan 2019-2023 targets as of 31/03/23.

Out of the 77 targets:

- 68 (88%) targets achieved their intended outturns at the end of the Council Plan (38 (48%) at the end of Q4 2022/23 and 30 (38%) previously within the

- plan period).
- 9 (12%) targets failed to achieve their intended targets.

Cabinet discussed the content of the report. Members enquired if the previously discussed change to the performance measuring criteria had progressed. Members were informed that officers were working to produce the new criteria, and the development of the Performance Management framework would be decided around the new criteria.

RESOLVED – That Cabinet noted the outturns against the Council Plan 2019-

REASONS FOR DECISION – This was an information report to keep Members informed of progress against the Council Plan targets. This was the last report on performance on the previous Council Plan, and work was ongoing in relation to the new Council Plan performance framework.

OTHER OPTIONS CONSIDERED AND REJECTED – Not applicable, as the report provided an overview of performance against agreed targets.

CAB/ 25/2 2-23 **Medium Term Financial Plan - Financial Outturn 2022/23**

The report to Cabinet set out the outturn position of the Council for the 2022/23 financial year, and proposed a carry forward of capital budgets totalling £10.783m.

Cabinet discussed the content of the report. Members heard how the Director of Finance and Resources was responsible for the preparation of the authority's Statement of Accounts which, in terms of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in United Kingdom, was required to present a true and fair view of the financial position of the authority at the accounting date and its income and expenditure for the year ended 31 March 2023.

At the conclusion of the discussion, Members indicated their support for the proposed capital budgets carry forward.

RESOLVED

- (1) That Cabinet noted the outturn position in respect of the 2022/23 financial year.
- (2) That Cabinet approved the proposed carry forward of capital budgets detailed in Appendix 4 totalling £10.783m.

REASONS FOR DECISION – To appraise Cabinet of the Council's financial management during 2022-23, and to enable specific capital budgets to be carried forward into the current financial year.

OTHER OPTIONS CONSIDERED AND REJECTED – The financial outturn report was primarily a factual report, detailing the actual position compared to previously approved budgets. Consequently, there were no alternative options to be considered. The allocation of resources to earmarked reserve accounts was undertaken in line with the Council's Policy and Service Delivery Framework and

in the light of the risks and issues facing the Council over the period of the current Medium Term Financial Plan (MTFP).

CAB/ 26/2 2-23 Funding to Voluntary and Community Sector Infrastructure Support Organisations - Summary of Outcomes for 2022/23

The report to Cabinet provided an overview of the outcomes achieved in 2022/23 by voluntary and community sector infrastructure support organisations funded by the Council.

Cabinet discussed the content of the report. Members were informed that in 2019, Cabinet agreed to receive an officer summary report regarding voluntary and community sector organisations, whilst retaining the option of requesting the organisations to present to Cabinet as required.

At the conclusion of the discussion, Members noted the update report.

RESOLVED – That Cabinet noted the report.

REASONS FOR DECISION – To ensure that the Council maximises efficiencies and outcomes through commissioning voluntary sector organisations to help achieve the Council's Priorities.

OTHER OPTIONS CONSIDERED AND REJECTED – No alternative options were considered appropriate, as the aim of the review was to increase transparency and accountability of commissioned services.

CAB/ 27/2 2-23 Urgent Items

None.

North East Derbyshire District Council

Cabinet

21 September 2023

Medium Term Financial Plan Budget Monitoring Report April – June 2023 (Q1)

Report of the Deputy Leader with Responsibility for Finance

Classification: This report is public

Report By: Jayne Dethick, Director of Finance and Resources (S151 Officer)

Contact Officer: Jayne Dethick

PURPOSE/SUMMARY

To update Cabinet on the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account and the Capital Programme

RECOMMENDATIONS

1. That Cabinet note the quarter one budget monitoring position outlined in this report and detailed in **Appendices 1-4**.

Approved by the Portfolio Holder – Deputy Leader with responsibility for Finance

IMPLICATIONS

Finance and Risk

Yes ✓

No

It is important that the Council maintains robust budgetary control and monitoring processes in order to safeguard both its reserves and its financial resilience.

The issue of financial risk and resilience is covered throughout the report. In addition, it should be noted that not achieving a balanced budget is outlined as a key risk within the Council's Strategic Risk Register.

All other financial implications are covered in the relevant sections throughout the report

On Behalf of the Section 151 Officer

Legal including Data Protection

Yes

No ✓

There are no legal issues arising directly from this report.

Staffing**Yes****No ✓**

There are no staffing issues arising directly from this report.

On Behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details:

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.

All

REPORT DETAILS**1 Background**

To update Cabinet on the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account and the Capital Programme.

2 General Fund

- 2.1 The position in respect of the General Fund as at 30 June 2023 is summarised in **Appendix 1** attached to this report. The appendix shows the Original Budget that was set in January 2023, together with the Current Budget compared to the 30 June position.
- 2.2 As at quarter one the overall forecast is for the General Fund to underspend by (£0.177m). Variances of note by Directorate are detailed at 2.3 – 2.5 below and **Appendix 2** provides a more detailed breakdown by directorate.
- 2.3 The Organisation and Place Directorate is £0.029m higher than the original forecast. The main variances are in relation to additional spend on agency staff of £0.113m, lower levels of planning fee income of £0.071m and increased HR legal fees of £0.035m. This is partially offset by reduced spend on salaries of £0.096m, an underspend on utilities at Eckington Depot of £0.012m and Transport materials of £0.015m along with a number of smaller variances but nothing of particular note.
- 2.4 The Finance and Resources Directorate is £0.071m lower than the original forecast. The main variances are in relation to higher than forecast housing benefit grant income of £0.094m partially offset by the increased cost of B&B accommodation of £0.023m.
- 2.5 The Growth and Assets Directorate is £0.136m lower than the original forecast. Across the directorate utility costs are lower than forecast by £0.158m and income is £0.021m lower than forecast. Overspends on salaries equate to £0.020m.
- 2.6 The budget approved in the MTFP in January included a pay award of 4% but as the final pay award has not yet been agreed the profiled budget for quarter one excludes this for monitoring purposes. In respect of negotiations, at the time of writing, the final employer offer was £1,925 increase to each spinal column point, averaging at a 6.5% increase. Should this be agreed, it will cost the Council a further £0.470m annually and this will need to be provided for in the revised budget.

Financial Reserves

2.7 Transfers from Earmarked Reserves

The use of earmarked reserves in 2023/24 to date is £1.022m comprising:

- £0.288m from revenue grants
- £0.734m from earmarked reserves

The majority of the transfers from earmarked reserves relate to resilience reserves, see 2.11 below.

2.8 Transfers to Earmarked Reserves

There have been transfers to earmarked reserves during 2023/24 totalling £0.380m which is entirely made up of revenue grants.

- 2.9 There are ongoing commitments against the earmarked reserves which will continue in 2023/24 and future years. Should any of the reserves prove unnecessary in the light of subsequent events then they will be moved back into unallocated General Fund resources.

Invest to Save

- 2.10 The Invest to Save Reserve had an opening balance £2.700m at 1 April 2023. Commitments already made against this reserve for 2023/24 and future years amount to £0.799m leaving £1.901m currently uncommitted and available for future innovations and spend to save initiatives.

Resilience Reserve

- 2.11 The Resilience Reserve had an opening balance of £2.927m at 1 April 2023, and commitments in the current financial year are forecast to reduce this to £1.734m by the end of year. This will be utilised to provide financial resilience to the General Fund in future years as required by Medium Term Financial Plan.

General Fund Balances

- 2.12 The level of General Fund Balances has been maintained at £2.000m. The General Fund balances are considered to be at an acceptable level rather than generous. The General Fund balance needs to be considered against the background of ongoing reductions in the level of Government funding together with the range of risks facing the Council. With only a limited level of General Fund reserves it is crucial that the Council continues to maintain robust budgetary control while securing its ongoing savings targets in order to safeguard both its reserves and its financial sustainability.

Housing Revenue Account (HRA)

- 2.13 **Appendix 3** shows the HRA position at quarter one. To date the HRA has remained relatively stable with income above budget by £0.058m and expenditure above budget by £0.031m resulting in an overall income position of £0.027m. The expenditure variance is largely due to the cost of insurance claims awaiting settlement by the insurers. The income variance is partly due to a small reduction in voids and prepaid garage rents are also a factor but these will regularise as the year progresses. Court costs recovered are lower than budget at this stage too.

Capital Investment Programme

- 2.14 **Appendix 4** shows the capital position at quarter one which is currently £3.829m lower than the forecast.
- 2.15 The HRA capital programme is forecast to be lower by £4.154m largely due to the North Wingfield New Build, work has now commenced on site. HRA Capital Works are lower than profile at Q1 but this is not unusual at the start of a new programme year. The General Fund capital programme is higher by £0.325m as a result of the UK Shared Prosperity Funding being secured following the approval of the capital programme.
- 2.16 The Council has sufficient capital resources in place to finance the actual expenditure and commitments of the capital programme this year.

3 Reasons for Recommendation

- 3.1 The report summarises the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account and Capital Programme.

4 Alternative Options and Reasons for Rejection

- 4.1 This report is concerned with monitoring the position against the Council's previously approved budget. Accordingly the report does not set out any options where a decision is required by Members.

DOCUMENT INFORMATION

Appendix No	Title
1	General Fund Summary Monitoring Q1 2023/24
2	General Fund Detail Monitoring Q1 2023/24
3	HRA Monitoring Q1 2023/24
4	Capital Expenditure Monitoring Q1 2023/24
Background Papers	

APPENDIX 1

GENERAL FUND ACCOUNT - SUMMARY BUDGET MONITORING 2023/24 (QUARTER 1)

	Original Budget 2023/24 £	Current Budget 2023/24 £	Q1 Profiled Budget 2023/24 £	Actuals £	Variance £
Organisation and Place Directorate	7,154,824	7,065,970	2,041,697	2,070,892	29,195
Finance and Resources Directorate	4,563,943	4,587,128	1,227,106	1,156,334	(70,772)
Growth and Assets Directorate	3,736,445	3,696,292	327,228	191,564	(135,664)
Recharges to Capital and HRA	(618,350)	(618,350)	0	0	0
Net Cost of Services	14,836,862	14,731,040	3,596,030	3,418,790	(177,240)
Investment Properties	(449,920)	(449,920)	(127,093)	(152,690)	(25,597)
Bad Debt Provision	40,000	40,000	10,000	10,000	0
Interest	(479,180)	(479,180)	(119,889)	(164,940)	(45,051)
Debt Repayment Minimum Revenue Provision	56,000	56,000	14,000	14,000	0
Parish Precepts	3,556,306	3,556,306	889,077	889,077	0
Transfer To Earmarked Reserves	20,000	379,983	379,983	379,983	0
Transfer From Earmarked Reserves	(232,064)	(486,225)	(486,225)	(486,225)	0
Transfer Shortfall From Resilience Reserve	(783,661)	(783,661)	(783,661)	(535,773)	247,888
Total Spending Requirement	16,564,343	16,564,343	3,372,222	3,372,222	0
Business Rates	(5,297,035)	(5,297,035)	(1,324,259)	(1,324,259)	0
New Homes Bonus	(602,080)	(602,080)	(150,520)	(150,520)	0
3% Funding Guarantee	(259,008)	(259,008)	(63,629)	(63,629)	0
Services Grant	(108,841)	(108,841)	(28,329)	(28,329)	0
Collection Fund (Surplus)/Deficit - Council Tax	(81,168)	(81,168)	0	0	0
Collection Fund (Surplus)/Deficit - NNDR	0	0	0	0	0
NEDDC Council Tax Requirement	(6,659,905)	(6,659,905)	(1,664,976)	(1,664,976)	0
Parish Council Council Tax Requirement	(3,556,306)	(3,556,306)	(889,077)	(889,077)	0
Council Tax Requirement	(16,564,343)	(16,564,343)	(4,120,790)	(4,120,790)	0

GENERAL FUND ACCOUNT - DETAILED BUDGET MONITORING 2023/24 (QUARTER 1)

