

## **CABINET**

### **MINUTES OF MEETING HELD ON THURSDAY, 19 SEPTEMBER 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:**

L Hickin	Managing Director - Head of Paid Service
M Broughton	Director of Growth and Assets
J Dethick	Director of Finance and Resources & (Section 151 Officer)
S Sternberg	Assistant Director of Governance and Monitoring Officer
D Thompson	Assistant Director of Planning
T Burdett	Programmes Manager
A Maher	Governance Manager
N Ellis-Hall	Temporary Senior Governance Officer
T Fuller	Governance Officer
K Drury	Information Engagement & Performance Manager

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

**28/2**

**4-25** There were no apologies for absence.

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

**29/2**

**4-25** There were no declarations of interest.

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

**30/2**

**4-25** **RESOLVED** - That the minutes of the meeting held on 18 July 2024 were approved as a true record.

#### **CAB/ Funding to Voluntary and Community Sector Infrastructure Support Organisations 2023/24**

**31/2**

**4-25** The report to Cabinet provided an update from the 23/24 report on the annual summary on the grants awarded to the Community and Voluntary sector, which aimed to support 20,000 households per year. There had been a dip during covid but last year just under 22500 households had been assisted.

Members noted that the majority of households are seeking advice on the cost-of-living challenges, and a breakdown of the support people are requesting was provided with the majority being from the Citizens Advice for benefits who were providing a range of ways to interact with the community. Derbyshire Law Centre were providing free advice focusing on housing and civil rights, with the Derbyshire Unemployed Workers Centre providing advice with Personal

independence Payment (PIP). The Volunteering Centre with their befriending service, and the home from hospital service, with the largest reason for engagement being volunteering.

Rural Action Derbyshire have assisted people with the cost-of-living crisis and the Community Action Grants of up to £500 has helped fifteen community groups. Some of these organisations have been asked to attend the Community Scrutiny meeting to present the impact their work has had on the community.

Cabinet discussed and welcomed the update, which mentioned that the Unemployed Workers Centre had generated a large amount of money for people in Clay Cross. Members gave thanks for the work which the team does.

**RESOLVED** – That Cabinet noted the content of 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 are considered appropriate as the aim of the review was to increase transparency and accountability of commissioned services.

**CAB/ 32/2** **Council Plan 2023-27 Performance Report - Update April to June 2024**

**4-25** The report to Members provided Cabinet with the report, which highlighted specific areas including the key metrics. Overall, the report was a thorough one, with a lot of evidence.

Members gave feedback on the report, and explained that there were many positives, and that excellent work was being conducted. Meetings have been carried out with the ICB and Chesterfield College, which gives the Council a lot of focus.

It was clarified that the report would be circulated around the Council, and Parish Councils for information.

**RESOLVED** – That progress against the Council Plan 2023-2027 objectives was noted.

**REASONS FOR DECISION** – This is an information report to keep Cabinet informed of progress against the council plan objectives.

**OTHER OPTIONS CONSIDERED AND REJECTED** – Not applicable to this report as providing an overview of progress against the council plan objectives.

**CAB/ 33/2** **Treasury Management Update April - June 2024 (Q1) 2024-25**

**4-25** Members were informed that the additional information was now required for reporting. However, a positive was that there were no compliance or risks issues to record.

RESOLVED – That Cabinet noted the report concerning the Council’s Treasury Management report for Quarter 1.

REASONS FOR DECISION – The report ensures that the Cabinet is kept informed of the latest position concerning treasury management.

OTHER OPTIONS CONSIDERED AND REJECTED – This report is concerned with monitoring the position against the Council’s previously approved treasury management strategy. Accordingly, the report does not set out any options where a decision is required by Members.

**CAB/ Medium Term Financial Plan Budget Monitoring April - June (Q1) 2024-25**

**34/2  
4-25**

Members were updated with the financial position of the Council. The underspend against the budget was detailed, along with the income which had been received from planning fees. There were a few variances noted on the HRA, along with the details of the capital expenditure on a case-by-case basis. The town centre regeneration costings at Clay Cross were explained along with other key details.

The overspend of other income spends were explained, with the finances and resources directive being explained as being lower than expected. It was highlighted that utility costs were slightly down. The pay claim was explained in relation to a cost to the budget, and funding streams were discussed and clarified.

Members noted that it was a positive report with the underspend captured. It was good news that no funds need to be taken from the resilience fund.

RESOLVED – That Cabinet noted the content of the report.

REASONS FOR DECISION – 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.

OTHER OPTIONS CONSIDERED AND REJECTED – 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.

**CAB/ Planning Policy Annual Monitoring Reports for Publication**

**35/2  
4-25**

Cabinet heard the details of the Annual Monitoring reports, which when exploring them against planning and policies, indicated that the Council were performing well. It was noted that proposed changes to national planning policy (discussed in the next item) could leave the Council in a difficult position. Key areas which needed to be monitored were highlighted, housing completions were noted as being well above target at present.

In relation to the employment side of things, the evidence base action plan approved by Cabinet at the back end of last year and work on an updated employment study is continuing with partners. Members highlighted that the information was detailed and was good for referring back to.

The net completion of new developments along with other key details were noted.

