

CABINET**Tuesday, 27th January, 2015**

Present:-

Councillor Burrows (Chair)

Councillors	Blank	McManus
	Gilby	Russell
	King	Serjeant
	Ludlow	

Non Voting	Brown	Huckle
Members	Hill	Martin Stone
	Hollingworth	

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

163 APOLOGIES FOR ABSENCE

No apologies for absence were received.

164 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 13 January, 2015 be approved as a correct record and signed by the Chair.

165 FORWARD PLAN

The Forward Plan of key decisions for the four month period 1 February to 31 May, 2015 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

166

CONSIDERATION OF THE RECOMMENDATIONS OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE ON THE PROPOSED PARKS AND OPEN SPACES STRATEGY

Councillor Slack, Chair of the Enterprise and Wellbeing Scrutiny Committee, and Councillor Miles, Scrutiny Project Group Leader, presented the recommendations of the Committee on the development of the Parks and Open Spaces Strategy following a review by members of the Scrutiny Project Group appointed for this purpose.

The recommendations of the Project Group had been accepted by the Enterprise and Wellbeing Scrutiny Committee on 18 December 2014. An additional recommendation was also put forward by the Committee, (v) below.

The recommendations made were:

- (i) That consultation is carried out with local residents and community groups when proposals are put forward for investment in a park or open space, in conjunction with promoting awareness of the health benefits. Such consultation should be in line with the Council's Community Engagement Strategy and regard should be given to the community engagement model produced by students from University of Nottingham's masters in public health course in partnership with Derbyshire County Council's Public Health Department.
- (ii) That disability access should be prioritised when proposals are developed for investment in parks and open spaces.
- (iii) That the Play Strategy be reviewed within the next 12 months in order to rationalise the provision of equipped play areas, taking into account the age profiles of the surrounding areas.
- (iv) That the Council's website should be used more effectively to promote parks and open spaces with maps and details of community events and activities.
- (v) That signs and notices be used more effectively to promote the use of parks and open spaces.

The Enterprise and Wellbeing Scrutiny Committee's recommendations were now required to be considered by Cabinet in accordance with the Council's Scrutiny Procedure Rules.

Cabinet agreed that the first recommendation should be broadened to include consultation with ward councillors and that the recommendation should apply equally to disinvestment or decommissioning proposals for parks or open spaces.

*** RESOLVED –**

- (1) That thanks be conveyed to Members of the Scrutiny Project Group and the Enterprise and Wellbeing Scrutiny Committee for their work and observations on the Council's Parks and Open Spaces Strategy.
- (2) That the recommendation at 10.2 of the report be adjusted to reflect the need for ward councillors to also be consulted when proposals are put forward for investment in a park or open space and also the requirement for consultation to equally apply when proposals are put forward for disinvestment from or decommissioning of a park or open space.
- (3) That the revised recommendations be accepted and appropriate adjustments made to the Parks and Open Spaces Strategy and action plan, in advance of the Strategy being considered for adoption by Full Council.

REASON FOR DECISIONS

To consider the views of the Enterprise and Wellbeing Scrutiny Committee in the development of the Parks and Open Spaces Strategy.

167 PARKS AND OPEN SPACES STRATEGY (E000)

The Leisure and Amenities Manager submitted a report to recommend for adoption a revised Parks and Open Spaces Strategy to satisfy statutory Planning obligations and to support delivery of the Council's Core Strategy and corporate priorities for Chesterfield.

In response to the Council's consultations on the Core Strategy and the Sites and Boundaries Development Plan Document, Sport England had identified that the Council did not have an up-to-date assessment of the

need for open space, sports and recreation facilities, as required under the National Planning Policy Framework (NPPF). The Playing Pitch and Outdoor Sports Strategy was adopted by Full Council on 17 December 2014 and the Sports Facilities Strategy was recommended to Full Council by Cabinet on 13 January 2015.

Since the original Strategy was adopted in 2003, there had been significant capital invested in the Borough's parks and open spaces. Publicly accessible land managed and maintained by the Council for recreation purposes had increased by 21%. Over 20 Friends of Parks Groups had also been established, who make a significant contribution to obtaining grant funding and organising events and activities.

To inform the development of the Strategy, an audit was carried out of the quantity of parks and open space provision across the Borough and the quality was assessed against the Green Flag criteria. The revised Strategy was drafted based on consultation and extensive research of best practice. It sets out the framework for a pragmatic and sustainable approach to parks provision.

The Strategy also sets out the framework within which the Council will seek to engage with funders, partners and communities in order to maximise the impact of the collective resources available to improve and sustain the quality of provision and improve outcomes such as reducing health inequalities. It also provides a clear policy for the use of the Community Infrastructure Levy and for the adoption of new open space.