		Profiled Budget 2023/24 £	Actuals 2023/24 £	Variance £
<u>Organisation & Place Directorate</u>				
Managing Director & Head Of Paid Service				
4500	Managing Director - Operations & Head of Paid Service	53,410	56,625	3,215
5720	Supporting PA's	32,109	35,099	2,990
		85,519	91,724	6,205
Assistant Director Environmental Health				
3400	Environmental Protection	58,264	76,861	18,597
3401	Food, Health & Safety	59,626	59,113	(513)
3402	Environmental Enforcement	57,805	60,601	2,796
3403	Community Outreach	17,016	18,767	1,751
3404	Licensing	35,434	30,102	(5,332)
3405	Pollution	59,491	62,288	2,798
3407	Pest Control	15,114	15,250	136
3408	Home Improvement	15,849	6,000	(9,849)
3409	EH Technical Support & Management	106,394	102,834	(3,560)
3410	Private Sector Housing	39,188	43,139	3,951
3419	Destitute Funerals	999	(1,350)	(2,349)
3420	Fly Tipping	1,500	0	(1,500)
3423	Air Quality Feasibility Study	(11,710)	(11,710)	0
3426	Covid Enforcement Team	125	125	(0)
3427	Private Water Supply Contract	0	2,236	2,236
3429	Joint Assistant Director Environmental Health	21,480	22,465	985
3726	Works In Default	1	4,314	4,313
		476,577	491,035	14,458
Assistant Director Streetscene				
3174	Street Scene	81,289	58,064	(23,225)
3227	Materials Recycling	207,519	206,536	(982)
3282	Eckington Depot	33,010	20,893	(12,117)
3285	Dronfield Bulk Depot	876	0	(876)
3511	Hasland Cemetery	(9,078)	(6,223)	2,855
3513	Temple Normanton Cemetery	(816)	(1,768)	(952)
3514	Clay Cross Cemetery	(15,552)	(18,112)	(2,560)
3516	Killamarsh Cemetery	(3,667)	(5,521)	(1,854)
3918	Dog Fouling Bins	1,251	0	(1,251)
3921	Street Cleaning Service	137,325	126,799	(10,527)
3943	Transport	133,696	124,115	(9,582)
3944	Grounds Maintenance	156,917	138,228	(18,690)
3945	Domestic Waste Collection	352,613	391,618	39,005
3946	Commercial Waste Collection	(373,303)	(370,388)	2,914
3947	Assistant Director Streetscene	19,008	19,890	882
		721,088	684,130	(36,959)
Assistant Director Planning				
4111	Applications And Advice	(168,639)	(104,592)	64,047
4113	Planning Appeals	0	7,320	7,320
4116	Planning Policy	91,282	78,998	(12,284)
4311	Environmental Conservation	693	0	(693)
4511	Assistant Director Planning	12,274	1,599	(10,675)
4513	Planning	223,811	233,757	9,946
		159,421	217,081	57,660
Assistant Director Governance				
1121	Member's Services	123,414	116,714	(6,700)
1123	Chair's Expenses	1,629	1,010	(619)
1131	District Elections	122,719	122,719	0
1133	Parish Elections	57,625	57,625	(0)
1137	Parliamentary Elections	0	5	5

		Profiled Budget 2023/24	Actuals 2023/24	Variance
1138	Police & Crime Commissioner Elections	19,420	19,420	(0)
1139	County Council Elections	0	2,024	2,024
1231	Corporate Training	10,503	6,040	(4,463)
1259	Corporate Groups	1,503	122	(1,381)
1311	Human Resources	69,608	88,198	18,590
3121	Health & Safety Advisor	3,864	711	(3,153)
5273	Brass Band Concert	1,251	0	(1,251)
5313	Register Of Electors	11,872	8,635	(3,237)
5321	Assistant Director Governance	22,374	23,981	1,607
5353	Legal Section	60,734	63,779	3,044
5354	Land Charges	(4,275)	(7,768)	(3,493)
5392	Scrutiny	8,496	9,219	722
5711	Democratic Services	88,355	74,488	(13,867)
		599,092	586,922	(12,170)

Total for Organisation & Place Directorate	2,041,697	2,070,892	29,195
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Finance & Resources Directorate

Director of Finance & Resources

1312	Payroll	14,501	29,745	15,244
1315	Design & Print	28,550	31,906	3,356
1321	Communications & Marketing	26,274	29,943	3,669
1323	NEDDC News	(4,594)	(1,000)	3,594
1329	Corporate Web Site	279	1,467	1,188
3512	CBC Crematorium	200,000	200,000	0
5113	Unison Duties	4,616	56	(4,560)
5611	External Audit	(62,364)	(62,364)	0
5615	Bank Charges	31,650	34,802	3,152
5621	Contribution to/from HRA	0	0	0
5713	Audit	48,141	49,223	1,082
5714	Financial Support Services	876	447	(429)
5715	Procurement	0	0	0
5716	Director of Finance & Resources	13,506	14,145	639
5721	Financial Services	126,443	136,205	9,762
5724	Insurance	(59,213)	(59,213)	(1)
5725	Apprenticeship Levy	11,256	8,830	(2,426)
5727	Cost Of Ex-Employees	15,200	15,200	(0)
5728	Covid-19 Response	25,148	28,480	3,332
		420,269	457,870	37,600

Assistant Director ICT

5215	Telephones	11,439	12,901	1,462
5216	Mobile Phones and I pads	7,078	4,433	(2,645)
5701	Joint ICT Service	338,906	323,241	(15,665)
5734	NEDDC ICT Service	113,712	110,279	(3,433)
5736	Business Development	103,837	97,377	(6,460)
5737	Corporate Printing Costs	3,000	31	(2,969)
		577,972	548,262	(29,710)

Assistant Director Governance

1218	Community Safety	35,655	38,278	2,623
1220	Assistant Director Communities	10,044	9,941	(103)
3165	Housing Options Team	45,988	63,882	17,894
3176	Pool Car	126	41	(85)
3740	Strategic Housing	34,879	21,906	(12,973)
3745	Household Support Fund	154,589	154,589	0
3747	Homeless Temp Accommodation	7,960	8,324	364
3748	Homelessness Grant	(23,402)	(23,686)	(283)
3749	Empty Properties	375	8	(367)
3750	Housing Growth	8,620	8,409	(210)
3754	Rough Sleepers	(76,430)	(76,430)	0
3756	Supported Housing Improvement Programme	(178,643)	(178,643)	(0)

		Profiled Budget 2023/24	Actuals 2023/24	Variance
3759	Emergency Welfare Assistance Grant	5,004	9,424	4,420
5221	Customer Services	80,190	79,638	(553)
5223	Franking Machine	11,982	12,887	905
5741	Housing Benefit Service	402,559	396,245	(6,314)
5742	Test & Trace	(79,419)	(79,419)	(0)
5747	Debtors	13,900	15,081	1,181
5751	NNDR Collection	44,512	45,742	1,230
5759	Council Tax Administration	66,615	(19,529)	(86,144)
5775	Council Tax Rebate	(11,400)	(11,400)	0
5778	Energy Bills Support AF	(324,840)	(324,840)	0
5825	Concessionary Bus Passes	0	(246)	(246)
		228,864	150,202	(78,662)

Total for Finance & Resources Directorate	1,227,106	1,156,334	(70,772)
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Growth & Assets Directorate

Director of Growth & Assets

1283	Emergency Planning	252	0	(252)
4600	Director of Transformation	27,087	29,301	2,214
		27,339	29,301	1,962

Assistant Director Property, Estates & Assets

3135	Drainage	22,652	23,434	782
3172	Engineers	40,691	39,005	(1,686)
3241	Car Parks	3,813	3,366	(447)
3247	Street Names/Lights	1,251	4,716	3,465
3249	Footpath Orders	(99)	(916)	(817)
3265	Dams And Fishing Ponds	(111)	(499)	(388)
3281	Clay Cross Depot	168	(214)	(382)
3283	Northwood	0	683	683
4412	Midway Business Centre	(18,172)	(22,768)	(4,596)
4425	Coney Green Business Centre	(23,444)	(28,286)	(4,842)
4519	The Avenue, Wingerworth	0	0	0
4523	Estates Administration	87,322	70,206	(17,115)
4525	Miscellaneous Properties	0	(334)	(334)
5204	Assistant Director Property, Estates & Assets	18,618	20,118	1,500
5205	Mill Lane	6,958	(6,350)	(13,308)
5209	Facilities Management	22,511	29,811	7,300
5210	Pioneer House	42,948	44,263	1,315
		205,106	176,234	(28,872)

Assistant Director Regeneration & Programmes

1255	Strategy and Performance	(38,812)	(36,305)	2,507
1256	Corporate Consultation	8,880	9,436	556
1331	Strategic Partnerships	52,089	43,356	(8,732)
1333	Healthy North East Derbyshire	(131,432)	(131,432)	0
1336	UK Shared Prosperity Fund	25,188	25,188	0
4211	Tourism Promotions	9,087	5,714	(3,373)
4238	Working Communities Strategy	18,661	19,763	1,101
4443	Elderly Peoples Clubs	1,002	110	(892)
4512	Growth Agenda	4,002	7,450	3,448
4517	Economic Development	53,732	34,654	(19,078)
4524	New Towns Fund - Clay Cross	0	0	0
5748	Ukrainian Guests	300	300	0
5750	Assistant Director Economic Development, Regeneration & Housing	18,656	19,868	1,212
5785	Contributions	115,100	115,100	0
		136,453	113,202	(23,251)

Assistant Director Leisure

4561	Leisure Centre Management	(211,047)	(211,554)	(506)
4720	Sportivate	(27,252)	(26,856)	396

		Profiled Budget 2023/24	Actuals 2023/24	Variance
4722	Physical Inactivity Fund	(28,235)	(28,184)	51
4723	Generation Games	(31)	397	428
4724	Walking into Communities	(9,629)	(7,285)	2,344
4726	Walking For Health	(15,024)	(14,704)	320
4727	Five 60	(5,471)	(5,979)	(509)
4729	Active Neighbourhood Pilot	(20,000)	(20,000)	0
4731	Promotion Of Recreation And Leisure	7,761	8,409	649
4732	Schools Promotion	(190)	2,155	2,346
4736	Derbyshire Sports Forum	3,615	0	(3,615)
4742	Arts Development	633	2,569	1,936
8441	Eckington Swimming Pool	62,584	15,001	(47,583)
8445	Eckington Pool Cafe	(4,194)	(3,046)	1,148
8451	Dronfield Sports Centre	(5,633)	(31,949)	(26,316)
8455	Dronfield Café	(1,906)	(2,917)	(1,011)
8461	Sharley Park Sports Centre	261,034	212,992	(48,042)
8465	Sharley Park Sports Centre Outdoor	(527)	0	527
8471	Killamarsh Leisure Centre	(42,299)	(22,726)	19,573
8475	Killamarsh Outdoors	(4,816)	(1,408)	3,408
8476	Killamarsh Café	(1,042)	7,913	8,955
		(41,671)	(127,174)	(85,503)
Total for Growth & Assets Directorate		327,228	191,564	(135,663)
Corporate Charges				
5790	Savings Target	0	0	0
0001	Recharges to Capital and HRA	0	0	0
Total for Corporate Charges		0	0	0
Net Cost of Services		3,596,030	3,418,790	(177,240)
Investment Properties				
4411	Stonebroom Industrial Estate	(13,857)	(15,078)	(1,221)
4413	Clay Cross Industrial Estate	(21,411)	(26,290)	(4,879)
4415	Norwood Industrial Estate	(57,879)	(67,878)	(9,999)
4417	Eckington Business Park	(900)	(1,731)	(831)
4418	Rotherside Court Eckington Business Unit	(9,045)	(12,236)	(3,191)
4423	Pavillion Workshops Holmewood	(21,718)	(25,628)	(3,910)
4432	Miscellaneous Properties	(2,283)	(3,848)	(1,565)
Total for Investment Properties		(127,093)	(152,690)	(25,597)

HOUSING REVENUE ACCOUNT - SUMMARY BUDGET MONITORING 2023/24 (QUARTER 1)

	Current Budget 2023/24 £	Profiled Qtr 1 Budget £	Actuals with Accruals £	Variance £
INCOME				
Dwelling Rents	(33,625,570)	(8,413,115)	(8,430,316)	(17,201)
Non-Dwelling Rents	(456,490)	(114,228)	(165,637)	(51,409)
Charges for Services and Facilities	(89,000)	(22,269)	(11,392)	10,877
Contributions Towards Expenditure	(50,000)	(12,500)	(12,500)	0
INCOME TOTAL	(34,221,060)	(8,562,112)	(8,619,845)	(57,733)
EXPENDITURE				
Repairs & Maintenance	5,251,401	1,300,399	1,316,266	17,660
Supervision and Management	7,390,809	1,849,169	1,862,170	13,001
Rents, Rates & Taxes	110,000	27,522	27,522	0
Capital Charges - Depreciation	7,737,791	1,935,995	1,935,995	0
Provision for Bad Debts	250,000	62,500	62,500	0
Debt Management Expenses	11,500	2,875	2,875	0
EXPENDITURE TOTAL	20,751,501	5,178,460	5,207,328	30,661
NET COST OF SERVICES	(13,469,559)	(3,383,652)	(3,412,517)	(27,072)
Corporate & Democratic Core	185,450	46,363	46,363	0
NET COST OF HRA SERVICES	(13,284,109)	(3,337,290)	(3,366,155)	(27,072)
Interest Payable	5,255,692	1,314,972	1,314,972	0
Interest Receivable	(612,305)	(153,198)	(153,198)	0
Revenue Contribution to Capital	8,117,309	2,030,950	2,030,950	0
Contribution to Development Reserve	446,463	111,705	111,705	0
Contribution to/(from) Resilience Reserve	0	0	0	0
Contribution to Insurance Reserve	50,000	12,510	12,510	0
Capital Grant	0	0	0	0
(Surplus)/Deficit on HRA Services	(26,950)	(20,351)	(49,216)	(27,072)