RESOLVED – That Cabinet noted the contents of the Annual Monitoring Reports (AMR) for the period of 1st April 2023 – 31st March 2024 and approved their publication on the Council’s website. Once published on the Council’s website this will fulfil the Council’s statutory duty to prepare and publish an AMR.

REASONS FOR DECISION – This report sets out the key findings of the 2024 Authority Monitoring Report, Brownfield Land Register Update and Infrastructure Funding Statement. This enables the Council to understand the effectiveness of its policies and trends over time. Publication of these documents on the Council’s website will fulfil the Council’s statutory duties to prepare and publish the required annual monitoring datasets.

OTHER OPTIONS CONSIDERED AND REJECTED – The Council has a statutory duty to prepare these documents and there is no reasonable alternative.

**CAB/  
36/2  
4-25** Response to consultation on Proposed Reforms to the National Planning Policy Framework and other changes to the Planning System

Cabinet heard that the paper had been drafted before the recent Extraordinary Council meeting (due to publication requirements). The key message was that there are no transitional arrangements proposed within the current consultation to bridge the gap between the current and the new housing targets. It was highlighted that the proposed revisions to national policy would put the Local Plan at risk and leave the Council open to speculative development, because we would no longer be able to demonstrate a five year supply of housing land.

Members debated the key issues arising from the consultation. The conclusion of those discussions was that the consultation response needed to highlight the importance of transition arrangements to ensure that the government’s stated objective of the process being ‘Plan led’ is not undermined by speculative development and the time taken to establish regional strategies. It was questioned if allowances were being made for Districts which had previously overperformed against their Local Plan target. Cabinet agreed to the officer recommendation that transitional arrangements could be awarded to Councils on the basis of demonstrable progress towards the development of a Local Plan to meet the new target. They did however specifically request that reference be made to the detrimental impact of speculative development in answer to question 7 of the consultation.

Members confirmed that people should be assured that there was no intent to concrete over greenbelt, through seeking a more specific definition of what would constitute ‘grey belt’ land in the Council’s response to the consultation. Additionally, members asked if the District would need to take unmet needs in other areas. It was clarified that any authority with greenbelt would have to go through a process to make it clear that they could not meet their own needs first and that any cross boundary arrangements would be a negotiated process. Reference was made to the Statement of Common Ground process to demonstrate that there is no automatic requirement for one area to accept the need of another. The proposed changes to national policy would also place greater demand on Councils to justify that they cannot meet their own need even

after considering Green Belt release.

Cabinet confirmed that the Council acknowledged the difficulties posed by a housing shortage, particularly affordable housing (including within this district) and that that we need to contribute to addressing this situation. However, this process should allow local people to have a say on how their district develops.

Cabinet sought clarification on the concern that public participation was going to be reduced as a result of the proposed changes. They were advised that, whilst the consultation refers to the need for Local Plans to be in place and for people to have a say on 'how' not 'if' development occurs in their area, this was not a change from the current system. The process of allocating sites in a Local Plan and the procedures around how planning applications are to be determined are not proposed to be changed by this consultation.

Cabinet agreed that the headlines for changing housing numbers were clear, with the current system being based on a calculation of population projections and an affordability element based on house prices and income. The new system would replace the population projection part of the calculation with a stock based calculation, proposing an increase above current housing stock by 0.8% annually.

Members also considered the proposed changes to affordable housing requirements on development sites and the matter of planning fees which are also within the scope of the consultation. In relation to the proposed changes to application fees, Cabinet heard that the government was seeking views on how the true costs of processing planning applications could be recovered by Councils. One of the questions posed by the consultation is whether fees could be set at a local level as opposed to nationally. This risks around regional competition were highlighted, with officer advice being that this risk is avoided if fees are set nationally. A significant increase in householder fees is proposed, which would mean for over double the current fee for these applications.

#### RESOLVED –

- (1) That Cabinet noted the content of the report and approved the detailed responses outlined at Appendix 1 as forming the Council's formal response to the consultation, subject to stronger reference to the risks of speculative development in answer to question 7.
- (2) That Cabinet authorised the Assistant Director of Planning in consultation with the Leader and Portfolio Holder to exercise delegated authority to make further detailed amendments to the responses.
- (3) That Cabinet agreed proposals to consider in more detail a timetable for a review of the Local Plan (in discussion with the Local Plan Working Group) in light of the implications of the proposals for housing numbers and plan making and that this be brought back to a subsequent Cabinet meeting.

REASONS FOR DECISION – It is considered important that the Council makes informed comments and raises concerns and comments whether further work is required on emerging national planning policy and this will have a direct impact on how we determine applications for development in the shorter term and how we

develop a Plan that meets the needs of the district in the longer term.

OTHER OPTIONS CONSIDERED AND REJECTED – The alternative is to not comment on the consultation material. This was rejected on the basis that it is important that the Council is aware of the implications of the Governments proposed changes to national planning guidance and that we take the opportunity to inform the Government of the likely impacts of their proposals on the district and seek to influence policy development at a national level.

In terms of a review of the Council's Local Plan, one alternative is to do nothing and await the implementation of new planning guidance. This was rejected on the basis that significant changes are imminent and to do nothing would put the Council at greater risk of speculative development for an additional extended period of time.

**CAB/ Urgent items**

**37/2**

**4-25** There were no urgent items.