

COUNCIL**Thursday, 23rd February, 2017**

Present:-

Councillor Brunt (The Mayor)

Councillors	Bagley	Councillors	Flood
	J Barr		P Gilby
	P Barr		T Gilby
	Bexton		Hill
	Bingham		Hollingworth
	Blank		Huckle
	Borrell		J Innes
	Brady		P Innes
	Brittain		Ludlow
	Brown		Miles
	Burrows		A Murphy
	Callan		T Murphy
	Catt		Niblock
	D Collins		Parsons
	L Collins		Perkins
	Davenport		Redihough
	Derbyshire		Sarvent
	Dickinson		Serjeant
	A Diouf		Simmons
	V Diouf		Slack
	Dyke		Wall
	Elliott		

76 MINUTES**RESOLVED –**

That the Minutes of the meeting of the Council held on 14 December, 2016 be approved as a correct record and be signed by the Chair.

77 MAYOR'S COMMUNICATIONS.

The Mayor referred to the following Mayoral engagements:

- Visiting Outwood Academy, Newbold and seeing students take part in their school council elections.
- Celebrating Dr Benjamin Woods' 100th birthday at Chatsworth Lodge Care Home.
- Hosting a visit to the Mayor's Parlour by the Chesterfield Take Heart support group and receiving a cheque from them for £1,000 towards the Mayor's fundraising appeal.

The Mayor also provided an update on his fundraising activities including the upcoming Mayor's Appeal Beer Festival which would be held at the Market Hall Assembly rooms on Friday 7 and Saturday 8 April, 2017.

78 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bellamy, Caulfield, Hitchin and Rayner.

79 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA.

No declarations of interest were received.

80 PUBLIC QUESTIONS TO THE COUNCIL

There were no questions.

81 PETITIONS TO COUNCIL

In accordance with Standing Order No.13 Council debated the following petition from Mr Adrian Todd received on 10 February, 2017:-

“I would like request that Chesterfield Borough Council build an Ice Rink on the site of the old Queen's Park Sports Centre. I have been campaigning locally and using change.org to make people aware of the health, leisure and social benefits that an Ice rink would provide to all Chesterfield residents.”

The petition contained in excess of 1,000 signatures; therefore it was referred to Council to be debated in accordance with the Council's petition scheme and Standing Order No.13.

Mrs Donna Todd, on behalf of Mr Adrian Todd presented the petition and answered Member's questions.

RESOLVED –

1. That the council receives and notes the petition to turn the former Queen's Park Sports Centre site into an ice rink.
2. That the petition and tonight's debate at Full Council be taken into account by Chesterfield Borough Council's Cabinet when making the decision on a suitable use for the former Queen's Park Sports Centre site.
3. That the council, if approached by an ice rink operator, will assist with the identification of suitable sites and provide advice on planning and funding opportunities, including the development of external funding bids, in order to enhance the Borough's sport and leisure offer.

82 QUESTIONS TO THE LEADER

There were no questions.

83 CHANGE TO MEMBERSHIP OF MEMBER LEVEL COMMITTEES

The Committee and Scrutiny Coordinator submitted a report detailing a proposed change, requested by the Executive Leader of the Council, to the membership of Member Level Committees for the remainder of the 2016/17 municipal year.

RESOLVED -

That Councillor Sarvent replaces Councillor Burrows on the Planning Committee for the remainder of the 2016/17 municipal year.

84 **COMMUNITY INFRASTRUCTURE LEVY INTERIM PROGRESS REPORT AND PAYMENT IN KIND POLICY**

Pursuant to Cabinet Minute No.144 the Strategic Planning and Key Sites Manager submitted a report to provide an update on the performance of the Community Infrastructure Levy (CIL) since its introduction on 1 April, 2016, and to recommend for approval the introduction of a CIL “Payment in kind” policy.

RESOLVED –

1. That the performance of the Community Infrastructure Levy during the first 9 months of its implementation be noted.
2. That the Community Infrastructure Levy ‘Payment in Kind’ policy, as set out in the officer’s report be approved.

85 **HOUSING CAPITAL PROGRAMME: NEW PROGRAMME FOR 2017/18 THROUGH TO 2021/22**

Pursuant to Cabinet Minute No.147 the Housing Manager and the Director of Finance and Resources submitted the Housing Capital Programme for 2017/18 for approval by Council. The provisional Capital Programmes for 2018/19 to 2021/22 were also presented to Council for information.