Project/Scheme	Current Programme 2023/24 £000	Profiled Budget £000	Actual and Commitments £000	Variance £000
Housing Investment				
HRA Capital Works	21,337	5,334	3,495	(1,839)
Garage Demolitions	83	21	0	(21)
Concrete Balconies	0	0	0	0
Pine View Danesmoor	0	0	0	0
Parking Solutions	703	176	-12	(188)
LADS 3 Scheme	0	0	64	64
North Wingfield New Build	7,402	1,851	76	(1,775)
Stock Purchase Programme	3,164	791	395	(396)
Acquisitions and Disposals (RHL)	0	0	0	0
Private Sector Spending	820	279	279	0
Total Housing Investment	33,509	8,451	4,297	(4,154)
Other Capital Projects				
Asset Refurbishment - General	779	67	67	0
Eckington Depot Refurbishment	0	0	0	0
Wingerworth Lido	0	0	0	0
Roller Shutter Doors	0	0	1	1
Eckington Pool Carbon Efficiencies Programme	134	0	0	0
Killamarsh Leisure Centre Refurbishment	36	0	0	0
Dronfield LC Carbon Efficiencies Programme	98	0	1	1
Coney Green Telephony System	0	0	13	13
Clay Cross Football Pitch	9	0	0	0
Replacement Vehicles	3,619	1,478	1,478	0
Contaminated Land	42	0	0	0
ICT Schemes	591	20	20	0
CX Town Market Street Regeneration	5,592	366	366	0
CX Town Sharley Park Active Community Hub	12,655	1,228	1,228	0
CX Town Low Carbon Housing Challenge Fund	1,300	0	0	0
CX Town Rail Station Feasibility	150	106	106	0
CX Town Programme Management	423	196	196	0
CX Acc Fund School Demolition	158	0	0	0
CX Acc Fund CX Depot Demolition	86	0	0	0
CX Acc Fund Public Art Work	32	0	0	0
CX Acc Fund Land Assembly	3	0	0	0
UK Shared Prosperity Fund	0	0	310	310
Total Other Capital Projects	25,707	3,461	3,786	325
Total Capital Expenditure	59,216	11,912	8,083	(3,829)
Housing Investment Funding				
Major Repairs Reserve	(15,964)	(3,991)	(3,495)	496
HRA Capital Investment Reserve	(786)	(197)	12	209
Usable Capital Receipts	(2,196)	(549)	(158)	391
External Grant	(3,395)	(849)	(64)	785
Prudential Borrowing	(10,348)	(2,587)	(313)	2,274
	(32,689)	(8,172)	(4,018)	4,154
Private Sector Spending				
Disabled Facilities Grant	(820)	(279)	(279)	0
Total Housing Investment Funding	(33,509)	(8,451)	(4,297)	4,154
Other Capital Projects Funding				
Prudential Borrowing	(6,781)	0	0	0
External Grant	(13,705)	(1,896)	(2,207)	(311)
RCCO	0	0	(14)	(14)
Useable Capital Receipts	(5,221)	(1,565)	(1,565)	0
Other Capital Project Funding	(25,707)	(3,461)	(3,786)	(325)
Total Capital Financing	(59,216)	(11,912)	(8,083)	3,829

North East Derbyshire District Council

Cabinet

21 September 2023

Establishment of Local Plan Review Working Group

Report of the Cabinet Member for Environment & Place

Classification: This report is public

Report By: Assistant Director of Planning

Contact Officer: David Thompson

PURPOSE / SUMMARY

- To recommend that a Local Plan Review Working Group be established at Council in September 2023;
 - To recommend a structure for the Local Plan Review Working Group in terms of Membership and terms of reference (to be included in the report to Council);
 - To consider the merits of the recommended Membership structure.
-

RECOMMENDATIONS

1. That Cabinet recommends to Council at its meeting on 25 September 2023 the establishment of a Local Plan Review Working Group and in accordance with the structure and terms of reference detailed in appendix A.
-

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒
Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒
Details:

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒
Details:

There are no adverse staffing implications directly arising from the content of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Discussion with Leader, Portfolio Holder and Managing Director on 22/08
Links to Council Plan priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.	
All of the above.	

REPORT DETAILS

- 1 **Background** (reasons for bringing the report)
 - 1.1 The purpose of this report is to recommend to Cabinet that a Member Working Group is established to provide regular feedback to officers during the Local Plan review process. Ultimately, the decision to establish the Working Group would be a decision for Full Council, following endorsement by Cabinet.
 - 1.2 If endorsed by Cabinet, the proposal is to add this item to the agenda for the Council meeting on 25 September 2023.

- 1.3 Officers are mindful of the need to commence the review in the relatively near future, with the first key milestone being the updating of the Local Development Scheme, which will be produced within the current financial year (2023/24). The proposal is therefore that Cabinet endorses a Membership structure for the Working Group and a broad terms of reference, which would be presented to the Full Council meeting on 25th September 2023.
- 1.4 Officers consider that a Member Working Group would provide a valuable opportunity for collaboration between officers and Members during the Local Plan review, which is likely to involve intensive work over a number of years.
- 1.5 There are several stages that are likely to be sensitive, which would benefit from collaborative work and the ability to exchange ideas/consider potential implications, including the issues and option stage, which will consider how we plan for future growth and set the scene for the areas that the review process will focus upon.
- 1.6 Officers have considered the risks and potential benefits of a number of options, including not establishing a Working Group at all and then a range of different routes to achieve engagement across the political spectrum.
- 1.7 Officers consider that an independent external advisor would also benefit the Local Plan review process. Discussions have taken place with Planning Officer Society Enterprise (POSE), who can offer a 'critical friend' role, provided by experienced planning professionals.
- 1.8 Officers will continue these discussions with the objective of getting corroboration on the need for a review and the areas of focus, in advance of the first meeting of the Working Group, should it be established. POSE have also offered to continue the 'critical friend' role through reviewing officer reports/recommendations on sensitive matters as the Local Plan review progresses.

2 Details of Proposal or Information

- 2.1 Officers have looked at the potential benefits and risks posed by four options that were felt to cover the spectrum of how the working could operate, if at all, and the way that this would interact with wider Membership and corporate Council business. These options are:
 1. Not to have a Working Group;
 2. A Working Group of members of all groups, including group leaders and portfolio holders/spokespeople but with no specific Scrutiny link;
 3. A Working Group involving only the leaders of each political group and report through Cabinet and Portfolio Holder before full Council;
 4. A Working Group consisting of the chairs and vice chairs of scrutiny committees, the Planning Committee chair and vice Chair, 1 Lib Dem and 1 independent, chaired by the Portfolio Holder for Environment and Place.

2.2 The risks and benefits of each of the above, from an officer perspective, are listed below.

1. Not have a Working Group;

Risks:

- Lack of opportunity to discuss issues outside of the formal committee process and for informal dialogue between officers and Members;
- Reduced ability to build consensus on the key objectives of the Plan;
- Less co-ordination of Plan objectives as decisions will be made as issues come forward at Scrutiny committees, Cabinet and full Council
- The above combined are likely to result in delays in the review process and to weaken the Council's position when assessing applications for speculative development.

Benefits:

- Potentially makes decision making quicker, if Members are in agreement with officer recommendations.

2. Set up a Working Group of members of all groups, including group leaders and portfolio holders/spokespeople but with no specific Scrutiny link;

Risks:

- May reduce the speed of deciding on priorities and the direction to be taken;
- Still the potential for disconnect with the Scrutiny process which further risks the consistency and timeliness of decisions;
- May be difficult to produce a consistent corporate message.

Benefits

- A large group of people – good for debate and inclusive of a range of views/Members with different roles and interests.

3. Set up a Working Group involving only the leaders of each political group and report through Cabinet and Portfolio Holder before full Council;

Risks:

- May reduce influence of the group across full Council;
- Potential for disconnect with the Scrutiny process which further risks the consistency and timeliness of decisions;
- Several decision making 'hoops' before a final outcome would be known – potential for delays.

Benefits

- A small group – may result in quicker resolutions within the meeting;
 - If consensus can be reached, the leadership of each political grouping has agreed the position and would have responsibility for reporting that to the rest of their group.
4. Set up a Working Group consisting of the chairs and vice chairs of scrutiny committees, the Planning Committee chair and vice Chair, 1 Lib Dem and 1 independent, chaired by Portfolio Holder.

Risks

- Quite a large group – 13 Members and representation from all of the political groups on the Council – achieving a consensus may be more challenging.

Benefits:

- Inclusive of a broad range of Members – political grouping and expertise/interests;
- Strong alignment to the Scrutiny process which should increase the speed and consistency of decision making;
- Chaired by Portfolio Holder for Environment and Place gives a corporate and Member focus;
- Representation of each of the Scrutiny committees emphasises the corporate importance of the Local Plan;
- Direct link to Planning Committee, with 4 Members currently on committee (including chair and vice chair)

3 Reasons for Recommendation

- 3.1 On the basis of the above benefits and risks assessment of the 4 options considered, officers are of the view that option 4 is the most appropriate course of action. In the opinion of officers, not having a steering group at all would result in a less collaborative process, less opportunity for informal discussion and less predictability in terms of Council decision making.
- 3.2 Given the relatively tight timeframe that is likely to be available to conduct the review, these factors may cause inefficiency and delays in making key decisions. This is likely to negatively affect the organisation's ability to unite around a strategy and deliver certainty for members of the public.
- 3.3 In relation to options 2-4 above, officers consider that there is a need to strike an appropriate balance between efficient decision making, the spectrum of political engagement and reporting mechanisms to feed into the wider corporate

strategy of the Council. Option 4 is considered to strike this balance most effectively, with all political parties represented, a clear link to the Scrutiny committees and also strong representation from members of the Planning Committee.

4 Alternative Options and Reasons for Rejection

- 4.1 To not recommend the formation of a Local Plan Working Group. For the reason detailed in 3.1 above, officers would not recommend this course of action;
- 4.2 Considering forming a Working Group as per options 2 or 3 set out in section 2 of this report. Both options have merit but officers consider that neither strikes the necessary balance described in paragraph 3.3 above;
- 4.3 Cabinet could propose an alternative structure to the Working Group and officers could consider this and discuss with the Portfolio Holder for Environment and Place before returning to a future Cabinet meeting.
- 4.4 The risk of delaying the decision beyond the September 2023 meeting of the Full Council is that this will in turn delay commencement of the Local Plan review. This delay runs the risk of the Plan being considered out of date if an extensive review is required.

5 Appendix

- 5.1 Appendix 1 - Draft Terms of Reference and Scope of the Member Local Plan Review Working Group

Appendix 1: Draft Terms of Reference and Scope of the Member Local Plan Review Working Group

1. Purpose and Composition of the Working Group

a) The Local Plan Review Working Group is an informal group whose purpose is to advise Officers and Members in reaching any decisions to moving forward planning policy.

b) To comprise 13 Members as follows:

- Portfolio Holder for Environment and Place (lab)
- Chair and vice chair of the Environment Scrutiny committee (lab and green)
- Chair and vice chair of the Communities Scrutiny committee (lab and lab)
- Chair and vice chair of the Services Scrutiny committee (lab and con)
- Chair and vice chair of the Business Scrutiny committee (lab and con)
- Chair and vice chair of Planning Committee (lab and lab)
- 1 Liberal Democrat Member and 1 Independent Member

4 Members of planning committee in the above

c) The meeting will be chaired by the Portfolio Holder for Environment and Place or in their absence the Chair of the Environment Scrutiny committee;

d) The Working Group has no decision making powers but its recommendations (albeit of a majority) will be reported directly to Cabinet;

e) Should allow full participation from other Members – quarterly reports to each of the Scrutiny committees and Cabinet and an annual update to Full Council. Additional consultation with Cabinet and Full Council as deemed appropriate;

f) Should welcome input and advice from Officers as appropriate.

2. TERMS OF REFERENCE

The terms of reference of the group are to:

- Oversee the process for reviewing the Local Plan and the progress made on individual work streams;
- Provide the core officer team (Assistant Director Planning, Planning Policy and Environment Manager, Development Manager and member of those teams) with a Member perspective on issues raised;
- Ensure integration/complementarity of the vision, objectives and policies of the Local Plan with those of the Corporate Plan and any relevant adopted policies
- Advise on other key decisions on matters relating to Local Plan production including: resources, scope of documents, evidence base, identification of alternative development options, content of the local development scheme, sustainability appraisal/appropriate assessment, and consultation methods;
- Provide a critical friend role to advise Council on the extent of the Local Plan review;

Officer recommendations to the working group on the strategic direction of the Local Plan will have the benefit of external and independent expert advice.

