

BOROUGH OF CHESTERFIELD

You are summoned to attend a Meeting of the **Council** of the **Borough of Chesterfield** to be held in the Council Chamber, Town Hall, Rose Hill, Chesterfield S40 1LP at the **Town Hall** on **Wednesday, 30 July 2014** at **5.00 pm** for the purpose of transacting the following business:-

1. To approve as a correct record the Minutes of the meetings of the Council held on 23 April, 14 May and 18 June 2014 (Pages 1 - 18)

2. Mayor's Communications.

To receive the Mayor's announcements.

3. Apologies for Absence

4. Declarations of Members' and Officers' Interests relating to items on the Agenda.

5. Public Questions to the Council

To receive questions from members of the public in accordance with Standing Order No. 10.

6. Petitions to Council.

To receive petitions submitted under Standing Order No. 10A.

7. Project Academy Funding (Pages 19 - 26)

8. Local Authority Mortgage Support Scheme (LAMS) Indemnity (Pages 27 - 44)

9. Establishment of Information and Booking Hub (Pages 45 - 56)

10. Scrutiny Annual Report 2013/14 (Pages 57 - 86)

11. Scrutiny Member - Sheffield City Region Combined Authority (Pages 87 - 90)

12. Minutes of Committee Meetings (Pages 91 - 92)

To receive for information the Minutes of the following meetings:-

- (i) Appeals and Regulatory Committee
- (ii) Licensing Committee

- (iii) Planning Committee
- (iv) Standards and Audit Committee

13. To receive the Minutes of the meetings of the Cabinet of 6 and 20 May, 4, 10 and 17 June, 7 and 15 July, 2014. (Pages 93 - 166)
14. To receive the Minutes of the meetings of the Joint Cabinet of 4 and 17 June 2014 (Pages 167 - 176)
15. To receive and adopt the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 19 June 2014 (Pages 177 - 188)
16. To receive and adopt the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 10 April and 26 June (Pages 189 - 206)
17. To receive and adopt the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 5 June 2014 (Pages 207 - 214)
18. Questions under Standing Order No. 20.

To receive questions from Councillors in accordance with Standing Order No. 20.

By order of the Council,



Chief Executive

Chief Executive's Unit,
Town Hall,
Chesterfield

23 July 2014

COUNCIL MEETING

Wednesday, 23rd April, 2014

Present:-

The Mayor

Councillors	Allen	Hollingworth
	Barr	Huckle
	Bingham	Innes
	Blank	King
	Borrell	McManus
	Brittain	Miles
	Burrows	Morgan
	Callan	Avis Murphy
	Clarke	Tom Murphy
	Collard	Niblock
	Diouf	Parsons
	Dyke	Mark Rayner
	Elliott	Neil Rayner
	Gibson	Russell
	Gilby	Simmons
	Hawksworth	Slack
	Higginbottom	David Stone
	Hill	Martin Stone

91 MINUTES

RESOLVED –

That the Minutes of the meeting of Council held on 27 February, 2014 be approved as a correct record, and signed by the Chair.

92 MAYOR'S COMMUNICATIONS

The Mayor referred to the following Mayoral engagements:-

- The raising of the Commonwealth Flag on Monday, 10 March, 2014.

- A visit, accompanied by the former Mayor and Mayoress, Councillor Donald Parsons and Mrs Diane Parsons, to the Houses of Parliament.
- Attendance at the Celebrate Chesterfield event at the Proact Stadium on Wednesday, 19 March, 2014.
- Attendance, by the Deputy Mayor and Mayoress, at the North Derbyshire finals of the Young Enterprise Awards on Thursday, 3 April, 2014.
- The Freedom of Entry event on Friday, 4 April, 2014 at which the 2nd Battalion of the Mercian Regiment exercised their Freedom of Entry to the Borough.
- Attendance on Friday 18 April, 2014 at the Annual Procession of Witness.

93 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bagley, Bellamy, Bradford, Davenport, Fanshawe, Flood, Lang, Ludlow and Serjeant.

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

No declarations of interest were received.

95 VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS

The Deputy Mayor, Councillor Diouf, took the Chair for this item.

It was moved by Councillor David Stone, seconded by Councillor Burrows and resolved:-

- (a) That the best thanks of the Council be accorded to Councillor Paul Stone for his services as Mayor of the Borough for the past year, for the able manner in which he has directed the affairs of the town and for the deep interest which he has shown in all matters relating to the welfare of the Borough;

- (b) That the best thanks of the Council be accorded to Barbara Wallace for the grace, charm and dignity with which she has undertaken her duties as Mayoress.

96 PUBLIC QUESTIONS TO THE COUNCIL

There were no questions.

97 PETITIONS TO COUNCIL

No petitions had been received.

98 DEPUTY LEADER OF THE COUNCIL AND CABINET APPOINTMENTS 2014/15

RESOLVED –

That the Council note the appointment by the Leader of the following Members of the Cabinet:-

Portfolio	Executive Member	Assistant Member	Executive
Deputy Leader and Executive Member for Planning	Councillor Gilby	-	
Environment	Councillor Ludlow	Councillor Hollingworth	
Housing	Councillor McManus	Councillor Martin Stone	
Leisure, Culture and Tourism	Councillor Serjeant	Councillor Huckle	
Governance Organisational Development	& Councillor King	Councillor Hill	
Customers Communities	& Councillor Blank	Councillor Brown	
Minority Group Member	Councillor Russell	-	

99 **COMMITTEE APPOINTMENTS - 2014/15****RESOLVED -**

That the following recommendations be confirmed by Council on 14th May, 2014:-

- (1) That the Member-level bodies of the Council for 2014/15 and the number of Members on each shall be as follows:-

Planning Committee	17 members
Planning Sub Committee	3 members
Appeals and Regulatory Committee	15 members
Licensing Committee	15 members
Employment and General Committee	8 members
Overview and Performance Scrutiny Forum	16 members
Community, Customer and Organisational Scrutiny Committee	8 members
Enterprise and Wellbeing Scrutiny Committee	8 members
Standards and Audit Committee (Borough Council representatives only)	5 members

- (2) That the membership of the Council's Member-level bodies for 2014/15 be as follows:-

Planning Committee

Councillor Allen	Councillor Fanshawe
Barr	Gilby
Bingham	Hill
Brittain	Huckle
Callan	Lowe
Clarke	Murphy Avis

Collard
Davenport
Elliott

Simmons
Stone, David

Planning Sub-Committee

Councillor Barr
Brittain

Councillor Gilby

Appeals and Regulatory Committee

Councillor Bagley
Bellamy
Bingham
Davenport
Flood
Miles
Morgan
Murphy, Avis

Councillor Murphy, Tom
Niblock
Parsons
Rayner, Mark
Rayner, Neil
Slack
Stone, David

Licensing Committee

Councillor Bellamy
Diouf
Flood
Gibson
King
Ludlow
Miles
Morgan

Councillor Murphy, Tom
Niblock
Parsons
Rayner, Mark
Rayner, Neil
Slack
Stone, Paul

Employment and General Committee

Councillor Blank
Bradford
Elliott
Fanshawe

Councillor Gibson
Higginbottom
King
Simmons

Overview and Performance Scrutiny Forum

Councillor	Bagley	Councillor	Hawksworth
	Borrell		Innes
	Bradford		Lang
	Callan		Lowe
	Diouf		Murphy, Tom
	Dyke		Rayner, Neil
	Flood		Slack
	Gibson		Stone, Paul

Community, Customer and Organisational Scrutiny Committee

Councillor	Bagley	Councillor	Lowe
	Borrell		Murphy, Tom
	Diouf		Rayner, Neil
	Innes		Slack

Enterprise and Wellbeing Scrutiny Committee

Councillor	Bradford	Councillor	Gibson
	Callan		Hawksworth
	Dyke		Lang
	Flood		Simmons

Standards and Audit Committee

Councillors	Diouf	Councillor	Murphy, Avis
	Elliott		Rayner, Mark
	McManus		

- (3) That the Chairs and Vice-Chairs of Committees for 2014/15 be as follows:-

Planning Committee	Chair – Councillor Brittain
	Vice-Chair – Councillor Hill

Planning Sub-Committee	Chair – Councillor Gilby Vice-Chair – Councillor Brittain
Appeals and Regulatory Committee	Chair – Councillor Bellamy Vice-Chair – Councillor Flood
Licensing Committee	Chair – Councillor Bellamy Vice-Chair – Councillor Flood
Employment and General Committee	Chair – Councillor Elliott Vice-Chair – Councillor Simmons
Overview and Performance Scrutiny Forum	Councillors Lang and Innes to be alternating Chairs of the Scrutiny Forum for the Council Year 2014/15
Community, Customer and Organisational Scrutiny Committee	Chair – Councillor Innes Vice-Chair – Councillor Bagley
Enterprise and Wellbeing Scrutiny Committee	Chair – Councillor Lang Vice-Chair – Councillor Hawksworth
Standards and Audit Committee	Chair – Councillor Mark Rayner Vice-Chair – Councillor Diouf

100 **COMMUNITY INFRASTRUCTURE LEVY: PROPOSAL TO SUBMIT A DRAFT CHARGING SCHEDULE FOR EXAMINATION**

Pursuant to Cabinet Minute No. 194, the Head of Regeneration submitted a report to seek Council approval to submit a draft Community Infrastructure Levy (CIL) charging schedule to the Planning Inspectorate for independent examination.

RESOLVED –

(1) That the response to the consultation comments received during consultation on a Draft Charging Schedule (shown at Appendix 2 to the report) be approved.

(2) That submission of the Draft Charging Schedule (attached at Appendix 1 to the report) and associated documentation to the Planning Inspectorate for independent examination be approved.

101 INTERNAL COMMUNICATIONS STRATEGY 2014-17

Pursuant to Cabinet Minute No. 186, the Communications and Marketing Manager submitted a report to seek Council approval to the Internal Communications Strategy for the period April 2014 to April 2017.

RESOLVED –

That the Internal Communications Strategy 2014/17 be approved.

102 MINUTES OF COMMITTEE MEETINGS

RESOLVED –

That the Minutes of the following Committees be noted:-

Appeals and Regulatory Committee of 12, 19 February, 5, 12 March and 2 April, 2014.

Licensing Committee of 26 March, 2014.

Planning Committee of 17 February, 10 and 31 March, 2014.

Standards and Audit Committee of 4 April, 2014.

103 MINUTES OF CABINET

RESOLVED –

That the Minutes of the meetings of Cabinet of 25 February, 11 and 25 March and 8 April, 2014 be noted.

104 **MINUTES OF JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE**

RESOLVED –

That the Minutes of the meetings of the Joint Cabinet and Employment and General Committee of 25 March and 8 April, 2014 be noted.

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

RESOLVED –

That the Minutes of the meeting of the Overview and Performance Scrutiny Forum of 3 April, 2014 be approved.

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

RESOLVED –

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 20 March, 2014 be approved.

107 **QUESTIONS UNDER STANDING ORDER NO. 20**

There were no questions.

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ANNUAL COUNCIL MEETING**Wednesday, 14th May, 2014**

Present:-

The Mayor

Councillors	Bagley	Huckle
	Barr	Innes
	Bingham	King
	Borrell	McManus
	Brittain	Miles
	Brown	Morgan
	Burrows	Avis Murphy
	Callan	Tom Murphy
	Clarke	Niblock
	Davenport	Parsons
	Diouf	Mark Rayner
	Elliott	Neil Rayner
	Gibson	Russell
	Gilby	Serjeant
	Hawksworth	Simmons
	Higginbottom	Slack
	Hill	

1 MAYOR'S COMMUNICATIONS

The Mayor referred to the following Mayoral engagements:-

- the civic reception for Chesterfield Football Club, held on 12 May, 2014, following the Club's promotion to League Division 1;
- attendance at the 100th birthday celebrations of a Chesterfield resident.

The Mayor announced the total of this year's Mayor's Appeal which would be divided between the three chosen charities of the Nenna Kind Weston Park Patient Bus, Hope Springs Drug and Alcohol Recovery Centre and local food banks.

2 **ELECTION OF MAYOR**

It was moved by Councillor Russell and seconded by Councillor Burrows and resolved that Councillor Alexis Diouf be elected Mayor of the Borough of Chesterfield for the Civic Year 2014/15.

(At this point, the Chair was vacated by Councillor Paul Stone and occupied by the new Mayor.)

The Mayor then made the Declaration of Acceptance of Office and took the Oath of Allegiance.

3 **PRESENTATION TO RETIRING MAYOR AND MAYORESS**

Pursuant to Minute No. 95 (2013/14), the Mayor presented Councillor Paul Stone with a former Mayor's badge and a record of his year of office and a former Mayoress' badge to Mrs. Barbara Wallace and a record of her year of office.

4 **APPOINTMENT OF DEPUTY MAYOR**

It was moved by the Mayor, seconded by Councillor Burrows and resolved that Councillor Denise Hawksworth be appointed Deputy Mayor of the Borough of Chesterfield for the Civic Year 2014/15.

5 **APPOINTMENT OF THE MAYOR'S CHAPLAIN**

The Mayor indicated that he had appointed Reverend Simon Robinson to be the Mayor's Chaplain.

6 **APPOINTMENTS MADE AT ANNUAL BUSINESS MEETING****RESOLVED -**

That the recommendations of the Annual Business Meeting of the Council of 23 April, 2014, at Minute Nos. 98 and 99 be noted and approved subject to the following amendments to Committee Appointments 2014/15 (Minute No. 99):-

Community, Customer and Organisational Scrutiny Committee

Councillor Simmons to replace Councillor Slack

Enterprise and Wellbeing Scrutiny Committee

Councillor Slack to replace Councillor Simmons

Overview and Performance Scrutiny Forum

Councillors Innes and Slack to be alternating Chairs of the Scrutiny Forum for the Council Year 2014/15

Enterprise and Wellbeing Scrutiny Committee

Chair – Councillor Slack

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COUNCIL MEETING**Wednesday, 18th June, 2014**

Present:-

The Mayor

Councillors	Allen	Hawksworth
	Bagley	Higginbottom
	Barr	Hill
	Bellamy	Hollingworth
	Bingham	Innes
	Blank	Lowe
	Borrell	Ludlow
	Bradford	McManus
	Brittain	Avis Murphy
	Brown	Tom Murphy
	Burrows	Niblock
	Callan	Mark Rayner
	Clarke	Neil Rayner
	Collard	Russell
	Davenport	Simmons
	Elliott	Slack
	Flood	David Stone
	Gibson	Martin Stone
	Gilby	Paul Stone

7 MAYOR'S COMMUNICATIONS

The Mayor referred to the following Mayoral engagements:

- The official opening of the Market Hall by the Duke of Devonshire;
- Attending the Parachute Regiment Memorial Day at Hardwick Hall;
- Attending the Annual Procession of Witness;
- Attending the Hasland Community Gala;
- The official opening of the SANDS Baby Memorial Garden at Boythorpe Cemetery;
- A visit to the Council's German twin town of Darmstadt.

He also referred to an event in support of the Mayor's charities to be held at Maison Mes Amis on Chatsworth Road.

8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dyke, Fanshawe, Huckle, King, Lang, Miles, Morgan and Serjeant.

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

Councillor Burrows declared a non-pecuniary interest in Minute No. 11 as the Council's representative on the Chesterfield Waterside Board.

Councillor Russell declared a non-pecuniary interest in Minute No. 11 as a former representative of the Council on the Chesterfield Waterside Board.

10 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

RESOLVED -

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

11 CHESTERFIELD WATERSIDE UPDATE AND GROWING PLACES FUNDING

Pursuant to Cabinet Minute No. 15, the Head of Regeneration submitted an update report on the Waterside project, to seek Council approval to undertake infrastructure works on the site with a Growing Places Fund (GPF) loan from the Sheffield City Region Local Enterprise Partnership (SCR LEP).

RESOLVED –

(1) That the allocation of £40,000 from the Service Improvement Reserve be approved to be repaid from the first drawdown of GPF funding, in order to cover the fees associated with delivering works in advance of drawing down the loan.

(2) That the submission of a formal application to the Sheffield City Region LEP for a loan in the sum of £2.4m be approved to enable the Council to enter into a loan agreement with Sheffield City Council as the accountable body for the funds.

12 PROPOSED BUDGET FOR THE LINACRE ROAD SITE, ASHGATE

Pursuant to Cabinet Minute No. 16, Kier Asset Management and the Housing Service Manager – Business Planning and Strategy submitted a report to seek Council approval of the proposed scheme budget for the Linacre Road site, Ashgate.

RESOLVED –

(1) That the allocation of a preliminary budget of up to a maximum of £100,000 be approved to bring the Linacre Road, Ashgate site forward for sale/development on the terms set out in the report.

(2) That any costs attributable to bringing forward the site be split on a pro-rata basis between the respective Housing Revenue Account and General Fund ownerships. As such, the provisional budget will be split £33,500 from the Housing Revenue Account and £66,500 from the General Fund.

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FOR PUBLICATION

PROJECT ACADEMY FUNDING (R000)

MEETING:	COUNCIL
	30 TH JULY 2014
REPORT BY:	Karen Brown – Business Transformation Manager Extension - 5293

1.0 PURPOSE OF REPORT

- 1.1 To request funding for the project academy scheme for 2014-16.

2.0 RECOMMENDATION

- 2.1 That it be recommended to Full Council that the Project Academy fund be 'topped up' with £60,000 from the Council's Service Improvement Reserve to ensure that the Project Academy can continue to operate until March 2016.

3.0 BACKGROUND & ACHIEVEMENTS SO FAR

- 3.1 Project academy was established in 2012 to provide opportunities to rising stars within the Council to develop their skill set, on the job training and education whilst working on specific projects.
- 3.2 The project has been a massive success to date with 5 officers from across the Council taking up placements within project academy of between 6 and 12 months. These project officers have been provided with training and mentoring whilst working on a variety of key projects including:-
- 3.2.1 Closure of Staveley Area housing office, saving over £30,000 per annum
- 3.2.2 Co-Location of Voluntary Services Organisations into the basement of the Town Hall. Saving £55,000 per annum and bringing in £101,000 in capital receipts

- 3.2.3 Depot Rationalisation – Leading to construction of a new super depot. Saving £143,000 of avoided maintenance costs over the next 5 years and bringing in £337,000 in capital receipts
- 3.2.4 Review of procurement contracts including, Washroom Facilities, window cleaning and cleaning materials. Saving £30,000 per annum
- 3.2.5 Review of Council tenants water rates savings of £128,000 per annum
- 3.3 All of these 5 officers have excelled, completing their placement and progressing to secure new roles within CBC.
- 3.4 Great Place Great Service makes a commitment to continue project academy with a target of 9 officers to participate in the programme by March 2017
- 3.5 In January 2014 the interview process took place with a fresh round of Project academy students and 6 people have been selected to participate in the process during 2014/15, two have already taken up their positions and the remaining 4 will be in place during autumn 2014. All have recently undergone a comprehensive training programme including CHAMPS II, Prince II and Lean training.
- 3.6 The two project academy officers in post are currently working on a variety of projects including :-
 - 3.6.1 Co-location of CCTV & Parking – Enabling the sale of 87 New Square for a capital receipt of £250,000 and savings £22,000 per annum on premises costs.
 - 3.6.2 CCTV Review looking to secure £50,000 per annum in operational costs
 - 3.6.3 PAT Testing contract - Savings £6,000 per annum through smarter procurement
 - 3.6.4 Sale of closed community rooms, releasing £15,000 per annum and potentially £135,000 - £160,000 in capital receipts
 - 3.6.5 Box Office Review at Venues, saving over £10,000 per annum in phase 1.

3.6.6 PPE review, providing procurement savings anticipated to be up to £15,000 per annum

- 3.7 In 2012 funding for project academy of £50,000 was approved to cover the costs of training and also backfilling the substantive positions of project academy officers, where required.
- 3.8 As of end June 2014, this funding has been fully used with an additional £4,000 overspent. (Full detail of expenditure attached Appendix A)
- 3.9 The current intake of project academy will incur the following backfill costs.

Joe Tomlinson	£0.00
James Wild	£12,300 for six months – Known cost
Ashley Barber	£10,400 for six months – Known cost
Sean Carrington	£10,400 for six months – Possible cost
Holly Fisher	£10,300 for six months – Possible cost
Phil Smith	£14,000 for six months – Possible cost
Total	£57,400 Possible cost

Actual costs for Holly, Sean and Phil have been requested, the costs above represent the cost incurred if backfilled 100%, services are challenged to not backfill where possible.

It should also be noted that, project academy placements are for 6-12 months. Placements will be extended to allow project completion where the business case exists to do so.

3.10 This report seeks authorisation to refill the project academy fund with a further £60,000 to ensure that the academy can continue to run through to March 2016.

4.0 RISK MANAGEMENT

4.1 The following table summarises the risks associated with not providing the funding for project academy

Description of the Risk	Impact	Likelihood	Mitigating Action
Project academy will cease to be able to operate.	High	High	Approve / Release funding
Projects that project academy are currently working on will not be delivered	High	High	Approve / Release funding
Reputational risk due to project academy coming to halt	High	High	Approve / Release funding
Significant low morale for staff which have been engaged in the process but will be unable to complete or take up posts	High	High	Approve / Release funding

5.0 RECOMMENDATION

5.1 That it be recommended to Full Council that the Project Academy fund be 'topped up' with £60,000 from the Council's Service Improvement Reserve to ensure that the Project Academy can continue to operate until March 2016.

6.0 REASON FOR RECOMMENDATION

6.1 To ensure that project academy can continue to operate delivering projects and securing efficiencies until March 2016.

6.2 This funding will ensure that 6 officers complete project academy by March 2016, against a target of 9 by March 2017 in the GPGS project plan.

Officer recommendation supported/not supported/modified as below or Executive Member's recommendation/comments if no officer recommendation.



Signed

Executive Member

Date

7.07.14

Consultee Executive Member/Support Member comments (if applicable)/ declaration of interests

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Project Academy - Summary of costs

April 2012-July 2014

£3,275.74	Cover for Officer 7
£5,196.44	Additional Hours Officer 4
£2,823.44	Cover for officer 5
£8,722.63	Cover for officer 3
£7,311.52	Cover for officer 4
£345.92	Additional Hours Officer 2
£8,934.75	Cover for Officer 2
£720.37	Accounting entries
£12,810.26	Training
£172.95	Car Allowances
£968.24	Software
£51,286.51	TOTAL

Alternative View

Expenditure 2012-13	£22,761.01
Expenditure 2013-14	£20,845.50
Total 2012-14	£43,606.51

2014-15 Salaries	£1,400
2014-15 Training	£6,280
Total 2014-15	£7,680

<u>Total</u>	<u>£51,286.51</u>
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FOR PUBLICATION

LOCAL AUTHORITY MORTGAGE SUPPORT SCHEME (LAMS) INDEMNITY (H000)

MEETING:	1. COUNCIL
DATE:	1. 30 TH JULY 2014
REPORT BY:	HOUSING SERVICE MANAGER – BUSINESS PLANNING AND STRATEGY
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL

FOR PUBLICATION

1.0 PURPOSE OF REPORT

- 1.1 To seek an indemnity for the Chief Executive following agreed amendments to the maximum loan size from £114,000 to £142,500 of the Local Authority Mortgage Support Scheme with Lloyds Banking Group.

2.0 RECOMMENDATION

- 2.1 That Full Council agrees to indemnify the Chief Executive against all liabilities occurred by him by providing Lloyds Bank with an opinion and by providing Lloyds Bank with a signed Opinion Letter.

3.0 BACKGROUND

- 3.1 The LAMS Scheme was approved for adoption by Cabinet on 19th February 2013 and approved by Full Council on 28th February 2013. The recommendations approved were as follows:

3.1.1 That Members adopt the cash backed LAMS Scheme with Lloyds Banking Group in accordance with the outline below:

-The maximum limit for the total indemnity to be offered under the scheme is £1,250,000 with £1,000,000 from the Council and £250,000 from Derbyshire County Council.

-The maximum loan size is £114,000. Setting the maximum loan at £114,000 enables First Time Buyers (FTB) using the LAMS Scheme with a 5% deposit of up to £6,000 of their own to consider properties up to the value of £120,000.

-The qualifying postcodes will include all postcodes within Chesterfield Borough and will exclude any that cross the boundary into a neighbouring authority. The qualifying postcodes will be provided to the lender in a schedule to the indemnity deed.

3.1.2 That Cabinet recommends to Full Council that it indemnifies the Monitoring Officer against all liability she incurs by providing Lloyds Bank with an opinion and by providing Lloyds Bank with a signed Opinion Letter.

3.1.3 That the Cabinet recommends to that Full Council that it approves the proposed amendments to the Treasury Management Strategy Statement to allow a non-specified investment of £1.0m for a period of 5 years with Lloyds Banking Group in order to operate a Local Authority Mortgage Scheme.

3.1.4 That a further report is brought to Members after six months of the scheme launching to provide an update on the Scheme.

3.2 On 25th March 2014 Cabinet approved amendments to the maximum loan size from £114,000 to £142,500 in an attempt to increase the take-up of the product. Cabinet resolved :

3.2.1 That Members note the limited progress of the Local Authority Mortgage Support (LAMS) Scheme so far.

3.2.2 That Members approve the raising of the maximum loan size to £142,500 (applicants would be able to consider properties

up to the value of £150,000 with a deposit of 5%) to match that of the Derbyshire County Council wide LAMS Scheme. This would raise the maximum indemnity for an individual property from £24,000 to £30,000.

3.2.3 That a new round of publicity for the scheme is carried out.

3.2.4 A copy of the Cabinet report is at Appendix 1.

4.0 OFFICER INDEMNITY

4.1 The original scheme required an officer indemnity by the Council for the Monitoring Officer's opinion and Opinion Letter. This was agreed by Full Council on 28th February 2013 and an indemnity was provided to Sara Goodwin as Monitoring Officer.

4.2 While the opinion and Opinion Letter given by the Monitoring Officer at that time, and the indemnity given by the Council, still stands, a further opinion and Opinion Letter has been required in relation to the amended elements of the scheme. This was not known at the time of the March 2014 report. Sara Goodwin is no longer with the Council following the Senior Management Restructure.

4.3 After discussions with Sector Treasury Services Limited – the company behind the LAMS scheme – it was confirmed that other statutory Council Officers including the Chief Executive or Chief Finance Officer could sign the Indemnity Deed.

4.4 Accordingly a fresh indemnity resolution is sought from Full Council, this time in the name of the Chief Executive.

5.0 LEGAL IMPLICATIONS

5.1 The Legal Implications for the scheme are unchanged – the changes relate only to the person signing the revised Indemnity Deed and Opinion Letter.

6.0 RISK MANAGEMENT

Description of the Risk	Risk Rating	Likelihood	Impact	Mitigating Action
Financial				
Increased liability for each Mortgage supported above the current £24,000 indemnity	L	L	L	The risks within the scheme are low. Nationally there is currently only one case in arrears from 2,400 completed LAMS mortgages.

7.0 EQUALITIES IMPACT ASSESSMENT (EIA)

7.1 The equalities impacts of all the proposals in this report for were considered and assessed in the first Cabinet Report on LAMS completed in 31st July 2012. This EIA has been reviewed and no further impact on any group with a protected characteristic has been identified. The results from the original EIA are summarised below.

8.0 RECOMMENDATION

8.1 That Full Council agrees to indemnify the Chief Executive against all liabilities occurred by him by providing Lloyds Bank with an opinion and by providing Lloyds Bank with a signed Opinion Letter.

9.0 REASON FOR RECOMMENDATION

9.1 To ensure an indemnity is provided for the officer opinion necessary to enable the Council to participate in the amended scheme.

You can get more information about this report from Alison Craig 345156 or James Crouch 345150

FOR PUBLICATION

**UPDATE ON LOCAL AUTHORITY MORTGAGE SUPPORT SCHEME
(LAMS) (H000)**

MEETING:	1. CABINET 2. EXECUTIVE MEMBER FOR HOUSING
DATE:	1. 25 th MARCH 2014 2. 17 th MARCH 2014
REPORT BY:	HOUSING SERVICE MANAGER – BUSINESS PLANNING AND STRATEGY
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL
KEY DECISION REFERENCE (IF APPLICABLE):	378

FOR PUBLICATION

1.0 PURPOSE OF REPORT

- 1.1 To update Members on the progress of the Local Authority Mortgage Support Scheme with Lloyds Banking Group.
- 1.2 To approve amendments to the maximum loan size from £114,000 to £142,500 in an attempt to increase the take up of the product.

2.0 RECOMMENDATIONS

- 2.1 That Members note the limited progress of the Local Authority Mortgage Support (LAMS) Scheme so far.

- 2.2 That Members approve the raising of the maximum loan size to £142,500 (applicants would be able to consider properties up to the value of £150,000 with a deposit of 5%) to match that of the Derbyshire County Council wide LAMS Scheme. This would raise the maximum indemnity for an individual property from £24,000 to £30,000.
- 2.3 That a new round of publicity for the scheme is carried out.

3.0 **BACKGROUND**

3.1 The LAMS Scheme was approved for adoption by Cabinet on 19th February 2013 and approved by Full Council on 28th February 2013. The recommendations approved were as follows:

3.1.1 That Members adopt the cash backed LAMS Scheme with Lloyds Banking Group in accordance with the outline below:

- The maximum limit for the total indemnity to be offered under the scheme is £1,250,000 with £1,000,000 from the Council and £250,000 from Derbyshire County Council.
- The maximum loan size is £114,000. Setting the maximum loan at £114,000 enables First Time Buyers (FTB) using the LAMS Scheme with a 5% deposit of up to £6,000 of their own to consider properties up to the value of £120,000.
- The qualifying postcodes will include all postcodes within Chesterfield Borough and will exclude any that cross the boundary into a neighbouring authority. The qualifying postcodes will be provided to the lender in a schedule to the indemnity deed.

3.1.2 That Cabinet recommends to Full Council that it indemnifies the Monitoring Officer against all liability she incurs by providing Lloyds Bank with an opinion and by providing Lloyds Bank with a signed Opinion Letter.

