

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** on **Wednesday, 22 July 2015** at **5.00 pm** for the purpose of transacting the following business:-

1. Minutes (Pages 3 - 14)
2. Mayor's Communications.
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. 12.

6. Petitions to Council

To receive petitions submitted under Standing Order No. 13

7. Questions to the Leader

To receive questions submitted to the Leader under Standing Order No.14

8. Changes to Membership of Member Level Committees (Pages 15 - 16)

9. General Fund Budget Outturn 2014/15 (Pages 17 - 44)

10. Replacement of Boilers at the Winding Wheel (Pages 45 - 50)

11. Changes to the disciplinary and dismissal procedures for Statutory Officers (Pages 51 - 60)

12. Local Government Act 1972 - Exclusion of the Public

To move "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 involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act".

13. Sport and Leisure Equipment Replacement (Pages 61 - 82)
14. Linacre Road, Ashgate - Project Update (Pages 83 - 114)
15. Local Government Act 1972 - Re-admission of the Public

To move that after the consideration of items containing exempt information that the public be re-admitted to the meeting.

16. Minutes of Committee Meetings (Pages 115 - 116)

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

- Appeals and Regulatory Committee
- Licensing Committee
- Planning Committee
- Planning Sub-Committee

17. Minutes of Cabinet (Pages 117 - 146)
18. Minutes of Joint Cabinet and Employment and General Committee (Pages 147 - 152)
19. Minutes of the Overview and Performance Scrutiny Forum (Pages 153 - 164)
20. Minutes of the Enterprise and Wellbeing Scrutiny Committee (Pages 165 - 176)
21. Questions under Standing Order No. 19

To receive questions from Councillors in accordance with Standing Order No.19.

By order of the Council,



Chief Executive

Chief Executive's Unit,
Town Hall,

Chesterfield

14 July 2015

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COUNCIL MEETING

Monday, 18th May, 2015

Present:-

The Mayor

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

109 MINUTES

RESOLVED -

That the Minutes of the meeting of the Council held on 26 February, 2015 be approved as a correct record and be signed by the Chair.

110 MAYOR'S COMMUNICATIONS

The Mayor welcomed returning and new members to the Council meeting.

The Mayor referred to the following Mayoral engagements:

- Visiting the Houses of Parliament.
- Celebrating the 25th Anniversary of Namibian independence at a service of thanksgiving at Westminster Abbey.
- Attending the Celebrate Chesterfield event at the Winding Wheel.

The Mayor also referred to the success of the Visitor Information Centre in receiving a highly commended award in the 2015 Visit England Awards for Excellence Visitor Information Provider of the Year category.

111 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Callan, Elliott and Hithcin.

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

No declarations of interest were received.

113 VOTE OF THANKS TO THE RETIRING MAYOR AND MAYORESS

It was moved by Councillor John Burrows, seconded by Councillor Shirley Niblock and resolved:-

- (a) That the best thanks of the Council be accorded to Councillor Alexi Diouf 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 Mrs Vickey-Ann Diouf for the grace, charm and dignity with which she has undertaken her duties as Mayoress.

114 PUBLIC QUESTIONS TO THE COUNCIL

There were no questions.

115 PETITIONS TO COUNCIL

No petitions had been received.

116 ELECTION OF BOROUGH COUNCILLORS

The Chief Executive reported that at the Borough Council elections held on 7 May, 2015 those listed in his tabled report had been elected as members of the Council for the Wards stated.

117 LEADER OF THE COUNCIL AND COMMITTEE APPOINTMENTS**RESOLVED –**

1. That Councillor John Burrows be appointed Executive Leader of the Council for the period 2015-19.
2. That the Member-level bodies of the Council for 2015/16, and the number of Members on each to be as follows:-

Planning Committee	15
Planning Sub Committee	3
Appeals and Regulatory Committee	15
Licensing Committee	15
Employment and General Committee	6
Overview and Performance Scrutiny Forum	14
Community, Customer and Organisational Scrutiny Committee	8
Enterprise and Wellbeing Scrutiny Committee	8

Standards and Audit Committee
(Borough Council representatives only)

5

3. That the membership of the Council's Member-level bodies for 2015/16 to be as follows:-

Planning Committee

Councillors: J Barr, P Barr, Brittain, Callan, Catt, Caulfield, Davenport, Dickinson, Elliott, Terry Gilby, Hill, Hitchin, Miles, A Murphy and Simmons

Planning Sub-Committee

Councillors: P Barr, Brittain and Terry Gilby

Appeals and Regulatory Committee

Councillors: Bellamy, Bexton, Bingham, Brady, D Collins, L Collins, A Diouf, Flood, P Innes, A Murphy, Niblock, Parsons, Perkins, Rayner and Slack

Licensing Committee

Councillors: Bellamy, Bexton, Bingham, Brady, Brown, Brunt, D Collins, L Collins, Derbyshire, Flood, P Innes, Parsons, Rayner, Redihough and Wall

Employment and General Committee

Councillors: Blank, Davenport, Dickinson, Elliott, J Innes and Simmons

Overview and Performance Scrutiny Forum

Councillors: J Barr, Borrell, Callan, Catt, Derbyshire, V Diouf, Dyke, Tricia Gilby, Miles, Parsons, Perkins, Sarvent, Simmons and Slack

Community, Customer and Organisational Scrutiny Committee

Councillors: J Barr, Borrell, Dyke, Miles, Parsons, Sarvent, Simmons and Slack

Enterprise and Wellbeing Scrutiny Committee

Councillors: Callan, Catt, Derbyshire, V Diouf, Dyke, Tricia Gilby, Perkins and Sarvent

Standards and Audit Committee

(Borough Council representatives only)

Councillors: Caulfield, Derbyshire, A Diouf, Rayner and Sarvent

4. That the Chairs and Vice-Chairs of Committees for 2015/16 to be as follows:-

Planning Committee	Chair: Councillor Brittain Vice Chair: Councillor Hill
Planning Sub-Committee	Chair: Councillor Terry 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 Tricia Gilby and Slack to be alternating Chairs
Community, Customer and Organisational Scrutiny Committee	Chair: Councillor Slack Vice Chair: Councillor Borrell
Enterprise and Wellbeing Scrutiny Committee	Chair: Councillor Tricia Gilby Vice Chair: Councillor Perkins
Standards and Audit Committee	Chair: Councillor Rayner Vice Chair: Councillor A Diouf

118 **DEPUTY LEADER OF THE COUNCIL AND CABINET APPOINTMENTS**

RESOLVED –

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

Deputy Leader and Cabinet Member for Planning

Councillor Terry Gilby

Cabinet Member for Housing

Councillor Tom Murphy

Assistant Cabinet Member

Councillor Sarah Hollingworth

Cabinet Member for Business Transformation

Councillor Ken Huckle

Assistant Cabinet Member

Councillor Keith Brown

Cabinet Member for Governance

Councillor Sharon Blank

Assistant Cabinet Member

Councillor Mick Wall

Cabinet Member for Health and Wellbeing

Councillor Chris Ludlow

Assistant Cabinet Member

Councillor Helen Bagley

Cabinet Member for Town Centre and Visitor Economy

Councillor Amanda Serjeant

Assistant Cabinet Member

Councillor Jean Innes

Minority Member without Portfolio

Leader of the Liberal Democrat Group

119 QUESTIONS TO THE LEADER

Under Standing Order No.14 the Leader was asked a question by Councillor Niblock regarding the Council's decision not to proceed with the proposed purchase of the former North East Derbyshire District Council building. The Leader provided a verbal response.

120 CONSIDERATION OF THE SCRUTINY ANNUAL REPORT 2014/15

Council considered the Annual Scrutiny Report detailing the work of the Overview and Scrutiny Committees during 2014/2015.

RESOLVED –

That the Scrutiny Annual Report for 2014/2015 be approved.

121 MINUTES OF COMMITTEE MEETINGS**RESOLVED -**

That the Minutes of the following Committees be noted:-

Appeals and Regulatory Committee of 25 February, 25 March, 1, 8 and 22 April and 1 May, 2015

Employment and General Committee of 26 January and 20 April, 2015

Licensing Committee of 8 April, 2015

Planning Committee of 23 February, 16 March, 7 and 27 April, 2015

Planning Sub-Committee of 16 February, 2015

Standards and Audit Committee of 6 and 10 April, 2015

122 MINUTES OF CABINET**RESOLVED –**

That the Minutes of the meetings of the Cabinet of 17 February, 10 and 24 March and 21 April, 2015 be noted.

123 **MINUTES OF THE JOINT CABINET AND EMPLOYMENT AND GENERAL COMMITTEE**

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 21 April, 2015 be noted.

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

RESOLVED -

That the Minutes of the meetings of the Overview and Performance Scrutiny Forum of 12 February and 19 March, 2015 be approved.

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

RESOLVED -

That the Minutes of the meeting of the Community, Customer and Organisational Scrutiny Committee of 16 April, 2015 be approved.

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

RESOLVED -

That the Minutes of the meeting of the Enterprise and Wellbeing Scrutiny Committee of 5 February, 2015 be approved.

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

There were no questions.

COUNCIL MEETING

Wednesday, 20th May, 2015

Present:-

The Mayor

Councillors	Bagley J Barr P Barr Bellamy Bexton Bingham Brady Brittain Brown Brunt Burrows Callan Catt D Collins L Collins Davenport Derbyshire Dickinson V Diouf Dyke Elliott Flood	Terry Gilby Tricia Gilby Hitchin Hollingworth Huckle J Innes P Innes Ludlow Miles A Murphy T Murphy Niblock Parsons Rayner Redihough Sarvent Serjeant Simmons Slack Wall
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1 ELECTION OF MAYOR

It was moved by Councillor Peter Barr and seconded by Councillor Terry Gilby and resolved that Councillor Barry Bingham be elected Mayor of the Borough of Chesterfield for the Civic Year 2015/16.

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

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

2 PRESENTATION TO THE RETIRING MAYOR AND MAYORESS

Pursuant to Minute No. 113 (2014/15), the Mayor presented Councillor Alexis Diouf with a former Mayor's badge and a record of his year of office and a former Mayoress' badge to Councillor Vickey-Ann Diouf and a record of her year of office.

3 APPOINTMENT OF DEPUTY MAYOR

It was moved by the Mayor, seconded by Councillor Burrows and resolved that Councillor Steve Brunt be appointed Deputy Mayor of the Borough of Chesterfield for the Civic Year 2015/16.

4 APPOINTMENT OF THE MAYOR'S CHAPLAIN

The Mayor indicated that he had appointed Reverend Jo Morris to be the Mayor's Chaplain.

5 APPOINTMENTS MADE AT THE ANNUAL BUSINESS MEETING

RESOLVED -

That the recommendations of the Annual Business Meeting of the Council of 18 May, 2015, at Minute No. 117 be noted and approved subject to the following amendments to Committee Appointments 2015/16 (Minute No. 117):-

Appeals and Regulatory Committee

Councillor Hitchin to replace Councillor Slack.

Planning Committee

Councillor Hitchin not to take his seat on the Planning Committee, and that the vacancy created be filled at a later date.

EXTRAORDINARY COUNCIL MEETING**Monday, 6th July, 2015**

Present:-

The Mayor

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

6 HONORARY ALDERMAN

It was moved by Councillor Burrows, and seconded by Councillor A Diouf:

"That in pursuance of the power conferred by Section 249(1) of the Local Government Act 1972, the Council do hereby confer the title of Honorary Alderman of the Borough of Chesterfield upon Jim McManus in recognition of the eminent services which he has rendered to the Council."

On being put to the meeting, the motion was declared carried.

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FOR PUBLICATION

CHANGES TO MEMBERSHIP OF MEMBER LEVEL COMMITTEES

MEETING: COUNCIL
DATE: 22 JULY 2015
REPORT BY: COMMITTEE AND SCRUTINY COORDINATOR
WARDS: ALL
COMMUNITY ASSEMBLIES: ALL

FOR PUBLICATION
BACKGROUND PAPERS FOR PUBLIC REPORTS: Nil

1.0 PURPOSE OF REPORT

- 1.1 To appoint a member to fill a vacant seat on the Planning Committee
- 1.2 To appoint a member to fill a vacant seat on the Licensing Committee

2.0 RECOMMENDATION

- 2.1 That Council approves the appointment of Councillor Wall to sit on the Planning Committee for the municipal year 2015/16.
- 2.2 That Council approves the appointment of Councillor Slack to sit on the Licensing Committee for the municipal year 2015/16.

3.0 BACKGROUND

- 3.1 At the Annual Business Meeting of the Council held on 18 May, 2015 it was resolved that the Planning and Licensing Committees would consist of 15 members each.
- 3.2 In accordance with Regulation 14 of the Local Government (Committees and Political Groups) Regulations 1990 with regard to political balance the Planning Committee would be made up of 12 Labour Group members and 3

Liberal Democrat Group members, and that the Licensing Committee would be made up of 12 Labour Group members, 2 Liberal Democrat Group members and the 1 UKIP member of the Council.

- 3.3 At the Annual Council Meeting held on 20 May, 2015 it was resolved that the recommendations on Committee appointments made at the Annual Business Meeting of the Council of 18 May, 2015 be approved subject to the amendments of Councillor Hitchin to replace Councillor Slack on the Appeals and Regulatory Committee and Councillor Hitchin not to take his seat on the Planning Committee, and that the vacancy created would be filled at a later date.
- 3.4 As a result of these changes the Planning Committee currently has 14 rather than 15 members.

4.0 CURRENT SITUATION

- 4.1 The Labour Group Leader and Executive Leader of the Council has indicated that they would like to appointment Councillor Wall to take the vacant seat, allocated to the Labour Group on the Planning Committee for the municipal year 2015/16.
- 4.2 As the Council's Constitution states that no member may sit on both the Planning and Licensing Committees the proposed appointment of Cllr Wall to the Planning Committee would create a vacancy on the Licensing Committee.
- 4.3 The Labour Group Leader and Executive Leader of the Council has indicated that they would like to appointment Councillor Slack to take the vacant seat on the Licensing Committee, (created by the proposed appointment of Cllr Wall to the Planning Committee) for the municipal year 2015/16.

5.0 RECOMMENDATION

- 5.1 That Council approves the appointment of Councillor Wall to sit on the Planning Committee for the municipal year 2015/16.
- 5.2 That Council approves the appointment of Councillor Slack to sit on the Licensing Committee for the municipal year 2015/16.

MARTIN ELLIOTT
COMMITTEE AND SCRUTINY COORDINATOR

Further information on this matter can be obtained from Martin Elliott (Tel: 01246 345236)

GENERAL FUND BUDGET OUTTURN 2014/15 (J000)

MEETING:	COUNCIL
DATE:	22 JULY 2015
REPORT BY:	CHIEF EXECUTIVE CHIEF FINANCE OFFICER
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL
KEY DECISION REF:	401

FOR PUBLICATION

BACKGROUND PAPERS:

Final accounts working papers, Accountancy Section.

1.0 PURPOSE OF REPORT

- 1.1 To report on the General Fund Revenue and Capital Outturns for 2014/15, provide details of significant variations from the revised estimates and to consider carry forward requests.

2.0 RECOMMENDATION

- 2.1 That the General Fund Revenue and Capital Outturn reports for 2014/15 be considered.

3.0 BACKGROUND

- 3.1 The individual portfolio budget outturn reports are included as separate items on today's Cabinet agenda.
- 3.2 The external audit of the accounts is due to start in July. The formal published Statement of Accounts will be presented to the Standards and Audit Committee for approval at the end of September on

conclusion of the audit. Once approved, a copy of the accounts will be placed on the Council's web-site.