The recommendations of the Enterprise and Wellbeing Scrutiny Committee, detailed at Minute No. 166, would be incorporated in the Strategy and action plan in advance of the Strategy being considered for adoption by Full Council.

*** RESOLVED –**

That the revised Parks and Open Spaces Strategy be recommended for adoption by Full Council.

REASONS FOR DECISION

To provide a robust needs and evidence base relating to green space for the Council's Core Strategy, to meet statutory planning requirements within the Local Development Framework.

To understand local community needs and to strategically plan and resource future plans through a recognised methodology being used to develop essential investment. This should maximise mitigation of the impact of austerity measures affecting public service responsibilities in both statutory and non-statutory provision.

To ensure that Chesterfield is sustained and developed both as a great destination, and a healthy and active place to live and work.

168 **COLLECTION FUND REVISED ESTIMATES 2014/15 (J000)**

The Chief Finance Officer presented the Collection Fund revised estimates for 2014/15. An estimated surplus of £664,798 on the Council Tax elements of the Collection Fund was expected.

Proposals were made about the allocation of the estimated surplus between the major precepting authorities (Derbyshire County Council, Fire and Police Authorities). These authorities would be able to take this surplus into account when calculating their Council Taxes for the financial year 2015/16.

***RESOLVED –**

That the estimated surplus on the Council Tax elements of the Collection Fund of £664,798 be agreed and allocated to the major precepting authorities as detailed in Appendix A to the report.

REASON FOR DECISION

To fulfill a statutory requirement and to feed into the budget setting process for 2015/16.

169 **CHESTERFIELD OPEN MARKET FEES AND CHARGES 2015/16 (T000)**

The Town Centre Operations Manager submitted proposals for fees and charges on Chesterfield's open markets and for the Sunday car boot sale for 2015/16.

The report gave an explanation of how stall rents were calculated, details of stall occupancy, and an assessment of the temporary and longer-term factors influencing occupancy. The competitiveness of the proposed fees

for Chesterfield markets was evidenced by comparison to the fees charged at other local markets.

The proposed increase in stall rents for 2015/16 was based on the current layout and services provided. The Council had recently agreed to appoint consultants to carry out a feasibility study and options appraisal for a possible reconfiguration of the Market Place. It was anticipated that the outcome of the feasibility study could lead to a more fundamental review of the fees and charges structure on the Market Place.

It was proposed that there be no increase in the fees for the car boot sale at the Proact Stadium, managed under the Council's Market Charter Rights by Chesterfield Football Club.

It was proposed that a rent-free period for licensed traders be granted for a week in March 2016.

Discussions had been held with market traders at the Markets Consultative Committee when a 3% increase was proposed. The market traders had concerns about the affordability of the increase for those finding trading conditions difficult. It was therefore proposed that there should be no increase in electricity charges, the publicity levy or the storage charge in 2015/16.

An alternative payment system for an advanced payment discount scheme was discussed, however after consultation, no overall support for this scheme was offered by the market traders. This was therefore not considered a viable option to pursue.

An option of introducing a significantly greater increase in the charges was ruled out as there would have been a risk of reducing stall occupancy and income. Another option of leaving the charges unchanged was also ruled out as increases in the charges were required to deliver a balanced and sustainable budget.

Councillor Russell requested that his vote against the recommendation at paragraph 11.1 of the report be recorded.

***RESOLVED –**

- 1) That an increase of 3% be introduced from 1 April 2015 on all stall rents on the general, flea and farmers' markets as set out in Appendix A to the report.

- 2) That there be no increase on the car boot sale fee at the Proact Football Stadium.
- 3) That there be no increase on electricity and storage charges, and the publicity levy on the open market.
- 4) That all licensed market traders be given one week rent free in March 2016.

REASONS FOR DECISIONS

To continue to secure a viable open air market in Chesterfield.

To ensure that the council receives an acceptable return on a valuable town centre asset.

170

ANNUAL HOUSING REVENUE ACCOUNT RENT AND SERVICE CHARGE INCREASE (H000)

In accordance with the Local Government and Housing Act 1989, the Housing Service Manager – Business Planning and Strategy and the Chief Finance Officer submitted a report setting out proposed increases in Council house rent and service charge levels for 2015/16.

Members were advised that failure to increase Council rents in accordance with National Social Rents Policy could put at risk the Council's ability to finance future capital investment in the housing stock to the required or desired standard, and to repay debt accrued in becoming a self-financing housing landlord.

Cabinet had agreed in January 2014 (Minute No. 149 (2013/14)) that from 2015/16 onwards individual rents would be set based on the National Social Rent Policy of Consumer Price Index (CPI) plus 1%. The recommended rent increases of 2.2% were calculated based on this policy. The proposed increase was substantially lower than it had been in recent years.

The proposed service charge increases were recommended to move the services gradually towards a breakeven position.