3.1.3 That the Cabinet recommends to that Full Council that it approves the proposed amendments to the Treasury Management Strategy Statement to allow a non-specified investment of £1.0m for a period of 5 years with Lloyds Banking Group in order to operate a Local Authority Mortgage Scheme.

3.1.4 That a further report is brought to Members after six months of the scheme launching to provide an update on the Scheme.

3.1.5 Following the approval for the LAMS Scheme at Full Council it was launched on the 29th May 2013.

4.0 **SCHEME PROGRESS**

4.1 The progress of the Scheme has been much slower than anticipated. For completed applications less than 10% of the total indemnity has been utilised by December 31st 2013. If applications currently being considered are taken into account then approximately 14% of the indemnity has been utilised. The list of applications and completed Mortgages is attached in **Appendix 1**.

4.2 After the Scheme had been running for several months it was clear that the uptake was lower than expected. To understand why this was the case Sector Treasury Services were asked to undertake a review of the Scheme to identify any apparent reasons for the slow progress of the Chesterfield scheme.

5.0 **REVIEW OF SCHEME PROGRESS**

5.1 Sector reviewed the scheme at our request in October 2013. A copy of the review is attached in **Appendix 2**.

5.2 The main comparison for the review of the scheme was the wider Derbyshire County Council (DCC) LAMS Scheme that operated in the rest of Derbyshire (excluding Derby City). The popularity of the DCC scheme meant that the indemnity was utilised after three months.

5.3 The maximum loan size for the DCC scheme was set higher at £142,500 as average property prices are higher in most other districts in Derbyshire. Although the review indicates that the CBC maximum loan of £114,000 should not be inhibiting the success of the scheme, as 72% of the loans issued in the DCC scheme were lower than our maximum loan value, raising the maximum loan value will enable more properties to be considered under the scheme.

- 5.4 As part of the review Lloyds did state that on occasion the maximum value was set too low for some families in Chesterfield who would have been interested in the product.
- 5.5 Lloyds believe increasing the maximum loan size will help with the success of the scheme in as it will widen the reach of the scheme to a greater number of properties, thereby increasing customer choice. By extending the maximum loan amount, the Council will increase the value of indemnity per transaction, but overall there will be no increase in risk. In addition, there will be less people helped through the scheme, but it is currently only available to the relatively few people prepared to purchase a cheaper property.
- 5.6 Though not referred to in the Sector review, in September 2013 the Government brought forward its Help-to-Buy Mortgage Guarantee scheme from January 2014 to October 2013. This scheme has many similarities to the LAMS scheme, although it is not restricted to first time buyers and is available for properties up to £600,000. Lloyds Banking Group has also signed up to be a part of this programme.
- 5.7 Although the Help-to-Buy scheme has received significant marketing (by Central Government) it is a more expensive product for the Mortgage applicant than LAMS.
- 5.8 If the new maximum loan amount is agreed it is proposed that the Council carries out the following publicity measures:
- A feature about some of the successful applicants is used to encourage others to apply. This can be sent to the local media and used in the next edition of Your Chesterfield which comes out in June. (This will be subject to identifying a Mortgagor willing to participate).
 - Use various council Twitter and Facebook social media accounts to promote the opportunities linking through to further information on the council's website.
 - Signposting the scheme with a promotional button on the home page of the council's website.
 - Produce promotional materials to go in the offices of local estate agents to pass on to their clients.

- Consider signposting adverts in the property pages of local newspapers and magazines that take people to further information on the website.

All publicity needs to comply with financial regulations and Lloyds compliance team to ensure it does not breach any Financial Conduct Authority guidelines.

6.0 **FINANCIAL IMPLICATIONS**

6.1 Although the take up of the scheme has been slow the money is invested at a guaranteed rate and therefore any projected returns are unaffected.

6.2 Amending the maximum loan and indemnity amounts could reduce the amount of Mortgages issued through the scheme. For any Mortgage taken out above the current £24,000 indemnity there is an increased liability on that property if the Mortgagee defaults.

7.0 **LEGAL IMPLICATIONS**

7.1 If Members agree to increase the maximum loan size Sector Treasury Services will request Lloyds issue an amendment to the Indemnity Deed. Once this is signed and returned to Sector and Lloyds the new limit will be in place.

8.0 **RISK MANAGEMENT**

Description of the Risk	Risk Rating	Like-lihood	Impact	Mitigating Action
Financial				
Increased liability for each Mortgage supported above the current £24,000 indemnity	L	L	L	The risks within the scheme are low. Nationally there is currently only one case in arrears from 2,400 completed LAMS mortgages.

9.0 **EQUALITIES IMPACT ASSESSMENT (EIA)**

9.1 The equalities impacts of all the proposals in this report for were considered and assessed in the first Cabinet Report on LAMS completed in 31st July 2012. This EIA has been reviewed and no further impact on any group with a protected characteristic has been identified. The results from the original EIA are summarised below.

10.0 **RECOMMENDATIONS**

10.1 That Members note the limited progress of the Local Authority Mortgage Support (LAMS) scheme so far.

10.2 That Members approve the raising of the maximum loan size to £142,500 (applicants would be able to consider properties up to the value of £150,000) to match that of the Derbyshire County Council wide LAMS scheme. This would raise the maximum indemnity for an individual property from £24,000 to £30,000.

10.3 That a new round of publicity for the scheme is carried out.

11.0 **REASON FOR RECOMMENDATIONS**

11.1 To increase the speed of take up of the LAMS Scheme.

11.2 To contribute to the delivery of the actions in the Barriers to Housing Supply Action Plan.

11.3 To contribute to the Council's Corporate Priorities; to make Chesterfield a thriving Borough and to improve the quality of life for local people.

ALISON CRAIG
HOUSING SERVICE MANAGER - BUSINESS PLANNING AND
STRATEGY

You can get more information about this report from Alison Craig 345156 or James Crouch 345150.

Officer recommendation supported/not supported/modified as below or Executive Member's recommendation/comments if no officer recommendation.

A handwritten signature in black ink, appearing to read "J. McManus". The signature is written in a cursive style with a large initial "J" and a circular flourish at the end.

Signed

Executive Member

Date 17.3.14

Consultee Executive Member/Support Member comments (if applicable)/declaration of interests

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Chesterfield Borough Council
Activity to 31 December 2013

Scheme Commenced 29 May 2013

Mortgage lending Lloyds Bank

Indemnity amount £1,250,000

Maximum loan value £114,000

Maximum indemnity £24,000

Chesterfield Applications

Postcode	Last 3 digits of account no.	Purchase price	Valuation	75% purchase price	Loan	Indemnity amount	Offers not completed	Completed	Arrears over 3 months	Completion month
S40 2JF	30300	£100,000	£100,000	£75,000	£95,000	£20,000		Y		Dec-13
S40 2PJ	20700	£110,000	£110,000	£82,500	£104,500	£22,000		Y		Jul-13
S40 4LL	50000	£125,000	£125,000	£93,750	£114,000	£20,250				
S41 0H	00200	£113,000	£113,000	£84,750	£101,700	£16,950		Y		Aug-13
S40 2SL	10300	£57,000	£57,000	£42,750	£51,300	£8,550	Y			
S43 3PJ	40800	£75,000	£75,000	£56,250	£71,250	£15,000		Y		Oct-13
S40 1ET	10900	£95,000	£95,000	£71,250	£86,200	£14,950		Y		Oct-13
S41 0TB	11000	£121,400	£123,000	£91,050	£114,000	£22,950		Y		Dec-13
S40 2EU	40600	£56,000	£56,000	£42,000	£51,000	£9,000	Y			
S41 7ER	30100	£105,000	£105,000	£78,750	£99,750	£21,000				
Aggregate amount of loans	£888,700									
Aggregate base amount of loans	£718,050									
Aggregated estimated indemnity amount	£170,650									

Chesterfield Offers not completed

Aggregate amounts of loans offered	£102,300
Aggregate base amount of loans	£84,750
Aggregated estimated indemnity amount	£17,550

Chesterfield Loans completed

Aggregate amount of loans	£572,650
Aggregate base amount of loans	£460,800
Aggregated estimated indemnity amount	£111,850

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**CHESTERFIELD BOROUGH COUNCIL – LAMS REVIEW
OCTOBER 2013**

Introduction

1. Chesterfield Borough Council (CBC) launched the Local Authority Mortgage Scheme (LAMS) in May 2013 although progress to date is slower than would have been expected based on performance of similar and neighboring schemes.
2. A full review has been undertaken and findings and suggested actions.

Background

3. CBC launched the Scheme on 29 May 2013 with the following eligibility criteria:
 - a. Total Indemnity £1,250,000
 - b. Maximum loan size £114,000
 - c. Postcodes All
4. CBC is within Derbyshire County Council (DCC) and DCC has operated a similar scheme with the following eligibility criteria:
 - a. Total Indemnity £1,750,000
 - b. Maximum loan size £142,500
 - c. Postcodes All with the exception of CBC and Derby City postcodes
5. DCC scheme launched on 12 March 2013 and closed three months later on 17 June 2013. Speed of utilization was therefore between 1.5 and 2 months per £1m deposit.

Derbyshire County Council Scheme

6. Activity at 30 September:

a. Applications	88
b. Completions	60
c. Average property value	£100,892
d. Average loan value	£107,543
e. Average LTV	93.81%
f. Lowest loan value	£63,000
g. Highest loan value	£142,500
h. % of loans less than max loan set by CBC	63 of 88 – ie 72%
i. Average age	28
7. North East Derbyshire
 - a. 10 applications (ie 11%)
 - b. Loans range from £52,500 to £111,713, therefore all below £114k
8. Bolsover
 - a. 13 applications (15%)
 - b. Loans range from £40,500 to £117,800 but all but one is below £114k
9. The DCC split by local authority is shown in the figure below:

Treasury solutions

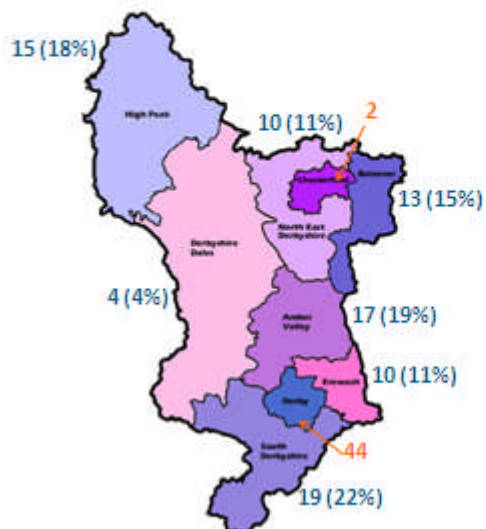
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SECTOR

Treasury Management Spring Seminars 2012 - 10/10/12

Mortgages in Derbyshire – 88 in total



15

Summary Data – Chesterfield

10. Activity at 30 September:

a. Applications	6
b. Completions	2
c. Average property value	£95,500
d. Average loan value	£88,158
e. Average LTV	92.31%
f. Lowest loan value	£51,300
g. Highest loan value	£114,000
h. Average age	30

Speed of Utilisation - Chesterfield

11. The speed of utilization for the CBC scheme appears below:

	30 June 2013	31 July 2013	31 August 2013	30 Sept 2013
Applications	2	2	5	6
Offers	1	1	0	2
Completions	0	1	2	2

Lloyds Bank Branch

12. Contact number direct to MaPA at Lloyds: Checked and number is correct – direct call to Lisa Walker.
13. Two messages left on MaPA answer machine – Replied the following day.
14. Attempted to call two local branches – call redirected several times and eventually put through to the Gloucestershire number for mortgage applications and then to a Halifax branch. No information provided at any point regarding LAMS.

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15. Level of Interest: Lack of awareness locally about the Scheme – some interest and once it is discussed everyone really wants a mortgage under the Scheme.
16. Publicity: The local newspaper did not attend to take photos and although photos were taken by the Council, not aware of any publicity as a result. Would be willing to display posters in branches and will raise awareness again amongst the team in the branches.
17. Maximum Loan Size: Still receive many enquiries about the Derbyshire Scheme and that was much easier to promote as the max loan size was more applicable to the area. A max loan size of a figure similar to the Derbyshire scheme would be far more attractive as the majority of FTB's do have children and are looking for a 3 bed roomed semi or detached. The current max loan size prevents access to such properties. Several people have enquired about the Scheme but have not proceeded due to the low max loan size.
18. Other comments: Quite a small area and only a few small areas where FTB's tend to buy – and these are the areas where the max loan size is too low.

Property Review

- | | |
|---|---|
| 19. Average property value | £150,480 |
| 20. Property value - Value change | Increase by 5.52% (one year) and 10.54% (two years) |
| 21. Average price paid | £138,575 (based on 8397 sales) |
| 22. Average asking price | £190,538 (based on 1759 properties for sale) |
| 23. Property values for av detached | £226,794 |
| 24. Property value for av semi | £120,934 |
| 25. Property value for av terraced | £92,936 |
| 26. Property value for av flat | £112,111 |
| 27. Asking price for av 2 bed house | £111,972 |
| 28. Asking price for av 3 bed house | £167,750 |
| 29. Number of 2 bed properties for sale | 449 (but 744 3 beds and 339 4 beds) |

CBC Publicity

30. Posters and fact sheets have been produced and distributed to CBC.
31. A formal launch took place.
32. Query – press activity?
33. The CBC Scheme should have benefited from the publicity associated with the DCC Scheme.
34. A search on the CBC site revealed a page of information and access to the fact sheet with a contact number to James Crouch. This could be improved by also including the poster and the Lloyds contact number on the website (07841 490 542).
35. Three calls were made via the CBC main switchboard as a 'mystery shopper' approach. On each occasion I asked to speak to somebody about the Chesterfield Council mortgage scheme and went on to say that it was for first time buyers and provided help with a deposit. Results:
 - a. First call - The response was that this was probably not a borough council scheme but I was put through to the Homelessness Team. I left a message on an answering service but no call back has been received.
 - b. Second call - 'I don't know anything about that - must be something to do with homelessness' and I was then redirected to another Team but the phone was not answered
 - c. Third call – Put through to Homeless Team and was informed that the Council did not have such a Scheme and I was probably after HomeBuy and I would need to speak to the relevant Housing Associations. I confirmed that it was not that and they agreed to check again and call back. Received a call back within 10 minutes with the correct information and advised to contact James Crouch or Lloyds.

Conclusion

36. The Chesterfield scheme is progressing more slowly than would have been anticipated.

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37. Geographically Chesterfield Borough Council is a smaller than neighboring district councils although the concentration of properties indicates that there are comparable numbers of properties for sale. Contact with the Lloyds Bank branch indicates that it is a relatively small area and the areas where FTB's are interested in purchasing are above the max loan size. Many FTB's also look to buy outside of the Chesterfield area.
38. A review of the maximum loan size at CBC compared to say the DCC scheme suggests that the maximum loan size is not set too low as 72% of the properties purchased under the DCC scheme have a loan size lower than £114k. The DCC scheme did have a much higher maximum loan size at £142,500.
39. A review of the maximum loan size at CBC compared to available property and the value of property for sale in the area at the present time indicates that the maximum loan size is not too low but is on the low side. It also indicates that there are houses for sale below the maximum loan size (circa 449). Statistics indicate that first time buyers are seeking 2 / 3 bed roomed houses and the average price for a 2 bed roomed house is £112k and a 3 bed roomed house is £168k. The average age of a FTB in CBC (ie 30) is also a little higher than neighboring areas and higher than national averages under this Scheme (ie 27), it is more likely that FTB's are families with children and as such buyers may be looking for more than 2 bed rooms. The overall average property value is £150k. This data would suggest that the speed of utilization will be limited by the maximum loan size set, but does not explain the overall slow take up.
40. A detailed conversation with Lisa Walker (Lloyds) confirmed that she has been unable to support a number of potential applicants as the max loan size was too low.
41. CBC appears to have taken a number of actions to raise awareness regarding the Scheme including a webpage and use of posters. However a call via the switchboard was unsuccessful in reaching anybody to assist with the enquiry. A number of additional actions are suggested in the next section.
42. A number of difficulties were encountered when trying to contact Lloyds. These have been raised with Lloyds.

Suggested Actions

43. Consider raising the maximum loan size – the Lloyds branch suggested a figure in line with the DCC scheme of £142,500. **(Action: J Crouch)**
44. Rob Ferguson, Lloyds, has been asked to contact the branch to review the operation of the Scheme and how potential applicants reach the correct people. **(Actioned: H Sullivan)**
45. CBC should consider a number of actions to raise awareness as involvement from the local authority in terms of raising awareness locally has been found to increase the level of uptake and other LA's across the UK have taken the following action:
 - a. Provide more posters with new branding to CBC and to Lloyds **(Action: H Sullivan)**
 - b. Ensure that posters are displayed
 - c. E-mail to all staff attaching the fact sheet and poster – as staff tend to discuss this scheme with their relatives and friends. Staff may also be interested in the scheme.
 - d. Insert in a newsletter to the local population
 - e. Insert in a newsletter or staff magazine to all staff
 - f. Add Lloyds phone number on CBC website in the section relating to LAMS
 - g. Ensure that frontline staff are briefed and have access to the Lloyds phone number – three 'mystery shopper' calls were made, two of which resulted in CBC confirming that there was no such scheme and the third call was successful.
 - h. Please note that any publicity information (other than the attached documents) will **need to be checked with the lender first** to ensure that it does not breach FCA regulations
(Action for all actions other than 'a': J Crouch)

Hayley Sullivan

Associate Director – Capita Asset Services

5 November 2013

Treasury solutions

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FOR PUBLICATION

ESTABLISHMENT OF AN INFORMATION AND BOOKING HUB (L000)

MEETING:	COUNCIL
DATE:	30 JULY 2014
REPORT BY:	CULTURAL and VISITOR SERVICES MANAGER
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL
KEY DECISION REFERENCE:	428

1.0 **PURPOSE OF REPORT**

- 1.1 To recommend for approval the establishment of a hub combining the Theatres Box Office, Visitor Information Service, Arts Development, events, venue hire and promotions for Cultural and Visitor Services, located at the Visitor Information Centre.
- 1.2 To indentify the Council's funding for the capital works required for the development of a combined information and booking hub.

2.0 **RECOMMENDATIONS**

- 2.1 That the creation of a hub combining the Theatres Box Office, Visitor Information Service, Arts Development, events, venue hire and promotions for Cultural and Visitor Services, located at the Visitor Information Centre, is approved.
- 2.2 That the Cabinet recommends the Council to approve:
 - 2.2.1 The inclusion of the development of a combined information and booking hub in the Capital Programme.
 - 2.2.2 That £23,000 from the Council's Invest to Save Fund is allocated for the necessary works to the Visitor Information Centre.

3.0 **BACKGROUND**

3.1 Although the net cost of operating the Pomegranate Theatre and Winding Wheel has reduced by £156,716 since 2011/12, this service operated with a deficit of £830,674 in 2013/14. Given the Council's current financial challenges, the cost of the service needs to be reduced further, if its future is to be sustainable. One of the key aims of the Corporate Plan is to find new ways to deliver services that improve efficiency, save money and generate income, whilst delivering a quality service.

3.2 Currently the Council is operating three buildings within 250 metres of each other: the Visitor Information Centre, the Winding Wheel and the Pomegranate Theatre. These buildings are open to the public, for the sale of tickets, the making of bookings and the provision of information, Monday to Friday during the day, with the Visitor Information Centre and Pomegranate Theatre also open on Saturdays.

3.3 **Visitor Information Centre**

The public desk at the Visitor Information Centre currently has 4 workstations. The staff at the Centre provide a range of services, including booking of seats for Chesterfield Theatres, National Express ticketing, sale of event tickets, provision of local, regional and national information, sale of gifts and souvenirs, etc. This is normally operated by 2 members of staff, with the ability to call on a third member of staff at busy times. The downstairs back office is used by the Tourism, Museums & Events Manager, the Tourist Information Supervisor and one additional member of staff. All the administration for the centre takes place in this office, including cash reconciliation, data inputting and the maintenance of the tourism website. The upstairs office is used by the Cultural & Visitor Services Manager, with an adjoining store room.

3.4 **Pomegranate Theatre**

The Box Office currently has two workstations on the counter and provides a booking service for both the Pomegranate Theatre and the Winding Wheel. The Box Office is normally operated by two members of staff in the morning and one in the afternoon and evening. At busy times (eg pantomime season and for two weeks after a new brochure launches), the Box Office is run by two members of staff throughout the opening period. Occasionally,

Sunday opening is required, particularly for sale of tickets on the door. The downstairs back offices are used by a member of the support services staff for cash reconciliation and the Box Office Co-ordinator for ticket sales during peak booking periods, group bookings and for updating the ticketing system. In addition the staff carry out other administration work. The upstairs offices in the adjoining Caretaker's House, are used by the Marketing and Business Development Manager, the Marketing Assistant and the Arts Officer.

3.5 **The Winding Wheel**

The staff in the administrative office provide a reception service for hiring the Venues (Winding Wheel, Pomegranate Theatre, Assembly Rooms and Hasland Village Hall). They also arrange room viewings, take bookings through the Artifax system, receive payments and prepare contracts. The staff also provide administrative support for the Theatres. This office also acts as the Box Office for the sale of tickets on the door for performances taking place in the Winding Wheel.

3.6 There are significant costs in opening all these facilities – both staff and utility costs. With the requirement to reduce the subsidy for the Venues and the Visitor Information Centre, it is proposed to rationalise the operation of the buildings to achieve savings, and improve the level of customer service.

3.7 The report will be considered by Cabinet at its meeting on 29 July 2014 and its decision will be reported to Council.

4.0 **PROPOSAL**

4.1 In order to rationalise the operation, it is proposed that the Visitor Information Centre, in addition to continuing to deliver a tourist information service, becomes the main hub for all bookings for the Pomegranate Theatre, Winding Wheel, Market Hall Assembly Rooms and Hasland Village Hall. The building has the capacity to accommodate both the ICT requirements and the necessary office space. In addition it is centrally located and fully accessible for both members of the public and staff.

4.2 It is proposed that the four workstations at the Visitor Information Centre remain on the public desk but that one is allocated as a dedicated box office workstation, one is multifunctional for venue

hire, box office and general visitor information. The remaining two workstations will be dedicated to visitor information, but can also operate the box office booking system at peak times. The downstairs back office at the Information Centre will increase from three to five workstations and will accommodate the information staff, as well as the staff who provide administrative support from the venues.

- 4.3 In addition, it is proposed that the upstairs office is extended into the adjacent store room and it will then have the capacity for six workstations and will accommodate the Tourism, Museums & Events Manager, the Events & Promotions Officer, as well as the Venues Marketing and Business Development Manager, the Marketing Assistant, the Arts Officer and the Box Office Co-ordinator. A draft plan of the proposed layout is attached in Appendix A.
- 4.4 The layout of this office space and furniture used will be in accordance with the Council's developing policy on the Great Place Great Service model office
- 4.5 The proposed relocation of the Box Office, administration and marketing staff, from the Pomegranate Theatre and Winding Wheel, will allow both buildings to be closed to the public, except when there is a performance and/or an event scheduled. When a performance does take place at either venue a box office would still need to be open, 1½ hours prior to the start time, for door sales.
- 4.6 To facilitate the development of the proposed hub some structural work will be required in the upstairs office, including the removal of a partition wall and the installation of additional lighting and heating. Additional ICT would also need to be installed and the telephone system would need to be upgraded. Building Control, Kier and arvato have all been consulted on the proposed alterations and have indicated that there are no obvious barriers to the implementation of the proposed work.
- 4.7 It is anticipated that, if approved, the required work would take place in August/September 2014 and that Venues staff will move into the Information Centre in October/November 2014.

5.0 **BENEFITS**

- 5.1 One of the key outcomes of this proposal will be that the public will receive an improved customer service as there will be a pool of staff to handle the fluctuating demands for information, bookings and tickets.
- 5.2 Initially, it is anticipated that all the public facing and support staff within the Centre would retain their substantive roles, but the aim would be that, over time, an integrated team would develop where all staff could provide every aspect of the service making the service more resilient.
- 5.3 Combining staff responsible for the promotion of town centre events and entertainment in one location, will present opportunities for joint working, better co-ordination and collaboration, and, again, will help staff handle deadlines, peak workloads, etc in a managed way.
- 5.4 Co-locating the staff at the Information Centre and closing the Winding Wheel and Pomegranate Theatre buildings, when not in use, will result in savings due to a reduction in staff time and overheads. At this stage, it is difficult to be accurate but anticipated savings on staff costs should be approximately £7,000, with an additional saving on utility bills.
- 5.5 When the Programming Policy of the Winding Wheel and Pomegranate Theatre is reviewed by Members later in the year, there may be opportunities to make further savings on the Venues' overheads.

6.0 HUMAN RESOURCES IMPLICATIONS

- 6.1 As proposed in paragraph 5 of this report, all the public facing and support staff from both the Venues and the Visitor Information Centre will retain their substantive roles, but the aim would be that, over time, an integrated team would be developed where all staff could provide every aspect of the service, making it more resilient.
- 6.2 To achieve the savings resulting from the co-location there will be a reduction in the overall number of staff hours worked. This should not, however, result in any redundancies as there is currently a vacancy for a Tourist Information Assistant and there are a number of staff who are on variable hours contracts and their hours would be reduced accordingly.

7.0 CONSULTATION

- 7.1 Both the staff and the unions have been consulted on the proposal to develop a bookings and information hub based at the Visitor Information Centre. The first staff meeting was held on 25 April 2014 when the rationale behind the proposal and the benefits to the service were explained. A consultation document was subsequently circulated to all staff and union representatives and comments were invited by 9 May 2014.
- 7.2 A number of responses were received from the staff and these can be summarised as follows:
- The Information Centre is not the most suitable building for the information and booking hub.
 - The business case is not robust enough, a potential saving of £7,000 per annum did not warrant the proposed expenditure.
 - Insufficient space to accommodate the number of staff who would be based in the building.
 - Concerns about working in an open plan office with relation to confidentiality and noise.
 - General operational issues such as security, storage space, post, deliveries, etc.
 - The perception that the Pomegranate Theatre and Winding Wheel were closed for business.
- 7.3 A joint response was also received from UNISON and GMB and their response can be summarised as follows:

- Unconvincing business case for change.
- Adversely affecting community groups such as the Theatre Friends, who may not be able to access the theatre during the day.
- Transfer of staff will lead to further disruption and lower staff morale.
- Limited desk space and a claustrophobic atmosphere.
- Better marketing of the services and programme would result in more income, which would reduce the subsidy, negating the need for the establishment of a hub.
- Safety concerns and the need to comply with regulation 10 of the Workplace (Health, Safety and Welfare) Regulations 1992.
- Co-location will result in the worsening of communications between operational and office staff when located in different buildings.
- Need assurances that jobs will be protected.

7.4 Following on from this, individual meetings were held with the staff who submitted comments and the issues raised were discussed and explanations given. Staff were also advised that some of the operational issues raised needed to be addressed as a team, so that processes and procedures could to be reviewed and solutions found.

7.5 Further meetings took place with staff and unions on both 20 and 21 May 2014 when some of the issues raised were addressed and answers given, where known. Where there was no immediate answer/solution available, it was agreed that these would have to be dealt with collectively as a team. A document responding to the comments received as part of the consultation process was circulated to all staff and union representatives.

7.6 A number of staff implementation groups have now been set up to address outstanding concerns and to start to plan the proposed move towards the development of an information and booking hub at the Visitor Information Centre. These groups cover areas such as storage, box office systems, operations and administration.

7.7 A written response from the unions has subsequently been received, which stated that:

UNISON has not agreed to these proposals which will no doubt affect staff and users of the venues. Unfortunately, our concerns seem to have been dismissed by management outright. Our belief is simple;

invest in the venues for conferencing and younger audiences, and move with the times to grow income rather than cutting staff and services. It is important to stress, however, that the venues are open for business, with both buildings currently undergoing major capital investment works, and with investments not being paid back for many years we can expect CBC is committed to keeping the venues operational for many years to come.

8.0 FINANCIAL IMPLICATIONS

- 8.1 As stated earlier in the report, if approval is given for the establishment of an information and booking hub, based at the Visitor Information Centre, alterations need to be carried out, particularly to the first floor office space. In addition the ICT and telephone systems will need to be upgraded to accommodate the increase in the number of staff who will be operational in the building and to ensure that the quality of the service provided to the public is maintained at a high level.
- 8.2 Discussions have taken place with Building Control to ensure that the proposed alterations to the building comply with all health and safety and fire regulations. Arvato has assessed the future ICT and telephone requirements of the service and have estimated that they will cost £8,000. Kier has drawn up some draft plans for the office spaces, to ensure that they can accommodate the required number of staff, and have estimated that the necessary works would cost £13,000, giving a total cost of £21,000. In addition, a new safe would be required at an estimated cost of £2,000.
- 8.3 It is anticipated that delivering the booking and information service from a single location will result in savings in staff costs of £7,000 per annum and that there will be additional savings on utility costs. If Members agree to the establishment of a single information and booking hub, it is proposed that the cost of the necessary alterations (estimated to be £23,000) could be financed from the Council's Invest to Save Fund and will be paid back within four years.
- 8.4 It should be noted that all prices quoted are estimates and, if the establishment of a single hub is approved, all works and purchases would be subject to the Council's procurement procedures.

9.0 EQUALITIES IMPACT ASSESSMENT

9.1 A preliminary EIA has been carried out on the proposed development of a single information and booking hub based at the Visitor Information Centre and, because there are no negative impacts on any of the equality groups, a full EIA is not necessary.

10.0 RISK MANAGEMENT

10.1 There are a number of risks identified with the proposed recommendations.

10.2 The table below outlines a number of risks for consideration.

Description of the Risk	Impact	Likelihood	Mitigating Action
Low staff morale and resistance to the relocation	High	Likely	Consult with staff and unions, keep staff engaged in the process and communicate the need for change.
Public unhappy with proposed hub	Medium	Possible	Make sure change is communicated to public well in advance. Provide quality service. Alternative online options available.
Visitor Information Centre not fit for purpose	High	Unlikely	Consulted with Building Control, Kier and arvato.
Securing funding for the cost of alterations	High	Possible	Business case made, showing savings.
Savings not achieved	Medium	Possible	Monitor staffing levels.

