



Please ask for Graham Ibberson
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The Chair and Members of Cabinet

3 May 2024

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 14 MAY 2024 at 11.00 am in Committee Room 1, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 32)

To approve as a correct record the Minutes of the Cabinet meetings held on 27th February 2024 and 19th March 2024.

4. Forward Plan

Please follow the link below to view the latest Forward Plan.

[Forward Plan](#)

Items Recommended to Cabinet via Cabinet Members

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

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Cabinet Member Climate Change, Planning and Environment

5. Local Plan Review – Regulation 18 Consultation (Pages 33 - 40)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Sandy', written in a cursive style.

Head of Regulatory Law and Monitoring Officer

CABINET

Tuesday, 27th February, 2024

Present:-

Councillor Gilby (Chair)

Councillors	Holmes	Councillors	J Innes
	Sarvent		Staton
	Baldauf-Good		Stone
	Davies		

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

74 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Serjeant.

75 **MINUTES**

RESOLVED –

That the minutes of the meetings of Cabinet held on Tuesday 16th January and Monday 5th February be approved as a correct record and signed by the Chair.

76 **FORWARD PLAN**

The Forward Plan for the four-month period March, 2024 to June, 2024 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

77 BUDGET AND MEDIUM TERM FINANCIAL PLAN 2024/25

The Service Director – Finance presented a report asking Cabinet to consider the General Fund revenue budget report for the financial year 2024/25 and the Medium-Term Financial Plan (MTFP) for the period 2024/25 to 2027/28 and to make recommendations to full Council on the budget allocations and Council Tax level.

The Council's Budget Strategy was approved by Council on 19 July 2023. The Budget Strategy report set out the need to drive out savings of at least £2.5m at pace, within a framework that was prudent, responsible, and sustainable.

The Budget Strategy Implementation Plan was presented to Cabinet on 14 November 2023. This report set out a detailed approach to addressing the budget gap following extensive work with the Council's Corporate Leadership Team (CLT) and Cabinet Portfolio Holders, drawing on the thematic interventions set out in the Budget Strategy.

The resulting implementation plan was split into 2 stages. Cabinet approved £539k of stage 1 savings proposals but the Stage 2 savings proposals required further development, including where appropriate engagement or consultation with service users, stakeholders, staff, and trade unions. These proposals were expected to deliver potential savings of between £1.690m and £2.460m.

The Council approved the General Fund Revenue Budget for 2023/24 on 22 February 2023. The budget was constructed in accordance with the Council's budget principles and the 2023/24 budget was balanced with the use of £1.000m from the Budget Risk Reserve.

The period 5 forecast was reported to Cabinet on 14 November 2023 and presented an adverse position of £334k. This forecast deficit for 2023/24 had reduced to £282k at the end of period 8 and included the impact of the Local Government Employers pay offer, which was made in February 2023 and accepted late 2023.

Despite the improved position in the forecast adverse position the Council would need to continue to monitor the financial position carefully over the next month to identify areas where spending could be contained, and

income maximised to ensure projected service expenditures were managed, as a minimum, within approved budgets.

The provisional Local Government Funding Settlement for 2024/25 had been published on 18 December 2023 and proposed an overall increase in Core Spending Power (CSP), of 6.5%. The Government had then announced in January 2024 an additional £600m funding for local authorities. The final Local Government Funding Settlement published on 5 February 2024 confirmed this figure with total CSP for local authorities set at £64,706m. This was an increase in cash terms of 7.5% compared to 2023/24.

Since publication of the Budget Strategy Implementation report, work had been ongoing in relation to reviewing service pressures and updating the budget assumptions to be included within the MTFP. These budget assumptions had been reviewed and updated to take account of known changes, new and emerging service pressures, and inflationary increases. Table 1 in the officer's report detailed the new emerging service pressures.

It was noted that £539k of new stage 1 savings proposals were already built into the draft MTFP. These were largely officer operational decisions or decisions delegated to Cabinet members. The ongoing impact of these savings proposals would be £269k in 2027/28. Details of the individual proposals were set out in Appendix A of the officer's report.

It was also noted that £2,407m of Stage 2 savings proposals had already been achieved for 2024/25, with the ongoing impact set to rise to £2,791m in 2027/28, although some of these were still subject to appropriate consultation and decision making. The full list of savings proposals were detailed in Table 2 of the officer's report.

The overall Council Tax base for 2024/25 had been calculated and set at 30,443.17, an increase of just over 0.7% from 2023/24. To help maintain and protect current levels of service provision the MTFP assumed a Council Tax increase of 2.99% in 2024/25, in line with the referendum limit set by the Government. The Band D Council Tax would increase by £5.54 per annum in 2024/25. For a Band 'A' property (more than half the properties in the Borough), the increase was equivalent to an extra £3.69 per annum.

A 2.99% increase together with the increase in tax base would contribute an additional £72k per annum, over and above that which had been assumed in the original MTFP assumptions, to be invested in local service provision.

The final budget position, showing the movements (increases and decreases) from the original estimates within the MTFP approved in February 2023, was set out in Table 4 of the officer's report. The 2025/26 budget process would require an early focus to allow maximum time for the development and delivery of further budget savings.

Reserves were an important part of the Council's financial strategy and were held to create long-term financial stability. They enabled the Council to manage change and were a key element of its financial standing and resilience. The Council's Reserves Policy was set out in Appendix F of the officer's report, with further details on individual reserves being provided in Appendix G.

The Local Government Act 2003 (section 25) required the Chief Financial Officer (CFO) to report on the robustness of estimates and the adequacy of financial reserves when the statutory calculations to determine the Council Tax were reported. The Council had well established and robust budget processes which had been followed when compiling the 2024/25 budget and medium-term projections.

The savings proposals had also been subject to robust challenge and the MTFP assumed that they would be delivered in full.

As part of the Provisional Local Government Settlement, the Government announced in December 2023 that there would be a continuation of the capital receipts flexibility programme until March 2030, to give local authorities the continued freedom to use capital receipts from the sale of their own assets (excluding Right to Buy receipts) to help fund the revenue costs of transformation projects and release savings.

The Council intended to utilise £1.141m of capital receipts flexibility in 2023/24 and £1.334m in 2024/25. Full details could be found in the Flexible Use of Capital Receipts Strategy Revised 2023/24 and 2024/25 which was attached at Appendix C of the officer's report.

