

**CABINET****Tuesday, 17th February, 2015**

Present:-

Councillor Burrows (Chair)

Councillors	Blank	McManus
	Gilby	Russell
	King	Serjeant
	Ludlow	

Non Voting	Hill	Martin Stone
Members	Huckle	

+ Attended for Minute Nos. 186-195

\*Matters dealt with under Executive Powers

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

No declarations of interest were received.

**187 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brown and Hollingworth.

**188 MINUTES****RESOLVED –**

That the Minutes of the meeting of Cabinet held on 10 February, 2015 be approved as a correct record and signed by the Chair.

**189 FORWARD PLAN**

The Forward Plan of key decisions for the four month period 1 March to 30 June, 2015 was reported for information.

**\* RESOLVED –**

That the Forward Plan be noted.

**190 APPROVAL OF CHESTERFIELD BOROUGH COUNCIL'S CORPORATE PLAN 2015/16 (J040R)**

The Corporate Management Team submitted a report to recommend for approval the Council's Corporate Plan for 2015-2019.

The proposed move to a four year Corporate Plan was in response to a recommendation made following the Local Government Association's Peer Challenge in 2013. Alongside the revised medium term financial plan and strengthened 'Great Place: Great Service' transformation programme, the new Corporate Plan was intended to deliver the Council's vision of 'Putting our communities first'.

The plan provided continuity with the 2014-15 plan, maintaining the same vision, three overarching priorities and values, with revised and updated objectives set out within each overarching priority.

The plan also included details of the national policy and financial context within which Council facilities and services would be delivered and key achievements in recent years.

The plan was to be reviewed on an annual basis to take account of the annual budget setting process and further policy changes and would be monitored through revised corporate performance management arrangements.

**\*RESOLVED –**

That it be recommended to Full Council that the Corporate Plan 2015-19 be approved, noting that it is:

- The Council's strategic framework for the financial years 2015-16 to 2018-19.
- Subject to review following the local and national elections in May 2015 and subsequently each year to reflect shifting policy and local circumstances.

## **REASON FOR DECISION**

To provide the Council with a clear statement of its strategic priorities for 2015-2019 and a framework within which decisions can be made about the allocation of resources.

### **191 SENIOR PAY POLICY (B050)**

The Human Resources and Payroll Service Solution Lead submitted a report seeking approval for a revision of the current Senior Pay Policy Statement in accordance with the Localism Act 2011 and the Local Government (Transparency Requirements) (England) Regulations 2014.

The policy statement included details of how senior pay is set within the Council. The revised statement had been updated to reflect the changes to the senior management structure, pension contributions and pension discretions.

#### **\*RESOLVED –**

That it be recommended to Full Council that the revised Senior Pay Policy Statement be approved.

## **REASON FOR DECISION**

To meet the requirements of the Localism Act 2011.

### **192 2015/16 BUDGET AND MEDIUM TERM FINANCIAL PLAN (R090R)**

The Chief Executive and the Chief Finance Officer submitted a report on the draft General Fund budget, making recommendations to Council on the budget allocations and the Council Tax level for 2015/16.

The report included proposals for maintaining a sustainable and affordable budget over the medium term, taking into account the effects of the economic climate on income streams, cuts in the revenue support grant, and changes in funding arrangements resulting from the Local Government Finance Review in 2013.

Other sources of Government funding were outlined, including the availability of the Council Tax Freeze Grant, the Efficiency Support Grant, and the Homelessness Prevention Grant. The other major funding sources for the General Fund were business rates growth, fees & charges (particularly car parking income), rental income from the Council's extensive industrial and commercial property portfolio and the council tax.

The report set out the council tax setting options available to the Council, provided details of the expenditure estimates for 2015/16 to 2019/20, and summarised the planned budget savings proposals over the same period.

A review of the Council's reserves and priorities had been undertaken and the report also included a comprehensive risk and sensitivity analysis.

Alternative options were considered throughout the budget setting process.

