

## **CABINET**

### **MINUTES OF MEETING HELD ON THURSDAY, 25 JANUARY 2024**

#### **Present:**

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

Councillor Jayne Barry  
Councillor Stephen Pickering

Councillor Joseph Birkin  
Councillor Kathy Rouse

#### **Also Present:**

J Dethick	Director of Finance and Resources & (Section 151 Officer)
L Hickin	Managing Director - Head of Paid Service
S Sternberg	Assistant Director of Governance and Monitoring Officer
L Pepper	Assistant Director Communities
D Thompson	Assistant Director of Planning
A Maher	Governance Manager

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

59/2

3-24 None.

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

60/2

3-24 None.

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

61/2

3-24 RESOLVED That the minutes of the meeting held on 23 November 2024 were approved as a true record.

#### **CAB/ Medium Term Financial Plan 2023/24 to 2027/28**

62/2

3-24 As part of the Council's Medium Term Financial Plan (MTFP), the report to Cabinet set out the Current Budget for the 2023/24 financial year. It also set out the proposed Original Budget for the 2024/25 financial year, covering the General Fund, Housing Revenue Account and Capital Programme, as well as the financial projections in respect of 2025-26 to 2027-28. Cabinet was asked to endorse and recommend them to Council for approval, at its meeting on 29 January 2024.

Members discussed the report. Cabinet heard about the financial pressures facing the Council. These included £2.3M in additional pay costs following the nationally agreed pay settlement. Cabinet was reminded that extensive use of the Council's Resilience Reserve had been expected when the 2023-24 budget was set. However, the report made clear that because greater efficiency savings had been achieved, less use had to be made of the Resilience Reserve than projected.

Cabinet welcomed the savings which had been achieved. It reflected on the

financial pressures which the Council would face over the remaining years of the Medium-Term Financial Plan, the continuing need to achieve financial savings and the possible future calls that would have to be made on the Resilience Reserve if these savings were not achieved. Cabinet also considered the possible timetable for future changes to local government funding and the impact which the recently announced one-year-only increase in local government funding would have on the Council's budget.

Cabinet considered the possible levels of Council Tax and Housing Rents that Council be recommended to set. Members discussed the need for sufficient financial resources to provide high quality services to the District and its residents. They also discussed how important it was not to add unnecessary financial pressures on Council Tax and Council Housing rent payers. At the conclusion of the discussion Cabinet felt that an appropriate balance had been struck and agreed to recommend the budget proposals to Council for approval.

## RESOLVED

### Council is recommended at its meeting on 29 January 2024

- (1) That the view of the Director of Finance & Resources, that the estimates included in the Medium-Term Financial Plan 2023/24 to 2027/28 are robust and that the level of financial reserves are adequate at this time, be accepted.
- (2) That officers report back to Cabinet and the Services Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets.

### **General Fund**

- (3) That a Council Tax increase of £6.11 will be levied in respect of a notional Band D property (2.99%).
- (4) That the Medium-Term Financial Plan in respect of the General Fund as set out in **Appendix 1** to the report be approved as the Current Budget 2023/24, as the Original Budget 2024/25, and as the financial projections in respect of 2025/26 to 2027/28.
- (5) That the shortfall in the General Fund budget for 2024/25 as set out in **Appendix 1** to the report be met from the Resilience Reserve.
- (6) That the General Fund Capital Programme as set out in **Appendix 4** to the report be approved as the Current Budget in respect of 2023/24, and as the Approved Programme for 2024/25 to 2027/28.
- (7) That any under spend in respect of 2023/24 be transferred to the Resilience Reserve to provide increased financial resilience for future years of the plan.

### **Housing Revenue Account (HRA)**

- (8) That Council sets its rent levels for 2024/25 in consideration of the Social Housing Rent Standard increasing rents by 6% from 1 April 2024.
- (9) That the Medium-Term Financial Plan in respect of the Housing Revenue Account, as set out in **Appendix 3** to the report, be approved as the Current Budget in respect of 2023/24, as the Original Budget in respect of 2024/25, and the financial projection in respect of 2025/26 to 2027/28.
- (10) That the HRA Capital Programme as set out in **Appendix 4** be approved as the Current Budget in respect of 2023/24, and as the Approved Programme for 2024/25 to 2027/28.
- (11) That the Management Fee for undertaking housing services at £12.05m and the Management Fee for undertaking capital works at £1.1m to Rykneld Homes in respect of 2024/25 be approved.
- (12) That Members endorse the section in the financial framework within the Management Agreement which enables the Council to pay temporary cash advances to Rykneld Homes to help meet the cash flow requirements of the company should unforeseen circumstances arise in any particular month.
- (13) That Members note the requirement to provide Rykneld Homes with a 'letter of comfort' to the company's auditors and grant delegated authority to the Council's Director of Finance & Resources (S151 Officer) in consultation with the Leader of the Council to agree the contents of that letter.