In preparing the budget estimates for the coming financial year and updating the MTFP, detailed consideration had been given to the need for

the Council's finances to be at levels appropriate to enable the Council to deliver in full on the priorities and objectives that it had set out within the Council Plan for the period 2023 to 2027.

***RESOLVED –**

1. That the budget savings proposals described in paragraph 4.54 of the officer's report are approved for immediate implementation.

That it be recommended that Council;

2. Notes the forecast outturn for 2023/24 which presents a deficit for the year of £282k to period 8 (paragraph 4.18) and the further management controls proposed to achieve a balanced outturn position for 2023/24 by year end.
3. Approves the overall revenue budget for 2024/25 (table 4 and Appendix B in the officer's report).
4. Approves the use of £214k from the Budget Risk Reserve to balance the 2024/25 revenue budget (paragraph 4.66)
5. Approves the submission of a proposal to employ flexible use of capital receipts in the financial years 2023/24 and 2024/25 and to delegate the amendment and final approval of this proposal to the Service Director – Finance (CFO), in consultation with the Deputy Leader and Cabinet Member for Finance and Asset Management (paragraph 4.90 to 4.92).
6. Approves the 2024/25 Council Tax Requirement and financing (Appendix H and I in the officer's report).
7. Increases the Council's share of Council Tax for properties in each band, a 2.99% increase for a Band 'D' property in 2024/25 to £190.81 (paragraph 4.61).
8. Approves the Local Council Tax Support scheme which remains unchanged for 2024/25 (paragraph 4.64).
9. Notes the Collection Fund and the Tax Base forecasts (paragraphs 4.60, 4.63 and 4.33).

10. Notes the financial projections in the Medium-Term Financial Plan (MTFP) for 2025/26 to 2027/28 (Table 4 and paragraph 4.68).
11. Approves the estimates of reserves including maintaining the General Working Balance at £1.5m (paragraphs 4.70 – 4.72).
12. Notes the budget risks and sensitivity analysis (Appendix D) and the Chief Finance Officer's assurances (paragraphs 4.73 – 4.88).
13. Notes that Cabinet (or the Joint Cabinet and Employment and General Committee) has still to make final decisions on the budget savings proposals described in paragraph 4.55 of the officer's report.

REASON FOR RECOMMENDATIONS

For the Council to meet the statutory requirements relating to setting the General Fund revenue budget and the level of Council Tax for 2024/25.

78

GENERAL FUND CAPITAL PROGRAMME 2024/25

The Head of Accountancy and Finance presented a report asking Cabinet to consider the General Fund Capital Programme for the financial year 2024/25 and to make recommendations to full Council on the financing and expenditure arrangements.

The officer's report set out the draft General Fund Capital Programme, incorporating capital expenditure and financing arrangements for the financial years 2023/24 through 2027/28. The Capital Programme was aligned to the Capital Strategy and presented, in financial terms, the Council's plans for investment related purchasing, building and improvement of capital assets.

It was noted that the Capital Programme was an ambitious one, evidencing investment of £12.9m in 2023/24 and plans for a further £39.4m of investment from 2024/25 through 2027/28, enabling substantial regeneration to take place in and around the Borough and allowing the Council to meet all necessary capital expenditure requirements to support delivery of its vision and priorities.

The Capital Programme for 2023/24 was approved as part of the budget setting process for that financial year, in February 2023, and an updated Capital Programme forecast (expenditure and financing) was included at Appendix A of the officer's report. The updated programme included schemes that had already been approved by Cabinet.

The main sources of capital finance and how they were being used to fund the current Capital Programme were summarised as:

- Borrowing – The current Capital Programme included borrowing that the Council had previously approved of £8.1m
- Grants and contributions - Grant funding of £38.7m was a significant element of how the General Fund Capital Programme was currently resourced and included:
 - 2023/24 - £8.5m in total including £4.7m Levelling Up Fund grant, £1.4m Staveley Town Deal grant and £1.7m Better Care Fund grant
 - 2024/25 - £23.9m in total including £13.0m Levelling Up Fund grant, £6.8m Staveley Town Deal grant and £2.2m Better Care Fund grant
 - 2025/26 - £3.3m in total including £2.1m Better Care Fund grant (for DFGs)
 - 2026/27 - £2.1m of Better Care Fund grant (for DFGs).
 - 2027/28 - £0.8m of Better Care Fund grant (for DFGs).
- Reserves - these were contributions from earmarked reserves towards vehicle and plant replacements and match funding contributions towards other grant funded schemes.

Capital Receipts were only included once potential land and property assets had been identified for disposal and the assets concerned were being actively marketed. The following Capital Receipts were identified in Appendix A:

- 2023/24 - this mainly comprised the receipt achieved in respect of council land sold at Linacre Road. Total forecast receipts for 2023/24 were £1.8m
- 2024/25 – receipts of £3.8m had been assumed
- 2025/26 – receipts of £1.5m had been assumed
- No capital receipts had yet been identified for 2026/27 or 2027/28

All capital expenditure which was not financed through grants, capital receipts or reserves would need to be financed over time by making a Minimum Revenue Provision (MRP). A MRP is a revenue cost to the General Fund Revenue Budget and the revenue implications of any additional MRP contributions would be considered before schemes were included in the Capital Programme.

***RESOLVED –**

That it be recommended to Full Council that the updated General Fund Capital Programme expenditure and financing be approved, as detailed in Appendix A of the officer's report.

REASON FOR RECOMMENDATION

To ensure the Council is able to make capital investments to support delivery of its stated vision and priorities, as set out within the Council Plan 2023 – 2027, and to evidence that such expenditure is appropriately funded.

79 HRA BUDGET 2024/25

The Service Director – Housing presented a report asking Cabinet to consider the forecast outturn for the Housing Revenue Account (HRA) for the current financial year, 2023/24, the draft HRA budget for 2024/25 and the Medium-Term Financial Plan (MTFP) for the years 2024/25 to 2028/29.

The deficit for 2023/24 was forecast to be £858k (as at period 8), which was an improved position of £2.223m against the original budget, primarily due to a number of funding and financing adjustments such as removing the planned £3.389m revenue contribution to fund the capital programme and pausing the voluntary repayment of debt (£1.841m).

