

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 21 SEPTEMBER 2023

Present:

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

Councillor Jayne Barry

Councillor Stephen Pickering

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)
D Johnson	Assistant Director - Property, Estates and Assets
S Lee	Assistant Director - Regeneration and Programmes and SIRO
S Sternberg	Assistant Director of Governance and Monitoring Officer
D Thompson	Assistant Director of Planning
T Burdett	Partnership Development Officer
A Maher	Governance Manager
T Scott	Governance and Scrutiny Officer

CAB/ Apologies for Absence

28/2

3-24 An apology for absence was received from Councillor J Birkin.

With the agreement of the Chair, Councillor K Rouse contributed to the meeting virtually through the electronic Conference Call system. She did not participate in the decisions taken by Cabinet at the meeting.

CAB/ Declarations of Interest

29/2

3-24 None.

CAB/ Minutes of the Last Meeting

30/2

3-24 RESOLVED - That the Minutes of the meeting held on 27 July 2023 were approved.

CAB/ Medium Term Financial Plan: Budget Monitoring Report April-June 2023

31/2

3-24

The report to Cabinet included an update on the financial position of the Council following the first quarter of the 2023-24 financial year budget monitoring exercise for the General Fund, the Housing Revenue Account and the Capital Programme. Members heard that the General Fund was projected to be underspent during the quarter. The reasons for this were set out in the report. Cabinet was also informed of variations between Directorates and the impact which the probable nationally determined pay settlement would have on the Council. This impact would need to be provided for in the revised budget.

Members heard that the Housing Revenue Account (HRA) had been stable during the quarter. They also noted the position on HRA Capital Programme, following the start of work on the North Wingfield New Build Scheme.

RESOLVED – That Cabinet noted the Quarter One budget monitoring position outlined in the report and detailed in Appendices 1-4 of the report.

REASONS FOR DECISION – The report summarised 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 – None. The report set out information monitoring the position against the Council's previously approved budget.

CAB/ Establishment of Local Plan Review Working Group

32/2

3-24

Cabinet considered proposals to establish a Local Plan Review Working Group. The report set out the purpose of the Group and gave options on its possible Membership.

Cabinet discussed the report. Members felt it important that the Review Group be established and begin its work as soon as possible. They concluded that Option 4 for the composition of the Group offered the best approach, by allowing for the Chairs and Vice Chairs of the Scrutiny Committees and of the Planning Committee, along with representatives of the different political groups, to be represented on it. They also felt it appropriate that the Portfolio Holder for Environment and Place Chair the Group. Cabinet agreed that this Option should now be recommended to Council for approval.

RESOLVED – That Cabinet recommend to Council at its meeting on 25 September 2023, the establishment of a Local Plan Review Working Group, in accordance with the structure in Option 4 of the report, and the terms of reference detailed in Appendix 1 of the report.

REASONS FOR DECISION – To establish a Local Plan Review Working Group in order to undertake the review of the Local Plan. Based on the benefits and risks assessment of the 4 options, officers were of the view that Option 4 was the most appropriate course of action and struck the best balance. The Member Working Group would provide regular feedback to officers during the Local Plan review process.

OTHER OPTIONS CONSIDERED AND REJECTED – The other 3 options in the report (not having a Working Group, setting up a Working Group of Members of all groups, and a Working Group involving only the leaders of each political group) did not strike the necessary balance of Option 4.

CAB/ Decision on the Brampton Parish Neighbourhood Plan

33/2

3-24

The report to Cabinet explained the progress which had been made on preparing the draft Brampton Parish Neighbourhood Plan. In particular, Members heard

about the suggested modifications to it recommended by the Independent Examiner, the arrangements for putting the Plan to a Referendum and how, if approved at the Referendum, the Plan would be formally brought into effect.

Cabinet discussed the report. Members noted that all of the changes recommended by the Examiner had been agreed by the District Council. It was explained that the Examiners recommendations would be incorporated into a Referendum Version Brampton Neighbourhood Plan, along with any consequential amendments, so that electors could now decide on whether or not to accept it.

Cabinet welcomed the progress that had been made and felt it appropriate that the Plan should be put to a Referendum in the Parish.

RESOLVED

- (1) That Cabinet accepted the Examiner's report and recommended modifications to the Plan as set out in the Decision Statement at Appendix 1 of the report in their entirety, and that the Plan, as amended, be taken forward to a referendum within the Parish as outlined in the report.
- (2) That following a successful referendum, if more than half of those voting in the referendum vote in favour of the Neighbourhood Plan, the Managing Director should bring the Neighbourhood Plan into effect ('Made').

REASONS FOR DECISION – The Brampton Neighbourhood Plan has been subject to examination by an independent examiner. The Examiner's view is that subject to specified modifications the Plan meets the Basic Conditions and other relevant legal requirements. It is considered that, subject to the modifications set out in the Decision Statement, the Draft Neighbourhood Plan would meet the legal requirements and Basic Conditions as set out in legislation, and that the Plan should proceed to Referendum.

OTHER OPTIONS CONSIDERED AND REJECTED – The option of not accepting the Examiner's recommendations was considered but rejected for the reasons set out in the report.

CAB/ North East Derbyshire UK Shared Prosperity Fund Update

34/2

3-24

The report to Cabinet provided Members with an update on the North East Derbyshire UK Shared Prosperity Fund Programme. This explained the progress made towards implementing the Investment Plan and the specific projects that were now in place. Members were reminded that the Council was awarded £2.568m through the fund, which would need to be spent by March 2025.

RESOLVED – That Cabinet noted the report.

REASONS FOR DECISION – To note progress of the activity funded by UK Shared Prosperity Fund.

OTHER OPTIONS CONSIDERED AND REJECTED – No alternative options

were considered appropriate as the Investment Plan has been approved by the Department of Levelling-up, Housing and Communities (DLUHC).

CAB/ Exclusion of Public

35/2

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 Paragraphs 1 and 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/ Funding to Voluntary and Community Sector Infrastructure Support Organisations - Summary of Outcomes for 2022/23

36/2

3-24

Cabinet received a report on Funding to Voluntary and Community Sector Infrastructure Organisations. As part of this, Cabinet received presentations on the work and outcomes achieved by two voluntary and community sector infrastructure support organisations which had been funded by the Council.

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

(Paragraph 1)

CAB/ Clay Cross Town Centre Regeneration Scheme

37/2

3-24

The report to Cabinet highlighted a range of specific issues related to the Clay Cross Town Centre Regeneration Scheme and suggested actions that it would now be prudent for the Council to take.

RESOLVED

- (1) That the Council retains legal ownership of the new commercial units and public realm areas that will be developed as part of the Clay Cross Town Centre Regeneration Scheme.
- (2) That the Council adopts the ongoing management responsibilities of the new commercial business units and the public realm area within the Clay Cross Town Centre Regeneration Scheme.
- (3) That the Council secures a Planning Approval and then seek further assurance from Derbyshire County Council in relation to their participation in the Clay Cross Town Centre Regeneration Scheme, and if necessary to

report this response to Cabinet for further consideration.

REASONS FOR DECISION – The proposals allowed the Council to retain ownership and management control of the asset to ensure the long-term success of the regeneration project.

OTHER OPTIONS CONSIDERED AND REJECTED – As specified in the report.

(Paragraph 3)

CAB/ Urgent Items

38/2

3-24 None.