

**COUNCIL****Wednesday, 13th December, 2017**

Present:-

Councillor Davenport (The Mayor)

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

**47 MINUTES****RESOLVED –**

That the Minutes of the meeting of the Council held on 11 October, 2017 be approved as a correct record and be signed by the Chair.

**48 MAYOR'S COMMUNICATIONS.**

The Mayor referred to the following Mayoral engagements:

- A presentation from Sheena Field of the Medaille Trust, which had been set up to help victims of trafficking in the UK;
- Remembrance events in November where the people of Chesterfield paid tribute to all those who had served their country, including a very moving event at Spital Cemetery;
- An event in Brimington where restaurant owners across North Eastern Derbyshire and South Yorkshire came together to raise over £37,000 for the Rohingya refugees fleeing persecution in Myanmar;
- The Celebrating Diversity event, where many different communities brought contributions of food to a lunch;
- The rededication of the Church of the Annunciation and the inauguration of the new parish 'Our Lady Queen of Peace', which merged the Church of the Annunciation with the Church of the Holy Family on Derby Road.

**49 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Barr, P Barr, Bexton, Caulfield and Dickinson.

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

No declarations of interest were received.

**51 PUBLIC QUESTIONS TO THE COUNCIL**

No questions had been received.

**52 PETITIONS TO COUNCIL**

No petitions had been received.

**53 QUESTIONS TO THE LEADER**

Under Standing Order No.14 Councillor Flood asked the Leader to outline the actions the Council was taking to assist residents to access the

benefits to which they were entitled in light of the implementation of Universal Credit within the borough, including the potential loss of Housing Benefit for women in refuges fleeing from domestic violence and the removal of funding to meet the costs of obtaining a medical report in such situations.

The Leader provided a verbal response and agreed to circulate a fuller written response to all Members following further consultation with relevant partners. She also undertook to write to the Secretary of State for Work and Pensions to request that the further roll out of Universal Credit be stopped until problems with its implementation had been resolved.

**54 CHANGE TO ALLOCATION OF SEATS TO POLITICAL GROUPS AND TO MEMBERSHIP OF MEMBER LEVEL COMMITTEES - 2017/18**

The Chief Executive reported that he had undertaken a review of the political balance of Committees in accordance with Section 15 of the Local Government and Housing Act 1989, following the notification to him of a change to political groups within the Borough Council, as with effect from 29 November, 2017, Councillor Bexton had stated that he was no longer a member of UKIP and wished to be recognised as an Independent member.

The majority political group had also proposed a change to the membership of the Appeals and Regulatory Committee.

**RESOLVED –**

That the recent changes to the political composition of the Council be noted and that the following changes to the membership of Committees as proposed by the political groups be approved:-

**Appeals and Regulatory Committee**

- removal of Councillor Bexton as a UKIP member
- addition of Councillor Bexton as an Independent member
- replacement of Councillor D Collins with Councillor Hill as a majority group member.

**Licensing Committee**

- removal of Councillor Bexton as a UKIP member
- addition of Councillor Bexton as an Independent member.

**55** **ANNUAL AUDIT LETTER 2016/17**

The Cabinet Member for Governance presented the Annual Audit Letter for 2016/17 submitted by KPMG, the Council's external auditors.

The annual audit letter summarised the outcome from the audit of the Council's financial statements and assessment of arrangements to achieve value for money in the use of resources. The letter confirmed that KPMG had issued an unqualified conclusion on the arrangements to secure value for money for 2016/17 and an unqualified opinion on the financial statements for 2016/17 on 26 September, 2017, confirming that the Council had appropriate arrangements in place to secure economy, efficiency and effectiveness in its use of resources and that the financial statements gave a true and fair view of the Council's financial position and its expenditure and income for the year.

**RESOLVED -**

That KPMG's Annual Audit Letter for 2016/17 be received.

**56** **RISK MANAGEMENT STRATEGY AND ANNUAL REVIEW**

Pursuant to Standards and Audit Committee Minute No.24 the Director of Finance and Resources submitted a report on risk management developments during 2016/17 and recommended for approval the updated Risk Management Policy, Strategy and Corporate Risk Register for 2017/18.

The report summarised risk management activities during 2016/17 and included the updated Risk Management Policy and Strategy documents and an evaluation of each of the corporate risks in the updated Corporate Risk Register.

**RESOLVED –**

That the Risk Management Policy, Strategy and Corporate Risk Register for 2017/18 be approved.

**57 UPDATE ON GENERAL FUND CAPITAL PROGRAMME 2017/18**

Pursuant to Cabinet Minute No.66 the Director of Finance and Resources submitted a report providing an update on the General Fund Capital Programme.

The Capital Programme for 2017/18 had been approved as part of the budget setting process in February 2017 and included two major capital schemes, the Town Hall alterations and the Northern Gateway project.

The report provided details on the progress of current major capital schemes including the Town Hall alterations, the Northern Gateway and, in particular, the Saltergate multi-storey car park refurbishment, Peak Resort, Chesterfield Museum store and Waterside, along with details of new schemes which had recently been approved or would be reported to Cabinet for approval in the near future. The report also gave information on the financing of the schemes and details of capital receipts for the current year, as well as forecasts of receipts for subsequent years.

