

**CABINET****Tuesday, 30th January, 2018**

Present:-

Councillor Serjeant (Chair)

Councillors T Gilby  
Bagley  
BlankCouncillors Huckle  
Brunt  
LudlowNon Voting Catt  
Members Dickinson

J Innes

\*Matters dealt with under the Delegation Scheme

**120 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

**121 APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor P Gilby.

**122 MINUTES****RESOLVED –**

That the minutes of the meeting of Cabinet held on 9 January, 2017 be approved as a correct record and signed by the Chair.

**123 FORWARD PLAN**

The Forward Plan for the four month period 1 February to 31 May 2018 was reported for information.

**\*RESOLVED –**

That the Forward Plan be noted.

**124 DELEGATION REPORT**

Decisions taken by Cabinet Members during November 2017 were reported for information.

**\*RESOLVED –**

That the Delegation Report be noted.

**125 BROWNFIELD LAND REGISTER**

The Strategic Planning and Key Sites Manager submitted a report advising members of the publication of Part 1 of the Council's Brownfield Land Register. The register was published on 19 December, 2017.

The Council was required to publish this mandatory document, which details the core information held on sites eligible for inclusion on the Register, by the end of 2017 as per the Town and Country Planning (Brownfield Land Registers) Regulations 2017.

The Strategic Planning and Key Sites Manager also advised that the Council, as the Local Planning Authority, would be responsible for the cost, assessment and consultation requirements relating to any sites placed on 'Part 2' of the Brownfield Land Register.

**\* RESOLVED –**

1. That the Council's publication of the Brownfield Land Register, in accordance with the Town and Country Planning (Brownfield Land Registers) Regulations 2017, be noted.
2. That the proposal to not include any sites on Part Two of the Council's Brownfield Land Register, be approved.

**REASONS FOR DECISIONS**

1. To follow stated regulations.
2. To minimise the unnecessary expense to the Council created through the process of analysing, publicising and consulting on sites for Permission in Principle. This cost would usually be taken on by a developer when applying for outline or full planning permission.

## 126 **CHESTERFIELD LOCAL PLAN REVIEW SITE CONSULTATION AND PROGRESS**

The Strategic Planning and Key Sites Manager submitted a report seeking approval to commence a 6 week public consultation on the Gypsy and Traveller Site Options on 12 February, 2018.

As per the National Planning Policy Framework, the Council is required to ensure suitable provision of sites for Gypsies and Travellers in its Local Plan, based on up to date assessment of need.

Following the publication of the Gypsy and Traveller Accommodation Assessment in 2015, the Council was required to identify 4 pitches between 2014 and 2019. The report noted that half of this need had already been met through the granting of planning permission for 2 pitches.

The Consultation Report, as attached at Appendix A to the officer's report, provided detail on the council's site assessment process as well as the 6 sites shortlisted for the remaining 2 pitches.

The public consultation would be borough wide to provide all residents and interested parties with the opportunity to be involved and make comments. The consultation will include drop-in sessions at accessible central locations, presentations, meetings with local ward councillors, and press releases.

### **\* RESOLVED –**

1. That the Gypsy and Traveller Sites Consultation Report and associated Sustainability Appraisal, as set out at Appendices A and B to the officer's report, be approved for public consultation.
2. That the Council retains ownership and control of all potential sites, to ensure that they remain available until site(s) are formally allocated within an adopted Local Plan.
3. That delegated authority be granted to the Strategic Planning and Key Sites Manager, in consultation and agreement with the Cabinet Member for Economic Growth, to make minor amendments to the Draft Local Plan and associated material prior to public consultation.

4. That the consultation report and supporting material be shared with Derbyshire County Council, Bolsover District Council and North East Derbyshire District Council, prior to the public consultation, to ensure the Council complies with the Duty to Cooperate.
5. That it be noted that the garage sites are the only Council-owned land currently available.
6. That the Council's responses to the requests from Bolsover District Council and North East Derbyshire District Council for assistance in meeting their respective needs for Gypsy and Traveller sites, as set out at Appendix D to the officer's report, be noted.

