

CABINET

MINUTES OF MEETING HELD ON 5 SEPTEMBER 2019

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Present:

Councillor M E Thacker MBE Leader (in the Chair)
Councillor A Dale Deputy Leader

Councillor C Cupit
" J Kenyon
" B Lewis

Councillor P Parkin
" A Powell
" R Welton

Also Present:

D Swaine - Joint Chief Executive Officer
K Hanson - Joint Strategic Director – Place
L Hickin - Joint Strategic Director – People
M Broughton - Joint Head of Partnerships & Transformation
N Clark - Director of Property Services & Development
J Dethick - Chief Accountant
S Lee - Strategic Partnership Co-Ordinator
S Sternberg - Joint Head of Corporate Governance and Monitoring Officer
A Maher - Senior Governance Officer

187 Apologies for Absence

There were no apologies for absence submitted to this meeting of Cabinet.

188 Declarations of Interests

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillors Dale, Powell and Welton declared an interest in Item 6 – Decision and Referendum on Dronfield Neighbourhood Plan – in their capacity as Members of Dronfield Town Council. They indicated that they would remain in the meeting when this item was discussed and would participate in the debate and in determining Cabinet's decision on this item.

Councillors Cupit, Dale and Powell declared an interest in Item 10 – Proposed Appropriation of Land adjacent to 6 Burns Drive, Grassmoor and Item 15 – Proposed Disposal of Six Properties on Whiteleas Avenue, North Wingfield – in their capacity as Members of the Board of Rykneld Homes Ltd. They indicated that they would remain in the meeting when these items were discussed and would participate in the debate and in determining Cabinet's decision on these items.

189 Minutes of Last Meeting

RESOLVED – That the Minutes of the meeting of Cabinet held on 11 July 2019 be approved as a correct record and signed by the Leader.

Matters referred from Scrutiny**190 Proposed Overview & Scrutiny Work Programme for 2019/20**

The report to Cabinet set out the Work Programmes of the Audit & Corporate Governance, Communities, Growth and Organisation Scrutiny Committees for the 2019/20 municipal year. Members considered the specific topics, which the different Committees would focus on, although they noted that these could change as the year progressed.

RESOLVED – That Cabinet supports the Work Programmes for the Audit & Corporate Governance Scrutiny Committee, the Communities Scrutiny Committee, the Growth Scrutiny Committee and the Organisation Scrutiny Committee for the 2019/20 municipal year.

REASON FOR DECISION – To keep Cabinet informed of the Work Programmes of the Council's four Scrutiny Committees.

OTHER OPTIONS CONSIDERED AND REJECTED – No alternative options considered.

(Overview & Scrutiny Manager)

Policy & Budget Framework Items**191 Council Plan 2019-2023**

Cabinet considered a report of Councillor M E Thacker MBE, Leader of the Council, on the draft Council Plan 2019-2023. This recommended that the Council be asked to adopt it.

Members were reminded that the previous Corporate Plan, for 2015-19 had now come to the end of its lifespan and so would have to be replaced. Work had taken place on developing its replacement, to be called the Council Plan, for 2019-2023.

Cabinet was told of the extensive consultation, which had taken place across the District, on the draft Council Plan. Members heard that a wide range of comments had been submitted as part of this consultation. These included comments on climate change, development within the District and combatting anti-social behaviour.

Cabinet discussed the draft Council Plan. There was a consensus that it reflected the goals and priorities of the new Administration, (which took office in May 2019)

around enhancing the quality of life for residents, promoting and protecting the character of the District, delivering high quality cost effective services and growing the local economy. Consequently, Members felt that it should be recommended to Council for approval and adoption.

RESOLVED –

- (1) That Cabinet notes the development of the Council Plan 2019-2023.
- (2) That Cabinet notes the results of the formal consultation which took place on the Plan.
- (3) That Cabinet recommends the Council Plan 2019-2023 to Council for adoption.
- (4) That Cabinet agrees any minor amendments to the Council Plan 2019-2023 be made by the Joint Strategic Director – Place, in consultation with the Leader of the Council, prior to submission of the Plan to Council.

REASON FOR DECISION – To enable the Cabinet to consider and endorse the Council Plan, setting out its priorities and objectives for the next four years, prior to its submission to Council.

OTHER OPTIONS CONSIDERED AND REJECTED – No other options were appropriate. The previous Corporate Plan has expired and the adoption of a new Council Plan was now required.

