

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 29 FEBRUARY 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:

M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources & (Section 151 Officer)
L Hickin	Managing Director - Head of Paid Service
S Sternberg	Assistant Director of Governance and Monitoring Officer
D Johnson	Assistant Director - Property, Estates and Assets
L Pepper	Assistant Director Communities
A Maher	Governance Manager

CAB/ Apologies for Absence

70/2

3-24 None.

CAB/ Declarations of Interest

71/2

3-24 None.

CAB/ Minutes of the Last Meeting

72/2

3-24 RESOLVED That the minutes of the meeting held on 25 January 2024 were approved as a true record.

CAB/ Medium Term Financial Plan Budget Monitoring Report April - December 2023 (Q 3)

73/2

3-24 The report to Cabinet updated Members on the Council's General Fund, Housing Revenue Account and the Capital Programme for the third quarter of the 2023-24 financial year.

Cabinet heard how the General Fund was currently forecast to be underspent by £0.580M. The report explained the reasons for this. In particular, Members were informed about lower employment expenditure, due to staffing vacancies, lower than expected utility and fuel costs, as well as greater than expected income received from Planning Service and other fees. As a consequence of the underspend, Council should not now have to use of any of its Resilience Reserve in order to balance the budget. Members welcomed this.

Cabinet discussed how many local authorities were finding it difficult to fill vacancies. Members were reminded of how the Council was trying to address the

problem and in particular, how the Talent Pipeline was being used to develop and retain staff and how the Council's Agile Working Policy was helping to make the Council more attractive to new staff. Cabinet welcomed the progress which had been made.

RESOLVED

That Cabinet noted the Quarter Three Budget Monitoring position as outlined in the report and detailed in **Appendices 1-4** to the report.

REASONS FOR DECISION

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

OTHER OPTIONS CONSIDERED BUT REJECTED

No other options were considered. The report provided monitoring information for Members on the financial position against the Council's previously approved budget.

CAB/ Derby and Derbyshire Strategic Leadership Board

74/2

3-24

The report to Cabinet sought approval for North East Derbyshire District Council to form and participate in the Derby and Derbyshire Strategic leadership Board (SLB). Members were reminded that Council had considered this issue at its meeting on 29 January 2024. Members had been informed at this meeting of the work taking place with Derby and Derbyshire Councils to develop a revised approach to collaborative and partnership working. Following on from this, Council had recommended to Cabinet that it approve the establishment, and participation in, a new Joint Committee of Derby and Derbyshire's Councils, the 'D2' Strategic Leadership Board (SLB).

Cabinet reflected on the benefits of the proposed new Leadership Board, and especially the way in which it could help the different local authorities to collaborate, co-ordinate and drive forward agendas, so that they could achieve more by working together and improve outcomes for people and places across Derbyshire. There was general agreement that Cabinet should accept the recommendation from Council and approve the establishment of, and participation in, the proposed new Strategic Leadership Board.

RESOLVED

That Cabinet:

1. Approved the proposals for the establishment of the Derby and Derbyshire Strategic Leadership Board (SLB) and the delegation of functions to this Joint Committee as set out in the Functions and Responsibilities document in **Appendix 2** of the Council report.
2. Noted the draft the Terms of Reference, including the Introduction and

Context, Functions and Responsibilities, Procedural Rules, and Information Procedure Rules for the SLB as set out at **Appendix 2** of the Council report and the position detailed in those documents regarding scrutiny and co-option.