3.3 This report includes details of the General Fund revenue account and the collection fund outturns, plus a summary of the General Fund Capital Programmes. There will be a separate report presented for the Housing Revenue Account covering both the revenue and capital elements. The information in these reports will then be incorporated into the published Statement of Accounts.

3.4 The Council's Financial Strategy sets out the Council's policy on the levels and nature of reserves and balances. The Strategy also defines how under or overspends should normally be treated at the end of each financial year:

- ◆ Any under spend on the General Fund will be transferred to the Budget Risk Reserve;
- ◆ Any over spend on the General Fund will be met from the Budget Risk Reserve or the General Working Balance;
- ◆ Any DLO/DSO surpluses arising in the year that are not required for operational purposes will be allocated as follows:
 - (i) That any surplus relating to Public Sector Housing activities will be transferred to the HRA; and
 - (ii) That any surpluses or deficits relating to General Fund Activities will be transferred to the Budget Risk Reserve.

3.5 This report was considered by Cabinet at its meeting on 16 June, 2015 where it resolved:

- 1) That the General Fund Revenue and Capital Outturn reports for 2014/15 be noted.
- 2) That the £313k revenue account surplus be transferred to the Retained Business Rates Reserve account.
- 3) That the officer recommendations in relation to the General Fund carry forward and deferred growth requests (para 4.8 of the report) be agreed.
- 4) That the level of General Fund Reserves and Balances (Section 6 and Appendix E) be approved.
- 5) That the capital financing arrangements set out in Appendix F of the report be approved.

6) That Council be recommended to consider the report.

4.0 GENERAL FUND REVENUE ACCOUNT

- 4.1 The Summary Revenue Account, comparing the outturn with both the original and revised estimates for the financial year, is shown at **Appendix A**. There was a net surplus of **£312,504** in the year compared with:
- a) The **original** budget surplus forecast of £243,855.
 - b) The **revised** budget surplus forecast of £39,818.
- 4.2 Details of the variances that contributed towards the £204k reduction from the original deficit forecast to the revised forecast were included in the budget report to the Cabinet on the 18th February 2014.
- 4.3 The outturn **surplus is £273k above the revised budget** forecast. Whilst a significant sum in absolute terms, the under spend is low in relative terms i.e. less than 1% of the Council's gross turnover (income plus expenditure excluding Benefits, i.e. £30m + £20m = £50m).
- 4.4 Details of the variances have been reported in the Executive Member reports. There were many relatively low value budget variances in the year but also a number of significant variances. A summary of the most significant variances is included in **Appendix B**. At the time the revised budgets were approved there were a number of potentially high cost live issues but their likelihood of occurring and their impact were not clear at that stage. The issues were reported to the Financial Planning Group as they developed, together with the improving income position on many services (Planning, Sports facilities, Venues, etc).
- 4.5 Further work is now required to establish which variances are likely to recur in future years. The results of this exercise will be included in the next budget monitoring report to the Cabinet.
- 4.6 There are significant variances on Asset Charges on some of the portfolios due to valuation adjustments for balance sheet purposes; Deputy Leader +£0.6m, Leisure +£1.1m and Governance -£0.3m). Accounting regulations require the adjustments to be reflected in the appropriate service revenue account but they are then reversed out in the "Interest and Capital Charges" line of the summary revenue account (Appendix A) which shows an increased income of £1.4m.

There is, therefore, no bottom-line impact from these valuation adjustments.

4.7 A subjective analysis of all the General Fund services is provided at **Appendix C**.

4.8 There are a number of **carry forward requests** and two deferred **growth requests** to consider. Fuller details of the Carry Forward requests are included in the Executive Members' reports. The table below provides a summary of the carry forward and deferred growth requests with a recommendation on each from the enior Leadership Team (SLT).

Table 1 – Carry Forward & Deferred Growth Requests					
Portfolio	Service	Description	Amount	From	SLT recommendation
Dep Leader	Forward Planning	Professional fees as approved in principle by the Cabinet (21 st April 2015).	13,900	Budget Risk Reserve	Approve on an on-going basis
Environment	Environmental Health Admin	To complete a system upgrade from the Oracle to a Sequel server.	3,500	Budget Risk Reserve	Approve – need to feed in any ongoing costs to the ICT Strategy
	Parks	Additional general maintenance works.	14,000	Budget Risk Reserve	Reject due to the large underspend in 2014/15, some of which will be recurring.
Governance	Elections	To match the actual profile of expenditure on the May 2015 elections.	6,000	Budget Risk Reserve	Approve
	Leadership Development	Slippage on carry forward approved from 2013/14.	6,000	Already set aside in the Budget Risk Res	Approve
Sub-total <u>Growth requests:</u>		Carry fwd requests	43,400		
Environment		Cemeteries Improvement Programme	70,000	BR /SI Reserve	Defer pending more detail and a full business case report.
Governance		Communications Team's training budget	2,000	Budget Risk Reserve	Reject, but managers to try and identify a virement solution.
Total	Carry f/wds	& Growth Request	£115,400		

5.0 DLO/DSO's

5.1 A summary of the DLO/DSO surpluses/deficits is shown in **Appendix D**. All of the operations produced a surplus for the year. The table below summarises the proposed distribution of the surpluses:

Table 2 – Allocation of DLO/DSO Surpluses	
Fund / Reserve	Amount (£'000)
Earmarked for carry forward requests	265
Housing related surplus to the HRA	100
General Fund Revenue Account	114
General Fund Budget Risk Reserve	19
Total	498

6.0 GENERAL FUND BALANCES AND RESERVES

6.1 The table below shows a summary of the General Fund Reserves and Provisions; more detail is provided in **Appendix E**. Please note that the summary of useable reserves in the table below excludes the **General Working Balance** (which is being reduced to £1.5m in 2015/16).

6.2 Overall the level of reserves and provisions are £2.3m above the revised budget forecast estimate due mainly to increases in the Business Rates Reserve, Property Repairs Fund, Vehicles & Plant Reserve, Insurance Fund and the Service Improvement Reserve. Further details are provided below.

Table 3 – General Fund Reserves & Provisions 2014/15			
Reserve	Opening Balance (£'000)	Closing Balance (£'000)	Revised Forecast (£'000)
Budget Risks Reserve	1,000	780	791
Invest-to-Save Reserve	393	286	229
Service Improvement Reserve	1,175	1,153	887
Other Earmarked Reserves	3,726	4,504	2,826
Provisions	1,700	1,891	1,616
Total Reserves & Provisions	7,994	8,614	6,349

Budget Risk Reserve

- 6.3 This reserve provides a supplement to the General Working Balance to cover any budget risks and to help finance any severance costs resulting from voluntary staffing reductions through implementing the Transformation Strategy. The table below provides a comparison of the revised budget with the outturn position. The balance in the reserve is above the revised budget forecast by £19k, due mainly to the inclusion of the 2014/15 DSO surpluses.

Table 4 – Budget Risk Reserve		
	Outturn £'000	Revised Budget £'000
Opening balance 1 Apr 2014	1,000	1,000
<u>Movements in 2014/15:</u>		
VR/VER's	(53)	(53)
CMT restructure	(97)	(97)
Governance restructure	(31)	(31)
13/14 carry forwards	(36)	(36)
Learning & Development	(26)	(32)
Transfer from Risk Mgt Reserve	5	
Security DSO susurplus	13	
Building Cleaning surplus	6	
2014/15 budget outturn surplus	-	40
Balance c/fwd 31st Mar 2015	781	791
<u>Outstanding Commitments:</u>		
STWA tenants consultation exercise	(30)	(30)
Land Charges claims	(44)	(44)
Erin Road Pumping Station	(50)	(50)
Learning & Development	(6)	
Approved growth – stock condition survey	(26)	(26)
Approved Growth – Data Custodian Officer	(17)	(17)
External Legal Advice re works in default	(3)	
2014/15 carry forward requests	tbc	-
Uncommitted Balance	605	624

Invest-to-Save Reserve

- 6.4 The table below shows details of the movements and commitments on the reserve.

Table 5 - Invest-to Save Reserve		
	Outturn £'000	Revised Budget £'000
Opening balance b/fwd 1 Apr 2014	393	393
<u>Movements in 2014/15:</u>		
Community Infrastructure Levy		(5)
Payment Kiosk at Staveley (SHLC)	(23)	(23)
Holmebrook Valley Park drainage	(18)	(21)
Venues refurbishment	(57)	(90)
CMT restructure – external advice	(25)	(25)
VSO's co-location – capital financing adj	15	
Balance c/fwd 31st Mar 2015	285	229
<u>Outstanding Commitments:</u>		
Customer Service Strategy - capital	(105)	(105)
Local Collective Agreement	(10)	(10)
Car park improvements	(111)	(111)
Venues refurbishment (balance)	(33)	
Holmebrook Valley Park drainage (balance)	(3)	
Community Infrastructure Levy	(5)	
Repayments into the fund		
Uncommitted Balance c/fwd	18	3

6.5 The main issue to note is that the forecast balance will reduce to just £18k in the near future after all the known commitments are taken into account.

Service Improvement Reserve

6.6 The table below provides a comparison of the revised budget estimate and the outturn position.

Table 6 - Service Improvement Reserve		
	Outturn £'000	Revised Budget £'000
Opening balance 1 Apr 2014	1,176	1,176
<u>Movements in 2014/15:</u>		
Linacre Master Plan	(26)	(67)

Project Academy	(14)	(30)
Grit storage	-	(5)
Venues Refurbishment	-	(20)
Innovation Centres telephony system (half)	-	(102)
Innov Centres telephony system repayment	25	
Northern Gateway (half of £100k allocation)	-	(50)
Open Market Reconfiguration Study	-	(15)
Waterside Legal Costs	(7)	
Balance c/fwd 31st Mar 2015	1,154	887
<u>Outstanding Commitments:</u>		
Linacre Master Plan	(40)	
Project Academy	(52)	(36)
Grit storage	(5)	
Venues Refurbishment	(20)	
Car parking improvements	(15)	(15)
Innov Centres telephony system (balance)	(204)	(102)
Innov Centres telephony system repayment	25	
Northern Gateway (balance)	(100)	(50)
Open Market Reconfiguration (tender price)	(23)	
Waterside Legal Costs	(33)	(40)
Uncommitted Balance	687	644

6.7 The balance in the reserve was £267k above the revised estimate for 2014/15 due to slippage on approved expenditure. Once outstanding commitments are taken into account there is a positive variance due to repayments of the Innovation Centre loan (£50k) less the increased cost of the Open Market Reconfiguration study (£8k).

6.8 **Other Earmarked Reserves** - these reserves are held for specific purposes. The total balance on these reserves increased by £1.7m over the revised forecast for the financial year 2014/15. The most significant changes include:

- ◆ Vehicle & Plant - £219k above the revised forecast due to reduced expenditure.
- ◆ Property Repairs Fund - £264k above the revised estimate due to reduced expenditure.
- ◆ GP:GS Reserve – this is fund includes the un-used balance of the ICT replacement budget which is being set aside for the ICT equipment required for mobile working etc.
- ◆ Retained Business Rates Reserve – increased by £1.1m from £0.2m at the start of the year by transferring in all available revenue budget savings. The reserve is need to help finance the Council's

share of the fund deficit (40% x £4.8m = £1.9m) when it hits the accounts in 2015/16 and 2016/17.

6.9 Provisions

- a) Transport Company Pensions Provision – this provision has been established to cover the Council's future liabilities for pension costs relating to the employees of the former Transport Company. The provision was last reviewed by the County Council's pension fund actuary in 2010/11. The County Council were asked to commission a further review in order to inform the 2015/16 budget process but to date no update has been received.
 - b) Insurance Provisions – in addition to the provisions, which cover reported claims only, the Council also holds money in Insurance Reserves to cover future claims. An actuarial review was undertaken in 2013 which concluded that the overall amounts held could be reduced by £393k (which was transferred into the Budget Risk Reserve) and that the remaining balance should be re-allocated between the provision and reserves elements. The MMI Provision for the first 15% claw-back (£204k) was paid in 2014/15. A further £503k is held in a reserve account to cover possible future claw-back claims.
 - c) Planning LDF Review Provision – the balance in this fund is above the revised estimate but the funds will be used in future years.
- 6.10 It is important for Members to appreciate that many of the reserves and provisions are earmarked for specific purposes. The Funds should not, therefore, be regarded as being available for general use. An additional consideration is the fact that the Council receives interest from the reserves and provisions, which is used to support the Council's revenue budget.

7.0 CAPITAL EXPENDITURE AND FINANCING

- 7.1 The capital expenditure outturn figures have been included in the individual Executive Member reports. **Appendix F** provides details of the total General Fund Capital Programme expenditure and financing for the financial year.
- 7.2 Actual expenditure on schemes was £8.4m compared with the original budget for the year of £10.3m (as at Feb 2014) and £8.5m at the revised budget stage (February 2015). The main reasons for the variance from the revised budget (-£0.1m) include:

- Overspends on:
 - Disabled Facilities Grants (+£162k) but this is financed from unused Government grants received in previous years;
 - Queens Park Sports Centre (+£299k) but this is just a profiling issue, the project remains within budget.
- Underspends on:
 - Innovation telephony upgrade (£136k)
 - GPGS Town Hall changes (£50k)
 - Flood prevention works (£72k)
 - Vehicle & Plant (£226k)

7.3 On the financing side, the main reasons for the £0.1m reduction were:

- Prudential Borrowing increased by £1.1m to £4.4m representing the increased expenditure on the Queen's Park Sport Centre scheme and the re-profiling of the external contributions from Chesterfield College and Sport England into 2015/16. Over the two years, 2014/15 and 2015/16, the borrowing should balance out.
- Grants and Contribution down by £753k, due mainly to the reduced Queen's Park Sports Centre contributions (-£760k) and the increased Disabled Facilities Grant contributions (+£162k), as referred to earlier in the report.
- Vehicle & Plant Fund contribution down by £226k, matching the reduction in expenditure;

8.0 CAPITAL RECEIPTS

8.1 The movement on useable capital receipts in the year is summarised in the table below. All useable receipts were used in the year.

Table 7 - Useable Capital Receipts			
	Gen Fund £'000	Housing £'000	Total £'000
Balance b/fwd 1 st April	-	429	429
Add: Receipts in the year	1,394	3,268	4,662
Less: Housing receipts 'Pooled'	-	(830)	(830)
Less: Applied to repay debt	(1,011)		(1,011)
Less: Applied to finance GF cap ex	(383)	-	(383)
Less: Applied to finance HRA cap ex	-	(2,167)	(2,167)
Balance c/fwd 31st March	-	700*	700

* The Housing balance of £700k represents the retained 'one-for-one' element of RTB receipts.

8.2 At the revised budget stage the forecast for capital receipts was reduced dramatically from £4.1m to £1.3m due mainly to £3.1m of receipts being moved into 2015/16 (Newbold School, Ashgate Road and Gorse Valley). The table below summarises the movements over the financial year. The actual amount achieved was slightly above the revised budget:

Table 8 – General Fund Capital Receipts	
	Amount (£'000)
Original Budget Forecast – start of year	4,109
Revised Budget Forecast – Jan 2015	1,324
Actual	1,394

8.3 The slippage of some major disposals into 2015/16 has taken the target receipts figure for 2015/16 to £5.7m. To date only £217k has been received which suggests that the target is unlikely to be achieved. A revised forecast will be produced at the end of Quarter 1.