(Strategic Director - Place)

Non Key Decisions

192 Animal Welfare Policy

Cabinet considered a report of Councillor C Cupit, Portfolio Holder for Environment and Climate Change, on the Council's Animal Welfare Policy.

Members were asked to agree a new Animal Welfare and Licensing Policy. The new Policy, it was explained, was in line with the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, which have now come into force.

Cabinet discussed the new Policy. There was a consensus that it provided an appropriate response to the new regulations and that the proposed Animal Welfare and Licensing Policy should be endorsed.

RESOLVED – That Cabinet approves and adopts the Animal Welfare Policy and Licensing Policy, as appended to the report.

REASON FOR DECISION – To comply with good practice guidance to have a policy in place which sets out how the Council will inspect and licence establishments contained within the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

OTHER OPTIONS CONSIDERED AND REJECTED – No other options were appropriate. The policy was necessary so that members of the public are aware of the standards and how they operate and also so that animal licensed premises are aware of what is expected of them.

(Solicitor – Contentious Team Manager/
Senior Environmental Health Officer - Commercial)

193 Decision and Referendum on Dronfield Neighbourhood Plan

Cabinet considered a report of Councillor C Cupit, Portfolio Holder for Environment and Climate Change on the Dronfield Neighbourhood Plan. Members were informed that the Examiner had now considered the Plan and had recommended several modifications to it, which were appended to the report.

Cabinet considered the suggested modifications. These modifications, it was explained, had been put forward by the Examiner to ensure that it was compliant with the regulations in general and also with the Local Plan.

Cabinet discussed the recommendations and some of the specific points raised. The suggested amendments were seen as proportionate and which the Council could accept. Members felt, therefore, that they should be approved in their entirety.

Cabinet also discussed the timing for the referendum. Members noted that a provisional date of 24 October 2019 had been agreed with Dronfield Town Council. However, it was felt prudent for the Chief Executive to also be authorised to agree an alternative date for the referendum with Dronfield Town Council, if this proved to be necessary.

RESOLVED –

- (1) That Cabinet accepts the Examiner's report and all of the recommended modifications to the Dronfield Neighbourhood Plan in their entirety, as set out in the Decision Statement attached as Appendix 1 to the report.
- (2) That Cabinet agrees the Dronfield Neighbourhood Plan, as marked, be taken forward to a referendum within the Parish.
- (3) That Cabinet delegates authority to the Chief Executive, in consultation with the Leader and Portfolio Holder for Environment & Climate Change, to bring the Neighbourhood Plan into effect ("made") if more than half of those voting in the referendum vote in favour of it.
- (4) That Cabinet delegates authority to the Chief Executive to agree an alternative date for the referendum with Dronfield Town Council.

REASON FOR DECISION – To comply with the requirement that the Council must consider each of the recommendations made in the Examiner's report and decide what action to take in response. To confirm that no amendments to the Examiner's recommendations would be proposed by the Council.

OTHER OPTIONS CONSIDERED AND REJECTED – No amendments were considered necessary following the Examiner’s modifications to the Plan.

(Planning Policy Manager)

194 Funding to Outside Bodies – Resourcing Emerging Priorities

Cabinet considered a report of Councillor B Lewis, Portfolio Holder for Partnerships and Leisure, on the Council’s Funding to Outside Bodies. In particular, the report recommended that existing corporate budgets be realigned and repurposed in order to support the emerging priorities identified in the Council Plan 2019-2023. The report also recommended that determination of a budget for the Community Actions Grant Fund, which local groups would be able to apply for.

Members discussed the report. Cabinet made clear its commitment to financially supporting outside bodies, especially when this support would help the Council to deliver its corporate goal and priorities. In this context, Cabinet welcomed the more targeted approach to funding that had been put forward and especially the good practice eligibility criteria, set out in the report, which would be used as the basis for determining all future grant support to outside bodies.

Cabinet felt it important that the Council’s grant funding to outside bodies should be used in the most effective ways possible. There was general agreement that grant aid should not be used to support groups whose services duplicate those provided by other larger statutory organisations. Specific mention was made in this context of advice about benefits claims, which those who require it can obtain from elsewhere. Members felt instead that it would be better for the Council to repurpose its funding, so that it can support those groups which can make their own unique contribution towards achieving the Council’s priorities.