Table 1 in the officer's report summarised the forecast outturn for 2023/24 against the original budget. The main variances included:

- Rents
- Repairs and maintenance

- Depreciation charges
- Provision for the repayment of debt
- Direct Revenue Financing

The financial strategy for the HRA was to deliver a balanced and sustainable budget which was self-financing in the longer term, and which reflected both the requirements of tenants and the strategic vision and priorities of the Council.

The HRA was not permitted to run at an overall deficit and risks would need to continue to be identified and managed effectively. A minimum working balance of £3.5m (increased annually by inflation) was maintained to avoid the risk of the HRA moving into a position of negative balance in the event of an exceptional cost(s) arising.

The MTFP, in Appendix 1 of the officer's report, showed that the HRA balance was anticipated to fall to £5.071m in 2024/25.

New service pressures of £3.673m had been included within the budget for 2024/25, some of which were one off, whilst £1.625m were ongoing and had been built into budgets from 2025/26. These pressures were essential activities but in the short-term represented costs over and above the base budget. However, many of the activities would deliver savings in future financial years. A full breakdown of the service pressures was set out in Appendix 2 of the officer's report.

It was reported that savings proposals for 2024/25 included:

- Savings from Vacant Posts
- Phasing out Voluntary Sector Advice Agency Grants
- Changes to Careline

The budget estimates for 2024/25 were shown in Table 2 of the officer's report and compared the movements to the original budget estimates for 2023/24. The MTFP shown at Appendix 1 evidenced a working balance, over and above the minimum of £3.5m (updated by inflation), in all years through 2028/29. However, the 2024/25 budget had a gap of £729k which had been covered by an allocation from the working balance and, whilst the deficits over the MTFP reduced year on year, it was not until 2028/29 that the MTFP did not rely on the use of the working balance to achieve a balanced budget position.

***RESOLVED –**

1. That the forecast outturn for the Housing Revenue Account for the current financial year, 2034/24 be noted.

That it be recommended to Full Council that:

2. The draft estimates for the Housing Revenue Account for 2024/25 and future financial years be approved.
3. That authority be delegated to the Service Director – Housing, in consultation with the Cabinet Member for Housing and the Service Director – Finance, within the total funding provision of £700k to identify and progress service transformation projects and spend to save initiatives, and to respond to possible in-year changes in legislation or national housing policy to ensure that the authority continues to meet its statutory obligations and has a social housing offer which is fit for purpose.
4. That authority be delegated to the Service Director – Housing, in consultation with the Cabinet Member for Housing, within the total funding provision of £1m (£750k revenue and £250k capital), to progress the immediate procurement of contractors to undertake the work on void properties as set out in paragraph 4.18 of the officer's report.

REASONS FOR RECOMMENDATIONS

1. To provide an updated assessment of the Council's Housing Revenue Account forecast outturn for the financial year 2023/24 and report on the progress made in addressing a number of financial challenges facing the council's Housing Service.
2. To provide the necessary authority for the council's Housing Service to take forward a number of transformation projects and other response measures to address the ongoing financial challenges facing the social housing sector.
3. To present a balanced Housing Revenue Account for the financial year 2024/25 for recommendation to Full Council.

80 **HRA CAPITAL PROGRAMME 2024/25**

The Service Director – Housing presented a report seeking approval for the Housing Capital Programmes for 2023/24 and 2024/25 and an indicative programme for 2025/26 to 2028/29.

The 2023/24 Programme had been revised to recognise changes during the financial year. The principal change was the delayed start of major new build schemes at Staveley and Middlecroft, due to the Covid pandemic and a main contractor going into liquidation. The delayed works had been incorporated into the revised 2023/24 and 2024/25 Programmes, as shown in Appendix 1 of the officer's report.

The 2022 Stock Condition Survey, carried out by Savills, had identified that the condition of the Council's housing stock had improved since the previous survey undertaken in 2017. The proposed 2024/25 Programme had been designed to ensure stock achieved and maintained 100% decency. Currently, 99.7% of the housing stock met the Decent Homes Standard (as of December 2023) and it was anticipated this would reach 100% during 2024/25.

One of the main focusses of the Programme remained the modernisation of properties, with the majority of activity over the next 12 months concentrated on building elements such as new kitchen, heating renewals, roof and window replacement programmes, alongside further improvements to external estate environments.

The work programmes for 2024/25 until 2028/29 continued to be prioritised in line with the level of investment needed according to the 2022 stock condition survey, and the amount of recent expenditure incurred on responsive repairs and maintenance.

Investment in blocks would continue through the block refurbishment programme, with the next scheme to be completed being Newland Dale (expected in February 2024) and Loundsley Green commencing in 2024/25.

The investments proposed in the Programme would also make a significant contribution to improving the energy efficiency of the Council's housing stock whilst also contributing to the Council's overall decarbonisation targets. For example, a decarbonisation feasibility study

had been undertaken for a pilot scheme at one of the sheltered schemes, Brocklehurst Court.

The Council's new build programme would continue with new homes at Middlecroft and Westwood Avenue due to complete in 2024/25. An additional new site at Mastin Moor had been identified and the designs submitted to planning. Development was planned to start in 2024/25. All existing and proposed new build schemes were shown in the Table at paragraph 4.14 of the officer's report.

It was also proposed that the council's successful programme of strategic housing acquisitions would continue, to allow the purchase of properties which met housing need, thus increasing the Council's housing stock. Seven new units had been acquired at Newhall Road in August 2023.

The Table shown at paragraph 6.1 of the officer's report showed the level of planned investment in the council's housing stock, over the 5-year Programme to 2028/29.

***RESOLVED –**

1. That it be recommended to Full Council that the Housing revised Capital Programme for 2023/24 be approved.
2. That it be recommended to Full Council that the Housing Capital Programme for 2024/25 be approved and its procurement, as necessary, be authorised.
3. That it be recommended to Full Council that the Housing Capital Programme for 2025/26 to 2028/29 be provisionally approved.
4. That authority be delegated to the Service Director – Housing, in consultation with the Cabinet Member for Housing and the Service Director – Finance, to vire between programmes and budgets as necessary, to manage and deliver the Capital Programme for 2024/25 as set out in the officer's report.

REASON FOR RECOMMENDATIONS

The Council as a social landlord has a legal duty to ensure that all its properties are fully compliant and maintained to Decent Homes standards.