**RESOLVED -**

1. That the updated General Fund Capital Programme expenditure and financing arrangements, as set out in Appendix A to the officer's report, be approved.
2. That the new capital schemes, as outlined in paragraph 6.1 of the officer's report, be noted.
3. That the proposal to undertake further work to finalise the strategy document required to take advantage of the Government's capital receipts flexibility rules, as detailed in paragraphs 5.3 and 6.1 of the officer's report, be approved.
4. That the proposal to defer the repayment of prudential borrowing from capital receipts, including that in respect of the Queens Park Sports Centre and Market Hall refurbishment projects, as set out in paragraphs 5.4 and 7.1 of the officer's report, be approved.
5. That the proposed changes to the methods used to finance current schemes, as set out in paragraph 5.7 of the officer's report, be approved.

58 **QUARTER 2 BUDGET MONITORING 2017/18 & UPDATED MEDIUM TERM FINANCIAL FORECAST**

Pursuant to Cabinet Minute No.76 the Director of Finance and Resources submitted a report outlining the budget position at the end of the second quarter, covering the General Fund Revenue account, the General Fund Capital Programme and the Housing Revenue account.

**RESOLVED –**

1. That the Council's financial performance in the first half of the 2017/18 financial year, and the updated medium term financial forecasts through 2022/23, as set out in sections 4 and 8 of the officer's report, be noted.
2. That the proposed use of reserves, as set out in section 6 of the officer's report, and the two new applications to the Budget Risk Reserve, be approved.
3. That the proposed revision of the Financial Strategy to reflect a change in the use of surpluses from the Operational Services Division, as set out in section 7 of the officer's report, be approved.
4. That the position of the Housing Revenue Account budgets, as set out in section 9 of the officer's report, be noted.
5. That the proposed budget preparation guidelines and approach to consulting the public on the 2018/19 budget, as set out in section 11 of the officer's report, be approved.

59 **FUTURE USE OF FORMER QUEEN'S PARK SPORTS CENTRE SITE**

Pursuant to Cabinet Minute No. 92 the Executive Director, Michael Rich, presented a report proposing a scheme for the development of an artificial sports pitch on the former Queen's Park Sports Centre site and seeking approval to include funding for the scheme within the capital programme.

The report outlined the work undertaken by FMG consultants to develop a full business case for the preferred option of an artificial sports pitch, as set out at Appendix 1 to the officer's report, and prepare a planning application, which it was hoped would be submitted early in 2018. It

noted the contribution of the Scrutiny Project Group to the consideration of the draft business case as part of the pre-decision scrutiny process.

In response to Members' questions, the Executive Director agreed to provide information to all Members on the ongoing security costs incurred in respect of the site.

#### **RESOLVED –**

1. That approval be given to the proposed allocation within the capital programme, as set out in Section 7 of the officer's report, to cover the capital investment required for the preferred option and endorse the work underway to reduce costs and maximise contributions from other funding sources.
2. That approval be given to the inclusion of the revised income and expenditure figures for the new facility within the budget setting process for 2018/19 and beyond, in line with the estimates set out in the business case.

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#### **LOCAL COUNCIL TAX SUPPORT SCHEME 2018-19**

Pursuant to Cabinet Minute No.93 the Director of Finance and Resources submitted a report seeking approval for the Council Tax Support Scheme to be applied in 2018/19. The report noted that the scheme being recommended for adoption in respect of the next financial year (2018/19) was unchanged from that operated in 2017/18.

#### **RESOLVED –**

1. That Council approve the continued operation of a Local Council Tax Support Scheme for 2018/19. The scheme is based on The Council Tax Reduction Scheme England Regulations 2012 amended to reflect the following local decisions concerning the key principles of the scheme:
  - For those of working age the maximum amount of Council Tax that will be eligible for reduction is 91.5% of their full Council Tax Liability;

- The Council continues its policy of disregarding war pensions for the purposes of calculating income in respect of the Council Tax Support Scheme;
  - The 'taper', i.e. the rate at which support is withdrawn as income increases be maintained at 20%.
2. That delegated powers be granted to the Director of Finance and Resources, in consultation with the Cabinet Member for Homes and Customers, to update the 2018/19 scheme to reflect such up-ratings of premiums, allowances and non-dependent deductions as may be determined by the Department of Work and Pensions, and for other minor technical which may be required.
  3. That the current local council tax discounts, which were originally implemented in 2013/14, be continued.

## **61 MINUTES OF COMMITTEE MEETINGS**

### **RESOLVED –**

That the Minutes of the following Committees be noted:-

- Appeals and Regulatory Committee of 3, 11 and 25 October and 1, 8, 15 and 22 November, 2017;
- Employment and General Committee of 9 October, 2017;
- Licensing Committee of 18 and 25 October and 1 November, 2017;
- Planning Committee of 9 and 30 October and 20 November, 2017;
- Standards and Audit Committee of 22 November, 2017.

## **62 MINUTES OF THE CABINET**

### **RESOLVED –**

That the Minutes of the meetings of Cabinet of 3 and 10 October and 14 November, 2017 be noted.

63 **MINUTES OF THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM**

**RESOLVED –**

That the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 26 September, 2017 be approved.

64 **MINUTES OF THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE**

**RESOLVED –**

That the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 19 September, 2017 be approved.

65 **MINUTES OF THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE**

**RESOLVED –**

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 10 October, 2017 be approved.

66 **QUESTIONS UNDER STANDING ORDER NO. 19**

No questions had been submitted.

67 **NOTICE OF MOTION UNDER STANDING ORDER NO. 21**

It was moved by Councillor P Innes and seconded by Councillor Burrows that,

“This Council opposes the Home Secretary’s decision which rules out an inquiry into the behaviour of the police during the picketing at the Orgreave coking works in the summer of 1984.”

On being put to the vote the motion was declared carried.