

**CABINET****Tuesday, 14th July, 2015**

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Ludlow
	T Murphy	Serjeant
	Blank	A Diouf
	Huckle	
Non Voting Members	Bagley	Hollingworth
	J Innes	Wall

\*Matters dealt with under Executive Powers

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

No declarations of interest were received.

**37 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Brown.

**38 MINUTES****RESOLVED –**

That the minutes of the meeting of Cabinet held on 30 June 2015 be approved as a correct record and signed by the Chair.

**39 FORWARD PLAN**

The Forward Plan for the four month period August to November 2015 was reported for information.

**\* RESOLVED –**

That the Forward Plan be noted.

**40 DELEGATION REPORT**

Decisions taken by Cabinet Members during June were reported.

**\* RESOLVED –**

That the Delegation Report be noted.

**41 UPDATED TOWN CENTRE MASTERPLAN**

The Development and Growth Manager and the Cultural and Visitor Services Manager submitted a report seeking approval for the Chesterfield Town Centre Masterplan 2015 and the proposed Implementation Plan.

The 2009 Masterplan had been revised to take into account what changes had taken place in the Town Centre since it was produced, and to address new emerging challenges and opportunities.

In revising the Masterplan, the key objectives had been:

- To clarify the vision for Chesterfield's Town Centre and its historic market;
- To build investor confidence about the town's potential;
- To provide an overview of progress since 2009;
- To help shape development opportunities;
- To encourage high quality design standards in new development;
- To demonstrate the overall strategy for regeneration of the Town Centre; and
- To provide background evidence for Chesterfield's Planning framework

The Masterplan identified eight key projects and areas for development including:

- Historic Core
- Station Arrival/ Railway Terrace
- Northern Gateway
- Spire Neighbourhood
- Civic Quarter
- Markham Road
- Education Quarter
- Waterside

These included major development projects, big changes in small spaces, town centre management projects and public realm works.

It was proposed that an implementation plan be developed as a living document that the Council would be able to update to take into account changing priorities, developer interest and progress made against key projects.

**\*RESOLVED -**

- (1) That the Chesterfield Town Centre Masterplan – Update and Review 2015 be approved as a statement of the Council’s vision, strategy, policies and proposals for Chesterfield Town Centre.
- (2) That the Development and Growth Manager and Cultural and Visitor Services Manager be authorised to explore how best to achieve the actions outlined in the Implementation Plan and seek external funding, where appropriate, to implement the Masterplan.

**REASON FOR DECISIONS**

To take forward delivery of the Town Centre Masterplan and to provide the strategic framework for the regeneration and development of the town centre.

**42 COLLECTION AND DISPOSAL OF WASTE FROM CHARITIES:  
RECOVERY OF COSTS**

The Environmental Services Manager submitted a report recommending the Council’s response to Derbyshire County Council’s (DCC) decision to recover the costs of disposing of waste arising from charitable organisations. This follows recent legislative changes.

The Controlled Waste (England and Wales) Regulations were amended in 2012 to create the power to charge for the collection and disposal of waste from charities, however DCC have only recently advised the Council of their intention to begin to make such charges. Details of the consultation with local charities and their responses were attached to the report.

It was proposed that a new charge be created to apply to charities, less than the commercial rate of applied to trade waste companies, so that the Council would recover the costs of waste collection and disposal but not make profit from the service provided to charities.

The options to absorb the new costs in full or in part and not to pass on the charges to charities were not deemed financially viable for the Council.

**\*RESOLVED –**

- (1) That approval be given to implement the recommended option, that all costs incurred will be recovered by introducing a new charge

from October 2015 to charities, to cover the existing collection and new disposal costs incurred by the Council.

- (2) That the impact of implementing the new charge be reviewed annually at the same time as all other Environmental Services fees and charges are reviewed and set for the coming financial year.

#### **REASON FOR DECISIONS**

To contribute to improving the Council's overall financial position and reduce the overall cost of the waste and recycling service.

### **43 CORPORATE HEALTH AND SAFETY IMPROVEMENT PROGRAMME 2015 - 18**

The Business Transformation Manager submitted a report seeking approval for the Council's Corporate Health & Safety Improvement Programme 2015-18 and the proposed implementation strategy.