9.0 COLLECTION FUND SURPLUSES

9.1 The Council is required to maintain a Collection Fund to account for the expenditure and income relating to the Council Tax (including the precepts of other authorities) and National Non Domestic Rates.

9.2 Surpluses or deficits relating to the Council Tax are shared between the Derbyshire County Council, Derbyshire Police Authority, the Fire Authority and the Borough Council in proportion to the precepts issued and must be used to adjust the Council Tax. The outturn balance on the Council Tax elements of the Fund is a surplus of £721,173. A surplus of £664,798 was estimated when setting the Council Tax for 2015/16. The increased surplus was due largely to a reduction in the provision for bad debts. The increase in the surplus will be carried forward to the tax calculation exercise for 2016/17. The Council's share of the increased surplus, at 10%, will be £5,600.

9.3 Business Rates – Surpluses or deficits relating to Business Rates are shared between Central Government, Derbyshire County Council, Derbyshire Fire Authority and the Borough Council in proportions laid down by Government. The deficit increased dramatically mainly as a result of a surge in potentially back-dated valuation appeals in the run up to the deadline date announced in the Autumn Statement of 31st March 2015. The Appeals Provision stood at £1.7m at the start of 2014/15, with £0.5m paid out during the year and a need to top up the provision by £3.3m in order to end the year with a balance of £4.5m to meet the estimated liability of successful appeals. Increasing the

Appeals Provision contributed towards the deficit on the Business Rate Income Account which stood at £4.8m at the end of 2014/15. The Council's share of the deficit is £1.9m (i.e. 40% x £4.8m). This will be accounted for over two financial years:

2015/16 - a deficit share of £0.75m was estimated for the end of 2014/15 when the budgets for 2015/16 were set; £320k of this is to be met from the Business Rates Reserve created in 2013/14, £250k from the working balance and the remaining £180k charged to the budget in 2015/16.

2016/17 – the balance of the deficit (£1.2m) will be taken into account as part of the budget setting process for 2016/17. The Levy saving and the net surplus achieved in 2014/15 (£0.9m combined) will be set aside in the Retained Business Rates Reserve and will be used in 2016/17 to help offset the deficit share charged in that financial year; this will leave an unfunded balance of £0.3m in 2016/17.

10.0 CONCLUSIONS AND IMPLICATIONS FOR THE MEDIUM TERM

10.1 The medium term financial outlook gets progressively worse as the further cuts in Government funding are anticipated. The budget forecasts approved in February show deficits, before the Transformation Savings, of:

- £0.7m in 2015/16;
- £1.4m in 2016/17;
- £1.8m in 2017/18;
- £2.1m in 2018/19; &
- £2.5m in 2019/20.

10.2 The medium term forecast will have to be updated to reflect the impact of budget variances recorded in 2014/15 that are likely to be of a recurring nature. This will require further work to get a better understanding of why the variances occurred. The outcome of this exercise will be included in the next budget monitoring report to the Cabinet.

10.3 The future forecasts include allowances for the most significant budget risks facing the Council but the final outcomes may be quite different, such as:

- Further cuts in Government grants from following the Emergency Budget in July 2015 of the Spending Review in the autumn, beyond those assumed in the budget forecast.

- The introduction of the Business Rates Retention and Localised and Council Tax Support schemes in April 2013 transferred some significant financial risks to local government. The risks include the cost of backdated Business Rate appeals, the growth or decline in the Business Rate base and the collection of Council Tax from those who have had their support reduced. As we have seen from the Business Rate Account in 2013/14 and 2014/15 it is difficult to predict the net income due to the Council even for just one year ahead and the likely cost of appeals continues to be a major concern.
- From 2016/17 the budget forecasts assume a 1.99% council tax increase and a 0.5% growth in the tax base, equivalent to approximately £100k (£80k + £20k) in each year. There is a risk that the Government will continue to limit future tax increases.
- Delays in delivering the required budget savings in future years.

10.4 The main conclusions to be drawn from this report are:

- A number of significant variances occurred in 2014/15, both positive and negative. It is evident that further improvements need to be made to the budget monitoring arrangements to ensure that such variances are declared much earlier in the budget process in the future. It is important that an assessment is undertaken quickly to establish which of the 2014/15 variances are likely to be recurring. This will enable the budget deficit forecasts to be updated in order to provide a more realistic base point from which to make further decisions on where and when future budget savings are to be implemented. The scale of the current budget deficit forecasts, however, is such that Council will not be able to rely solely on future under-spends to bridge the deficit gaps. Significant budget cuts will have to be made over the next few years if a sustainable budget position is to be achieved.
- The Council continues to be exposed to significant financial risks due the wide range of services it provides and the heavy reliance on income from rents, fees and charges.
- The working balance is being maintained at £1.5m. In addition, healthy balances are retained in other earmarked reserves and provisions. It is, however, important that strong financial discipline is maintained to ensure that a reasonable balance is retained in these funds, by controlling their use and creating capacity within the revenue budget to be able to replenish them.

- In terms of the General Fund Capital Programme the Council is exposed to a number of significant financial risks including generating capital receipts, cost overruns and exempt VAT recovery.
- The Cabinet will require regular updates on both the revenue and capital budgets to ensure that the financial risks referred to above are being effectively managed.

11.0 RECOMMENDATION

11.1 That the General Fund Revenue and Capital Outturn reports for 2014/15 be considered.

12.0 REASON FOR RECOMMENDATION

12.1 In the interest of sound financial management.

H. BOWEN
CHIEF EXECUTIVE

B. DAWSON
CHIEF FINANCE OFFICER

Further information on this report can be obtained from
Barry Dawson, ext 5451.

GENERAL FUND OUTTURN 2014/15

	Original £	Revised £	Outturn £	Variance Rev'd- Out £
<u>Per Lead Member reports:</u>				
Leader - Regeneration	484,210	410,910	418,080	7,170
Deputy Leader	(1,279,830)	(1,294,490)	(178,394)	1,116,096
Environment	5,268,110	5,060,780	4,952,993	(107,787)
Homes & Neighbourhoods	1,193,790	1,537,510	1,532,147	(5,363)
Leisure, Culture & Tourism	3,134,350	3,267,850	4,364,557	1,096,707
Governance & Organisational Dev't	3,471,470	3,492,090	2,704,883	(787,207)
Customers & Communities	1,616,550	1,608,700	1,652,482	43,782
Other:				
Other Income	(9,390)	(116,794)	(133,413)	(16,619)
Transformation Savings	(818,000)	67,000	0	(67,000)
less allowance for delay etc	206,100	0	0	0
Staff vacancies allowance	(150,000)	0	0	0
Share of Internal Audit surplus	0	0	(44,163)	(44,163)
Share of Crematorium Surplus	(55,000)	(110,000)	(110,000)	0
Spirepride surplus	(117,220)	(36,030)	(113,562)	(77,532)
DSO (surplus)/deficit	0	0	(18,955)	(18,955)
Pension - employers contributions	82,630	0	0	0
Car allowance scheme	(40,000)	0	0	0
Other incl bad debt provision	50,000	50,000	16,020	(33,980)
Total Service Expenditure	13,037,770	13,937,526	15,042,675	1,105,149
Interest & capital charges	(1,846,300)	(2,208,480)	(3,637,112)	(1,428,632)
Contributions from Invest to Save	6,900	(48,000)	(48,000)	0
Contrib from Service Improv't Res.		(30,000)	(40,830)	(10,830)
Contributions from Budget Risk Res.		(248,750)	(243,277)	5,473
Contributions to Renewals Fund etc	146,000	146,000	146,000	0
To/(from) Business Rates Risk Res.			0	0
To/from Reserves	0		49,409	49,409
DSO surplus/deficit to/from Reserves	0	0	18,955	18,955
Surplus/(Deficit) - to/(from) reserves	243,855	39,818	312,504	272,686
NET EXPENDITURE	11,588,225	11,588,114	11,600,324	

<u>Financed By:</u>			
RSG	3,354,621	3,354,621	3,354,621
Business Rates Baseline	3,004,464	3,004,464	3,004,464
Settlement Funding	6,359,085	6,359,085	6,359,085
Retained Business Rates Growth	689,018	773,055	465,055
S31 Business Rate Relief Grants		0	796,066
Council Tax Freeze Grant	47,777	47,903	47,903
Council tax support grants to parishes	(59,531)	(59,531)	(59,531)
Council Tax Fund Surplus/(Deficit)	24,968	24,968	24,968
Business Rates Fund Surplus/(Deficit)	46,090	46,090	46,080
Contribution (to)/ from Business Rate reserve	0	(84,038)	(572,103)
Other Government grants	39,332	39,332	51,551
New Homes Bonus	462,249	462,013	462,013
Council Tax	3,979,237	3,979,237	3,979,237
TOTAL FINANCING	11,588,225	11,588,114	11,600,324

<u>BR Growth Retention:</u>			
Growth rate			
CBC 40% share of income	14,311,597	14,311,597	14,311,597
Less tariff	(10,842,078)	(10,842,078)	(10,842,078)
Add s31 grant re SBRR	506,768	541,000	
Add s31 grant re other reliefs	244,545	209,000	
Gross income before levy	4,220,832	4,219,519	3,469,519
Less Baseline Funding	(3,004,464)	(3,004,464)	(3,004,464)
Growth	1,216,368	1,215,055	465,055
Levy (NB 50% on nndr3 not nndr 1)	(608,184)	(477,000)	0
Adjs to Levy & Tariff	(72,859)	(120,000)	
Retained BR re renewable energy Grant re Multiplier Cap	153,692	155,000	
BR Growth Retained above Baseline	689,017	773,055	465,055
Add Baseline Funding	3,004,464	3,004,464	3,004,464
Total BR Income Retained	3,693,481	3,777,519	3,469,519

2014/15 VARIANCE ANALYSIS - REVISED TO OUTTURN

Category	Description	Amount £'000	Totals £'000
Leader:	Innovation Centres	(11)	(15)
	Other (net)	(4)	
Planning:	Industrial & commercial property	21	299
	Town Centre properties - rents	31	
	Town Centre Grants	91	
	Planning (Dev Ctrl, Bld Ctrl, FP, CIL)	(52)	
	Estates	34	
	Business Transf / GP:GS	184	
	Other (net)	(10)	
Environment:	Street Cleaning	(23)	(222)
	Bereavement Services	(22)	
	Car Parking	(74)	
	Licensing	(19)	
	Parks	(79)	
	Other (net)	(5)	
Housing General Fund:	Net of all - no signif variances	2	2
Leisure:	Queen's Park Sports Centre	(40)	(224)
	Staveley Healthy Living Centre	(77)	
	Hasland Hall/Assembly Rooms	(20)	
	Winding Wheel	(32)	
	Pomegranate	(58)	
	Tourism	(18)	
	Markets	35	
	Other (net)	(14)	
Governance:	Legal, Civic & Democratic	(24)	132
	ICT	111	
	Pensions	80	
	Other (net)	(35)	
Customers & Communities:	Revenues & Benefits Admin	36	29
	Other (net)	(7)	
Sub-total - controllable budget variances			1
<u>Internal Recharges:</u>	Pension costs adjustments	(28)	(23)
	Accumulated absences adjustment	(17)	
	Support Service Recharges	22	
<u>Non-Portfolio Budgets:</u>	Other Income	(17)	
	Transformation savings	(67)	
	Internal Audit surplus	(44)	
	SpirePride surplus	(77)	
	Interest & Capital charges	(43)	
	to/from - Service Improv't Res.	(11)	
	to/from - Budget Risk Reserve	5	
	to/from - other reserves	49	

	Retained business rates	(12)	
	Other	(34)	(251)
Overall Outturn Variance			(273)

Reconciliation to totals	Outturn surplus		(313)
	Less Revised estimate		(40)
	Change in surplus		(273)

GENERAL FUND SERVICE EXPENDITURE SUBJECTIVE ANALYSIS

	Original	Revised	Outturn	Variance Original to Outturn		Variance Revised to Outturn	
	£'000	£'000	£'000	£'000	%	£'000	%
<u>Expenditure:</u>							
Employees	9,301	9,574	9,479	178	1.9	(95)	(1.0)
Premises	4,687	4,539	4,379	(308)	(6.6)	(160)	(3.5)
Transport	151	138	123	(28)	(18.5)	(15)	(10.9)
Supplies & Services	6,083	6,221	6,484	601	6.6	263	4.2
Transfer Payments	37,849	37,069	37,002	(847)	(2.2)	(67)	(0.2)
Agency & Contracted	9,677	9,682	9,658	(19)	(0.2)	(24)	(0.2)
Central & Dept Support	8,828	8,178	8,165	(663)	(7.5)	(13)	(0.2)
Capital & Asset Charges	3,754	4,198	5,528	1,774	47.3	1,330	31.7
HRA Contribution	624	629	625	1	0.2	(4)	(0.6)
Transfer to Reserves	(612)	0	26	638	(104.2)	26	
Total Expenditure	80,342	80,228	81,469	1,127	1.4	1,241	1.5
<u>Income:</u>							
Rents	7,319	7,392	7,382	(63)	0.9	10	0.1
Sales	450	463	501	(51)	(11.3)	(38)	(8.2)
Fees & Charges	8,885	9,074	9,390	(505)	(5.7)	(316)	(3.5)
Grants	39,122	38,331	38,171	951	2.4	160	0.4
Recharges & other	11,528	11,030	10,982	546	4.7	48	0.4
Total Income	67,304	66,290	66,426	878	1.3	(136)	(0.2)
Total Service Net Expd	13,038	13,938	15,043	2,005	15.4	1,105	7.9

DSO/DLO SURPLUSES / (DEFICITS) 2014/15

	Surplus / (Deficit)	Reserved for carry forwards (see below)	To HRA	To Gen Fund Revenue Account	To Budget Risk Reserve
	£	£	£	£	£
Building Maintenance	360,360	260,360	100,000	-	-
Spirepride	113,562	-	-	113,562	-
Building Cleaning	5,577	-	-	-	5,577
Security Services	18,379	5,000	-	-	13,379
Total	497,878	265,360	100,000	113,562	18,956
Details of Carry Forward Requests:					
<u>OSD:</u>					
To write off obsolete stock		40,000			
Equipment for working at heights		100,000			
Insurance claims fighting fund		20,000			
Two additional apprentices		30,000			
Bicycle Storage		5,000			
Rewire Depot Premises		20,000			
Upgrade Depot CCTV		10,000			
Depot Improvements		15,000			
Investment fund for trading activities		20,360			
OSD total		260,360			
Security – provision for future costs/losses		5,000			
Total		265,360			

GENERAL FUND RESERVES AND PROVISIONS

9001 code	Purpose	Bal at start of year £'000	Bal at end of year £'000	Revised Bud Est £'000
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3240	Vehicles and Plant	878) 1,211	853
	Wheelie Bin Replacements	189)	139
3241	Property Repairs	642	717	453
3244	Asset Management	44	44	26
3246	Risk Mgt Initiatives	10	5	5
3248	Zurich - Risk Mgt Reserve	10	5	-
3263	Museum Exhibits	25	25	25
3265	Flooding Restoration Fund	82	82	74
3378	MMI Clawback Reserve	513	503	503
3380	ICT	46	-	-
3390	Insurance - claims not yet reported	567	567	567
3391	Working Neighbourhoods WNF	224	118	118
3398	GP:GS Reserve	50	105	-
3399	Retained Business Rates Res.	238	1,122	-
3411	New Homes Bonus - Waterside	208	-	63
	Earmarked Reserves	3,726	4,504	2,826
3388	Budget Risk (incl. 13/14 surplus)	1,000	780	791
3389	Invest to Save	393	286	229
3412	Service Improvement	1,175	1,153	887
	Reserves Total	6,294	6,723	4,733