81 **CULTURAL SERVICES REVIEW – WINDING WHEEL THEATRE**

The Cabinet Member for Town Centres and Visitor Economy presented a report setting out detailed proposals to reduce the financial subsidy that the Council currently provides to The Winding Wheel Theatre, to support the Council's budget position for 2024/25.

The officer's report responded to the specific proposal set out in the Budget Strategy Implementation Plan, which had been approved by Cabinet in November 2023, for a "Fundamental review of The Winding Wheel Theatre's operations focussed on achieving a cost neutral budget position". The proposal had an annual savings target of over £200,000, as part of the thematic intervention of "Increase income / behave commercially".

Table 1 in the officer's report showed that in the financial year 2023/24 the Winding Wheel Theatre was budgeted to run with a net operational cost of approximately £378,000.

Officers had reviewed in detail the Theatre's operation in 2023, to see how a cost neutral position could be achieved.

It was therefore proposed that as from 1 April 2024 (for all new bookings), the Council would only proceed with the booking of productions, where the anticipated income from ticket sales would be sufficient to cover the Theatre's operating costs.

As a more commercial approach was taken, it was anticipated that the number of productions programmed at the Theatre would be reduced.

Also, in line with taking a more commercial approach, it was proposed that fees and charges be increased to a level which would enable the Council to cover the costs of providing the venue to any hirer. The proposed levels of fees and charges for the financial year 2024/25 were set out in Appendix B of the officer's report.

As part of the development process for the fees and charges proposals, officers had contacted the regular hirers of The Winding Wheel Theatre and invited them to complete a short engagement survey regarding their views on how they thought any significant price changes would affect them and their groups. A summary of the responses received was attached in Appendix A of the officer's report.

As a result of the planned changes and the anticipated reduction in opening times of the building, there would be operational savings in staffing and premises management costs. There were HR implications, as less staff hours would be required, but it was expected that this reduction in staff hours would be achieved without any implications for staff on permanent contracts. A number of staff had already chosen to take voluntary redundancy or early retirement.

The proposals, as set out in the report, would generate ongoing savings of circa £172,000 per annum. This would reduce the net controllable budget to circa £207,000 in 2024/25, as set out in Table 2 of the officer's report.

***RESOLVED –**

1. That a more commercial approach be taken to both the programming and the hiring of the Winding Wheel Theatre to reduce the financial subsidy provided to the venue.
2. That alternative operational arrangements be put in place to support the commercial approach, including focussing opening hours around planned commercial events, and making changes to the availability of the venue for hire.
3. That the proposed changes to fees and charges for room hire, equipment hire and staffing cost at the Winding Wheel Theatre, as detailed in Appendix B of the officer's report, be approved for implementation from 1 April 2024.
4. That authority be delegated to the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Town Centres and Visitor Economy, to apply appropriate negotiated fees for new activities and opportunities that are introduced during the period covered by the officer's report.

REASON FOR RECOMMENDATIONS

The proposals have been brought forward to respond to the savings targets identified in the Budget Strategy Implementation Plan, which was approved in November 2023. This will enable the Council to work towards developing a balanced 2024/25 budget and MTFP, which will support the Council to continue to deliver against the vision and priorities set out in the Council Plan.

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CABINET**Tuesday, 19th March, 2024**

Present:-

Councillor Gilby (Chair)

Councillors	Holmes	Councillors	Davies
	Sarvent		J Innes
	Serjeant		Staton
	Baldauf-Good		Stone

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

83 APOLOGIES FOR ABSENCE

There were no apologies for absence.

84 MINUTES**RESOLVED –**

That the minutes of the meetings of Cabinet held on Tuesday 20th February be approved as a correct record and signed by the Chair.

85 FORWARD PLAN

The Forward Plan for the four-month period April, 2024 to July, 2024 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

86 **ASSET MANAGEMENT DELIVERY PLAN**

The Deputy Leader of the Council presented a report seeking approval of the asset management delivery plan for 2024/25. The plan detailed a range of activities aimed at achieving the objectives set out in the Asset Management Strategy 2023-2027, which had been approved by Full Council in July 2023.

The proposed delivery plan was set out in Appendix A of the officer's report. The key priority areas to be progressed were:

- Developing our Corporate Landlord approach.
- Investing in decarbonisation whilst keeping our assets safe and well maintained.
- Delivering a land and property rationalisation programme.
- Maximising income and overall value from the existing commercial estate.
- Using our land and property to maximise growth opportunities for the Council and borough.

The report also sought approval for resources to progress the implementation of a new asset management software system, support service transformation, and progress stock condition surveys, net-zero carbon assessments and business cases to enable the development of a comprehensive asset maintenance and decarbonisation programme.

The approval of a staffing reshape was also critical to the delivery of the asset management delivery plan. This reshape would be the subject of a separate report to the Joint Cabinet and Employment and General Committee.

It was noted that additional resources would be required to procure and implement the new asset management software system. Monitoring of the delivery plan would be carried out by the Corporate Property Board, which was an internal officer board set up to provide corporate oversight in relation to the property activities of the council and focussed on achieving the aims and objectives set out in the asset management strategy. Regular briefings would be provided to appropriate Cabinet portfolio holders.

***RESOLVED –**

1. That the asset management strategy delivery plan for 2024/25 as set out in Appendix A of the officer's report, which aims to move forward delivery of the strategic objectives set out in the Council's Asset Management Strategy, be approved.
2. That funding of up to £350,000 be approved to progress the procurement and implementation of a new asset management software system, to be funded through the use of capital receipts.
3. That funding of up to £300,000 be approved, to be funded over two financial years from the property renewals fund and through the use of bespoke commercial property reserves, to progress a programme of stock condition surveys, net-zero carbon assessments and business cases leading to delivery of a fully funded asset maintenance and decarbonisation programme.
4. That the capital receipts policy be endorsed, as set out in the Asset Management Strategy - to reinvest capital receipts, secured through the disposals programme, into the land and property estate to fund asset maintenance, decarbonisation and investment activity.
5. That it be noted that successful delivery of the recommendations set out in this report is dependent upon approval of the proposed reshape of the property and technical services team that is being presented to Joint Cabinet and Employment and General Committee on 19 March 2023.
6. That authority be delegated to the Service Director – Economic Growth, in consultation with the Cabinet Member for Finance and Asset Management, to make amendments to the Asset Management Strategy Delivery Plan during the financial year 2024/25 to optimise operational effectiveness.

