

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 3 MARCH 2022

Present:

Councillor Charlotte Cupit (Vice Chair, in the Chair)

Councillor Mark Foster
Councillor Alan Powell

Councillor Jeremy Kenyon

Also Present:

M Broughton	Director of Growth and Assets
L Hickin	Managing Director - Head of Paid Service
J Dethick	Director of Finance and Resources & (Section 151 Officer)
S Sternberg	Assistant Director of Governance and Monitoring Officer
K Apps	Assistant Director of Economic Development, Regeneration
M E Derbyshire	Members ICT & Training Officer
A Maher	Interim Governance Manager

CAB/ Apologies for Absence **84/2**

1-22 Apologies for absence had been received from Councillors A Dale, P Parkin and C Renwick.

CAB/ Declarations of Interest **85/2**

1-22 There were no Declarations of Interest.

CAB/ Minutes of Last Meeting **86/2**

1-22 RESOLVED – That the minutes of the meeting held on Thursday 27 January 2022 were approved as a true record.

CAB/ Medium Term Financial Plan - Budget Monitoring (Q3) **87/2**

1-22 The report to Cabinet updated Members on the Council's General Fund, the Housing Revenue Account and the Capital Programme for the third quarter of the 2021-22 financial year. The report also provided an update on the Council's Treasury Management activity and in particular, on the loans, repayments and investments which had been made.

Cabinet heard how the General Fund was currently forecast to be underspent. The report explained the reasons for this. In particular, Members were informed about lower employment expenditure due to staffing vacancies, additional Leisure Service income and lower than expected Council Tax Administration costs.

Cabinet considered the continued impact of the Coronavirus (Covid-19) pandemic on the Council's services. The report explained the support which had been

provided by Government to help offset this impact.

Members discussed the report. They noted the robust control of the Council's budget that had been maintained throughout the financial year, and the progress which had been made towards achieving service transformation and other efficiency measures. Members supported this progress and recognised the important contribution it would make towards addressing the Council's underlying forecast budget deficits.

RESOLVED - That Cabinet noted the budget monitoring position for October to December 2021 (Quarter Three), as set out in 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, Capital Programme and Treasury Management activity.

OTHER OPTIONS CONSIDERED AND REJECTED - None. The report provided information about the financial position against the Council's previously approved budget.

CAB/ Emotional Health and Wellbeing of Young People

88/2

1-22

The report to Cabinet explained that Derbyshire County Council had offered to provide funding to help improve the emotional health and wellbeing of young people. Members were asked to agree this funding and for it to be used to contract an organisation or group of organisations to deliver on a range of objectives, to protect and support the emotional health and wellbeing of children and young people. This would include support to those young people whose wellbeing had suffered as a result of the Coronavirus (Covid-19) outbreak.

Cabinet considered the report. Members welcomed the County Council's offer of financial support and endorsed the proposed approach. Cabinet heard that much of the preparatory work for this initiative had been carried out in conjunction with Bolsover District Council. Members recognised that there would be financial and operational advantages to commissioning the external organisation or organisations in co-operation with Bolsover District Council.

The report to Cabinet made clear that the proposed contract would run for 24 months. Members were asked to support the extension of this contract, provided that further finance was made available by Derbyshire County Council Public Health and that the contracted organisation or organisations had proved to be effective in delivering the set objectives.

RESOLVED

- (1) That Cabinet agreed the use of ring-fenced external funding, from Derbyshire County Council (DCC) Public Health, to commission an external organisation or consortium to deliver against pre-defined objectives, which aim to improve the emotional health and wellbeing of children and young people, for an initial period of 24 months, from 1 June 2022.

- (2) That the external organisation or consortium be commissioned jointly with Bolsover District Council, in order to achieve the best value for money.
- (3) That the contract be extended beyond June 2024, subject to budget availability from DCC Public Health, or other external funding providers, and the successful delivery of output and outcomes

REASONS FOR DECISION - To enable an organisation or consortium to be appointed that can successfully deliver the identified objectives, offer the best value for money and meet the needs of children and young people living in the District.

OTHER OPTIONS CONSIDERED AND REJECTED - The options of doing nothing or carrying out the work within the Council, without making use of the external funding, were considered but rejected, as not in the interests of the District or the Council.