3264	Planning LDF Review	242	260	250
3237/8	Insurance - reported claims	497	689	433
3247	MMI Claw-back	11	10	-
3239	Transport Co. Pensions	950	932	933
	Provisions Total	1,700	1,891	1,616

	Reserves & Provisions Total	7,994	8,614	6,349
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GENERAL FUND CAPITAL PROGRAMME 2014/15

SCHEME	Original Budget Cab Feb 14 £'000	Revised Budget Cab Feb 15 £'000	Outturn £'000	Variance from Revised £'000
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C'fld Gateway Enhancement Project	389	576	576	0
Destination C'fld - public realm			19	19
Innov Centres tele/ICT upgrade		136		(136)
Leader - Regeneration	389	712	595	(117)

Hollis Lane Flood resilience work	139	27	5	(22)
Brampton Flood Resilience	336	74	24	(50)
Major Property Repairs unallocated	200	0	0	0
Planning	675	101	29	(72)

Thistle Park	74	50	51	1
Holmebrook Valley Pk Drainage		53	42	(11)
Eastwood Park			17	17
Eastwood Park - Pavillion	302	324	322	(2)
SpirePride depot relocation	96	448	405	(43)
Inkersall Green Play Area (S106)		20	20	0
King George V Bowls Pavillion		50	47	(3)
Inkerman Park footpath		31	24	(7)
Whitebank Sportsground		33	9	(24)
OSD computer system	18	126	141	15
Car Park Improvements	270	0	0	0
Environment	760	1,135	1,078	(57)

House Repairs Assistance	275	200	95	(105)
Private Sector Decent Homes	102	136	222	86
Disabled Facilities Grants	650	543	705	162
RSL Support	283	311	311	0
Housing Gen Fund	1,310	1,190	1,333	143

Market Hall Refurbishment			(11)	(11)
Venues Refurbishment	618	589	555	(34)
QPSC new build	5,600	4,114	4,413	299
Leisure, Culture & Tourism	6,218	4,703	4,957	254

ICT Strategy (from IT Reserve)	146	181	218	37
Vehicles & Plant (V&P Fund) - minor			133	133
Vehicles & Plant (V&P Fund) - major	419	421	62	(359)
Governance	565	602	413	(189)

GP:GS - Town Hall re VO relocation			(15)	(15)
GPGS - Town Hall refurb	290	50		(50)
Customer Services Strategy	75			0
Customers & Communities	365	50	(15)	(65)

General Fund Major Cap Expd	10,282	8,493	8,390	(103)
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CAPITAL PROGRAMME FINANCING				
<u>Financing of Major Cap Expd:</u>				
Prudential Borrowing - QPSC	5,600	3,354	4,413	1,059
Capital Receipts	4,109	1,324	1,394	70
Cap Rects used to repay borrowing	(1,594)	(869)	(1,012)	(143)
Grants & Contributions (see below)	2,346	3,407	2,654	(753)
Invest to Save Res.- CSS	75			0
Invest to Save Res.- HBVP		21	18	(3)
Invest to Save - Venues	108	90	57	(33)
Invest to Save Res.- Town Hall VOs			(15)	(15)
Invest to Save Res.- Car Parks	111			0
Service Improv Res. - Car Parks	15			0
Service Improv Res. - Venues	17			0
Service Improv Res. - Innov Centres		86		(86)
DLO/DSO Reserve	18	126		(126)
DSO Reseerve SP Depot	21	265	364	99

Prop Repairs Fund - Eastwood Pk				0
ICT Reserve	146	181	219	38
Vehicle & Plant Fund - minor			133	133
Vehicle & Plant Fund - major	419	421	62	(359)
Vehicle & Plant Fund - car parks	144			0
Vehicle & Plant Fund - Venues	10	10	10	0
Prop Repairs Fund - Venues	27	27	27	0
Prop Repairs Fund - Innov Centres		50		(50)
Rev - Dest C'ld			19	19
Rev - Gateway Enhancements			47	47
				0
Resources (c/fwd) / shortfall				0
Capital Expd Financing	11,572	8,493	8,390	(103)

Financing Surplus / (Deficit)	1,290	0	0	0
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GRANTS & CONTRIBUTIONS				
S106 - Inkersall Green play area		20	20	0
S106 - Inkerman footpath		3	2	(1)
Inkerman footpath		28		(28)
King George V Bowls Pavillion		50		(50)
S106 - Whitebank Sportsground		33	9	(24)
Thistle Park - Friends of group			1	1
Thistle Park - Landfill Credit	18			0
Thistle Park - Sport England	27			0
NHB Waterside	63	145	208	63
Private Sector Decent Homes	102	302	302	0
Decent Homes - Independ Living			10	10
Diabled Facilities Grant	650	543	705	162
Fuel Poverty - DECC				0
Affordable Homes S106			13	13
Eastwood Park - SITA				0
Eastwood Park - HLF	54	28	34	6
Eastwood Park Pavillion - Sp Eng	112	150	150	0
Market Hall - ERDF				0

Market Hall - THI		181	182	1
Destination C'fld Public Realm				0
Flooding schemes - Environment Agency	475	94	29	(65)
HVP - Football Foundation		32	24	(8)
Venues - Arts Council	456	462	436	(26)
C'fld Gateway Project - ERDF	241	357	328	(29)
C'fld Gateway Project - S106	148	219	201	(18)
QPSC - Sport England		760		(760)
				0
	2,346	3,407	2,654	(753)

CAPITAL PROGRAMME FINANCING			
<u>Financing of Major Cap Expd:</u>			
Prudential Borrowing	741	1,998	2,621
Capital Receipts	2,380	871	492
Grants & Contributions (see below)	3,053	3,543	2,525
Invest to Save Res.- CSS	25	29	25
Invest to Save Res.- HBVP	44	44	23
Invest to Save - Venues	-	-	18
Invest to Save Res.- Town Hall VO's	-	80	103
			7
Invest to Save Res.- disaster recov	-	69	69
Service Imp Res - Market Hall	468	-	-
Service Imp Res - Eastwood Pk	29	14	69
Service Imp Res - Venues	16	14	31
Service Imp Res - HBVP drainage	36	36	32
Service Imp Res - grit storage	-	18	13
Service Imp Res - ICT core infra	-	73	18
			56
Contrib from HRA - grit storage	-	9	-
Contrib from HRA - ICT core infra.	-	37	37
DLO/DSO Reserve	33	151	201
Prop Repairs Fund - Eastwood Pk	35	-	20
Prop Repairs Fund - Mkt Hall	120	120	120
ICT Reserve	146	199	152
Vehicle & Plant Fund - minor	417	363	128
Vehicle & Plant Fund - major	-	-	39
Rev - Destination C'fld	-	-	17
Rev - Gateway Enhancements	-	-	16
Rev - Market Hall	-	-	15
Capital Expd Financing	7,543	7,668	6,847

Financing Surplus / (Deficit)	1,007	(45)	0
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GRANTS & CONTRIBUTIONS

RSL Haslam Homes		115	-
RSL Westbury		30	-
RSL RHCP		21	-
NHB Waterside		145	-
Private Sector Decent Homes		203	118
Decent Homes - Independ Living		-	3
Diabled Facilities Grant		465	382
Fuel Poverty - DECC		109	127
Eastwood Park - SITA		25	25
Eastwood Park - HLF		457	342
Market Hall - ERDF		1,400	1,400
Market Hall - THI		200	-
Dest'n C'fld Public Realm		37	-
Hollis Lane Flooding - Enviro Agency		50	43
Brampton Flooding - Enviro Agency		50	-
HVP - Football Foundation		87	55
Venues - Arts Council		39	33
Eastwood Park Pavillion - Sp Eng		13	-
C'fld Gateway Project - ERDF		60	-
C'fld Gateway Project - S106		37	-
Dest'n C'fld - TIC clawback		-	(3)
	-	3,543	2,525

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FOR PUBLICATION

REPLACEMENT OF BOILERS AT THE WINDING WHEEL

MEETING:	COUNCIL
DATE:	22 JULY 2015
REPORT BY:	CULTURAL & VISITOR SERVICES MANAGER
WARD:	ALL
COMMUNITY ASSEMBLY:	ALL
KEY DECISION REFERENCE:	533

1.0 **PURPOSE OF REPORT**

- 1.1 To recommend for approval the replacement of the boilers located at the Winding Wheel, which serves the Winding Wheel, Stephenson's Memorial Hall and the Parish Church.
- 1.2 To identify the funding to pay for the replacement boilers.

2.0 **RECOMMENDATIONS**

- 2.1 That the replacement of the boilers at the Winding Wheel is approved.
- 2.2 That Council approve:
 - 2.2.1 The inclusion of the replacement of the boilers at the Winding Wheel in the Council's capital programme 2015/16.
 - 2.2.2 That a provisional sum of £110,000 be allocated to this project from the Council's property repairs fund, subject to the outcome of a procurement process.

3.0 BACKGROUND

- 3.1 The Winding Wheel was purchased and refurbished by the Council in 1987. As part of this project, coal fired boilers were installed at the rear of the building. The boilers were subsequently converted to gas following a Council decision to stop using coal to provide heat in any of its buildings.
- 3.2 In 1994 the boilers for the Pomegranate Theatre and Museum were no longer fit for purpose and, rather than replacing their boilers, a decision was made to provide heating to Stephenson's Memorial Hall from the Winding Wheel, via underground pipes.
- 3.3 In 1997, the Parish Church approached the Council and asked if it could help the church as its boilers needed replacing and securing the necessary funding for their replacement was proving challenging. It was subsequently agreed that the most beneficial way of assisting the Parish Church was to connect the church to the existing heating system at the Winding Wheel. The Parish Church authorities paid for this extension to the heating system and continue to pay the Council for their proportion of the gas used, via a heat metering system.
- 3.4 This report and its recommendations were considered by Cabinet at its meeting on 14 July, 2015 and it was resolved that the recommendations be supported.

4.0 CURRENT SITUATION

- 4.1 As part of the Council's partnership agreement, Kier Asset Partnership Services are responsible for the general maintenance and upkeep of the two gas boilers located at the Winding Wheel. The cost of this service is met from the Council's property repairs fund.
- 4.2 In recent years, because of the aging infrastructure, the boilers have needed on-going repairs. Both boilers have broken down in recent years but never at the same time. Consequently, the heating for all buildings was provided by the boiler still in operation so there was no disruption to the service.

- 4.3 Earlier this year, when one of the boilers broke down, the engineer's subsequent report stated that, although the boiler was repaired and fully operational, he could give no guarantees as to how long the repairs would last. The fault was at the base of the boiler water jacket. This metal base on both boilers has worn down considerably and the welding will not necessarily hold long term.
- 4.4 Kier has recommended that consideration should be given to prioritising the boiler replacements at the Winding Wheel this summer as there are no assurances that the boilers will survive the winter period. The breakdown of the heating system would have a significant financial impact on the Winding Wheel and Pomegranate Theatre, at what is generally one of the busiest times of the year.

5.0 **PROPOSAL**

- 5.1 In March of this year, as part of the commercial waste management review, project academy officers investigated the benefits, both financial and environmental, of installing biomass heat generation equipment at the Winding Wheel. Information, advice and data were provided by Kier and the council's Greenspaces and Sustainability Officers.
- 5.2 Investment in wood-chip biomass heat generation equipment initially appeared to be a viable option. On further investigation, however, it was noted that a significant investment of £363,000 for the equipment and £120,000 for the necessary storage barn would be required, compared to an estimated £110,000 for the replacement gas boilers.
- 5.3 After significant research, which initially appeared promising, the use of 'home sourced' wood proved not to be viable due to the significant extraction, transportation, chipping and curing requirements.
- 5.4 Although it was recognised that an investment in biomass heat generating equipment at the Winding Wheel would be a strong environmental statement by delivering substantial reductions in CO₂ it was agreed by the review group that this was not a financially viable option.

- 5.5 The review group did consider other heat sourced eco-solutions such as a heat pump, solar and underfloor technology but none of these are presently suitable alternatives to biomass and would entail significant internal changes to a listed building.
- 5.6 Kier have, therefore, proposed that the boilers are replaced with modern gas boilers and that the work should begin as soon subject to funding being available. Kier would be responsible for overseeing the design for the scheme and would produce the specification, drawings, tender documentation and cost plan. Listed building consent will also be required before this work could commence.
- 5.7 Kier would also be responsible for the tender process. It is estimated that the work on site would start in September and last approximately 4/6 weeks. It is anticipated that there should be sufficient space to allow one of the boilers to be removed and install the two new boilers whilst, at the same time, keeping the other original boiler operational. This would result in a short swap over period and would negate the need for shutdown of any of the three buildings. Alternatively, if this proved unachievable, a mobile boiler could be hired in for a short period. It is imperative that there is no disruption to the service delivered by all three buildings, in what is a very busy period.
- 5.8 The safety aspects of the project would be overseen by Kier and a CDM lead designer would also need to be appointed.

6.0 **FINANCIAL IMPLICATIONS**

- 6.1 It has been estimated that this project will cost in the region of £110,000, which will include all professional fees and a CDM lead designer. The costs include a contingency sum which could be used for a mobile boiler, should it be required.
- 6.2 As stated earlier in this report, Kier will oversee this project and this will include the preparation of all tender documents, evaluation of tenders and the appointment of the contractor.
- 6.3 It is proposed that the replacement boilers should be included in the council's capital programme for 2015/16 and will be financed

from the council's property repair fund, for which provision exists for this expenditure.

6.4 This work will be subject to a tendering process and it is estimated that the work, including all professional fees, will cost £110,000.

6.5 It is anticipated that the installation of a modern boiler will result in efficiency savings of between 10% and 15% based on the current gas usage. It is estimated that, over the three buildings, this could be between £2,500 and £3,750 per annum.

7.0 RISK MANAGEMENT

7.1 The table below outlines the risks and mitigation actions related to this project.

Description of the Risk	Impact	Likelihood	Mitigating Action
Boiler breaks down before replaced	Medium	Possible	Replacement boiler installed as soon as possible
Listed planning permission not granted	High	Unlikely	Liaise with Conservation Officer before submit application
Cost of project higher than anticipated	Medium	Possible	Robust tendering process
No heating during installation period	High	Possible	Standby mobile boiler in place

8.0 ALTERNATIVE OPTIONS TO BE CONSIDERED

8.1 The replacement of the boilers could be deferred until a later date. There is a high risk that the boilers may break down again this year and, according to the engineer's report, they may not be fit to be repaired. This would have both a financial and reputational impact on the Council and this course of action is not recommended.

8.2 Alternatively the gas boilers could be replaced with a biomass heat generation system but, as explained, this would be an expensive option to pursue. Given the current financial pressures on the council this option is not recommended.

9.0 **RECOMMENDATIONS**

9.1 That the replacement of the boilers at the Winding Wheel is approved.

9.2 That Council approve:

9.2.1 The inclusion of the replacement of the boilers at the Winding Wheel in the Council's capital programme 2015/16.

9.2.2 That a provisional sum of £110,000 be allocated to this project from the Council's property repairs fund, subject to the outcome of a procurement process.