11.0 ALTERNATIVE OPTIONS TO BE CONSIDERED

11.1 There is the option of no change, leaving the booking and information service to be delivered over three separate locations.

This would not, however, address the challenges of reducing the Council's subsidy and securing a sustainable future for the Service.

- 11.2 Whilst the information and booking hub could be located in other buildings, the Visitor Information Centre is centrally located, fully accessible to both staff and members of the public and has both the ICT and office capacity to accommodate a centralised service.

12.0 **RECOMMENDATIONS**

- 12.1 That the creation of a hub combining the Theatres Box Office, Visitor Information Service, Arts Development, events, venue hire and promotions for Cultural and Visitor Services, located at the Visitor Information Centre, is approved.

- 12.2 That the Cabinet recommends the Council to approve:

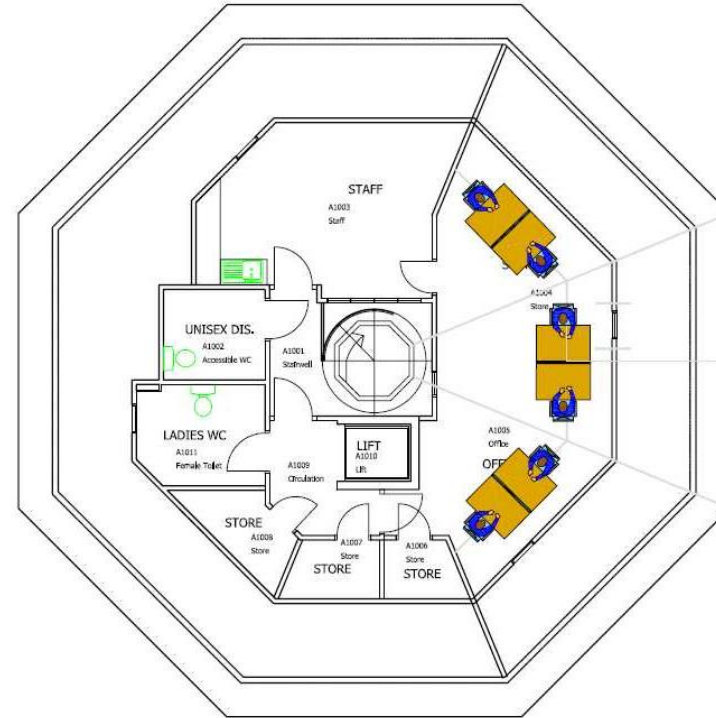
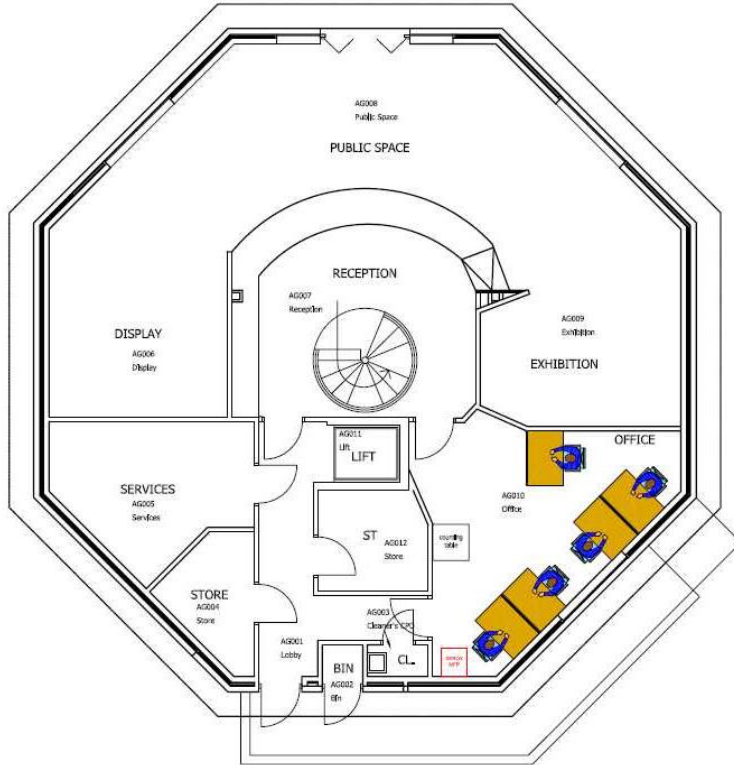
12.2.1 The inclusion of the development of a combined information and booking hub in the Capital Programme.

12.2.2 That £23,000 from the Council's Invest to Save Fund is allocated for the necessary works to the Visitor Information Centre.

13.0 **REASON FOR RECOMMENDATIONS**

- 13.1 To establish a combined booking and information hub, based at the Visitor Information Centre, which will reduce the costs of service delivery and retain a quality service to the public.

You can get more information about this report from Bernadette Wainwright (Tel: 01246 345779)



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FOR PUBLICATION

SCRUTINY ANNUAL REPORT 2013/14

MEETING: COUNCIL

DATE: 30 JULY 2014

REPORT BY: POLICY AND SCRUTINY OFFICER

WARD: ALL

COMMUNITY FORUM: ALL

KEY DECISION REFERENCE (IF APPLICABLE): NON KEY DECISION REF NO 29.

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BACKGROUND PAPERS N/A
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1.0 PURPOSE OF REPORT

- 1.1 To present to the Scrutiny Forum and Council for consideration the Scrutiny Annual Report which details development of the Overview and Scrutiny function, and the work of the Council's Overview and Scrutiny Committees during 2013/14.
- 1.2 To promote and raise awareness of the role and work of the Council's statutory Overview and Scrutiny function.

2.0 RECOMMENDATION

- 2.1 To consider and endorse the Scrutiny Annual Report 2013/14.

3.0 BACKGROUND

3.1 The Scrutiny Annual Report is produced and presented to the Council each year. This is the Council's 8th Scrutiny Annual Report which is to be agreed for submission to Council by the Overview and Performance Scrutiny Forum.

3.2 The submission of the Scrutiny Annual Report is considered to be good practice and its provision is a requirement of the Council's approved Code of Corporate Governance adopted to ensure effective operation of the Council's functions.

3.3 This Scrutiny Annual Report sets out the work, achievements and impact of the Council's Overview and Scrutiny function during 2013/14. The Annual report is intended to :-

- i) evidence the work of the Overview and Scrutiny function;
- ii) give an overview of the effectiveness of the Overview and Scrutiny function and how it is developing;
- iii) provide a comprehensive record of the work of the Overview and Scrutiny function for future reference; and
- iv) promote and raise the profile of the Overview and Scrutiny function.

4.0 RISK CONSIDERATIONS

4.1 There are no implications arising from the contents of this report.

5.0 FINANCIAL CONSIDERATIONS

5.1 There are no implications arising from the contents of this report.

6.0 LEGAL CONSIDERATION

6.1 There are no implications arising from the contents of this report.

7.0 EQUALITIES CONSIDERATIONS

7.1 There are no implications arising from the contents of this report.

8.0 RECOMMENDATION

8.1 To consider and endorse the Scrutiny Annual Report for 2013/14.

9.0 REASON FOR RECOMMENDATION

- 9.1 To enable Council oversight of the work and operation of the Overview and Scrutiny function, its effectiveness and contribution to the work of the Council.

ANITA CUNNINGHAM
POLICY AND SCRUTINY OFFICER

You can get more information about this report from Anita Cunningham
(Tel. 01246 345273).

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SCRUTINY

ANNUAL

REPORT

2013/14

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1 OVERVIEW AND SCRUTINY COMMITTEE CHAIRS' FOREWORD

Another busy year for scrutiny is documented within this year's scrutiny annual report. We continue to produce pro-active scrutiny at Chesterfield Borough Council, allowing more members to become involved in issues and decisions at an early stage. This leads to members being more informed on current issues and decisions by the executive. This no doubt influenced the fact that during this period we only received one call-in.

Link Officers meetings have been a good opportunity for us to discuss our structure and how things have been working and we are also in the process of a review of scrutiny arrangements and will be considering the outcomes shortly. Scrutiny members have been attending scrutiny development sessions prior to each scrutiny Forum meeting. These sessions have given us an opportunity to consider sections of our process and discuss them with a view to improvement and more understanding of scrutiny.

We continue holding pre-agenda meetings for both scrutiny committees and the forum. The dates for these have been set and have been made available for officers and Executive members to attend and bring items forward to the forum/committees. We continue to hold scrutiny business meetings and from this we have produced guidance and protocols for scrutiny within Chesterfield.

You will see within the report how we use the forward plan and the importance of this document to scrutiny. We have yet again covered a wide variety of issues within scrutiny over the last year and the Council Budget has formed an Important part of our agenda. This is now a standing item on the Overview and Performance forum, along with Great Place, Great Service

We continue to work with other councils and attend regional network meetings and we have also worked with the Care Quality Commission, as well as starting to build a link with Derbyshire County Council. We have taken Scrutiny to the community assemblies and held our first Tenant/scrutiny meeting, with another one arranged for October.

We will continue to influence and challenge decisions and policy developments both with internal and external providers to ensure they have performance and good financial management at the forefront of any decision, whilst still providing an excellent service.

It has been a tough year for the council and many hard decisions have had to be made which makes it even more important that we have a good scrutiny framework.

We would like to thank all the officers and executive members for the professional way they have worked with us and also members of scrutiny who have attended meetings and given useful and valid comments and recommendations.

Scrutiny Chairs

Councillor Jean Innes

Councillor Vicki Lang

2 COMMENTS FROM THE CHIEF EXECUTIVE

It is my pleasure again to endorse the Annual Report of the Council's Scrutiny Committees.

It has evidently been a very busy and productive 12 months with impactful outputs and outcomes that have clearly influenced both the making of Council policy and the taking of Cabinet decisions.

What is particularly impressive has been the breadth of work progressed through the Scrutiny Project Groups. And it is also pleasing to see the number of Councillors that have come forward to chair these meetings, and in turn to drive progress and to report back on significant issues of public policy, e.g. the evolution of the local council tax support scheme, the development of a new anti-social behaviour policy and the production of a new external communications strategy.

Scrutiny has in 2013/14 touched all aspects of Council business, from pre-decision scrutiny to exercising its power of call-in, from budget and performance scrutiny to tracking the implementation of Council decisions, and from policy reviews specific to Chesterfield to joint overviews of shared services with neighbouring Councils.

There are, however, improvements that need to be made. The recent appointment of new Committee and Scrutiny Co-ordinators should provide much needed research, analytical and report writing capabilities in support of the Scrutiny Committees and Project Groups. There is also work to be done to work out how the outputs and outcomes of the Scrutiny Committees feed in a timely way into meetings of the Cabinet and Council.

My thanks and congratulations to Councillors Innes and Lang and to all the Scrutiny Committee members for their diligence, enthusiasm and commitment to promoting and progressing this very important function. And, likewise to Anita Cunningham and Sara Goodwin – for their advice and support to Scrutiny Committee members.

We will miss Councillor Lang's chairing skills and passion to just get things done for the benefit of the people of Chesterfield. But, equally we should extend a warm welcome to Councillor Slack as he commences his new role.

With kind regards

Huw Bowen

Chief Executive

3 OVERVIEW AND SCRUTINY COMMITTEE WORK AND ACHIEVEMENTS

The council's scrutiny structure currently comprises 3 Overview and Scrutiny Committees which are the **Overview and Performance Scrutiny Forum**, the **Enterprise and Wellbeing Scrutiny Committee** and the **Community, Customer and Organisational Scrutiny Committee**.

The Council's Overview and Scrutiny Committees may undertake scrutiny work as a committee, or appoint Scrutiny Project Groups (informal working groups) to undertake specific task and finish projects before reporting back to the parent Overview and Scrutiny Committee.

Work undertaken by our Council's Scrutiny Committees during the municipal year 2013/14 is detailed below.

Forward Plan and Pre-Decision Scrutiny

A standing item on each Scrutiny Committee agenda is the Council's Forward Plan. The Forward Plan is a public document which contains details of the key decisions the Cabinet and Executive Councillors will make over a four month period, and is updated each month. Receiving and considering the Forward Plan provides the Scrutiny Committee with the opportunity to undertake 'pre-decision scrutiny', scrutiny of a matter before a formal decision is made by Cabinet and to then make recommendations to influence the decision. The Forward Plan must also contain reference to key decisions to be made which are exempt from public access and are to be made in private.

The following Executive Members (and/or their Assistant Executive Members as necessary) have attended scrutiny committees during the year to present pre-cabinet reports, policies, plans and strategies and answer scrutiny members' questions :

Leader of the Council / Executive Member for Regeneration, Councillor Burrows

Deputy Leader and Executive Member for Planning, Councillor Gilby
Executive Member for Governance & Organisational Development, Councillor King

Executive Member for Customers and Communities, Councillor Blank
Executive Member for Environment, Councillor Ludlow

Executive Member for Leisure, Culture and Tourism, Councillor
Executive Member for Housing, Councillor McManus

Throughout 2013/14 Overview and Scrutiny Committees undertook pre-decision scrutiny, influencing decisions on the following policies, strategies and plans:

- Cemeteries Strategy
- Corporate Communications Strategy
- Chesterfield Sport and Leisure Strategy
- Great Place, Great Service Transformation Plan
- Chesterfield Corporate Plan
- Housing Tenant-Led Self Regulation
- Community Infrastructure Levy
- Early Morning Restriction Order
- Review of Housing Allocations Policy

The Committees also received pre-decision and consultation reports on :

- Delivering the Market Hall Refurbishment.
- Government's Consultation on HS2 Proposals
- Taxing the Town Hall
- Health and Wellbeing in Chesterfield
- Overview and Scrutiny Arrangements Evaluation
- Chesterfield Procurement Service
- Appointing a Green Deal Eco Partner
- Derbyshire County Council Composting Facility
- 'Are You Being Served' Community Survey Results
- Community Assemblies and Scrutiny Involvement
- Discretionary Housing Payments

Budget and Performance Scrutiny

Our Overview and Scrutiny Committees undertake budget and performance scrutiny receiving and scrutinising budget management reports every two months and corporate performance reports on a six monthly basis. Progress and performance reports on Service Delivery Improvement/Action Plans are also scrutinised regularly. Throughout the year, the Council Leader, Executive Members and Chief Officers are challenged on the budget, progress and performance for their service areas and on how they continue to contribute to priorities for the Chesterfield community.

In particular during the 2013/14 period Scrutiny Committees have :

- Questioned the Leader of the Council about ongoing Budget proposals and the full draft budget. Budget scrutiny is a standing

item at every meeting of the Overview and Performance Scrutiny Forum.

- Scrutinised overall Corporate Performance against agreed targets.
- Monitored and challenged progress in implementing the Great Place, Great Service Council-wide Transformation Programme.
- Monitored action plan performance progress in implementing the Equalities, Diversity and Social Inclusion Strategy.
- Monitored and challenged progress in implementing the Council's adopted Street Scene Improvement Plan.
- Monitored and challenged progress in delivering the Corporate Services Public / Private Partnership contract for the Council's Corporate Services functions.
- Monitored progress with implementation of the action plan for delivery of Overview and Scrutiny arrangements.
- Scrutinised implementation of the Customer Services Strategy.
- Scrutinised progress in implementing the Corporate Health and Safety Improvement Plan.
- Monitored and challenged progress in delivering the Community Safety Partnership Plan (see below for further information).
- Received progress in delivering the Allotments Strategy.

Scrutiny Committee Power of 'Call-in'

Scrutiny legislation allows for an Overview and Scrutiny Committee (OSC) to investigate, make reports and recommendations on Cabinet decisions that have been agreed but not yet put into action. Legislation allows for action on these decisions to be suspended pending such a Scrutiny inquiry. This process is referred to as scrutiny 'Call-in'. Following a scrutiny call-in inquiry, the Scrutiny Committee may request Cabinet reconsider its decision on the basis of the further evidence gathered.

During the 2013/14 year, the following Call-in request was considered :

Call-in Regarding the Restructure of the Governance Service

In December 2013 the Council's Joint Cabinet and Employment and General Committee considered a report regarding proposals for the restructure of the Governance Service. The proposals and recommendations in that report were agreed.

A call-in request was made and the decision was called for consideration by the Overview and Performance Scrutiny Forum. Members requesting call-in listed the following reason for consideration ;

'We believe the consultation process to be inadequately carried out with all stakeholders to ensure a better outcome. We feel a well documented wide consultation would have maximised the chances of success of the proposed changes. Ownership of these changes is vital'.

The Overview and Performance Scrutiny Forum considered the matter at a meeting on 12 December 2013. The Forum received information and evidence from call-in members, the Executive Member and Head of Service for Governance. The Forum resolved not to support the call-in and let the decision of Joint Cabinet and Employment and General Committee stand.

Scrutiny Project Group on Parking Policy Review

Councillor Gordon Simmons – Project Group Lead Member

A Scrutiny Project Group was appointed by the Enterprise and Wellbeing Scrutiny Committee to look into the council's parking policy. The project aimed to assess the quality of public parking within Chesterfield town centre; the management and enforcement arrangements; and facilities available to visitors, to identify what might need to change to improve parking. The Project Group's report and following recommendations were approved by the Enterprise and Wellbeing Scrutiny Committee on 14 February 2013 :

1. That the barrier system of parking control, which gives change, should be extended to include other car parks.
2. That improvements be implemented for the New Beetwell Street Multi Storey Car Park to bring the facility up to a standard equivalent to that a Vicar Lane.

3. That improvements to signage across the town centre and at the entry points to off-street car parks be undertaken.

The scrutiny work was approved by Cabinet on 5 March 2013 which resolved that the recommendations of the Enterprise and Wellbeing Scrutiny Committee be supported through the implementation of the Medium-Term Strategy and that the Committee be thanked for its valuable contribution.

Scrutiny Project Group on Housing Tenants Water Rates Arrears Evictions

Councillor Gordon Simmons – Project Group Lead Member

A Scrutiny Project Group was appointed by the Enterprise and Wellbeing Scrutiny Committee to look into the council's policy on Housing Tenants' Water Rates Payments. This followed a previous scrutiny review which recommended policy changes subsequently approved by Cabinet in January 2012. Implementation of the new policy had been monitored by the Enterprise and Wellbeing Scrutiny Committee which decided to re-appoint a Scrutiny Project Group to undertake further evaluation of the policy, and to also look at arrangements around the collection of water rates payments. The Scrutiny Committee considered the Project Group's report and approved the following recommendations :

1. That officers report to scrutiny in six months time, as to the outcome and progress on the water rate collection process and technology review.
2. That an update be made to scrutiny when the contract with Severn Trent Water is formally signed.
3. That an update on the contract be given to scrutiny after one year.
4. That an informal meeting take place between the scrutiny Chairs, Executive Member and Review Group Lead to discuss the operation of the policy to confirm with Revenues and Housing that they either remove the sentence about 'write-offs' from the policy, or insert "write-offs to be officer recommendations carried out by Executive Members".

The report and recommendations are pending submission to Cabinet while further work in relation to recommendation 4 above is being undertaken.

Scrutiny Project Group on Hackney Carriage Licence Capping

Councillor Vicki Lang – Project Group Lead Member

A Scrutiny Project Group was appointed by the Enterprise and Wellbeing Scrutiny Committee to look into the review of the current cap on the number of Hackney Carriage licences. The scrutiny review aimed to ensure that (i) review process had the confidence of both council Members and the Taxi Trade within the borough, and (ii) that the review was robust enough to aid the Council in its aim to reduce the number of Hackney Carriages to a level which allows the service in the borough to thrive. The Scrutiny Committee considered the Project Group's report on 16 January 2014 and approved the following recommendations :

1. That a clear comparison of the review survey be produced and broken down into each taxi rank to aid members of the Appeals and Regulatory Committee at the decision making stage.
2. That a clear written process be put together including the reviews inclusion in the Council's Forward Plan, in future.
3. That the Appeals and Regulatory Committee considers taking action to resolve the number of Hackney Carriage licences within the borough, such as removing the option to transfer the licence, when legislation permits.

The recommendations were considered by the Council's Appeals and Regulatory Committee held 12 February 2014 and resolved that the Enterprise and Wellbeing Scrutiny Committee be informed that the Appeals and Regulatory Committee will take account of the Project Group's report on the hackney carriage capping review process when considering and reaching its decision on future policy, in addition to the results of the Hackney Carriage Unmet Demand Survey undertaken in November 2013.

Scrutiny Project Group on External Communications Strategy

Councillors Helen Bagley & Howard Borrell – Joint Project Group Lead Members

In September 2013 a Scrutiny Project Group was appointed by the Overview and Performance Scrutiny Forum to review and inform the production of a new External Communications Strategy. The work aimed to ensure that the new strategy is customer focused but also takes into

account the needs of the council as it moves forward with embracing new technology and managing a difficult budget.

The work is still in progress at the time of writing this report. It is anticipated the Project Group's report and recommendations will be considered by the Scrutiny Forum on 19 June 2014.

Scrutiny Project Group on Health Inequalities

Councillor Julie Lowe – Project Group Lead Member

In November 2012 a Scrutiny Project Group was appointed by the Community, Customer and Organisational Scrutiny Committee to look into health inequalities issues and inform the council's Health Inequalities Plan. The project work aimed to develop a better understanding of the outcomes of the Plan, review ongoing work to address the health inequality issues highlighted and recommend further action as necessary.

The work is still in progress at the time of writing this report. It is anticipated a report and recommendations will be submitted to the Scrutiny Committee in the near future.

Scrutiny Project Group on New Leisure Centre Facilities

Councillor Jenny Flood – Project Group Lead Member

In February 2012 a Scrutiny Review Panel was originally appointed to monitor and scrutinise implementation of Cabinet proposals to progress the council's ambition to improve the effectiveness and efficiency of its Leisure Centres. This work evolved in 2013 and a scrutiny project group re-appointed with revised terms of reference to look at new leisure centre facilities. The Panel's work is currently ongoing.

Statutory Crime and Disorder Scrutiny Committee

Legislation requires that all Councils appoint a Crime and Disorder Scrutiny Committee (CDSC) which must meet at least once a year to provide overview and scrutiny of the Community Safety Partnership's work and performance. Meetings of the Committee were held on 5 December 2013 and 10 April 2014 to receive and scrutinise performance progress against the Chesterfield Community Safety Partnership Plan actions for 2013/14, specifically to reduce Anti Social Behaviour, Violent Crime (including Domestic Violence) and Acquisitive Crime.

As part of its work, the committee made recommendations to the Community Safety Partnership and the Council's Executive Member for Communities as follows :

- (1) That the Committee be consulted on the 'Redeeming our Communities' project proposals when completed.
- (2) That the Committee undertake pre-decision scrutiny of proposals for the review of the Council's Community Safety service.
- (3) The introduction of an alternative shopwatch scheme be looked into with some expedience.
- (4) The cessation of the making of Road Closure Orders in relation to crime in the night time economy as has been done in recent years.
- (5) A request to Derbyshire County Council's Scrutiny Committee to help obtain information from Chesterfield Hospital regarding alcohol-related health problems and hospital admissions.

The committee also received reports on the Anti Social Behaviour Crime and Policing Bill.

Joint Overview and Scrutiny Panel for Chesterfield, North East Derbyshire and Bolsover

During the 2013/14 municipal year the Joint Overview and Scrutiny Panel (JOSP) met in July and November 2013.

The Panel scrutinised performance and monitored joint services delivered between the three Councils of Chesterfield, Bolsover and North East Derbyshire receiving reports from the Head of Internal Audit Consortium, Head of Shared Procurement Unit and Business Manager for the BCN (Building Control) Consultancy, regarding the effective and efficient operation of their services.

Additionally, the Panel undertook a health-check inquiry into the purchase and costs of all insurances for each of the three councils. Officers from the three authorities researched the possibility and provided a report to the Panel. The report concluded that the insurance needs of the three councils varied too much for a unified approach to insurance but consideration of the issue had provided a good learning experience which may usefully be shared with Parish Councils.

4 SCRUTINY OUTCOMES AND IMPACT ON SERVICE DELIVERY

Monitoring Impact of Scrutiny Work and Recommendations

Our Scrutiny Committees monitor the progress of implementation of scrutiny recommendations that are approved by decision makers, requesting regular 6 monthly updates on progress. This follow up procedure is essential to ensure that once the recommendations are approved they are put into action, that the work of Scrutiny impacts on service delivery and the benefits of scrutiny work are received by people in our community.

Monitoring also continues to take place around those issues and services where our Scrutiny Committees have had a concern and undertaken some scrutiny work, but their scrutiny recommendations have not been approved. Regular update reports are still requested.

During 2013/14 our Scrutiny Committees monitored progress on scrutiny work and recommendations regarding :

- Water Rates Payments Policy Scrutiny Review
- Corporate Services Public / Private Partnership Scrutiny Review
- Refuse Collection – Blue Bins Scrutiny Review
- Parking Policy Scrutiny Review
- Council Tax Support Scheme Scrutiny Review
- Crime and Disorder Scrutiny Committee
- Anti Social Behaviour Scrutiny Review

Background detail of these reports and the scrutiny recommendations can be found in the previous section of this report and/or in previous Annual Scrutiny Reports. More specific progress made this year is detailed below.

Scrutiny Project Group on Parking Policy Review

In February 2013 a Scrutiny Project Group was appointed by the Enterprise and Wellbeing Scrutiny Committee to look into the council's parking policy. Its recommendations are detailed in Section 3 of this report.

In March 2013 Cabinet agreed that the recommendations of the Enterprise and Wellbeing Scrutiny Committee be supported through the implementation of the Medium-Term Strategy and that the Committee thanked for their valuable contribution.

Achievements :

(To be completed).

Scrutiny Project Group on introduction of a Local Council Tax Support Scheme

In January 2013 Cabinet considered a report of the Overview and Performance Scrutiny Forum which had appointed a Scrutiny Review Panel to look at helping develop a Local Council Tax Support Scheme.

Cabinet agreed that further consideration be given to the recommendations of the Overview and Performance Scrutiny Forum as part of the Cabinet's deliberations on establishing a Local Council Tax Support Scheme for Chesterfield.

Cabinet also recognised the value of the work done by the Scrutiny Panel and the Overview and Scrutiny Forum and acknowledged the Scrutiny Panel's recommendations had some merit and could be used to inform and develop Council policies for dealing with shortfalls in government funding for Council Tax Benefit. It was also noted however that some of the savings identified in the Scrutiny Panel's report were to be used for other purposes within the Council's budget and were therefore not available to support Council Tax Benefit claimants.

Achievements :

The work of the Scrutiny Project Group helped inform the development of the Local Council Tax Support Scheme particularly in relation to changing, and making savings from, the discretionary housing payments and subsidy arrangements that the council currently had in place. The involvement and work of the scrutiny group promoted lots of discussion and debate around the government's welfare reforms and ways to find a local solution.

Scrutiny Project Group on Anti Social Behaviour Policy

A Scrutiny Review Panel was appointed to scrutinise and help develop the Council's Anti Social Behaviour Policy and its report was considered by the Overview and Performance Scrutiny Forum on 17 January 2013 which agreed recommendations to Cabinet. The Forum's recommendations were considered by Cabinet on 10 September 2013 which agreed :

- (1) That the thanks of Cabinet be conveyed to Members of the Scrutiny Review Panel and of the Overview and Performance Scrutiny Forum for their work and candid observations on the Council's approach to tackling anti-social behaviour.
- (2) That Cabinet notes and takes cognisance of the contents of the scrutiny report produced and, in particular, of the recommendations made by the Overview and Performance Scrutiny Forum on how the Council might modify its approach to tackling antisocial behaviour.
- (3) That the Overview and Performance Scrutiny Forum's report and recommendations be referred for immediate consideration by the Joint Member/Officer Working Group that has been established to review the Council's arrangements for the management of private sector anti-social behaviour.
- (4) That Members of the Scrutiny Review Panel and of the Overview and Performance Scrutiny Forum be afforded the opportunity to consider and comment on the final working drafts of any new policy and procedures so developed for the management of private sector anti-social behaviour prior to their submission to full Council for final approval.

Achievements :

The Scrutiny Project Group report and Scrutiny Forum recommendations were taken into consideration by the executive working group set up in August 2013 to look into and review anti social behaviour policy and service delivery. The subsequent report and recommendations of the executive working group, namely concerning the resourcing of the service, were submitted to the Scrutiny Forum for further consideration. The Forum considered the options and recommended to Cabinet to use part of the funding from the vacant post to employ a part time ASB case worker.

Scrutiny Project Group on Refuse Collection

Councillor Howard Borrell – Project Group Lead Member

A Scrutiny project group was appointed to look into issues associated with the introduction of the new blue recycling bin following some public concern and negative correspondence in the local media. The Scrutiny Project Group's report was considered by the Overview and Performance Scrutiny Forum on 21 March 2013, and then by Cabinet on 23 April 2013.

Cabinet agreed that the scrutiny report be noted, and the conclusions drawn and recommendations made be taken into account in informing Cabinet's consideration of the officer's report on the matter.

Achievements :

The Scrutiny Project Group report and Scrutiny Forum recommendations were kept in mind by Cabinet when considering the report of the Head of Environment. The work of scrutiny and officers lead to improvements in service for users– namely that the blue bin caddy insert would be used for glass, and that paper and card could go into the main body of the bin with plastic and cans.

5 SCRUTINY DEVELOPMENTS DURING THE YEAR

Developments in scrutiny are ongoing. Each of the Council's Scrutiny Committees includes scrutiny development as a standing item on their meeting agendas.

Evaluation & Review of the Council's Overview and Scrutiny Function

In last year's Annual Scrutiny Report we detailed progress in delivering the council's new scrutiny arrangements and committee structure following an independent review of the function. An internal evaluation of the delivery and performance of the new arrangements was undertaken where all our Council Members, Managers and Scrutiny Link Officers were surveyed for their views.

