

CABINET

MINUTES OF MEETING HELD ON THURSDAY, 21 NOVEMBER 2024

Present:

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

Councillor Stephen Pickering

Councillor Kathy Rouse

Also Present:

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| Councillor Jayne Barry | (virtual attendance) |
| 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) |
| K Drury | Information, Engagement and Performance Manager |
| H Fairfax | Planning Manager (Policy & Environment) |
| C Mills | Assistant Director of Leisure |
| D Parker | Housing Intelligence and Assurance Officer |
| S Sternberg | Assistant Director of Governance (Monitoring Officer) |
| D Thompson | Assistant Director of Planning |
| A Bryan | Governance Manager |

CAB/ Apologies for Absence

43/2

4-25 Apologies were received from Councillor Joe Birkin.

Councillor Jayne Barry contributed to the meeting via video link, she did not vote on any of the decisions taken at the meeting.

CAB/ Declarations of Interest

44/2

4-25 None.

CAB/ Minutes of Last Meeting

45/2

4-25 RESOLVED – That the Minutes of the meeting held on 24 October 2024 were approved as a true record.

CAB/ Council Plan 2023-2027 Performance Report - Update July to September 2024

46/2

4-25 Cabinet considered a report which set out progress on the objectives that underpinned the Council Plan for the period July to September 2024 (Quarter 2). The report highlighted notable achievements, along with any targeted metrics which had been flagged as not on target.

Attached to the report was Appendix 1, which set out details of what had been achieved and progressed by objective, strategy, and tactic.

Cabinet agreed that the report showed that good progress was being made towards the Council Plan.

RESOLVED – That progress against the Council Plan 2023-2027 objectives, be noted.

REASONS FOR DECISION - This was an information report to keep Cabinet informed of progress against the Council plan objectives.

OTHER OPTIONS CONSIDERED AND REJECTED – Alternative options were not applicable as the report provided an overview of progress against the Council plan objectives.

CAB/ Medium Term Financial Plan - Revised Budget 2024/25

47/2

4-25

The report to Cabinet set out the proposed revisions to the Budget for 2024/25, which had been approved by Council in January 2024. Cabinet was asked to endorse the proposed revisions and to recommend them to Council for approval.

The report stated that the revised budget process was now completed and the proposed revisions for the General Fund, HRA and Capital Programme were set out in the appendices to the report.

The main Net Cost of Services variances, which were set out in the report was discussed at the meeting. Efficiencies identified through the budget process had largely mitigated the increase to the Revised Budget however, they were not entirely sufficient to cover the increases. Therefore, the revised shortfall of £0.664m was budgeted to be met from the Resilience Reserve.

RESOLVED – That the following recommendations be made to Council:

- (1a) the budget in respect of the General Fund as set out in Appendix 1 of the report be approved as the Current Budget for 2024/25.
- (1b) the budget in respect of the HRA as set out in Appendix 3 of the report be approved as the Current Budget for 2024/25.
- (1c) the Capital Programme as set out in Appendix 4 of this report be approved as the Current Budget for 2024/25.

REASONS FOR DECISION - The purpose of the report was to prepare revised budgets as early as possible within the financial year to provide sufficient time to allow any planned changes to be delivered. The Council had faced some specific financial challenges this year putting pressure on the ability to set a balanced General Fund budget but, use of reserves ring fenced for providing resilience when needed had mitigated this.

OTHER OPTIONS CONSIDERED AND REJECTED – There were no alternative options considered. How resources were utilised was ultimately a decision for Members, which would form part of the 2025/26 Medium Term Financial Planning process.

This was not a Key Decision and so can be implemented with immediate effect by officers.

**CAB/
48/2
4-25** **New Local Plan - Proposed Timetable for Preparation including New Local Development Scheme**

Cabinet considered a report which set out a proposed timetable for the preparation of a new Local Plan which sought to achieve submission of the plan to the Secretary of State by December 2026.

The report explained that December 2026 was the cut-off date for the preparation of plans under the current plan-making system. It provided the Council with a window of opportunity to get an up-to-date plan in place at the earliest opportunity and limited the Council's exposure to unplanned 'speculative' development.

The Local Development Scheme 2024-2028, attached to the report at Appendix 1, included a description of the subject matter and geographical area of the Local Plan along with a timetable for its preparation covering the period up to 2028. The timetable included the following key milestones:

- Notice of start of plan-making – November 2024
- Issues & Options Consultation – June/July 2025
- Publication Consultation – June/July 2026
- Submission – November 2026
- Examination – 12 months to 2027 (indicative as dependent on Planning Inspectorate)
- Adoption – May 2028 (indicative as dependent on Planning Inspectorate).

The report explained the challenging timescales, and set out that success was dependent upon maintaining current staffing and financial resources, securing all the necessary evidence through means of a combination of in-house, consultancy and third part support, and agile and responsive Local Plan Working Group to guide the process and quick decision making.

RESOLVED – That:

- (1) the challenging timescales set out in the report, and that this relied upon maintaining the necessary resources, securing input from third parties and both timely and efficient decision making at key stages, be noted.
- (2) the timetable for the preparation of the new Local Plan be approved and tasks the Local Plan Working Group with regular monitoring and reporting on progress against key milestones.
- (3) The Local Development Scheme take effect, authorising its publication and that it shall have effect from 25 November 2024.

