

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 29 JULY 2021

Present:

Councillor Alex Dale (Chair)
Councillor Charlotte Cupit (Vice-Chair)

Councillor Jeremy Kenyon
Councillor Carolyn Renwick

Councillor Alan Powell

Also Present:

G Callingham	Director of Growth and Economic Development
K Hanson	Joint Director of Environment and Enforcement
J Dethick	Head of Finance and Resources, Section 151 Officer
K Apps	Head of Economic Growth, Regeneration & Housing Delivery
M Broughton	Joint Head of Transformation and Organisation
K Shillitto	Solicitor & Deputy Monitoring Officer
A Maher	Senior Governance Officer

CAB/ Apologies for Absence

31/2

1-22 With the agreement of the Chair, Councillor M Foster and Councillor P Parkin contributed to the meeting virtually, through the electronic Conference Call system. They did not participate in the decisions taken by Cabinet at the meeting.

CAB/ Declarations of Interest

32/2

1-22 There were no declarations of interest made at this time.

CAB/ Minutes of Last Meeting

33/2

1-22 RESOLVED – That the minutes of the meeting held on 8 July 2021 were approved as a true record.

CAB/ Medium Term Financial Plan - Financial Outturn 2020/21

34/2

1-22 The report to Cabinet explained the outturn position for the 2020/21 financial year. Cabinet was asked to note the information and to agree that specific revenue and capital budgets be now carried forward.

Members were reminded of the financial challenges which the Council had faced during the year as a result of the Coronavirus (Covid-19) pandemic, and the impact of these on its budget. In this context, Cabinet was informed about the reduction in fees and charges received because of the temporary closure of leisure centres, as well as the reduced income from the Council's MOT Testing and Commercial Waste Collection services.

Cabinet noted the financial assistance which the Council had received during 2020-21. In particular, Members heard that the Council received £1.440M in

Covid Response grant funding during the year. This grant funding had helped ensure that services continue to be delivered. In addition, the Government had provided funding to compensate for a proportion of the reduced income received from fees and charges.

Members discussed the report. They welcomed the actions which had been taken to deal with the financial risks which had faced the Council during 2020/21. They also highlighted the challenging savings targets that would need to be made during the remaining years of the Medium Term Financial Plan.

RESOLVED

- (1) That Cabinet noted the outturn position in respect of the 2020/21 financial year.
- (2) That Cabinet approved the carry-forward of revenue budgets, as detailed in Section 2.9 of the report, totalling £0.087M.
- (3) That Cabinet approved the carry-forward of capital budgets, as detailed in Appendix 3 to the report, totalling £6.960M.

REASONS FOR DECISION - To highlight the effective budget management achieved during 2020-21, which enabled the Council to secure a favourable financial outturn position, despite the many challenges that it faced as a result of the Coronavirus (Covid-19) pandemic. To carry forward unused revenue and capital budgets.

OTHER OPTIONS CONSIDERED AND REJECTED - The financial outturn report for 2020/21 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). If these risks do not materialise or are settled at a lower cost than anticipated then the earmarked reserves would be reassessed and returned to balances where appropriate.

CAB/ Housing Strategy

35/2

1-22

Cabinet discussed the Housing Strategy for 2021-2024. Members heard how the Strategy set key housing objectives for the District and included an action plan of specific initiatives to achieve these objectives

Cabinet discussed the Strategy. Members expressed their support for it and the contribution that it would make towards achieving the key housing objectives to promote home ownership, improve existing housing and protect the most vulnerable people. Cabinet welcomed the suggested actions to increase supported housing for vulnerable people in the District and reflected on the action which had already been taken to help achieve this.

Cabinet supported the commitment in the Strategy to work in partnership to achieve the key housing objectives. Members welcomed the opportunity that this would offer to work with its housing management company Rykneld Homes Limited (RHL) to help achieve the Council's goals.

RESOLVED – That Cabinet approved and adopted the Housing Strategy 2021-2024.

REASONS FOR DECISION – To provide a strategic framework for meeting the District's housing needs and to set out a clear plan of how this framework will be implemented.