3. Appointed the Leader of the Council as the Council's representative on the SLB and the Deputy Leader of the Council, as substitute.
4. Noted the intention that the SLB be the body for the nomination of District and Borough representatives to the East Midlands Combined County Authority (the CCA), when established, further noting that this was subject to the CCA's agreement that this be the mechanism.
5. Agreed that the County Council act as the host authority for the Joint Committee.
6. Noted and agreed the dissolution of the D2 Joint Committee for Economic Prosperity, the enactment of which is subject to the establishment of the SLB and recommends that the Constitution is amended accordingly.
7. Noted and agreed the dissolution of the Vision Derbyshire Joint Committee, the enactment of which was subject to the establishment of the SLB and recommends that the Constitution is amended accordingly.
8. Agreed with the Council's active participation in the SLB and the associated costs of taking forward the programme of work, the maximum cost of which currently stands at £12,500 for NEDDC (assuming all Districts and Boroughs are members of the SLB) which is funded until at least March 2025 via the Business Rates pool.
9. Noted that as the functions of the SLB are executive functions, Derbyshire County Council would not have the opportunity to co-opt additional members onto the SLB and the ability to co-opt is restricted within the Terms of Reference.
10. Noted that, in accordance with section 9F of the Local Government Act 2000, constituent authorities who operate executive arrangements would need to make formal scrutiny arrangements to review or scrutinise decisions made in connection with the exercise of the functions of the D2 Strategic Leadership Board, and that the Council's existing scrutiny arrangements would apply.
11. Delegated authority to the Managing Director and Head of Paid Service in consultation with the Leader to agree the final terms of reference for the SLB and all other arrangements.

REASONS FOR DECISION

To establish the Derby and Derbyshire Strategic Leadership Board with robust governance arrangements in place and secure the Council's future involvement and participation in new governance arrangements as they develop and emerge.

To ensure that the Council has appropriate lead Elected Member representation on the proposed Strategic Leadership Board, via the appointment of suitable Cabinet Members.

To ensure that the Council has appropriate delegations in place to enable the Council to participate in finalising the details of the Strategic Leadership Board governance.

OTHER OPTIONS CONSIDERED BUT REJECTED

The option of not creating a successor committee to the former joint committees was considered but rejected, as there would still need to be an alternative vehicle to make nominations to the CCA when established.

The option of the Council not participating in the SLB once established was considered but rejected as not desirable. The SLB is a merger of two successful Joint Committees to support effective and efficient decision making. There is also significant interest in continuing to work collaboratively with Derby and Derbyshire Councils and to work collectively in partnership to tackle the county's challenges and speak as a collective where possible.

CAB/ Shared Ownership Allocations Policy

75/2

3-24

Cabinet was asked to approve and adopt the proposed new Shared Ownership Allocations Policy. The existing policy, it was explained, had now expired and a renewed Policy would have to be put in place.

Members discussed the proposed Policy. Cabinet reflected on the experience of shared ownership schemes in the District and the limited impact which they had had in terms of extending home ownership. Members welcomed the proposed Policy, which would ensure that the Council's existing Shared Ownership properties were offered for sale in a clear, fair, and transparent manner. They also noted how the Council was not currently seeking to build any new properties for Shared Ownership unless this was seen as the only option to ensure viability and progression of a housing development scheme.

RESOLVED

That the revised Shared Ownership Allocations Policy is approved.

REASONS FOR DECISION

The previous Shared Ownership Policy has now expired, and a revised Policy needs to be put in place.

OTHER OPTIONS CONSIDERED BUT REJECTED

The option of not revising the Policy was considered but rejected as the revised Policy gives clear procedures on how Council owned shared properties are sold. It also sets out the Council's stance on building or acquiring this type of tenure in the future for inclusion in the Council Housing Stock.

CAB/ 'Unlocking' The Avenue Southern Access

76/2

3-24

Cabinet received an update on recent progress towards 'unlocking' the 'Southern Access' to The Avenue site. As part of this, Cabinet was recommended that the project continues to be a Regeneration Priority for the Council. Members were also reminded in this context of its status as one of the most ambitious and effective remediation projects of a former industrial site ever undertaken in the UK.

The report explained the progress which had been made to secure 'Northern Access' to the site. It also explained the action which had been taken to date to try and make the site accessible from its southern end. Members were then informed about how the Council, as a major landholder at this part of site may be able to help 'unlock' and deliver the 'Southern Access' to it.

Cabinet discussed the report. Members reflected on the extensive progress which had been made on regenerating The Avenue. They accepted the need for the Council to provide further officer time and investment on a case-by-case basis to complete its re-development, including work with the Planning department to ensure that all planning considerations are appropriately accounted for.