10.0 **REASONS FOR RECOMMENDATIONS**

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

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

AGENDA ITEM

FOR PUBLICATION

RULES OF PROCEDURE – DISCIPLINARY ARRANGEMENTS FOR STATUTORY OFFICERS

MEETING:	COUNCIL
DATE:	22 JULY, 2015
REPORT BY:	EXECUTIVE DIRECTOR
WARD:	ALL
COMMUNITY ASSEMBLIES:	ALL
KEY DECISION REFERENCE:	NON-KEY 39

Background Papers: The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

http://www.legislation.gov.uk/ukxi/2015/881/pdfs/ukxi_20150881_en.pdf

1.0 PURPOSE OF REPORT

1.1 To inform Members of legislative changes relating to disciplinary action in respect to dismissal of statutory officers and to approve amendments to the Council's Employment Procedure Rules (Part 4 of the Constitution) required as a result of the changes.

2.0 RECOMMENDATIONS

2.1 That the Council:

- (a) Notes the legislative changes to the disciplinary procedures in respect of statutory officers; and

(b) Approves and adopts the Council's Constitution with the proposed amendment to the Council's Rules of Procedure.

(c) Receives further reports as necessary.

3.0 BACKGROUND

3.1 The Local Authorities (Standing Orders) (England) Regulations 2001 set out the statutory requirements for the process of recruiting, appointing, disciplining and dismissing a local authority's head of paid service, monitoring officer and chief finance officer (the statutory officers).

3.2 In exercising their functions, the statutory officers work in a political environment and so the 2001 Regulations afforded them protection by requiring that disciplinary procedures incorporated the mandatory appointment of a designated independent person (DIP) to investigate any allegation of misconduct and to provide a binding recommendation on disciplinary action against them. The arrangements were designed to provide objectivity and impartiality to the disciplinary process.

4.0 2015 REGULATIONS

4.1 In 2013, the Department for Communities and Local Government (DCLG) consulted on proposals to remove the DIP from the disciplinary process for these officers. The rationale for the proposed changes was that the DIP process was bureaucratic and time consuming and often led to local authorities making inflated severance payments in order to avoid the need to follow the DIP process.

4.2 Although the consultation gave rise to concerns being expressed about the dilution of the protection of the statutory officers, The Local Authorities (Standing Orders) (England) (Amendment) Regulations were brought into force on 11th May 2015. These Regulations set out a new procedure which must be undertaken should disciplinary action be taken in respect of these officers and remove the requirement for a DIP to be appointed.

4.3 Some details need clarification and the LGA is seeking this from DCLG. Further reports might be necessary as a result.

5.0 NEW STATUTORY PROCEDURE

- 5.1 The new procedure requires that any disciplinary sanction involving dismissal of a statutory officer should be determined by Full Council, which must consider:
- any advice, views or recommendations of an Independent Panel,
 - the conclusion of any investigation into the proposed dismissal and
 - any representations from the statutory officers concerned.
- 5.2 The Panel must include at least two “independent persons”.
- 5.3 It was initially proposed by the DCLG that the independent persons should be those appointed to the Independent Remuneration Panel. However, this has been reconsidered by the DCLG and the independent persons who should be invited to be available to be appointed to the Panel are those who have been appointed to assist the Standards Committee in maintaining the high ethical standards of Councillors.
- 5.4 The Regulations state that any remuneration, allowances or fees paid to independent persons appointed to the Panel must not exceed the level of remuneration, allowances or fees normally payable in respect of their role assisting the Standards Committee.
- 5.5 The independent persons must be invited to join the Panel in the following priority order:
- (a) A relevant independent person who has been appointed by the authority and who lives within the authority’s area;
 - (b) Any other relevant independent person who has been appointed by the authority and lives outside the authority’s area;
 - (c) A relevant independent person who has been appointed by another authority or authorities.

- 5.6 The Panel must be convened at least 20 working days before the relevant meeting of the Council at which the decision regarding disciplinary action is to be taken.
- 5.7 The Panel is an advisory committee for the purposes of Section 102(4) of the Local Government Act 1972. Such an advisory committee

may consist of such persons (whether members of the appointing authority or authorities or not) appointed for such term as may be determined by the appointing authority or authorities.

It is proposed that the Panel, should be known as the Statutory Officers Disciplinary Panel, and (subject to any further DCLG clarification) should include three Elected Members (politically balanced) and two independent persons. The appointment of panel members would occur as and when the panel is required to be convened. It is suggested that the panel members should be drawn from Employment and General Committee and/or Appeals and Regulatory Committee.

All members of the Panel including those who are not Elected Members will have voting rights.

- 5.8 The new Regulations require the Council to amend its Standing Orders at its first ordinary meeting after 11th May and it is proposed that the Council's Rules of Procedure (Part 4 of the Constitution) be amended as set out in the Appendix to this report.
- 5.9 The Council has agreed to have a maximum of three Independent Persons to give their views on standards matters, though currently has two appointed and a further applicant will shortly be interviewed.
- 5.10 The Independent Persons have been consulted to find out their views on whether they are prepared to take on this additional and unanticipated responsibility and none have expressed any objection. However, the legislation includes provision for using Independent Persons from neighbouring

authorities if necessary and/or appointing further Independent Persons.

- 5.11 The role of an Independent Person at the Council is unsalaried. However an Independent Person receives a sum of £50 for up to 4 hours work, and £100 for 4 hours and over, up to a maximum of £500 per person per annum. This is payable in recognition of the role undertaken. They also are also entitled to reasonable expenses claimed for travel and subsistence when meetings have been attended, but otherwise, the work is entirely voluntary.

6.0 FURTHER ISSUES

- 6.1 Various issues in respect of these new regulations remain under consideration by the DCLG and further guidance is awaited.
- 6.2 For example, it is unclear who should undertake the disciplinary investigation in the absence of a DIP and the nature of the appeals process. The LGA is taking up these and other issues with the DCLG.
- 6.3 Therefore, while Council must consider and adopt amended standing orders in order to comply with the timescale stipulated in the Regulations, it may be necessary for further reports to be brought to Council for further consideration in due course.

7.0 LEGAL CONSIDERATIONS

- 7.1 The amendments proposed in the report are as required by The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- 7.2 In addition, these proposals require a change to the Council's Rules of Procedure and so require consideration and approval by the Council.

8.0 OTHER CONSIDERATIONS

- 8.1 In preparing this report, the relevance of the following factors have also been considered: financial, equality and diversity and human resources.

9.0 RECOMMENDATIONS

9.1 That the Council:

- (a) Notes the legislative changes to the disciplinary procedures in respect of statutory officers; and
- (b) Approves and adopts the Council's Constitution with the proposed amendment to the Council's Rules of Procedure.
- (c) Receives further reports as necessary.

10.0 REASONS FOR RECOMMENDATION

10.1 To put in place arrangements required by The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

MICHAEL RICH
EXECUTIVE DIRECTOR

You can get more information about this report from
Michael Rich – Executive Director on Tel: 01246 345461

APPENDIX

RULES OF PROCEDURE

Disciplinary Arrangements for Statutory Officers

Revised paragraph 5(a) of the Employment Procedure Rules within the Council's Rules of Procedure (Part 4, page 140 of the Constitution)

5. Disciplinary Action

(a) Procedure

(i) In the following paragraphs:

a) "the 2011 Act means the Localism Act 2011;

b) "chief finance officer", "disciplinary action", "head of the authority's paid service" and "monitoring officer" have the same meaning as in regulation 2 of the Local Authorities (Standing Orders)(England) Regulations 2001;

c) "independent person" means a person appointed under section 28(7) of the 2011 Act;

d) "local government elector" means a person registered as a local government elector in the register of electors in the authority's area in accordance with the Representation of the People Acts;

e) "the Panel" means a committee, known as the Statutory Officers Disciplinary Panel, appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;

f) "relevant meeting" means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer;

g) "relevant officer" means the chief finance officer, head of the authority's paid service or monitoring officer, as the case may be.

(ii) A relevant officer may not be dismissed by the Council unless the procedure set out in the following paragraphs is complied with.

(iii) The Council must convene the Statutory Officers Disciplinary Panel which shall comprise at least three members drawn from the members of Employment and General Committee and/or Appeals and Regulatory Committee and shall be politically balanced.

(iv) The Council must also invite relevant Independent Persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.

(v) In paragraph (iv), “relevant Independent Person” means any Independent Person who has been appointed in accordance with Section 28(7) of the Localism Act 2011.

(vi) The Council must appoint to the Panel at least two such relevant Independent Persons who have accepted an invitation issued in accordance with paragraph (iii) in accordance with the following priority order:

(a) a relevant Independent Person who has been appointed by the Council and who lives within the Council’s area.

(b) any other relevant Independent Person who has been appointed by the Council but lives outside the authority’s area.

(c) a relevant Independent Person who has been appointed by another authority or authorities.

(vii) The Council must appoint any Panel at least 20 working days before the relevant meeting.

(viii) Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal (which decision must be made by the Council itself), the Council must take into account, in particular:

(a) any advice, views or recommendations of the Panel;

(b) the conclusions of any investigations into the proposed dismissal; and

(c) any representations from the officer subject to the disciplinary proceedings.

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COUNCIL MEETING – 22 JULY 2015 **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 below to view the Minutes you want to read.

Appeals and Regulatory Committee	20 May, 2015 21 May, 2015 27 May, 2015 3 June, 2015 (Full Committee) 3 June, 2015 (Group 2) 10 June, 2015 1 July, 2015 8 July, 2015
Licensing Committee	1 July, 2015
Planning Committee	1 June, 2015 22 June, 2015
Planning Sub Committee	25 June, 2015

If you require paper copies of the Minutes please contact:

Martin Elliott

Democratic Services, Town Hall, Chesterfield, S40 1LP

Tel: 01246 345236 email: democratic.services@chesterfield.gov.uk

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CABINET

Tuesday, 2nd June, 2015

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Huckle
	T Murphy	Ludlow
	Blank	Serjeant

Non Voting	Bagley	Brown
Members	J Innes	Wall

*Matters dealt with under Executive Powers

1 **DECLARATIONS 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 Hollingworth and A. Diouf.

3 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 21 April, 2015 be approved as a correct record and signed by the Chair.

4 **FORWARD PLAN**

The Forward Plan for the four month period June to September 2015 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

5 **DELEGATION REPORT**

Decisions taken by Executive Members during April 2015 were reported.

*** RESOLVED –**

That the Delegation Report be noted.

6 PROPOSED AIR QUALITY MANAGEMENT ORDER

The Environmental Health Manager submitted a report to inform Cabinet of the findings of the Updating and Screening Assessment Report 2015 and to recommend the actions to be taken as a consequence.

The Council was required to review and assess air quality within the Borough under Part IV of the Environment Act 1995, under a process called Local Air Quality Management (LAQM).

The report outlined the impact of the quality of air on public health and detailed the air quality objectives (AQO) set by the Government.

To complete the Updating and Screening Assessment Report information was gathered from real-time air quality stations to assess known air quality 'hotspots' in the Borough.

Intensive monitoring was carried out at four specific locations: Whittington Hill; Sheffield Road; Duke Street, Staveley and Church Street, Brimington. Monitoring at the first three of these sites had demonstrated that they were below AQO levels. Church Street, Brimington had, however, continued to be monitored as the level was close to the objective. The most recent monitoring results had confirmed an ongoing marginal breach of the AQO for nitrogen dioxide.

Based on these findings, the Council was statutorily bound to declare an Air Quality Management Area (AQMA) and to take action towards meeting the air quality objective, along a short section of Church Street, Brimington.

Derbyshire County Council as Highways Authority also had a duty to address air quality in the preparation of transport strategies and plans. It was therefore proposed to work with the County Council to produce a robust Action Plan to effectively tackle the issue.

The declaration of an AQMA would also impact on the planning functions of the Council as the National Planning Policy Framework set out that planning policies should take into account the AQMA and planning decisions should be consistent with the Local Air Quality Action Plan.

The stakeholders to be consulted were detailed in the report and it was agreed that Brimington Parish Council would also be consulted.

It was also proposed that the Council's Air Quality Strategy be revised in light of the Updating and Screening Assessment Report 2015 and in response to changes in the regulations and best practice.

***RESOLVED –**

- 1) That the findings and recommendations of the Updating and Screening Assessment Report 2015 be noted.
- 2) That an Air Quality Management Order be granted, creating an Air Quality Management Area in Brimington as shown in Appendix 3 to the report.
- 3) That the Air Quality Management Order be subject to consultation, as set out in paragraph 8.2 of the report, and that consideration of any responses received and approval of any required amendment to the order be delegated to the Cabinet Member for Health and Wellbeing.
- 4) That the Air Quality Strategy be revised and approved in principle for consultation purposes, and that other stakeholders be invited to comment on it.
- 5) That an 'Air Quality Action Plan' be produced in consultation with Derbyshire County Council.
- 6) That a further report regarding the draft action plan for the AQMA be prepared later in the year.

REASON FOR DECISIONS

To ensure the Council fulfils its statutory duty under Sections 82 to 84 of the Environment Act 1995, in such a way as to protect the health of residents within the Borough.

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CABINET**Tuesday, 16th June, 2015**

Present:-

Councillor Burrows (Chair)

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

+ Attended for Minute Nos. 7 – 20.

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brown, T. Gilby and Wall.

9 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 2 June 2015 be approved as a correct record and signed by the Chair.

10 FORWARD PLAN

The Forward Plan for the four month period July – October 2015 was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

11 **RIGHT TO BUY - SOCIAL MOBILITY FUND**

The Housing Service Manager – Business Planning and Strategy submitted a report to advise of a successful bid to the Right-to-Buy (RTB) Social Mobility Fund and to recommend for adoption a local Right-to-Buy Mobility scheme. The scheme was designed to lower the impact of the loss of stock due to the RTB in high demand areas of the Borough.

The Right-to-Buy Social Mobility Fund was a national initiative to provide certain categories of tenants with the opportunity to access home ownership where taking up the RTB on their current property was not feasible.

Following a review in Chesterfield, it was identified that tenants in designated defective non-traditional property types could benefit from assistance into home ownership with access to the Fund. The scheme would allow for a £20,000 Government contribution for eligible tenants. The Council was successful in its bid and would be eligible to draw down £200,000 under the scheme. Tenants in eligible properties were to be contacted about the new Scheme.

A locally devised scheme was also proposed to assist other households wanting to purchase their own home, as an alternative to RTB in areas of high demand for Council properties. The proposal was to offer tenants a contribution of £20,000 towards a deposit for a property on the open market. The contribution was likely to be less than the discount available under RTB. The total fund available for the local scheme was also to be limited initially to £200,000.

It was proposed that a review take place within the first six months of the implementation of both schemes.

*** RESOLVED -**

- 1) That the successful Right-to-Buy Social Mobility Fund bid be noted and the steps that were proposed to be taken to implement the scheme locally be agreed.
- 2) That the development and implementation of a locally designed Social Mobility Scheme be approved, to offer an alternative to exercising the Right-to-Buy in high demand areas of the Borough.

- 3) That the planned inclusion of an additional £200,000 in the Housing Capital Programme to create a fund for the local scheme be approved.
- 4) That Cabinet receives a progress report on the effectiveness or otherwise of the Right-to-Buy Social Mobility Fund scheme and also the locally devised Social Mobility Scheme six months post implementation.

REASON FOR DECISIONS

To meet Corporate Plan Objectives: 'to increase the supply and quality of Housing in Chesterfield Borough to meet current and future needs' and 'to become financially self-sufficient by 2020, so we can continue to deliver the services our communities need.'