**\*RESOLVED -**

That it be recommended to Full Council that:

- (1) The revised budget for 2014/15 be approved.
- (2) The Local Government Finance Settlement be noted.
- (3) The Collection Fund and Tax Base forecasts be noted.
- (4) The Portfolio budgets and the overall revenue budget summary for 2015/16 be approved.
- (5) The proposed Council Tax for 2015/16 be approved.
- (6) The Cabinet's recommendations on the growth requests be approved.
- (7) The budget forecasts for 2015/16 and 2016/17 and the strategy for addressing the projected deficits be noted.
- (8) The estimates of reserves, including reducing the General Working Balance to £1.5m after applying £250k in 2015/16 to help finance the Council's share of the Business Rates deficit, be approved.

- (9) The budget risks and sensitivity analysis be noted.
- (10) The Government's Retail Relief and extended Transitional Relief schemes be adopted as local schemes.
- (11) The 2015/16 Council Tax Requirement and financing be approved.
- (12) The Chief Finance Officer's assurances be noted.

## **REASON FOR DECISIONS**

In order to meet the statutory requirements relating to setting a budget and the council tax.

## **193 CAPITAL STRATEGY AND GENERAL FUND CAPITAL PROGRAMME (J000R)**

The Chief Finance Officer submitted a report recommending for approval the updated General Fund Capital Strategy and Programme for 2014/15 to 2017/18.

The report provided details of:

- The updated Capital Strategy.
- Updated Capital Programme forecasts.
- Schemes added to the Programme during 2014/15.
- Progress made on current major schemes including Queen's Park Sports Centre and Waterside Canal Infrastructure Works.
- Recurring schemes including expenditure on Disabled Facilities Grants, vehicle and plant maintenance, ICT and major property repairs.

The report also provided details of capital financing arrangements, capital receipts and the net financing position.

It was proposed that the growth request for Erin Road Pumping Station be approved as an urgent request and that future growth requests be considered at a later stage when the capital receipt forecasts had become firmer.

**\*RESOLVED –**

That it be recommended to Full Council that:

- (1) The Capital Strategy be approved.
- (2) The updated General Fund Capital Programme expenditure and financing be approved.
- (3) The Erin Road Pumping station scheme be added to the Capital Programme, with all other growth requests to be considered later in the financial year as resources become available.

**REASON FOR DECISIONS**

To update the Council's General Fund Capital Programme and ensure that it is affordable and deliverable over the medium term.

**194 FEES AND CHARGES - OUTDOOR RECREATION 2015/16 (E000)**

The Environmental Services Manager submitted a report recommending for approval the proposed fees and charges for Outdoor Recreation facilities to take effect from 1 April, 2015.

The fees and charges proposals had taken into account:

- The need for the Council to achieve a balanced budget.
- The fees and charges structures of other local public and private sector providers.
- The current condition of the facilities.
- Value for money considerations.
- Health inequalities.

The options of leaving the charges unchanged or introducing lower increases were ruled out as the proposed increases in the charges were required to deliver a balanced and sustainable budget. An option of introducing a significantly greater increase in the charges was ruled out as there would have been a risk in terms of deterring potential customers.

Councillor Russell requested that his vote against the recommendation at paragraph 5.1 of the report be record.

**\*RESOLVED-**

- (1) That the charges set out in Appendix A to the report be approved and introduced for the financial year 2015-16.
- (2) That the Environmental Services Manager, in consultation with the Executive Member for Environment, be authorised to revise the approved Fees and Charges where threats to income generation emerge and/or opportunities to raise additional income arise, in line with the Council's general principles for charging.

**REASONS FOR DECISIONS**

To set the Council's fees and charges for Outdoor Recreation with effect from 1 April 2015.

To contribute to improving the Council's overall financial position and reduce the overall cost of recreation provision by the Council.

**195 REVIEW OF CEMETERIES FEES AND CHARGES - 2015/16 (E000)**

The Environmental Services Manager submitted a report recommending for approval the proposed fees and charges for the Council's cemeteries to take effect from 1 April, 2015.

The fees and charges proposals had taken into account:

- Cabinet's decision to increase cemeteries fees and charges to better reflect the cost of providing the service and to improve the standard of the management of the cemeteries (Minute No 159 (2013/14)).
- A comparison of fees and charges made by other authorities in the surrounding areas.
- The need for the Council to achieve a balanced budget.
- The current condition of the cemeteries.
- Value for money considerations.

The options of leaving the charges unchanged or introducing lower increases were ruled out as the proposed increases in the charges were required to deliver a balanced and sustainable budget.