Cabinet considered the implications for specific organisations of the proposed approach to realigning funding to outside bodies within the existing financial envelope. Members recognised that as a consequence of this, some bodies would either no longer receive funding or receive funding at a lower level. Members asked that these organisations be given as much advanced notice as possible of the change, to ensure that they have adequate time to explore other sources of funding.

RESOLVED –

- (1) That Cabinet agrees the proposed financial support to Outside Bodies for the 2020-21 municipal year to ensure that all related emerging priorities identified within the 2019-23 Council Plan can be appropriately resourced.
- (2) That Cabinet agrees the proposed annual budget levels for the Community Action Grants Fund and Climate Change Small Grants Scheme for Schools.
- (3) That Cabinet agrees the good practice eligibility criteria for future grant support.

REASON FOR DECISION – Realigning the budget for grants to Outside Bodies to the emerging priorities identified within the 2019-23 Council Plan would ensure that

all priorities could be appropriately resourced and efficiencies and outcomes maximised.

OTHER OPTIONS CONSIDERED AND REJECTED – Extending the Council's priority activities which require financial support to Outside Bodies could not be achieved within the existing budget allocations.

(Strategic Partnership Co-ordinator)

195 Medium Term Financial Plan – Budget Monitoring Quarter 1

Cabinet considered a report of Councillor P Parkin, Portfolio Holder for Finance, which updated Members on the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account and the Capital Programme. Members noted that the budget had been set in February 2019 under the previous Administration. They heard that the General Fund was £234,000 and the Housing Revenue Account £177,000 below budget at the end of the first quarter. The reasons for this were explained to Members, in particular, they noted the savings which had been achieved through vacancy management.

RESOLVED –

- (1) That Cabinet notes the monitoring position of the General Fund at the end of the first quarter as detailed in Appendices 1 and 2 of the report.
- (2) That Cabinet notes the monitoring position of the Housing Revenue Account (HRA), the Capital Programme and Treasury Management activity at the end of the first quarter as detailed in Appendices 3-5 of the report.

REASON FOR DECISION – To keep Cabinet informed of the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury Management activity.

OTHER OPTIONS CONSIDERED AND REJECTED – No other options were considered as the report only provided information about the monitoring position against the Council's previously agreed budget. It did not include any options which required Cabinet to decide upon.

(Chief Accountant)

196 Corporate Plan Targets Performance Update – April to June 2019 (Q 1 – 2019/20)

Cabinet considered a report of Councillor A Powell, Portfolio Holder for Communications, which updated Members on the Quarter 1 outturns for the Corporate Plan 2019-2020 targets. Cabinet was informed that in overall terms most of the targets had been achieved or were on track to be achieved. Members welcomed this. Only one target had been extended, on the preparation of the Local Plan. Cabinet was reminded that preparation of the Local Plan was currently on hold, pending consideration of options in relation to housing numbers and Green Belt allocations.

Cabinet discussed the specific Corporate Plan performance targets and the transition arrangements for moving to the new targets to be set out in the 2019-2023 Council Plan. Members were assured that this information would be reported in ways that allowed data comparisons to continue to be made with the information collated for the previous Corporate Plan. Cabinet welcomed this.

RESOLVED – That Cabinet notes the progress against the Corporate Plan 2019-2020 targets.

REASON FOR DECISION – To keep Cabinet informed of performance against Corporate Plan Targets and any areas of concern.

OTHER OPTIONS CONSIDERED AND REJECTED – No other options were considered as the report only provided information about the monitoring position against the Council's previously agreed targets. It did not include any options which required Cabinet to decide upon.

(Information, Engagement and Performance Manager)

197 Proposed Appropriation of Land adjacent to 6 Burns Drive, Grassmoor

Cabinet considered a report of Councillor R Welton, Portfolio Holder for Housing, which sought approval for the appropriation of a small section of General Fund (GF) land adjacent to 6 Burns Drive, Grassmoor, to the Housing Revenue Account (HRA) to provide access for a fully adapted home. Cabinet discussed the report and supported the proposal.

RESOLVED –

- (1) That Cabinet agrees the appropriation of the land adjacent to 6 Burns Drive, Grassmoor, for housing purposes under Section 122 of the Local Government Act 1972 as set out in the report.
- (2) That Cabinet authorises the Solicitor to the Council to complete the memorandum executing the appropriation.

REASON FOR DECISION – Appropriation of the land for housing purposes would facilitate the provision of an improved level of access to a fully adapted family home.