12 LEADER & EXECUTIVE MEMBER FOR REGENERATION ACCOUNTS 2014/15

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Leader and Executive Member for Regeneration Portfolio Accounts for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)).

***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.

13 DEPUTY LEADER & EXECUTIVE MEMBER FOR PLANNING ACCOUNTS 2014/15

The Chief Finance Officer submitted a report on the Revenue Outturn for the Deputy Leader and Executive Member for Planning Portfolio Accounts for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved by Cabinet on 17 February 2015 (Minute No. 192 (2014/15)), and sought approval for the

carry forward of the funding for the consultancy advice still needed to support adoption of the Council's Local Plan, which was considered at Minute No. 20 below.

***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.

14 EXECUTIVE MEMBER FOR GOVERNANCE AND ORGANISATIONAL DEVELOPMENT ACCOUNTS 2014/15

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Governance and Organisational Development Portfolio Accounts for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)).

***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.

15 EXECUTIVE MEMBER FOR CUSTOMERS & COMMUNITIES FINAL ACCOUNTS 2014/15

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Customers and Communities Portfolio Accounts for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)).

***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.

16 EXECUTIVE MEMBER FOR ENVIRONMENT ACCOUNTS 2014/15

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Environment Portfolio Accounts for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)) and sought approval for a number of carry forward requests, which were considered at Minute No. 20 below.

***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.

17 HOUSING GENERAL FUND FINAL ACCOUNTS 2014/15

The Chief Finance Officer and the 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 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)).

***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.

18 HOUSING REVENUE ACCOUNT FINAL ACCOUNTS 2014/15

The Chief Finance Officer and the 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 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 10 February 2015 (Minute No. 183 (2014/15)) 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 £234,740 (paragraph 3.6 of the report) and £1,446,590 (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.

19 EXECUTIVE MEMBER FOR LEISURE, CULTURE AND TOURISM FINAL ACCOUNTS 2014/15

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Executive Member for Leisure, Culture and Tourism Portfolio Accounts for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)).

***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.

20 GENERAL FUND BUDGET OUTTURN 2014/15

The Chief Executive and Chief Finance Officer submitted a report on the General Fund Revenue and Capital Outturns for 2014/15. The report provided explanations for significant variations from the Revised Estimates approved at Cabinet on 17 February 2015 (Minute No. 192 (2014/15)) and sought approval for a number of carry forward requests.

*** RESOLVED –**

- 1) That the General Fund Revenue and Capital Outturn reports for 2014/15 be noted.
- 2) That the £313k revenue account surplus be transferred to the Retained Business Rates Reserve account.
- 3) That the officer recommendations in relation to the General Fund carry forward and deferred growth requests (para 4.8 of the report) be agreed.
- 4) That the level of General Fund Reserves and Balances (Section 6 and Appendix E) be approved.
- 5) That the capital financing arrangements set out in Appendix F of the report be approved.
- 6) That Full Council be recommended to consider the report.

REASON FOR DECISION

In the interest of sound financial management.

21 **REVIEW OF CODE OF CORPORATE GOVERNANCE AND THE ANNUAL GOVERNANCE STATEMENT**

The Corporate Management Team submitted a report on the Council's compliance with the Code of Corporate Governance requirements during the year 2014/15.

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 2014/15.

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 2014/15 (Appendix 1 to the report);
 - b) the Annual Governance Statement (Appendix 2 to the report);
 - c) the Annual Governance Statement Action Plan (Appendix 3 to the report).

- 2) That the Standards and Audit Committee be recommended to:
 - 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;
 - 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 after 12 months.
- 4) That progress on implementing the Action Plan be monitored by the Corporate Management Team.

REASONS FOR DECISIONS

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

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

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

22 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 information relating to financial and business affairs.

23 SECURITY SERVICES DSO FINAL ACCOUNTS 2014/15 AND BUSINESS PLAN 2015/16

The Chief Finance Officer and Head of Contract (Kier) submitted a report on the Final Accounts for 2014/15 and the Business Plan for 2015/16 in respect of the Security Services D.S.O..

It was proposed that £5000 from the surplus be transferred to a Future Loss Provision and the balance of the surplus be transferred to the Budget Risk Reserve.

*** RESOLVED –**

- 1) That the final accounts for the 2014/15 financial year in respect of the Security Services D.S.O. be received and the financial position noted.
- 2) That £5,000 of the surplus be transferred to a Future Loss Provision.
- 3) That the balance of the surplus (£13,379) be transferred into the Budget Risk Reserve.
- 4) That the Business Plan forecast for 2015/16 be approved.

REASON FOR DECISIONS

To enable the financial position of the Security Services D.S.O. to be included within the Council's overall Statement of Accounts for 2014/15.

24 LANDSCAPE AND STREETSCENE SERVICES (SPIREPRIDE) FINAL ACCOUNTS 2014/15 AND BUSINESS PLAN 2015/16

The Chief Finance Officer submitted a report on the Final Accounts for 2014/15 and the Business Plan for 2015/16 in respect of Landscape and Streetscene Services.

*** RESOLVED -**

- 1) That the SpirePride Final Accounts for the 2014/15 financial year be received and the financial position noted.

- 2) That the surplus of £113,562 be transferred into the Budget Risk Reserve, in accordance with the Council's Financial Strategy.
- 3) That the Business Plan forecast for 2015/16 be approved.

REASON FOR DECISIONS

To enable the financial position of SpirePride to be included within the Council's overall Statement of Accounts for 2014/15.

25 CLEANSING INTERNAL SERVICE PROVIDER CLEANING OF BUILDINGS FINAL ACCOUNTS 2014/15 AND BUSINESS PLAN 2015/16

The Chief Finance Officer submitted a report on the Final Accounts for 2014/15 and the Business Plan for 2015/16 in respect of the Cleaning of Buildings Internal Service Provider (ISP).

It was proposed that the surplus of £5,577 be transferred to the Budget Risk Reserve.

*** RESOLVED –**

- 1) That the final accounts for the Cleaning of Buildings ISP for the 2014/15 financial year be received and the financial position noted.
- 2) That the surplus of £5,577 be transferred into the Budget Risk Reserve.
- 3) That the Business Plan forecast for 2015/16 be approved.

REASON FOR DECISIONS

To enable the financial position of the Cleaning of Buildings ISP to be included within the Council's overall Statement of Accounts for 2014/15.

26 **OPERATIONAL SERVICES I.S.P. FINAL ACCOUNTS 2014/15 AND BUSINESS PLAN 2015/16**

The Chief Finance Officer and the Housing Service Manager – Operational Services submitted a report on the Final Accounts for 2014/15 and the Business Plan for 2015/16 in respect of the Operational Services Internal Service Provider (ISP).

It was proposed that £100,000 of the surplus be transferred to the Housing Revenue Account and that the remainder be set aside to fund the items detailed in paragraph 3.4 of the report.

*** RESOLVED -**

- 1) That the Final Accounts for 2014/15 be received and the financial position noted.
- 2) That £100,000 of the surplus is transferred to the Housing Revenue Account, as anticipated in the HRA Business Plan 2014/15.
- 3) That the balance of the 2014/15 surplus (£260,360) be set aside to fund the items detailed in paragraph 3.4 of the report.
- 4) That the Business Plan forecast for 2015/16 be approved.

REASON FOR DECISIONS

To enable the financial position of the Operational Services I.S.P. to be included within the Council's overall Statement of Accounts for 2014/15.

CABINET**Tuesday, 30th June, 2015**

Present:-

Councillor Burrows (Chair)

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

+ Attended for Minute No. 35.

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors...

29 MINUTES**RESOLVED –**

That the minutes of the meeting of Cabinet held on 16 June 2015 be approved as a correct record and signed by the Chair.

30 FORWARD PLAN

The Forward Plan for the four month period July to October was reported for information.

*** RESOLVED –**

That the Forward Plan be noted.

31 HONORARY ALDERMEN

The Democratic Services Manager submitted a report to enable the Cabinet to consider the possibility of recommending that the Council confers the title of Honorary Alderman on former Members of the Borough.

RESOLVED –

- 1) That it be recommended to Full Council that an extraordinary meeting of the Council be held to confer the title of Honorary Alderman on former Councillor Jim McManus on Monday 6 July, 2015, at 6.00pm.
- 2) That it be recommended to Full Council that a further extraordinary meeting of the Council be held in September, 2015 to confer the title of Honorary Alderman/Alderwoman on any further former Councillors who are nominated by the Leader of the Council.
- 3) That the Chief Executive, in consultation with the Leader of the Council, be authorised to make the necessary arrangements including approval to the resourcing of the two events at an estimated cost of £4,500.

REASON FOR DECISIONS

To recognise the eminent services rendered to the Council by former Councillor Jim McManus and by other former Councillors.

32 REFURBISHMENT OF EBENEZER ROW – WAIVER OF STANDING ORDERS

The Housing Service Manager – Business Planning and Strategy submitted a report seeking approval for an exemption to the Council's Contract Procedure Rules in order to carry out external improvement works to Ebenezer Row, Staveley.

Approval was required from the Secretary of State for the refurbishment works to be carried out on the Grade 2 listed properties owned by the Council.

Firth (UK) Ltd was approached as they were a local company with the specialist skills and knowledge to carry out the refurbishment works on the Grade 2 listed properties. The plans prepared by Firth (UK) Ltd were approved by the Secretary of State.

Based on these circumstances, approval was sought to waive Rule 9 of the Council's Contract Procedure Rules and to directly award the manufacture and installation of the windows and doors to Firth (UK) Ltd in accordance with their designs and specifications.

Not granting the waiver would have resulted in the need for the work to be openly tendered and could have resulted in a delay of up to six months in commencing work on site.

***RESOLVED –**

That approval be given for the work to refurbish the exterior of the ten properties at Ebenezer Row, Staveley and that a waiver to Rule 9 of the Council's Contract Procedure Rules be agreed in respect of the manufacture and installation of the windows and doors.

REASON FOR DECISION

The Council would be able to maintain its 'Decent Homes' standard targets in line with the Council's vision and Council Plan objective to improve the quality of life for local people.

The condition of the public sector housing stock and its environment would be maintained and improved.

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

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

This item was withdrawn and will be considered at a future meeting.

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 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 they contained information relating to financial and business affairs.

35 SPORT AND LEISURE EQUIPMENT REPLACEMENT

The Sport and Leisure Manager submitted a report to seek approval for the investment in new fitness equipment for the Council's sport and leisure facilities at the new Queen's Park Sports Centre and the Healthy Living Centre.

Existing fitness equipment was reaching the end of its lifespan and a refresh of the facilities provided was necessary to continue to provide a high quality service and to meet customer expectations.

Continuing to use existing equipment at the Queen's Park Sports Centre and the Healthy Living Centre with only a limited investment in new additional equipment for

the new Queen's Park Sports Centre was not a recommended option as it would have had a negative impact in terms of maintenance costs, the quality of the equipment and the standard of service.

*** RESOLVED –**

- 1) That a refresh and investment in new fitness equipment in the facilities at the Healthy Living Centre and the new Queen's Park Sports Centre be agreed.
- 2) That it be recommended to Full Council that a supplementary budget be approved to cover the estimated funding shortfall.

REASON FOR DECISIONS

To support delivery of the Council's vision and corporate priorities for Chesterfield:

- To make Chesterfield a thriving borough.
- To improve the quality of life for local people.
- To provide value for money services.

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

Present:-

Councillor Burrows (Chair)

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

*Matters dealt with under Executive Powers

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

No declarations of interest were received.

37 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Brown.

38 MINUTES**RESOLVED –**

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

39 FORWARD PLAN

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

*** RESOLVED –**

That the Forward Plan be noted.

40 DELEGATION REPORT

Decisions taken by Cabinet Members during June were reported.

*** RESOLVED –**

That the Delegation Report be noted.

41 UPDATED TOWN CENTRE MASTERPLAN

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

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

In revising the Masterplan, the key objectives had been:

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

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

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

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

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

***RESOLVED -**

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

REASON FOR DECISIONS

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

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

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

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

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

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

***RESOLVED –**

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

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

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

REASON FOR DECISIONS

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

43 CORPORATE HEALTH AND SAFETY IMPROVEMENT PROGRAMME 2015 - 18

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

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

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

***RESOLVED -**

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

REASON FOR DECISIONS

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

44 EQUALITIES ANNUAL REPORT

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

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

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

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

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

***RESOLVED -**

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

REASON FOR DECISIONS

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

45 COMMUNITY ASSEMBLIES ANNUAL REPORT

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

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

***RESOLVED -**

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

REASON FOR DECISIONS

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

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

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

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

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

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

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

*** RESOLVED -**

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

REASON FOR DECISIONS

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

47 REPLACEMENT OF BOILERS AT THE WINDING WHEEL

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

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

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

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

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

***RESOLVED –**

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

REASON FOR DECISIONS

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

48 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED –

That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part I of Schedule 12A to the Local Government Act 1972 – as they contained information relating to an individual and financial and business affairs.

49 LINACRE ROAD UPDATE

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

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

***RESOLVED -**

That it be recommended to Full Council:

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

REASONS FOR DECISION

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

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

50 **WESTWOOD AVENUE - FURTHER UPDATE REPORT**

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

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

***RESOLVED -**

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

REASONS FOR DECISION

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

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

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

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

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JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE

Tuesday, 2nd June, 2015

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Blank
	T Murphy	Elliott
	Ludlow	Simmons
	Bagley	Davenport
	Serjeant	Dickinson
	J Innes	
	Huckle	
Non Voting Members	Brown	Wall
	Bagley	

*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 Hollingworth and A. Diouf.

3 MINUTES

RESOLVED –

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 21 April, 2015 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, 3 and 4, on the grounds that it contained information relating to individuals, financial and business affairs and to consultations or negotiations in connection with any labour relations matter arising between the authority and employees of the authority.

5 SPORT AND LEISURE SERVICE STAFFING

The Sport and Leisure Manager submitted a report recommending for approval the establishment of new posts and a new staffing structure within the Sport and Leisure Service.

The proposed new posts to be created were:

- Six part-time Activity Leader posts
- One part-time Lifestyles Instructor post
- One temporary full-time Community Lifestyle Officer post for 2 years
- One Variable Head Attendant role
- One part-time Gymnastics Trampoline Development Officer post

It was also proposed that the existing post of Climbing Instructor be replaced by a new Climbing Development Officer post. Previously the funding for this post was used to finance an arrangement with a private contractor. This was no longer sustainable and limited the opportunities that could be developed with this activity.

The creation of six part-time Activity Leader posts would lead to a reduction in the number of zero-hour contracts within the Service and allow for continuity and effective forward planning of resources. The objective of the new posts was to improve the quality and sustainability of activities for young people and families, particularly holiday schemes.

The additional Lifestyles Instructor post would also lead to a reduction in the number of zero-hour contracts within the Service and would provide greater flexibility and capacity for delivering fitness classes. This reflected the significant shift in business development due to an increase in the numbers of memberships of the two sports centres.

The Community Lifestyle Officer was to be part funded by the Housing services and the NHS. The post would support the delivery of a Locality Plan to reduce health inequalities, and inactivity levels, and increase participation in sport and other physical activity.

The additional Variable Head Attendant role would enable suitably trained staff to undertake the Head Attendant duties on a relief basis to provide extra supervisory support when required.

The establishment of a new part-time Gymnastics Trampoline Development Officer post was to allow for an expansion of the programmes in gymnastics and trampolining to increase participation and further develop this new income stream.

Consultation with affected staff and their trade unions had been undertaken.

