

CABINET

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,
on Monday, 6th November, 2023 at 10.00 am**

Present: Councillor Jason Zadrozny in the Chair;

Councillors Samantha Deakin, Vicki Heslop,
Tom Hollis, Christopher Huskinson,
Rachel Madden, Andy Meakin, Matthew Relf,
Helen-Ann Smith and John Wilmott.

Apology for Absence: Paul Parkinson.

Officers Present: John Bennett, Craig Bonar, Lynn Cain,
Ruth Dennis, Joanne Froggatt,
Theresa Hodgkinson, Peter Hudson,
Christine Sarris and Chris Stephenson.

CA.31 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

CA.32 Minutes

RESOLVED

that the minutes of the meeting of the Cabinet held on 18 September 2023, be received and approved as a correct record.

CA.33 Office for Local Government and Best Value Guidance

Cabinet was furnished with an overview of the new Office for Local Government (Oflog), its remit and the recently updated Best Value Guidance.

As the report was presented for information purposes only, there were no alternative options for Members to consider.

RESOLVED

that the following be received and duly noted:

- a) the updated Best Value Guidance and establishment of the Office for Local Government and its remit;
- b) the ongoing development of both Oflog, the Data Explorer and the Best Value Guidance;
- c) the Council's continuing assessment of performance and improvement.

Reason:

Through the Council's new Policy and Performance Function, to explain how specific focus will be placed on continually improving the Council's approach to performance and improvement in line with the updated best value guidance and introduction of Oflog.

CA.34 Ashfield Local Plan 2023 to 2040: Regulation 19 Pre-submission Draft

Cabinet was requested to agree the content of the draft Ashfield Local Plan 2023 to 2040 Regulation 19 Pre Submission Draft (identified as the Regulation 19 Plan) and commend to Council for approval and commencement of a period of consultation in line with legislation.

During the presentation, Members were asked to note that at the Planning Committee meeting held on 1 November 2023, planning permission had been granted for the construction of 81 dwellings and associated highways, drainage and landscaping infrastructure on land off Main Road, Jacksdale. It was therefore proposed to be included in the Regulation 19 Ashfield Local Plan as a contribution towards future housing supply.

Members considered the alternative option of declining to approve the Regulation 19 Pre Submission Draft document, but this was not recommended for the reasons outlined in the report.

RESOLVED that

- a) the Ashfield Local Plan 2023 to 2040 Regulation 19 Pre Submission Draft, as presented, be agreed (subject to the inclusion of the 81 dwellings on land off Main Road, Jacksdale) and commended to Council for approval for the purposes of public consultation and submission to the Secretary of State for Levelling Up, Housing and Communities, in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended and the Planning and Compulsory Purchase Act 2004;
- b) the Executive Director of Place in consultation with the Executive Lead Member for Growth, Regeneration and Local Planning be authorised to agree minor amendments to the Regulation 19 Plan and Sustainability Appraisal, policies and allocations, prior to submission and during the examination if required;
- c) the Executive Director of Place be also authorised to make minor amendments to the text of the Regulation 19 Plan and Sustainability Appraisal, as required.

Reason:

The Ashfield Local Plan 2023 to 2040 Regulation 19 Pre Submission Draft is proposed for adoption, subject to examination by an Independent Inspector appointed by the Secretary of State. It is a legal requirement for the Council to have an up-to-date Local Plan, and the Council considers the Regulation 19 Plan will achieve this requirement, guiding sustainable development across the District up to 2040.

CA.35 Recommendations from the Local Plan Development Committee - 16 October 2023

Cabinet was requested to consider and approve the recommendations from the Local Plan Development Committee meeting held on 16 October 2023.

Members considered the alternative option of declining to approve the recommendations as presented to them.

Minute No. LP.15

Ashfield Local Plan – Employment Land Sites Update

RESOLVED that

- a) approval be given to the amended employment land allocations as set out in the report subject to the Nunn Brook Rise, Huthwaite (SHELAA - SA090) allocation being deferred for further consideration;
- b) as a result of a) above and once further information is known in respect of the Nunn Brook Rise, Huthwaite (SHELAA - SA090) allocation, delegated authority be granted to the Assistant Director for Planning, in consultation with the Local Plan Development Committee Chairman, to determine its inclusion or otherwise, in the Local Plan 2023 – 2040 Regulation 19 Pre Submission Draft;
- c) the Assistant Director of Planning, in consultation with the Local Plan Development Committee Chairman, be authorised to making any subsequent and final amendments to the Local Plan 2023 – 2040 Regulation 19 Pre Submission Draft, to reflect up to date information on employment site allocations.

CA.36 Programme Monitoring Report: Major Projects and Funding

Cabinet was updated on the Council's major projects, progress of funded programmes and bids for external funding.

Members considered the alternative option of declining to accept the funding from Government for the 'Plan for Towns' programme (for Kirkby) or the Devolution – Retrofit funding, but this was not recommended as the funding could be utilised effectively to deliver the Council's corporate priorities.

RESOLVED that

- a) progress in relation to the major projects and funding programmes outlined in the report, be received and noted;
- b) in respect of the 'Plan for Towns' programme for Kirkby:
 - to recommend to Council to accept funding from the programme;
 - to agree that the Council will act as the Accountable Body;
 - to delegate authority to the Chief Executive Officer for the signing of documents including a Heads of Terms and Memorandum of Understanding;

c) to recommend to Council to accept the Devolution – Retrofit funding.

Reasons:

1. To ensure that Cabinet is kept updated on progress with the Major projects, funding programmes and submission of funding bids.
2. To ensure that projects and spend within the funding programmes are achieved within the set timeframes and programme budget envelopes.
3. To ensure funding streams are delivered collaboratively and effectively.
4. To ensure Members are aware as early as possible about the potential cost pressures which may require additional Council funding in the future.

**CA.37 Section 100A Local Government Act 1972:
Exclusion of the Press and Public**

RESOLVED

that in accordance with the provisions of Section 100A of the Local Government Act 1972, the press and public be now excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12(A) of the Act and in respect of which the Proper Officer considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**CA.38 Land Sale - Diamond Avenue, Kirkby in Ashfield
(Exempt by virtue of Paragraphs 3 and 5)**

Cabinet was requested to approve the sale of land at Diamond Avenue on the terms set out in the report.

Members considered the alternative option of agreeing not to sell the site, but this would prevent the site from being developed and would not result in a capital receipt for the Council.

RESOLVED that

- a) the sale of the Diamond Avenue site, as outlined in the report, be approved;
- b) the main Terms as set out in the report be approved and delegated authority be granted to the Service Manager for Commercial Development to continue negotiations and finalise the transaction based on these Terms;
- c) the Executive Director for Governance be authorised to complete the legal transaction.

Reason:

To enable the Diamond Avenue site to be sold for residential development.

The meeting closed at 11.07 am

Chairman.