3. NEED FOR THE REVIEW

The current Local Plan was adopted in November 2021. The Government requires local planning authorities to review Local Plans at least once every 5 years from their adoption date and update them as necessary, to ensure that policies remain relevant and effectively address the needs of the local community¹.

Officers are committed to working closely with Members during the review of the current Local Plan and so it is proposed that a Member Working Group is established to work with others throughout all stages of the review timetable.

4. DRAFT WORK PROGRAMME

The updating of the Local Development Scheme (LDS) is the first key task as that will provide some detail in terms of the timetable and tasks required to be undertaken each year of the review process.

The LDS will be reviewed by the Working Group before being presented to the Cabinet.

A programme to deliver the key milestones within the LDS will be developed in conjunction with the Working Group once it has been adopted and published

5. OUTCOMES In carrying out its task, the Working Group should have regard to the key principles that underpin the ways of working at the Council:

We plan together
We experiment together
We deliver together
We create together.

¹ [Regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

North East Derbyshire District Council

Cabinet

21 September 2023

Decision on the Brampton Parish Neighbourhood Plan

Report of the Cabinet Member for Environment & Planning

Classification: This report is public

Report By: Helen Fairfax – Planning Policy and Environment Manager

Contact Officer: As Above

PURPOSE

- To advise Members on the proposed Brampton Parish Neighbourhood Plan, and the findings of the independent Examiner.
- To consider the recommended modifications of the Examiner of the Brampton Parish Neighbourhood Plan and make a decision on how to proceed.
- To secure authorisation that following a successful referendum, if more than half of those voting in the referendum vote in favour of the Brampton Parish Neighbourhood Plan, then the Neighbourhood Plan is brought into effect ('Made').

RECOMMENDATIONS

1. That the Examiner's report and recommended modifications to the Plan as set out in the Decision Statement at **Appendix 1** are accepted in their entirety and the Plan, as amended, is taken forward to a referendum within the Parish as outlined in this report.
2. That Cabinet delegates authority to the Assistant Director of Planning in consultation with the Leader and Portfolio Holder for Environment that following a successful referendum, if more than half of those voting in the referendum vote in favour of the Neighbourhood Plan, then the Neighbourhood Plan is brought into effect ('Made').

Approved by the Portfolio Holder – Cllr Pickering, Cabinet Member for NEDDC

IMPLICATIONS

Finance and Risk: Yes ☒ No ☐

Details: The costs of the Examination and Referendum are the responsibility of the Local Planning Authority (LPA). However, LPA's are able to claim up to £20,000 once they have

set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area, as is the case in Brampton Parish. It is expected that this funding will be sufficient to cover expenditure incurred in relation to the Examiner's fees and the holding of the referendum. The Electoral Services Team is looking at the likely current costs of the referendum and will supply these when known. A claim for payment will need to be made for any activity that has taken place during the relevant financial year, i.e. 2022/23, at a time determined by the Department for Levelling Up, Housing and Communities.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details: As detailed in the report at paragraphs 2.5 – 2.8.

On Behalf of the Solicitor to the Council

Staffing: Yes ☒ No ☐

Details: Work on Neighbourhood Plans is currently accommodated within existing staffing resources.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards, or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	Brampton
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/>	Consultation with residents, businesses and other bodies with an interest in the Parish has been an integral part of the process in line with regulations.

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.

All

REPORT DETAILS

1. Background

- 1.1 On 1 December 2017 Brampton Parish Council submitted an application to both North East Derbyshire District Council and the Peak District National Park Authority for the designation of the Parish as a Neighbourhood Area. The Parish of Brampton was duly designated as the Brampton Neighbourhood Area by North East Derbyshire District Council on 22 June 2018 and by the Peak District National Park Authority on 13 July 2018. Following this, Brampton Neighbourhood Plan Steering Group prepared a draft version of Brampton Parish Neighbourhood Plan ('the Plan') and consulted on the draft Plan for 6 weeks ending on 7 February 2022.
- 1.2 The Submission version of the Neighbourhood Plan for Brampton was completed and submitted to the District Council on 12 October 2022. The District Council accepted the Plan was legally compliant and held a 6-week consultation period ending on 16 March 2023.
- 1.3 The District Council as Local Planning Authority made formal comments on the submitted Plan concluding that overall, the draft Plan was well presented, and in the main, scoped appropriately, dealing with relevant local issues, relying on surveys from the local populace to highlight local concerns, and create the policies and objectives of the plan. There were, however, some areas where changes were needed to be compliant with regulations in general and to be in conformity with the Local Plan.
- 1.4 Following liaison with the Parish Council, Nigel McGurk, Erimax Planning, was appointed as Independent Examiner. He undertook the examination of the Submission version of the Plan from June to August 2023. The Examiner's Report into the Plan was issued on 7 August 2023. Details of the Plan preparation and Examiners Report are available on the Council's Neighbourhood Planning page: <https://www.ne-derbyshire.gov.uk/index.php/neighbourhood-planning>.
- 1.5 In accordance with the Neighbourhood Planning (General) Regulations 2012, (Regulation 17a), the District Council has 5 weeks to decide what action to take in response to each recommendation made by the Examiner in their report, unless an alternative date is agreed with the Parish Council. In this case, Brampton Parish Council has agreed to the matter being referred to this meeting of the Council's Cabinet.

2. Details of Proposal

Examiners Report

- 2.1 The Examiner's Report into the Plan was received by the Council on 7 August 2023. The Examiner states in his overall finding that *"I recommend to the North East Derbyshire District Council that, subject to the recommended modifications, the Brampton Neighbourhood Plan should proceed to a Referendum.*
- 2.2 With regards to the Plan's policies the Examiner recommends 59 modifications to the Submission Version of the Plan. This includes the deletion of one Policy (B11: Assets of Community Value) and replacing it with a Parish Action, and amendments to all

the remaining policies in the interests of clarity, conformity with national policies and deliverability. These modifications are included in the schedule at Appendix 1, with some of the more significant changes explained in more detail below.

- 2.3 With regards to Local Plan Policy the Examiner considers that the Neighbourhood Plan must be in general conformity with the strategic policies of both the NED Local Plan 2014-34 and the PDNPA Core Strategy Development Plan Document (2011).

Examiners conclusions over consultation

- 2.4 The Examiner notes the key stages of the consultation undertaken. These comprise pre-submission consultation undertaken by the Parish Council during the plan preparation and at draft Plan stage; consultation by the District Council on the Submission version of the Plan with representations from 14 different parties received.
- 2.5 The Examiner concludes: *“...I am satisfied that the consultation process for the Brampton Neighbourhood Plan was robust and that it complied with the neighbourhood planning regulations...”*

Examiner’s recommendations

- 2.6 The Examiner recommends modifications to the Plan, including agreement with the majority of the comments made by the District Council. He considered the Plan against Basic Conditions that it needs to meet, in particular whether individual policies have regard to national policy (including the NPPF), and whether they are in general conformity with the strategic policies in the North East Derbyshire Local Plan and Peak District National Park Planning Authority Core Strategy. Many of his recommendations were in order to provide an appropriate and deliverable basis for the determination of a planning application and to provide clearer instruction and guidance.
- 2.7 This report highlights the most significant modifications of the 59 recommended by the Examiner. They are summarised below:
- 2.7.1 Policy B1: Respecting and Enhancing Distinctive Views - Policy B1 seeks to ensure that development respects locally important and distinctive views (24 in total). In his report, the Examiner considers that the Policy adopts a more onerous approach than that set out in National Policy by requiring that developments don’t just respect views but also enhance them. He goes on to state that the distinctive views identified are not precise or specific and are open to wide interpretation, such that it is not clear how “*enhancement*” might be judged, who by and on what basis. The Examiner therefore recommends that the policy should be reworded and references to enhancement should be removed.
- 2.7.2 Policy B2: Local Green Space – Policy B2 identifies areas of green space of particular importance to the Brampton community and designates them for special protection. The Examiner considers that there is no plan that clearly distinguishes boundaries for all the designated Local Green Space (LGS) areas. This is contrary to National Policy, which affords protection to LGS designation that is comparable to that for Green Belt land. Given the importance of the designation, LGS boundaries must be precise and clearly

identifiable. The Examiner therefore recommends that a new plan (or plans) should be provided showing the boundaries of each LGS.

The Examiner does not believe that there is enough substantive information to support the designation of Site 8 (Bradshaw Lane) as an LGS and recommends it be deleted. He also considers that the boundaries for Site 1 (Cutthorpe/Four Lane Ends) should be changed to just cover the flowerbed excluding the highway land.

- 2.7.3 Policy B3: Nature Conservation and Biodiversity - Policy B3 seeks to protect and enhance biodiversity. Policy B3 is worded in a way that supports any form of development, so long as it conserves and enhances biodiversity. In the absence of evidence to the contrary, the Examiner considers that such an approach could give rise to inadvertent support for inappropriate forms of development and consequently, runs the risk of the Neighbourhood Plan failing to contribute to the achievement of sustainable development. The Examiner has recommended the wording of the policy be changed to *“Development should conserve and enhance biodiversity. The enhancement of designated and other local wildlife sites will be supported.”*
- 2.7.4 Policy B4: Dark Skies - Policy B4 seeks to protect the Neighbourhood Area from development incompatible with the area’s dark skies. The Examiner recognises that Dark skies can comprise an important aspect of the countryside and especially, of National Parks. However, the Examiner also notes that most forms of external lighting do not require planning permission, and in the absence of any additional information the Examiner does not believe it is clear how the detailed requirements of Policy B4 are deliverable. Consequently, the Examiner suggests that the policy wording be deleted and replaced with *“Development proposals should seek to minimise light spillage through good design and the avoidance of lighting that results in the loss of night-time dark skies.”*
- 2.7.5 Policy B5: Noisy Sports - Policy B5 seeks to control “noisy sports”. The Examiner considers that “noisy sports” is a subjective term and that the supporting text in the Plan is vague in respect of precisely what noisy sports comprise and is therefore, contrary to Paragraph 16 of the National Planning Policy Framework. The Examiner recommends that the wording of the policy be deleted and replaced with *“Development proposals must respect the tranquillity of the countryside and the amenity of neighbouring uses, with regards to noise and disturbance and highway safety. Proposals for noise-generating sport and recreational uses in the countryside should demonstrate how noise and disturbance will be mitigated.”*
- 2.7.6 Policy B6: Housing Mix - Policy B6 does not allocate housing land but seeks to require new housing development to support the provision of new homes that meet the needs of the Neighbourhood Area. In general terms the Examiner considers that the Policy has regard to National Policy. However, whilst the supporting text to Policy B6 indicates a local need for smaller two-bedroomed houses, the Neighbourhood Plan does not allocate land for any such development or provide detailed information in respect of how or where such development might be delivered on sites in the Neighbourhood Area. Consequently, as set out, Policy B6 requires all housing development to

provide for a mix of housing types and sizes, without any evidence to demonstrate that this is a deliverable requirement.

- 2.7.7 Taking the above into account the Examiner has recommended that the policy wording be deleted and replaced with *“New housing development should demonstrate how it has taken account of up to date local housing need information including the Brampton Parish Housing Needs and Characteristics Study 2019 (or as updated).”*
- 2.7.8 Furthermore, the Neighbourhood Plan does not include an affordable housing policy and does not include a rural exceptions policy. Much of the supporting text in paras 117-126 is set out as though it supports an affordable housing policy. The Examiner considers that the supporting text is both confusing and unnecessary and so recommends that paragraphs 117-126 be deleted.
- 2.7.9 Policy B7: Brampton Parish Character Buildings of Local Interest - Policy B7 identifies a number of non-designated heritage assets in Cutthorpe, designating them as Parish Character Buildings of Local Heritage Interest.
- 2.7.10 The Policy refers to *“important views”* in relation to heritage assets but does not provide precise information in respect of what these might be. The Policy also includes a general requirement for development to take account of local styles, materials and details without clarifying whether this relates specifically to the development of, or in the setting of, the Character Buildings, or to development in general. The Examiner does not consider this part of the policy to be clear. Furthermore, the Policy goes beyond the requirements of national policy in respect of non-designated heritage assets, without any justification.
- 2.7.11 To address these issues the Examiner has recommended that the first sentence of the policy be kept, but that second, third and fourth sentences be deleted and replaced with: *“Any development proposal affecting a heritage asset must demonstrate how it has considered the character and setting of the asset, including consideration of local vernacular and materials. Proposals involving harm to, or the loss of a Brampton Parish Character Building of Local Heritage Interest must set out the scale of any such harm or loss alongside the benefits of the proposal.”*
- 2.7.12 Policy B8: Promoting Sustainable High Quality Design - Policy B8 seeks to ensure that new development is of a high design quality and in this way the Examiner considers that it has regard to national policy and is in general conformity with local strategic planning policy.
- 2.7.13 Policy B8 sets out a requirement for all development to enhance the scale, density, character, layout and access of existing surrounding buildings and landscape. No evidence is provided to demonstrate that such a requirement is deliverable. The Examiner considers much of the text in the policy to be ambiguous and does not think the supporting text in the Plan provides any indication of when design criteria may or may not be relevant or what the impact of views to or from a Conservation Area comprises. The Examiner therefore recommends deleting the opening paragraph and replacing the wording with: *“All new development in Brampton must be of high quality design and must respect local character and local distinctiveness. Development proposals should consider opportunities to:”* and changing the wording of

criteria a, e, f, g and h, to improve clarity and remove ambiguous wording. And suggests the last sentence in the policy be deleted, and that the title of the policy be changed to “*Promoting High Quality and Distinctive Design*”.