CAB/ Pest Control Fees and Charges

89/2

1-22

Members were informed that a 'benchmarking' exercise had taken place to compare the Council's fees and charges for Pest Control Services with those made by other Derbyshire and Nottinghamshire local authorities. Cabinet heard that these were lower than the average for the other authorities. Cabinet was asked to agree that the Council's pest control fees and charges be increased, in order to bring them to the mid-point position between the highest and lowest fees and charges set by the Derbyshire and Nottinghamshire local authorities.

The report to Cabinet also proposed that a new, non-refundable, standard call-out charge of £25, be introduced for pest control visits. Members heard that some local authorities already made this charge and that it would help to reduce the number of wasted call-outs, were there no subsequent treatments.

Cabinet discussed the report. Members emphasised the important role which the Environmental Health Service plays in controlling pests. They asked for the increase in fees and charges be reviewed after 12 months, in order to determine what impact the changes have had on the take-up of pest control services.

RESOLVED

- (1) That pest control fees and charges be increased to the 'mid-position' as set out in the report, obtained through the benchmarking exercise of the fees and charges of other local authorities,
- (2) That a new, non-refundable call out charge of £25 be introduced for pest control visits.
- (3) That these changes be implemented from 1 April 2022.
- (4) That the Joint Assistant Director – Environmental Health be authorised to carry out a review on the impact of the changes to fees and charges twelve months after their implementation.

REASONS FOR DECISION - To reduce the costs of the service to the Council by bringing its fees and charges more into line with those of other local authorities in the region. To help reduce the incidence of aborted visits through the introduction of a call-out charge.

OTHER OPTIONS CONSIDERED AND REJECTED - The options of not increasing fees and charges, or increasing them by a greater amount than recommended, were considered and rejected for the reasons specified in the report.

**CAB/
90/2
1-22** **Review of Fly Tipping Enforcement and Environmental Fixed Penalty Notice Fees**

Members received an update on the work of the Council's Environmental Health Service in combatting a wide range of offences, including Fly-Tipping, by imposing Fixed Penalty Notices on offenders. Cabinet was recommended to increase these Fixed Penalties, in order to bring them into line with those set by neighbouring authorities. It was explained that this would help to resolve the inconsistencies which had developed, between Fixed Penalties that had not been increased for several years and those which had been introduced for new offences and set at considerably higher levels.

Cabinet discussed the report and the proposed increase in the Fixed Penalty Notice amounts for Fly-Tipping and other offences. Cabinet heard how the changes would establish parity between Fly-Tipping and Business-Waste 'Duty of Care' offences. Members also heard how the fines for householders and smaller, less serious, offences would remain affordable. Members welcomed this. They asked that the revised Fixed Penalties be reviewed after 12 months in order to determine their impact.

RESOLVED

- (1) The Cabinet noted the performance of the Environmental Health Service in relation to fly tipping enforcement.
- (2) That the fixed penalty fines be set at the levels specified in the report.
- (3) That the Joint Assistant Director – Environmental Health be authorised to carry out a review on the impact of the changes to the fixed penalty fine levels twelve months after their implementation.

REASONS FOR DECISION - Adjusting the fixed penalty amounts will enable the Council to keep pace with national legislative changes and ensures fixed penalty amounts act as a suitable punishment for the offence, as well as ensuring they are affordable for smaller, less serious offences.

OTHER OPTIONS CONSIDERED AND REJECTED - The options of not increasing the fixed penalties, or increasing them by a greater amount than recommended, were considered but rejected for the reasons specified in the report.

CAB/ Urgent Items (Public)

91/2

1-22 None.

CAB/ Exclusion of Public

92/2

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/ Housing at North Wingfield (Whiteleas) Development

93/2

1-22 The report to Cabinet sought approval to progress with the proposed development of 72 mixed tenure new build homes, on vacant Council-owned land at Whiteleas Avenue, North Wingfield. Members were reminded that the Council intended to develop this scheme in partnership with Rykneld Homes Limited. They also noted the contribution that it would make to towards providing new homes for the District in line with the Council Plan objectives.

Members discussed the report and endorsed the proposed approach.