REASONS FOR DECISION - To enable the Council to progress with plan making with the aim of achieving submission of the Local Plan by December 2026 in line with the Government's proposed transitional arrangements. This would enable the Council to get an up-to-date plan in place at the earliest opportunity and limit

the Council's exposure to ad hoc speculative development. In order for the scheme to take effect Cabinet must formally resolve that the scheme was to have effect and specify the date from which it was to have effect.

OTHER OPTIONS CONSIDERED AND REJECTED – The Council was obliged by the 2004 Planning & Compulsory Purchase Act (Section 15) as amended, to publish and keep up to date a Local Development Scheme (LDS). Therefore, there was no alternative over whether, or not to produce an LDS.

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

This was not a Key Decision and so can be implemented with immediate effect by officers.

CAB/ Complaint Performance and Service Improvement Report for Housing

49/2

4-25

Cabinet considered a report which explained that the Social Housing (Regulation) Act 2023 placed a duty on the Housing Ombudsman to monitor compliance with the statutory Complaint Handling Code (the Code), which had come into effect on 1 April 2024.

The report set out procedures to ensure compliance with the Code's statutory requirements of publishing an annual Complaints Performance and Service Improvement Report for housing, along with a response from the governing body. In addition to the annual report, a member of the governing body must be appointed to have lead responsibility for complaints, this person was referred to as the Member Responsible for Complaints (the MRC). It was proposed that Councillor Nigel Barker be appointed as the MRC.

The Complaints Performance and Service Improvement Report for Housing for 2023/24 was attached to the report at Appendix 1.

Cabinet commented that it was right that tenants had a robust complaints process through which to express their dissatisfaction if something was not up to standard. Cabinet also noted the governance structure which was in place, as well as the regular management meetings with Rykneld Homes.

RESOLVED – That:

- (1) the publication of the annual Complaints Performance and Service Improvement Report for Housing be noted and agreed.
- (2) Cabinet provide a governing body's response to the report.
- (3) Councillor N Barker be elected as the Member Responsible for Complaints ('the MRC').

REASONS FOR DECISION - To comply with legislation and the Housing

Ombudsman's regulatory requirements. To ensure the complaints procedures were working in practice and compliant with the Code. To ensure complaints were open and transparent to the public in line with legislation.

OTHER OPTIONS CONSIDERED AND REJECTED – Not to have an annual complaints performance and service improvement report. This was rejected as this would not comply with legislation. Not to appoint a MRC. This was also rejected as this would not comply with legislation.

This was not a Key Decision and so can be implemented with immediate effect by officers.

CAB/ Urgent Items

50/2

4-25 There were no urgent items of business to be considered in the public part of the meeting.

CAB/ Exclusion of Public

51/2

4-25 RESOLVED – that the public be excluded from the meeting during discussion of the following item 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).

CAB/ Clay Cross Active Update

52/2

4-25 Cabinet considered a report which provided an update on Clay Cross Active, following the main contractor going into administration.

The report stated that the financial impact to the Council of ISG failing had been considerable, with a capital cost increase of £1.56m. The project had been supported by funding partners (Clay Cross Town Deal and Sport England), both of which had indicated a preparedness to provide further funding to assist the Council in meeting the additional capital cost.

The report also provided an update regarding progress with the 3G pitch project and explained the next steps. The report provided information regarding the financial offer from the Football Foundation to provide the 3G pitch at Clay Cross Active.

Representatives from Alliance Leisure and Universal Group gave a presentation to Cabinet, setting out what had happened so far and how the project could be taken forward.

RESOLVED –

- (1) that the report and associated impacts be noted.
- (2) that authority be delegated to the Assistant Director of Leisure, in consultation with the Portfolio Holder for Health & Leisure and the Director of Finance and Resources (Section 151 Officer), to enter

any agreements as was necessary to progress the Clay Cross Active development through to completion, both construction related and financial.

- (3) that authority be delegated to the Assistant Director of Leisure, in consultation with the Portfolio Holder for Health & Leisure and the Director of Finance and Resources (Section 151 Officer), to enter any agreements as was necessary to progress the 3G pitch development through to completion, both construction related and financial.
- (4) to agree to fund the £1.56m increased project cost from existing resources with the intention that additional funding from partners would reduce this figure considerably.
- (5) that authority be delegated to the Director of Finance and Resources (S151 Officer) following approval by the Town Deal Board, to submit a project access request to the Ministry of Housing, Communities and Local Government along with any associated documentation.

REASONS FOR DECISION - To continue with the leisure facilities centre development, which contribute to the Council Plan objectives.

OTHER OPTIONS CONSIDERED AND REJECTED – Alternative options and the reasons for rejection were set out in the report. In summary, investment had already been made in the scheme and the works needed to be completed.

This was a Key Decision. The call-in period for this decision will run until Monday 2 December 2024.

CAB/ Urgent Items

53/2

4-25

There were no urgent items of business to be considered in the exempt business part of the meeting.