- 2.7.14 Policy B9: Protecting, Conserving and Enhancing Dry Stone Walls - Policy B9 seeks to protect Brampton’s distinctive traditional dry stone walls. To achieve this the policy introduces a requirement for design proposals to be re-designed, as opposed to providing a land use planning policy framework for development. The Examiner considers that the policy as written is not deliverable. To address this, the Examiner has recommended that the policy wording be deleted and replaced with “*Development should not result in the loss of, or harm to, traditional dry stone walls. The conservation and/or enhancement of traditional dry stone walls will be supported.*”
- 2.7.15 Policy B10: Protection and Enhancement of Important Community Facilities - Policy B10 identifies important local community facilities and seeks to prevent their unnecessary loss. The Examiner considers this policy to be ambiguously worded, unsupported by detailed information and open to wide interpretation. The Examiner also consider that the Policy appears to unduly restrict the scope for the provision of community facilities, which would be contrary to National Policy which requires policies to be positively prepared. Furthermore, the Examiner considers the policy undeliverable as written due to the references to “*small-scale*” proposals. No indication is provided in the Plan of what “*small-scale*” might comprise. The Examiner recommends changes to address these issues.
- 2.7.16 Policy B11: Assets of Community Value - There are two Assets of Community Value (ACVs) in the Neighbourhood Area, these are also listed in Policy B10 and are already protected from harm and loss by its provisions. The Examiner considers that Policy B11 does not serve a clear purpose, and duplicates the protections already delivered by Policy B10 and so does not meet the basic conditions. Taking this into account, the Examiner has recommended that Policy B11 be deleted and made into Parish Action 2.
- 2.7.17 Policy B12: Broadband and Other Telecommunications Provision - Policy B12 seeks to promote development that supports the provision and enhancement of broadband. As worded, the Policy refers to encouraging “*small scale development proposals*” without indicating how such encouragement might take place and what small scale development comprises. The Examiner considers the policy to be vague and unclear in this respect and so recommends that the wording of Policy B12 be changed to “*The development of enhanced broadband and other telecommunications equipment will be supported where such provision is sympathetically located and designed.*”
- 2.7.18 Policy B13: Highway and Pedestrian Safety - Policy B13 seeks to ensure that development does not result in harm to highway safety. The Policy sets out a requirement for all development to demonstrate various things without any supporting evidence to demonstrate that such a requirement meets the national tests for planning obligations as set out in Paragraph 57 of the NPPF.
- 2.7.19 The Examiner considers the second part of Policy B13 to unclear as it appears to support any form of development subject to improving localised issues of vehicular and pedestrian safety and movement and subject to highway designs

being appropriately located and not harming local character. In the absence of information to the contrary, it appears that such an approach could result in inadvertent support for inappropriate forms of development and place an obstacle in the way of the Neighbourhood Plan contributing to the achievement of sustainable development. To address these issues, the Examiner recommends that the policy wording be replaced with *“Development must not harm highway safety and development in Cutthorpe village should not result in the loss of existing car parking provision.”*

2.7.20 Policy B14: Footpaths, Cycle Paths and Bridleways - Policy B14 seeks to protect and improve public rights of way and in this respect, it has regard to national policy. The Policy seeks to give priority to footpaths, cycleways and bridleways that extend and join the existing network. However, there is no supporting information in the Plan or supporting documents setting out how such prioritisation will take place, and so this part of the Policy does not provide a decision maker with a clear indication of how to react to a development proposal. The Examiner does not consider this part of the policy to be deliverable and so has suggested that the sentence *“Priority will be given to those that extend and join the existing network”* should be deleted from the policy.

2.7.21 Policy B15: Ultra-Low Emissions Vehicle Infrastructure - Policy B15 supports the development of e-vehicle charging points and has regard to national policy. The Policy is worded in such a way that it supports any form of development so long as it provides e-vehicle charging points. The Examiner considers that this could result in inadvertent support for inappropriate forms of development, placing an obstacle in the way of the Neighbourhood Plan contributing to the achievement of sustainable development. Furthermore, the Examiner consider that there is no information in the Neighbourhood Plan in respect of what *“sympathetically located and designed”* charging points as detailed in the policy might comprise. To address this issue, the Examiner has recommended the wording of the policy be changed to *“The development of charging points for Ultra-Low Emission Vehicles and e-bikes will be supported.”*

2.7.22 The Examiner’s Report concludes that the Submitted Plan meets each basic condition and human rights obligations, specifically:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations; and

- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

- 2.2 The Examiner to conclude: *“I recommend to the North East Derbyshire District Council that, subject to the recommended modifications, the Brampton Parish Neighbourhood Plan should proceed to a Referendum.”*

The Council’s Decision

- 2.3 The Neighbourhood Planning (General) Regulations 2012 set out that if the District Council agrees to the recommendations of this report, it has to publish a ‘Decision Statement’ on the Plan. This must set out the Council’s decision on the Neighbourhood Plan and the reasons for making that decision. It is normal practice for the date of the Referendum to be specified in the decision statement. The proposed decision statement is contained within **Appendix 1**.
- 2.4 All the changes recommended by the Examiner are agreed by the District Council and are set out in the schedule attached to the Decision Statement. The schedule lists the Examiner’s recommendations and the Council’s response, which is agreement in all cases. The Examiner’s recommendation will be incorporated into a Referendum Version Brampton Neighbourhood Plan, along with any consequential amendments. The schedule and the referendum version Plan will be publicised prior to the referendum. Changes have yet to be applied to a version of the Plan as produced by the Parish Council. This will be done once (and if) a Final Plan is required.

Referendum Arrangements

- 2.5 The date for the Referendum is provisionally set for **9 November 2023**. The Information Statement, the Referendum version of the Plan and other relevant documents will be put on the Council’s website at least 28 working days (i.e. excluding Saturdays, Sundays and Public Holidays) before the chosen date. The Council will also need to ensure that the publication of the ‘Notice of Referendum’ takes place at least 25 working days before the referendum.
- 2.6 The Referendum will follow a similar format to an election. All Local Government electors registered to vote within the Neighbourhood Area will be given the opportunity to vote in the Referendum and will be sent polling cards, setting out their polling method. Electors will be issued with a ballot paper with the question ‘Do you want North East Derbyshire District Council to use the Neighbourhood Plan for Brampton to help it decide planning applications in the neighbourhood area?’ Residents will be given the opportunity to vote ‘yes’ or ‘no’.
- 2.7 If more than 50% of those voting in the referendum vote ‘yes’ then the District Council, as Local Planning Authority is required to adopt the plan as part of the development plan for North East Derbyshire. If the result of the Referendum is ‘no’, then nothing further happens. Brampton Parish Council will then decide if it wishes to make changes and re-submit an amended Plan.

‘Making’ the Plan

- 2.8 If electors vote in favour of the Plan, then the Neighbourhood Plan will immediately be included in the Development Plan for the area and will be given weight when applications for planning permission are determined. Nevertheless, the Plan has to be formally ‘made’ by the District Council. It is proposed here that Cabinet delegates authority to the Assistant Director of Planning in consultation with the Leader and Portfolio Holder for Environment to formally ‘make’ the Neighbourhood Plan soon after a successful referendum unless there is any legal reason to prevent this. Once this happens a Final version of the Plan will be produced.

3. Reasons for Recommendation

- 3.1 The Brampton Neighbourhood Plan has been subject to examination by an independent examiner. The Examiner’s view is that subject to specified modifications the Plan meets the Basic Conditions and other relevant legal requirements.
- 3.2 Officers have considered each of the recommendations made in the Examiner’s report (see the Council’s Decision Statement attached at Appendix 1) and agrees with the Examiner’s findings in all cases.
- 3.3 It is considered that, subject to the modifications set out in the Decision Statement the Draft Neighbourhood Plan will meet the legal requirements and basic conditions as set out in legislation. The modifications do not fundamentally alter the main aims of the Plan and do not compromise the strategic policies in the North East Derbyshire Local Plan or the Peak District National Park Planning Authority’s Core Strategy. Therefore, the Plan should proceed to Referendum.

4. Alternative Options and Reasons for Rejection

- 4.1 An alternative option would be to reject the Examiners recommendations, but only if there is good reason to do so. The Examiner’s recommendations align with Officers’ views and as such there does not appear to be any justification for not making the Plan, subject to a positive outcome at Referendum.

DOCUMENT INFORMATION

Appendix No	Title
1	Decision Statement on the Brampton Parish Neighbourhood Plan
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	
None	



North East Derbyshire District Council

North East Derbyshire District Council BRAMPTON PARISH NEIGHBOURHOOD PLAN

Decision Statement:
Brampton Parish Neighbourhood Plan Proceeding to Referendum
21 September 2023

1. Summary

- 1.1 In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (NPR) North East Derbyshire District Council has produced this 'Decision Statement' in relation to the Brampton Parish Neighbourhood Plan (the 'Plan') submitted to them by Brampton Parish Council.
- 1.2 The Plan sets out a vision for the Parish and comprises policies to support and control development needed to help sustain the community. If made, it will become part of the development plan for land use and development proposals within the Parish until 2034.
- 1.3 Following an independent examination of written representations, North East Derbyshire District Council confirms that the Plan will proceed to a local referendum subject to specified modifications set out in the table below.
- 1.4 In accordance with the examiner's recommendation, the Brampton Neighbourhood Plan will proceed to Referendum provisionally scheduled for **Thursday, 9th November 2023**.
- 1.5 This Decision Statement, along with the independent Examiner's report and the plan documents can be inspected:
 - At North East Derbyshire District Council's Offices at Mill Lane, Wingerworth between 9am – 4.30pm
 - At St Peter and St Paul's Church, Main Road, Old Brampton, Chesterfield S42 7JG between 10am – 4pm Monday to Sunday
 - Online via the Council's website: -
<https://www.ne-derbyshire.gov.uk/planning-and-local-plan/planning-policy-and-local-plan/neighbourhood-planning/brampton>

2. Background

- 2.1. On 1 December 2017 Brampton Parish Council submitted an application to both North East Derbyshire District Council and the Peak District National Park Authority for the designation of the Parish as a Neighbourhood Area. The Parish of Brampton was duly

designated as the Brampton Neighbourhood Area by North East Derbyshire District Council on 22 June 2018 and by the Peak District National Park Authority on 13 July 2018.

- 2.2. The Parish Council subsequently prepared the Brampton Draft Neighbourhood Plan. Consultation on the Parish's Draft Plan was held for 6 weeks ending on 21 March 2022.
- 2.3. The Submission version of the Neighbourhood Plan for Brampton was completed and submitted to the District Council on 12 January 2023. North East Derbyshire District Council accepted the Plan was legally compliant and held a 6-week consultation period ending on 16 April 2023, in accordance with Regulation 16 of the Neighbourhood Planning Regulations.
- 2.4. An Independent Examiner was appointed in April 2023 to undertake the examination of the Submission version of the Brampton Neighbourhood Plan which ran from June to August 2023. The examination was completed with the final examination report sent to the District Council on 7 August 2023.

3. Decisions and Reasons

- 1.1 The Examiner has concluded that, subject to specified modifications, the Plan meets the Basic Conditions and other relevant legal requirements. The Council concurs with this view.
- 1.2 The District Council must consider each of the recommendations made in the Examiner's report and decide what action to take in response. The table attached to this statement sets out the examiner's recommended modifications, his reasoning (summarised by the Council) and the Council's decisions in respect of each of them.
- 1.3 The District Council is therefore satisfied that, subject to the modifications being made, the Draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation; thus, the plan can proceed to referendum.
- 1.4 Therefore, to meet the requirements of the Localism Act 2011, a referendum which poses the question *"Do you want North East Derbyshire District Council to use the Brampton Parish Neighbourhood Plan to help it decide planning applications in the neighbourhood area?"* will be held in the Parish of Brampton. A provisional date of Thursday, 9 November 2023 has been set for the referendum.