Overall the key findings of the 2012/13 evaluation are good. Generally the majority of measured responses to the survey questions (ie 10 out of the 12 measured questions) indicated a positive view of the new arrangements. Some of the new arrangements that have been well received include :

- Introduction of Scrutiny Link Officers
- Informal Scrutiny and Executive Member Communications Meetings
- Informal Pre-Agenda Meetings for Scrutiny Committee Chairs
- A stronger focus on pre-decision scrutiny from the Forward Plan

A combined 47.8% of responders said their experience of scrutiny had either improved or improved a lot on previous arrangements, 26.1% felt things were pretty much the same but none felt arrangements were worse than before. Feedback and engagement in the delivery of the new arrangements has on the whole been very encouraging and the general trend is positive.

A report detailing the findings and providing recommendations and an action plan to further develop the overview and scrutiny arrangements, were considered and approved by the Overview and Performance Scrutiny Forum, Cabinet and Full Council. Actions in the agreed Action Plan have been delivered.

Scrutiny committees, members and officers continue to work pro-actively to successfully undertake and support scrutiny work, and embed the new arrangements. A further evaluation for 201/14 is underway at the time of writing this report. A results update will be included in next year's Scrutiny Annual Report.

Scrutiny Guidance and Protocols

In line with the new overview and scrutiny arrangements we agreed the need for the introduction of key guidance documents as follows :

- *An Internal Working Protocol for the Council's Members and Officers, clarifying the day to day scrutiny and executive working relationship* : This document has been adopted by the Overview and Performance Scrutiny Forum and is in use.

- *Internal Working Protocol(s) for Scrutiny Councillors to help them deliver their overview and scrutiny duties and obligations* : A Toolkit for Scrutiny Project Groups has been adopted and is in use. Guidance for Call-in, Councillor Call for Action, Petitions, and Reporting, are under consideration.

- *A Public Guidance document which promotes scrutiny externally, explains its role to the public and how the public can be involved* : Commencement planned for this year.

- *A Partner Protocol which explains how the Council's overview and scrutiny function will engage and involve key partners and external organisations* : Commencement planned for this year.

Scrutiny Councillor Learning and Development

The Council agrees that the development and growth of individuals to enable them to undertake their roles effectively is essential. During the year Scrutiny members attended in-house scrutiny development sessions every 2 months prior to each meeting of the Overview and Performance Scrutiny Forum. The sessions have given members an opportunity to learn about scrutiny and consider and discuss scrutiny process with a view to improvement.

During 2013/14 Scrutiny Members received learning and development sessions on :

- Budget Setting and Scrutiny
- Scrutiny Project Management and Process
- Chairing Skills for Scrutiny Members
- Decision Making Process, Policy Cycle and Scrutiny Relationship

Learning and development plans are ongoing and for the new year currently include Questioning Skills and Councillor Call for Action.

Tenants' Challenge Panel

Members have also held an introductory meeting with representatives of the Council's new Tenant Challenge Panel (TCP). Like the Council's corporate scrutiny function, tenants of social landlords (such as the Council) now have rights to scrutinise the performance and plans of their landlords housing provision service.

The TCP is the body comprising Council house tenants set up to undertake this role. The new role will co-exist alongside that of the council's corporate scrutiny function. A further informal, networking meeting is planned for October 2014.

East Midlands Councils' Regional Scrutiny Network *and the* National Overview and Scrutiny Forum

The East Midlands Councils Regional Scrutiny Network and the National Overview and Scrutiny Forum are both forums for learning, sharing, promoting, supporting and developing the scrutiny function regionally and nationally.

The Regional Scrutiny Network is supported by East Midlands Councils which is a local government consultative body and provides important learning and development for local government councillors and officers in the East Midlands. The Regional Scrutiny Network gives councillors and officers the opportunity to share knowledge, work programmes and information, as well as providing opportunity to explore and influence national developments concerning scrutiny.

The National Overview and Scrutiny Forum was set up in 2007 to help develop the overview and scrutiny function in England and Wales. The Forum comprises Chairs and Vice Chairs (or equivalent) of each Regional Scrutiny Network. It controls its own agenda and work programme which are driven by the needs and interests of overview and scrutiny practitioners. Forum meetings are convened and facilitated by the Centre for Public Scrutiny, but this is currently under review.

The Council plays a proactive role in supporting and contributing to the work of these bodies and the influence they have regionally and nationally. The Council's Policy and Scrutiny Officer is currently Vice Chair for the East Midlands Regional Scrutiny Network and Vice Chair for the National

Overview and Scrutiny Forum. This helps raise Chesterfield's profile and puts Chesterfield in a good place to learn and influence developments around scrutiny, and to help champion, lead and promote scrutiny externally.

6 SCRUTINY COMMITTEE WORK PLANS 2014/15

The three Scrutiny Committees update their Work Programme business on a bi-monthly basis, in line with their bi-monthly meetings. Programmes of work would normally include :

- Items agreed by the Scrutiny Committees for consideration including Scrutiny Project Group work.
- Ongoing priorities such as budget, performance and corporate priority (Corporate Plan) scrutiny.
- Scrutiny of the Council's Forward Plan of key decisions.
- The monitoring of implementation of approved scrutiny recommendations.
- The monitoring of implementation of corporate and service improvement plans.
- Other unplanned business items that the Committees will decide to deal with as and when they arise.

Scrutiny aims for its work to have both a strategic and community focus, and to involve all stakeholders where possible. Councillors, Officers, Public and Partners all have opportunity to inform contents of the Scrutiny Work Programmes. This year the Scrutiny Chairs and Policy and Scrutiny Officer attended Chesterfield's four Community Assemblies to introduce and raise the profile of scrutiny whilst engaging members of the community about their current priorities for change. Community issues raised by the Assemblies are being considered for inclusion into the scrutiny work programmes.

Work Programme business (*as at 12 May 2014*) includes :

Overview and Performance Scrutiny Forum

<ul style="list-style-type: none">- Corporate Budget, Corporate Plan and Corporate Performance monitoring and scrutiny.- Great Place Great Service Transformation Programme- Constitution Review- Overview and Scrutiny Arrangements Annual	<ul style="list-style-type: none">- ICT Strategy and Action Plan- Corporate Asset Management Plan- Chesterfield Procurement Service- External Communications Strategy
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<p>Evaluation</p> <ul style="list-style-type: none"> - Tenant Involvement Strategy - Tenant Consultation Survey - Dog Control Measures - Corporate Services Public / Private Partnership Performance 	<p><i>Scrutiny Project Groups on :</i></p> <ul style="list-style-type: none"> - Welfare Reform - External Communications Strategy
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Community, Customer and Organisational Scrutiny Committee

<ul style="list-style-type: none"> - Health Inequalities Plan / Health and Wellbeing Strategy - Outside Market Reconfiguration - Corporate Health and Safety Improvement Plan Monitoring. - Community Assemblies Progress Report - Equality, Diversity and Social Inclusion Strategy and Action Plan. - 	<ul style="list-style-type: none"> - Statutory Crime and Disorder Committee duties (with Police and Crime Panel Update) - Customer Services Strategy. <p><i>Scrutiny Project Groups on :</i></p> <ul style="list-style-type: none"> - Health Inequalities Plan
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Enterprise and Wellbeing Scrutiny Committee

<ul style="list-style-type: none"> - Sport and Leisure Strategy - Parks and Open Spaces Strategy - Playing Pitches Strategy - Homeless Prevention Service - Housing Accommodation and Support Budget / Older People's Services - Housing Allocations Policy 	<ul style="list-style-type: none"> - Street Scene Improvement Plan - Housing Self Finance (Decent Homes and Rents) - Allotments Strategy <p><i>Scrutiny Project Groups on :</i></p> <ul style="list-style-type: none"> - New Sport and Leisure Facilities - Water Rates Policy Review - Taxi Subsidy
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The Overview and Scrutiny function is a continually evolving and growing role, requiring ongoing learning and development. Much of the developments this year are detailed in the previous section of this report.

The Council will undertake formal, annual reviews of its overview and scrutiny function to ensure its ongoing evaluation and effectiveness.

7 SCRUTINY COMMITTEE MEMBERSHIP 2013/14

<p>Overview and Performance Scrutiny Forum :</p> <p>Councillors</p>	
<p>Vicki Lang – Co Chair Jean Innes – Co Chair Helen Bagley Howard Borrell Stewart Bradford Ian Callan Alexis Diouf Barry Dyke</p>	<p>Jenny Flood Bob Gibson Denise Hawksworth Julie Lowe Tom Murphy Neil Rayner Andy Slack Paul Stone</p>
<p>Community, Customer and Organisational Scrutiny Committee</p> <p>Councillors</p>	
<p>Jean Innes – Chair Tom Murphy – Vice Chair Helen Bagley Howard Borrell</p>	<p>Alexis Diouf Julie Lowe Neil Rayner Andy Slack</p>
<p>Enterprise and Wellbeing Scrutiny Committee</p> <p>Councillors</p>	
<p>Vicki Lang – Chair Denise Hawksworth – Vice Chair Stewart Bradford Ian Callan</p>	<p>Barry Dyke Jenny Flood Bob Gibson Gordon Simmons</p>

For further information contact :

Anita Cunningham

Policy and Scrutiny Officer

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scrutiny@chesterfield.gov.uk;

or visit the Council's website at <http://www.chesterfield.gov.uk>

FOR PUBLICATION

SCRUTINY MEMBER – SHEFFIELD CITY REGION COMBINED AUTHORITY (B000)

MEETING: 1. OVERVIEW AND PERFORMANCE SCRUTINY
FORUM

2. COUNCIL

DATE: 1. 19 JUNE 2014

2. 30 JULY 2014

REPORT BY: REGULATORY AND LOCAL GOVERNMENT LAW
MANAGER

WARD: ALL

KEY DECISION

FOR PUBLICATION YES

BACKGROUND PAPERS: NONE

1.0 **PURPOSE OF REPORT**

1.1 To agree and refer the nomination of a member of the Overview & Performance Scrutiny Forum to Full Council for its approval to be the Council's representative on the Scrutiny Committee of the Sheffield City Region Combined Authority.

1.2 This report has been updated to take account of the recommendation of the Overview and Performance Scrutiny Forum on 19th June 2014.

2.0 **RECOMMENDATION**

2.1 That Full Council agrees the Overview & Performance Scrutiny Forum's nomination of Jean Innes, a Member of the Overview & Performance Scrutiny Forum, to be the Council's representative on the Scrutiny Committee of the Sheffield City Region Combined Authority.

3.0 **BACKGROUND**

- 3.1 As Members will be aware, the Council is a non-constituent member of the Sheffield City Region Combined Authority (the Combined Authority). The Combined Authority came into being on the 1st April 2014. And, informal guidance has been given to it as to the Secretary of State's preferred approach to Overview and Scrutiny for the Combined Authority to assist its officers in finalising the Constitution. This followed a greater level of prescription in the Order setting out the Combined Authority than had been anticipated. The original Scheme for the proposed Combined Authority model Scheme submitted to the Secretary of State for his approval contained a "light touch" approach to scrutiny. However, the Order creating the Combined Authority prescribed the establishing of one or more Overview and Scrutiny Committees (the Committee).
- 3.2 The position now is that the Combined Authority's Scrutiny Committee will comprise a Chair (determined by the Members of the Combined Authority). And, one Member to be nominated by each member Council of the Combined Authority together with such additional Members as necessary so that political balance of the Committee reflects the political balance of the political groups across the Combined Authority.
- 3.3 For Member's information the position is that voting rights on the Committee should be extended to the members nominated by the non-constituent Authorities. This will mean that the nominee Member proposed to Full Council by the Overview and Performance Scrutiny Forum will have a vote at the Committee because the Committee is not taking executive decisions and also the concept of the Scrutiny process contemplates co-option from a wider range of the Combined Authority's stakeholders.
- 3.4 It is proposed that there will be an early informal discussion between Combined Authority's Leaders and the Chair of the Committee following their appointment.
- 3.5 At its meeting on 19th June 2014 of the Overview and Performance Scrutiny Forum it was resolved (at Minute 3 2014/15) :
- (1) That Scrutiny agree the nomination of Councillor Innes as Member of the Overview and Performance Scrutiny Forum to be the Council's representative on the Scrutiny Committee of the Sheffield City Region Combined Authority.

(2) That the nomination be referred to Full Council for approval at its meeting on 30 July, 2014.

4.0 **FINANCIAL IMPLICATIONS**

4.1 There are none arising from this report save to note that there is no dedicated officers resources to support the Overview and Scrutiny function beyond immediate governance officer support.

5.0 **LEGAL IMPLICATIONS**

5.1 These are set out in the body of the report.

6.0 **EQUALITIES CONSIDERATIONS**

6.1 The recommendation that a Member of the Overview & Performance Scrutiny Forum by Full Council does not impact on the Council's duties to promote good relations, promote positive attitudes and eliminate unlawful discrimination. And, an equalities impact assessment is not required.

7.0 **RECOMMENDATION**

7.1 That Full Council agrees the Overview & Performance Scrutiny Forum's nomination of, Jean Inness, a Member of the Overview & Performance Scrutiny Forum to be the Council's representative on the Scrutiny Committee of the Sheffield City Region Combined Authority.

8.0 **REASON FOR RECOMMENDATIONS**

8.1 To ensure that the Council has a nominated Member of the Combined Authority's Overview & Scrutiny Committee.

GERARD ROGERS

REGULATORY AND
LOCAL GOVERNMENT LAW MANAGER

Further information on this matter can be obtained from Gerard Rogers (Extension 01246 345310).

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COUNCIL MEETING – 30 JULY 2014

MINUTES OF COMMITTEE MEETINGS

These Minutes are of Committee meetings taken under delegated powers since the last meeting of Council. The Minutes are for information only and there will be no questions or discussion on the Minutes at the Council meeting.

Please click on the links opposite the committee dates below to view the Minutes you want to read.

Appeals And Regulatory Committee	16 April 2014 30 April 2014 21 May 2014 11 June 2014 13 June 2014 18 June 2014 25 June 2014 2 July 2014 9 July 2014
Licensing Committee	26 June 2014 9 July 2014
Planning Committee	22 April 2014 12 May 2014 19 May 2014 2 June 2014 23 June 2014
Standards and Audit Committee	27 June 2014

If you require paper copies of the Minutes please contact us, details below.

Contact Details: Martin Elliott

Democratic Services, Town Hall, Chesterfield, S40 1LP

Telephone 01246 345236

Email: democratic.services@chesterfield.gov.uk

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CABINET

Tuesday, 6th May, 2014

Present:-

Councillor Burrows (Chair)

Councillors	Blank Gilby King	Ludlow McManus Serjeant
Non Voting Members	Brown Hill Hollingworth	Huckle Martin Stone

*Matters dealt with under Executive Powers

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

Councillor Gilby declared a conflict of interest in Minute No. 205 as a Member of the Planning Committee and left the meeting during consideration of this item.

Councillors Huckle and Hill declared a conflict of interest in Minute No. 205 as Members of the Planning Committee.

The Chief Executive declared a prejudicial officer interest in Minute No. 205 as a member of the Corporation of Chesterfield College and left the meeting during consideration of this item.

197 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Russell.

198 **MINUTES**

RESOLVED –

That the Minutes of the meeting of Cabinet held on 8 April, 2014, be approved as a correct record and signed by the Chair.

199 **FORWARD PLAN**

The Forward Plan of key decisions for the four month period 1 May, 2014 to 31 August, 2014 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

200 **PROPOSED CHATSWORTH ROAD CONSERVATION AREA DESIGNATION (J000)**

The Development Management and Conservation Manager submitted a report on the proposed designation of a new Conservation Area along Chatsworth Road.

Following a detailed character appraisal and public consultation exercise, an area encompassing Chatsworth Road was proposed as a new Conservation Area, in addition to the eleven existing Conservation Areas within Chesterfield Borough. The establishment of this new Conservation Area had been set as a priority in the Council's Corporate Plan for 2013-2015 under its corporate aim, "*a Sustainable Community – Our built heritage will be protected and enhanced*".

An evaluation of the area had been carried out, including a proposed boundary, and on 9th September 2013, the Deputy Leader and Executive Member for Planning had agreed a public consultation exercise on a draft appraisal document.

A six week public consultation exercise had been undertaken from the 4th November 2013 to 13th December 2013. Considerable effort had been made to ensure that as many people as possible were aware of the consultation exercise, including letters to all properties and businesses within the area and its immediate surroundings and to amenity groups and relevant organisations. Details of the proposals had also been made available at the Council's Customer Services Centre, Chesterfield Library, St Thomas's Centre, on the Council's website and at South and West Community Assembly meetings.

Representations received had been considered and amendments made to the appraisal document. Details of comments received, initial responses and actions taken were attached as an Appendix to the report.

The area was generally recognised as having a special character and appearance worth safeguarding, and public support for designation outweighed the objections.

The responses received were split 65.57% in support (40), 22.95% against (14) and 11.48% (7) not expressing an opinion.

The Conservation Area Character Appraisal and Management Plan document was attached to the report.

If the area was designated there would need to be a more thorough survey to identify properties which should be covered by an Article 4 Direction, which would control certain permitted developments, and consultation with the property owners directly before such a Direction was imposed.

It was confirmed that where existing planning applications had already been determined prior to the formal adoption of the Conservation Area these would not be affected by the Conservation Area status.

*** RESOLVED –**

- (1) That the Conservation Area Appraisal and Management Plan, as amended following consultation, and appended to the report, be adopted and be communicated to all interested parties.
- (2) That the Chatsworth Road Conservation Area, as indicated by the boundary shown on the plan appended to the report, be agreed for adoption.
- (3) That officers prepare, consult and undertake the formal designation of an Article 4 Direction.

REASON FOR DECISION

To implement the Council's Corporate Plan aims and advance the conservation of the historic environment within the Borough, and to fulfil the statutory procedures set out in sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which require local planning authorities to determine which parts of their area are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as Conservation Areas.

201 **LOCAL GOVERNMENT EQUALITIES FRAMEWORK SELF ASSESSMENT (S000)**

The Policy Manager submitted a report on the self assessment of the Council's achievements against the Local Government Equalities Framework 'Excellent' Level.

In February 2011 the Council had been successfully peer assessed against the Local Government Equality Framework 'Achieving' level, and had started to make progress towards the highest level of the framework – 'Excellent'.

In March 2012 the Local Government Association had re-launched the Local Government Equality Framework, taking into account the requirements of the Equality Act 2010, resulting in a much tougher test with extended criteria requirements for all levels.

Since 2012/13 the Council had sought to consolidate performance at the now tougher 'Achieving' level as well as to make progress towards the 'Excellent' level.

The Equality Performance Management Group, which included representatives from all service areas, had now completed the 'Excellent' level self assessment for the Council. And, Appendix A to the report showed how the Council was currently performing against each performance criteria and the progress made since the last assessment in 2012/13. The Council was now meeting or exceeding over 75% of the criteria in 26 of the 28 performance areas, compared with 18 in 2012/13.

However, there were significant challenges in maintaining this level of performance in future years given the current and future financial difficulties the Council faced. Discussions were currently taking place around the most effective way to address a number of challenging issues including the Council's employee demographic profile, contractor performance on equalities, and the need for further investment in information, communication and technology.

The key issue for 2014/15 would be maintaining this strong performance, recognising the contribution of activities such as the Equality and Diversity training programme, Equalities Impact Assessment clinics and awareness raising events, with a view to completing the self assessment programme again in 2015/16.

*** RESOLVED -**

- (1) That the Council continues to make progress towards the 'Excellent' level of the Local Government Equality Framework via self assessment.
- (2) That the Council re-assesses its position against the Framework in 2015/16.

REASON FOR DECISION

To deliver the Council's commitment to Equality, Diversity and Social Inclusion and to improve knowledge and understanding these issues.

202

EQUALITY AND DIVERSITY ANNUAL REPORT 2013/14 (S230)

The Policy Officer submitted a report presenting the Council's Equality and Diversity Annual Report 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. It 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. It had arranged a number of events, including an accessibility meeting as part of the consultation on the new Queen's Park Sports Centre, a Hate Crime Awareness event with the Sophie Lancaster Foundation, an audit of A-boards in Chesterfield town centre, signing of the Time to Change pledge, a Holocaust Memorial day event, a Generations Together event and an International Women's Day competition.

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

The meeting thanked the Policy Officer and the Policy Manager for their work on the Annual Report and on equalities and diversity issues.

*** RESOLVED -**

That the Equality and Diversity Annual Report be approved, published and widely circulated.

REASON FOR DECISION

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

203 REVIEW OF TOWN CENTRE EVENTS PROGRAMME (L000)

The Head of Regeneration submitted a report on the Review of the Town Centre Events Programme.

The budgets allocated to organising events in Chesterfield town centre were for Town Centre Entertainment (for Bank Holiday Markets, the Well Dressing, Love Your Local Market and the Day of Dance), Festivals (Community Arts Festival and Market Festival) and Christmas Illuminations (including the Christmas tree and a lights 'Switch-on' event).

As part of the Council's budget savings for 2014/15, it had been agreed that a recurring saving of £30,500 on town centre events should be made (Minute No. 155 (2013/14)), resulting in an annual budget of approximately £50,000 for future events programmes.

In order to maximise the budgets available and to help tackle the pressures currently impacting on the town, the report recommended that any future events programme in the town centre should seek to fulfil the following objectives:

- Raise the profile of Chesterfield as a destination to shop and visit.
- Enhance the shopping experience.
- Increase footfall and spend in the town centre.
- Add to the vibrancy and vitality of the town centre.
- Compete with other shopping destinations.
- Increase dwell time in the town centre.
- Ensure that events are accessible to all.

The report included outline proposals for future events programmes to focus on enhancing existing markets, running speciality markets,

organising Market Hall events, and continuing with the Chesterfield Market Festival, the Christmas Lights 'switch-on', Well Dressing, Ghost Walks and Guided Walks. It was also proposed to hold more indoor events in the Market Hall and Assembly Rooms to increase footfall through the Market Hall.

There had been consultation with town centre businesses through the Town Centre Forum and the Markets Consultative Committee, and the Market Traders had allocated funds from their marketing budget to support the programme, particularly the Summer Saturdays and the Market Festival.

Opportunities to develop the events programme would be considered as they arose and the viability of particular events would be assessed both against the proposed objectives outlined in the report and the cost of delivery. Income and sponsorship would be sought wherever possible to enhance the programme.

*** RESOLVED -**

- (1) That approval be given to the continuation of an events programme to attract footfall and make the town centre more attractive and vibrant.
- (2) That the principles outlined in paragraph 5.1 of the report that support the delivery of a town centre events programme be approved.
- (3) That the proposed revisions to the Christmas lights display in the town centre be approved.
- (4) That the approval of an annual programme of events be delegated to the Head of Regeneration in consultation with the Executive Member for Leisure, Culture and Tourism.

REASONS FOR DECISION

1. To ensure that the events programme supports the Council's priority of attracting more visitors to the Borough.
2. To support the events programme through income and sponsorship with the aim of making more events self-financing.

3. To provide a mechanism for approval of the events programme in order to meet publicity deadlines in external publications.

204 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 3 of Part 1 of Schedule 12A of the Local Government Act 1972 – on the grounds that it contained information relating to financial or business affairs.

Councillor Gilby and the Chief Executive left the meeting at this point.

205 UPDATE ON THE NEW SPORTS CENTRE PROJECT AND APPOINTMENT OF THE CONSTRUCTION CONTRACTOR (L000)

The Head of Environment submitted a progress report on the new Sports Centre project, including details of the negotiations with Chesterfield College regarding the collaboration agreement and the appointment of a preferred bidder to develop and construct the new Sports Centre.

On 29 January 2013 Cabinet had considered the feasibility study for Queens Park Sports Centre and resolved (Minute 0187 (2012/13)):

“(1) That a new leisure centre be constructed to replace the existing Queen’s Park Sports Centre.

(2) That, in principle, the Queen’s Park Annexe be selected as the preferred site for the new leisure centre.

(3) That officers be authorised to:

- (i) negotiate a Dual Use Agreement with Chesterfield College;
- (ii) proceed with submitting a full planning application;
- (iii) procure project management through a competitive tender process;
- (iv) undertake consultation with the public, national governing bodies and other stakeholders on the location and design of any

new leisure centre and on what use should be made of the present Queen's Park Sports Centre site if a new centre were located on the Annexe;

(v) procure a construction company to build the new leisure centre through a competitive tender process;

(vi) submit grant funding applications to any relevant funding body.

(4) That Cabinet recommends to Full Council that:-

(i) the Queen's Park Sports Centre replacement project be added to the Council's Capital Programme;

(ii) prudential borrowing up to a maximum of £6 million be approved;

(iii) any shortfall in funding be met through the use of reserves, capital receipts or a combination of the two, up to a maximum of £750,000.

(5) That regular progress reports on the procurement and construction of a new leisure centre be provided to Cabinet.”

On 24 July 2013 the full Council (Minute No. 0011 (2013/14) had considered a petition with over 1000 signatures against the building of a new sports centre on Queen's Park Annexe. Members had agreed to note the petition, and that the petition and debate at full Council be taken into account by the Executive as part of its ongoing commitment to consult with the public, the sports national governing bodies and other stakeholders before coming to a final view on the format of the Queen's Park Sports Centre replacement project.

Following a procurement exercise using the Cabinet Office's Government Procurement Services (GPS) Framework in May 2013, the Council had procured a Project Management and Design team. A Project Board and an officer working group had been established to work with the Project Management and Design Team.

Extensive consultation had taken place to help shape the design of the new sports centre and the facilities to be included within it having regard to the overall project budget available. This had included survey forms at both the Council's leisure centres, other Council venues and on the Council's website, the opinion meter at Queen's Park Sports Centre, a number of 'road shows' at different locations, a meeting with the Council's

Equalities Group, and events with the relevant National Governing Bodies and with clubs that use the existing Centre.

The Project Board had approved the design of the new facility and in particular the core mix of facilities for the procurement of the construction company:

- 6 lane 25m long main pool
- Learner pool with moveable floor and children's fun water features
- Café and social space
- Midwifery Centre
- 6 court sports hall
- Village Changing Facilities
- Dry Changing Facilities
- Activity Studio
- 70 - 75 Station Gym (depending upon configuration)
- 2 Squash courts with a moveable wall
- Car parking for around 100 cars

A single stage 'Develop and Construct' procurement approach had been adopted in accordance with the Official Journal of the European Union procedures. Expressions of interest in building the new leisure centre had been received from 15 contractors, which had been evaluated having regard to the agreed selection criteria (financial standing, experience of the company in delivering similar leisure centre projects, health and safety, risk management, sustainability etc). Five contractors had been shortlisted and invited to submit a tender, and four tenders had been received by the deadline.

The tenders were assessed against pre-established assessment criteria on the basis of both cost and quality, with a 60% cost : 40% quality weighting applied. The tender evaluation report executive summary was attached as an Appendix to the report.

Council officers had also been working to try and secure external funding that would enable the Council to consider enhancements to the proposed facilities in the new QPSC. English Squash had made an offer of £25,000 funding towards the cost of the two squash courts, and the Council had been invited by Sport England to formally apply for funding from its Strategic Facilities Fund, with the focus being to increase the size of the swimming pool from 6 to 8 lanes and to increase the size of the sports

hall from 6 to 8 courts. It was anticipated that the Council's bid would be considered in summer 2014.

The planning application for the new sports centre had been submitted in late 2013 but had been delayed for further consideration of a number of emerging issues including:

- the need to ensure a safe access to the site from Boythorpe Road;
- the presence of badgers on the site and the need to ensure adequate mitigation measures to minimise disturbance to any habitats;
- the strategic need to evidence the impact of removal of a playing pitch and disused athletics track on the site.

It was anticipated that the planning application would be considered in May or June, 2014.

Following advice from Queen's Counsel regarding the Covenant that applies to the proposal to locate the new Queen's Park Sports Centre on the Queen's Park Annexe, and subject to planning consent, a separate report would be submitted to a future Cabinet meeting regarding land appropriation on the Queen's Park Annexe.

The Council had been working collaboratively with Chesterfield College in respect of the possibility of a 'dual use' leisure centre facility that could be used by both the public and college students. Regular bookings for College use in the current centre had been introduced without any significant relationship and access issues arising.

The report outlined the financial implications, with a total budget of £9.275m, including £6m from prudential borrowing and £2.5m from Chesterfield College. It was estimated that the leisure legacy project would deliver sufficient annual budget savings to meet the annual borrowing costs and also deliver savings to the General Fund. Officers proposed that a maximum of £175,000 be also set aside for improving the whole life cycle building costs by further reducing energy and/or future maintenance costs.

A Risk Management Table was attached as an Appendix to the report, describing the risks associated with the project and the controls to be implemented to manage these, including the need to closely monitor the VAT implications over future financial years.

Subject to planning permission being granted, successful land appropriation on the Annexe being achieved, and the outcome of the bid for additional funding from Sport England, it was anticipated that the new leisure centre would be completed in late 2015. And, a revised project timeline including key milestones was attached as an Appendix to the report.

The meeting recognised the complexities involved in progressing such a project, taking account of the issues which had been raised through the consultation exercise, and the petition which had been presented to Council.

*** RESOLVED -**

- (1) That the progress report on the development of the new Queen's Park Sports Centre (QPSC) be noted.
- (2) That the core facilities of the new QPSC, as detailed in paragraph 4.16 of the report, be approved.
- (3) That the appointment of Morgan Sindall to 'Develop and Construct' the new QPSC on the Annexe, and the entering into of the required legal agreements by the Head of Governance, be approved.
- (4) That a further report be submitted to Cabinet of fully-costed measures for improving the whole life cycle building costs for the new leisure centre, subject to an expenditure limit of £175,000.
- (5) That the Head of Environment or nominee be authorised to submit a bid to the Sport England Strategic Facilities Fund for additional funding to enhance the facilities at the new QPSC.
- (6) That the Head of Governance, in consultation with the Head of Environment, be authorised to enter into the Collaboration Agreement and Lease with Chesterfield College in return for a capital contribution of £2.5m and an ongoing revenue contribution

REASON FOR DECISION

To enable the Council to meet its Corporate Plan key project of building a new facility to replace the existing Queen's Park Sports Centre.

