

CABINET**Tuesday, 13th December, 2022**

Present:-

Councillor P Gilby (Chair)

Councillors Blank
D Collins
Holmes
J Innes

Councillors Mannion-Brunt
Sarvent
Serjeant

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

60 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Innes and Ludlow.

61 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 29 November 2022 be approved as a correct record and signed by the Chair.

62 FORWARD PLAN

The Forward Plan for the four month period January, 2023 to April, 2023 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

63 NEW ENERGY SUPPLIER

The Interim Service Director for Property and Technical Services presented a report setting out the process for procuring a new energy supplier and recommending that approval be delegated to the Service Director for Finance, in consultation with the Service Director for Economic Growth and the Deputy Leader, to carry out the procurement in good time to enable the award of a new energy contract(s) from 1 April 2023.

The Council's current contracts for the supply of electricity and gas to its operational and non-operational assets terminate on 31 March 2023 and a new energy supplier would need to be procured in the early part of 2023. There would need to be close dialogue with the broker, on the most appropriate time to act and to seek the best value for the Council and its tenants.

The outcome would also enable the Service Director for Finance to finalise the General Fund revenue budget estimates for 2023/24.

***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.

64 PLAYING PITCHES FEES AND CHARGES 2023/24

The Cabinet Member for Health and Wellbeing presented a report seeking approval to set the annual fees and charges for outdoor leisure activities from 1 April 2023.

It was noted that the Council provided a range of facilities and services that contribute to promoting positive and healthy lifestyles and improving the quality of life for residents. The recommended fees and charges to make use of these facilities and services in the financial year 2023/24 were detailed in Appendix A of the Cabinet Member's report.

***RESOLVED**

1. That the proposed fees and charges for outdoor leisure activities for the financial year 2023/24, as set out in Appendix 1 of the officer's report, be approved.
2. That authority be delegated to the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, to set the fees and charges for the new facilities for tennis when they become available.
3. That authority be delegated to the Service Director for Leisure, Culture and Community Wellbeing, in consultation with the Cabinet Member for Health and Wellbeing, to set the fees and charges when the new lease agreement for Queens Park Pavilion and cricket pitch is completed.

REASON FOR DECISIONS

To comply with the Council's Budget Strategy for recovering fees and charges to contribute to the costs of service delivery.

65 ENVIRONMENTAL HEALTH FEES AND CHARGES 2023/24

The Cabinet Member for Health and Wellbeing presented a report seeking approval to set the annual fees and charges for the provision of various environmental health functions from 1 April 2023.

In accordance with the council's Financial Regulations, fees and charges were required to be reviewed on an annual basis to ensure that the costs of providing council services were as far as practicable recovered. The recommended fees and charges for the provision of various environmental health functions in the year 2023/24 were detailed in Appendix A of the Cabinet Member's report.

***RESOLVED**

1. That the proposed fees and charges related to environmental health functions, including concessionary rates (where applicable), for the financial year 2023/24, as detailed in Appendix 1 of the officer's report, be approved.
2. That the proposed fees and charges related to fixed penalty notices, including discounted early payment rates (where applicable), for the financial year 2023/24, as detailed in Appendix 5 of the officer's report, 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 options enables a more flexible and proportionate response.

66 SAFER STREETS INITIATIVE - BENEFITS AND EFFICIENCIES

The Service Director for Leisure, Culture and Community Wellbeing presented a report on the Safer Streets Initiative, detailing the range of investments that had been delivered through the Government's grant allocation.

The report also sought to delegate authority to the Service Director, in consultation with relevant Cabinet Members, to make changes to the council's current operational arrangements, to maximise the outputs and outcomes that could be achieved as a result of the investments made through the Safer Streets Initiative.

The report provided background to the Council's successful bid for funding from the Government's Safer Streets – Round 2 initiative, which had enabled more than £350k investment to be made in a range of community safety initiatives. The grant funding had been awarded based on the development of a local crime prevention plan in collaboration with Derbyshire Police, with the aim of reducing acquisitive crimes through situational prevention.

Under the stewardship of the Chesterfield Community Safety Partnership all the initiatives had been delivered in full and as a direct result there had been positive impacts in relation to community safety within the Queens Park and Chesterfield Town Centre.

Fresh investment had been made into the council's CCTV system and the improved technology would enable the service to review its current operational staffing arrangements in relation to the management and

monitoring of CCTV data, and the ability to share CCTV footage with the Police.

***RESOLVED**

1. That the successful implementation of the Safer Streets Initiative across Chesterfield 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, arising 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 Initiative grant funded project.

2. By authorising the Service Director to make changes to operational arrangements arising as a result of the investment from the Safer Streets Initiative, the benefits and efficiencies of the Safer Streets investment can be fully realised, including the ability to react swiftly to changing operational demands.

67 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to financial and business affairs.

68 TAPTON HOUSE - OFFERS FOR CONSIDERATION AND APPROVAL

The Senior Estates Surveyor presented a report to consider offers received for both commercial rental and long leasehold sale of Tapton House.

Tapton House had been vacant since September 2018, when the lease with Chesterfield College expired, and despite the Council's best efforts over the last 4 years to secure a commercial letting of the property for office, educational or community uses, Tapton House remained vacant.

In June 2022, a decision was made to widen the marketing campaign, seeking offers for purchase on a 999-year lease in addition to continuing to secure a commercial letting. This decision had since been subject to further scrutiny and debate at meetings of full Council on 20 July 2022 and 19 October 2022.

The closing date for best and final offers was 2 September and 18 offers had been received for a variety of planned uses. This had since reduced to 17 as one of the interested parties had withdrawn their offer. Summary details of all offers were provided in the officer's report.

Following a detailed evaluation of all the offers received the offer from Stone Castle Enterprises Ltd was recommended for acceptance. The proposed scheme would also in time generate council tax revenue from the twenty individual residencies that would be created following conversion of Tapton House in perpetuity, and potentially new homes bonus payments in the short-term.

Councillor Holmes requested that his vote against the recommendation at paragraph 2.1 of the officer's report be recorded.

***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.
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.

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.