RESOLVED

- (1) That Cabinet approved the proposal to develop 72 new mixed tenure homes on the vacant Council Owned land at Whiteleas Avenue, North Wingfield.
- (2) That Cabinet recommended to Council approval of the necessary borrowing to fund the development, as specified in the report.
- (3) That Cabinet recommended to Council the inclusion of this development in the Housing Revenue Account (HRA) Capital Programme.
- (4) That Cabinet considers and approves any change of mix required to the development as a result of changing economic and or market conditions.

REASONS FOR DECISION - To enable the delivery of new homes in the District, in line with the Council's commitment to deliver high quality mixed tenure homes and support the long term regeneration of the Council owned housing stock.

OTHER OPTIONS CONSIDERED AND REJECTED - Other options on the future use of the site were considered, as set out in the report.

(Paragraph 3)

CAB/ Sharley Park: Economic Case, Local Assurance

94/2

1-22 Cabinet was asked to endorse the proposed Town Fund Business Case and

Business Case Assurance for the redevelopment of the Sharley Park Leisure Centre. Members were reminded that the Council was the accountable body for the Clay Cross Towns Fund. It was responsible for ensuring that a robust governance and assurance framework was put in place in order to protect the interests of the public in how the Fund was used.

Cabinet discussed the proposed Town Fund Business Case and Business Case Assurance and agreed to support them. Members reflected on the progress which had been made towards re-developing the Sharley Park Leisure Centre. They welcomed the benefits this would have for the community of Clay Cross and the District as a whole.

RESOLVED

Cabinet agreed (as accountable body for Clay Cross Town Fund) that:

- (1) The Town Fund Business Case and Business Case Assurance presented in the report provided assurance that the Sharley Park Development provides good value for money for the public.
- (2) The Section 151 Officer be authorised to finalise the necessary documents to a 'Ready to Proceed' position.
- (3) The project is recommended to the Clay Cross Town Deal Board for consideration and approval.
- (4) The Director of Transformation, in consultation with the Portfolio Holder for Leisure, Communities and Communications, be authorised to pursue options 5, 6, 7 or 8, as outlined in the report and Business Case Assurance, given that all four options represent high value for money, as demonstrated in Paragraph 3.3 of the report.

REASONS FOR DECISION - The investment in Sharley Park leisure facility would provide high value for money for the public, contribute to addressing local health and social issues in and around Clay Cross and reduce significantly the annual cost to the Council of operating Sharley Park Leisure Centre.

OTHER OPTIONS CONSIDERED AND REJECTED - The option of not yet proceeding to the next stage for the project was considered but rejected for the reasons explained in the report.

Paragraph 3

CAB/ Response to Cleveland and Redcar Ransomware Attack Case Study

**95/2
1-22**

Cabinet was informed of the cyber-attack which had occurred against Redcar and Cleveland Council and the disruption this had caused. They also heard about the lessons from this attack and how these had been applied by the Joint Information Communication Technology (ICT) Service to help prevent a successful attack from occurring locally.

Members discussed the possible organisational changes to increase the capacity

and resilience of the Joint ICT Service. They considered the reasons for the preferred option and the benefits this would have. They also discussed the costs of the new arrangements and how these could be met.

RESOLVED

- (1) That Cabinet noted the measures implemented and recommended in response to learning from the Cleveland and Redcar Ransomware Attack Case Study.
- (2) That Cabinet endorsed the proposed structure changes and recommended them to Council for consideration and approval, subject to Bolsover District Council (BDC) and Derbyshire Dales District Council (DDDC) agreeing to these changes.
- (3) That if approved by Council, Bolsover District Council and Derbyshire Dales District Council be notified of this Council's decision and asked to formally endorse the proposed structure changes to the Joint ICT Service.

REASONS FOR DECISION – To enable the Joint ICT Service to protect the Council and partner authorities from ransomware and other cyber-attacks on their electronic information and Communication Systems.

OTHER OPTIONS CONSIDERED AND REJECTED - Taking no action and other options were considered but rejected for the reasons specified in the report.

Paragraphs 1, 3 and 4

CAB/ Urgent Items (Private)

96/2

1-22 None.

CAB/ Coronavirus (Covid-19) Contingency Planning Update

97/2

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).