RESOLVED -

1. The Housing (Public Sector) Capital Programme for 2017/18 be approved, and its procurement, as necessary, be authorised.
2. The Housing (Public Sector) Capital Programmes for 2018/19 through to 2021/22 be provisionally approved.
3. The Operational Services Division share of the approved 2017/18 Programme be approved.
4. The Housing Manager be delegated authority to transfer funds between programme heads and budgets in order to effectively and efficiently manage the Capital Programme.

86 CAPITAL STRATEGY AND GENERAL FUND CAPITAL PROGRAMME

Pursuant to Cabinet Minute No.142 the Director of Finance and Resources submitted a report recommending for approval the updated General Fund Capital Strategy and Programme for the financial year 2017/18.

The Director of Finance and Resources also sought approval for the proposed growth requests outlined in paragraph 8.3 of the report to be added to the Capital Programme and recommended that other capital schemes be placed on a waiting list pending the availability of capital receipts.

RESOLVED -

1. The Capital Strategy be approved.
2. The updated General Fund Capital Programme expenditure and financing be approved.
3. The new Capital Programme schemes, as outlined in paragraph 8.3 of the Director of Finance and Resources report be noted, with their approval subject to satisfactory business cases being made and subsequent Cabinet and/or Council agreement.
4. The prioritised list of “waiting list” Capital Programme schemes, as outlined in paragraph 8.4 of the Director of Finance and Resources report, be approved.

87 TREASURY MANAGEMENT STRATEGY

Pursuant to Standards and Audit Committee Minute No.36 the Director of Finance and Resources submitted a report recommending for approval the Treasury Management Strategy Statement, the Annual Investment Strategy Statement for 2017/18 and the Minimum Reserve Provision (MRP) Policy for 2017/18.

The Director of Finance and Resources also recommended that Council re-affirmed its adoption of CIPFA's Code of Practice on Treasury Management.

RESOLVED –

1. That the Treasury Management Strategy Statement and Annual Investment Strategy, including the Prudential Code Indicators, be approved.
2. That the Minimum Revenue Provision policy be approved.
3. That Council re-affirms its adoption of CIPFA's Code of Practice on Treasury Management.

88 2017/18 BUDGET AND MEDIUM TERM FINANCIAL PLAN

Pursuant to Cabinet Minute No.141, the Director of Finance and Resources submitted a report to seek Council approval for the General Fund Budget for 2017/18.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken for this item as follows:-

FOR –

Councillors

Bagley
 J Barr
 P Barr
 Bexton
 Blank
 Brady
 Brittain
 Brown
 Burrows
 Callan
 Catt
 D Collins
 L Collins
 Derbyshire
 Dickinson
 Dyke
 Elliott

Councillors

Flood
 P Gilby
 T Gilby
 Hill
 Hollingworth
 Huckle
 J Innes
 P Innes
 Ludlow
 Miles
 A Murphy
 T Murphy
 Parsons
 Perkins
 Sarvent
 Serjeant
 Simmons

Slack
Wall

AGAINST –

None

ABSTENTIONS –

Councillors

Bingham
Borrell
Davenport
A Diouf
V Diouf
Niblock
Redihough

RESOLVED –

1. That the revised budget for 2016/17 be approved.
2. The Local Government Finance Settlement be noted.
3. The Collection Fund and the Tax Base forecasts be noted.
4. The Portfolio budgets and the overall revenue budget summary for 2017/18 be approved.
5. That authority be delegated to the Director of Finance and Resources in consultation with the Leader, Deputy Leader and Chief Executive to review what is required to ensure that the council makes best use of the flexibility available to use capital receipts for revenue purposes where such investment will lead to budget savings.
6. The budget forecasts for 2017/18 and the medium term, as well as the strategy for addressing the projected deficits be noted.
7. That the growth request of £100k for an HS2 project officer, to be funded from the Service Improvement Reserve be approved.

8. That the estimates of reserves including:
- i. maintaining the General Working Balance at £1.5m;
 - ii. transferring from the Crematorium Capital Improvement and Revenue Reserves (subject to Chesterfield and District Joint Crematorium Committee approval), £200,000 to a new Northern Gateway reserve to support underwriting the Jomast Coop development and £250,000 into the Business Rate Risk Reserve;
 - iii. Using £467,302 of Insurance Reserve surplus funds by retaining in the Insurance Reserve £60,000 to cover insurance excesses and self-insurance charges, transferring £407,302 to the General Fund to reduce General Fund contributions into reserves in order to support the budget position by £150,000 in both 2017/18 and 2018/19, and by £107,000 in 2019/20.

be approved.