CABINET**Tuesday, 20th May, 2014**

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

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

Councillor Russell declared a disclosable pecuniary interest in Minute No. 6, as his partner was a volunteer for the Citizens Advice Bureau.

Councillor Blank declared a non-pecuniary interest in Minute No. 6 as a member of the Chesterfield Law Centre Management Committee.

Councillor Hollingworth declared a non-pecuniary interest in Minute No. 6 as a member of the Citizens Advice Bureau Management Committee.

Councillor Serjeant declared a non-pecuniary interest in Minute No. 6 as a member of the Derbyshire Unemployed Workers' Centre Management Committee.

Councillor Brown declared a non-pecuniary interest in Minute No. 6 as a member of the LINKS Board.

2 APOLOGIES FOR ABSENCE

No apologies for absence were received.

3 **MINUTES****RESOLVED –**

That the Minutes of the meeting of Cabinet held on 6 May, 2014, be approved as a correct record and signed by the Chair.

4 **FORWARD PLAN**

The Forward Plan for the four month period 1 June, 2014 to 30 September, 2014 was reported for information.

*** RESOLVED -**

That the Forward Plan be noted.

5 **DELEGATION REPORT**

Decisions taken by Executive Members during March and April were reported.

*** RESOLVED -**

That the Delegation Report be noted.

6 **FUNDING TO VOLUNTARY AND COMMUNITY ORGANISATIONS
2014/15 - SERVICE LEVEL AGREEMENTS (S000)**

The Head of Regeneration submitted a report on the Service Level Agreements (SLAs) that had been negotiated with voluntary and community organisations for 2014/15.

Those voluntary and community organisations which, in previous years, had applied for funding through the small grants programme had been notified that this funding would not be available from 2014/15 onwards. But all had been advised of the availability of alternative funding sources and opportunities.

Organisations holding SLAs with the Council for 2013/14 (Citizens' Advice Bureau, Chesterfield Law Centre, Chesterfield Shopmobility, Derbyshire Unemployed Workers Centre, LINKS) had attended annual review meetings in early 2014 to check progress against their SLA. Each

organisation had completed an annual review report, attached at Appendix 1 to the report. In addition, six monthly monitoring had been undertaken.

Each organisation had identified the outcomes, measures and targets from the Council's Corporate Plan for 2013/14 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.

At the next six-monthly monitoring review, due in late autumn 2014, the organisations would be required to ensure their activities were in line with the Council's recently revised Corporate Plan for 2014/15.

It was proposed that the overall level of funding for SLAs and the level of funding for each organisation for 2014/15 be maintained at the same level as for 2013/14. A review of all funding allocated to organisations via SLAs would be undertaken during 2014/15 to inform future year's budgets.

*** RESOLVED -**

- (1) That the level of funding for Service Level Agreements (SLAs) be maintained at the 2013/14 level to all five currently funded organisations - a total fund of £266,160 for 2014/15.
- (2) That the SLA Schedule 1 table for each organisation, attached at Appendix 2 to the report, be approved for inclusion within the SLAs for 2014/15.
- (3) That a review be undertaken on funding awarded to the organisations via SLAs, and that the outcomes be reported back to Cabinet by the end of 2014.

REASON FOR DECISION

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 within a realistic and sustainable budget.

7 **SURVEILLANCE POLICY (B000)**

The Head of Governance submitted a report seeking approval of revisions to the Council's Surveillance Policy, necessitated by amendments made to the Regulation of Investigatory Powers Act 2000 by the Protection of Freedoms Act 2012.

The purpose of the Regulation of Investigatory Powers Act 2000 (RIPA) was to protect human rights by providing a statutory basis for surveillance exercises, with surveillance activity only to be carried out where it was considered necessary and proportionate.

The Council's existing Surveillance Policy explained the human rights principles underpinning investigatory work and provided guidance for officers on making an application for authorisation to carry out Directed Surveillance (that which is carried out so that the person subject to it is not aware that it is taking place), and the requirements for carrying out the investigation and ultimately terminating the authorisation. The Policy also specified the senior officers with responsibility to assess applications and grant authorisations.

The importance of having an up to date Policy and procedures was highlighted by the programme of inspections of local authorities carried out at approximately three yearly intervals by an officer of the Office of Surveillance Commissioners.

RIPA had been substantially amended by the Protection of Freedoms Act 2012, which had come into force in November 2012. This had reduced the powers available to local authorities.

It provided that RIPA authorisations could only be used for preventing or detecting more serious crimes which were punishable by at least six months' imprisonment or concerned sales of alcohol or tobacco to children, thus preventing authorisations for 'low level' offences such as littering, dog fouling or fly-posting. The Council had not used Directed Surveillance for these 'low level' offences, but had dealt with them by overt non-secret surveillance.

The 2012 Act also required authorisations given by Council appointed officers to be approved by a Magistrate.

The Council had not made any authorisations since the 2012 Act had come into force, and there was only a low probability of the Council needing to make authorisations in the future. However, it was necessary for the procedural changes to be set out in the Council's Policy, and the amended Surveillance Policy was attached at Appendix 1 to the report.

*** RESOLVED -**

(1) That the amended Surveillance Policy, attached at Appendix 1 to the report, be approved.

(2) That the Policy's dissemination to relevant officers to ensure compliance with the legislation be agreed.

REASON FOR DECISION

To provide clear guidance and assistance to staff who are considering the use of surveillance procedures in the investigation of crime.

8 STRATEGIC HOUSING MARKET ASSESSMENT (H000)

The Housing Service Manager – Business Planning and Strategy submitted a report providing the results of the recent Strategic Housing Market Assessment and identifying the implications for the Council's Planning and Affordable Housing Policies.

In December 2012 Cabinet had approved a jointly commissioned Strategic Housing Market Assessment (SHMA) with Bolsover and Bassetlaw District Councils (Minute No. 0169 (2012/13)). The consultancy firm of GL Hearn had been commissioned to undertake the SHMA in March 2013 and had completed the work earlier this year, significantly under the total allocated budget.

The North Derbyshire and Bassetlaw Housing Market Area SHMA was attached at Appendix 1 to the report, and the Chesterfield Borough Council SHMA was attached at Appendix 2 to the report.

The report outlined the implications of the SHMA in respect of Planning Policy. The SHMA identified an objective assessment of need for housing of between 240 - 300 homes per annum, with a potentially higher level of housing need of around 345 homes per annum to support employment growth (of around 8%) over the plan period to 2031. This evidence

provided an opportunity to review the current annual housing target (380 homes), through the Local Plan: Sites and Boundaries.

The report also outlined the implications of the SHMA in respect of affordable housing. The SHMA identified a significant net need for 382 affordable homes per annum (359 excluding those in the development pipeline) between 2013 and 2018, with a need for up to 212 homes per annum in the longer term. This provided a clear evidence base to support planning policies seeking new affordable housing. In addition the SHMA identified the use of existing social housing stock and the role of the Private Rented Sector as issues for the Council to consider.

The meeting recognised the difficulties involved in addressing some of the issues identified, such as households wishing to downsize, empty properties in the private rented sector and the mix of the existing social housing stock. The analysis within the SHMA would assist the Council in its consideration of these issues and its planning for the longer term.

*** RESOLVED -**

- (1) That the Strategic Housing Market Assessment and its findings be noted.
- (2) That the outcomes of the Assessment be taken into account in the development of future planning and affordable housing policy.

REASON FOR DECISION

To contribute to delivering the Council's Corporate Priorities:

- To make Chesterfield a thriving Borough;
- To improve the quality of life for local people.

CABINET MEETING**20th May, 2014****DELEGATION REPORT****DECISIONS TAKEN BY LEAD MEMBERS****Leader (Joint Board with NEDDC and Bolsover DC)**

Decision Record No.	Subject	Delegation Reference	Date of Decision
61/13/14	Minutes	R080L	10th March, 2014
<p>Decision</p> <p>That the notes and Records of Decision of the Joint Board meeting held on 14th January, 2014 be noted.</p>			
<p>Reason for Decision</p> <p>To note progress on joint working.</p>			
62/13/14	North Eastern Derbyshire Strategic Employment Partnership Update	R080L	10th March, 2014
<p>Decision</p> <p>(1) That progress of work undertaken to date be acknowledged.</p> <p>(2) That the case study attached to the report be approved, and used as publicity for other developers and construction companies, to maximise employment and training opportunities within north eastern Derbyshire.</p>			

Decision Record No.	Subject	Delegation Reference	Date of Decision
<p>Reason for Decision</p> <p>To ensure that employment and skills opportunities are maximised for residents across north eastern Derbyshire.</p>			
63/13/14	BCN Consultancy (Building Control) - Update	R080L	10th March, 2014
<p>Decision</p> <p>That the current financial position of BCN as at the end of February 2014, and as shown in the report, be noted.</p>			
<p>Reason for Decision</p> <p>To effectively manage BCN in accordance with legislation and the legal agreement for the joint working consortium.</p>			
64/13/14	Joint Scrutiny Panel - Extract from Minutes of 21st November, 2013 relating to BCN	R080L	10th March, 2014
<p>Decision</p> <p>That the Joint Scrutiny Panel be provided with regular updates on the Derbyshire-wide review of building control services.</p>			
<p>Reason for Decision</p> <p>To acknowledge the concerns of the Joint Scrutiny Panel.</p>			

Deputy Leader and Executive Member for Planning

Decision Record No.	Subject	Delegation Reference	Date of Decision
65/13/14	New Lease of Premises at Stonegravels Lane	T160L	19th March, 2014
<p>Decision</p> <p>(1) That approval be given to a letting for 15 years, with rent reviews at the end of the 3rd, 5th and 10th years on terms set out within the report.</p> <p>(2) That delegated authority be granted to the Head of Governance to agree any late amendments to the proposed lease.</p>			
<p>Reason for Decision</p> <p>1. The letting will secure a substantial income stream for 15 years whilst at the same time addressing the urgently required maintenance.</p> <p>2. If the Council do nothing WMPW will vacate within 3 years with the loss of rental revenue. The 3 adjacent units they also currently occupy would also be vacated. The Council would be left with a substantial building which would have a limited future.</p>			
66/13/14	Fifteen Year Lease of Unit 10, The Pavements	J420L	23rd April, 2014
<p>Decision</p> <p>(1) That a fifteen year lease of Unit 10, The Pavements, Chesterfield, be granted.</p> <p>(2) That the Head of Governance be granted delegated authority to deal with any late amendments to the terms of the lease.</p>			

Decision Record No.	Subject	Delegation Reference	Date of Decision
<p>Reason for Decision</p> <p>The letting will secure at least a five, ten or fifteen year income stream. Financially the Council will benefit from not having to pay empty business rates. The letting will secure a strong tenant. At present there are four vacant units on the mall.</p>			
67/13/14	Sale of Former Area Office, High Street, Staveley	G260L	28th April, 2014
<p>Decision</p> <p>(1) That the freehold disposal of the former Staveley Area Office and car park at High Street, Staveley, be approved on the terms set out in the report.</p> <p>(2) That the Head of Governance be granted delegated authority to agree late amendments to the sale.</p>			
<p>Reason for Decision</p> <p>1. The sale will secure a one off capital receipt.</p> <p>2. The value achieved is considered to be above market value.</p>			

Executive Member for Housing

Decision Record No.	Subject	Delegation Reference	Date of Decision
68/13/14	Home Repair Assistance Application (HRA34)	H000L	24th March, 2014
<p>Decision</p> <p>That Home Repairs Assistance of up to £22,109 be approved, based on the costs outlined in this report.</p>			
<p>Reason for Decision</p> <ol style="list-style-type: none"> 1. To contribute to the Council's objective of increasing the number of decent homes across all tenures. 2. To ensure the sustainability of home adaptations for a severely disabled person and to enable her to continue to live independently 3. To contribute to the Council's Affordable Warmth Strategy, HECA Strategy and carbon reduction targets. 			
69/13/14	Home Repair Assistance Application (HRA12)	H000L	24th March, 2014
<p>Decision</p> <p>That Home Repairs Assistance of up to £17,267 be approved based on the costs outlined in this report.</p>			

Decision Record No.	Subject	Delegation Reference	Date of Decision
<p>Reason for Decision</p> <ol style="list-style-type: none"> 1. To contribute to the Council's objective of increasing the number of decent homes across all tenures. 2. To ensure the sustainability of home adaptations for a severely disabled person and enable her to continue to live independently. 3. To contribute to the Council's Affordable Warmth Strategy, HECA Strategy and carbon reduction targets. 			
70/13/14	Construction, Design and Management Co-ordinator Service	H000L	28th April, 2014
<p>Decision</p> <p>That the Housing Services Manager - Business Planning and Strategy be authorised to appoint the Construction, Design and Management Co-ordinator services of IGL Services Ltd to undertake CDM-C Services on notifiable projects.</p>			
<p>Reason for Decision</p> <p>To meet the Council's statutory obligations under the Construction, Design and Management Regulations 2007.</p>			

Executive Member for Customers and Communities

Decision Record No.	Subject	Delegation Reference	Date of Decision
71/13/14	Application for financial assistance from Brimington Village Circle	S340L	25th March, 2014
<p>Decision</p> <p>That £1,000 be given in financial assistance to the Brimington Village Circle from the Minor Grants budget, on the understanding that Chesterfield Borough Council will not be approached for any funding for maintenance in future years.</p>			
<p>Reason for Decision</p> <p>To support a local association to obtain a live fir tree to be planted on Brimington village green.</p>			
72/13/14	May Day Gala 2014	S370L	28th April, 2014
<p>Decision</p> <p>That financial assistance of £800.00 be granted.</p>			
<p>Reason for Decision</p> <p>To continue the Council's support for the May Day Gala.</p>			

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CABINET MEETING

Wednesday, 4th June, 2014

Present:-

Councillor Burrows (Chair)

Councillors	Gilby King		Ludlow McManus
Non Voting Members	Hill Hollingworth		Huckle Martin Stone

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blank, Brown, Russell and Serjeant.

11 MINUTES

RESOLVED –

That the Minutes of the meeting of Cabinet held on 20 May, 2014, be approved as a correct record and signed by the Chair.

12 FORWARD PLAN

The Forward Plan for the four month period 1 June, 2014 to 30 September, 2014 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

13 **LOCAL GOVERNMENT ASSOCIATION PEER CHALLENGE 2013/14 (J030)**

The Corporate Management Team submitted a report on the findings of the Local Government Association (LGA) Corporate Peer Challenge.

The Council had taken part in the LGA Peer Challenge programme in November 2013. The Peer Challenge Team had been provided with a range of background documents prior to the challenge period, including the Corporate Plan, financial information, performance data, key strategies and a number of case studies. During the three day period the Peer Challenge Team had met with a range of Members, officers and other stakeholders.

The Peer Challenge focused on a number of core elements, and, in light of the significant financial challenge facing the Council in the years ahead, the Council had requested that the Challenge team also looked at the Council's transformation programme, the current back office contract/partnering arrangements and the Council's organisational capacity to deliver its capital and transformation programmes.

The Peer Challenge Feedback Letter, which was attached as an Appendix to the report, provided feedback on all the focus areas along with suggestions for improvement. Overall it recognised the huge commitment to the Borough and the Council from both Members and employees and that the Council was performing well. It recommended revisiting financial assumptions to ensure that the medium term financial strategy had realistic targets for the next five years and reviewing the Corporate Plan to be in line with the financial assumptions.

Since the Peer Challenge in November a number of the recommendations had been taken forward including revisiting the financial assumptions and extensive work on developing a new Corporate Plan. A number of key activities were planned for the next six to 12 months in order to respond to the challenges identified during the Peer Challenge and to maximise opportunities. The Peer Challenge Action Plan was attached as an Appendix to the report.

The Action Plan would be owned and monitored by the Corporate Management Team and a progress report submitted to Cabinet at the six month stage and after 12 months.

*** RESOLVED –**

- (1) That the findings from the Peer Challenge be endorsed and that the report be released for publication.
- (2) That the Peer Challenge action plan be approved for implementation.

REASON FOR DECISION

To respond effectively to the challenges identified within the 2013/14 Peer Challenge.

14 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 Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to financial and business affairs.

15 CHESTERFIELD WATERSIDE UPDATE AND GROWING PLACES FUNDING (J000R)

The Head of Regeneration submitted an update report on the Waterside project, including the proposal for the Council to undertake infrastructure works on the site with a Growing Places Fund (GPF) loan from the Sheffield City Region Local Enterprise Partnership (SCR LEP).

The Council had entered into a partnership agreement in 2006 with Arnold Laver and Company Ltd and Bolsterstone Plc to form a Limited Liability Company, known as Chesterfield Waterside Limited, to provide a mechanism to enable the Council to help secure the future comprehensive regeneration of this high profile strategic site.

The delivery of the Chesterfield Waterside development remained a priority within the SCR LEP Strategic Plan and was a key Council Corporate Plan priority. The site had been stalled for a number of years and the prevailing

market conditions meant that the ambition for the site would require public intervention to ensure that a viable scheme could be delivered.

The report updated progress in respect of infrastructure works, residential development and commercial development.

The GPF loan would pump prime the development and make the site infrastructure ready, enabling the scheme to deliver 2,500 jobs in 30,000 sqm of commercial floor space, generating an uplift in business rates of which the Council could retain 20%. In addition, the scheme would create 1,200 – 1,500 homes for the borough, securing a new homes bonus of up to £1.4m per annum for six years.

The Council would submit a formal application to the SCR LEP for a loan of £2.4m, entering into a loan agreement with Sheffield City Council (SCC) as the accountable body for the funds. In order for the Council to progress this approach an allocation of £40,000 would need to be set aside from the Service Improvement Reserve to cover costs incurred for legal and other professional fees which would be required in advance of the draw down of the loan. It was proposed that this allocation would be repaid through an early draw down of the loan.

Prior to drawing down the first tranche of funding, the landowner would be required to enter into a Covenant to Pay, ensuring that all costs incurred by the Council could be recovered regardless of whether the infrastructure works went ahead or not. The cost of the infrastructure work, interest accrued by the Council and any incidental costs and fees in delivering this work would be charged to the landowner who would be required to pay for the works undertaken.

The report included a programme for activities relating to the infrastructure work and the subsequent residential development, with work scheduled to start on site in early 2015.

Small scale housing delivery on the site had commenced recently with the development of 19 affordable homes, which were due to be completed by March 2015. A programme of work to deliver 300 houses on completion of the infrastructure work was in place.

Interest in Basin Square, the commercial area of the site, had been positive with a number of companies expressing a strong interest in locating on the site. Subject to Chesterfield Waterside obtaining grant

funding from the Sheffield City Region Investment Fund (SCRIF), infrastructure works, including completion of the canal basin, new road bridge, preparation of development platforms and the development of the first three buildings, could commence on site in the summer of 2015.

The report outlined the risk factors for the Council and the mitigating actions proposed to minimise the likelihood and the impact of these risks.

*** RESOLVED -**

(1) That it be recommended to Full Council that £40,000 be allocated from the Service Improvement Reserve to be repaid from the first drawdown of GPF funding. This is to cover the fees associated with delivering works in advance of drawing down the loan.

(2) That officers be authorised to:

(i) Negotiate, agree and enter into contractual arrangements to renew land purchase protection for the Council and to replace the extant option agreements.

(ii) Negotiate, agree and enter into the necessary contractual arrangements relating to the procurement and implementation of the infrastructure works.

(3) That regular progress reports on the project be made to Cabinet.

(4) That it be recommended to Full Council that it approves the submission of a formal application to the Sheffield City Region LEP for a loan in the sum of £2.4m to enable the Council to enter into a loan agreement with Sheffield City Council as the accountable body for the funds.

REASON FOR DECISIONS

To bring about the successful delivery of the Chesterfield Waterside scheme, one of the Council's Corporate Plan objectives.

16 **PROPOSED BUDGET FOR THE LINACRE ROAD SITE, ASHGATE (J000R)**

Kier Asset Management and the Housing Service Manager – Business Planning and Strategy Manager submitted a report seeking approval of the proposed scheme budget for the Linacre Road site, Ashgate, and also of the appointment of master planning consultants.

The Linacre Road site was just under 37.5 acres gross area, with Housing Revenue Account land ownership accounting for 33.5% of the site and General Fund for 66.5%.

The site had been identified and consulted on as a possible housing allocation when the draft Local Plan Sites and Boundaries Document was published in November 2012. This was currently programmed for adoption in summer 2015.

In order to maximise the potential capital receipt from this site, it was proposed that the land be released in phases of up to 150 plots, which would be attractive to and developable by a single house builder at a time.

Master planning of the site would be essential to the process, defining the preferred layout of the proposed development, phasing, plot size and means of access. The Master Plan and Informal Planning Brief would form the bases for a developer making a bid on the site and submitting an outline planning application to the Council.

The Council and Kier had interviewed three planning and urban design consultancies with a proven track record of master planning residential development sites on this scale and commercial experience of working with national house builders. ID Planning and their architects, Sten, represented the best value for money for developing the Master Plan and Informal Planning Brief.

In order to develop the Master Plan, various specialist inputs would be required which were not available in-house, and it was proposed that consultants be appointed through competitive quotes to carry out this work.

Community engagement would be required once the Master Plan had been drafted.

The report outlined the potential financial implications from the sale and development of the site in respect of the capital receipt and the New Homes Bonus. It also identified the risk of the project not being progressed without the proposed budget for the master planning of the site.

*** RESOLVED –**

(1) That it be recommended to Full Council that a preliminary budget of up to a maximum of £100,000 be allocated to bring the Linacre Road, Ashgate site forward for sale/development on the terms set out in the report, and that any costs attributable to bringing forward the site are split on a pro-rata basis between the respective Housing Revenue Account and General Fund ownerships. As such, the provisional budget will be split £33,500 from the Housing Revenue Account and £66,500 from the General Fund.

(2) That ID Planning and Sten Architecture be appointed as consultants for master planning the site on the terms set out in the report.

REASONS FOR DECISION

1. The proposed budget is required to inform the Master Plan process for the site, which will enable a phased release for residential development.

2. This will bring the site forward for eventual sale to release capital receipts to the General Fund and Housing Revenue Account.

3. The specialist input and reports will cover overall strategies for both the Housing Revenue and General Fund land. Therefore, it is equitable that the cost for this work is apportioned pro-rata on a percentage basis between the respective land holdings.

**17 FORMER CHESTERFIELD CYLINDERS/WHITEBANK CLOSE
SPORTS GROUND (L000)**

The Head of Environment and the Head of Kier Contracts, Chesterfield submitted a report on the current situation and proposals to secure a

sustainable future for the former Chesterfield Cylinders / Whitebank Close Sports Ground.

The playing fields at Whitebank Close had been let by the Council in 1955 for a term of 99 years to Chesterfield Tube Company. Following the liquidation of the Tube Company and its successors UEF, the lease had been sold to Barratt Homes Limited, who had surrendered the lease in August 2013.

The site, comprising 4.5 hectares (11 acres), remained allocated in the Local Plan as playing fields.

There were currently three clubs in use and occupation on site, set up when Barratts held the lease, these being:

- i) Chesterfield Football Club (CFC)
- ii) Chesterfield Cylinders Bowling Club
- iii) The Bowmen of Chesterfield (an archery club).

On handover in 2013, the Council undertook works to address immediate health and safety concerns. Surveys also identified a number other repairs which would be required to facilitate re-letting the premises, substantially relating to the pavilions used by the archery and bowling clubs. A tree survey identified that many of the trees bordering the playing fields required pollarding and crown cleaning.

The football club had invested in new drainage and improving the playing surface of the playing fields. It was hoped that with FA funding, new changing and classroom facilities could be erected to enable the Club, through its Community Trust, to run its Football in the Community programmes.

The Council had been in discussion with each of the three clubs on individual leases for continued use of the site, with communal areas to be managed and maintained by the Council and costs recovered by way of a recharge provision within the leases.

The most recent negotiations with CFC had led to the agreement that in return for a significant rent-free period, CFC would finance the construction of a new facility, that would be suitable for their needs containing changing rooms, showers, WC's, a community/training room and an officials changing room.

It was proposed to grant each prospective sports club a 25-year lease, with the purpose being that the sports club could then use this as a foundation to go out and secure external funding for proposed capital projects within their respective demised areas.

Each lease would also be designed to transfer as many responsibilities away from the Council and onto the prospective tenants, in order to secure the continued and future use of the site whilst at the same time mitigating and reducing the financial liability the site would, otherwise, pose to the Council.

The Council would need to undertake certain remedial works to bring the site and its facilities up to an acceptable standard for lease, to enable repair and maintenance responsibilities to be reasonably passed onto the tenants. Such works included an upgrade and revision of the electrical supply to all areas to allow for sub-metering and independent electrical usage.

The proposed terms for each lease were set out in the report, and the areas for use of each of the sports clubs were identified in Appendices to the report.

The Council would remain responsible for the land fronting the site, which may be suitable for disposal for the purposes of residential development, although consideration would need to be given to improving other sporting facilities on site to satisfy Sport England on the loss of the two tennis courts, one of which was currently derelict and the other used for parking. It was proposed that a proportion of the capital receipt be used to improve access, parking and other ancillary facilities on site, with full details of this to be covered in a separate report.

*** RESOLVED –**

- (1) That the additional works to the former Chesterfield Cylinders / Whitebank Close Sports Ground site to facilitate its re-letting be approved at an estimated total cost of £43,660.
- (2) That the Head of Contracts, Kier Chesterfield, in conjunction with the Head of Governance be authorised to negotiate and settle the final terms of up to 25-year leases with the three sports clubs currently in occupation on site.

(3) That it be noted that future capital investment may be required on site and that this could be financed in part, by the capital sale of land fronting the sports ground. Specifically, this relates to replacement car parking and improvement of the access track. This matter will be subject to a further report to Cabinet.

REASONS FOR DECISION

1. To comply with the Council's policy of providing and improving parks and sports facilities for all of the community.
2. To protect and develop community sports facilities.
3. To mitigate and manage the potential financial burden the sports ground would have if fully retained.

CABINET**Tuesday, 10th June, 2014**

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

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

Councillors Gilby and Hill declared a conflict of interest in Minute No. 20 as Members of the Planning Committee and left the meeting during consideration of this item.

Councillor Huckle explained that he had declared a conflict of interest in respect of Minute No. 20 at the meeting of the Planning Committee on 19 May, 2014 and had withdrawn from that meeting during consideration of the planning application in respect of this item.

19 APOLOGIES FOR ABSENCE

An apology for absence was received from the Chief Executive.

20 REPLACEMENT OF QUEEN'S PARK SPORTS CENTRE APPROPRIATION OF LAND AT QUEEN'S PARK ANNEXE (R320)

The Head of Environment submitted a report seeking authority for the appropriation of land at Queen's Park Annexe for the building of the proposed new sports centre to relocate and replace the existing Queen's Park Sports Centre.

On 29 January 2013 Cabinet had considered the feasibility study for Queen's Park Sports Centre, including consideration of a number of sites for the construction of the new centre, and had resolved (Minute 0187 (2012/13)) that a new sports centre be constructed to replace the existing Queen's Park Sports Centre and that in principle, the Queen's Park Annexe be selected as the preferred site for the new sports centre.

Extensive consultation on the proposed new sports centre had been undertaken with the public, user groups, equalities group, National Governing Bodies (NGBs) and wider stakeholders on the design and facility mix of the new centre and the potential future development of the Annexe site.

Queen's Park Annexe had been conveyed to the predecessor Council in 1905 for the purpose of being used as a public pleasure ground within the meaning of the Public Health Act 1875, with a covenant providing that 'no building shall be erected on the land hereby except such as may be necessary or convenient for the enjoyment of such land as a pleasure ground'. Similar covenants had also applied to the adjacent Queen's Park and the implications of the covenants had been considered when the existing sports centre had been originally constructed in 1968 and when the dry side extension had been added in 1984.

The existing Annexe site contained tennis courts, a bowling green, a redgra athletics track, a football pitch and a changing pavilion.

Advice had been taken from Queen's Counsel regarding the Covenant that applied to Queen's Park Annexe.

Section 122 of the Local Government Act 1972 gave statutory powers to a local authority to appropriate land for any purpose for which the authority was authorised to acquire land by agreement. The appropriation of land referred to a process whereby a local authority altered its purpose for holding that land, provided the land was no longer required for its original purpose.

The effect of appropriation would be to free the land from any trust arising by virtue of it being held in trust for the enjoyment of the public for the purposes of Section 164 of the Public Health Act 1875.

Section 237 of the Town and Country Planning Act 1990 provided that where a local authority had appropriated land for planning purposes the development of the land may override any third party rights enjoyed over the land, provided the development was done in accordance with planning permission. However, statutory compensation may be payable if appropriate.

The relevant powers under which the Council could acquire land for planning purposes were now contained in sections 226(1) and 227 of the Town and Country Planning Act 1990 and could be applied when either:

- (a) the authority considered that the appropriation would facilitate the carrying out or development, re-development or improvement on or in relation to the land; or
- (b) the land was required for a purpose which it was necessary to achieve in the interests of the proper planning of the area.

The appropriation in this case was being considered under Section 226(1)(a) above. A local authority must not exercise the power under paragraph (1)(a) of s.226 unless it considered that the development, re-development or improvement was likely to contribute to the promotion or improvement of the economic, social or environmental well-being of the area.

As the land at Queen's Park Annexe was public open space, the Council would have to advertise its intention to appropriate the land over two consecutive weeks in a newspaper circulating in the local area (Section 122 of the Local Government Act 1972). Cabinet would then consider any representations received before reaching any final decision on appropriation.

The area of land to be appropriated, shown edged bold black on the plan attached as Appendix A to the report, was an area of 19,050m², including the former athletics track, football pitch and the associated terracing and changing rooms. The remainder of the site (including the tennis courts and bowling green), an area of 28,060m², would remain as a public pleasure ground and would be excluded from the area of land to be appropriated.