## **REASONS FOR DECISIONS**

1. To allow consultation to be undertaken on prospective Gypsy and Traveller Sites in order to progress the Local Plan in accordance with the Council's published Local Development Scheme.
2. To ensure that potential Gypsy and Traveller sites remain available until site(s) are formally allocated within an adopted Local Plan.
3. To allow for minor amendments to be made to the consultation report in preparation for the public consultation.
4. To demonstrate that the Council is meeting the Duty to Cooperate.
5. For the avoidance of doubt and to prevent potential challenge.

## **127 FEES AND CHARGES FOR SPORT AND LEISURE 2018/19**

The Operations Manager submitted a report recommending for approval proposed fees and charges for Sport and Leisure services, to take effect from 1 April, 2018.

The review had considered a number of factors, including concerns over membership levels and associated income, and increased competition from private sector leisure providers; these had been taken into account in determining the proposed levels of fees and charges for 2018/19, which were attached at Appendix A to the officer's report.

The report noted that a number of new fees and charges had been added to cover new Direct Debit payment opportunities, new sports and leisure activities, and new initiatives to encourage people from specific communities to become more physically active.

**\* RESOLVED –**

1. That the proposed charges for Sports and Leisure services, as outlined in Appendix A to the officer's report, be approved and implemented from 1 April 2018.
2. That the proposals for concessionary charge eligibility, as outlined in Appendix A to the officer's report, be approved; and that the concessionary rate memberships continue to be known as Change4Life.
3. That routine monitoring and analysis of membership and centre usage be continued to assess and respond to any possible impacts of the proposed changes to Sports and Leisure services charges.
4. That the Sports and Leisure service be encouraged to continue developing services, enabling additional fees to be applied to new activities, where appropriate.
5. That the proposal to not impose further increases to fees and charges for Sports and Leisure services before April 2019, be approved.
6. That delegated authority be granted to the Assistant Director – Health and Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, to approve changes to fees and charges for Sports and Leisure services where there are promotional opportunities to stimulate usage, to ensure customer retention, and/or to respond to external market forces.

**REASONS FOR DECISIONS**

1. To set the Council's fees and charges for Sport and Leisure Indoor and Outdoor facilities with effect from 1 April, 2018.

2. To contribute to improving the Council's overall financial position and reduce the overall cost of Sport and Leisure provision by the Council.
3. To support the Council's delivery of Great Place Great Service corporate priorities for visitors and residents to Chesterfield Borough.
4. To improve customer service, the service programming and overall participation levels of Sport and Physical activity in the borough to support other programmes for addressing health inequalities and impacts.
5. To meet the demands of the market place given current and pending competition.

128 **RESULTS OF TENANT CONSULTATION FOR CHANGES TO COUNCIL HOUSING TENANCY AGREEMENT**

The Assistant Director – Housing submitted a report detailing the outcome of the consultation on changes to the Housing Tenancy Agreement, which pursuant to Minute No. 57 (Cabinet, 2017/18) had been undertaken over the six week period concluding 3 December, 2017.

It was reported that 1,079 tenants (11 per cent) had responded in writing to the proposals and approximately 243 people had attended the 'roadshow' events held across the Borough. A report outlining the response to the proposals was attached at Appendix 1 to the officer's report.

The Assistant Director – Housing advised that, subject to Cabinet approval, all tenants would be notified in writing of the new Tenancy Agreement and Tenant Repairing Obligations. The new provisions would come in to force at the end of the formal 28 days' notice period.

**\* RESOLVED –**

1. That the comments returned by tenants as part of the Council Housing Tenancy Agreement Consultation, be noted.
2. That the final versions of the Tenancy Agreement and Tenant Repairing Obligations be approved.

3. That delegated authority be granted to the Assistant Director – Housing to provide tenants with notice in writing of the new Tenancy Agreement and Tenant Repairing Obligations due to come into force from 1 April 2018, and to serve the necessary Notice of Variation.

