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To: All Members of the Council
Chief Executive

Please ask for
Graham
Ibberson
Direct Line 01246 345277
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Dear Councillor,

Record of Decision taken by Cabinet - 13 December, 2022

At a meeting of the Cabinet held on 13 December, 2022, the following decisions were reached on the items listed in the attached schedule.

The implementation of these Cabinet decisions is suspended until the call-in period has expired without a call-in being validly invoked. Any Member of the Council shall be entitled to call for a decision to be suspended by giving notice to the Monitoring Officer *either by telephone, fax, email or in writing not later than 5.00 pm on the day following the date of the Cabinet meeting.*

Any decision so suspended shall not be capable of implementation for a period of five calendar days from the date of the Cabinet meeting which will expire on, 18th December 2022.

(DURING THE CALL-IN PERIOD A REQUEST MAY BE MADE IN RESPECT OF ANY DECISION SO SUSPENDED BY NOT LESS THAN ONE QUARTER OF THE TOTAL MEMBERSHIP OF THE OVERVIEW AND PERFORMANCE SCRUTINY COMMITTEE. TO DO THIS YOU WILL NEED TO NOTIFY THE MONITORING OFFICER IN WRITING, BY FAX OR BY EMAIL BY 5.00 PM ON 18th DECEMBER 2022 BEING FIVE DAYS FOLLOWING THE DAY OF THE CABINET MEETING.)

continued

Public Information

5. New Energy Supplier

***RESOLVED**

That Cabinet delegate approval to the Service Director for Finance, in consultation with the Service Director for Economic Growth and the Deputy Leader, to carry out the procurement and award of a new energy contract to commence on 01/04/2023.

REASONS FOR DECISION

1. The entering of a contract with a value above £100,000 is an Executive function of the Cabinet.
2. The procurement of Energy is currently highly variable, with daily market price and supplier fluctuations. Best value for money would be achieved for the Council through being able to make an immediate decision on the tender price offered on the day. It is considered very unlikely that in the current situation a price could be offered and held for the time it would take to make the appropriate representations to Cabinet. An officer delegation is considered the most effective way to secure the best contract available at the time.

7. Environmental Health Fees and Charges 2023/24

***RESOLVED**

1. That the proposed fees and charges related to environmental health functions, including concessionary rates (where applicable), as detailed in Appendix 1 of the officer's report, from 1st April 2023, be approved.
2. That the proposed fees and charges related to fixed penalty notices, including discounted early payment rates (where applicable), as detailed in Appendix 5 of the officer's report, from 1st April 2023, be approved.

3. That the Senior Environmental Health Officer be given discretion to offer an alternative enforcement option for fly-tipping offences instead of issuing a fixed penalty notice.

REASONS FOR DECISIONS

1. In accordance with the Council's Financial Regulations, it is necessary for all fees and charges to be reviewed annually.
2. Retaining the ability for the senior environmental health officer to have discretion over fly-tipping enforcement enabled a more flexible and proportionate response.

8. Safer Streets initiative - benefits and efficiencies

***RESOLVED**

1. That the successful implementation of the Safer Streets project across the borough and the benefits realisation of that investment for the community be noted.
2. That the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Members for Health and Wellbeing and Town Centres and Visitor Economy, be authorised to make changes in operational arrangements, to maximise the benefits and service efficiency opportunities, that can be made as a result of investment from the safer streets initiative, including the ability to react swiftly to changing operational demands.

REASONS FOR DECISIONS

1. To recognise the benefits of the investment associated with the safer streets grant funded project.
2. By authorising changes to operational arrangements that can be made as a result of the investment from the safer streets initiative, this would enable the Service Director to maximise the benefits and efficiencies of the safer streets investment, including having the ability to react swiftly to changing operational demands.

10. Tapton House - offers for consideration and approval

***RESOLVED**

1. That the sale of the property on a 999-year ground lease to the preferred bidder, Stone Castle Enterprises Ltd or such related legal entity or subsidiary company capable of fulfilling the terms of the sale detailed in this report be approved by Cabinet.
2. That authority be delegated to the Service Director for Economic Growth and the Property, Procurement and Contracts Law Manager, in consultation with the Cabinet Member for Economic Growth to agree any late amendments to the sale transaction be authorised.

REASONS FOR DECISIONS

1. Tapton House has been vacant since September 2018, when the lease with Chesterfield College expired.
2. A dilapidations settlement was agreed with the College and this sum has helped to fund remedial repairs to the roof, day to day maintenance, security and heating/utility costs. However, this sum has now been expended and the ongoing costs, which are being met by the Council, are set to be further exacerbated by rising energy bills. With no identified budget for the continued management and maintenance of Tapton House and given the increasingly challenging financial context within which the Council currently operates, the Council needs to find a long-term sustainable solution to prevent further deterioration of the property.
3. The offer recommended for acceptance represents the most credible and viable option out of the offers received to ensure the long-term preservation of the property, acknowledging the importance of its Grade II* listing, character and heritage value to the town and borough.
4. The proposed transaction would realise a significant capital receipt together with payment of the Council's legal and surveyor's fees.

Yours sincerely,

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

Head of Regulatory Law and Monitoring Officer