The area which was to be appropriated to planning uses was larger than the footprint of the proposed centre, in order to provide flexibility in terms

of working areas during construction and to accommodate the proposed expansion of the centre including car parking to fully meet future demand for swimming pools and sports halls in Chesterfield, should the Council's bid for additional funding from Sport England's Strategic Facilities Fund be successful.

In considering whether the land at Queen's Park Annexe was still required for its original purpose, as a public pleasure ground, the report referred to the Heritage Impact Assessment for the proposed new sports centre (attached as Appendix B to the report), the Assessment of Need undertaken as part of the planning application by Neil Allen Associates, independent sport strategic planning specialists (attached as Appendix C to the report) and the Council's draft Playing Pitch Strategy (PPS) (attached as Appendix D to the report).

Following consultation with Sport England regarding the planning application for the new sports centre at Queen's Park Annexe, a planning condition had been agreed to maintain current adult football pitch capacity in Chesterfield, pending formal adoption of the PPS, which had identified a surplus of adult pitches in the borough.

The Assessment of Need and the draft PPS had concluded that the current athletics and football facilities at Queen's Park Annexe were no longer required because they were no longer in regular use, were in poor condition and did not meet the current needs for multi pitch hubs. Furthermore the terraces and changing rooms had been subject to repeated vandalism.

In considering whether the appropriation of land at Queen's Park Annexe would facilitate the carrying out of development, redevelopment or improvement on or in relation to the land, the report referred to identified needs and evidence for the provision of good quality sport and leisure provision in the community, the lack of ability to meet customer expectations for modern sport and physical activity provision at the existing Queen's Park Sports Centre, and the identification of the Annexe site as a suitable site for a modern, more efficient replacement sports facility.

In considering whether the new sports centre on the Queen's Park Annexe site would contribute to the promotion of the economic, social and environmental wellbeing of the area, the report identified that the new sports centre would offer environmental benefits as it would use

significantly less energy than the current centre and would minimise water consumption.

The Heritage Impact Assessment of the proposed development had concluded that the impact of the existing Queen's Park Sports Centre had been to intrude into and degrade the quality of the western margin of the park and the views of the park from Boythorpe Road. The construction of a new sports centre on the Annexe and the demolition of the existing centre provided an opportunity for a comprehensive re-planning of the western margin of the park to achieve a major positive environmental impact in the appearance of the park.

From a social perspective the Annexe site was easily accessible by public transport due to its close proximity to the town centre, and the new centre would improve access to leisure facilities for disabled people and would also drive delivery of the Sport England Legacy Plan aimed at making a difference to participation and creating a sustainable sporting infrastructure for the future.

Overall the new sports centre would encourage more people to participate in sport and physical activity, also leading to economic benefits to the Council by increasing revenue, operating efficiency, and further reducing the subsidy that the Council incurred in operating the current Queen's Park Sports Centre facility.

In considering whether the proposed appropriation of the land at Queen's Park Annexe accorded with the provision of the development plan, the report referred to the report submitted to the Planning Committee meeting on 19 May, 2014 (attached as Appendix F to the report) in respect of the planning application for the proposed public sports facility on the Queen's Park Annexe (Planning Application Reference CHE/13/00635/FUL), confirming that the development was in accordance with local and national planning policy. The Planning Committee had resolved to approve planning permission, subject to planning conditions (Minute No. 3 (2014/15), and planning permission had been issued on 21 May 2014.

On 24 July, 2013 the full Council had considered a petition with over 1000 signatures against the building of a new sports centre on Queen's Park Annexe. Members had agreed to note the petition and that the petition and debate at full Council be taken into account by the Executive as part of its ongoing commitment to consult with the public, the sports national governing bodies and other stakeholders before coming to a final view on

the format of the Queen's Park Sports Centre replacement project (Minute No. 0011 (2013/14) attached as Appendix E to the report). The report included details of the consultation which had been undertaken on the proposal for development of the new sports centre and copies of the results of the consultation were attached as Appendices H, I and J to the report.

In response to questions, it was confirmed that the further consultation in respect of the appropriation of the land at Queen's Park Annexe would involve the Council advertising its intention to appropriate the land over two consecutive weeks in a local newspaper, allowing a two week period for responses, following which a further report would be submitted to Cabinet to consider any representations received before reaching any final decision on appropriation. It was also confirmed that the area which it was currently proposed to be built upon comprised approximately one third of the whole of the Queen's Park Annexe site.

Councillor Russell explained that he had not supported the approach which had been taken to improving the sports facilities at Queen's Park, and he therefore requested that his vote be recorded against the recommendations within the report.

*** RESOLVED -**

- (1) That it be determined that the land shown at Appendix A to the report is no longer required for the purposes of a public pleasure ground under the Public Health Act 1875.
- (2) That the land shown at Appendix A to the report be appropriated for planning purposes.
- (3) That the intention to appropriate the land shown at Appendix A to the report be indicated pursuant to Section 122 of the Local Government Act 1972.
- (4) That consultation be authorised on the intention to appropriate the land in accordance with Section 122 of the Local Government Act 1972.
- (5) That a further report be prepared and that Cabinet considers any representations received and makes its final decision on whether or not to appropriate the land.

REASONS FOR DECISION

1. To confirm that the land is no longer required for the purposes for which it is currently held.
2. To establish an intention to appropriate the land under Section 122 of the Local Government Act 1972.
3. To enable preliminary consideration of whether or not the land should be appropriated for planning purposes under Section 237 of the Town and Country Planning Act 1990.
4. To enable public consultation to take place on any intention to appropriate.
5. To comply with the requirements of Section 122 of the Local Government Act 1972.
6. To enable the new sports centre to be constructed to improve the social, environmental and economic well being of the area.

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CABINET**Tuesday, 17th June, 2014**

Present:-

Councillor Burrows (Chair)

Councillors	Blank	McManus
	Gilby	Russell
	Ludlow	Serjeant

Non Voting	Brown	Hollingworth
Members	Hill	

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Huckle, King and Martin Stone.

23 MINUTES**RESOLVED –**

That the Minutes of the meetings of Cabinet held on 4 June, 2014 and 10 June, 2014 be approved as a correct record and signed by the Chair.

24 FORWARD PLAN

The Forward Plan for the four month period 1 July, 2014 to 31 October, 2014 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

25 **LEADER & EXECUTIVE MEMBER FOR REGENERATION
PORTFOLIO ACCOUNTS 2013/14 (R000)**

The Head of Finance and Head of Regeneration submitted a report on the Revenue Outturn and the Capital Outturn for the Leader and Executive Member for Regeneration Portfolio Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 18th February 2014 (Minute No. 155 (2013/14)).

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts.

26 **DEPUTY LEADER & EXECUTIVE MEMBER FOR PLANNING
PORTFOLIO ACCOUNTS 2013/14 (J000)**

The Head of Finance, Head of Regeneration and Head of Business Transformation submitted a report on the Revenue Outturn for the Deputy Leader and Executive Member for Planning Portfolio Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved by Cabinet on 18th February 2014 (Minute No. 155 (2013/14)), and sought approval for the carry forward of the funding for the consultancy advice still needed to support adoption of the Community Infrastructure Levy (£5,100) and strategic site assessment.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts.

27 **EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES
PORTFOLIO ACCOUNTS 2013/14 (S000)**

The Head of Finance, Head of Business Transformation, Head of Governance and Head of Regeneration submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Customers and Communities Portfolio Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 18th February 2014 (Minute No. 155 (2013/14)).

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts

28 **EXECUTIVE MEMBER FOR ENVIRONMENT PORTFOLIO
ACCOUNTS 2013/14 (E000)**

The Head of Finance, Head of Environment and Head of Regeneration submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Environment Portfolio Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 18th February 2014 (Minute No. 155 (2013/14)) and sought approval for a number of carry forward requests.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts.

29 **EXECUTIVE MEMBER FOR HOUSING GENERAL FUND FINAL ACCOUNTS 2013/14 (H000)**

The Head of Finance and Housing Service Manager – Business Planning and Strategy submitted a report on the Revenue Outturn and the Capital Outturn for the Housing General Fund Final Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 20th December 2013 (Minute No. 131 (2013/14)).

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts.

30 **EXECUTIVE MEMBER FOR GOVERNANCE AND ORGANISATIONAL DEVELOPMENT PORTFOLIO ACCOUNTS 2013/14 (B000)**

The Head of Finance, Head of Business Transformation and Head of Governance submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Governance and Organisational Development Portfolio Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 18th February 2014 (Minute No. 155 (2013/14)).

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts.

31 **EXECUTIVE MEMBER FOR LEISURE, CULTURE AND TOURISM
PORTFOLIO ACCOUNTS 2013/14 (L000)**

The Head of Finance, Head of Environment and Head of Regeneration submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Leisure, Culture and Tourism Portfolio Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 18th February 2014 (Minute No. 155 (2013/14) and sought approval for a carry forward request.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Outturn to be included in the Council's overall Statement of Accounts.

32 **GENERAL FUND BUDGET OUTTURN 2013/14 (R000)**

The Chief Executive and Head of Finance submitted a report on the General Fund Revenue and Capital Outturns for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 18th February 2014 (Minute No. 155 (2013/14) and sought approval for a number of carry forward requests.

***RESOLVED –**

(1) That the General Fund Revenue and Capital Outturn reports for 2013/14 be noted.

(2) That the General Fund carry forward requests of £40,600 (paragraph 4.4 of the report) be approved.

(3) That the level of General Fund Reserves and Balances (Section 6 and Appendix E of the report) be approved.

(4) That the capital financing arrangements set out in Appendix F of the report be approved.

REASON FOR DECISION

In the interest of sound financial management.

33 HOUSING REVENUE ACCOUNT BUDGET FINAL ACCOUNTS 2013/14 (H000)

The Head of Finance and Housing Service Manager – Business Planning and Strategy submitted a report on the Revenue Outturn and the Capital Outturn for the Housing Revenue Account Budget Final Accounts for 2013/14. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 28th January 2014 (Minute No. 149 (2013/14)) and sought approval for a number of carry forward requests.

***RESOLVED -**

- (1) That the report be noted.
- (2) That the revenue and capital carry forward requests for £164,740 (paragraph 3.6 of the report) and £4,256,310 (paragraph 4.1 of the report) respectively and the associated financing arrangements be approved.

REASON FOR DECISION

To enable the Housing Revenue Account Budget Revenue Outturn to be included in the Council's overall Statement of Accounts.

34 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 Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to financial and business affairs.

35 **SECURITY SERVICES DSO FINAL ACCOUNTS 2013/14 AND BUSINESS PLAN 2014/15 (J000)**

The Head of Finance and Head of Contract (Kier) submitted a report on the Final Accounts for 2013/14 and the Business Plan for 2014/15 in respect of the Security Services D.S.O.

It was proposed that the deficit of £10,932 be transferred to the Budget Risk Reserve.

***RESOLVED –**

- (1) That the final accounts for the 2013/14 financial year in respect of the Security Services D.S.O. be received and the financial position noted.
- (2) That the deficit of £10,932 be transferred into the Budget Risk Reserve.
- (3) That the Business Plan forecast for 2014/15 be approved.

REASON FOR DECISION

To enable the financial position of the Security Services D.S.O. to be included in the Council's overall Statement of Accounts for 2013/14.

36 **CLEANSING INTERNAL SERVICE PROVIDER CLEANING OF BUILDINGS FINAL ACCOUNTS 2013/14 AND BUSINESS PLAN 2014/15 (E000)**

The Head of Finance and Head of Environment submitted a report on the Final Accounts for 2013/14 and the Business Plan for 2014/15 in respect of the Cleaning of Buildings Internal Service Provider (ISP).

It was proposed that the surplus of £5,790 be transferred to the Budget Risk Reserve.

***RESOLVED –**

- (1) That the final accounts for the Cleaning of Buildings ISP for the 2013/14 financial year be received and the financial position noted.

(2) That the surplus of £5,790 be transferred into the Budget Risk Reserve.

(3) That the Business Plan forecast for 2014/15 shown at Appendix A to the report be approved.

REASON FOR DECISION

To enable the financial position of the Cleaning of Buildings ISP to be included in the Council's overall Statement of Accounts for 2013/14.

37 LANDSCAPE AND STREETSCENE SERVICES (SPIREPRIDE) FINAL ACCOUNTS 2013/14 AND BUSINESS PLAN 2014/15 (E000)

The Head of Finance and Head of Environment submitted a report on the Final Accounts for 2013/14 and the Business Plan for 2014/15 in respect of Landscape and Streetscene Services.

***RESOLVED –**

(1) That the Final Accounts for the 2013/14 financial year in respect of SpirePride be received and the financial position noted.

(2) That the Business Plan for 2014/15 be approved.

REASON FOR DECISION

To enable the financial position of Landscape and Streetscene Services to be included in the Council's overall Statement of Accounts for 2013/14.

38 PVCU WINDOW AND DOOR ASSEMBLY FACTORY FINAL ACCOUNTS 2013/14 (H000)

The Head of Finance and Housing Service Manager – Operational Services submitted a report on the Final Accounts for 2013/14 for the PVCU Window and Door Assembly Factory.

It was proposed that the deficit of £417 be transferred to the Housing Revenue Account.

***RESOLVED –**

- (1) That the Final Accounts for the 2013/14 financial year in respect of the PVCU Window Factory be received and the financial position noted.
- (2) That the deficit of £417 be transferred to the Housing Revenue Account.

REASON FOR DECISION

To enable the financial position of the PVCU Window and Door Assembly Factory to be included in the Council's overall Statement of Accounts for 2013/14.

39 OPERATIONAL SERVICES I.S.P. FINAL ACCOUNTS 2013/14 AND BUSINESS PLAN 2014/15 (H000)

The Head of Finance and Housing Service Manager – Operational Services submitted a report on the Final Accounts for 2013/14 and the Business Plan for 2014/15 in respect of the Operational Services Internal Service Provider (ISP).

It was proposed that £218,000 of the surplus be set aside to fund the items detailed in paragraph 3.4 of the report and that the balance of the 2013/14 surplus (£500,003) be transferred to the Housing Revenue Account.

***RESOLVED –**

- (1) That the Operational Services I.S.P. Final Accounts for 2013/14 be received and the financial position noted.
- (2) That £218,000 of the surplus be set aside to fund the items detailed in paragraph 3.4 of the report.
- (3) That the balance of the 2013/14 surplus (£500,003) be transferred to the Housing Revenue Account (HRA).
- (4) That the Business Plan forecast for 2014/15 be approved.

REASON FOR DECISION

To enable the financial position of the Operational Services ISP to be included in the Council's overall Statement of Accounts for 2013/14.

40 READMISSION OF THE PRESS AND PUBLIC

RESOLVED –

That the press and public be readmitted.

41 REVIEW OF CODE OF CORPORATE GOVERNANCE AND THE ANNUAL GOVERNANCE STATEMENT (B000)

The Corporate Management Team submitted a report reviewing the Council's compliance with the Code of Corporate Governance requirements during the year 2013/14.

The review of the Code of Corporate Governance had been used to provide evidence to support the preparation of the Annual Governance Statement.

The report included:

- A review of the key elements of the systems and processes that comprised the Authority's governance arrangements, and examples and evidence of assurances in support of the Authority's Annual Governance Statement;
- An action plan arising from the above assessment;
- An Annual Governance Statement for the Council to accompany the Council's Statement of Accounts for 2013/14.

The Code of Corporate Governance had first been adopted in 2002, revised in 2008 and revised again following further guidance issued jointly by SOLACE (Society of Local Authority Chief Executives) and CIPFA (Chartered Institute of Public Finance and Accountancy) in 2012.

The report would be further considered at the next meeting of the Standards and Audit Committee.

***RESOLVED -**

- (1) That the following documents be referred to the Standards and Audit Committee:
 - a) the Annual Review of the Local Code of Corporate Governance for 2013/14 (Appendix 1 to the report);
 - b) the review of the key elements of the systems and processes (Appendix 2 to the report);
 - c) the Review of Assurances (Appendix 3 to the report);
 - d) the Action Plan (Appendix 4 to the report); and
 - e) the Annual Governance Statement (Appendix 5 to the report).

- (2) That the Standards and Audit Committee:
 - a) consider the documents listed in resolution (1) above;
 - b) subject to any amendments that they consider appropriate, approve the Annual Governance Statement and Action Plan; and
 - c) recommend that the Annual Governance Statement be signed by the Leader and Chief Executive.

- (3) That a review of the Code of Corporate Governance be undertaken in 12 months time.

- (4) That progress on the Action Plan be monitored by the Corporate Management Team.

REASONS FOR DECISIONS

1. To enable the Cabinet and the Standards and Audit Committee to monitor the Council's compliance with the Code of Corporate Governance.

2. To comply with the requirements of the Accounts and Audit Regulations 2011.

3. To support the maintenance of sound governance arrangements within the Council.

42 **UPDATED COLLECTING AND RATIONALISATION AND DISPOSAL POLICIES FOR CHESTERFIELD MUSEUM (L000)**

The Head of Regeneration submitted a report on the work done to update the Acquisitions and Disposals Policy for Chesterfield Museum, in line with Arts Council England Accreditation Standards, and to develop a procedure for dealing with the disposal of items from Chesterfield Museum's collections, in accordance with good practice.

Chesterfield Museum's current Acquisitions and Disposal Policy had last been approved in 2008, although there were no procedures within it on how to dispose of objects from the collection, if they did not fit the acquisition guidelines contained in the Policy.

In accordance with best practice, the Acquisitions and Disposal Policy had now been divided into separate but linked policies – the Collecting Policy and the Rationalisation and Disposal Policy.

The Collecting Policy (attached at Appendix 1 to the report) outlined the Council's policies in respect of acquiring material for its museum collections. The Policy set criteria and limitations for future collecting, including an emphasis on collecting items relevant to Chesterfield Borough, not actively collecting new archaeological items unless they were significant finds discovered as part of an official excavation within the Borough and consideration of the costs of storage and conservation.

The Rationalisation and Disposal Policy (attached at Appendix 2 to the report) outlined the Council's rationale and procedures for reviewing material in its museum collections and assessing their significance in order to inform decisions about their future care. The Policy included a Collections Assessment Matrix with criteria, against which items could be assessed. The initial rationalisation assessment of any item would be carried out by senior curatorial staff, with reference to the Tourism, Museums & Events Manager, in order to produce a rationalisation report. It was proposed that delegated responsibility for disposal of items from the collections should be given to a cross-party Museum Collections Committee of Members, which would be chaired by the Executive Member for Leisure, Culture and Tourism, with decisions informed by the evidence presented in the rationalisation reports.

The report identified a number of options available for disposal of an item where this was agreed by the Committee, with preference to be given to keeping the item in the public domain where possible.

Consultation on the proposed Policies had taken place with the Museums Association through their Collections Development Programme.

The meeting considered the option of including a member of the public on the Museum Collections Committee, although it was noted that Arts Council advice did not recommend this. It was felt that the elected Members on the Committee could represent the interests of the public.

***RESOLVED –**

- (1) That the updated Collecting Policy for the Chesterfield Museum Service be approved.
- (2) That the Rationalisation and Disposal Policy for the Chesterfield Museum Service be approved.
- (3) That a cross-party Museum Collections Committee be formed, chaired by the Executive Member for Leisure, Culture and Tourism, to consider recommendations for retention or disposal of objects from Chesterfield Museum's collections.
- (4) That the responsibility of disposing of objects from Chesterfield Museum's collections be delegated to the Museum Collections Committee, acting on the advice of the curatorial staff.

REASONS FOR DECISIONS

1. There is currently no delegated responsibility for disposal of items from the Museum's collections. As disposal is a necessary part of any Collections Policy, it is important that this matter is addressed.
2. Rationalising Chesterfield Museum's collections will allow better care and conservation of objects retained, as well as more opportunities to display retained items and achieve better access for people wanting to use the collections for research.

43 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 3 of Part I of Schedule 12A to the Local Government Act 1972 – as it contained information relating to financial and business affairs.

44 CONTRACT FOR THE FUTURE PROVISION OF SECURITY SERVICES TO THE PAVEMENTS CENTRE, YARDS AND MARKET (J000)

The Head of Finance and Head of Kier – Asset Management submitted a report on the performance of the Security Services Internal Service Provider (ISP) contract at the Pavements Shopping Centre and surrounding areas; also, recommending that the ISP be permitted to submit a bid for the new contract that is to be let from September 2014 following the outcome of a market testing exercise.

In November 2013 Cabinet had approved the final one year extension of the contract for the Security Services ISP at the Pavements Shopping Centre (Minute No. 110 (2013/14)) with a requirement for a stepped improvement in the delivery of the service during the first six months of the extension period.

The report set out the performance of the service against the improvement areas agreed at that time, noting a significant improvement in the number and frequency of patrols. It was therefore proposed that an ISP bid be promoted when the Security Services contract was next market tested. This exercise was to commence within the next month.

***RESOLVED –**

(1) That the improvements made by the ISP Security Service over the past 8 months be acknowledged.

(2) That a procurement process be undertaken for the future delivery of the Security Service on the basis of a 3 year contract with the option to

extend for a further 2 years in accordance with the 2006 Procurement Regulations.

(3) That the submission of an ISP bid as part of the market testing exercise be approved.

REASON FOR DECISION

To ensure that an efficient, effective and economical security service is provided for the benefit of the businesses located in the Pavements Shopping Centre, Yards and Market.

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CABINET**Monday, 7th July, 2014**

Present:-

Councillor Burrows (Chair)

Councillors	Blank Ludlow	McManus Russell
Non Voting Members	Brown Hill Hollingworth	Huckle Martin Stone

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

46 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gilby, King and Serjeant.

47 MINUTES**RESOLVED -**

That the minutes of the meeting of Cabinet held on 17 June, 2014 be approved as a correct record and signed by the Chair.

48 FORWARD PLAN

The Forward Plan for the four month period 1 August, 2014 to 30 November, 2014 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

49 **PERFORMANCE OUTTURN FOR 2013/14 (J050)**

The Policy Manager submitted a report to present to members the performance outturn data for 2013/14 and to report on the progress made against the Corporate Plan.

The report included information on achievement against the Corporate Plan Performance Indicators, and summarised progress on Corporate Plan Projects. It also set out several improvement opportunities which had been identified for 2014/15 which included the LG Inform Benchmarking tool and the evaluation of the Council's Partnership Strategy.

***RESOLVED –**

- 1 That the performance outturn for 2013/14 be noted.
- 2 That the Local Government Association's free benchmarking tool LG Inform, be investigated and that options be brought forward to the Corporate Management Team for its usage.
- 3 That the Partnership Strategy be reviewed during 2014/15 and a new partnership evaluation tool developed.

REASON FOR DECISION

To raise awareness of the performance against the Corporate Plan and to facilitate performance improvement.

50 **COMMUNITY ASSEMBLIES ANNUAL REPORT 2013/14 (S320)**

The Community Development Worker submitted a report to present the Council's Community Assemblies Annual Report for 2014/14 for approval.

The Community Assemblies Annual Report set out the improvements and achievements over the last year and the plans. It also highlighted a range of Community Development activity that had been undertaken during 2013/14 with partner agencies.

It was noted that all financial savings targets for the Community Assemblies programme during 2013/14 had been either met or exceeded. The Minor Grants programme had been particularly effective in helping to fund activities for older and younger people, with the focus being primarily on health inequalities and deprivation.

***RESOLVED -**

1. That the Community Assembly Annual Report be approved, published and widely circulated.
2. That the Community Assembly Programme be evaluated and reviewed during 2015/16.

REASON FOR DECISION

To continue to work with our communities to ensure that Chesterfield Borough remains a great place to live, work and visit.

51 OCCUPATIONAL HEALTH AND SAFETY IMPROVEMENT PROGRAMME - PERFORMANCE UPDATE REPORT 2013/14 (B460)

The Corporate Health and Safety Adviser submitted a report to present to members the performance outturn data for 2013/14 and to report on the progress made against the Occupational Health and Safety Improvement Programme 2012-2015.

The report included performance information relating to four key areas which were:

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

11 targets had been identified across the four key areas in the improvement programme and at the end of 2013/14, 55% of these were either complete or making satisfactory progress.

***RESOLVED –**

1. That the performance outturn for 2013/14, be noted.

2. That Senior Management teams continue to monitor performance within all Services, to ensure the targets of the programme set for 2014/15 are met.

REASON FOR DECISION

To raise awareness of performance against the Occupational Health and Safety Improvement Programme 2012-2015 and to facilitate performance improvement.

52 PROPOSED SPORTS PAVILION FOR EASTWOOD PARK (E000)

The Head of Environment and the Head of Finance submitted a report to update Members on progress with the proposals for a new sports pavilion at Eastwood Park and to seek approval for the capital and revenue implications associated with it.

The proposed accommodation for sports activity would include home and away changing, umpires room, shower and toilet facilities for male, female and disabled facilities, tea room, kitchen, multi purpose room and storage.

The proposals also included for demolition and removal of the existing bowls pavilion, its reinstatement and re-housing of the bowling green irrigation controls.

The report outlined the funding opportunities which included:

- An offer of a grant for £125k from the Sport for England Inspired Facilities fund
- The potential sale of land off Hollythorpe Close for residential development over the next 20 years
- £18,663 from the Section 106 agreement arising from the development of land at 102 Storforth Lane
- Information relating to prudential borrowing

Tenders were received and the lowest priced bid was considered by the Councils Financial Planning Group. The price was over the original estimated construction budget and as such was not considered an affordable option.

In order to reach an affordable option, the Councils Operational Services Department were also asked to provide a price and a price of £320K was submitted to undertake the contract works.

The total cost of procuring the new sports pavilion and public toilets for Eastwood Park was now £351K. Further funding was sought from Sport England and an uplift on grant of £25K was offered, taking the total amount to £150K which was the maximum amount they could give under the Inspired Facilities programme.

In order to meet requirements of building regulations energy and efficiency measures, a gas power heating, water and ventilation system had been incorporated into the building which would have a significant knock on effect on the level of ongoing maintenance and future replacement costs associated with the scheme. It was estimated that future revenue costs following the construction of the sports pavilion and toilets would increase by £4.2K per annum from 2015/16 onwards, which was a significant increase to the original figure of £2K.

***RESOLVED –**

1. That approval be given to proceed with the provision of a new sports pavilion for Eastwood Park, as set out in the report.
2. That the revised financing arrangements at paragraph 10.9 of the report be approved, including the Councils reduced match funding requirement of £201,000.
3. That the additional revenue implications of £4,200 per annum, be approved for the financial year 2015/16 as set out in the report.
4. That the appointment of the Councils Operational Services Department (OSD) be approved, as the Councils preferred supplier for the sports pavilion and public toilet contract at Eastwood Park.
5. That the closure of the public conveniences on Hasland Road be approved, subject to further consultation with the South Community Assembly.

REASON FOR DECISION

1. To meet the Council's Corporate Plan priority of improving the quality of life for local people.
2. To comply with the Council's policy of providing and improving parks and sports facilities for all parts of the community.
3. To reduce levels of vandalism and anti-social behaviour experienced at Eastwood Park and in the surrounding area.
4. To improve access to Eastwood Park for all parts of the community.
5. To progress the development of Community Parks in line with the Parks Open Spaces and Play Strategies.

53 **FIRE RISK ASSESSMENTS IN COMMUNAL AREAS - COUNCIL HOUSING (H000)**

The Housing Service Manager – Business Planning and Strategy submitted a report to advise Members of the content of the Savills Fire Risk Assessment report for each of the Council's general needs blocks of residential flats, sheltered housing schemes and common rooms.

The report also advised on the requirement for remedial works which need to be carried out to ensure adequate fire safety within the communal areas of the Council's housing stock.

The Fire Risk Assessments had been carried out by Savills between October 2013 and December 2013 which involved assessing of the Council's entire residential stock with common parts. In total 350 fire risk assessments were completed in general needs blocks, 8 in sheltered housing schemes and 6 in common rooms.

Issues requiring immediate action had been identified and these were summarised within the report with a more detail being covered in Appendix 1 to the report.

Savills had identified that the cost of addressing all of the remedial work recommendations would be in the region of £232,550 and that these would be met from the Housing Revenue Account, and a capital budget of

£300,000 had already been established for this work within the Housing Capital Programme.

***RESOLVED –**

1. That the Fire Risk Assessment report be noted.
2. That the Business Planning and Strategy Manager be authorised to action the remedial works that require attention in the report.
3. That the costs associated with the remedial works be met from the 2014/15 Housing Capital Programme.
4. That a further report be brought to Members updating the Housing Service Fire Management Policy and Procedures.

REASON FOR DECISION

1. To meet statutory obligations under the Regulatory Reform (Fire Safety) Order 2005.
2. To contribute to meeting the Council's corporate priority 'To improve the quality of life for local people'.
3. To contribute to improved performance against key performance indicator NI158 (% Decent Council Homes).

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CABINET**Tuesday, 15th July, 2014**

Present:-

Councillor Burrows (Chair)

Councillors	Blank Ludlow McManus	Russell Serjeant
Non Voting Members	Brown Hill Hollingworth	Huckle Martin Stone

*Matters dealt with under Executive Powers

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

Councillor Huckle explained that he had declared a conflict of interest in respect of Minute No. 57 at the meeting of the Planning Committee on 19 May, 2014 and had withdrawn from that meeting during consideration of the planning application in respect of this item.

Councillor Hill declared a conflict of interest in Minute No. 57 as a Member of the Planning Committee and left the meeting during consideration of this item.

55 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gilby and King.

56 PROJECT ACADEMY FUNDING (R000)

The Business Transformation Manager submitted a report to request funding to enable the Project Academy scheme to continue from 2014 to 2016.

The Project Academy scheme had been established in 2012 to provide opportunities to rising stars within the Council to develop their skill set, with

on the job training and education whilst working on specific projects. The scheme had been a massive success to date with five officers from across the Council taking up placements within Project Academy of between 6 and 12 months. A range of projects had been completed, resulting in significant savings and capital receipts.

The Great Place : Great Service initiative had made a commitment to continue Project Academy with a target of nine officers to participate in the programme by March 2017, and six officers had been selected to participate during 2014/15.