9. The budget risks and sensitivity analysis be noted.
10. The recommended £5 increase in Council Tax for 2017/18 be approved.
11. The 2017/18 Council Tax Requirement and financing be approved.
12. The Director of Finance and Resources assurances be noted.

89 COUNCIL TAX FOR 2017/18

The Director of Finance and Resources submitted a report, the purpose of which was to enable the Borough Council, as Tax Collecting Authority, to set the Council Tax for its area for 2017/18 as required by the Local Government Finance Act 1992.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken for this item as follows:-

FOR –

Councillors	Bagley	Councillors	Flood
	J Barr		P Gilby
	P Barr		T Gilby
	Bexton		Hill
	Bingham		Hollingworth
	Blank		Huckle
	Borrell		J Innes
	Brady		P Innes
	Brittain		Ludlow
	Brown		Miles
	Burrows		A Murphy
	Callan		T Murphy
	Catt		Niblock
	D Collins		Parsons
	L Collins		Perkins
	Davenport		Redihough
	Derbyshire		Sarvent
	Dickinson		Serjeant
	A Diouf		Simmons
	V Diouf		Slack
	Dyke		Wall
	Elliott		

AGAINST –

None

ABSTENTIONS –

None

RESOLVED –

1. That it be noted that at its meeting on 23rd January 2017 the Employment and General Committee calculated the following tax base amounts for the year 2017/18 in accordance with regulation made under Section 31B of the Local Government Finance Act 1992 as:

(a) 28,507.92 being the amount calculated for the whole Council area.

(b) For those areas to which a parish precept applies:

Staveley Town Council	4,087.94
Brimington Parish Council	2,276.05

2. That the Council approves the calculation of the Council Tax requirement for the Council's own purposes for 2017/18 (excluding parish precepts) as £4,415,592.

3. That the following amounts be calculated for the year 2017/18 in accordance with Sections 31 to 36 of the Act:

- (a) **£110,316,718** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (gross expenditure) taking into account all precepts issued to it by Parish Councils;
- (b) **£105,551,194** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (gross income including grants and the use of reserves);
- (c) **£38,296** being the surplus on the Council tax elements of the Collection Fund and **£106,426** being the deficit on the Business Rate elements
- (d) **£4,833,654** being the amount by which the aggregate at 3.3(a) above exceeds the aggregate at 3.3(b) above plus 3.3(c), calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. Please note that this is the total of the Borough's requirement of **£4,415,592** plus the total parish precepts of **£418,062**.
- (e) **£169.56** being the amount at 3.3(d) above divided by 3.1(a) above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

- (f) **£418,062** being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act.
- (g) **£154.89** being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 3.1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates. The tax does not exceed the principles set by the Secretary of State for determining excessive tax increases and triggering a referendum.

Parts of the Council's area:

- (h) The following being the amounts calculated by adding the amount at 3.3(g) to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned in 3.3(f) divided in each case by the amount at 3.1(b), calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more items relate.

Parish	Band 'D' Tax £
Staveley	245.10
Brimington	176.55

- (i) The amounts given by multiplying the amounts at 3.3(g) and 3.3(h) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands:

Part of the Council's area	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Staveley Town Council	163.40	190.63	217.87	245.10	299.57	354.03	408.5	490.20
Brimington Parish Council	117.70	137.31	156.93	176.55	215.78	255.01	294.25	353.10
All other parts of the Borough	103.26	120.47	137.68	154.89	189.31	223.73	258.15	309.78

4. That it be noted that for the year 2017/18 the Derbyshire County Council, the Derbyshire Fire and Rescue Service and the Derbyshire Police & Crime Commissioner have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority	Valuation Band							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Derbyshire County Council*	807.77	942.40	1,077.03	1,211.66*	1,480.92	1,750.18	2,019.43	2,423.32
Derbyshire Fire & Rescue Service	48.39	56.45	64.52	72.58	88.71	104.84	120.97	145.16
Derbyshire Police & Crime Commissioner	120.40	140.47	160.53	180.60	220.73	260.87	301.00	361.20

*The Derbyshire County Council Tax increase of 3.99% includes 2.00% to support the delivery of adult social care duties and responsibilities in 2017/18, equivalent to an additional £23.30 for dwellings in Council Tax Valuation Band 'D', which is included in the £1,211.66 in the table above.