OTHER OPTIONS CONSIDERED & REJECTED - The option of not adopting the Housing Strategy was considered but rejected. The Strategy will provide the Council with the opportunity to create a targeted and robust approach to meeting housing needs in the District. It will provide evidence of this robust and targeted approach and so help secure funding from external sources.

CAB/ Rykneld Homes Anti-Social Behaviour Policy

36/2

1-22

Cabinet considered the revised Rykneld Homes Anti-Social Behaviour (ASB) Policy. Members heard about the range of changes which had been made to the Policy. These included a more appropriate and up-to-date definition of what constitutes Anti-Social Behaviour, as well a clearer process for how complaints should be dealt with.

Cabinet discussed the revised Policy. Members reflected on the impact which Anti-Social Behaviour can have on families and communities. They welcomed the changes that had been made to the Policy and the greater clarity about how complaints would be dealt with. Cabinet asked that the Strategy be promoted within local communities, in order to help highlight and explain the complaints process

RESOLVED - That Cabinet approved and adopted the Rykneld Homes Limited Anti-Social Behaviour Policy on behalf of the Council.

REASONS FOR DECISION - Adopting the policy will enable the Council to discharge its legal responsibilities as a landlord under Section 218A of the Housing Act 1996 to publish policies and procedures for dealing with anti-social behaviour (ASB). It will provide a framework for tackling and preventing Anti-Social Behaviour.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not adopting the policy was considered but rejected as the Council would have failed to comply with its legal responsibilities.

CAB/ Urgent Items (Public)

37/2

1-22

None.

CAB/ Exclusion of Public

38/2

1-22

RESOLVED – That the public be excluded from the meeting during the discussion of the following item(s) 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].

CAB/ The Management Agreement with Rykneld Homes Limited for the Management of the Council's Housing Stock - TO FOLLOW

39/2

1-22

Cabinet considered the proposed Management Agreement with Rykneld Homes Limited for the management of the Council's housing stock. Members heard that the previous Management Agreement, which had been signed in 2007, was now out of date and needed to be replaced.

Cabinet discussed the Management Agreement. Cabinet heard that it would be compatible the changes proposed by the Government in: "The Charter for Social Housing Residents, Social Housing White Paper". In particular, Members were informed that these changes would alter the way in which social housing was regulated, in order to make it more tenant focussed process. There would also be increased regulation from the Housing Ombudsman, the Regulator of Social Housing (RSH).

At the conclusion of the discussion Cabinet supported the new Management Agreement. There was a consensus that the Agreement would provide an appropriate structure for the Council and RHL to work together.

RESOLVED

- (1) That Cabinet approved the draft Management Agreement with Rykneld Homes Limited and agreed that it now be signed.
- (2) That the Director of Growth and Economic Development be granted delegated authority, in consultation with the Portfolio Holder for Housing, Communities and Communications, the Section 151 Officer and the Monitoring Officer, to make changes to the Agreement, both before the final version is agreed and when it is signed.
- (3) That the Director of Growth and Economic Development be appointed the Council's Senior Representative under the Management Agreement and granted delegated authority, in consultation with the Portfolio Holder for Housing, Communities and Communications, to make decisions required by the Management Agreement by the Senior Representative.
- (4) That the Head of Economic Development, Regeneration and Housing Delivery be appointed the Council's Contract Manager under the Management Agreement and granted delegated authority to make decisions required by the Management Agreement by the Contract Manager.
- (5) That these delegations be referred to the Council's Standards Committee,

for inclusion in the Delegation Scheme in the Council's Constitution.

- (6) That an agreed Communications Protocol be added to the Agreement within two months of the date of the agreement.

REASONS FOR THE DECISION - To bring up to date the contractual relationship with Rykneld Homes Limited for the management of the Council's housing, including changes being proposed by the Housing White Paper.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of extending the existing agreement was considered but rejected, as a new, up to date, agreement is required.

