

**CABINET****Tuesday, 15th May, 2018**

Present:-

Councillor P Gilby (Chair)

Councillors	Bagley	Councillors	Huckle
	Blank		Ludlow
	A Diouf		Serjeant
	T Gilby		
Non Voting Members	Dickinson		J Innes

\*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

**2 CHESTERFIELD BOROUGH LOCAL PLAN - GYPSY AND  
TRAVELLER SITES CONSULTATION**

The Strategic Planning and Key Sites Manager submitted a report to inform Members of the results of the public consultation on Gypsy and Traveller Sites, carried out between 12 February and 26 March, 2018.

Pursuant to the report submitted to Cabinet on 30 January, 2018 (Minute No. 126, Cabinet 2017/18), the consultation included 6 potential sites from a total of 46 former garage sites that had all completed the site assessment process.

The report noted that approximately 200 residents attended the six drop-in sessions held during the consultation period, and a further 829 representations had been received from 749 respondents. The full results of the consultation were set out in Section 5 of the officer's report.

The Strategic Planning and Key Sites Manager confirmed that, following consideration of all responses received through the consultation and with

regard to Local and National Planning Policy and Guidance, none of the 6 potential sites included in the consultation would be suitable for the allocation in the emerging Local Plan for Gypsy and Traveller Pitches. A detailed assessment of each site was attached at Appendix 3 to the officer's report.

Cabinet was also advised that any future recommendation to include an allocation as a potential gypsy and traveller site in the pre-submission version of the Chesterfield Borough Local Plan would be subject to approval by full Council and a subsequent public consultation.

**\*RESOLVED –**

1. That the results of the public consultation on Gypsy and Traveller Sites be noted.
2. That the potential sites at Miller Avenue, Brooks Road, Bevan Drive, Birchwood Crescent, Keswick Drive and Atlee Road not be included in the pre-submission consultation version of the Chesterfield Borough Local Plan for the reasons set out in paragraphs 6.1 to 6.42 of the officer's report.
3. That the site at Hady Lane, with existing planning permission for two pitches, be included in the pre-submission consultation version of the Chesterfield Borough Local Plan as an allocation specifically for the provision of gypsy and traveller pitches.
4. That authority be granted to the Strategic Planning Manager, in consultation with the Cabinet Member for Economic Growth, to investigate the suitability of the site proposed at the corner of Whittington Road and Staveley Road and, if appropriate, for the site to be included as an allocation in the pre-submission consultation version of the Chesterfield Borough Local Plan.
5. That the Strategic Planning Manager, in consultation with the Cabinet Member for Economic Growth, write to Bolsover District Council and North East Derbyshire District Council under the Duty to Cooperate to ask if they have capacity to absorb any unmet need for pitches, should the site at the corner of Whittington Road and Staveley Road prove unsuitable.

6. That the Strategic Planning Manager, in consultation with the Cabinet Member for Economic Growth, formalise the email of support from Derbyshire Gypsy Liaison Group to provide a Statement of Common Ground.

## **REASONS FOR DECISIONS**

1. For the purposes of progressing with the preparation of the emerging Chesterfield Borough Local Plan.
2. To ensure the Hady Lane site's continuing availability to meet identified needs for Gypsy and Traveller pitches should the existing use cease.
3. To demonstrate that the emerging Local Plan has been prepared soundly and on the basis of appropriate evidence.
4. To meet the requirements of the Duty to Cooperate.
5. To minimise the risk of challenge to the Local Plan at examination.

## **3 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Brunt and Catt.

## **4 MINUTES**

### **RESOLVED –**

That the minutes of the meeting of Cabinet held on 24 April, 2018 be approved as a correct record and signed by the Chair.

## **5 FORWARD PLAN**

The Forward Plan for the four month period 1 June to 30 September 2018 was reported for information.

### **\*RESOLVED –**

That the Forward Plan be noted.

## **6 HRA FINAL ACCOUNTS 2017/18**

The Director of Finance and Resources and the Assistant Director – Housing submitted a report on the Housing Revenue Final Accounts for 2017/18.

The report provided explanations for variations from the Revised Estimates previously approved by Cabinet on 20 February, 2018 (Minute No. 144, Cabinet 2017/18).

The revenue and capital carry forward requests were detailed in Appendix 4 of the officer's report.

### **\*RESOLVED –**

1. That the report be noted.
2. That the revenue carry forward requests and capital carry forward requests, as detailed respectively in paragraphs 3.5 and 4.1 of the officer's report in respect of schemes which were not finalised during 2017/18, be approved.

### **REASONS FOR DECISIONS**

1. To enable the Housing Revenue Account revenue outturn to be included in the Council's overall Statement of Accounts.
2. To consider the carry forward requests which will allow for the completion of the revenue and capital schemes which were not finalised during the financial year.

## **7 GENERAL FUND BUDGET OUTTURN REPORT 2017/18**

The Director of Finance and Resources submitted a report on the General Fund Revenue and Capital Outturns for 2017/18. The report provided details of variations from the Revised Estimates previously approved by Cabinet on 20 February, 2018 (Minute No. 140, Cabinet 2017/18) and also sought approval for carry forward requests.