5. That, having calculated the aggregate in each case of the amounts at 3.3(i) and 3.4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2017/18 for each of the categories of dwellings shown below:

Part of the Council's area	Valuation Band							
	A 6/9	B 7/9	C 8/9	D 9/9	E 11/9	F 13/9	G 15/9	H 18/9
	£	£	£	£	£	£	£	£
Staveley Town Council	1,139.96	1,329.95	1,519.95	1,709.94	2,089.93	2,469.92	2,849.90	3,419.88
Brimington Parish Council	1,094.26	1,276.63	1,459.01	1,641.39	2,006.14	2,370.90	2,735.65	3,282.78
All other parts of the Borough	1,079.82	1,259.79	1,439.76	1,619.73	1,979.67	2,339.62	2,699.55	3,239.46

90 **CHESTERFIELD BOROUGH COUNCIL'S COUNCIL PLAN 2017/18 UPDATE**

Pursuant to Cabinet Minute No.143 the Policy and Communications Manager submitted a report recommending for approval the Council Plan 2015-2019, updated for 2017/18.

The Council Plan had been revised to show the progress made during the first two years of the plan, and to highlight the priority areas for the remaining two years of the plan. The refreshed plan provided continuity with the 2016/17 version of the plan, maintaining the same vision, three overarching priorities and Council values.

RESOLVED -

1. The Council Plan 2015-2019, updated for 2017/18, be adopted as the council's strategic framework to measure our sustained high performance against key aims and objectives and to prioritise resources.
2. The Deputy Leader be delegated authority to approve any minor drafting changes that may be required in order to improve the readability of the plan.

91 **SENIOR PAY POLICY STATEMENT FOR 2017/18**

Pursuant to Cabinet Minute No.145 the Human Resources Manager submitted a report seeking approval for a revision of the current Senior Pay Policy Statement in accordance with the Localism Act 2011 and the

Local Government (Transparency Requirements) (England) Regulations 2014.

The policy statement included details of how senior pay is set within the Council. The revised statement had been updated to reflect changes to the council's corporate management team structure.

RESOLVED –

That the revised Senior Pay Policy Statement be approved.

92 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED –

That under Section 100(A)(4) of the Local Government Act 1972 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 3 of Part 1 of Schedule 12A of the Act.

93 NORTHERN GATEWAY - PROGRESS REPORT ON THE NEGOTIATIONS FOR THE REDEVELOPMENT OF THE FORMER CO-OP BUILDING

Pursuant to Cabinet Minute No.136 the Economic Development Manager submitted a report on the outcome of commercial negotiations with Jomast Developments with regard to the redevelopment of the former Coop building in Chesterfield.

On 27 July, 2016 Full Council had approved proposals to support the re-development of the former Co-op building and had delegated authority to the Chief Executive, Leader of the Council and Chief Finance Officer, in conjunction with the Economic Growth Manager to finalise the necessary legal agreements (Minute No.17, 2016/17). However, after approval being given by Full Council further commercial negotiations had taken place which had significantly amended the terms of the original legal agreements. The revised terms were considered acceptable but required the approval of Full Council for their implementation.

RESOLVED –

1. That the progress being made in delivering the Northern Gateway scheme be noted.
2. That the preferred way forward to expedite the re-development of the former Co-op building, as detailed at section three of the officer's report, be approved.
3. That authority be delegated to the Cabinet Member for Economic Growth in consultation with the Director of Finance and Resources and the Economic Growth Manager to finalise the terms of the agreement with Jomast developments.

94 LOCAL GOVERNMENT ACT 1972 - RE-ADMISSION OF THE PUBLIC

RESOLVED –

That after consideration of an item containing exempt information the public be readmitted to the meeting.

95 MINUTES OF COMMITTEE MEETINGS

RESOLVED -

That the Minutes of the following Committees be noted:-

Appeals and Regulatory Committee of 7, 14 and 20 December, 2016 and 18 January, 2017

Employment and General Committee of 5 December, 2016 and 23 January, 2017

Licensing Committee of 4 January, 2017

Planning Committee of 12 December, 2016 and 9 and 30 January, 2017

Standards and Audit Committee of 23 November, 2016

96 MINUTES OF THE CABINET

RESOLVED –

That the Minutes of the meetings of Cabinet of 13 December, 2016, 24 January and 7 February, 2017 be noted.

97 MINUTES OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 10 January, 2017 be noted.

98 MINUTES OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

RESOLVED –

That the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 10 January, 2017 be approved.

99 MINUTES OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE

RESOLVED –

That the Minutes of meeting of the Enterprise and Wellbeing Scrutiny Committee of 6 December, 2016 be approved.

100 QUESTIONS UNDER STANDING ORDER NO. 19

There were no questions.