Councillor Russell requested that his vote against the recommendations at paragraphs 9.1.2, 9.1.3, 9.1.4, 9.1.5 and 9.1.6 of the report be recorded.

***RESOLVED –**

- 1) That for 2015/16 individual social rents be set based on the current National Social Rent Policy, giving a real rent increase of 2.2% with effect from 6 April 2015.
- 2) That for 2015/16 onwards, where a social rent property is re-let to a new or transferring tenant the rent level be increased to the target rent for that property.
- 3) That for 2015/16 individual affordable rents be set based on the current National Social Rent Policy, giving a real rent increase of 2.2% with effect from 6 April 2015.
- 4) That for 2015/16 onwards, where an affordable rent property is re-let to a new or transferring tenant the rent level be set by reference to 80% of the market rent for a similar property prevailing at the time of re-letting.
- 5) That charges for heating tickets be raised by £2.00 to £24.16 so that the costs of the CHP district heating scheme move further towards a breakeven budget position. This increase will only affect tenants until such times as the remaining District Heating System has been removed at Lowgates which is scheduled to take place during 2015/16.
- 6) That the following revised levels of charges be agreed:
 - a) Heating service charges (Sheltered Schemes) – no increase.
 - b) Garage rents – an increase of 5% from £5.45 to £5.72 per week.
 - c) Garage Sites – an increase of 5% from £37.00 to £39.00 per annum (Shale); from £47.00 to £49.00 per annum (Asphalt); and from £52.00 to £54.00 per annum (Other).
 - d) Tenants Metered Water Charges – no increase.

- e) Garden Assistance Scheme –an increase of 10% to the following weekly charge; grass cutting and hedges from £3.60 to £3.95; grass only from £2.55 to £2.80; hedges only from £1.05 to £1.15.
- f) Sheltered Scheme Service Charge – an increase of 5% from £5.32 to £5.59.
- g) Careline – an increase of 50p per week (17%) from £2.90 to £3.40.
- h) Charges in respect of Community Rooms – no increase.
- i) Communal Staircase Cleaning – an increase of 5% from £1.58 to £1.66 per week.

REASONS FOR DECISIONS

To enable the Council to set the level of Council house rents in accordance with Government guidelines and to set service charges for 2015/16.

To continue with the financial strategy contained in the Housing Revenue Account Business Plan and self financing debt settlement arrangements

To contribute to the Council's Corporate Priority 'To improve the quality of life for local people'.

171 HOUSING SERVICES FIRE MANAGEMENT POLICY (H000)

The Housing Service Manager – Business Planning and Strategy submitted a report recommending for approval the revised Housing Services Fire Management Policy. The Policy applied to common areas of residential premises managed or owned by the Council.

The findings of the 2013/14 Fire Risk assessments carried out by Savills and the associated action plan were submitted to Cabinet in July 2014 (Minute No. 53 (2014/15)). The remedial works that were identified as requiring immediate attention were being progressed, with the additional remedial works to be included in the 2015/16 Housing Capital Programme.

*** RESOLVED –**

- 1) That the Revised Housing Services Fire Management Policy be approved.
- 2) That the Housing Service Manager - Business Planning and Strategy be authorised to carry out an annual review of fire safety arrangements and that an annual report be submitted to the Executive Member for Housing.

REASONS FOR DECISIONS

To meet our statutory obligations under the Regulatory Reform (Fire Safety) Order 2005.

To contribute to meeting the Council's Corporate Priority, 'Improve the quality of life for local people'.

To contribute to improved performance against our key project to deliver the Decent Homes Standard for Council Homes.

To reflect best practice in health and safety policy.

172 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 it contained information relating to an individual.

173 PROPOSALS FOR FUTURE USE OF THE FORMER GARAGE SITE OF HADY LANE (H000)

The Housing Service Manager – Business Planning and Strategy submitted a report seeking approval to enter an agreement to lease the former garage site on Hady Lane to enable its conversion into a two pitch gypsy and traveller site.

Proposals for the Council to develop the site or to sell the land were not recommended as they were not considered feasible or cost-effective to meet the need in the Borough for gypsy and traveller pitches.

*** RESOLVED –**

- 1) That approval be given to enter into an agreement to lease the former Hady Lane Garage Site with a local gypsy and traveller family to enable its conversion into a two pitch gypsy and traveller site.
- 2) That the Housing Service Manager – Business Planning and Strategy and the Procurement and Contract Law Manager be given delegated authority to raise a lease agreement and approve a suitable Gypsy and Traveller site licence for occupation and use of the site

REASON FOR DECISIONS

To help achieve the Corporate Plan Priority – ‘Improve quality of life for local people’ through ‘improving quality of housing in the Borough’ and ‘reducing inequality and improving standards of living’.