REASON FOR DECISIONS

To establish, for 2024/25, a detailed work programme and resources to continue the delivery of the Council's asset management strategy that sets out the vision, asset management policies and strategic objectives to

guide the overall management of the council's land and property assets, in line with the Council's overall vision and priorities.

87 **COUNCIL PLAN DELIVERY PLAN 2024/25**

The Deputy Leader of the Council presented a report seeking approval for the Council Plan Delivery Plan for the financial year 2024/25. The Plan set out the key milestones and measures for progressing year 2 of the Council Plan 2023-27.

The Council Plan Delivery Plan for 2024/25 was attached at Appendix 2 of the officer's report.

***RESOLVED –**

1. That the Council Plan Delivery Plan for 2024/25 be approved.
2. That authority be delegated to the Service Director – Corporate, in consultation with the Deputy Leader, to make amendments to the delivery plan should risk assessments, and changes to legislation and guidance impact on planned activity and operational effectiveness.

REASON FOR DECISIONS

To provide a clear statement of the delivery milestones and measures required to maintain progress on the Council's Council Plan 2023-2027.

88 **MODERN SLAVERY STATEMENT 2024/25**

The Cabinet Member for Governance presented a report seeking approval for the Council's modern slavery statement for the financial year 2024/25.

It was reported that the Modern Slavery Act 2015 consolidated various offences relating to human trafficking and slavery. For example,

- 'slavery' is where ownership is exercised over a person
- 'servitude' involves coercion to oblige a person to provide services

- ‘forced and compulsory labour’ is where a person works or provides services on a non-voluntary basis under the threat of a penalty
- ‘human trafficking’ involves arranging or facilitating the travel of a person with a view to exploiting them

Chesterfield Borough Council recognised the huge impact that these crimes had on vulnerable people and in our communities and so were committed to working with partner agencies to eradicate modern slavery.

The Council’s Modern Slavery Statement for 2024/25 was attached at Appendix 1 of the officer’s report. The Statement included:

- Modern Slavery Act requirements.
- The Modern Slavery Charter.
- The standards the Council will meet and expect others we do business with to meet.
- Procurement and supply chains.
- How modern slavery links into the Council’s policies and plans.
- Training and awareness raising.
- Partnership working.

The Statement would be reviewed annually and published on the Council’s website.

***RESOLVED –**

That the Chesterfield Borough Council modern slavery statement be approved for 2024/25.

REASON FOR DECISION

To demonstrate and strengthen our commitment to prevent and reduce the impact of modern slavery.

89

COMMEMORATIONS AND FLAG FLYING POLICY

The Cabinet Member for Governance presented a report seeking approval for a new commemorations and flag flying policy for the period 2024 through 2028.

Following a comprehensive review, the Council's first commemorations policy was approved in March 2022. This policy established:

- Six guiding principles to be used when considering requests for commemoration activities.
- Identified a range of opportunities to commemorate and celebrate key individuals, organisations, and historical events.
- Provided a clear route for both Chesterfield Borough Council services and members of the public, community and voluntary sector groups, faith organisations, businesses and other public sector agencies to submit commemoration proposals.

The commemorations policy was now due for renewal. During the two years in which the policy had been active several forms of commemoration activity had been undertaken by the Council or supported by the Council. Over the two-year period, the biggest area for new external requests and comment had been around flag flying. The original commemorations policy included reference to flag flying, but there was also a more detailed flag flying policy which also required review.

To avoid duplication and for ease of reference, it has been decided to combine the two policies into one comprehensive commemorations and flag flying policy, which was attached at Appendix 1 of the officer's report.

***RESOLVED –**

1. That the commemorations and flag flying policy be approved.
2. That authority be delegated to the Cabinet member for governance to approve minor amendments to the commemorations and flag flying policy in between formal review periods.

REASON FOR DECISIONS

To reconfirm the principles and arrangements for commemoration and flag flying activity delivered or supported by Chesterfield Borough Council and to provide a clear route for additional commemoration and flag flying proposals to be submitted to the Council.

The Cabinet Member for Governance presented a report seeking approval for a new member development, support, and parental leave policy for the period 2024 through 2028.

The intention of the member development, support, and parental leave policy was to bring together three existing policies and practice notes into a single document to provide comprehensive and cohesive support for elected members.

The member development element of the policy set out:

- The key principles for member development.
- The process for identifying member development needs.
- The variety of learning and development opportunities available to members and how to access them.
- The arrangements for monitoring non-compliance with mandatory learning and development.

The member support element of the policy set out the support available for members with a disability/disabilities or during periods of ill-health, and the roles and responsibilities of members and officers. The policy comprised details on:

- Reasonable adjustments for members and how to identify and access any support needs.
- How to access support schemes including 'Access to work'.
- Arrangements for periods of absence due to ill health including allowance and cover arrangements.
- Dependant carers allowance arrangements.
- How to access confidential advice and counselling services.

The parental leave element of the policy set out members' entitlement to maternity, paternity, shared parental and adoption leave. Leave periods, notification, cover and allowance arrangements were also detailed.

***RESOLVED –**

1. That the member development, support and parental leave policy be approved and implemented.

2. That the member development, support and parental leave policy be reviewed every four years to coincide with the findings of the independent remuneration panel and approval of the members allowance scheme.
3. That authority be delegated to the Cabinet Member for Governance to approve minor amendments to the member development, support and parental leave policy in between formal review periods.

REASON FOR DECISIONS

This policy sets out Chesterfield Borough Council's commitment to providing support and development opportunities for elected members. Improved support and development can contribute towards increasing the diversity of experience, age, gender and background of the Council's members. It will also assist with retaining experienced members and making public office more accessible to individuals who might otherwise feel excluded from it.

91 ADVICE AGENCY GRANT FUNDING

The Cabinet Member for Health and Wellbeing presented a report seeking Cabinet approval to phase out over two financial years the grant funding that the Council currently provides to Chesterfield Citizens Advice Bureau, Derbyshire Law Centre, Derbyshire Unemployed Workers Centre and Links CVS.

One of the Stage 2 savings proposals within the Budget Strategy Implementation Plan approved by Cabinet on 14 November 2023 was to phase out the provision of grant funding to the borough's voluntary sector advice agencies.

An overview of each advice agency was provided in Appendix 1 of the officer's report.