**\*RESOLVED –**

That the 2015/16 fees and charges, as detailed in Appendix A to the report, be approved.

**REASON FOR DECISION**

To set the cemeteries fees and charges for 2015/16 and encourage increased use of the cemetery service.

**196 STRATEGIC HOUSING ACQUISITIONS (H000)**

The Housing Services Manager – Business Planning and Strategy submitted a report recommending for approval a Strategic Housing Acquisitions Policy and a Right-to-Buy (Right of First Refusal) Policy.

The Right of First Refusal provisions under the Housing Act 2004 allowed the Council to buy back properties being sold by former tenants who acquired their properties under the Right-To-Buy (RTB). Reforms to the Housing Revenue Account had provided the flexibility for the repurchase of properties to be considered where financially viable. The Right-to-Buy (Right of First Refusal) Policy included criteria for considering the repurchase of properties and the procedure for managing the process.

A Strategic Acquisitions Policy was also proposed to cover:

- The purchasing of properties from the open market (including former Right-to-Buy properties where the Right of First Refusal has elapsed).
- The purchasing of properties directly from residential developers through s106 agreements.
- The purchasing of properties being disposed of by Registered Providers.
- The ability to acquire properties or land for estate management and regeneration/ development purposes.

The policy identifies opportunities where the acquisition of new homes for social or affordable rent could:

- Strengthen the HRA Business Plan through rental income.



- Deliver high quality homes to meet local affordable housing need.
- Provide good value for money when compared to equivalent new-build costs.
- Offset the loss of housing stock through RTB.
- Prevent the loss of affordable housing units through purchasing surplus units of housing stock from Registered Provider partners.

The main advantages of this route were the speed of delivery (compared to new build), the cost, and the flexibility to be able to address housing needs at a local level.

The Housing Capital Programme for 2015/16, considered by Cabinet and recommended to Full Council (Minute No. 184 (2014/15)), had included an allocation to fund potential acquisitions, dependent upon suitable properties becoming available.

**\* RESOLVED -**

- (1) That the Strategic Housing Acquisitions Policy be approved.
- (2) That the Right-to-Buy – (Right of First Refusal) Policy be approved.
- (3) That the Housing Services Manager - Business Planning and Strategy be given delegated authority to purchase properties that meet the requirements of the Strategic Acquisitions Policy and Right of First Refusal Policy within the budgets agreed in the Housing Capital Programme report that is presented to Council annually.

**REASONS FOR DECISIONS**

The Right to Buy (Right of First Refusal) Policy and Strategic Housing Acquisitions Policy will enable the Housing Service to maximise and take advantage of its options for increasing the Council's Housing Stock.

To meet the Council's Corporate Plan Priority – To improve the quality of life for local people, including improving the quality of housing in the borough and reducing inequality, and improve standards of living.

**197 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC****RESOLVED –**

That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to an individual.

**198 PURCHASE OF 39 ST AUGUSTINE'S AVENUE (H080)**

The Housing Services Manager – Business Planning and Strategy submitted a report seeking approval for Housing Services to purchase the property at 39 St Augustines Avenue, Chesterfield under the Right-to-Buy buy-back legislation.

The Housing Act 2004 introduced the Right of First Refusal (RFR) that gave Local Authorities the first opportunity to 'buy-back' properties being sold by former tenants who had acquired their properties under the Right-to-Buy scheme.

The St Augustines Avenue property was originally purchased through the Right-to-Buy scheme in 2007. In December 2014 the Council were advised of the proposed sale of 39 St Augustines Avenue by solicitors working for the current owners. The Council had 8 weeks to decide whether to purchase the property at current market value, and a further 12 weeks after such notice was given, to enter into a binding contract.

Approval was sought to purchase the property as part of a strategy to increase Council housing supply.

**\*RESOLVED –**

- (1) That the purchase of 39 St Augustines Avenue, Chesterfield be approved and that the costs be met from the Housing Revenue Account Capital Programme.
- (2) That any costs associated with the purchase of the property and any associated repairs to bring it up to a lettable standard be met from the Housing Revenue Account.

## **REASONS FOR DECISIONS**

To help meet the demand for affordable two bedroom homes.

To consider alternative ways in which to increase the Council's supply of affordable housing and ensure a sustainable Housing Revenue Account Business Plan for the future.