(Paragraphs 3 & 5)

CAB/ Pine View New Build

40/2

1-22

Cabinet was asked to endorse an officer Delegated Decision on the number of properties to be constructed at Pine View, Danesmoor. The reasons for the Decision were explained to Members. Cabinet discussed the Delegated Decision and agreed to support it.

RESOLVED - That Cabinet endorsed the Delegated Decision DD-039-21-KA, on the increased costs now associated with the development of new properties at Pine View, Danesmoor.

REASONS FOR THE DECISION - To enable an increase of the number of properties in the development and the installation of energy saving technology.

OTHER OPTIONS CONSIDERED AND REJECTED - The option on not developing the dwellings was considered but rejected, for the reasons specified in the report.

CAB/ Purchase of New Properties at Alderman Park, Hasland

41/2

1-22

Cabinet was asked to endorse an officer Delegated Decision on the purchase of new properties at Alderman Park, Hasland. The reasons for the Decision were explained to Members. Cabinet discussed the Delegated Decision and agreed to support it.

RESOLVED - That Cabinet endorsed the Delegated Decision DD-040-21-KA on the purchase of new build properties at Alderman Park, Hasland.

REASONS FOR DECISION - To help meet the high demand for affordable housing in an area where there is currently limited provision of this housing.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not purchasing the properties was considered but rejected. It would have meant that identified local housing needs could not be met through additional affordable housing.

(Paragraph 3)

CAB/ Sharley Park Development
42/2
1-22

Councillor C Cupit declared an 'Other Interest' as this point as County Councillor for the Division covering the Sharley Park Leisure Centre and as a District Councillor for a ward served by the facility (Shirland). Councillor C Cupit remained in the meeting and took part in Cabinet's decision on the matter.

The report to Cabinet explained the latest position on the development of Sharley Park Leisure Centre. Cabinet was asked to agree that this now be progressed, in line with the masterplan and budget forecasts set out in the report.

Members discussed the report. They reflected on how the development would improve the Council's Leisure Services, how it would benefit North East Derbyshire's communities, especially in the south of the District and the contribution it would make towards improving health and wellbeing of local people. Cabinet welcomed the progress which had been made and agreed the proposed approach.

RESOLVED

- (1) Cabinet agreed that the scope of the Sharley Park Development project be to deliver the scheme outlined in Appendix D to the report, in line with or better than the cost and forecast subsidy, outlined in Appendix B to the report.
- (2) That the Head of Paid Service in consultation with the Section 151 Officer authorises the release of the sum specified in the report from the 'Invest to Save' reserve to fund this next stage.
- (3) Cabinet agreed to progress with the redevelopment as outlined in the report through to Heads of Terms with tenants, submission of funding documentation and progress with the Procurement Strategy, as summarised in the report.
- (4) That the Head of Service Transformation and Organisation be granted delegated authority to enter all associated agreements as specified in the report.
- (5) That the Head of Service Transformation and Organisation be granted delegated authority to inform the Football Foundation of the Council's commitment of the match funding specified in the report, to allow their feasibility process to commence.
- (6) That Cabinet receives a further report detailing options on the possible Value Added Tax (VAT) implications.

REASONS FOR DECISION - To continue with the Leisure Facilities Investment Programme and to deliver a flagship community facility in Clay Cross Town Centre

OTHER OPTIONS CONSIDERED AND REJECTED - The other options

considered and the reasons for their rejection were specified in the report

(Paragraph 3)

CAB/ Coronavirus (Covid-19) - Contingency Planning Update

43/2

1-22 Cabinet received an update on the contingency planning arrangements that were now ongoing at a regional and national level to help combat the outbreak of the Coronavirus (Covid-19).

(Paragraph 4)

CAB/ Urgent Items (Private)

44/2

1-22 Members noted that this would be the last the meeting of Cabinet at which the Joint Director of Environment and Enforcement, Karen Hanson, would attend as an officer of North East Derbyshire District Council. Members thanked Ms Hanson for all her hard work on behalf of the Council and the District's communities. Cabinet wished her well in her new role as a Director for Bolsover District Council.