The funding for Project Academy of £50,000, which had been approved in 2012 to cover the costs of training and also backfilling the substantive positions of Project Academy officers, where required, had now been fully used with an additional £4,000 overspent. Details of expenditure were shown at Appendix A to the report.

The potential backfill costs for the current intake of Project Academy officers were estimated to amount to £57,400, and funding of £60,000 from the Council's Service Improvement Reserve was therefore requested.

*** RESOLVED –**

That it be recommended to Full Council that the Project Academy fund be 'topped up' with £60,000 from the Council's Service Improvement Reserve to ensure that the Project Academy can continue to operate until March 2016.

REASON FOR DECISION

To ensure that Project Academy can continue to operate, delivering projects and securing efficiencies, until March 2016.

**57 REPLACEMENT OF QUEEN'S PARK SPORTS CENTRE -
APPROPRIATION OF LAND AT QUEEN'S PARK ANNEXE (L000)**

The Local Government and Regulatory Law Manager and the Sport and Leisure Services Manager submitted a report to enable consideration of representations received following public consultation on Cabinet's intention to appropriate land at Queens Park Annexe (10 June 2014, Minute No. 20 (2014/15)), and to seek a final decision on whether or not to appropriate the land.

Consultation had been carried out between 12 June and 4 July, 2014 by advertising the intention to appropriate over two consecutive weeks in a newspaper circulating in the local area (the Derbyshire Times) (as required by Section 122 of the Local Government Act 1972). Notices had also been erected at the entrances to the Annexe site and a press release had been issued.

A total of 94 representations had been received (some of which were in the name of more than one family member – 118 objections in total). These were set out at Appendix 1 to the report.

The issues raised in the representations were outlined in the report along with officers' comments. Many of the issues had been addressed in the Cabinet report of 10 June, 2014, which was attached as Appendix 2 to the current report. The land to be considered for appropriation was shown at Appendix A to the Cabinet report of 10 June, 2014.

The report set out the legal considerations in respect of the Covenant that applied to Queen's Park Annexe and the appropriation of the land. Advice had been taken from Queen's Counsel.

The decision depended on whether or not the land was no longer required as a public pleasure ground. The decision whether or not to appropriate for planning purposes was dependent on several factors:

- the land was no longer required for the purpose for which it was currently held (the s.122 test);
- the appropriation would facilitate the carrying out of development, redevelopment or improvement on or in relation to the land;
- it would contribute to the promotion of the economic, social and/or environmental well being of the area (the s.226(1A) test);
- it accorded with the provisions of the development plan, and whether planning permission was in force and any other considerations that would be material to the determination of a planning application for development of the land.

The report outlined why it was considered that the area of land to be appropriated was no longer needed as a public pleasure ground, noting that the nearby Queen's Park provided an alternative pleasure ground

that was of much higher quality than the Annexe and provided a wider range of facilities, e.g. children's playground. It was further noted that more than half of the current area of open space at the Annexe would be retained and that there was no shortage of open space throughout the borough.

The report referred to the extensive consultation which had been undertaken in respect of the proposed development of the new leisure centre, including consideration of the petition presented to the Full Council in July 2013.

The report also outlined why it was considered that the proposed development was in the public interest for the following reasons:

- The NAA Assessment of Need and emerging PPS confirmed that the new sports centre was justified in terms of need and evidence to meet current and future sporting and physical activity needs of local residents.
- The new sports centre would have a positive environmental impact by being significantly more energy efficient than the existing centre on Queen's Park.
- The construction of the new sports centre provided a unique opportunity to re-model the western side of Queen's Park and improve the character and appearance of the park itself.
- The new sports centre would incorporate modern design and innovation improving access by families and for disabled people. A modern new centre would attract more users than the current centre and would encourage more people to participate in sport and physical activity with the resultant benefits to their physical and mental wellbeing.
- The development was located close to the town centre, was accessible by public transport and was close to the deprived Rother Ward.
- The proposed land appropriation would facilitate the development of a new sports centre which had been granted planning permission, and would also be sufficient to accommodate a larger facility should the funding application submitted to Sport England be successful.

Councillor Russell requested that his vote against the recommendations at paragraphs 10.2, 10.3 and 10.4 in the report be recorded.

*** RESOLVED –**

That, having considered representations received as the result of public consultation:

(1) The determination that the land shown on the plan at Appendix A to the Cabinet report of 10 June, 2014 is no longer required for the purposes of a public pleasure ground under the Public Health Act 1875 be confirmed.

(2) The decision to appropriate the land shown on the plan at Appendix A to the Cabinet report of 10 June, 2014 for planning purposes be confirmed.

(3) The land shown at Appendix A to the Cabinet report of 10 June, 2014 be appropriated for planning purposes pursuant to Section 122 of the Local Government Act 1972.

REASONS FOR DECISIONS

1. To confirm that the land is no longer required for the purposes for which it is currently held.
2. To appropriate the land under Section 122 of the Local Government Act 1972
3. To enable final consideration of whether or not the land should be appropriated for planning purposes under Section 237 of the Town and Country Planning Act 1990
4. To comply with the requirements of Section 122 of the Local Government Act 1972.
5. To enable the new sports centre to be constructed to improve the social, environmental and economic wellbeing of the area.

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JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE

Wednesday, 4th June, 2014

Present:-

Councillor Burrows (Chair)

Councillors	Elliott	Ludlow
	Gibson	McManus
	Gilby	Simmons
	King	

Non Voting	Hill	Huckle
Members	Hollingworth	Martin Stone

*Matters dealt with under Executive Powers

1 DECLARATION OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations of interest were received.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blank, Bradford, Brown, Fanshawe, Russell and Serjeant.

3 MINUTES

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 8 April, 2014 be approved as a correct record and signed by the Chair.

4 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF 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 the following Paragraphs of Part 1 of Schedule 12A to the Local Government Act 1972 – Paragraphs 1, 2 and 4, on the grounds that it contained information relating to individuals and to consultations or negotiations in connection with any labour relations matter arising between the authority and employees of the authority.

5 CORPORATE MANAGEMENT RESTRUCTURE (R000 / EC000)

The Chief Executive submitted a report seeking approval of a new senior leadership team structure for the Council.

Since the corporate management structure for the Council had last been approved at the Joint Cabinet and Employment and General Committee in July 2009 (Minute No 0008 (2009/10)), a number of changes had been made, and as part of the strategy for addressing the projected deficits in the budget forecasts for 2014/15 and 2015/16, the Chief Executive had been asked to carry out a fundamental review and restructure of the Council's corporate management team.

It had been agreed with the Leader of the Council and the Deputy Leader of the Council that the objectives of the review should be to ensure:

“(a) That the Council's corporate management team concentrates on:

- (i) providing leadership not just more management;
- (ii) ensuring that the Council is optimised for strategic agility (i.e. that the organisation is able to capitalise on opportunities and dodge threats with speed and assurance);
- (iii) driving through the Council's modernisation programme (Great Place: Great Service) to ensure services are lean, efficient and effective, and provide value for money;
- (iv) achieving the Council's corporate plan aims, priorities and key projects;
- (v) putting the customer and community at the centre of everything the Council does;

(vi) having effective plans in place to enable the Council to base its future core funding on emerging incentive-based finance systems;

(vii) providing sound strategic advice and support to members to help them make informed choices;

(viii) establishing a shared view and common understanding of what the future of local government will look like in Chesterfield in 2020.

(b) That the holders of posts within any revised corporate management structure have the skills and capabilities to meet the current and future leadership needs of the organisation.

(c) That the numbers of senior managers and tiers of management are appropriate to the size of the organisation.

(d) That significant ongoing annual savings are achieved.”

In shaping the proposed new corporate management structure, the Chief Executive had also sought to take into account the challenges facing the Council both now and over the next three to five years, including the future funding of Local Government, the impact of Welfare reforms, Planning reforms, local issues and the future shape of Local Government.

Under the current arrangements the Council had achieved unprecedented levels of operational performance and public satisfaction, and it was therefore proposed to supplement the existing management structures and standard managerial processes that together form the Council’s operating system with a second operating system that:

“(a) Is devoted to the design and implementation of strategy;

(b) Uses an agile, network like structure to achieve delivery of the Council’s priorities and key projects;

(c) Continually assesses the business, the Council and the sector;

(d) Enables the Council to react with greater agility, speed and creativity to emerging threats and opportunities;

(e) Complements rather than overburdens the traditional hierarchy, freeing up the latter to do what it is designed for – doing today's job well."

Details of the current and proposed structures, with draft job descriptions and person specifications for the new posts were attached as Appendices to the report.

Based on research carried out by the Chief Executive of emerging management restructuring proposals at a number of district/borough councils in England, on advice received from conversations with a number of leading recruitment consultants and on salary benchmarking data, the report included proposed remuneration levels for the new posts.

Appointments to the new Senior Leadership Team would need to be made in accordance with the 'Council's Protocol on Arrangements for Employees displaced by Re-structuring', a copy of which was attached as an Appendix to the report.

The report outlined the proposed selection process for appointment to the new posts, including an Appointments Panel and the provision of support by external advisors with knowledge and experience of the current employment market at this strategic level. The specification for this external support and a summary assessment of costed proposals subsequently received were attached as Appendices to the report.

There had been consultation, both with the current holders of the Heads of Service posts and with the Unison, GMB and Unite Trades Unions, and the outcomes of the consultation process were attached as Appendices to the report.

The financial implications of the proposals were also outlined in the report, along with potential risks and proposed actions to mitigate these.

*** RESOLVED –**

(1) That the proposal to establish a new senior leadership team structure, as described in the report and set out in the organisation chart at Appendix D to the report, be approved.

- (2) That the posts of Deputy Chief Executive and Heads of Service (for Environment, Regeneration, Finance, Governance and Business Transformation), that make up the current corporate management structure alongside the post of Chief Executive, be deleted from the Council's establishment.
- (3) That 2 new posts of Executive Director and 1 new post of Chief Finance Officer be established.
- (4) That the draft job descriptions and person specifications for the 3 new posts, as set out in Appendix E to the report, be approved.
- (5) That the Executive Directors be paid an annual salary of £85,000.
- (6) That the Chief Finance Officer be paid an annual salary of £60,000.
- (7) That the holder of the existing post of Head of Finance be assimilated into the new post of Chief Finance Officer, and that this officer also be designated to the statutory role of Chief Finance Officer (in accordance with Section 151 of the Local Government Act 1972) to have responsibility for administration of the Council's financial affairs.
- (8) That the holders of the existing posts of Head of Environment, Head of Regeneration, Head of Governance and Head of Business Transformation be afforded the right of a "ring fenced" interview for the 2 new Executive Director posts.
- (9) That for the appointment of the 2 new Executive Directors, the Employment and General Committee establishes an Appointments Panel that is politically balanced and includes (by co-option) appropriate Cabinet or non-Cabinet members. And, for the Panel to be advised by Huw Bowen and Jane Dackiewicz.
- (10) That Gatenby Sanderson be engaged to run an assessment centre and to provide advice to the Appointments Panel (and also to be part of the Panel) in respect of the internal "ring fenced" appointments process. And, in the event of internal appointments not being made to one or both Executive Director posts, that Gatenby Sanderson be retained to provide executive search, recruitment and selection support and advice to the Council and the Appointments Panel.

(11) That a sum of £25,000 be set aside from the Council's Invest to Save Reserve to support the costs of engaging Gatenby Sanderson to fulfil the roles described in resolution (10).

(12) That members of the Joint Cabinet and Employment and General Committee note the ongoing annual gross savings of £110,400 that will be achieved as a result of the move to the new senior leadership team structure.

(13) That any redundancy and/or pension costs arising from the move to the new senior leadership team structure be charged to the Council's Budget Risk Reserve.

(14) That the Council's constitution be updated to reflect the changes to the corporate management structure.

(15) That the Chief Executive reviews the effectiveness of the new senior leadership team structure 12 months after its establishment.

REASONS FOR DECISION

To establish a new senior leadership team that will provide the Council with the strategic direction that it needs to deliver on its vision, priorities and key projects. And, to better enable Chesterfield Borough to operate as "one Council" meeting 'head on' the emerging challenges relating to the future shape and funding of Local Government.

JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE**Tuesday, 17th June, 2014**

Present:-

Councillor Burrows (Chair)

Councillors	Blank	Ludlow
	Bradford	McManus
	Fanshawe	Russell
	Gibson	Serjeant
	Gilby	Simmons
	Higginbottom	

Non Voting	Brown	Hollingworth
Members	Hill	

*Matters dealt with under Executive Powers

**6 DECLARATION OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Elliott, Huckle, King and Martin Stone.

8 MINUTES**RESOLVED –**

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 4 June, 2014 be approved as a correct record and signed by the Chair.

9 ECONOMIC DEVELOPMENT UNIT STAFFING (R000/EC000)

The Head of Regeneration submitted a report on staffing arrangements within the Economic Development Unit.

The report outlined the key work areas for the Economic Development Unit and the context within which it was working, including its work with the Sheffield City Region Local Enterprise Partnership (SCR LEP), the Derby, Derbyshire, Nottingham, Nottinghamshire Local Enterprise Partnership (D2N2 LEP) and the North East Derbyshire Strategic Employment Partnership (NEDSEP).

The Council's Corporate Plan (2014-15) included the following priorities:

- To create jobs and safeguard existing ones;
- To deliver regeneration projects that make the borough a better place;
- To assist businesses to expand and attract new ones to the borough,

and a key project for 2014/15 was to deliver the first phase of the Chesterfield Waterside development. The work of the Economic Development Unit would be instrumental in achieving these priorities and delivering on this key project.

Since 2012 the Economic Development Unit had reduced to a small core team of 3.5 FTE staff, with 1 additional full time post (Senior Economic Development Officer (Infrastructure)) funded by ERDF until December 2014. It had been agreed with DCLG that this funding could be extended until June 2015 within the existing grant allocation. A copy of the Unit's staffing structure was attached at Appendix 1 to the report.

The Senior Economic Development Officer (Infrastructure) post would be instrumental in achieving delivery of the Chesterfield Waterside and Northern Gateway schemes. And also the Action Plan to address barriers to housing delivery.

A review of the Unit's staffing arrangements had concluded that it would be preferable to retain the existing staffing capacity, including the Senior Economic Development (Infrastructure) post, rather than recruit to the new post which had been approved as a growth request for 2013/14 but which was not as yet filled. This would result in a £34,000 saving in 2014/15 and a £10,000 saving in 2015/16. After 2016/17 it was anticipated that the on-going cost of the post would be self-financing from growth in Business Rates and New Homes Bonus income.

*** RESOLVED –**

That the currently grant funded post of Senior Economic Development Officer (Infrastructure) be made permanent.

REASON FOR DECISION

To ensure that the Council has the capacity and expertise to enable it to contribute fully to the emerging LEP agendas, build effective relationships with our indigenous business base, and promote and service inward investment activity to encourage economic growth.

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OVERVIEW AND PERFORMANCE SCRUTINY FORUM

Thursday, 19th June, 2014

Present:-

Councillor Slack (Chair)

Councillors	Innes	Gilby+++++ ++++++
	Bagley	King++ ++++++ ++++++
	Blank+++++	Lowe
	Borrell	Paul Stone
	Burrows +++	

Barry Dawson, Head of Finance +++
 Anita Cunningham, Policy and Scrutiny Officer
 John Fern, Communications and Marketing Manager +++++
 Sara Goodwin, Head of Governance +
 John Moran, GPGS Project Manager +++++
 Donna Reddish, Policy Manager +++++
 Gerard Rogers, Deputy Monitoring Officer ++
 Mary Stead, Democratic Services Officer

+ Attended for Minute No. 3
 ++ Attended for Minute No. 4
 +++ Attended for Minute No. 5
 ++++ Attended for Minute No. 6
 +++++ Attended for Minute No. 7
 +++++ Attended for Minute No. 8

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

No declarations were received.

2 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bradford, Callan, Hawksworth and Lang.

3 REPORT OF THE MONITORING OFFICER ON APPOINTMENT OF A SCRUTINY MEMBER TO SHEFFIELD CITY REGION COMBINED AUTHORITY

The Monitoring Officer submitted a proposal to appoint a Scrutiny Member to Sheffield City Region Combined Authority.

As a non-constituent member of the Sheffield City Region Combined Authority, Chesterfield Borough Council had been invited to nominate a Member, who would have voting rights, to attend the Combined Authority's Overview and Scrutiny Committee.

The Overview and Performance Scrutiny Forum would propose a nominee to Full Council for approval.

RESOLVED –

(1) That Scrutiny agree the nomination of Councillor Innes as Member of the Overview and Performance Scrutiny Forum to be the Council's representative on the Scrutiny Committee of the Sheffield City Region Combined Authority.

(2) That the nomination be referred to Full Council for approval at its meeting on 30 July, 2014.

4 EXECUTIVE MEMBER FOR GOVERNANCE AND ORGANISATIONAL DEVELOPMENT - REPORT ON THE COUNCIL'S CONSTITUTION

The Executive Member for Governance and Organisational Development and the Deputy Monitoring Officer provided an update on the Council's Constitution.

The update included a definition of the constitution, and an explanation of the reasons why councils must have a constitution to take decisions and implement them. Details of the structure of the current constitution were given, and the reasons for reviewing it were explained.

A Constitution Working Group had reviewed the Constitution in order to simplify, shorten and modernise it. The revised Constitution would be more accessible and easier to update. It would allow more delegation of decision-making to officers, leaving Members to take the higher-level policy and strategy decisions.

The Constitution was now available on line, and could therefore be more easily updated when necessary.

Sections that had been extensively rewritten included Scrutiny Procedures and Standards and Codes of Conduct, in order to reflect changed procedures. Revisions of Part 3, which covers delegations, were still being carried out.

During the review process, new factors had emerged that would influence the new Constitution. These included the Great Place:Great Service strategy, and the Heads of Service review.

Other local authority constitutions had been studied, and the one used by Oxford City Council was believed to provide a model for a clearer and simpler constitution. The Constitution Working Group was in the process of adapting the Oxford model to produce a constitution for Chesterfield Borough Council. This would be an enabling constitution, which would be responsive to change, easier to navigate, simpler, in Plain English and much shorter.

After discussion by political groups and Council services, it would be considered by Full Council and if adopted, training would then be given to staff and Members on this new Constitution.

RESOLVED –

(1) That the update be noted.

(2) That the Overview and Performance Scrutiny Forum supported, in principle, the proposed revised Constitution.

5 LEADER AND EXECUTIVE MEMBER FOR REGENERATION - PROGRESS REPORT ON THE BUDGET

The Leader of the Council, and the Head of Finance submitted a report on the General Fund Revenue and Capital Outturns for 2013/14, providing details of significant variations from the revised estimates.

A verbal update was given on the most recent changes to the Council's financial position, as a result of property sales, borrowing to implement

the Capital Programme and backdated business rate appeals affecting the Collection Fund.

Carry Forward requests listed in the report had been considered by Cabinet at its meeting on 17 June, 2014.

The Head of Finance responded to Members' questions about the details of the Budget report, and would be providing a further budget report to Cabinet in July 2014.

RESOLVED –

That the Head of Finance be thanked for the update.

6 DEPUTY LEADER AND EXECUTIVE MEMBER FOR PLANNING, EXECUTIVE MEMBER FOR GOVERNANCE AND ORGANISATIONAL DEVELOPMENT, AND EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES - PROGRESS REPORT ON GREAT PLACE, GREAT SERVICE TRANSFORMATION PROGRAMME

The Deputy Leader and Executive Member for Planning, the Executive Member for Governance and Organisational Development, and the Executive Member for Customers and Communities, the Communications and Marketing Manager and the GPGS Programme Manager provided an update on the four aspects of the Great Place:Great Service (GPGS) strategy: Workforce, Property/Accommodation, ICT and Customer Services.

The GPGS strategy was being implemented by staff in Business Transformation, ICT, Communications and the Project Academy, and it also involved Kier and arvato, through the Public:Private Partnership arrangements. The GPGS Steering Group was meeting fortnightly, and had delegated decision-making powers.

A list of successes was given, including installation of Wifi in Town Hall Committee Rooms, the disposal of some Council properties, and the letting of the Town Hall Lower Ground Floor to voluntary agencies. Work was in progress to set up a model office, in order to consult staff about their proposed new working environment.

Senior staff were being trained to implement a LEAN approach, and were being given leadership coaching. It was intended that every employee

would be offered the opportunity to spend three years acquiring an NVQ to enhance their skills. A training programme 'The Art of Being Your Best' had already been attended by over a quarter of the workforce. Workforce development was being achieved by these measures.

Data on all contacts made by the public with the Council was being analysed, to identify opportunities for channel shift so that the public would use more self-service and rely less on interaction with staff to achieve the service that they were accessing.

It was hoped that progress towards implementing a Customer Relations Management system would be made, enabling a better workflow to be designed and implemented. The intention was to establish an electronic mailroom, replacing, as far as possible, the use of the internal post within the Council.

A Document Management System was being implemented, and a pilot programme was under way in Planning, where documents were being back-scanned, to reduce the amount of stored paperwork, making storage rooms available for other uses. A workflow programme was being trialled in Governance, through the Legal Case Management system.

Improvements in the ICT system were required to implement the GPGS programme. The ICT service was under discussion with arvato, because the Council's expectations had changed as the use of electronic media and digital data storage had developed since the contracts had been signed. Work was also in progress to rationalise the Council's ICT hardware and software, to facilitate communication between services, and with the public.

Consideration was being given to encouraging staff to work more flexibly, if this suited their job, and staff were being categorised into five groups, depending on how easily they could deliver the service without being present on Council premises for the whole working week.

Better asset management was crucial to the implementation of GPGS, because disposal of assets would raise the funding needed to train and equip staff to deliver the services in a more cost-effective and efficient way. Examples were given of assets recently sold, to enable activity to be concentrated in premises that were better adapted to new ways of working, and also more accessible to the public.

Details were provided of a communications programme to keep staff updated on GPGS progress. The staff survey carried out in 2014 had indicated which aspects of the transformation programme needed more attention and resources, and efforts would be made to respond to the issues raised in the survey, by implementing an action plan and by improving communication with staff..

RESOLVED –

That the reports be noted.

7 DEPUTY LEADER FOR PLANNING - PROGRESS REPORT ON CORPORATE PERFORMANCE

The Deputy Leader for Planning and the Policy Manager submitted a progress report on Corporate Performance, based on the draft Annual Performance Management report that would be submitted to Cabinet on 7 July, 2014.

The report included details of the performance outturn against the 2013/14 Corporate Plan.

80% of Corporate Plan targets had been met or exceeded, despite the financial challenges faced by the Council.

The report included details of opportunities to improve performance further in 2014/15 by using the Local Government Association's LG Inform Benchmarking tool, through learning about best practice from the East Midlands Councils Performance Management Network, and through partnership evaluation, to ensure that partnerships offered the best possible value for money.

RESOLVED –

That the report be noted.

8 **EXECUTIVE MEMBER FOR GOVERNANCE AND ORGANISATIONAL DEVELOPMENT - DRAFT ANNUAL REPORT ON OVERVIEW AND SCRUTINY ARRANGEMENTS**

The Executive Member for Governance and Organisational Development and the Policy and Scrutiny Officer submitted their report on the Annual Review of Overview and Scrutiny Arrangements.

The report had been produced in response to Cabinet Minute No. 0056 (2013/14) requiring an annual review of progress in implementing the Overview and Scrutiny Arrangements Action Plan.

The report gave details of scrutiny successes and achievements, during the two years in which the new scrutiny arrangements had been in place. It also provided information on the timetable and methodology of the review process, including a survey of Members and officers.

The survey results had been analysed, and key findings included:

- generally positive views of the scrutiny arrangements
- a need to promote learning and development
- improvements in resourcing for scrutiny work
- greater understanding of Scrutiny Project Group scoping
- the value of pre-agenda meetings.

Scrutiny Members were thanked for their hard work and co-operation in improving the scrutiny process, and increasing its value to the Council .

It was agreed that improvements were still needed to most aspects of the internal communication process, to enable Scrutiny members to do their work more easily, and to keep staff and other Members informed of their role and progress.

Recommendations would be made to Council on the current working arrangements, and on ways to promote and develop them, so as to continue the effective and efficient delivery of the Council's Overview and Scrutiny function.

RESOLVED –

That the report and recommendations be supported and submitted to Cabinet and Council for approval.

9 SCRUTINY PROJECT GROUP REPORT ON EXTERNAL COMMUNICATIONS STRATEGY

Councillors Bagley and Borrell presented the draft report of the Scrutiny Project Group on External Communications. They had worked closely with the Council's Communications and Marketing Manager to undertake the work.

The report summarised the Council's current communications arrangements, and gave details of the review and evaluation of these arrangements.

It also provided information on the communications strategies used by Lincoln City Council, Derbyshire County Council and the Peak District National Park Authority. Data on website usage had been analysed. Consumer feedback had been considered through use of the 'Are You Being Served?' survey data.

It was believed that there would be a requirement to update the Council's External Communications strategy to meet changing customer requirements, and to respond to organisational changes within the Council, including new ways of working, as part of the GPGS strategy.

There was considerable discussion of the impact on staff of rising customer expectations, which required a change in the policies for responding to enquiries and complaints, offering a more rapid response. Where possible, such matters should be referred to the Customer Services Team, or to other specialist staff who would be able to provide an accurate and appropriate response.

Recommendations in the report were made for a new consumer-led communications strategy for Chesterfield Borough Council. These included a need for:

- clear branding and a 'one council' approach
- better co-ordination of marketing and communication activities
- use of data on usage to develop more effective web content

- consideration of adopting a 'digital first' approach to external communication.

RESOLVED –

That the report be approved and the recommendations be made to Cabinet.

10 OVERVIEW AND PERFORMANCE SCRUTINY FORUM ANNUAL REPORT 2013/14

The draft Scrutiny Annual Report for 2013/14 was presented by the Policy and Scrutiny Officer.

Minor amendments were proposed, and the Chair and Chief Executive's comments were still to be added to it.

RESOLVED –

That the report be agreed in principle, and presented to the next meeting of Council.

11 FORWARD PLAN

The Forward Plan was considered.

It was agreed that the External Communications Scrutiny Project Group report and recommendations be added to it by the Policy and Scrutiny Officer.

RESOLVED –

That the report be noted.

12 SCRUTINY MONITORING

Consideration was given to the Monitoring forum for the implementation of Scrutiny Committee recommendations.

RESOLVED –

That Anti-Social Behaviour policies would continue to be monitored, but that there were no further items to add at this time.

13 WORK PROGRAMME FOR THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

The Work Programme for the Overview and Performance Scrutiny Forum was considered and agreed.

The Work Programme included items that were on the Agenda for every meeting, including Great Place:Great Service and the Council's Budget, as well as those that having been dealt with at this meeting, could now be removed.

Members expressed concern that some issues on the work programme, including those relating to the Housing service, could not always be considered by Scrutiny because reports were not available and then went straight to Cabinet without any prior Scrutiny input.

An example was Tenant Involvement, because the report to Cabinet may have been made before the next meeting of the Overview and Performance Scrutiny Forum in September 2014.

There was discussion of ways to avoid these problems, including greater use being made of the Scrutiny Link Officer meetings and the Scrutiny agenda pre-meetings.

Clarification was also given of the role of the Scrutiny committees. The Overview and Performance Forum deals with corporate issues, and the Enterprise and Wellbeing and Community, Customer and Organisational Scrutiny Committee deal with issues within the relevant service areas, referring matters to the Forum if they appear to be of corporate relevance.

The remit of the three Scrutiny committees had been set out in their Terms of Reference, and agreed by Members and Council.

Some discussion related to the work being done on Health Inequalities, currently the responsibility of the Community, Customer and Organisational Scrutiny Committee, but with cross-cutting implications which might make it a corporate issue.

Because the Forum's remit included responding to public petitions, occasionally that committee dealt with service-related issues, for example the response to the petition on dog control.

Scrutiny Project Groups could be set up by any of the three Scrutiny Committees, and any Scrutiny Member could join them, as could any backbencher.

Suggestions for future Agendas included:

- an update on the STAR survey of Housing tenants;
- a progress report on dog control measures.
- a review of the Council's policies on payments by the public, including rent, Council Tax and also invoices, unless the Community, Customer and Organisational Scrutiny Committee undertook to add this item to their work programme.

Some of these issues could be covered by written reports, but some would need to be considered at meetings of the Forum. It would also be possible to receive briefings on Council policies during the Learning and Development sessions.

RESOLVED –

(1) That the STAR survey be considered at the next meeting.

(2) That Tenant Involvement be considered at the next meeting unless it had been covered by other means before the meeting.

14 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Policy and Scrutiny Officer reported that there would be a Learning and Development session on the Scrutiny Survey, to enable Members to examine it more closely.

The Parliamentary Communities and Local Government Select Committee call for evidence, to support its inquiry into Community Rights, had also been circulated for consideration.

RESOLVED –

That the report be noted.

15 JOINT OVERVIEW AND SCRUTINY

The Policy and Scrutiny Officer reported that the Minutes of the last Joint Overview and Scrutiny Panel were not yet available but would be circulated to Scrutiny Members for information.

There were no issues raised for consideration by the next Joint Overview and Scrutiny Panel.

16 SCRUTINY PROJECT GROUP PROGRESS UPDATES

An update was requested on the Scrutiny Project Group progress on:-

Welfare Reform

No report was available.

17 MINUTES

The Minutes of the meeting of the Overview and Performance Scrutiny Forum held on 3 April 2014 were presented.

RESOLVED –

That the Minutes be approved as a correct record and signed by the Chair.

**COMMUNITY CUSTOMER AND ORGANISATIONAL SCRUTINY
COMMITTEE**

Thursday, 10th April, 2014

Present:-

Councillor Innes (Chair)

Councillors	Bagley	Brown +
	Blank +	Slack
	Borrell	

Anita Cunningham – Policy and Scrutiny Officer
Trevor Durham – Licensing Manager ++++
Dianne Illsley – Acting Community Safety Officer+++
Katy Marshall – Policy Officer++
Donna Reddish – Policy Manager+++
Mary Stead – Democratic Services Officer

+ Attended for Agenda Items 54, 55, 56, 57 and 58
++ Attended for Agenda Item 54
+++ Attended for Agenda Items 54 and 55
++++ Attended for Agenda Item 57

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

No declarations were received.