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

OTHER OPTIONS CONSIDERED AND REJECTED - The Council is required to set a budget each year. There are no alternative options were considered at this time.

**CAB/ Publication of the first Biodiversity Net Gain report**

**63/2  
3-24**

The report to Cabinet sought approval to publish the first Biodiversity Net Gain report on the Council's website. Members were reminded that the Environment Act 2021 had placed a wide range of responsibilities on local government to improve Biodiversity. In particular, Section 103 of the Act now requires local authorities to publish Biodiversity Net Gain reports, summarising what actions they had taken and what they plan to do over the next five years.

Cabinet discussed the Biodiversity Net Gain report. Members welcomed the Council's work with the Derbyshire Wildlife Trust to conserve and enhance biodiversity in the District. Members also welcomed the commitment to provide Cabinet and the Environment Scrutiny Committee with detailed information about what future action will be taken to improve Biodiversity Net Gain over the next five years and to help achieve the key Council Plan commitments on this.

RESOLVED – That the first Biodiversity Net Gain report be now published on the

Council's website.

REASONS FOR DECISION - To comply with Section 103 of the Environment Act in relation to the publication of annual reports, demonstrating that the Council is meeting its statutory duty.

OTHER OPTIONS CONSIDERED AND REJECTED - None. Not publishing the report would leave the Council in a position where it cannot demonstrate compliance with the relevant legislation.

**CAB/ 64/2 3-24** **Delegating authority to officers to enter into Planning Performance Agreements with Developers**

The report to Cabinet proposed that the Assistant Director of Planning be authorised to use his delegated powers to enter into Planning Performance Agreements with developers. Members were informed about the purpose of these agreements, and in particular, how they could be used to ensure more effective liaison with developers on the delivery of major planning applications. This would, it was explained, help to ensure that the Council could recoup more of its costs when dealing with developers on these applications than it does at the moment.

Cabinet supported the proposed use of Planning performance Agreements. Members welcomed the reassurance that such agreements would not give potential developers an unfair advantage, nor diminish the role of the Planning Committee when determining on Planning Applications.

RESOLVED –

- (1) That Cabinet approved the use of powers delegated to the Assistant Director of Planning to set up a mechanism allowing applicants to enter into Planning Performance Agreements (PPAs); and
- (2) That Cabinet agreed the publication of a document on the Council's website explaining the purpose of Planning Performance Agreement to applicants and members of the public, based on the contents of Appendix 1 to the report.

REASONS FOR DECISION - The use of PPAs will allow the Council to recoup a large part of the costs associated with officer time spent on proactively dealing with the large-scale planning applications received by the Council and reduce the cost of the Planning Service to the Council's General Fund.

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

**CAB/ 65/2 3-24** **Urgent Items (Public)**

None.

**CAB/ 66/2** **Exclusion of Public**

**3-24** RESOLVED – That the public be excluded from the meeting during the discussion

of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**CAB/ Purchase of 15 units for affordable rent - Oaks Farm, Calow**

**67/2**

**3-24**

The report to Cabinet proposed that fifteen units should be purchased for affordable rent at Oaks Farm, Calow. Members supported the proposal and welcomed the contribution which the purchase would make towards achieving the Council Plan objective to increase the amount of accommodation for affordable rent in the District.

RESOLVED - That Cabinet approved the proposed purchase of the 15 units at Oaks Farm, Calow.

REASONS FOR DECISION - Purchasing these units will help to meet the affordable housing need in this area and the District.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not purchasing the units was considered but rejected for the reasons specified in the report.

**CAB/ Implementation of a Council Tax Premium for Empty Homes**

**68/2**

**3-24**

Cabinet was asked to endorse the introduction of Council Tax Premium for empty homes in the District. The report to Cabinet explained that other councils across Derbyshire now charge a Premium on empty homes, in order to help tackle the shortage of housing supply in their areas. Members were informed that if Cabinet endorsed the proposal, then a subsequent report would be submitted to Council seeking formal approval for the Premium.

RESOLVED -

- (1) That Cabinet endorsed the implementation of an Empty Homes Premium, as set out in the report.
- (2) That the implementation of the Empty Homes Premium commences from 1 April 2024.

REASONS FOR DECISION - The introduction of an Empty Homes Premium will help to reduce the number of current empty homes in the District.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not introducing a Council Tax premium was considered but rejected, given the current rise in empty homes in the District.

**CAB/ Urgent Items (Private)**

**69/2**

**3-24**

None.