## **REASONS FOR RECOMMENDATIONS**

1. To make the necessary changes to the Housing Tenancy Agreement.
2. To contribute to the delivery of a balanced and sustainable Housing Revenue Account that is self-financing in the longer term.
3. To support the Council's Vision and Priorities within the Council Plan.

### **129 OPEN MARKET FEES AND CHARGES 2018/19**

The Town Centre Operations Manager submitted a report recommending for approval proposed fees and charges for the Chesterfield open markets and the Sunday car boot sale, to take effect from 1 April, 2018.

It was reported that market occupancy levels in Chesterfield had declined by 6 per cent to date during the 2017/18 financial year, continuing the overall trend seen over the last 3 years.

A comparative benchmarking exercise had found that stall fees and charges in Chesterfield had remained competitive with other local markets'. The report proposed that the current fees and charges be unchanged for 2018/19, the full list of which was attached at Appendix A to the officer's report.

The Town Centre Operations Manager also advised that, in light of the 'no increase' proposals, it was not intended to afford licensed market traders a rent free week holiday entitlement in 2018/19.

#### **\* RESOLVED –**

1. That the proposal to not increase stall fees on the General, Flea and Farmer's Markets from 1 April 2018, be approved.

2. That the proposal to reflect the decline in occupancy levels in the 2018/19 target income, be approved.
3. That the proposal to not increase the car boot sale fee held under licence by Chesterfield Football Club at the Proact Stadium, be approved.
4. That the proposal to not increase electricity and storage charges, and the publicity levy on the Open Market, be approved.
5. That the proposal to not offer a rent free holiday period to licenced traders in 2018/19, be approved.

## **REASONS FOR DECISIONS**

1. To continue to secure a viable open air market in Chesterfield.
2. To ensure that the Council continues to receive an acceptable return on a valuable town centre asset through supporting traders during this continued economic downturn.

## **130 CAR PARKS FEES AND CHARGES 2018/19**

The Town Centre Operations Manager submitted a report recommending for approval proposed fees and charges for car parks, to take effect from 1 April, 2018.

The full list of proposed charges for 2018/19 was attached at Appendix A to the officer's report.

The report proposed that the incentive parking tariffs (Minute No. 136, Cabinet 2015/16) be unchanged, to ensure that the fees and charges remain competitive with other nearby towns and cities, and continue to attract residents, commuters and visitors to the town and borough.

### **\* RESOLVED –**

1. That the proposed charges for parking for periods ranging from up to 30 minutes to up to four hours in all town centre car parks, as set out in paragraphs 5.4 and 5.6 of the officer's report, be approved and implemented from 1 April 2018.



2. That the proposed charge of £1.40 to park for each subsequent hour over four hours in all short stay/shoppers car parks, be approved and implemented from 1 April 2018.
3. That the proposed charge of £5.00 to park for over four hours in all long stay/commuter car parks, be approved and implemented from 1 April 2018.
4. That the offer of free parking to residents of the Borough before 10am and after 3pm Monday to Saturday, and all day Sunday, be continued for 2018/19.
5. That the proposed charge of £3.60 per day for all advance purchase scratchcard tickets, available for use only in all long stay/commuter car parks, be approved and implemented from 1 April 2018.
6. That the proposed charge of £62 for all monthly parking tickets, available for use only in all long stay/commuter car parks, be approved and implemented from 1 April 2018.
7. That the proposed charge of £620 for annual parking tickets, available for use only in all long stay/commuter car parks, be approved and implemented from 1 April 2018.
8. That the proposed charge of £2 per day for parking in Ashgate Road Car Park, be approved and implemented from 1 April 2018.
9. That the proposal to not review car parking charges again until 2020/21, if the income target for 2018/19 is achieved, be approved.

## **REASONS FOR DECISIONS**

1. To continue to support the town centre economy, providing competitively priced car parks with simple charging structures and convenient payment methods and tariffs.
2. To ensure that the Council continues to receive an acceptable return on a valuable town centre asset.