Decision Statement Brampton Parish Neighbourhood Plan:

Table of Examiner's Recommendations, North East Derbyshire District Council's decisions and proposed amendments

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Page 6, Para 8	<u>Modification 1</u> Change to: " <i>The Plan</i> covers the period..."	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 7, Para 13, line 2	<u>Modification 2</u> Delete: "of the authority (or any part of it)"	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Para 7, Para 13, line 3	<u>Modification 3</u> Change to: "...therefore, <i>be in general conformity with two sets...Parish and those prepared by PDNPA, which covers...</i> "	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 7, Para 16, line 1	<u>Modification 4</u> Change to: "...contained in the development <i>plan</i> covering the Parish." (Delete second sentence)	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 7, Footnote 1	<u>Modification 5</u> Change to "...in place <i>unless</i> revoked..."	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 8, Para 19, lines 1 & 2	<u>Modification 6</u> Change to: " <i>This neighbourhood plan is divided into 5 main sections.</i> "	For clarity and accuracy.	Agree	Amend according to

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
				examiner's recommendation
Page 11, Objective O1, line 2	<u>Modification 7</u> Change to: "...or other built development <i>respects existing Green Belt and Peak District National Park requirements</i> , is proportionate to..."	Given the requirements of national and local policy and in the absence of evidence in support of the statement, the Examiner does not think it is not clear how the Neighbourhood Plan might meet the basic conditions whilst ensuring that development requires no intrusion into the Green Belt or National Park. These are locations where development is stringently controlled rather than prohibited.	Agree	Amend according to examiner's recommendation
Page 12, Para 38, line 2	<u>Modification 8</u> Change to: "The policies <i>reflect</i> the 11 Plan Objectives."	The Policies of the Neighbourhood Plan make up its most important part. Once made, they form part of the statutory development plan. The Objectives do not carry the material planning weight of statutory land use planning policies.	Agree	Amend according to examiner's recommendation
Page 12, Para 43, line 5	<u>Modification 9</u> Change to: "states <i>at</i> para"	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Policy B1: Respecting and Enhancing Distinctive Views	<u>Modification 10</u> Change wording of opening sentence to: " <i>Development proposals must respect distinctive views as identified below and illustrated in Appendix 1:</i> " (LIST OF VIEWS HERE)	The Policy adopts a more onerous approach than that set out in National Policy by requiring that developments don't just respect views but also enhance them. Twenty-four separate distinctive views are listed in the policy. The Examiner considers the distinctive views identified are not precise or specific and are open to wide interpretation, and that the information which define the views is general and subjective.	Agree	Amend according to examiner's recommendation
Page 15, Para 64, line 1	<u>Modification 11</u> Delete "and, wherever possible, enhanced"	In the absence of this information, it is unclear how " <i>enhancement</i> " might be judged, who by and on what	Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
		basis. The Examiner considers that there is no evidence to demonstrate that an obligation for development to enhance views is deliverable.		
Policy B2: Local Green Space	<u>Modification 12</u> Change opening sentence to: " <i>The sites listed below and identified on the accompanying plan(s), are designated as Local Green Space. The management of development within areas of Local Green Space will be consistent with that for development within Green Belts, as set out in national policy.</i> "	In National Policy a Local Green Space (LGS) designation is considered to provide protection that is comparable to that for Green Belt land. Given the importance of the designation, LGS boundaries must be clearly identifiable. The Examiner considers that there is no plan in the Neighbourhood Plan that clearly distinguishes boundaries for all the designated LGS areas in a precise and clearly identifiable manner. The Examiner therefore recommends that a new plan (or plans) should be provided showing the boundaries of each LGS, ensuring that the boundaries are clearly identifiable.	Agree	Amend according to examiner's recommendation
Policy B2: Local Green Space	<u>Modification 13</u> Delete the last sentence ("Development...the site")		Agree	Amend according to examiner's recommendation
Policy B2: Local Green Space	<u>Modification 14</u> Change description of designation 1 to " <i>Flower bed at the junction of...Cutthorpe.</i> " NB, ensure that the boundary of the corresponding new (see recommendations below) plan for this site shows only the flower bed as a Local Green Space (and not the whole roundabout)	The LGS tests set out in the Framework are that the green space should be in reasonably close proximity to the community it serves; that it is demonstrably special to a local community and that it holds a particular local significance. The Examiner does not believe that there is enough substantive information to support the designation of Site 8 (Bradshaw Lane) as an LGS and recommends it be deleted.	Agree	Amend according to examiner's recommendation
Policy B2: Local Green Space	<u>Modification 15</u> Delete designation 8 (Bradshaw Lane, Wadshelf)	The Examiner also considers that the boundaries for Site 1 (Cutthorpe/Four Lane Ends), which includes an attractive flower bed, should be changed to just cover the flowerbed and that the surrounding highway land should be removed from the designation. The Examiner	Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Page 17, Para 70, line 2	<u>Modification 16</u> Change to: "...consideration, 7 areas of local green space have been identified..."	furthermore recommends changing the name of the LGS from 'Cutthorpe/Four Lane Ends' to 'Flower bed at the junction of Cutthorpe Road and Four Lanes End, Cutthorpe'.	Agree	Amend according to examiner's recommendation
Page 17, Para 70, line 4	<u>Modification 17</u> Change to: "...identified below and are also referred to in Appendix 3. Further..."		Agree	Amend according to examiner's recommendation
Page 17, below Policy B2	<u>Modification 18</u> Provide a new plan (or plans) in the Neighbourhood Plan, below Policy B2, showing the boundaries of each area of Local Green Space, ensuring that the boundaries are clearly identifiable		Agree	Amend according to examiner's recommendation
Policy B3: Nature Conservation and Biodiversity	<u>Modification 19</u> Change wording to: " <i>Development should conserve and enhance biodiversity. The enhancement of designated and other local wildlife sites will be supported.</i> "	The Examiner considers that the approach taken in this policy could give rise to inadvertent support for inappropriate forms of development and consequently, runs the risk of the Neighbourhood Plan failing to contribute to the achievement of sustainable development. Furthermore, the Policy refers to " <i>particular</i> " support for development that enhance " <i>significant habitat types.</i> " In the absence of a clear definition of what a significant habitat type comprises, the Examiner considers this part of the Policy to be vague and to not have regard to national guidance. Similarly, in the absence of detail it is not clear what a " <i>sympathetically located and designed</i> " development might comprise, and it is not clear how all	Agree	Amend according to examiner's recommendation
Page 19, Para 79, Line 1	<u>Modification 20</u> Change to: "The Plan seeks to <i>conserve and enhance</i> nationally..."		Agree	Amend according to examiner's recommendation
Page 19, Para 80, Line 1	<u>Modification 21</u> Change to: " <i>The Parish Council supports</i> the objectives identified..."		Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Page 19, Para 81, Line 1	<u>Modification 22</u> Paragraph 81, change to: <i>"The Parish Council will seek to encourage nature conservation. Several suggestions..."</i>	forms of development should, or can, <i>"incorporate"</i> biodiversity in and around them. There is also no evidence to demonstrate how the Neighbourhood Plan might <i>"restore"</i> biodiversity	Agree	Amend according to examiner's recommendation
Policy B4: Dark Skies	<u>Modification 23</u> Delete wording and replace with: <i>"Development proposals should seek to minimise light spillage through good design and the avoidance of lighting that results in the loss of night-time dark skies."</i>	The Examiner recognises that Dark skies can comprise an important aspect of the countryside and especially, of National Parks. However, the Examiner also notes that most forms of external lighting do not require planning permission, and in the absence of any substantive information the Examiner does not believe the requirements in Policy relating to external lighting are deliverable.	Agree	Amend according to examiner's recommendation
Page 21, Para 87	<u>Modification 24</u> Delete paragraph		Agree	Amend according to examiner's recommendation
Policy B5: Noisy Sports	<u>Modification 25</u> Delete wording and replace with: <i>"Development proposals must respect the tranquillity of the countryside and the amenity of neighbouring uses, with regards to noise and disturbance and highway safety. Proposals for noise-generating sport and recreational uses in the countryside should demonstrate how noise and disturbance will be mitigated."</i>	The Examiner considers that "noisy sports" is a subjective term and that the supporting text in the Plan is only vague in respect of precisely what noisy sports comprise. As worded, Policy B5 relies upon several vague or undefined terms. In the absence of clear definitions, there is no supporting information to make it clear how a decision maker should react to a development proposal, having regard to Paragraph 16 of the Framework.	Agree	Amend according to examiner's recommendation
Page 22, Para 100	<u>Modification 26</u> Delete paragraph		Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Policy B6: Housing Mix	<u>Modification 27</u> Delete wording and replace with: <i>"New housing development should demonstrate how it has taken account of up to date local housing need information including the Brampton Parish Housing Needs and Characteristics Study 2019 (or as updated)."</i>	The Examiner considers that Policy has regard to Paragraph 62 of the NPPF. However, whilst the supporting text to Policy B6 indicates a local need for smaller two-bedroomed houses, the Neighbourhood Plan does not allocate land for any such development or provide detailed information in respect of how or where such development might be delivered on sites in the Neighbourhood Area. Consequently, as set out, Policy B6 requires all housing development to provide for a mix of housing types and sizes, without any evidence to demonstrate that this is a deliverable requirement.	Agree	Amend according to examiner's recommendation
Page 25-27, Paras 117-126	<u>Modification 28</u> Delete Paragraphs 117 to 126, inclusive	<p>The Neighbourhood Plan does not include an affordable housing policy and does not include a rural exceptions policy. Much of the supporting text in paras 117-126 is set out as though it supports a policy, or policies, in the Neighbourhood Plan. Part of the supporting text is written as though it comprises policy requirements, which it does not. The Examiner considers that supporting text appears confusing in these respects.</p> <p>The Examiner considers that it is not necessary for the Neighbourhood Plan to describe and provide supporting evidence for policies that it does not include. Also, the supporting text of a neighbourhood plan does not <i>"reinforce"</i> an adopted policy in another part of a development plan.</p>	Agree	Amend according to examiner's recommendation
Policy B7: Brampton Parish Character	<u>Modification 29</u> Retain first sentence but delete second, third and fourth sentence ("To be supported...benefits of the development.") and replace with: <i>"Any development proposal affecting</i>	The Policy refers to <i>"important views"</i> in relation to heritage assets but does not provide precise information in respect of what these might be. The Policy also includes a general requirement for development to take account of local styles, materials and details without clarifying whether this relates specifically to the	Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Buildings of Local Interest	<i>a heritage asset must demonstrate how it has considered the character and setting of the asset, including consideration of local vernacular and materials. Proposals involving harm to, or the loss of a Brampton Parish Character Building of Local Heritage Interest must set out the scale of any such harm or loss alongside the benefits of the proposal."</i>	development of, or in the setting of, the Character Buildings, or to development in general. The Examiner does not consider this part of the policy to be clear. The final part of the Policy goes beyond the requirements of national policy in respect of non-designated heritage assets. No justification is provided for this different approach and consequently the Examiner does not consider this part of the Policy to have regard to national policy.		
Page 28, Para 134, Line 1	<u>Modification 30</u> Change to: "According to <i>Historic England</i> ..."	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 29, Para 136, second and third sentences.	<u>Modification 31</u> Change to: "...Parish. A Scheduled Ancient Monument <i>is a nationally important archaeological site given legal protection under the Ancient Monuments and Archaeological Areas Act 1979. Scheduled monuments in Brampton include evidence of Bronze Age settlement and lead smelting.</i> "	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 29, Para 138, Line 3	<u>Modification 32</u> Change to: "...where they preserve..."	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 29, Para 141, first bullet point	<u>Modification 33</u> First bullet point should begin: "At" and for consistency, change third bullet point to: "12 th "	For clarity and accuracy.	Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Policy B8: Promoting Sustainable High Quality Design	<u>Modification 34</u> Delete opening paragraph and replace with: <i>"All new development in Brampton must be of high quality design and must respect local character and local distinctiveness. Development proposals should consider opportunities to:"</i>	As presented, Policy B8 opens with a statement rather than a land use planning policy and sets out a requirement for all development to enhance the scale, density, character, layout and access of existing surrounding buildings and landscape. The Examiner notes that there is no evidence to demonstrate that such a requirement is deliverable (or possible), having regard to Paragraph 16 of the Framework, which requires plans to be deliverable.	Agree	Amend according to examiner's recommendation
Policy B8: Promoting Sustainable High Quality Design, criteria a)	<u>Modification 35</u> Change to: <i>"Reinforce the distinctive qualities of the environment in which it is located, taking account of natural and built character, historical context and established patterns of development. The use of contemporary and innovative materials and design must demonstrate a positive contribution to local character;"</i>	The development plan is considered as a whole and adopted Supplementary Planning Documents provide guidance that expands upon adopted policies in the development plan. The Examiner consequently considers that there is no need to provide cross-references to adopted planning policies in a Neighbourhood Plan policy. The supporting text to Policy B8 references relevant guidance (and a recommendation is made in respect of the supporting text in this regard).	Agree	Amend according to examiner's recommendation
Policy B8: Promoting Sustainable High Quality Design, criteria e)	<u>Modification 36</u> Change to: <i>"Provide safe..."</i>	The Examiner furthermore considers much of the text in the policy to be ambiguous and does not think the supporting text in the Plan provides any indication of when design criteria may or may not be relevant or what the impact of views to or from a Conservation Area comprises.	Agree	Amend according to examiner's recommendation
Policy B8: Promoting Sustainable High Quality Design, criteria f)	<u>Modification 37</u> Change to: <i>"Protect residential amenity, giving careful consideration to noise, privacy, outlook and to sunlight and daylight. Development should also consider impacts in respect of flood risk and odours;"</i>		Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Policy B8: Promoting Sustainable High Quality Design, criteria g)	<u>Modification 38</u> Change to: " <i>Incorporate sustainability, sustainable construction and energy efficiency into design and development, and</i> "		Agree	Amend according to examiner's recommendation
Policy B8: Promoting Sustainable High Quality Design	<u>Modification 39</u> Delete ", including the impact of views to and from them; and"		Agree	Amend according to examiner's recommendation
Policy B8: Promoting Sustainable High Quality Design	<u>Modification 40</u> Change title of Policy to " <i>Promoting High Quality and Distinctive Design</i> "		Agree	Amend according to examiner's recommendation
Page 31, Para 155	<u>Modification 41</u> Delete Paragraph 155	Misconstrues the purpose of Conservation Area appraisals and is unnecessary.	Agree	Amend according to examiner's recommendation
Parish Action 1	<u>Modification 42</u> Delete "and Historic England"	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Title above Para 159	<u>Modification 43</u> Change to "Promoting High Quality and Distinctive Design"	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 33, Para 175, line 1	<u>Modification 44</u> Change to "...have <i>produced detailed guidance aimed at...</i> "	For clarity and accuracy.	Agree	Amend according to