The report included a summary of the Improvement Programme and detailed the Council's current performance in respect of:

- Accident Performance
- Health and Safety Management
- Health and Safety Climate/Culture
- Occupational Health

#### **\*RESOLVED -**

- (1) That the Council's Corporate Health & Safety Improvement Programme 2015-18 be approved.
- (2) That progress reports be presented to the Council's Health & Safety Committee and Corporate Management Team (CMT) on a quarterly basis and to Cabinet on a six monthly basis.

#### **REASON FOR DECISIONS**

To enable the Council to take steps to improve its Health & Safety performance.

#### **44 EQUALITIES ANNUAL REPORT**

The Policy Officer submitted a report presenting the Council's Equality and Diversity Annual Report for 2014/15 for approval.

The Equality and Diversity Annual Report was attached to the report, covering improvements and achievements over the last year and plans for the future.

The report outlined the role of the Chesterfield Equality and Diversity Forum which had continued its work with local community groups, partners and individuals to promote equality and raise awareness of equality and diversity.

The Forum had arranged a number of events, including an International Day Against Homophobia and Transphobia, 'Our History, Our Story' - a Polish heritage event, Faiths and World Views in our Community, and a Holocaust Memorial Day event.

The Council was required to publish the Annual Report and widely circulate it, which it would do by placing it on the Council's website, circulating it with a LINKS mail out (sent to 900 organisations and individuals) and making it available at Community Assemblies.

#### **\*RESOLVED -**

- (1) That the Equality and Diversity Annual Report be approved.
- (2) That the Council's future plans for working with partners to promote equality and diversity in our communities be approved.

#### **REASON FOR DECISIONS**

To improve knowledge and understanding of equality and diversity issues and implement legislative and good practice requirements.

#### **45 COMMUNITY ASSEMBLIES ANNUAL REPORT**

The Community Development Worker submitted a report presenting the Council's Community Assemblies Annual Report for 2014/15 for approval.

The Community Assemblies Annual Report covered improvements and achievements over the last year and detailed future plans. It also highlighted a range of Community Development activity that had been undertaken during 2014/15 with partner agencies.

#### **\*RESOLVED -**

- (1) That the Community Assemblies Annual Report be approved.
- (2) That the Council's future plans to further develop the Community Assemblies and associated Community Development programme be approved.

## REASON FOR DECISIONS

To promote the work of the Community Assemblies and the associated Community Development programme.

### 46 **FUNDING TO VOLUNTARY AND COMMUNITY ORGANISATIONS 2015/16 – SERVICE LEVEL AGREEMENTS**

The Development and Growth Manager submitted a report on the Service Level Agreements (SLAs) that had been negotiated with voluntary and community organisations for 2015/16.

Organisations holding SLAs with the Council for 2014/15 (Citizens' Advice Bureau, Chesterfield Law Centre, Chesterfield Shopmobility, Derbyshire Unemployed Workers Centre, and LINKS) had attended annual review meetings in early 2015 monitor their respective performance against the objectives established in the SLAs. Annual Progress Reports were attached at Appendix 1 to the report.

Each organisation had identified the outcomes, measures and targets from the Council's Corporate Plan for 2015/16 to which they could contribute, and these were included in revised Schedule 1 tables to each of the SLAs for the coming financial year. The revised Schedule 1 tables were attached at Appendix 2 to the report.

It was proposed that the overall level of funding for SLAs and the level of funding for each organisation for 2015/16 be maintained at the same level as for 2014/15.

A review of all funding allocated to voluntary and community organisations via SLAs was proposed to be undertaken during 2015/16 to inform the budgets for future years. This review would also take into account the ongoing Derbyshire-wide review of voluntary and community sector investment, include consultation with all affected stakeholders, and consideration of the need to prepare a full Equalities Impact Assessment.

#### **\* RESOLVED -**

- (1) That the level of funding for Service Level Agreements (SLAs) be maintained at the 2014/15 level to all five currently funded organisations - a total fund of £266,160 for the financial year 2015/16.
- (2) That the SLA Schedule 1 table for each organisation, attached at Appendix 2 to the report, be approved for inclusion within the respective SLAs for 2015/16.
- (3) That as part of the Council's annual SLA review to be undertaken during 2015/16, the Council has regard to the position of partner organisations from across Derbyshire on the likely future level of funding available for voluntary and community groups, and also takes into account any local impacts arising from changes in the total levels of public finance available.