Cabinet recognised the contribution which a Southern Access to the site, via Mill Lane, could play in achieving further development. Members were reminded of the recent work carried out by the Council to develop a possible alternative to the use of a roundabout as a traffic management measure at Mill Lane, in order to enable a Southern Access to The Avenue. This work had been carried out with support from Derbyshire County Council. Members hoped that the Southern Access issue could be resolved as soon as possible.

RESOLVED

1. That Cabinet noted the recent progress in 'unlocking' The Avenue Southern Access.
2. That Cabinet approved further officer resource and undoubtedly further investment from the Council (on a business case by business case basis), to complete The Avenue development, as outlined in the report, as a regeneration priority.
3. That Cabinet supported The Avenue being discussed and promoted to partners and funders as the Council's priority regeneration scheme.

REASONS FOR DECISION

To approve further officer resources and further investment from the Council (on a case-by-case basis to complete The Avenue development as a regeneration priority for the Council.

OTHER OPTIONS CONSIDERED BUT REJECTED

The option of not completing the Southern Access to The Avenue as outlined in the Local Plan and various consultations was considered but rejected. To do so

could be considered negative and inflict reputational damage on the Council.

CAB/ Urgent Items (Public)

77/2

3-24 None.

CAB/ Exclusion of the Public

78/2

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/ Report on the Future of the Housing Revenue Account Car Parking Strategy

79/2

3-24 The report to Cabinet summarised the current position with the Housing Revenue Account (HRA) Car Parking Strategy. Members were asked to agree that solutions to parking problems across the District continue be brought forward, but that there be a renewed focus directly on the Council Housing Stock, through regeneration schemes and also specific intervention on void Rykneld properties where possible.

Members discussed the report and welcomed the proposed approach.

RESOLVED

1. That the initial pilot parking schemes at Kelstedge and Holymoorside be no longer progressed, due to the numerous issues around delivery of the individual sites.
2. That the three 'Phase One' sites at Killamarsh, Grassmoor and Ashover, which have now successfully received planning permission, be progressed to completion on site where feasible.
3. That the three Phase One sites which have currently been unsuccessful through the planning process or withdrawn, Littlemoor, Renishaw and Ridgeway, be not progressed.
4. As part of the ongoing estate management process Rykneld Homes Limited review the void specification to include the installation of hardstanding parking areas and Electric Vehicle (EV) charging points, where affordable and viable.
5. That parking improvements be incorporated, whenever feasible, in future estate regeneration/redevelopment schemes.
6. The budget allocation be utilised for future regeneration projects.

REASONS FOR DECISION

A significant amount of officer time and resources have been expended in order to develop specific schemes through to the Planning stage. The decision will allow action to now be taken to take forward appropriate schemes in the near

future and so enable improvements through the Housing Revenue Account to be achieved.

OTHER OPTIONS CONSIDERED BUT REJECTED

As specified in the report.

**CAB/ 80/2
3-24** **Clay Cross Town Deal - Town Centre Contractor Procurement**

Cabinet was asked to approve entering into a contract with a procured construction company to deliver the Clay Cross Town Centre Regeneration Scheme. This scheme, it was explained, was a core element of the Clay Cross Town Deal programme. Members discussed the report and agreed to the proposed approach.

RESOLVED

That Cabinet agreed to enter a contract with Inside Limited to deliver the construction elements for the Clay Cross Town Centre Regeneration Scheme, as well as undertaking any other required associated ancillary agreements, subject to outstanding contract negotiation and due diligence requirements.

REASONS FOR DECISION

Agreeing to contract with the identified construction company will mean that a quality, experienced provider can be commissioned within budget to meet the objectives and delivery timescale of the Clay Cross Town Centre Regeneration Scheme.

OTHER OPTIONS CONSIDERED BUT REJECTED

As specified in the report.

**CAB/ 81/2
3-24** **Urgent Items (Private)**

None.