Grants to the advice agencies were not a mandatory or core Council service, they were entirely discretionary. Some Councils had never had these types of grant arrangements in place and others had reduced or ceased provision in recent years due to funding pressures.

The table at paragraph 4.8 of the officer's report showed the grant awards made to the four advice agencies in the financial year 2023/24.

The current funding agreements were due to run out on 31 March 2024 and the Council could choose to end the contracts on three months' notice. However, it was felt better to try and avoid this guillotine approach and to seek to establish a reasonable transition period which was both affordable to the Council and enabled some adjustment time for the advice agencies.

The original funding proposal developed for consideration included a two-year funding settlement with a 50% reduction per annum from the 2023/24 funding level. The table at paragraph 4.10 of the officer's report showed the proposed funding levels.

In line with Best Value Statutory Guidance (2011) the Council had carried out 12-week consultation from 27 November 2023 to 19 February 2024. Appendix 3 of the officer's report outlined the consultation activity, key issues raised and the lead officer's responses.

The initial funding proposal had been adjusted as a result of the consultation to take account of the preferences of the different advice agencies. The final proposal to phase out the grant funding was shown in the Table at paragraph 4.17 of the officer's report.

***RESOLVED –**

1. That the core advice agency grants to Chesterfield Citizens Advice Bureau, Derbyshire Law Centre, Derbyshire Unemployed Workers Centre and Links CVS be ceased from the financial year 2026/27.
2. That a two-year funding settlement be allocated to Chesterfield Citizens Advice Bureau with £72,165 allocated for 2024/25 and £48,110 for 2025/26.
3. That a two-year funding settlement be allocated to Derbyshire Law Centre with £20,849 allocated for 2024/25 and £20,828 for 2025/26.
4. That a two-year funding settlement be allocated to Derbyshire Unemployed Workers Centre with £23,809 allocated for 2024/25 and £15,872 for 2025/26.

5. That a two-year funding settlement be allocated to Links CVS with £8,001 allocated for 2024/25 and £8,001 for 2025/26.
6. That future funding opportunities and partnership projects be considered by Chesterfield Borough Council should suitable external funding streams become available or a significant uplift in central government funding be confirmed.

REASONS FOR DECISIONS

1. To respond to the challenging financial position of the Council and enable delivery of the approved Budget Strategy Implementation Plan.
2. To facilitate a managed phasing out of funding, which will enable the advice agencies to develop and deliver transition plans which could include service transformation and alternative funding models.

92 CLIMATE CHANGE DELIVERY PLAN 2024/25

The Cabinet Member for Climate Change, Planning, and the Environment presented a report seeking Cabinet approval for the adoption and implementation of the Climate Change Delivery Plan for the financial year 2024/25. The Plan would enable the Council to make further progress towards achieving its 2030 carbon neutral commitment and continue supporting the activities of others towards achieving the Council's wider 2050 Borough-wide decarbonisation target.

The Council had adopted a Climate Change Action Plan in 2020 (CCAP) detailing thirty-nine actions to be carried out by the Council before 2023. The Council's first CCAP (2019/23) enabled the Council to begin its journey towards its carbon neutral target. Building on this, during 2023, the Council adopted a new Climate Change Strategy (2023/30) to guide its activities through 2030.

The Strategy was supported by an annual Delivery Plan.

Progress in relation to implementation of the current Delivery Plan had been monitored quarterly and reported via the Council Plan performance monitoring arrangements, and through regular update reports to the Council's Select Committees.

During 2023/24 progress had been made in areas such as fleet decarbonisation, distribution of warm homes grants for private sector homes, replacement of shared heating systems on council housing estates, data monitoring and community engagement. A summary of the Council's performance against the current Delivery Plan would be brought to Cabinet in the Summer as part of the Climate Change Annual Report for 2023/24.

The proposed Delivery Plan for 2024/25 contained 12 priority areas of work to be completed during the second year of the Strategy. The Climate Change Delivery Plan 2024/25 was attached at Appendix 1 of the officer's report.

***RESOLVED –**

1. That the Climate Change Delivery Plan, which details the Council's climate related activities for the financial year 2024/25 be approved for implementation.
2. That the commitment within the Asset Management Strategy regarding the use of capital receipts - to reinvest capital receipts, secured through the disposals programme, into the land and property estate to fund maintenance, decarbonisation and investment activity be endorsed.
3. That authority be delegated to the Service Director – Corporate, in consultation with the Cabinet Member for Climate Change, Planning and the Environment, to make amendments to the Climate Change Delivery Plan between formal review periods to optimise operational effectiveness.

REASONS FOR DECISIONS

1. In July 2019, Chesterfield Borough Council declared a Climate Emergency. As part of the declaration, CBC made a commitment to become a carbon neutral organisation by 2030 and to support the wider borough to become carbon neutral by 2050.
2. The Council's initial Climate Change Action Plan (2019-23) is now complete, and the subsequent Climate Change Strategy 2023-2030

and accompanying delivery plans provide a framework for the Council to reach its corporate commitment to becoming carbon neutral by 2030 and take steps to support the wider Borough to reach carbon neutrality by 2050 as required by government.

93 **MARKET FEES AND CHARGES**

The Cabinet Member for Town Centres and Visitor Economy presented a report seeking Cabinet approval for increases to the fees and charges for the Chesterfield Open Markets for 2024/25.

In accordance with the Medium-Term Financial Strategy, fees and charges were required to be reviewed on an annual basis to ensure that the costs of providing Council services were ideally recovered.

The proposed fees and charges were based on a robust estimate of the impact of cost increases and demand pressures facing the Markets service, and the Council's overall financial position.

It was also noted that any review of fees and charges needed to be sensitive to the impact any proposed increases may have on the current trader base, which was fragile and in decline.

The proposed increases were set out in Appendix 1 of the officer's report.

A review of markets fees and charges in towns similar in size to Chesterfield also indicated that the proposed fees and charges remained realistic and comparable. The outcomes of the benchmarking exercise were detailed at Appendix 2 of the officer's report.

At the Markets Consultative Committee held on 27 February 2024, the Trader representatives were informed that the Council was looking to introduce a small increase to the current Markets fees and charges, ranging from £1.10 to £3.10 per stall depending on size, location and trading day. It was reported that there was general acceptance from the Trader representatives of the need for the Council to increase Markets fees and charges from 1 April 2024.