## REASON FOR DECISIONS

To ensure that the future delivery of funding to Voluntary and Community Organisations meets the priorities of the Council and the needs of the residents of Chesterfield, having due regard to the current financial challenges faced by the Council.

### 47 REPLACEMENT OF BOILERS AT THE WINDING WHEEL

The Cultural and Visitor Services Manager submitted a report recommending for approval the replacement of the boilers located at the Winding Wheel, which serve the Winding Wheel, Stephenson's Memorial Hall and the Parish Church.

Following the repair of one of the boilers earlier in 2015, the Council was advised that the future life of the system could not be guaranteed and parts of the system may not last long term. It was recommended that the replacement of the boilers be prioritised as a breakdown of the system over the winter could have a significant financial impact on the Winding Wheel and Pomegranate Theatre during the busy autumn/winter period.

The option to install a biomass heat generation system was not considered financially viable so it was recommended that the boilers be replaced with modern gas boilers with an expected 20 year life span.

Kier were to be responsible for overseeing the design for the scheme and would produce the specification, drawings, tender documentation and cost plan. Listed building consent was also required before this work could be commenced.

It was estimated that the project would cost in the region of £110,000 so approval was sought for this sum to be allocated from the Council's property repairs fund.

#### **\*RESOLVED –**

- (1) That the replacement of the boilers at the Winding Wheel be approved.
- (2) That it be recommended to Full Council to approve:
  - i) The inclusion of the replacement of the boilers at the Winding Wheel in the Council's capital programme 2015/16.
  - ii) The allocation of a provisional sum of £110,000 to this project from the Council's property repairs fund, subject to the outcome of the procurement process.

## REASON FOR DECISIONS

To ensure business continuity at the Winding Wheel, Stephenson's Memorial Hall and the Parish Church.

#### **48 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to an individual and financial and business affairs.

#### **49 LINACRE ROAD UPDATE**

Further to Cabinet and Council reports in June 2014 (Cabinet Minute No. 16 (2014/15)), Kier Asset Management submitted a report on the progress made on the Linacre Road Master Plan project and recommending for approval a draft Master Plan. Approval was also sought for an additional budget to fund the remaining work required to bring the site forward for residential development.

The report outlined the progress already achieved and detailed the timeline for consultation on the draft Master Plan and its formal adoption.

##### **\*RESOLVED -**

That it be recommended to Full Council:

- (1) That the Draft Master Plan dated May 2015, be approved, subject to any necessary revision, as the Council's stated planning position for the Linacre Road development site.
- (2) That additional funding of £30,000 be approved and that all costs attributable to bringing forward the site for sale be split on a pro-rata basis between the Housing Revenue Account and the General Fund ownerships, split one third and two thirds respectively.

#### **REASONS FOR DECISION**

The Master Plan with the Informal Planning Brief is to form the Council's stated planning guidance in advance of Local Plan adoption in 2016. Its objective is to de-risk the site from a developer's point of view, simplify the bidding and evaluation process, and accelerate capital receipt realisation.

Additional contingency funding was required to ensure delivery of the project. This would enable the site to be brought forward for eventual sale to release capital receipts to the General Fund and Housing Revenue Account.



## 50 **WESTWOOD AVENUE - FURTHER UPDATE REPORT**

The Housing Service Manager – Business Planning and Strategy submitted a report providing an update on the negotiations in respect of an owner occupied property at 2 Westwood Avenue and to make recommendations as to how these negotiations should be concluded in order to facilitate the re-development of the site.

Further to Minute No. 161 (2014/15), negotiations had taken place with the owner of 2 Westwood Avenue for the property to be demolished. The owner had agreed to this in principle and the level of compensation had been provisionally agreed. The alternative option to pursue compulsory purchase was considered be a longer and more costly process and so was not recommended.

### **\*RESOLVED -**

That the Business Planning and Strategy Manager be authorised to make a final conditional offer to the owner occupier of 2 Westwood Avenue in accordance with the Heads of Terms set out at paragraph 4.6 of the report.

### **REASONS FOR DECISION**

To facilitate the demolition of 10 vacant council owned properties at Westwood Avenue at the earliest opportunity in order to re-develop the site for new affordable housing.

To contribute to delivering the Council's Vision and Council Plan objective, to improve the quality of life for local people.

To maintain and improve the condition of housing (in all tenures) and its environment.

To contribute to the aims of the Housing Strategy and deliver the Housing Revenue Account Business Plan.