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
				examiner's recommendation
Page 33, Para 176	<u>Modification 45</u> Delete “, in particular Policy B8 below”	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Policy B9: Protecting, Conserving and Enhancing Dry Stone Walls	<u>Modification 46</u> Delete wording and replace with: <i>“Development should not result in the loss of, or harm to, traditional dry stone walls. The conservation and/or enhancement of traditional dry stone walls will be supported.”</i>	As set out, the Policy seeks to introduce a requirement for design proposals to be re-designed, as opposed to providing a land use planning policy framework for development. The Examiner considers that, in the absence of information, it is not clear how the Neighbourhood Plan will, or can, “encourage” or “view positively.”	Agree	Amend according to examiner's recommendation
Policy B10: Protection and Enhancement of Important Community Facilities, Line 3	<u>Modification 47</u> Change to “...viable, further to evidence of 12 months active marketing, or is no longer required...”	The Examiner considers this policy to be ambiguously worded, unsupported by detailed information and open to wide interpretation. The Examiner also consider that the Policy appears to unduly restrict the scope for the provision of community facilities, which would be contrary to National Policy which requires policies to be positively prepared. Furthermore, the Examiners considers the policy undeliverable as written due to the references to “small-scale” proposals. No indication is provided in the Plan of what “small-scale” might comprise.	Agree	Amend according to examiner's recommendation
Policy B10: Protection and Enhancement of Important Community Facilities	<u>Modification 48</u> Delete the two paragraphs after the list of important community facilities and replace with: <i>“The improvement of existing and the creation of new community facilities will be supported, subject to development proposals demonstrating that they respect local character and residential amenity and do not result in harm to highway safety.”</i>		Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
Page 37, Para 195, Line 3	<u>Modification 49</u> Delete last sentence ("Large scale...Parish.")	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Policy B11: Assets of Community Value	<u>Modification 50</u> Delete Policy B11	Policy B11 seeks to introduce an approach whereby, in addition to the provisions of Policy B11, development that supports the " <i>longevity, appreciation and community value</i> " of an ACV will be " <i>encouraged</i> ." These are matters that the Parish Council can seek to " <i>encourage</i> " but there is no substantive information to demonstrate how they might be delivered by a land use planning policy.	Agree	Amend according to examiner's recommendation
Policy B11: Assets of Community Value	<u>Modification 51</u> Replace existing policy with: " <i>PARISH ACTION 2: ASSETS OF COMMUNITY VALUE. The Parish Council will seek to encourage development that supports the longevity, appreciation and community value of Assets of Community Value.</i> "	Furthermore, the Examiner considers that Policy B11 does not serve a clear purpose and duplicates the protections already delivered by Policy B10 and so does not meet the basic conditions. Taking this into account, the Examiner has recommended that Policy B11 be deleted and made into Parish Action 2.	Agree	Amend according to examiner's recommendation
Page 37, Para 196, Line 1	<u>Modification 52</u> Change to: "...Value provides the opportunity <i>for the community to bid to purchase it should it be listed for sale.</i> "	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Page 38, Para 201	<u>Modification 53</u> Delete Paragraph 201	For clarity and accuracy.	Agree	Amend according to examiner's recommendation
Policy B12: Broadband and Other Telecommunic	<u>Modification 54</u> Change wording to: " <i>The development of enhanced broadband and other telecommunications equipment will be supported where</i>	As worded, the Policy refers to encouraging " <i>small scale development proposals</i> " without indicating how such encouragement might take place and what such small	Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
ations Provision	<i>such provision is sympathetically located and designed."</i>	scale development comprises. The Examiner considers the policy to vague and unclear in this respect.		
Policy B13: Highway and Pedestrian Safety	<u>Modification 55</u> Delete wording and replace with: <i>"Development must not harm highway safety and development in Cutthorpe village should not result in the loss of existing car parking provision."</i>	<p>The Policy sets out a requirement for all development to demonstrate various things without any supporting evidence to demonstrate that such a requirement meets the national tests for planning obligations as set out in Paragraph 57 of the NPPF. The Examiner considers that requirements of the Policy in this regard do not have regard to Paragraph 44 of the NPPF, which limits supporting information requirements to that which is relevant, necessary and material to the application in question.</p> <p>The Examiner considers the second part of the policy to be in unclear, in that it supports any form of development subject to that development improving localised issues of vehicular and pedestrian safety and movement, subject to highway designs being appropriately located and not harming local character. In the absence of information to the contrary, it appears that such an approach could result in inadvertent support for inappropriate forms of development and place an obstacle in the way of the Neighbourhood Plan contributing to the achievement of sustainable development.</p>	Agree	Amend according to examiner's recommendation
Policy B14: Footpaths, Cycle Paths and Bridleways	<u>Modification 56</u> Delete "Priority will be given to those that extend and join the existing network."	The Policy states that " <i>priority will be given to</i> (footpaths, cycleways and bridleways) <i>that extend and join the existing network.</i> " The Examiner considers that there is no supporting information setting how such prioritisation will take place and that this part of the Policy does not provide a decision maker with a clear indication of how	Agree	Amend according to examiner's recommendation

Section in Examined Document	Examiner's Recommendation	Examiner's Reasons (Summarised by the Council)	Local Authority's decision	Action to be taken
		to react to a development proposal, having regard to Paragraph 16 of the NPPF.		
Policy B15: Ultra-Low Emissions Vehicle Infrastructure	<u>Modification 57</u> Change wording to: " <i>The development of charging points for Ultra-Low Emission Vehicles and e-bikes will be supported.</i> "	The Examiner considers the policy to be worded in such a way that it supports any form of development so long as it provides e-vehicle charging points. This could result in inadvertent support for inappropriate forms of development, placing an obstacle in the way of the Neighbourhood Plan contributing to the achievement of sustainable development. Further to the above, the Examiner states there is no information in the Neighbourhood Plan in respect of what " <i>sympathetically located and designed</i> " charging points might comprise.	Agree	Amend according to examiner's recommendation
Page 45, Para 245, Line 1	<u>Modification 58</u> Change to: "The Plan will be monitored by the Parish <i>Council</i> on at least an annual..."	The Neighbourhood Plan cannot impose monitoring requirements upon the local planning authorities.	Agree	Amend according to examiner's recommendation
Entire Plan	<u>Modification 59</u> Update the Contents, Policy, Page, Paragraph and Plan numbering to take into account the recommendations contained in this Report	The modifications suggested will have a subsequent impact on Contents, including Policy, Page, Paragraph and Plan numbering.	Agree	Amend according to examiner's recommendation

North East Derbyshire District Council

Cabinet

21 September 2023

North East Derbyshire UK Shared Prosperity Fund – Update

Report of Councillor Jayne Barry, Portfolio Holder for Growth and Assets

Classification: This report is public

Report By: Tris Burdett, Partnership Development Officer

Contact Officer: Tris Burdett, Partnership Development Officer

PURPOSE / SUMMARY

To provide Members with an update on the North East Derbyshire UK Shared Prosperity Fund Programme.

RECOMMENDATIONS

1. Members are asked to note the content of the report.

Approved by the Portfolio Holder – Cllr. Jayne Barry

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

The Programme Management Team oversee the management of the North East Derbyshire UK Shared Prosperity Fund. All commissioned activities and grants awarded adhere to NEDDC's Financial Regulations and Risk Management.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

The Grant Funding Agreement with the Department for Levelling Up, Housing and Communities are legally binding with the Council. All data monitoring information and agreements are stored securely.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

There are no human resource implications as a result of this report. The funding is being managed through a combination of existing and new resources funded by the SPF Programme.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Cllr. Jayne Barry and Steve Lee, Assistant Director, Regeneration and Programmes.

Links to Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.
A Great Place to Live Well: <ul style="list-style-type: none">• A community with lifelong good health• A place to live that people value• A place where people enjoy spending time A Great Place to Work: <ul style="list-style-type: none">• A community with growing employment opportunities A Great Place to Access Good Public Services: <ul style="list-style-type: none">• Assist and influence other public partners to improve their services in the District

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 During the summer of 2022, the Government announced the UK Shared Prosperity Fund which is the central pillar of the Levelling Up agenda. The primary aim is to build pride in place and increase life chances across the UK by investing in the following priorities:
- Community and Place
 - Supporting Local Businesses
 - People and Skills
- 1.2 Local authorities were invited to submit an Investment Plan based on a national list of interventions and outputs which demonstrated how investment would achieve the priorities set out by Government.
- 1.3 A consultation process was held with a breadth of stakeholders who live, work and deliver services across the District. This was aimed at those who focus on building pride in place, developing community assets and improving the look and feel to create communities where people want to live, work, visit and invest in. In December 2022, North East Derbyshire District Council (NEDDC) was awarded £2.568m to implement the Investment Plan between January 2023 and March 2025.

2. **Details of Proposal or Information**

- 2.0 The Council has adopted a hybrid approach using targeted investment, grant schemes and commissioned activity to deliver the Investment Plan over nine priority areas which are summarised below. The amounts noted represent the total allocation by theme for the duration of the Programme. Each theme is being monitored to ensure interventions and projects will deliver contracted outputs, outcomes and spend allocations by March 2025. In the event that a certain theme or underpinning element will not be delivered in time, Cabinet may be required to consider alternative delivery solutions to ensure successful delivery of the Programme.
- 2.1 **Town Centre Improvements: Pride in the Public Realm - £500,000**
To support the development of public space including landscaping, street furniture and public art to create pride in the local area. Dronfield was identified as a priority area in the Investment Plan with officers currently trying to engage with local landowners to progress.
- 2.2 **Green Space and Routeways: Quality Parks and Play Areas - £640,000**
The development of parks and play areas to provide attractive and accessible facilities for all to use. Identified as a priority in the Investment Plan, Landsbury Park in Eckington has been allocated £200k. In addition, £55k was allocated to the refurbishment of Killamarsh Skate Park to compliment the newly opened leisure centre, Killamarsh Active, in the autumn of 2022, which unlocked the ability to access Home Office funding for the improved Skate Park. The remaining allocation has been committed through two grant

funding rounds which was open to all Parish and Town Councils across the District, with a further 18 parks and play areas received grant offers ranging from £3,500 to £150,000. Progress against developing all parks will be reviewed in early October 2023 to ensure the funding is being utilised.