The report outlined the human resources and the financial implications, along with the potential risks and proposed actions to mitigate these. The job descriptions and the person specifications for the new posts were attached as Appendices to the report.

***RESOLVED –**

- 1) That the establishment of a new Activity Leader Team of six part time posts as outlined within the report be approved.
- 2) That the proposal to jointly fund and appoint a temporary full time Community Lifestyle Officer in partnership with Housing Services and the NHS be approved for two years from the date of appointment.
- 3) That the establishment of a Variable Head Attendant role as part of workforce development and succession planning within the service be approved.
- 4) That the establishment of an additional part time Lifestyles Instructor post be approved.

- 5) That the establishment of a new part time Gymnastics Trampoline Development Officer post be approved.
- 6) That the proposal to re-designate the existing post of Climbing Instructor as Climbing Development Officer be approved.
- 7) That permission be given to backfill any vacancies should any of the new posts be filled by internal candidates.

REASON FOR DECISIONS

To ensure that the Sport and Leisure Service was fit for purpose and as a consequence able to maximise performance, continuous improvement and development to ensure that the Council's Corporate Plan 2016 – 2020 was achieved.

To reduce zero hours contracts within the Council workforce and to provide permanent job additional opportunities for existing staff on zero hour contracts and employees at risk within the organisation.

JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE**Tuesday, 30th June, 2015**

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Simmons
	T Murphy	Davenport
	Ludlow	A Diouf
	Blank	Huckle
Non Voting Members	Bagley	Wall
	Brown	

*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 J. Innes, Dickinson and Elliott.

8 MINUTES**RESOLVED –**

That the Minutes of the meeting of the Joint Cabinet and Employment and General Committee of 2 June, 2015 be approved as a correct record and signed by the Chair.

9 CREATION OF DIGITAL CONTENT EDITOR POST

The Communications and Marketing Manager submitted a report seeking approval for the establishment of a Digital Content Editor post.

The new role was proposed to be a dedicated post in charge of both the strategy and day-to-day management of all the Council's websites and intranet. The role was to enable the Council to deliver the objectives of the external and internal communications strategies. The proposed job description and person specification were attached to the report.

The alternative option of continuing to operate the website and intranet without any strategic or day-to-day management was not recommended as this would not resolve the issues identified in improving customer service.

RESOLVED –

- 1) That approval be given to establish a post of Digital Content Editor within the Communications and Marketing Service.
- 2) That it be recommended to Full Council that £18,000 be allocated from the 2015/16 Budget Risk Reserve to fund the post in the current financial year and that in future years the post be incorporated into the base budget.

REASON FOR DECISIONS

To improve customer service and increase the number of transactions carried out through the Council website.

To improve internal communications by developing the intranet.

To help to deliver the Council Plan objective of 'improving access to technology that meets the needs of our residents, businesses and visitors'.

To help to deliver the first year Council Plan objective to 'switch to a new website that will provide our customers with improved access to our services, including from mobile devices'.

OVERVIEW AND PERFORMANCE SCRUTINY FORUM MEETING

Tuesday, 16th June, 2015

Present:-

Councillor Slack (Chair)

Councillors	J Barr	Derbyshire
	Burrows+	Huckle++++
	Borrell	Miles
	Callan	Perkins
	Catt	Sarvent
	V Diouf	

Anita Cunningham, Policy and Scrutiny Officer
Martin Elliott, Committee and Scrutiny Coordinator
John Fern, Communications and Marketing Manager+
Donna Reddish, Policy Manager+++
Michael Rich, Executive Director++

+ Attended for Minute No.3
++ Attended for Minutes Nos. 3 and 4
+++ Attended for Minute No.4
++++ Attended for Minute Nos. 5 and 6

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 Dyke and Tricia Gilby.

3 LEADER AND CABINET MEMBER FOR REGENERATION - EXTERNAL AND INTERNAL COMMUNICATIONS STRATEGY PROGRESS REPORT

The Leader and Cabinet Member for Regeneration and the Communications and Marketing Manager presented a progress report on the internal and external communication strategies.

The progress report on the external communication strategy included progress made in implementing the recommendations of the Overview and Performance Scrutiny Forum from its scrutiny project work, approved by Cabinet in July 2014.

The Communications and Marketing Manager advised that teams within the Council were being asked to identify how they could work towards a “digital first” approach. It was noted that when services approached the communications and marketing team for advice on particular issues that they were taken through a process that encouraged them to think about, and use, different digital channels. Only when this has been looked at, were they asked to consider whether paper based communication was needed as well. It was also noted that the new corporate branding had now been rolled out and was giving a more consistent approach in look and feel to the materials produced by the Council. The branding had already been applied in areas including new council publications, social media and some signage and official documents.

Members enquired about the roll out of signage with the new branding. The Leader advised that old signage would be replaced as and when it wore out and that the new branding would be extended to other areas such as signs and vehicles when they were due to be replaced.

The Communications and Marketing Manager advised Members on the progress being made to develop the Chesterfield Borough Council website. There had been progress on the implementation of a new content management system which would improve the website user experience by making the web page fit the screen when viewed on different devices such as tablets and phones. It was also noted that the Council’s social media accounts were experiencing a steady growth, and had been attracting more followers. Members asked about the growing number of social media followers and whether it was known exactly how many unique followers there were for the various accounts which the Council had. The Communications and Marketing Manager advised that it

was difficult to know exactly how many unique followers the accounts had as some people followed both the corporate and individual service area accounts. It was also noted that growth had been gradual as the accounts had not yet been widely promoted.

The Leader and Cabinet Member for Regeneration noted the rapid changes and improvements that had been made to the way that Chesterfield Borough Council communicated with the public by employing a professional communications team. The Leader explained that the new professional approach to communication and the adoption of the new Council logo were already delivering benefits and savings for the Council. The Leader also advised Members that he was making real effort to engage with, and use social media to communicate.

The Communications and Marketing Manager provided a progress report to Members on the implementation of the internal communications strategy of which a major part was the launch of the new intranet in the summer.

It was noted that currently half the Council's employees had no access to the intranet that the new intranet would be accessible to all staff from any computer or mobile device. The new intranet would also make it easier for teams based at different locations or sites to collaborate on projects. The Communications and Marketing Manager advised that as the intranet solution was cloud based it had presented problems regarding data security and that it had taken time for these to be resolved. The new intranet's functionalities would also be phased in over time. Members thought that the phased introduction of the intranet was a good idea and also welcomed that the intranet would now be available not just to those employees that were office based.

Members thanked the Leader and the Communications and Marketing Manager for providing the progress report and answering their questions.

RESOLVED

1. That the progress report be noted.
2. That a progress report on the implementation of the internal and external strategies be requested for the January 2016 meeting of the Overview and Performance Scrutiny Forum.

4 DEPUTY LEADER AND CABINET MEMBER FOR PLANNING - NEW PERFORMANCE MANAGEMENT FRAMEWORK

The Policy Manager and Executive Director, Michael Rich presented a report to consult the Overview and Performance Scrutiny Forum on the development of the new Performance Management Framework.

The Policy Manager advised members of the Committee that Council's no longer had formal assessments by external bodies and that performance management was voluntary. It was also noted that since 2010 the Council's performance management framework had been eroded and that it was no longer considered to be effective in challenging and improving performance.

The Policy Manager informed members that the proposed new Performance Management Framework set out a high level approach to performance management ensuring that all services and employees would be;

- Clear about what the Council is aiming to achieve, by when and by whom
- Focusing resources and actions on the right outcomes
- Increasing their awareness and ownership of how things are going- both the successes and where things need to improve
- Able to report on progress to both internal and external audience
- Able to access effective performance management improvement and support.

The Policy Manager also provided information to members on the Performance Management Cycle that would be employed, which would be to Plan, Do and Review, as well as on the Corporate Performance Scorecard which would be used to monitor and manage performance.

The Policy Manager noted that the information being monitored was not information that was not already being monitored but that currently the recording and monitoring of the information is done disparately and in a way that made improving performance "in year" difficult. The Policy Manager also noted that the new framework and the Corporate Performance Scorecard would not change the way "red light" issues would be dealt with, but would flag up issues so that any problems, or potential problems could be dealt with sooner.

Members asked several questions regarding the collection and monitoring of the performance management data. The Policy Manager advised that the Policy section would be responsible for coordinating and bringing the information together. It was noted that a 6 monthly full data report would be available for scrutiny and cabinet, and that quarterly data may also be available for meetings depending on timetabling.

Members also asked questions regarding the systems that would be used to gather and collate the data needed for the new framework. The Executive Director noted that the framework would use existing systems and reporting methods and that the framework was about monitoring and improving performance not about putting new IT systems in place for collating information. The Executive Director advised that new IT systems may come later but that these would need to follow the structure of the Performance Management Framework, rather than define the structure of the Framework. The Policy Manager also noted that IT systems used for Performance Management in other organisations had been problematic and that the point of the new Framework was not new IT systems, but to gather and monitor existing data in a more effective way and to develop communication between staff and managers to facilitate effective performance monitoring.

Members also asked about how staff would be engaged in the new Performance Management process. The Policy Manager advised that staff would be engaged via their Personal Development Reviews and that these would then feed into individual area service plans. There would also be opportunities to engage via team meetings and the service performance reviews.

The Committee thanked the Policy Manager and the Executive Director for attending and answering their questions.

RESOLVED -

1. That the report on the development of the new Performance Management Framework be noted and the Forum's comments be taken into consideration during its development.
2. That a progress report on the new Performance Management Framework be requested for the November meeting of the Overview and Performance Scrutiny Forum.

5 CABINET MEMBER FOR BUSINESS TRANSFORMATION - ICT STRATEGY AND ACTION PLAN PROGRESS REPORT

The Cabinet Member for Business Transformation presented a progress report on the ICT Strategy and Action Plan.

The current Chesterfield Borough Council ICT strategy was produced to cover the period 2012–2014 but now needed to be updated to reflect the Council's current ICT needs. The Cabinet Member noted that work had begun to understand and map the Council's current ICT systems and infrastructure in order to ensure that there was an accurate baseline and asset list moving forward. The new ICT Strategy would be focussed on service and business outcomes rather than focussing on delivery of technology for its own sake. The key outcomes that were being considered in the shaping of the new strategy included improved ICT access, mobile and agile working and reliability and compliance.

The Cabinet Member noted that ICT provision at the Council was not as good as it needed to be and that changes in how ICT was provided had to happen. The Cabinet Member advised that he wanted to see ICT as a key enabler for the changes that needed to be made to make Chesterfield Borough Council effective and able to cope with current and upcoming challenges.

Members enquired for clarification that the new ICT Strategy would cover all aspects of ICT delivery. The Cabinet Member advised that all aspects of ICT provision would be looked at in order to enable a better service to be provided and change in how services are delivered, for example by channel shifting customer interactions on-line where possible

Members asked if the PPP contract with arvato was a roadblock to changing ICT provision and making it responsive to the Council's current and future needs. The Cabinet Member advised that arvato were open to discussion and that as the Council was five years through the 10 year contract with arvato that now was a good time to look at how the contract could be best delivered to meet the Council's current needs. The Cabinet Member also noted that while it was essential that ICT provision needed to change it was important that any changes made were considered and done correctly rather than being done quickly.

Members asked if there was any possibility of ICT provision coming back in-house to Chesterfield Borough Council. The Cabinet Member advised that this was not an option being considered.

Members felt that currently the service provided through ICT was not as good as it should be, and that this made the work of Members and employees more difficult than if the technology functioned as it should, and service was provided in a better and more responsive way.

The Cabinet Member advised that he was happy to attend any future meeting of the Overview and Performance Scrutiny Forum to provide further ICT progress reports. Members thanked the Cabinet Member for attending and answering their questions.

RESOLVED

1. That the progress report be noted.
2. That a progress report on the ICT Strategy be requested for the September meeting of the Overview and Performance Scrutiny Forum.

6 CABINET MEMBER FOR BUSINESS TRANSFORMATION - CHESTERFIELD PROCUREMENT SERVICE PROGRESS REPORT

The Cabinet Member for Business Transformation presented a progress report on the Chesterfield Procurement Service.

The Procurement team currently consists of an external consultant as Procurement Manager working three days per week, supported by a full time project academy officer assisting with the procurement officer role. The Business Transformation Manager, along with James Drury, Executive Director, is currently exploring options for the future provision of the Procurement Service, analysing how different delivery models could best meet the council's future procurement needs, taking into consideration the budget position and current procurement recruitment market. The Cabinet Member advised that a report containing options would be prepared and presented to Cabinet in due course.

Members asked what options were being considered for the future of the Procurement Service. The Cabinet Member advised that a move to corporate level procurement was being looked at as currently

departments throughout the Council were purchasing separately which caused inefficiencies. Members also asked whether the option to work with others was also being considered as the Council could benefit from the savings provided by jointly buying larger amounts of goods and services. The Cabinet Member advised that all possible options were being looked at to provide the best, and best value procurement solution for Chesterfield Borough Council.

Members thanked the Cabinet Member for attending and answering their questions.

RESOLVED -

1. That the progress report be noted.
2. That a further progress report be brought to either the September or November meetings of the Overview and Performance Scrutiny Forum, dependent on when there are significant developments to report to members for consideration.

7 FORWARD PLAN

The Forward Plan was considered by the Committee.

RESOLVED -

That the Forward Plan be noted.

8 SCRUTINY MONITORING

The Committee considered the Implementation Monitoring Form for Scrutiny Committee Recommendations.

RESOLVED -

1. That the Monitoring Report be noted.
2. That the monitoring remit in relation to reference EW5 on the Monitoring form (regarding the corporate consultation and engagement elements) be transferred to the Community, Customer and Organisational Scrutiny Committee.

3. That the item on ICT Developments (under Great Place, Great Service) be moved to September, 2015 for a progress report.
4. That the rescheduling of a progress report on External Communications (monitoring reference OP4) to January 2016 be noted.

9 WORK PROGRAMME FOR THE OVERVIEW AND PERFORMANCE SCRUTINY FORUM

The Work Programme for the Overview and Performance Scrutiny Forum was considered.

RESOLVED -

1. To approve the Work Programme.
2. That a Scrutiny Project Group be appointed to look at how the Council offers concessions on fees and charges with Councillor Jeannie Barr as Lead Member and Councillors Catt, Sarvent and Slack to be members of the group. It was also resolved that non-Scrutiny members be invited to join the project group.
3. That the consideration of appointing Scrutiny Project Groups to look at the implementation of Public Space Protection Orders (PSPO's) across the borough, and on how the Corporate Plan is working at addressing the problem of deprivation across the borough be deferred to the September meeting pending further information and delivery of Scrutiny Project Groups member development.
4. That consideration of the recommendation of the Enterprise and Wellbeing Scrutiny Committee held 23 April 2015 at Minute No 70 "To consider undertaking an evaluation of the impact and effectiveness of integrated working across different service teams across the council and to recommend to Cabinet that this be a joint review working with scrutiny", be deferred to the September meeting of the Overview and Performance Scrutiny Forum pending further information to inform consideration.
5. That the Tenant Consultation Results item be moved to the work programme for the Enterprise and Wellbeing Scrutiny Committee.

6. That a progress report on Great Place, Great Service (including a progress report on ICT Strategy and Action Plan) be added to the agenda for the next meeting of the Overview and Performance Scrutiny Forum.
7. That a progress report on the implementation on the Council's Corporate Plan be added to the agenda for the next meeting of the Overview and Performance Scrutiny Forum.
8. That the item on Council Corporate Performance be moved to the November meeting of the Overview and Performance Scrutiny Forum.