**\*RESOLVED –**

1. That the General Fund Revenue and Capital Outturn reports for 2017/18 be noted.
2. That the General Fund carry forward requests, as set out in paragraph 4.6 of the officer's report, be approved.
3. That the request for retention of Building Maintenance surpluses of £80K to support expenditure on the items listed in paragraph 5.2 of the officer's report, be approved.
4. That the request for retention of Spirepride surpluses of £91.5K be approved in principle, pending further consideration by Cabinet of detailed business cases evidencing the need for expenditure on the items listed in paragraph 5.4 of the officer's report.
5. That the level of General Fund Reserves and Balances, as set out in Section 6 and Appendix D of the officer's report, be approved.
6. That the General Fund surplus for the 2017/18 financial year be transferred to the specific reserves identified in paragraphs 6.9 and 9.4 of the officer's report, be approved.
7. That the capital financing arrangements, as set out in Appendix D of the officer's report, be approved.

**REASON FOR DECISIONS**

To ensure sound financial management.

**8 PROGRESS ON THE COUNCIL PLAN YEAR 3 - 2017/18**

The Assistant Director – Policy and Communications submitted a report to inform Members of the progress made against the objectives of the Council Plan 2015-19 during its first three years of implementation.

Detail on the performance against the objectives of the Plan, as well as key priorities for 2018/19, was included within the Annual Performance Management Report, as attached at Appendix A to the officer's report.

**\*RESOLVED –**

That the update on progress towards delivering the Council Plan 2015-19 be noted.

**REASON FOR DECISION**

To raise awareness of key outcomes and outputs against the Council Plan commitments and challenge performance.

**9 APPROVAL OF THE MEMBER DEVELOPMENT POLICY**

The Assistant Director – Policy and Communications submitted a report recommending for approval the proposed inaugural Member Development Policy.

The report noted that the introduction of a Member Development Policy would support current and future Elected Members to be successful in their roles, and to ensure the development of their skills and knowledge through effective training.

The full Member Development Policy was attached at Appendix A to the officer's report.

Cabinet agreed that the recommendation set out at paragraphs 2.3 and 8.3 of the officer's report, be revised to grant delegated authority to the Assistant Director – Policy and Communications, in consultation with the Cabinet Member for Governance, to make future minor amendments to the policy.

**\*RESOLVED –**

1. That the Member Development Policy be approved and implemented with immediate effect.
2. That a further review of the Member Development Policy takes place after two years.
3. That delegated authority be granted to the Assistant Director – Policy and Communications, in consultation with the Cabinet Member for Governance, to make future minor amendments to the Member Development Policy.

## REASON FOR DECISIONS

To further develop and enhance the Council's member development offer.

### 10 **REVIEW OF CODE OF CORPORATE GOVERNANCE AND THE ANNUAL GOVERNANCE STATEMENT**

The Internal Audit Consortium Manager submitted a report to present Members with the Annual Governance Statement and associated Action Plan, and to review Council compliance with the Code of Corporate Governance during 2017/18.

The report noted that the Code of Corporate Governance reflects the most recent guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE).

The Internal Audit Consortium Manager confirmed that the report would be presented for approval at the next meeting of the Standards and Audit Committee on 23 May, 2018.

#### **\*RESOLVED –**

1. That the supporting documents to the officer's report, attached at Appendices A, B, C and D, be approved and referred to the Standards and Audit Committee.
2. That a further review of Council compliance with the Code of Corporate Governance be undertaken in 12 months' time.
3. That progress with regard to the implementation of the Annual Governance Statement Action Plan be actively monitored by the Corporate Management Team.

## REASONS FOR DECISIONS

1. To enable Cabinet and the Standards and Audit Committee to monitor Council compliance with the Code of Corporate Governance.

2. In order to comply with the requirements of the Accounts and Audit Regulations 2015.
3. To support the maintenance of sound governance arrangements within the Council.

11 **INFORMATION MANAGEMENT POLICY REFRESH - GENERAL DATA PROTECTION REGULATION (GDPR)**

The Chair agreed that this report should be considered (notwithstanding that the item had not been available for inspection by the public for five clear days before the meeting) because of special circumstances, namely the need for the Council to consider proposed changes to its Information Management policies prior to the introduction of the General Data Protection Regulation on 25 May, 2018.

The Information Assurance Manager submitted a report to inform Members that the General Data Protection Regulation was to be implemented with effect from 25 May 2018; the Council had updated its Information Management policies in preparation for this.

The updated policies on Data Protection, Information Security and Acceptable Use of Information and ICT, were attached at Appendix 1 to the officer's report.

**\*RESOLVED –**

1. That the updated Information Management policies, as attached at Appendix A to the officer's report, be approved; and that the Council's existing ICT Policy be decommissioned.
2. That the Council's Information Assurance Manager, in consultation with the Cabinet Member for Governance, be authorised to make any amendments to the policies that might need to be implemented after 25 May, 2018 to reflect further guidance from the Information Commissioner's Office, National Cyber Security Centre or other respected authorities.

## **REASON FOR DECISIONS**

The policies provide a framework for the Council to continue to ensure that the information assets it holds are adequately protected, thus allowing the Council to deliver its vision, priorities and values.