OTHER OPTIONS CONSIDERED AND REJECTED – Not proceeding with the appropriation was considered but rejected. It would not make best use of the available open space or ensure that a fully accessible property is available to ensure the housing needs of the District.

(Development Manager – Rykneld Homes Ltd)

198 Urgent Business (Public Session)

There was no urgent business to be considered in the public session at this meeting of Cabinet.

199 Exclusion of Public

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 & 3 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 Minute].

Non Key Decisions

200 Joint ICT Service Structure

Cabinet considered a report of Councillor B Lewis, Portfolio Holder for Partnerships and Leisure, which sought approval for a restructure of the Joint ICT (JICT) Service as recommended by the Joint ICT Committee.

Members were reminded that the Joint ICT Committee had asked that a review of the service take place. One of the key findings to emerge from this review was a clear need to reconfigure the existing management arrangements, so that resources could be freed up to help meet the operational and other challenges facing the Joint ICT Service.

Following on from this review, the Joint ICT Committee had made specific recommendations to reconfigure the service, so that it could operate on more “thematic” lines and which would enable it to focus effectively on day-to-day service delivery, as well as longer term projects and development work, such as installing large scale new software systems and securing better electronic access for service users.

Cabinet discussed the Joint ICT Committee’s recommendations. There was a consensus that the proposed thematic approach would best meet the needs of the service going forward, especially in helping the Council and other Joint ICT service partners to move towards greater digital access to services.

RESOLVED –

- (1) That Cabinet approves the recommendations of the Joint ICT Committee on the future structure of the Joint ICT Service on the terms set out in the report.
- (2) That Cabinet’s approval of the Joint ICT Committee’s recommendation, as set out in the report, be subject to:-
 - (i) no significant issues occurring from the formal consultation with staff, and
 - (ii) the Council’s Joint ICT Service partners also agreeing to approve the recommendation.

REASON FOR DECISION – To better enable the Joint ICT Service to support and deliver the aims of the service.

OTHER OPTIONS CONSIDERED AND REJECTED – Retaining the existing arrangements would restrict the ability of the Joint ICT Service to deliver the aims of the service.

(Joint Head of Partnerships and Transformation)
(Paragraphs 1 & 3)

201 Dedicated NEDDC Head of Service – Finance and Resources (including Section 151 Officer role)

Cabinet considered a report of Councillor P Parkin, Portfolio Holder for Finance, which sought approval to create a dedicated Head of Service – Finance and Resources (including Section 151 statutory responsibility) for North East Derbyshire District Council. This would replace the currently vacant Joint Head of Finance and Resources post.

Members discussed the report. In particular, they discussed the reasons why a dedicated post was necessary, the proposed new structure and the parallel arrangements that would be established by Bolsover District Council.

RESOLVED –

- (1) That Cabinet approves the proposals to establish a dedicated post for the Council of Head of Service – Finance & Resources (including Section 151 Officer role) on the terms set out in the report.
- (2) Subject to no substantial change or issues raised through formal consultation with staff and trade unions, Cabinet requests that the Chief Executive Officer, in consultation with the Leader, exercise their delegated powers to implement the resulting structure.

REASON FOR DECISION – The proposal would provide dedicated senior management capacity and resource, whilst maintaining operational effectiveness.

OTHER OPTIONS CONSIDERED AND REJECTED – Retaining the existing structure were considered but rejected for the reasons specified in the report.

(Strategic Director - People)
(Paragraphs 1 & 3)

Key Decisions

202 Proposed Disposal of Six Properties on Whiteleas Avenue, North Wingfield

Cabinet considered a report of Councillor R Welton, Portfolio Holder for Housing, which sought approval to dispose of six Council owned properties on Whiteleas Avenue, North Wingfield.

Members discussed the report and the specific proposals to dispose of the properties. There was general agreement that this would be an appropriate way forward, which would help with the overall regeneration schemes for Whiteleas Avenue.

RESOLVED – That Cabinet approves the disposal of the properties on the terms as set out in the report.

REASON FOR DECISION – To facilitate the overall regeneration scheme of Whiteleas Avenue.

OTHER OPTIONS CONSIDERED AND REJECTED – Taking no action was considered but rejected for the reasons specified in the report.

(Director of Property Services & Development, Rykneld Homes Ltd)
(Paragraph 1)

203 Urgent Business (Private Session)

There was no urgent business to be considered in the private session at this meeting of Cabinet.