10 JOINT OVERVIEW AND SCRUTINY

The Policy and Scrutiny Officer advised new members of the Forum on the remit and role of the Joint Scrutiny Panel with Bolsover and North East Derbyshire District Councils. The Policy and Scrutiny Officer also advised that the Overview and Performance Scrutiny forum would need to reappoint Chesterfield Borough Council's members on the Panel and that those members were normally both Scrutiny Committee Chairs and the Minority Group Vice-Chair.

RESOLVED –

That Councillors Borrell, Tricia Gilby and Slack be appointed to be Chesterfield Borough Council's representatives on the Joint Scrutiny Panel.

11 OVERVIEW AND SCRUTINY DEVELOPMENTS

Pursuant to the recommendation of the Enterprise and Wellbeing Scrutiny Committee held 23 April 2015, Minute No.70 (2014/15) the committee was asked to consider adopting a continued use of the scrutiny approach that was used for the delivery of the Leisure, Sport and Culture Activities Scrutiny Project Group work.

Due to unavoidable circumstances the paper explaining the detail of this approach was not yet available for consideration.

The Committee and Scrutiny Coordinator advised the committee that meetings of the Member Development Group would be restarting in the

near future. It had been suggested that a member of the Overview and Performance Scrutiny Forum join the group to represent scrutiny members and help ensure Member training met the needs of Scrutiny members.

RESOLVED -

1. That consideration on adopting the continued use of the scrutiny approach used by the Leisure, Sport and Culture Activities Scrutiny Project Group for other Project Group work be deferred to the September meeting of the Overview and Performance Scrutiny Forum.
2. That Councillor Derbyshire be the Scrutiny representative on the Member Development Working Group.

12 MINUTES

The Minutes of the meeting of the Overview and Performance Scrutiny Forum held on 19 March, 2015 were presented.

RESOLVED -

That the Minutes be approved as a correct record and be signed by the Chair.

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ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE MEETING

Thursday, 23rd April, 2015

Present:-

Councillor Slack (Chair)

Councillors Flood

Gibson
Serjeant +

Mick Blythe, Sports and Leisure Manager +
Anita Cunningham, Policy and Scrutiny Officer
Martin Elliott, Committee and Scrutiny Coordinator

+ Attended for Minute No.70

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

No declarations were made.

69 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bradford and Callan.

70 **LEISURE, SPORT AND CULTURE ACTIVITIES SCRUTINY PROJECT
GROUP PROGRESS REPORT**

Councillor Flood, the lead member on the Leisure, Sport and Cultural Activities project group presented to the committee a progress report on the group's work so far with further recommendations. The Executive Member for Leisure and the Sports and Leisure Manager also attended.

The Executive Member for Leisure noted that the project group and its work had been an excellent example of how Scrutiny can positively improve the implementation of projects and that it was an excellent example of best practice for Scrutiny work. The Executive member also praised the project group on the thoroughness of how it had consulted

with all stakeholders involved in the building of the new Queen's Park Sports Centre.

The Sports and Leisure Manager also noted how effectively and constructively Scrutiny members had worked on the Leisure, Sport and Cultural Activities project group in working with officers and other stakeholders, and that the group had provided a great example of Scrutiny by adding value to a project and its implementation.

The lead member of the project group, Councillor Flood advised that due to the length of time since an update was last provided to the Enterprise and Wellbeing Scrutiny Committee, and with many members due to retire it was a good time to present a progress report on the project group's progress so far. The report summarised the work of the Leisure, Sport and Culture Activities Project Group to date, identified on-going issues for further consideration in 2015/16 and sought approval for the Enterprise and Wellbeing Scrutiny Committee of the Group's proposed continuing work in 2015/16.

Councillor Flood commended the excellent work of the Sports and Leisure Manager, Morgan Sindall, the Executive Member for Leisure, project group members and Committee and Scrutiny Coordinator, Brian Offiler on their excellent work in making the project group and their work a success. The Sports and Leisure Manager also noted that the project group assisted in keeping officers focused on the delivery of the project and that the project group had also facilitated effective communication between members and officers.

Members noted that by having Scrutiny involvement from the start of a project, rather than by looking at a project retrospectively had been a productive way of working and that it had enabled members to be involved and impacting in the implementation of projects, rather than just reviewing how a project had been implemented.

Members thanked Councillor Flood for presenting the report and the Executive Member for Leisure and the Sports and Leisure Manager for attending.

RESOLVED –

1. To approve the on-going work of the Project Group in respect of:

- The continuing monitoring of the construction, transfer to and the operation of the new leisure centre facilities; and
 - the development of the Community Sport and Physical Activity Strategy as detailed in the proposed scope document attached at Appendix B of the report.
2. That when monitoring the implementation of previous recommendations in respect of the Playing Pitches, the Parks and Open Spaces and the Sports Facilities strategies, the Enterprise and Wellbeing Scrutiny Committee also considers the impact and effectiveness of integrated working across different service areas and teams in delivering the strategies.
 3. That a recommendation be made to the Overview and Performance Scrutiny Forum to:
 - consider undertaking an evaluation of the impact and effectiveness of integrated working across different service areas and teams more widely across the Council, focusing on the potential for integrated and added value outcomes; and
 - recommend to the Cabinet that this evaluation be undertaken working jointly with Cabinet.
 4. That the Overview and Performance Scrutiny Forum consider the potential for further use of this ongoing scrutiny approach, focusing on the potential for integrated and added value outcomes.

71 **FORWARD PLAN AND NOTICES OF URGENT DECISIONS**

The Forward Plan was considered. There had been no Notices of Urgent Decisions published since the last meeting.

Regarding key decision 504 on the Housing Allocations Policy report scheduled for Cabinet on 21 April, it was asked why the report had not been brought to this meeting as scheduled in the committee's work programme. It was reported the Housing Manager had explained there was no new information that warranted a further report to scrutiny following the consultation on the proposed policy changes, and the Chair had agreed the item not be included on the agenda.

RESOLVED -

1. That the Forward Plan be noted.
2. That a progress report on the new Housing Allocations Policy be requested and circulated to members.

72 SCRUTINY MONITORING

The Committee considered a progress report on the implementation of Cabinet approved Scrutiny recommendations, from the Leisure Sport and Cultural Activities project group, reference EW5 on the monitoring form.

Regarding those same recommendations, the report also provided options for monitoring programme management, as it was considered the monitoring of their implementation crossed the remits of this committee the Community, Customer and Organisational Scrutiny Committee, and possibly the Overview and Performance Scrutiny Forum. It was also reported that the Overview and Performance Scrutiny Forum had a work allocation co-ordination role and may have a view.

The Committee noted that items reference EW5(d) and EW4 on the monitoring form were due for progress reports at the June meeting; and that items reference EW3 and EW2 were due for progress reports at the July meeting.

RESOLVED –

1. That the overall monitoring programme be agreed.
2. That items scheduled for progress reports to the June and July meetings be noted, pending possible cancellation of the June meeting.
3. That the progress report in relation to Leisure Services be noted.
4. That the matter of monitoring remits in relation to the Leisure Sport and Cultural Activities project group reference EW5, be referred to the Overview and Performance Scrutiny Forum for a view.

73 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Policy and Scrutiny Officer advised that the corporate review of Overview and Scrutiny was progressing.

RESOLVED –

That the update be noted.

74 WORK PROGRAMME FOR ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE

The Committee considered its Work Programme and those items programmed for its next meeting. It was noted there were currently meetings scheduled for both June and July and items due for monitoring were scheduled for both meetings.

Also reported were recommendations from the Overview and Performance Scrutiny Forum held 19 March, for the Enterprise and Wellbeing Scrutiny Committee to consider appointing project groups in relation to developing the town centre, and increasing the supply and quality of housing.

RESOLVED –

1. That the Work Programme be agreed.
2. That the Overview and Performance Scrutiny Forum's recommendations be noted for further consideration at the next meeting.
3. That a progress report on the Careline Consortium be requested and circulated to members.
4. That the Policy and Scrutiny Officer contacts the Housing Services Manager, Customer division regarding the scheduling of the report on the Careline Consortium to determine whether this item should be on the agenda for the June meeting of the Enterprise and Wellbeing Scrutiny Committee.
5. That the Chair be requested in consultation with the Policy and Scrutiny Officer, to determine the business agenda for the next

meeting of the Enterprise and Wellbeing Scrutiny Committee and whether the 2 June meeting should be cancelled.

75 **MINUTES**

The Minutes of the meetings of the Committee held on 5 February, 2015 were presented. The Chair also thanked retiring members for their contribution to the work of the Committee.

RESOLVED –

That the Minutes be approved as a correct record and signed by the Chair.

ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE

Tuesday, 2nd June, 2015

Present:-

Councillor P Gilby (Chair)

Councillors Perkins
Callan
Dyke

Councillors Derbyshire
Catt

Donna Cairns, Committee and Scrutiny Co-ordinator
Anita Cunningham, Policy and Scrutiny Officer

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

Councillor Derbyshire wished it to be noted in respect of Minute No. 5 that, while not having an interest to declare, her sister worked for the Careline Service.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sarvent and V. Diouf.

3 CHAIR'S REMARKS

The Chair welcomed the Members of the Committee and remarked that the Committee would benefit from the experience of previous Members and the fresh eyes of new Members. The Chair commented that the induction session that had been held on the Overview and Scrutiny Committees for all councillors was a good introduction and that there would be opportunities for the Members to request further training or development sessions.

The Chair hoped this first meeting would provide an opportunity to review the previous work of the Committee and to consider ways to move forward.

4 LEISURE, SPORT AND CULTURE ACTIVITIES SCRUTINY PROJECT GROUP

The Chair referred the Members to the previous reports that had been submitted to this Committee from the Leisure, Sport and Culture Activities Scrutiny Project Group. This group had been running since 2013 to review the on-going construction project for the new Queen's Park Sports Centre and had since expanded to include reviews of the Playing Pitch and Outdoor Facilities Strategy, the Sports Facilities Strategy and the Parks and Open Spaces Strategy.

Some of the Members on the project group had stood down at the last election, so there was a need to invite new Members to join the Group. The Committee agreed to invite the previous Members of the group who had been re-elected to continue and that the Members of the Overview and Scrutiny Committees also be invited to take part.

The Committee also agreed that the Chair would take over leadership of the group from Cllr Flood, who had previously been the project group leader. It was commented that Cllr Flood had a lot of responsibility and commitments as Vice-Chair of Appeals and Regulatory Committee and of Licensing Committee. The Chair of the Enterprise and Wellbeing Scrutiny Committee taking on the lead of the project group was proposed to provide a clear leadership of the group from the Committee.

The Project Group would be asked to meet as soon as possible to consider its on-going work and also to review the scoping document for a sub-group on the review of the Community Sport and Physical Activity Strategy that had been considered at the previous meeting of this Committee.

It was discussed that it would be beneficial for a development session to be held on the working of project groups. This was to cover project group procedures, the expectations on Members taking part in a group and the support that would be provided by the Council. This clarification on the project groups and their resourcing would then assist in the planning of the workload for the Committee and its expectations on the amount of project group work that could realistically be undertaken.

All Councillors would be invited to attend the development session and it was requested that this session be held before the next meeting of the Committee in July 2015.

The Policy and Scrutiny Officer advised the Committee that there are some guidance documents on the project groups on the intranet that may also be helpful for the Members to refer to.

Members discussed that, following the development session on the project groups, a review should be undertaken on the membership arrangements for project groups and that some guidance could be produced to be considered by the Overview and Performance Scrutiny Forum.

RESOLVED –

- 1) That the Members of the Leisure, Sport and Culture Activities Scrutiny Project Group who had been re-elected be invited to continue to take part in the group.
- 2) That all Members of the Overview and Scrutiny Committees be invited to take part in the Leisure, Sport and Culture Activities Scrutiny Project Group.
- 3) That the Chair of this Committee, Cllr P. Gilby, take over the lead of the Leisure, Sport and Culture Activities Scrutiny Project Group.
- 4) That the Leisure, Sport and Culture Activities Scrutiny Project Group be requested to meet as soon as possible to discuss its on-going work and review the scoping document on the Community Sport and Physical Activity Strategy.
- 5) That a Member development session on project groups be held before 28 July 2015.
- 6) That following the Member development session, the arrangements for membership of project groups be considered and for new guidance to be proposed for consideration by the Overview and Performance Scrutiny Forum.

5 FORWARD PLAN AND NOTICES OF URGENT DECISIONS

The Forward Plan was considered. There had been no Notices of Urgent Decisions published since the last meeting.

The Chair advised the Members of the Committee that they could contact officers directly with any questions about reports on the Forward Plan, but Members could also discuss this with the Policy and Scrutiny Officer or the Chair or Vice Chair.

Regarding key decision 512 on the Careline Partnership, the Housing Service Manager - Customer Division had submitted an update on the current position. Members discussed that this partnership was an excellent solution to provide the service and retain public sector jobs.

RESOLVED -

- 1) That the Forward Plan be noted.
- 2) That the update on the Careline Partnership be noted.

6 SCRUTINY MONITORING

The Committee discussed that the monitoring of the implementation of the recommendations on the Parks and Open Spaces Strategy and on the Hackney Carriage Licence Limit could be deferred to the next meeting in July 2015.

Progress reports on the recommendations on the Parking Policy and on the Water Rates Payment Policy were also due to be considered at the meeting in July 2015.

The Committee agreed that the Chair and Vice-Chair would consider which items would be presented at the next meeting and which would be considered by written progress report circulated to Members by email. Members were asked to let the Chair or Vice-Chair know if they preferred to have any particular report presented at the Committee.

RESOLVED –

- 1) That the Scrutiny Monitoring Report be agreed.
- 2) That the Chair and Vice-Chair shall agree with the Policy and Scrutiny Officer at a later date whether progress reports regarding the following items will be received at the next meeting in July 2015 or will be received in writing only and circulated by email:
 - Parks and Open Spaces Strategy
 - Hackney Carriage Licence Limit
 - Parking Policy
 - Water Rates Payment Policy

7 OVERVIEW AND SCRUTINY DEVELOPMENTS

The Chair advised the Committee that this agenda item is an opportunity for Members to request areas or topics for development sessions and to be advised on corporate and other updates affecting the Overview and Scrutiny Committees.

A member development plan for the Overview and Scrutiny Committees was to be developed for the coming year and Members were invited to contribute ideas for matters to be covered.

RESOLVED –

That the update be noted.

8 WORK PROGRAMME FOR ENTERPRISE AND WELLBEING SCRUTINY COMMITTEE

The Committee considered its Work Programme.

The Committee discussed the recommendations from the Overview and Performance Scrutiny Forum (Minute No. 61 (2014/15)), for the Enterprise and Wellbeing Scrutiny Committee to consider appointing project groups in relation to developing the town centre, and increasing the supply and quality of housing. It was agreed to defer a decision on this until after the member development session on project groups had taken place.

RESOLVED –

- 1) That the Work Programme be agreed.
- 2) That the Overview and Performance Scrutiny Forum's recommendations be noted for further consideration at the next meeting.
- 3) That it be considered at the next meeting whether to reschedule or remove the items pending on the Work Programme.
- 4) That the Chair and Vice-Chair shall agree with the Policy and Scrutiny Officer the agenda for the meeting in July 2015, with regard to the progress reports referred to above, at Minute No. 6.

9 MINUTES

The Minutes of the meeting of the Committee held on 23 April, 2015 were presented.

RESOLVED –

That the Minutes be accepted as a correct record and signed by the Chair.