***RESOLVED –**

1. That the fees and charges for the Chesterfield Open Markets for 2024-25, as detailed in Appendix 1 of the officer's report, be approved.
2. That the agreed fees and charges be implemented from Monday 1 April 2024.
3. That as part of the planned market reconfiguration project (part of the Revitalising the Heart of Chesterfield programme) a review of the pricing structure be undertaken, following best practice adopted nationally and ensuring a value for money approach is taken to realise the full income potential of the market, the results of which will be used to inform the pricing structure for the new market configuration.
4. That authority be delegated to the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Town Centre and Visitor Economy, to apply appropriate negotiated fees for new activities and opportunities that are introduced during the period covered by the report.

REASONS FOR DECISIONS

1. Supporting the town centre economy is at the heart of our approach and continues to be a key priority for the Council. It is necessary to sensitively increase stall fees to ensure the cost-effectiveness of the Markets operation in relation to increases being seen in maintenance costs, energy costs and staffing costs. Prior to the increase in April 2023 there had been no increase in fees and charges since 2016.
2. As part of the Revitalising the Heart of Chesterfield programme, the open market is set to benefit from a £1.5 million intervention. It is anticipated that this will help support, strengthen and re-invigorate the town's markets.

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For publication

Chesterfield Borough Local Plan Review (CC280L)

Meeting:	Cabinet
Date:	14 th May 2024
Cabinet portfolio:	Climate Change, Planning and Environment
Directorate:	Economic Growth
For publication	

1.0 Purpose of the report

- 1.1 To inform member on the progress and timetable for the review of the Chesterfield Borough Local Plan and seek authorisation to undertake the next stage of consultation with stakeholders.

2.0 Recommendations

- 2.1 That Cabinet approve the undertaking of 'Regulation 18' consultation in respect of the review of the Local Plan.
- 2.2 To delegate authority to the Service Director for Economic Growth, in consultation with the Cabinet Member for Climate Change, Planning, and Environment, to finalise materials and arrangements for consultation.

3.0 Reason for recommendations

- 3.1 To progress the review of the Local Plan review as required under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.2 To enable a flexible approach to consultation that can respond to emerging issues and changes to Planning Policy and legislation.

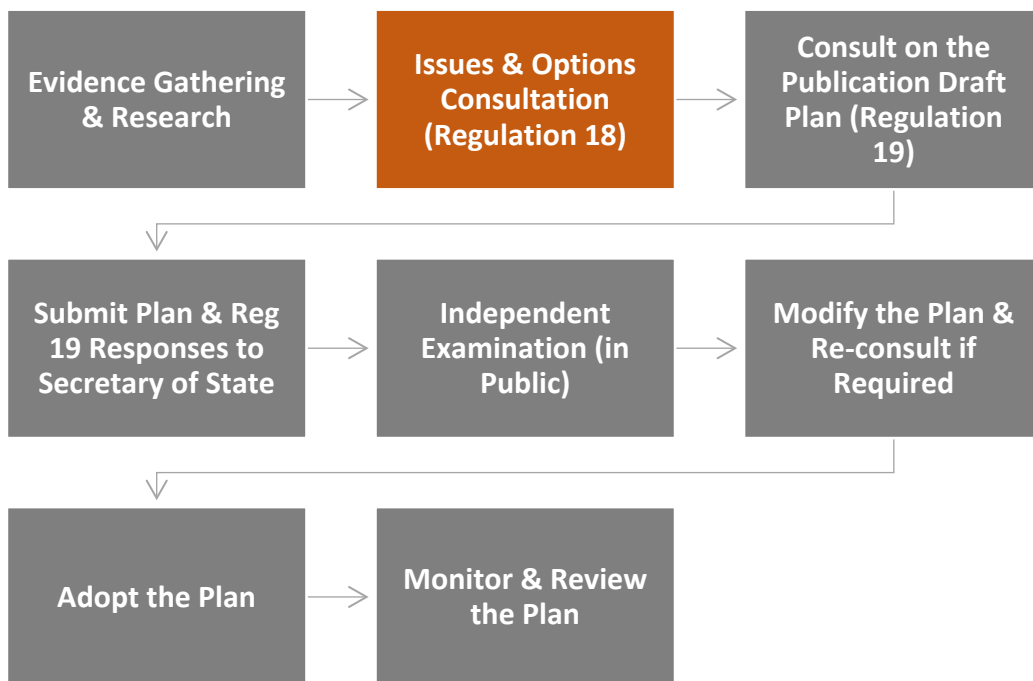
4.0 Report details

- 4.1 Section 19 of the Planning and Compulsory Purchase Act 2004 requires every relevant Local Planning Authority to prepare a Local Plan for its area. The

Local Plan must consider the sustainable development needs of its area for a minimum of 15 years but must be reviewed every five years.

- 4.2 The Council's current Local Plan was adopted in July 2020 as the 'Chesterfield Borough Local Plan 2018-2035'. A review of the plan must therefore be undertaken before July 2025 to determine whether or not the plan needs to be replaced. The options are either continuing with the existing plan; undertaking a partial review; or beginning from scratch.
- 4.3 Officers have been monitoring the performance of the plan and housing delivery, alongside changes to legislation and national planning policy. A monitoring report has been prepared for the Portfolio Holder and key information presented at a briefing session that was open to all Members. The conclusion of this monitoring is that the current Plan is generally performing well but some areas will need to be updated to reflect changes in legislation and national policy; emerging evidence on key topics, and to improve performance of some areas of the plan. A **Partial Review** is therefore being recommended.
- 4.4 The Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the steps that must be taken to prepare and adopt a Local Plan.
- 4.5 The current stage, for which permission is sought, is the 'Regulation 18' stage. Sometime referred to as 'Scoping' or 'Issues and Options'. At this stage the Council will invite a range of stakeholders to make representations about what the Local Plan ought to contain. The Council will also invite comments on the scope of the Sustainability Appraisal that must be prepared to accompany the Plan.
- 4.6 The Stakeholders will be a combination of those formally set out in the Regulations, and other bodies set out in the Council's Statement of Community Involvement (SCI), which will include local bodies and organisations. The Council will also invite representations from local residents and businesses who have previously asked to be informed about Local Plan matters.
- 4.7 A Communications and Engagement Plan is being developed with the input of the Council's Policy and Communications teams, and will accord with the requirements of the Council's Community Engagement Standards and the published Statement of Community Involvement (SCI).
- 4.8 The Regulation 18 Stage can result in new issues arising that may require focused consultation with particular stakeholders. For this reason this report is seeking delegated authority to approve and finalise the specific arrangements for consultation across the Regulation 18 stage.