53 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tom Murphy and Neil Rayner.

**54 EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES
PROGRESS REPORT ON EQUALITY, DIVERSITY AND SOCIAL
INCLUSION STRATEGY AND ACTION PLAN**

The Policy Officer submitted a draft report on the Equality and Diversity Annual Report 2013 – 2013 for approval.

Complying with equalities legislation and good practice, the Council published an Equality and Diversity Annual Report, covering the improvements and achievements over the past year, and outlining future plans.

The report would be published on the Council's website, circulated to LINKS contacts in the voluntary sector, and made available to Community Assemblies.

The report showed how the Equalities budget had been used to organise a series of events, engaging with the local community. Equalities work was also being done with Community Assemblies.

A report showing the Borough Council's Self Assessment against the Local Government (LGA) Equalities Framework was also submitted for consideration. This report included details of the measures being taken to achieve the 'excellent' level of achievement, and those actions that needed to be taken to maintain this level in a more challenging financial climate.

The following key programmes had contributed to meeting the criteria for excellence against the LGA Equalities Framework:

- Are you being served? and STAR public opinion surveys;
- Chesterfield Equality and Diversity Forum;
- providing equality leadership;
- community development activities, including Assemblies;
- employee engagement initiatives, including annual surveys;
- learning and development initiatives, to develop staff.

During the self-assessment process, areas for improvement had been identified. An Equality Performance Management Group had been established, to draw up and implement the Equality, Diversity and Social Inclusion Action Plan.

The role of Scrutiny leadership in promoting equalities was recognised in the self-assessment against the LGA's Equalities Framework Excellent Criteria.

RESOLVED –

1. That the progress report on the Equality, Diversity and Social Inclusion Strategy and Action Plan be noted.
2. That the Policy Manager and Policy Officer be thanked for the excellent work done to promote the equality agenda in the Council and community, which has had great success.

CRIME AND DISORDER COMMITTEE

55 EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES PROGRESS REPORT, AS PARTNERSHIP CHAIR, ON COMMUNITY SAFETY PARTNERSHIP

Councillor Blank, as Chair of the Community Safety Partnership, introduced the update on the progress made by that partnership.

The Acting Community Safety Officer submitted an update on the delivery of the Community Safety Partnership Plan in 2013/14, and outlined the Community Safety Partnership Plan for 2014/15.

The update included details of performance against the Plan, including comparative crime data for Chesterfield and for other Derbyshire districts, and outlined the ECINS (Victims First) process.

The report included information on current police priorities and campaigns, and outlined trends illustrated by crime statistics.

Information was also provided on the proposed changes to the ASB legislation contained in the Anti-Social Behaviour Police and Crime Act. The purpose of the legislation was to simplify powers for dealing with anti-social behaviour, and to establish new powers to protect individuals and the community. It was considered that the legislation seemed to be an improvement, but several concerns were raised.

Government guidance on the implementation of the Act had not yet been received, but it was hoped that when it arrived it would address some of

the concerns raised in the meeting particularly around the new 'community trigger' duty. This duty would be set locally and the trigger criteria needed to be set correctly.

The Police and Crime Commissioner's Office was monitoring the situation, and was producing a report on the implementation of the Act, highlighting areas of concern. The report would be presented to the Derbyshire Police and Crime Panel.

To ensure that the Act was implemented successfully, partnership working between all the agencies dealing with criminal behaviour and anti-social behaviour would have to be strengthened. By increased sharing of information between agencies, and ensuring that any call from the public was routed to the right agency, it would be easier to ensure that the any response was timely and appropriate, and proportionate to the seriousness of the reported offence.

It was anticipated that the Act may be implemented from September 2014.

The Acting Community Safety Officer was thanked for her presentation.

RESOLVED –

That a further update be provided at the next Crime and Disorder Committee.

56 EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES UPDATE AS CHESTERFIELD SCRUTINY MEMBER OF THE DERBYSHIRE POLICE AND CRIME PANEL

Councillor Blank gave an update, as Chesterfield Scrutiny Member of the Derbyshire Police and Crime Panel, on recent developments and activities undertaken by that panel.

She reported that the Panel was operating effectively, working with the Police and Crime Commissioner and having an input into the Police and Crime Plan. A public consultation called 'Have your say' had considered five priorities for action on crime. Drug and alcohol-related crime, and anti-social behaviour, were the top two priorities identified. An additional police priority was dealing with people-trafficking and modern day slavery in the County.

The Police and Crime Commissioner and the Chief Constable were in agreement on the importance of maintaining local policing, even when budgets were being reduced. They had agreed that resources should be directed to the areas of greatest need meaning that fewer resources would be routinely directed to lower crime rate areas, but that a good quality policing response to all service calls would be maintained across the whole of Derbyshire. Community Safety Partnerships would play a key role in this process, as would the partner agencies, including local authorities.

The Police and Crime Commissioner would also be responsible for commissioning victim services. The Commissioner's Office were looking into the kind of services to be commissioned, and a strategy was being developed.

The Police and Crime Commissioner was trying to engage more effectively with the public through the website, visits to groups, walkabouts, workshops and attendance at events.

There were also grants from the Police and Crime Commissioner's office, for tackling anti-social behaviour, and in Chesterfield grants had been made to 'Hope Springs' and 'Our Vision Our Future'.

RESOLVED –

That the update be noted.

57 TOWN CENTRE ROAD CLOSURES

The Licensing Manager gave an update on the impact of road closures in the town centre since 2008, and provided details of possible future of the scheme.

There had been a reduction in levels of night-time crime and disorder in the town centre, and the closure of some of the streets to traffic was believed to have contributed towards this reduction. There were other factors producing this effect, including the closure of a large night-club, and changes in the local economy, which reduced the income available for such recreational purposes.

Roads had been closed using an Act designed to prevent violence, rather than protect public safety. The Police had not been enforcing the road closures in 2014, because they believed that it covered roads that were no longer problem areas. The focus of night-time disorder had moved as a result of the closure of some bars in roads covered by the road closure order and the opening of others in areas not covered by it.

A Police Inspector had attended the Taxi Consultative Committee, to explain to taxi drivers that not implementing the road closures in 2014 had not resulted in any detrimental effects on public order, since levels of violence were still falling and there were fewer road traffic accidents in the town centre.

Taxi drivers had expressed concern about access issues, and the activities of private hire operators, but had understood the reasons why the road closures were not being enforced.

The Police did not intend to apply to the Borough Council for a renewal of the road closure order, when it became due in June 2014. The situation would be monitored, and if there were to be an upsurge in violent behaviour, it would be possible to apply for a renewal at a later date, if the situation warranted it.

The Council's Licensing section were aware of the Police intentions, and their enforcement officers were content with the proposal not to apply for road closures in the current circumstances.

Derbyshire County Council preferred to avoid temporary road closures, since they were confusing for visitors to Derbyshire.

The Licensing Manager was thanked for the update.

RESOLVED –

- (1) That the report be noted.
- (2) That the Licensing Manager's proposed strategy with regard to road closures be supported.

58 **SCRUTINY MONITORING REPORT (CRIME AND DISORDER MATTERS)**

The aspects of the Scrutiny recommendation monitoring form that related to Crime and Disorder Scrutiny were considered by the Crime and Disorder Committee.

Concern was expressed that there was little progress in the sharing of information on alcohol-related health problems and hospital admissions from Chesterfield Hospital.

The Executive Member for Customers and Communities agreed to raise this issue with Councillor Allen, who was the Derbyshire County Council (DCC) Cabinet Member responsible for Public Health, and also with the DCC officer responsible for these matters.

It was suggested that the DCC Health Scrutiny Committee be requested to assist with this matter, and Councillor Blank agreed to take the request forward, as a member of that committee.

Further information was awaited on the internal Review of Community Safety, now that the report on Anti Social Behaviour (ASB) had been considered by Joint Cabinet and Employment and General Committee on 8 April, 2014. Scrutiny recommendations on ASB had been presented at that meeting.

Further information would be requested on the progress made with the Redeeming our Communities strategy, when the officer working on this project returned from secondment to the Project Academy. There were no proposals to extend the scheme beyond its present status in Chesterfield. If there were to be a review of it, it was hoped that the Scrutiny Committee would be consulted.

The introduction of a Shopwatch scheme depended on the willingness of local businesses to become involved in it. The Executive Member for Customers and Communities would write to the Communities, Customers and Organisational Scrutiny Committee, on behalf of the Community Safety Partnership, updating them of the situation, and then this item would be removed from the Monitoring Form, as completed.

An update on the Cumulative Impact Policy would be requested at a future meeting.

It was suggested that Overview and Performance Scrutiny Forum be recommended to remove the Anti-Social Behaviour Review from its work plan, because this had now been considered by Joint Cabinet, and this item could now be considered as completed.

RESOLVED –

- (1) That the progress made on approved Scrutiny recommendations be noted.
- (2) That an update be obtained on information sharing on alcohol- related health problems and hospital admissions, and that Derbyshire County Council's Health Scrutiny Committee be requested to help obtain the information.
- (3) That an update be requested on the internal Review of Community Safety.
- (4) That an update be requested on Redeeming our Communities.
- (5) That the introduction of a Shopwatch scheme be removed from the monitoring form, on receipt of the response from the Executive Member for Customers and Communities.
- (6) That an update on the Cumulative Impact Policy be requested.

COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE

59 FORWARD PLAN

The Committee considered the Forward Plan for the period 1 May to 31 August, 2014.

RESOLVED –

That the Forward Plan be noted.

60 **SCRUTINY MONITORING REPORT**

There were no further items to consider on the implementation monitoring form.

61 **WORK PROGRAMME FOR THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE**

The Committee considered a list of items raised to date for its Work Programme.

These items included the issues raised during the recent consultation with Community Assemblies, as initially reported to the Overview and Performance Scrutiny Forum. Consideration was given to the community development issue which had been raised as a priority issue through this consultation process.

Members considered the merits and practicalities of including the matter on their work programme, and setting up a Scrutiny Project Group. It was finally decided that this was an issue best led by the Community Assemblies themselves, with some support, rather than being led by scrutiny and scrutiny members.

Councillor Bagley volunteered to provide some initial information and suggestions to the Community Engagement Officer about setting up and developing community groups, with a list of existing relevant groups. The intention was to work with officers to assist the Community Assemblies and Ward Members to undertake and lead community development work in their own areas.

RESOLVED –

(1) That the Work Programme be agreed.

(2) That the following items be included on the agenda for the next meeting:

- Corporate Health and Safety Improvement Plan;
- Health Scrutiny;
- Outside Market Reconfiguration;

- Community Assemblies Progress Report.

Customer Services would remain on the work programme, although regular updates on this matter were being received by the Overview and Performance Scrutiny Forum under the Great Place: Great Service progress reports.

62 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Policy and Scrutiny Officer reported that consultation on the Scrutiny Action Plan subsequent to last year's annual survey was in progress, and that the plan was being delivered

The annual Scrutiny Evaluation Survey for 2013/14 would be circulated for completion after Easter.

Suggestions for training and development should be made to the Policy and Scrutiny Officer.

63 SCRUTINY PROJECT GROUPS

Health Inequalities Scrutiny Project Group

No update was available.

64 MINUTES OF THE MEETING OF THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE HELD ON 6 FEBRUARY, 2014

The Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee held on 6 February, 2014, were presented.

RESOLVED –

That the Minutes be approved as a correct record and signed by the Chair.

**COMMUNITY CUSTOMER AND ORGANISATIONAL SCRUTINY
COMMITTEE**

Thursday, 26th June, 2014

Present:-

Councillor Innes (Chair)

Councillors	Bagley	King+++
	Blank++++	Lowe
	Borrell	Serjeant++
	Brown++++	Simmons
	Hill+++	

Kirsty Ball - Locality Manager, North Derbyshire Clinical Commissioning Group+

Andy Bond - Town Centre Operations Manager++

Anita Cunningham – Policy and Scrutiny Officer

Marc Jasinski - Corporate Safety Advisor+++

Donna Reddish - Policy Manager++++

Mary Stead – Democratic Services Officer

+ Attended for Minute No. 3

++ Attended for Minute No. 4

+++ Attended for Minute No. 5

++++ Attended for Minute No. 6

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

No declarations were received.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Tom Murphy.

3 NORTH DERBYSHIRE CLINICAL COMMISSIONING GROUP

An update on the North Derbyshire Clinical Commissioning Group was provided by Kirsty Ball, Locality Manager for Chesterfield for the North Derbyshire Clinical Commissioning Group.

The update included information on the following matters:-

- the role and remit of the Clinical Commissioning Group;
- the partnership possibilities it offered in the local area;
- an explanation of the different tiers of the health service structure, from central NHS England (national budget and healthcare delivery planning), through to the Nottinghamshire and Derbyshire Area Team (responsible for directly commissioning primary medical services, including General Practitioner services and public health), to the North Derbyshire CCG (planning and paying for local healthcare).

The work of the North Derbyshire Clinical Commissioning Group included:

- responsibility for 36 GP practices, 298,000 registered patients and a £380 million budget;
- commissioning all non-GP and non-dentist health care, including mental health, community health services, urgent care, some primary care, Hospital services including the Royal and our community hospitals;
- work with the private and voluntary sector organisations dealing with health care.

It was said that the CCG differed from the former structure, the PCT, because it was a clinically-led membership organisation, with representatives from GP practices. Details of the doctors' roles within the CCG were given. There were doctors leading in each of the medical specialist areas. Information was also provided about the governance structure of the CCG and about the administration of its finances.

The CCG was represented on the local Health and Welfare Board. It was actively engaged in the process to bring health care and social care closer together into a more integrated structure, to provide better care and reduce overall costs.

Discussion focused decision-making about priorities in the health service, and on the timescales within which the changes were being implemented. Partnership working between GP practices, and the emphasis on locally-

decided priorities was supported. Interest was expressed in new ways of developing primary care.

RESOLVED –

That the speaker be thanked for the presentation, and an update be given after six months, so that progress could be monitored.

4 EXECUTIVE MEMBER FOR LEISURE, CULTURE AND TOURISM - REPORT ON OUTSIDE MARKET RECONFIGURATION

The Executive Member for Leisure, Culture and Tourism and the Town Centre Operations Manager provided an update on plans to reconfigure the Open Market in Chesterfield town centre.

The report included details of current occupancy levels on the four different market days, and provided information on the current layout of the market.

The position of stalls affected the price that could be charged for that stall, with the edges of the market providing the most sought-after sites because there was greater footfall there, compared with stalls in the interior of the market. The development of a street market in Central Pavement, Packers Row and part of Vicar Lane showed that there was demand for stalls that were in a good location to attract sufficient trade to be viable.

The problems of making a living from running a stall in the market had been discussed in depth with market traders, at the Markets Consultative Committee meetings. Issues that would make it easier and more profitable to run a stall had been fully explored.

These issues included:

- changes in the market layout to improve visibility
- wider spaces between stalls to make them more accessible
- a layout that would make it easier to provide bad weather protection
- improved drainage where possible

- retention of the traditional nature of the market
- encouragement of street traders back into the market place
- reduction of stall numbers to reflect demand, while maintaining flexibility to cater for the greater demand from the flea market
- upgrade of electricity supply to stalls.

The Council needed to maintain or increase its income stream, source funding to implement changes, deliver the requirements of traders and shoppers and take account of the market being in a conservation area.

More work would be done to develop the market as a destination, attracting people to Chesterfield, and encouraging local people to come into the town centre to shop.

It was proposed that a business case be developed to present the value for money analysis of proposals for a revised stall layout, followed by a consultation exercise on the proposed changes. A consultant would be appointed to develop the revised layout, taking into account the consultation outcome, so that a design could be agreed, and external funding sought to implement it in 2015.

RESOLVED –

That thanks be given for the presentation, and a further update be requested in November 2014.

5 EXECUTIVE MEMBER FOR GOVERNANCE AND ORGANISATIONAL DEVELOPMENT - PROGRESS REPORT ON CORPORATE HEALTH AND SAFETY IMPROVEMENT PLAN

The Executive Member and Assistant Executive Member for Governance and Organisational Development and the Corporate Safety Advisor submitted a performance update on the Occupational Health and Safety Improvement Programme.

The report summarised the Council's performance against the programme since 2012. The programme included four objectives: to reduce accidents, to improve the management of health and safety, to

improve the health and safety climate among employees and to develop a more effective occupational health policy and practice.

Details were given of performance on the eleven targets identified in the plan. A summary of the costs of occupational ill health and accidents was also provided. Issues identified included the relatively high reporting of stress, which was being tackled by a stress working group and by stress risk assessments.

RESOLVED –

That staff and Members be congratulated on the progress made in health and safety at the Council, and that further progress updates be requested.

6 EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES - REPORT ON COMMUNITY ASSEMBLIES

The Executive Member and Assistant Executive Member for Customers and Communities and the Policy Manager submitted a report on the Community Assemblies Annual Report for 2013 -14 for consideration, before it was forwarded to Cabinet for approval.

The report highlighted progress made since the recommendations of the Community Forum Review had been agreed in 2013. Community Assemblies had been established to replace the Community Forum structure, and to deal with issues raised in communities, by encouraging greater community engagement and involvement.

Standard and special single-issue meetings, workshops, action planning, participatory budgeting and other community events had been held, and the use of social media, community chairing and engagement of partner agencies had been promoted. Community development had been undertaken with a variety of organisations, including schools. Priorities including financial inclusion, healthy eating, inter-generational understanding and support for the Armed Forces Community Covenant had been established.

Funding programmes, including the Minor Grants Fund and the Community Chest had been used to bring additional funds into the area from sources beyond the Borough Council.

The community development worker had been successful in empowering communities to take action to resolve their own problems, rather than simply relying on the Council and other organisations to do so. The aim was to facilitate community activities, and to work closely with partner agencies. It was believed that there had been significant cultural change in communities, as a result of this work.

It was generally agreed that Community Assemblies were achieving more for their local areas than Community Forums had been able to do.

RESOLVED –

That the Policy Officer and Community Development Worker be thanked for the work done to successfully implement the Community Assemblies.

7 FORWARD PLAN

The Committee considered the Forward Plan for the period 1 July to 31 October 2014.

An update on the Review of Tenant Involvement was requested, and would be emailed to members of the committee.

RESOLVED –

That the Forward Plan be noted.

8 SCRUTINY MONITORING

The Scrutiny Monitoring Report was considered, and the following matters were raised:-

- authorisation for the replacement of stolen signs on Reynolds Way;
- the request for statistics from the Royal Hospital on alcohol-related hospital admissions.

RESOLVED –

That both matters would be followed up, and a report made at the next Crime and Disorder Committee meeting, which would take place at the

November meeting of the Community, Customer and Organisational Scrutiny Committee.

9 WORK PROGRAMME FOR THE COMMUNITY, CUSTOMER AND ORGANISATIONAL SCRUTINY COMMITTEE

The Committee considered a list of items raised to date for its Work Programme.

RESOLVED –

(1) That the Customer Services, Workforce and Cemeteries Strategies would be considered at the next meeting in September 2014.

(2) That updates be provided on the Outdoor Market, the Equality and Diversity report and a report on Social Inclusion be considered in November 2014.

10 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Policy and Scrutiny Officer reported that she had attended an East Midlands Scrutiny meeting, with Councillor Innes.

Minutes would be circulated for discussion, and reports from the meeting were available on request from the Policy and Scrutiny Officer.

The meeting had focused on scrutinising performance, and had been attended by the Director of the Centre for Public Scrutiny.

Meetings were held quarterly, and Members would be kept informed about issues relevant to Chesterfield..

11 SCRUTINY PROJECT GROUPS PROGRESS UPDATES

Health and Inequalities Scrutiny Project Group

Progress had been slow, but the group had realised the scale of the task, and had decided that they would work more closely with other organisations, including the Clinical Commissioning Group, and with local GPs.

Two more meetings were scheduled for July and September, and it was hoped that the report would be ready for discussion at the November meeting of the Scrutiny committee.

To allow time for discussion in November it was suggested that the Crime and Disorder Committee be deferred until a date to be decided in December.

RESOLVED –

That the Crime and Disorder Committee be deferred until December 2014 to allow time for a full discussion of the Health and Inequalities report at the November meeting of the Community, Customer and Organisational Scrutiny Committee..

12 MINUTES

The Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee held on 10 April, 2014, were presented.

RESOLVED –

That the Minutes be approved as a correct record and signed by the Chair.

ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE**Thursday, 5th June, 2014**

Present:-

Councillor Slack (Chair)

Councillors	Bradford	Flood
	Callan	Gibson
	Dyke	Serjeant+

Andy Bond – Town Centre Operations Manager++

Anita Cunningham – Policy and Scrutiny Officer

Carole Grew – Senior Waste Management Officer+++

Andy Pashley – Leisure and Amenities Manager +

Mary Stead – Democratic Services Officer

Darran West – Head of Environment++++ +++++

+ Attended for Minute No. 10

++ Attended for Minute No. 6

+++ Attended for Minute No. 8

++++ Attended for Minute No. 9

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

There were no declarations.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hawksworth and Lang.

**3 SCRUTINY PROJECT GROUP RECOMMENDATION ON WATER
RATES ARREARS POLICY**

The Scrutiny Project Group Recommendations on the Water Arrears Policy were presented by Councillor Flood.

Discrepancies in the operation of the Council's policy towards tenants who were in arrears with water rates payments had been identified. These discrepancies concerned the advice given to tenants on the installation of water meters, and the 'write-off' policy when dealing with arrears.

There was concern that Welfare Reforms would lead to an increase in the number of tenants falling into arrears on water payments, so the policy needed clarification to ensure consistency across the whole Council. The amended policy wording was agreed for recommendation to Cabinet.

RESOLVED –

That the Scrutiny Project Group recommendations be presented to Cabinet for consideration.

4 FORWARD PLAN

The Committee considered the Forward Plan for the period 1 June to 30 September 2014.

RESOLVED –

- (1) That the Forward Plan be noted.
- (2) That an update on the Careline Consortium decision be requested.

5 SCRUTINY MONITORING

The Committee considered an update on the implementation of approved Scrutiny recommendations. It was noted that progress reports on parking policy and the water rates payment policy were included as separate updates on the meeting agenda.

RESOLVED –

That the update be noted.

6 UPDATE ON IMPLEMENTATION OF PARKING POLICY

A written report by the Cultural and Visitor Services Manager and the Town Centre Operations Manager on the implementation of Parking Policy was presented for consideration.

The report included a summary of the recommendations made by the Scrutiny Committee's parking Project Group, and approved by Cabinet in March 2013.

The update explained the reasons why the approved recommendations had not yet been implemented. These reasons included changes in staff responsibility for parking in Regeneration, and the ongoing review of the Northern Gateway Scheme, which had an impact on the future of the multi-storey car park and surface car parks in Saltergate.

Revised plans for the Northern Gateway site were expected in July 2014, when the prioritisation of car park improvement works would be considered.

A fall in parking ticket revenue, and the Council's financial situation, resulted in a need to review the business case for funding improvements to parking facilities.

Discussions were in progress about the alternative methods of paying for parking, including pay on foot and payment by mobile phone. Greater clarity about pricing, depending on the location of the car park, was also required.

The intention of the medium-term parking strategy, to provide competitively prices, accessible and consumer friendly car parks, reflected the Scrutiny recommendations.

RESOLVED -

That a progress report be requested for the next meeting of this committee.

7 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Policy and Scrutiny Officer informed Members that proposals on a new constitution would be presented at the next Learning and Development session, by the Senior Solicitor and Deputy Monitoring Officer.

8 EXECUTIVE MEMBER FOR ENVIRONMENT - UPDATE ON FOOD COMPOSTING FACILITY

The Senior Waste Management Officer provided an update on the Food Composting Facility.

Issues had been raised in the local press about the inclusion of food waste in the green bins and the kitchen caddies which had been delivered but there had been few complaints received by the Council. The purchase and distribution of the kitchen caddies had been paid for by Derbyshire County Council, and Borough Council staff had supervised the distribution to be on hand to deal with any enquiries about their use.

A list of frequently asked questions had been given to the Call Centre and to Members of Council, and this information was also on the Council's website.

Residents' concerns were being dealt with on an individual basis, and by providing options most issues had been resolved.

Advice had been provided on where to buy the accredited paper sacks that some residents are choosing to use to line their green bins, because these had to meet certain criteria. Paper sacks were being issued to residents in properties without bins.

Further clear advice would be given to all residents on the correct use of the bins, as part of the publicity for the official opening of the composting facility, and again within the context of the 'love food, hate waste' Government campaign.

Members thanked the officers for this update.

9 **UPDATE ON DOG CONTROL ORDERS AND DOG FOULING**

A written update was provided by the Senior Environmental Health Officer, summarising the work carried out by the Environmental Protection Team since December 2012.

The report included information on positive indicators of progress in reducing dog fouling, and in improving control of dogs in public places. It also gave details of plans for educational and promotional work, and of current and future enforcement activity.

An update was given on recent changes in Government policy, which replaced Dog Control Orders by Public Open Space Protection Orders.

Practical issues were considered, including enforcement, fixed penalties, the location of dog waste bins, and the use of other litter bins for dog waste.

It was agreed that more warning notices drawing attention to the health issues around dog waste, especially the risk to children and people using parks for sporting activities should be put up.

The effectiveness of Eastwood Park Dog Control Orders was planned for review in January, 2015.

RESOLVED –

That the report be noted.

10 **EXECUTIVE MEMBER FOR ENVIRONMENT AND EXECUTIVE MEMBER FOR LEISURE, CULTURE AND TOURISM - REPORT ON THE CHESTERFIELD SPORT AND LEISURE STRATEGY**

The Executive Member for Leisure, Culture and Tourism, and the Leisure and Amenities Manager presented a briefing on the Review of the Chesterfield Parks and Open Spaces Strategy. The Sports and Leisure Strategy had been developed using Sport England's Playing Pitch Strategy and Facilities Planning Model. It was in two parts: the Parks and Open Spaces Strategy and consideration of Sports and Leisure Facilities.

The updated Parks and Open Spaces Strategy would become a planning tool, to be used to prioritise work to provide, manage and improve green spaces across the Borough. It had been produced with advice from Sport England, and it would be used to develop an Action Plan.

The draft Strategy had been produced after research and consultation with the public, user groups, staff and key partners.

Records on the type and location of open space in the Borough had been updated, and analysis of these records was in progress to identify any gaps in provision of open space.

Draft findings provided data on the quality and quantity of open space, and listed the emerging priorities and objectives for its use. The intention was to ensure that areas of multiple deprivation were well-supplied with open space for sport and leisure use, to promote healthy lifestyles, and to rationalise existing open space to keep maintenance costs within budget. Surplus open space could be sold to provide funding to invest in improving facilities elsewhere.

Within the strategy there were suggestions about emerging policies, which took into account the Council's financial situation and priorities. The strategy would also aim to maximise the possibilities of obtaining external funding to develop publicly-accessible open spaces. Partnership working with voluntary groups acting as Friends of the parks would be promoted.

The draft Strategy would be widely publicised, and if necessary modified, as a result of this public consultation.

The final version would be presented to Councillors for consideration later in 2014.

The Facilities Strategy was at an earlier stage in its development, but it was intended that this would be completed by the end of 2014.

Scrutiny Members requested further information to consider, before the Strategy was presented to Cabinet. The Scrutiny Project Group on New Leisure Facilities asked to see the Strategy so that a decision could be taken on how best to examine the draft strategy.

It was agreed that any comments or questions about this aspect of the Sports and Leisure Strategy should be sent to the Executive Member for Leisure, Culture and Tourism.

RESOLVED –

That the update be noted and that a further report be given at the next Enterprise and Wellbeing Scrutiny Committee meeting.

11 WORK PROGRAMME FOR THE ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE

The Committee considered a list of items raised to date for its Work Programme.

Overview and Performance Scrutiny Forum Minute No. 74 (2013/14), on the response to a presentation made to Community Assemblies on the Council's overview and scrutiny role, was also considered.

RESOLVED –

(1) That the Work Programme be agreed.

(2) That a Scrutiny Project Group to look at the Community Assembly issue of dog fouling not be set up at present while other options be considered.

(3) That an update on the following items be considered at the meeting in July, 2014:

- Licensing policies relating to the sale of 'legal highs' and other issues affected by recent changes in Government legislation;
- Leisure and Culture Strategy (Sport and Leisure Strategy and Parks and Open Spaces Strategy).

12 SCRUTINY PROJECT GROUPS - PROGRESS UPDATES

New Sport and Leisure Facilities

Councillor Flood introduced the draft report of the Scrutiny Project Group, as amended by the Head of Environment.

The draft report set out the main objectives of the review, and the reasons for the review and its link with the Corporate Plan.

The review focused on the design of the proposed Queen's Park Sports Centre, the public consultation process, site visits to comparable facilities in other local authority areas, the appointment of the main contractor and building contractor, partnership working with Chesterfield College, funding and consultation with staff.

The recommendations included greater consultation with Leisure staff and all Borough Council staff, and with members of the public, including sports clubs, and clarification of the decision-making process.

It was stressed that this was not the final report, because further meetings were planned with Chesterfield College and the new contractors. There would be a further evaluation six months into the project delivery period.

The recommendations were agreed, and the Scrutiny Project Group was thanked for producing this well-researched report.

Taxi Licence Subsidy

There was no report.

RESOLVED –

That the report and recommendations of the Scrutiny Project Group on New Leisure Facilities be approved for submission to Cabinet.

13 MINUTES OF THE MEETING HELD ON 20 MARCH, 2014 AND MATTERS ARISING

The Minutes of the meeting of the Committee held on 20 March, 2014 were presented.

RESOLVED –

That the Minutes be approved as a correct record and signed by the Chair.