- 2.3 Green Space and Routeways: Green Routes - £30,000
To add value to walking and sustainable travel links. These could include improvements, signage, way markers, QR codes, interpretation and physical access on existing local trails, footpaths and routeways. The project is currently at planning stage with officers working with Derbyshire County Council Countryside Service to identify a list of potential locations for further consideration.
- 2.4 Green Space and Routeways: Chesterfield Canal Improvements - £25,000
Chesterfield Canal Trust has been awarded a grant to undertake an economic impact assessment to identify the opportunities for future development opportunities of the Canal. It is anticipated that the study will be completed by October 2023.
- 2.5 Engaged and Enriched Communities: Community Activities - £49,250
Working with NEDDC's Community Safety Team to deliver activities for young people across the District, focused on supporting social inclusion and mitigating anti-social behaviour. This will be achieved by funding a series of Extreme Wheels roadshows at known 'hot spots' to provide a large range of activities as well as pro-BMX demonstrations. The activities attract the target audience of secondary school aged young people with 7 roadshows delivered so far, engaging with 114 individuals. It is anticipated that over 1000 young people will be reached by the end of the project.
- 2.6 Engaged and Enriched Communities: Inclusive Communities - £210,000
Supporting voluntary-led community activity and social inclusion across the District with a focus on the economic and social sustainability for households and communities. Through a publicised grant funding round Citizens Advice North East Derbyshire, Derbyshire Voluntary Action and Citizen's Advice Mid Mercia have been funded to provide specialist energy advice, building community capacity and reducing social isolation and digital skills training. All projects will run until the end of the Programme and it is anticipated that over 2,000 people will benefit from the wide range of activities and advice provided.
- 2.7 Engaged and Enriched Communities: Enhancing Village Halls and Community Venues - £100,000
Providing financial support to local community venues to enable them to become financially and environmentally sustainable by creating quality attractive venues to be used by the community. 14 grants awarded ranging from £1,789 to £10,000 will help to fund LED lighting replacing fluorescent bulbs, from boiler and window replacements, plus renewing kitchen and toilet facilities, improving access and creating more usable spaces.
- 2.8 Engaged and Enriched Communities: Exploring the District - £170,000
To promote the District and its cultural offer to residents, visitors and inward investors by facilitating and publicising local leisure, tourism, arts and cultural

offer through various methods, for example, the production of guides, creating dedicated webpages and using social influences. This will be measured, in part, by monitoring footfall and increased visitor numbers. Extended dedicated officer time from the Economic Development and Communications Teams are in place, with work on branding underway. Further strategy development to take place over the next few months.

2.9 Town Centre Improvements: Shop Front Improvements - £400,000

The aim is to increase footfall and local spend as well as create a positive perception by improving shop frontage for businesses across the District. Grants of up to £10,000 are available for commercial street-facing properties. Launched in April 2023, the scheme will run for the duration of the Programme and it is anticipated that 40 properties will benefit.

2.10 Growing and Sustaining Businesses: Advice and Guidance - £241,226

Through specialist business advisors, dedicated District-wide holistic, cross-sector advice and support will be available to new and existing businesses to encourage and enable start-up, sustainability and growth. It is anticipated that over 150 businesses will be supported. In addition, specialist energy advice will be offered to support businesses to become more energy efficient.

Working in partnership with five other Derbyshire local authorities, a joint tender process, led by NEDDC, has been undertaken to appoint specialist business advisors. A preferred supplier has been chosen and will be announced within the next few weeks, subject to contract. In addition support will be commissioned from January 2024 for start-up businesses.

2.11 Skills for the Future: Sustaining Energy Skills - £100,000

Supporting existing trades people to diversify by providing installation training on new technologies including low-carbon and energy efficiency schemes. Discussions with a professional training body are underway to explore nationally recognised accreditation. It is envisaged that around 100 people will be supported through the scheme. In recognition of similar schemes now in place through other mechanisms, the delivery approach is being reviewed in order that the funding is utilised in the most appropriate manner.

3 Reasons for Recommendation

3.1 To note progress of the activity funded by UK Shared Prosperity Fund.

4 Alternative Options and Reasons for Rejection

4.1 No alternative options are considered appropriate as the Investment Plan has been approved by DLUHC.

DOCUMENT INFORMATION

Appendix No	Title
n/a	Click here to enter text.

Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) you must provide copies of the background papers)

n/a

North East Derbyshire District Council

Cabinet

21 September 2023

Funding to Voluntary and Community Sector Infrastructure Support Organisations – Summary of Outcomes for 2022/23

Report of Councillor Jayne Barry, Portfolio Holder for Growth and Assets

Classification: This report is public

Report By: Tris Burdett, Partnership Development Officer

Contact Officer: Tris Burdett, Partnership Development Officer

PURPOSE / SUMMARY

To provide an overview of the outcomes achieved in 2022/23 by voluntary and community sector infrastructure support organisations funded by the Council.

RECOMMENDATIONS

1. Members are asked to note the content of the report.

Approved by the Portfolio Holder – Cllr. Jayne Barry

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

There are no financial implications in the current financial year. Any recommendations that may have future financial and risk implications will be considered later in the commissioning cycle.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details:

The monitoring arrangements form part of legally binding Service Level Agreements with the Council. All data monitoring information and agreements are stored securely.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

There are no human resource implications as a result of this report. This activity is delivered through existing resources.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Cllr. Jayne Barry and Steve Lee, Assistant Director, Regeneration and Programmes.

Links to Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.
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Key Council Plan priorities delivered through these commissions are: Protecting the most vulnerable in our community, actively seeking to prevent homelessness, tackling issues such as childhood obesity and lack of exercise and empowering and supporting local volunteers and organisations.
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REPORT DETAILS

1 **Background** (reasons for bringing the report)

- 1.1 At Minute No. 186 (2013/14), Cabinet approved new commissioning and monitoring arrangements following a review of funding to voluntary and community sector (VCS) organisations. From 2013 Members received a series of annual presentations from the groups funded by the Council. In 2019 Cabinet agreed to receive an officer summary report whilst retaining the option of requesting the organisations to present to Cabinet as required. At present none of the organisations funded have been asked to present this year.

2. Details of Proposal or Information

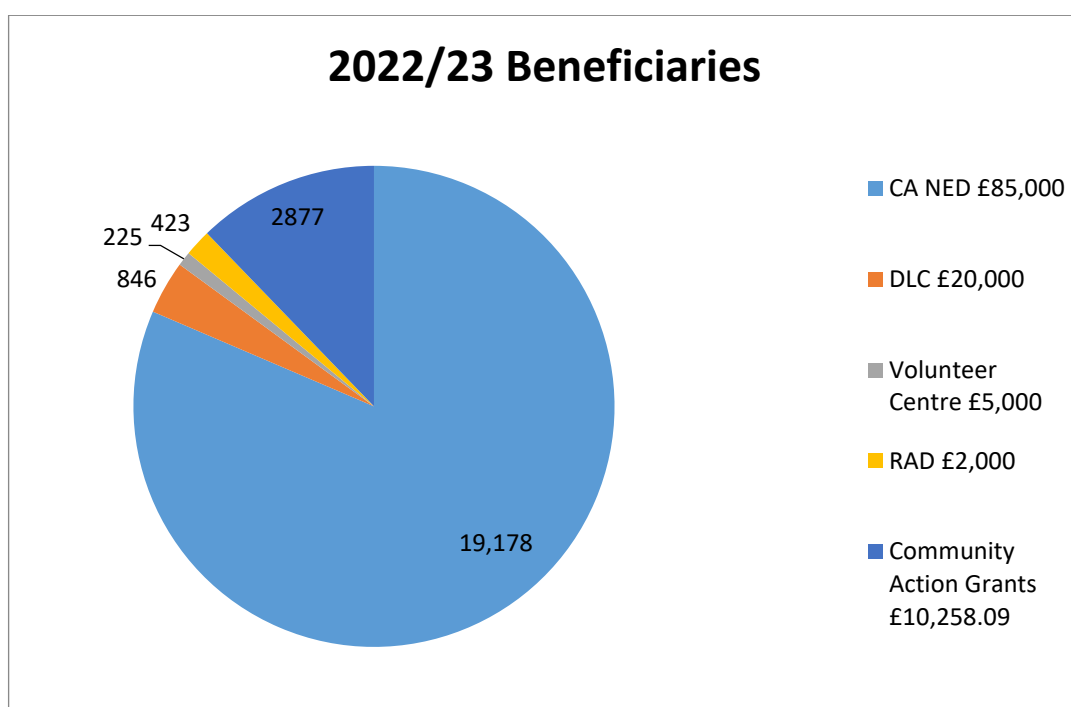
- 2.1.1 Investment in these voluntary organisations is measured in accordance with the Council Plan 2019/23 target to assist over 20,000 vulnerable and disadvantaged households year on year. The following illustrates the Council's available investment and households assisted since 2014/15:

<u>Council Investment</u>	<u>Households assisted</u>
2014/15: £131,312	13,565
2015/16: £132,799	18,319
2016/17: £132,799	19,861
2017/18: £132,799	20,832
2018/19: £132,799	22,944
2019/20: £135,752	29,896
2020/21: £136,085	18,981
2021/22: £136,085	19,096
2022/23: £136,085	23,594

- 2.1.2 The number of voluntary and community infrastructure support organisations directly funded during 2021/22 has changed. The Council embarked on a different approach to supporting some elements of the voluntary and community sector (VCS). In June 2021, Cabinet agreed to commission an external organisation to deliver an outcome based approach to support the VCS in North East Derbyshire. The tender did not attract any submissions, therefore impacting on the wider reach of services funded by NEDDC in the following years. The increase in residents and households supported during 2021/22 has seen numbers return to pre pandemic levels.
- 2.2.3 The monitoring exercise has shown a variation in customer demand for these services in recent years, seeing an increase in residents and households seeking advice and support during 2021/22. Further details on the top three reasons residents sought advice from these organisations can be found in section 2.5:
- £10.00 per household in 2014/15
 - £7.00 per household in 2015/16
 - £6.70 per household in 2016/17
 - £6.40 per household in 2017/18
 - £5.79 per household in 2018/19
 - £4.55 per household in 2019/20

- £7.17 per household in 2020/21
- £7.13 per household in 2021/22
- £5.77 per household in 2022/23

2.3 The data collected helps to highlight demand on specific issues, and services within communities and enabling the identification of 'hot-spot' areas within the District. The data also includes beneficiaries from the Community Action Grants, which is funded via this VCS budget. The chart below illustrates the number of beneficiaries each organisation or grant scheme has supported, together with the amount of grant funding received:



2.4 The VCS infrastructure organisations re-commissioned in April 2022 have provided information on how their activity has helped deliver the Council Plan 2019/23. The outcomes of the current commissions for 2023/24 will be reported in autumn 2024.

2.5 A summary of the core aims of the organisations and the top three issues as to why residents/groups sought advice or support is as follows:

2.5.1 Citizens Advice - North East Derbyshire (CA NED)

Provides free, confidential, impartial and independent advice to enable local residents to deal with a wide range of issues from money advice to housing, employment, consumer issues and benefits.

Assisting 19,178 beneficiaries in 2022/23, the top three issues identified were:

- 1) Benefits including Universal Credit
- 2) Debt
- 3) Charitable Support (i.e. food bank referrals)

Additional funding was granted in 2022/23 to pay for a part time Volunteer Co-ordinator who aims to recruit, support and retain volunteers. There are 16 active volunteers covering the drop-in centre, advice line, social media, research/campaigns with 5 additional volunteers currently in training.

2.5.2 Derbyshire Law Centre (DLC)

A not-for-profit legal practice providing free legal advice and representation to disadvantaged people. This ensures local communities, in particular disadvantaged communities, have access to the law and legal redress to enforce their civil rights. The work is also key to avoiding homelessness within the district.

Assisting 846 beneficiaries in 2022/23, the top three issues identified were:

- 1) Housing
- 2) Debt
- 3) Employment

2.5.3 Volunteer Centre

Operating as a local volunteering development agency working independently to support organisations from the voluntary, community and public sector across North East Derbyshire. Supporting the most vulnerable residents, services range from befriending to reduce social isolation and providing volunteers for the Home from Hospital Service. Residents are helped on a regular basis so it is likely that many will have support from the Voluntary Centre multiple times.

Assisting 225* beneficiaries in 2022/23, the top three issues identified were:

- 1) People being referred into the Home From Hospital Service and providing assistance with shopping
- 2) People looking to access volunteering
- 3) People being referred into our befriending service.

*This figure is likely to be higher for North East Derbyshire. A reporting issue with the system has been identified and work is underway to resolve this.

2.5.4 Rural Action Derbyshire (RAD)

Offer a range of services and co-ordinated activity to support communities in North East Derbyshire District. Rural Action Derbyshire provides services to the whole of Derbyshire and represents the interests of the rural community countywide. In recent years, the RAD has provided a greater focus on economic partnerships and the needs of the rural economy particularly food and farming.

Assisting 423 beneficiaries and 93 groups/organisations supported in 2022/23, the top three issues identified were:

- 1) Affordable food
- 2) Affordable energy
- 3) Affordable transport

2.5.5 Community Action Grants

24 community groups and organisations were awarded funding in 2022/23 totalling £10,258.09. Activity funding included Jubilee and Coronation events, equipment and materials.

A total of 2,877 beneficiaries were directly impacted and these activities were likely to have had a wider impact on the community.

Many groups have yet to report their final beneficiary figures due to a delay in monitoring. For information, the total number of beneficiaries supported in 2021/23 totalled 7,099 including schools supported through the Eco-School grants.

3 Reasons for Recommendation

- 3.1 To ensure that the Council maximises efficiencies and outcomes through commissioning voluntary sector organisations to help achieve the Council's Priorities.

4 Alternative Options and Reasons for Rejection

- 4.1 No alternative options are considered appropriate as the aim of the review was to increase transparency and accountability of commissioned services.

DOCUMENT INFORMATION

Appendix No	Title
	n/a
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) you must provide copies of the background papers)	
n/a	

Agenda Item 10

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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