- 4.9 Following the Regulation 18 stage officers will prepare a new Local Plan. At that stage it is a legal requirement that the Plan be considered by and agreed by a meeting of the Full Council, before undergoing a much more formal stage of consultation ('regulation 19') prior to being submitted to the Secretary of State to be subject to an Examination in Public by a Planning Inspector appointed by the SoS.
- 4.10 The proposed timetable for the Local Plan review is set out in the Council's Local Development Scheme (LDS), which is published on the Council's website.



Estimated Timetable	
Consultation under Regulation 18	May to Nov 2024
Consultation on Publication (Pre-submission) Draft Plan under Regulation 19	March 2025 to April 2025
Submission of the Draft Plan to the Government	May 2025
Public Examination (Regulation 22)*	May 2025 to July 2026
Inspector's Final Report published*	July 2026
Adoption by the Council*	September 2026

* Subject to Planning Inspectorate Timetable

5.0 Alternative options

- 5.1 The requirement to review a Local Plan and the stages of consultation on a local plan review are set out in regulations.

- 5.2 Alternative Option 1 – No Change: The existing plan covers 15 years from its adoption date – up to 2035. As of the five year review date (2025) the Plan will no longer cover the required 15 years. There have also been significant changes in legislation and national policy that are not reflected in the plan. Without addressing these issues there is an increasing risk that the Plan will be considered 'out of date' and the 'Presumption in Favour of Sustainable Development' will have to be applied when determining planning applications, under which the Council will not be able to apply local policies and requirements, including relating to where development is located.
- 5.3 Alternative Option 2 – Full Review: We consider that the majority of the plan is working well. A full review would require significant additional investment in time and resources. It would also open the potential for objections to aspects of the Plan that are currently working well.
- 5.4 For these reasons the preferred option is to undertake a partial review of the Plan.

6.0 Implications for consideration – Financial and value for money

- 6.1 The consultation is expected to be undertaken within the constraints of the existing Strategic Planning and Key Sites budget. Should additional costs be incurred, these will be drawn from the existing Local Plan budget reserve, which is set up to cover the costs of preparing and examining the Local Plan.
- 6.2 Preparation and review of the Local Plan also involves significant allocation of resources in preparing and updating evidence to support the Local Plan. Although not directly considered in this report, this is anticipated to be met direct work undertaken by officers or, where this is not practical from the Service's Professional Services Budget, or the Local Plan Budget reserve. Officers are engaging with the Planning Policy teams in our neighbouring planning authorities and Derbyshire County Council to maximise the benefits of joint working and shared procurement.

7.0 Implications for consideration – Legal

- 7.1 The consultation undertaken is required by, and will be undertaken in accordance with, the Town and Country Planning (Local Planning) (England) Regulations 2012.

8.0 Implications for consideration – Human resources

- 8.1 The consultation will be undertaken by the Strategic Planning and Key Sites team. There are no HR considerations.

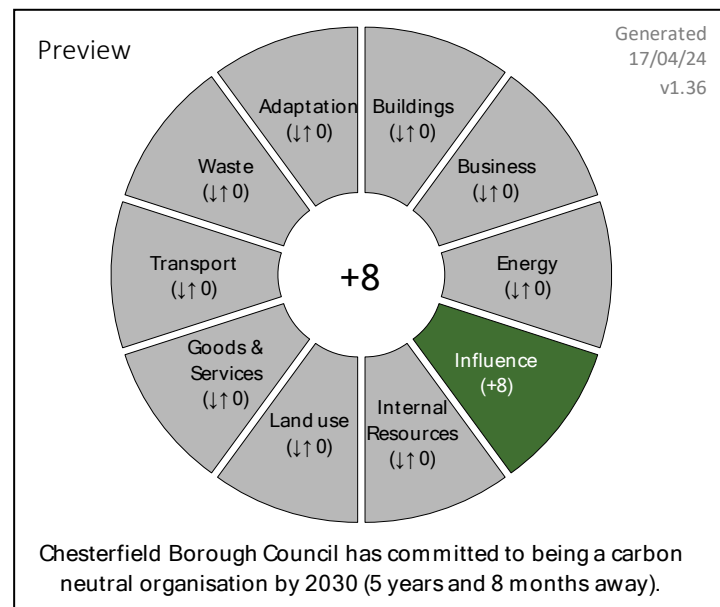
9.0 Implications for consideration – Council plan

9.1 The Local Plan contributes to a range of Council’s Priorities as set out in the Council Plan 2023-27, including.

10.0 Implications for consideration – Climate change

10.1 The Regulation 18 stage of the Local Plan review will not set any policies or allocate land. Business activities in connection with the review are within the scope of ‘business as usual’. The impact of the activity across most areas of climate change will therefore be neutral at this stage.

10.2 However the consultation and engagement will raise the profile of climate and development related issues. The activity has therefore been scored positively in respect of ‘influence’ using the Council’s Climate change impact assessment tool.



11.0 Implications for consideration – Equality and diversity

11.1 A preliminary Equality impact assessment has been undertaken. At this stage the conclusion is that a full assessment is not required as the Regulation 18 consultation will not itself result in any new policy or development activity. At the next stage of preparation (Regulation 19), a new Local Plan will be prepared and subject to a further assessment before being presented for approval by a meeting of Full Council prior to submission to the Secretary of State. This will overlap with the legal requirement to undertake a comprehensive Sustainability Appraisal of the Plan.

12.0 Implications for consideration – Risk management

12.1

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Consultation raised significant unanticipated issues	Medium	Low	A thorough review of the existing plan and monitoring data has been undertaken. Utilise delegation to undertake additional focussed consultation if required	Low	Low
Further changes to legislation/policy issues during consultation process	Medium	High	Maintain review of emerging policy & legislation and ensure consultation is undertaken in accordance with any transitional arrangements	Low	High

Decision information

Key decision number	1242
Wards affected	All

Document information

Report author	
Alan Morey – Strategic Planning and Key Sites Manager	
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
NA	
Appendices to the report	
Appendix 1	NA
Appendix 2	NA

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